CONGRESSIONAL RECORD:

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

SIXTY-THIRD CONGRESS, SECOND SESSION.

VOLUME LI.

COMORESSIONAL RECORD.



VOLUME LI, PART III.

CONGRESSIONAL RECORD, SIXTY-THIRD CONGRESS, SECOND SESSION.

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SENATE.

THURSDAY, January 22, 1914.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D. The Journal of yesterday's proceedings was read and approved.

FRENCH SPOLIATION CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions of law filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the following causes:

The vessel brig Hiram, James Humphreys, master (H. Doc.

No. 637);

The vessel schooner Harmony, Samuel Brown, master (H. Doc. No. 638)

The vessel brig Dolphin, William Rice, master (H. Doc. No.

The vessel schooner Lark, Thomas Saville, master (H. Doc. No. 639);

The vessel brig Resolution, Jonathan Lester, master (II. Doc. No. 634);

The vessel brig Pearl, John Webb, master (H. Doc. No. 635); The vessel schooner Nancy, Abraham Golden, master (H. Doc. No. 642):

The vessel sloop Jenny, Cornelius B. Church, master (H. Doc. No. 643);

The vessel schooner Industry, Edward Tinker, master (H.

Doc. No. 641); The vessel schooner Agnes, George Bacon, master (H. Doc.

No. 640); and The vessel sloop Discovery, Noble Perry, master (H. Doc.

No. 644).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a concurrent resolution adopted by the Legislature of Mississippi, which was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

Senate concurrent resolution 4, requesting Congress to enact legislation for the benefit of the Choctaw Indians in the State of Mississippi.

for the benefit of the Choctaw Indians in the State of Mississippi.

Whereas there are now living in this State a number of Choctaw Indians who remained East at the time of the establishment of the Choctaw Nation in the Indian Territory, under the express stipulation of the treaty that by so remaining they "shall not lose the privilège of a Choctaw citizen"; and

Whereas a number of said Choctaws now living in this State were, in the years 1898 and 1903, identified as Choctaws, entitled under the provisions of the said treaty to the privileges of Choctaw citizenship; and

Whereas there are a number of other Choctaws living in this State who

whereas there are a number of other Choctaws living in this State who, though entitled to such identification, failed through ignorance and poverty to present their claims for enrollment; and Whereas the Congress of the United States is now engaged in winding up the affairs of the Choctaw Nation, and is proposing to distribute the tribal property of said nation to those entitled thereto; and Whereas the Choctaws in this State are poor and needy and ignorant, many of them speaking only the Choctaw language and living in accordance with the usages and customs of their ancestors, and have for 80 years lived here under these conditions without the supervision of the Interior Department, which has maintained and cared for and supervised the affairs of other full-blood Indians, and without the privilege of educating their children in the schools provided by the United States for the education and instruction of the Indians; and

whereas the Choctaw Indians in this State and elsewhere have always been and are now a peaceful, law-abiding and deserving people and aided the United States during the years of its early history, and have never engaged in war upon the citizens of the United States or committed atrocities as have many other Indian tribes which have been thereafter fostered and cared for by the Government of the United States, and provided annuities, lands, and other property: Therefore be it

Be it

Resolved by the senate (the house of representatives concurring). That the Congress of the United States be requested to enact such legislation as will secure to the said Choctaws of this State their interest in the tribal funds and property of the Choctaw Nation, and that a settlement be made with them whereby the funds so secured to them may be utilized to buy homes and maintain and educate them in the neighborhoods where they now live or in such places as they may select.

Resolved further, That the secretary of the senate send certified copies of this resolution to the presiding officers of the Senate and House of Representatives at Washington.

I, John Falkner, jr., secretary of the senate, do hereby certify that the foregoing is a true and correct copy of the resolution as passed by the senate and house of representatives.

JOHN FALKNER, Jr.,

JOHN FALKNER, Jr., Secretary of the Senate.

The VICE PRESIDENT presented memorials of Andrew Jackson Branch, American Continental League, New York City, N. Y., and of Fort Washington Branch, American Continental League, of Philadelphia, Pa., remonstrating against any appro-

priation by Congress for the celebration of the so-called "One hundred years of peace among English-speaking peoples, were referred to the Committee on Foreign Relations.

Mr. BURTON presented a petition of sundry citizens of Canton, Ohio, praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. NELSON presented the petition of James I. Coffey, of Coffey, Minn., a member of the Fond du Lac Band of Chippewa Indians, praying that certain land be allotted to the Chippewa Indians in order to carry out in full the agreement entered into through the act of January 4, 1889, which was referred to the Committee on Indian Affairs.

He also presented resolutions adopted by Twin City Metal Trades Council, American Federation of Labor, of St. Paul, Minn., favoring an investigation into the conditions existing in the mining districts of Michigan and Colorado, which were re-

ferred to the Committee on Education and Labor.

He also presented resolutions adopted at the twenty-sixth convention of the Brotherhood of Locomotive Firemen and Enginemen, held at Washington, D. C., June, 1913, remonstrating against the enactment of an exclusive Federal workmen's compensation law, etc., which were referred to the Committee on the Judiciary.

He also presented a memorial of Local Branch, No. 353, Workmen's Circle, of Duluth, Minn., remonstrating against the adoption of a literary test for immigrants to this country, which

was referred to the Committee on Immigration.

Mr. LIPPITT presented resolutions adopted by Rhode Island State Lodge, No. 130, Junior Order B'rith Abraham, favoring the enactment of legislation providing a literary test for all immigrants to this country, which were referred to the Committee on Immigration.

Mr. BRISTOW presented a petition of sundry citizens of the sixth congressional district of Kansas, praying for the adoption of a rural credit system, which was referred to the Committee

on Banking and Currency.

Mr. PERKINS presented a petition of the Chamber of Commerce of South San Francisco Cal., praying for the enactment of legislation providing for the extension of free delivery of mail service, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Chamber of Commerce of San Francisco, Cal., remonstrating against the proposed separation of the Southern Pacific and Central Pacific Railroad Companies, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Local Union No. 253, Cigar-makers International Union of America, of Oakland, Cal., praying for the passage of the so-called La Follette seamen's bill, which was ordered to lie on the table.

He also presented a petition of the congregation of the First Baptist Church of Napa, Cal., favoring the suspension of the naval program of the great powers, which was referred to the

Committee on Naval Affairs.

He also presented a memorial of sundry citizens of Calistoga, Cal., and a memorial of sundry citizens of Atwater, Cal., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Co-lumbia, which were referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Lemoore, Cal., and a petition of sundry citizens of Chico, Cal., praying for the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. McLEAN presented resolutions adopted by the Central Labor Union of Hartford, Conn.; by the Building Trades Alli-ance, of Hartford, Conn., and by the Socialist Party, of Hartford, Conn., favoring an investigation into the conditions existing in the mining district of Michigan, which were referred to the Committee on Education and Labor.

He also presented a petition of Winthrop Council, No. 7, Daughters of Liberty, of New Britain, Conn., praying for the enactment of legislation to further restrict immigration, which

was referred to the Committee on Immigration.

He also presented memorials of Independent Lodge, No. 309, Independent Order of B'rith Abraham, of Norwich; of Zion Lodge, No. 199, Independent Order of B'rith Abraham, of Ansonia, and of Silver City Lodge, No. 152, Independent Order of B'rith Abraham, of Meriden, all in the State of Connecticut, remonstrating against the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. POINDEXTER presented a petition of the Commercial Club, of Seattle, Wash., praying for the construction and operation of a Government railroad and coal mines in the Territory of Alaska, which was referred to the Committee on Territories.

He also presented a petition of the Commercial Club of Seattle, Wash., praying for the enactment of legislation authorizing the printing of tables and maps relating to the kelp industry on the Pacific coast, which was referred to the Committee on

Appropriations.

He also presented a petition of the Commercial Club of Seattle, Wash., praying for the adoption of an amendment to the act of June 9, 1910, providing that all boats over 40 feet in length that carry passengers for hire shall be subject to inspection by the local inspectors of steam vessels, etc., which was referred to the Committee on Commerce.

He also presented a petition of the Commercial Club of Seattle, Wash., praying for the adoption of an amendment to the law authorizing masters and mates whose licenses have been temporarily suspended or whose licenses have been revoked to secure licenses in lower grades of service than those affected by the order of the United States local inspectors of steam vessels, which was referred to the Committee on Commerce.

REPORTS OF COMMITTEES

Mr. SMOOT, from the Committee on Public Lands, to which was referred the bill (S. 2511) to provide for agricultural entries on coal lands in Alaska, reported it with amendments and submitted a report (No. 166) thereon.

Mr. BRYAN, from the Committee on Naval Affairs, to which was referred the bill (H. R. 8667) to promote the efficiency of the Naval Militia, and for other purposes, reported it with amendments and submitted a report (No. 167) thereon.

amendments and submitted a report (No. 167) thereon.
Mr. JOHNSON, from the Committee on Naval Affairs, to which was referred the bill (S. 2830) making appropriation for the correction of the acoustics by the Harper system of the United States Naval Academy chapel and auditorium, reported it with amendments and submitted a report (No. 168) thereon.

Mr. ROBINSON, from the Committee on Public Lands, to which was referred the bill (S. 3863) granting lands to Hot Springs Lodge, No. 62, Ancient Free and Accepted Masons, of Hot Springs, Ark., reported it with an amendment and submitted a report (No. 169) thereon.

Mr. CHAMBERLAIN, from the Committee on Public Lands,

to which was referred the bill (S. 2904) for the relief of certain persons, their heirs or assigns, who heretofore conveyed lands inside national forests to the United States, reported it with amendments and submitted a report (No. 170) thereon.

Mr. JONES, from the Committee on Fisheries, to which was referred the bill (S. 3210) to establish a fish-cultural station at some point in the State of Louisiana, reported it with amend-

ment and submitted a report (No. 171) thereon.

Mr. PERKINS, from the Committee on Fisheries, to which was referred the bill (S. 824) to establish a fish-cultural station in the State of Washington, reported it with an amendment and submitted a report (No. 172) thereon.

SALE OF PUBLIC PROPERTY BY NAVY DEPARTMENT.

Mr. LODGE. I report back favorably from the Committee on Naval Affairs the bill (S. 1983) to amend section 3618 of the Revised Statutes of the United States, relating to the sale of public property, and I submit a report (No. 165) thereon. I ask for the present consideration of the bill.

The VICE PRESIDENT. The Secretary will read the bill

for information.

The Secretary read the bill, as follows:

The Secretary read the bill, as follows:

Be it enacted, etc., That section 3618 of the Revised Statutes be, and the same hereby is, amended by adding at the end thereof a proviso, as follows:

"Provided, That this restriction shall not apply to proceeds received from contractors for bags, reels, barrels, drums, carboys, or other containers used in the delivery of material and returned to them at a price agreed on in the contract, but such proceeds shall be deposited to the credit of the appropriation from which the purchase of the material was made."

Mr. BACON. I will ask to have the title read again. I did

The Secretary. A bill (S. 1983) to amend section 3618 of the Revised Statutes of the United States, relating to the sale of public property.

Mr. OVERMAN. I should like to know what the provision

of the bill is.

Mr. LODGE. I will state it. This is a bill which was introduced by the Senator from South Carolina [Mr. TILLMAN] at the request of the Navy Department. A similar bill passed the Senate at a previous session. It simply permits the department when reimbursed for carboys or other containers to credit the amount received for reimbursement to the appropriation from which the material was purchased instead of covering it into of Columbia to require that the price of gas shall be uniform

the Treasury. It is a unanimous report from the committee. As I stated, the bill was introduced by the Senator from South Carolina at the request of the department. It has been recommended by the department several times

The VICE PRESIDENT. Is there objection to the present

consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 4136) for the allowance of certain claims for indemnity for spoliations by the French prior to July 31, 1801, as reported by the Court of Claims; to the Committee on Claims. By Mr. BRISTOW:

A bill (S. 4137) authorizing the Secretary of the Treasury to pay to Thomas J. McCormick the sum of \$100 on account of bounty; to the Committee on Military Affairs.

By Mr. GOFF:

A bill (S. 4138) for the relief of Jesse W. Graham, sole heir of Jesse Graham, deceased; and A bill (S. 4139) for the relief of Frederick A. Holden; to the

Committee on Claims.

By Mr. MARTINE of New Jersey: A bill (S. 4140) authorizing a survey with a view to protection of the beach at and near Sea Bright, N. J., and for other purposes; to the Committee on Commerce.

By Mr. JOHNSON:

A bill (S. 4141) granting an increase of pension to George W. Plaisted (with accompanying papers);

A bill (S. 4142) granting an increase of pension to Joseph M.

Davis; and

A bill (S. 4143) granting a pension to Charles M. Gray; to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 4144) to provide for the purchase of a site and the erection of a public building thereon at Monticello, in the State of Arkansas; to the Committee on Public Buildings and Grounds.

By Mr. SHEPPARD:

A bill (S. 4145) to authorize the Government of Porto Rico to construct two bridges across the Arecibo River near the city of Arecibo, P. R.; to the Committee on Commerce. By Mr. JONES:

A bill (S. 4146) granting certain lands to school district No. 44, Chelan County, Wash.; to the Committee on Public Lands. By Mr. CUMMINS:

A bill (S. 4147) to correct the military record of T. J. Shropshire (with accompanying papers); to the Committee on Military Affairs.

By Mr. OVERMAN:

A bill (S. 4148) for the relief of the estate of Seth Waters. deceased: and

A bill (S. 4149) for the relief of Samuel J. White; to the Committee on Claims.

By Mr. CLAPP:

A bill (S. 4150) for the relief of Eva M. Bowman; to the Committee on Indian Affairs.

By Mr. WILLIAMS:

A bill (S. 4151) for the relief of the estate of William Roberts, deceased; to the Committee on Claims.

By Mr. ROBINSON:

A bill (S. 4152) granting a pension to Theodore F. Bayless; to the Committee on Pensions.

By Mr. GORE:

A bill (S. 4153) providing for the holding of the United States district and circuit courts at Hugo, Okla.; to the Committee on the Judiciary.

By Mr. POMERENE:

act to codify, revise, and amend the laws relating to the judiciary," approved March 3 1911, to the Judiciary.

By Mr. POINDEXTER:

A bill (S. 4155) granting a pension to Jack Sommer; to the Committee on Pensions.

AMENDMENT TO THE DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GALLINGER submitted an amendment proposing to give jurisdiction to the Public Utilities Commission of the District throughout the District, etc., intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. WILLIAMS submitted an amendment intended to be proposed by him to the omnibus claims bill, which was referred to the Committee on Claims and ordered to be printed.

COOPERATIVE AGRICULTURAL EXTENSION WORK.

Mr. CUMMINS submitted an amendment intended to be proposed by him to the bill (S. 3091) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture, which was ordered to lie on the table and be printed.

SENATE BARBER SHOP.

Mr. WILLIAMS submitted the following resolution (S. Res. 252), which was read and referred to the Committee on Rules: Resolved. That vacancies hereafter occurring in the Senate barber shop, whether by death, resignation, or otherwise, shall not be filled.

SENATOR FROM MARYLAND.

Mr. BRADLEY. Mr. President, owing to indisposition I have not been able to file a minority report in the case of Hon. Blair Lee, Senator elect from the State of Maryland. I wish to ask the unanimous consent of the Senate for an extension of time until to-morrow morning within which to file my views.

The VICE PRESIDENT. The Chair would state to the Sena-

Mr. ROBINSON. I was just about to correct the statement made by the Chair. The request for unanimous consent yester-

day related to the case of Mr. Glass, of Alabama.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and the request is granted.

Mr. CLAPP. I desire leave to join with the Senator from Kentucky in requesting the time which has been given him to file views and will join with him in the report to be filed.

The VICE PRESIDENT. Without objection, permission is

REMEDIES FOR HOG CHOLERA.

Mr. POMERENE. I desire to give notice that on Saturday I shall address the Senate on the bill introduced by myself on November 17 appropriating funds for the purpose of providing and administering remedies for hog cholera.

Mr. KENYON. Mr. President, I wish to give notice that on Saturday, January 24, 1914, following the remarks of the Senator from Ohio [Mr. Pomerene], I shall submit some suggestions as to the Government's duty with reference to one element en-tering into the high cost of living, namely, the ravages of hog cholera.

RAILROADS IN ALASKA.

The VICE PRESIDENT. The morning business is closed, and according to the unanimous-consent agreement the Chair lays Senate bill 48 before the Senate.

The Senate resumed the consideration of the bill (S. 48) to authorize the President of the United States to locate, construct, and operate railways in the Territory of Alaska, and for other

Mr. NORRIS. Mr. President, is there not a resolution that, under the rules, comes up, having been laid over from yesterday. a resolution to discharge the Committee on Post Offices and Post Roads from the further consideration of Senate resolution 242?

The VICE PRESIDENT. It is not so noted on the calendar. Mr. BACON. Even if it should be, the unanimous-consent order displaces it. That order is that immediately after the close of routine business, if I recollect aright, this bill shall be laid before the Senate and proceeded with.

The VICE PRESIDENT. That is correct; but the resolution coming over from a previous day is a part of the morning business, although it is not so noted.

Mr. NORRIS. In view of the unanimous-consent agreement, I have no objection, if the resolution I have offered may be understood to hold its place, to having it go over until tomorrow without prejudice.

The VICE PRESIDENT. It may go over holding its place by unanimous consent. Is there objection? The Chair hears none. The resolution will come up in the morning hour tomorrow, and will be kept on the Calendar of the Presiding

Officer. Senate bill 48 is before the Senate.

Mr. PITTMAN. Mr. President, I am going to ask Senators kindly not to interrupt me while I am delivering my remarks, the bill must close at 4 o'clock, and I am as general debate on the bill must close at 4 o'clock, and I am Alaska than to consult the positive records as to soil and cli-

informed that there are several other Senators who desire to speak on this question. Of course, if there are any questions which are material to the statements I may make, I should like to have those questions asked after I conclude. I hope to terminate my remarks in 30 or 40 minutes.

OUR DUTY TO ACT.

Mr. President, the people of the United States own Alaska, and they have intrusted to us, as their representatives, the conservation, development, and utilization of its wonderful resources. We have been delegated unlimited power in the management and disposal of the great wealth of Alaska. It is within our power to delay the development of Alaska until the hardy pioneer, with his unaided hands, through countless years of unnecessary toil, has overcome the enormous obstacles, or through the ordinary business methods of a business corporation to provide the necessary capital to immediately and economically make available homes for our farmers, mines for our miners, coal for our homes, our shipping, and our Navy, supply coke, copper, and fluxes to break down the Smelter Trust, and vitalize our anemic monetary system with millions of virgin gold. We may be excused for mistakes of judgment, but never for neglect of duty.

FULL INFORMATION BEFORE US.

The Government, at great expense, has had careful investiga-tions and study made of the resources, conditions, and requirements of Alaska by disinterested Government experts, for the information of Congress, and reports of such investigations have been submitted to us for our consideration. Why, then, should we accept unauthenticated statements and opinions when, as far as we know, such statements may be based upon hearsay or imagination and such opinions fathered by motives or formed from familiarity with some peculiar and limited portion of the Territory? There is a distinguished Member of the House of Representatives who, I am informed, went down the Yukon River in 1897 as far as Circle City, who gives it as his opinion, from his observations on such trip, that the development of agriculture in Alaska is impossible. The gentleman did not go within 1,500 miles of the mouth of the Yukon River. He was separated from the Tanana Valley by a high mountain range and was over 700 miles distant from the valleys of the Kuskokwim and Susitna Rivers. It would be as reasonable for a man standing on the barren shores of Hudson Bay to conclude from his surroundings that the agricultural development of Canada would be impossible.

One sailing along the coast of Alaska, constantly in sight of high, barren mountains, nestling millions of acres of eternal glaciers, naturally would have his conception of the whole country affected by such scenes. But, in fact, those mountains are but the barrier, and back of them are broad, fertile valleys, of a much lower altitude and more temperate climate. cult to realize the varied conditions of climate and topography in Alaska unless we fix in our minds its location and great area. It is larger than the combined area of the thirteen original States, and is more varied in its physical and climatic condi-Some parts are colder than New Hampshire, while in others the winter climate is as mild as that of Georgia. On the south the climate of Alaska is tempered by the warm Japan current that makes of California and western Washington and Oregon winterless States, while 700 miles to the north it is washed by the frigid waters of the Arctic Ocean.

AGRICULTURAL POSSIBILITIES

I do not intend to debate the agricultural possibilities of Alaska, because there has been no evidence adduced in the negative. The great agricultural possibilities of the valleys of the Tanana, Kuskokwim, and Susitna Rivers have been testified to by such men as Judge James Wickersham, Delegate from Alaska; Mr. Charles V. Piper, of the Department of Agriculture; Falcon Joslin, president of the Tanana Valley Railroad Co.; Francis G. Jemmett, treasurer of the Alaska Northern Railway Co.; O. L. Dickeson, president and general manager of the Pacific & Arctic Railway & Navigation Co.; Dr. Alfred H. Brooks, geologist in charge Division Alaska Mineral Resources, and Mr. C. C. Georgeson, in charge of the agricultural experiment station in Alaska. They are all men of ability and integrity, who have had years of experience in all parts of Alaska, and their opinions are entitled to great weight.

Why should we doubt this testimony? What right have we to ignore such facts, coming from such sources? Is there any to ignore such facts, coming from such sources: Is there any evidence to the contrary? If so, what is it and by whom was it given? True, we have been told by most eminent and respectable gentlemen that Alaska is a barren arctic waste, and that the claim for Alaska of agricultural possibilities is absurd. These gentlemen have found it easier to let their imaginations extend the conditions existing in northern Alaska to southern matic conditions of that part of the Territory, obtained through years of investigation by Government experts. What do the official records say? Let me read you a few lines:

official records say? Let me read you a few lines:

The climate of the coastal province is comparable with that of Scotland and the Scandinavian Peninsula in Europe, but is somewhat warmer. That of the Inland region is not unlike the climate of Alberta, Saskatchewan, and Manitoba, in Canada. The northerly province, bordering the Polar Sea, is the only one in which arctic conditions prevail. * * In the coastal region, stretching from Katalla to Seward, the average temperature for the three summer months is about 51° F.; of the three winter months from 20° to 30° F. The lowest temperatures recorded in this region are -14° F.; the highest 82° F. * * The mean annual temperature varies greatly in different parts of this (Cook Inlet) region, being from 33° to 42° F., while the average temperature of the three summer months is about 53° F.; of the three winter months about 10° to 25° F. * * The climate of the lower Susitna and of the Matanuska Valleys differs again, both from that of Cook Inlet and that of the outer coast line. Here there are a very few records, but the summers are known to be warmer than on Cook Inlet and the winters are probably milder.

So the climate of the coldest part of the section of the Ter-

So the climate of the coldest part of the section of the Territory containing the 64,000,000 acres of agricultural land compares most favorably with the climate of North Dakota. The evidence submitted to this body, it seems to me, conclusively establishes the great agricultural possibilities of the Territory of Alaska.

The Department of Agriculture estimates the total agricultural land in Alaska at 64,000,000 acres and the tillable land at 19.200,000 acres.

The distinguished Senator from North Dakota [Mr. McCumera] seems to view the development of Alaska solely from the viewpoint of furnishing a tonnage for railroads, because the greater part, if not all, of the agricultural products of the Territory will be locally consumed. He apparently considers the development of such industry of no material importance. He forgets that those farmers will purchase in the markets of the States machinery, tools, farming implements, fencing, and other things necessary or desirable that are not produced or manufactured in Alaska, which will add to our commerce and provide a tonnage for the railroads. Again, each farm becomes a supply point from which explorations to more remote localities may be undertaken, thus facilitating the discovery of the hidden resources of the interior.

But if these advantages did not accrue to the Government, still it would be our duty to make available these homes for the thousands of home seekers and the horde of homeless, unoccupied, and suffering humanity that overrun our cities and tax the charity of our people and the administrative ingenuity of our municipal officers. We are told that there is plenty of good farm land that can be purchased for \$50 an acre. Yes; but this does not avail the people of whom I have spoken. Go and take up desert land in the West? True, the land is rich, but it takes some money to get started there. There you must buy wood, water, and provisions. If I were in destitute circumstances, I would rather have a piece of land in Alaska than anywhere in the world. There the home builder requires little but that supplied by nature. The trees furnish his log cabin, the waters his fish, the woods his game, and the fur-bearing animals his clothing.

Mr. President, some doubt has been created as to the suitability of the coal in the Bering fields for use in our Navy. A recent test by the department of a small lot was reported as producing 79.4 per cent of the efficiency of Pocahontas coal. The coal was taken from only one field, and very probably from one place in the field. I have been told that it was taken from the surface, allowed to lie upon the ground all winter, and was transported to the ship in a dirty condition, full of rock and bone and dirt. The report admits that it was crushed and very dirty. It must have come from the surface, as there are only surface workings in the field. Even under such conditions it compared favorably with the best steam coal in the United States. This test can not be accepted, however, as either fair or sufficient. The field is 50 miles square, and, according to the report of Dr. Brooks, of the United States Geological Survey and geologist in charge of Alaskan mineral resources, contains every grade of coal from lignite to anthracite. Samples of coal from this field analyzed by him were declared to be equal to Pocahontas coal for steaming purposes. Apparently no attempt was made by the Navy Department to test the coal in the Matanuska coal fields. These fields are larger than the Bering fields and, while they lie farther from the coast, the coal is less crushed and is believed to be better suited for steam purposes.

The distinguished Senator from Wyoming [Mr. CLARK] has suggested that we delay action on the bill until the Navy makes further tests. The recent tests do not encourage us to believe that the Navy Department has a sufficient realization of the importance of the matter to be depended upon to do expedi-

tiously the work necessary to a satisfactory test. If the coal fields are opened up and transportation furnished, miners can open up the coal fields so that the coal can be tested thoroughly by the Navy without too much effort. But admitting, for the sake of argument, that it is not the best coal for the Navy, still its value is not entirely destroyed. It is practically the only steaming and coking coal on the Pacific coast. It will be used by transports, by merchant vessels, by fishing schooners, by sailing vessels trading with Alaska as cargo ballast, by the people of the Pacific coast for domestic purposes, by the smelters and blast furnaces in the form of coke, and last, but not least, by the inhabitants of Alaska in the development of that great Territory. It vill place at the disposal of shipping on the Pacific a better and a cheaper fuel, thereby greatly reducing the costs of water transportation.

Our Government has expended in building the Panama Canal about \$400,000,000, chiefly for the purpose of reducing the cost of water transportation. Lower water transportation costs mean lower water freight rates, and lower water freight rates mean lower railroad transportation where competition between the two means of transportation exists.

The Alaska Commission reported that, exclusive of the Navy, there is now a demand on the Pacific coast for at least 1,500,000 tons annually. As population and shipping increase and as the demand for coal grows with the growth of smelters and blast furnaces on the coast the demand for high-grade Alaska coal will increase. Even the people of Alaska last year imported \$436,000 worth of coal. If they use such a quantity under present conditions, what will they use when the resources of the Territory are opened to development?

In discussing the resources of Alaska, I have tried briefly to indicate the value of the coal.

WE MUST HAVE MORE GOLD OR ADOPT ANOTHER MONEY STANDARD.

Mr. President, if there were neither agricultural lands, coal, nor other minerals in Alaska, other than its extensive deposits of gold, still the increasing necessity for gold, not only in our own country but throughout the world, would warrant us in building railroads for the development of such resource. The serious financial predicament which the great powers are rapidly approaching, arising from the waning of the gold supply and the constant and enormously increasing demand for credits, that must be based upon gold as the only money recognized by such powers, was a subject for grave consideration and learned debate during the construction and the enactment of our recent currency bill.

No matter how great may be our demand for a circulating or purchasing medium, such medium must be based upon gold and its quantity limited by the quantity of gold possessed. In conformity with this very rule the Senate reduced the maximum issue of currency as provided in the currency bill as it originally passed the House, not because a larger circulation might not be required in case of emergency, but because it was considered that we have not sufficient gold to secure a greater issue.

passed the House, not because a larger circulation might not be required in case of emergency, but because it was considered that we have not sufficient gold to secure a greater issue.

The distinguished Senator from New York [Mr. Roor], in discussing the currency bill, contended that the Government should not be given the power to issue \$1,870,000,000 in currency in the great of a great analysis of the great of a great analysis of the great o rency, even in the event of a great emergency, on the ground that the Government does not possess sufficient gold to secure such issue together with its other demand obligations. The whole stock of money of the United States, including all forms of circulating medium, amounts to only about \$3,720,000,000, while the wealth of our country is estimated at more than \$120,000,000,000. Think of it! We have less than \$4,000,000,000 in circulating medium, with bank deposits amounting to over nineteen billions, and loans amounting to \$14,000,000,000. yet the Government can not safely, according to the distinguished Senator from New York, issue additional circulating medium to the amount of \$1,870,000,000. Why? Because gold alone is money, and redemption of such currency in gold could not be demanded; because the nineteen billions in deposits and the \$14,000,000,000 in loans are payable in gold on demand; because our obligations and securities held in foreign countries must be redeemed in gold, while our entire stock of gold is less than \$2,000,000,000. The credit of our country is stretched to the limit, and yet there is an ever-increasing demand for All credit must be based upon gold, and yet the such credit. production of gold is waning. Is it not apparent that we must either adopt some other basis for money or procure more gold? The civilized world is wedded to gold as a money, and therefore we must use every endeavor to increase the world's supply of gold. Every country on the gold basis is in the same condition. There is a constant scrambling for gold among the nations, and millions of dollars are paid in the form of increased interest rates for the purpose of obtaining it. Many of these nations have no gold-bearing lands within their own territory

and are compelled to buy gold as a basis for their circulating medium with the products of their soil and with their national bonds; and yet we hesitate to lend our credit to have it dug out of our own soil by our own people.

Mr. Charles F. Conant, in the December number of the North American Review, in the article entitled "If gold were dross,"

The nation which finds itself unable to supply gold to settle its international balances—giving due recognition, of course, to the ability to distribute such obligations through foreign loans and other devices—wakes up to the fact that it has undoubtedly expanded its internal and has lost its international credit.

Mr. John E. Gardin, vice president of the National City Bank, in an address before the Academy of Political Science, said-and I call particular attention to this article:

in an address before the Academy of Political Science, said—and I call particular attention to this article:

The production of gold during the last four years has remained practically the same, but there is every indication that it is on the wane. This is a very serious problem that confronts us, inasmuch as we are absolutely dependent upon that metal as the basis of credit. We may be a wealthy Nation, but wealth alone does not produce fast enough. Consequently we must have credit to supplement wealth, and credit must be based upon a generally recognized vaiue, and that is gold. The principal danger to our gold supply is the enormous absorption in the arts and industries.

It is estimated that during the last 50 years over \$3,000,000,000 worth of gold has disappeared. East India alone during the last 12 years having absorbed \$500,000,000.

This would leave an annual supply, if it continues the same as at present, of only \$286,000,000—not enough for our needs. On the generally accepted ratio of credit to capital of five to one, this would mean that \$875,000,000 worth of credit is destroyed. To what extent we are in need of capital can be inferred from the requirements in this respect of London alone during the last nine months. London is estimated to have acreded \$750,000,000 for new work. No estimate is made of the requirements of Germany, France, the United States, Canada, Brazil, the Argentine, or Africa, but they must be enormous. Hence the question comes foremost in our mind: Where is the capital to come from? It is absolutely necessary that our store of gold be jealously guarded, and that it be used only in payment of our just debts. A further feature must be borne in mind in connection with this subject, and that is the danger of the invisible balance of trade, which is always against the United States. This invisible balance is variously estimated from \$500,000,000 to \$2,000,000,000, and up to the present time the deficiency has been made up by investments of foreign capital. When this country ceases to

Here is one of the strongest articles on the subject by the vice president of the National City Bank of New York. His argument is unanswerable. We must have gold. We have it within our own territory.

Mr. President, Alaska has the gold. In the last 10 years it has produced in gold over \$168,000,000. It is true that most of this gold came from points on ocean or river navigation. This does not mean that there is no gold in the interior, but that the difficulties and expenses of mining in the interior are so great that development is impossible. The reports of the United States Geological Survey show that gold exists all over the in-terior of Alaska, from the Canadian line on the Yukon River to the Kuskokwim River, 700 miles to the northwest, and from the Pacific Ocean on the south to the Koyukuk River, 500 miles to the north. Throw little cheap narrow-gauge roads across the coast range to the interior, where wagon roads can connect, and you will make possible the working of the great gold deposits and wonderfully increase the output.

The gold output of Alaska all goes directly into the United States Treasury through the mints, and thus immediately becomes a part of the gold supply of our Nation. And yet, there are some who would refuse to have the Government lend its credit that this virgin gold may be injected into the arteries of commerce. The people of the United States are not asked to pay for the building of railroads in Alaska. They are simply asked to execute a mortgage on the resources of Alaska for the purpose of developing such resources. The people of Alaska can not execute such mortgage, because all the people of this country own such resources and they alone can act through their agents, the Congress of the United States. We are not spending money on a colony. We are not making an appropriation to develop a State. We are asked to develop Government property in a Government municipality. If we are not willing to put in use the resources intrusted to our management, let us turn them over to a management that will. Let us cede the public lands and resources of Alaska to Alaska, with power of control and disposition, if we consider them unworthy of development at an expense of \$40,000,000.

I do not believe, however, that the great majority of this body believes such a loan or credit either improper or unnecessary. The Alaska Railroad Commission estimates that there will be sufficient tonnage to pay the principal and interest of the bonds; but under the bill the Government is not compelled to depend upon such receipts. It is provided that 75 per cent of all moneys derived from the sale or disposal of any of the public lands in Alaska, or the coal or other mineral contents thereof, or the timber thereon, shall be paid into a fund to redeem such bonds. When the resources are opened up and transportation insured, the receipts will undoubtedly be far greater than the demands There are bills now pending before the Senate of the bonds. providing for the leasing of the coal fields and the opening up of the Chugach National Forest Reserve for the benefit of prospectors and home seekers. There will be other bills introduced that will aid in the development of the Territory, and at the same time produce more revenue.

WILL RAILROADS PAY?

Alaska is about equal in size to the combined area of Nevada, Colorado, Utah, California, and Montana, and appears to be far richer in gold than any of these great mineral States. combined gold production of these States since 1880 has been approximately \$1,800,000,000—practically as much gold as we have in stock in the United States to-day. A royalty of 3 per cent on this production would have paid the Government over \$54,000,000. Imagine what the sum would be if the Government had received royalties on all minerals produced in those States. Yet Alaska is as great a mineral area as that contained in such States.

Now, does it seem possible that there is any danger of the Government losing by its loan of credit when, in addition to the receipts derived from the tonnage, there will be placed into the redemption fund not only 75 per cent of the moneys received for such royalties as may be established on the production of gold, but 75 per cent of the royalties received from the production of coal and 75 per cent of the purchase price of the lands and the timber in all of the Territory of Alaska?

Mr. President, I have tried, in as few words as possible, to give the reasons why I believe that Alaska is worthy of development and that the Government of the United States can safely lend its credit to the development of such resources. I now come

to the method of development that should be adopted.

All are agreed that the resources of Alaska can not be developed until transportation is furnished. That transportation must of a necessity consist of railroads and wagon roads. It is almost as cheap to build narrow-gauge railroads through the mountain barrier on the coast to the interior as it is to build wagon roads through such mountains. When the railroads have been constructed across this barrier and distributing points established, wagon roads can be built from such distributing points to the outlying territory. In my opinion, there is no reason why these railroads should be of expensive construction. The chief object of such railroads is not to carry great tofnage nor to make profits, but to serve as a pioneer transportation system in the opening up of a pioneer country. It is impossible to build one trunk line from some one harbor on the coast to some point upon the Yukon or Tanana River that will serve to develop the whole interior of Alaska. Whether there be one or several railroads, they will be built from the coast in a general northerly direction toward the Yukon and Tanana Rivers. The territory to be developed has an area of something like 600 miles east and west by some 500 miles north and south. A consideration of the area to be developed makes it apparent that one trunk line will not subserve the purpose.

DOES NOT ESTABLISH PRINCIPLE OF GOVERNMENT OWNERSHIP.

The method of financing and building these roads is a matter for serious consideration. There are many of us here who would greatly prefer that such roads be constructed and operated by private capital and individual enterprise, if it could be accomplished without giving away the resources of Alaska or sub-mitting them to the domination of a monopoly. There are Members of this body, and I am one of them, who are opposed to the Government ownership or operation of railroads where such roads will be built and operated by individuals on a competitive basis. I believe in individualism, and I am opposed to paternalism. I believe that paternalism destroys ambition, initiative, and industry. I believe that Government ownership is a dangerous policy in a Republic and tends to a condition that may mean perpetuity in office. may mean perpetuity in office.

But, Mr. President, there are greater dangers than those to which I have just referred. The dangers of control of the which I have just referred. The dangers of control of the resources of a country by private monopoly are greater than any danger that we are facing to-day. While Government ownership of railroads, like Government ownership of many other public utilities, is dangerous in principle, there are numerous exceptions to the rule which are well recognized. It is now conceded that municipal light, power, and water companies are in the very nature of things private monopolies, and therefore it is better that the municipalities should own and control

such public utilities.

The conditions that justify the municipal ownership of municipal light, power, and water companies justify the Government ownership and control of railroads in Alaska. There is no incentive for an individual to build a railroad in Alaska other than to build to his own property or for the purpose of monopolizing the resources of the country into which he builds. An individual can afford to build a railroad to his own property, whether the tonnage pays for the building and operation of the road or not, if the property is of sufficient value. The Guggenheims built a railroad to their copper mine in Alaska, but they built no farther. They built no feeders, and their road is no accommodation to those who seek to develop Alaska. Their road, instead of encouraging the discovery and opening up of other copper mines in the vicinity of their great copper mine, has rather deterred prospectors from entering that country by prohibitive freight rates. The Guggenheims could afford to build the road on account of the profits derived from their copper mine, but no one else could have afforded to build the same road to some one else's copper mine.

The United States owns 90 per cent of all of the land and minerals in Alaska, and therefore no one else can afford to build railroads to develop such resources. The tonnage might pay expenses, as the railroad commission suggests, but individuals are not building railroads to some one else's property in the hopes of paying expenses. Individuals can be induced to build railroads into Alaska by giving the resources of Alaska to such individuals. Individuals can be induced to build railroads in Alaska if the Government secures the costs of build-ing the roads, taking all of the chance of loss, without hope of protection against monopolization or adequate control over the transportation. If the Government is going to build a road for some one else, why not build it for itself and then lease it to some one else, thereby retaining title and control over the railroad in every phase, to the protection of the people

of the country.

IS AN EXCEPTIONAL CASE.

The building of a railroad in Alaska by the Government is an exception to the principle that opposes the building and control of railroads by the Government. It has been conclusively proven in the arguments of the distinguished Senators who have preceded me and who favor this bill that all of the existing transportation companies in Alaska, both by land and by water, are interlocked and confederated in one great monop-A Government built and operated railroad in Alaska is not in the nature of a common carrier. It is not really constructed and operated as an industry and for profit, but only as a means of developing a property that the Government owns that can be developed practically and economically in no other way.

Under these exceptional conditions, under the admissions and arguments made on behalf of this bill, it does not seem that there is ground for fear that the passage of this bill can be considered an opening wedge or a precedent for the Government ownership and control of railroads in the United States.

I have not spoken of the interest of the people of any particular section of this country in this great enterprise. I have discussed it as a national enterprise that will bring about national benefit. But there are those who are directly affected by this legislation, who, as citizens of our country, as our fellow men, should have some consideration in this matter.

For long years men have toiled against the obstacles in Alaska, and waited in poverty with a splendid patience for their Government to do something that would indicate that they realized that they own a great territory, greater than the Hawaiian Islands, over which our Government takes such a paternal interest; greater than the Philippine Islands, in which our Government has expended millions, chiefly in the interest of a people of an inferior civilization, with no common ties of

ambition, country, or blood.

Mr. DILLINGHAM. Mr. President, I had not intended to discuss this subject, but as the debate has proceeded many facts have been stated and many views have been expressed to which I can not, with the knowledge I have of Alaska, give my consent. For this reason I propose for a little while this morning to call attention to some features of the situation in Alaska which are familiar to me in the hope that I may help to a clearer understanding of the conditions there and of the character of the legislation required.

It will be remembered that gold was discovered in that Territory in 1895, and very soon after that, if not coincident with it, gold was also discovered in the Klondike territory in Canada. Since that time much interest has existed in the production of Dawson for distribution were delivered to the miners at a

gold in both sections. I propose in opening to call attention to the contrast in the treatment the two sections have received from the respective Governments, because I think that will help us to reach some further conclusions.

It must be remembered that Alaska is an area two-thirds as large as all the States east of the Mississippi River, yet in 1903 when a subcommittee of the Committee on Territories of this body, of which I was a member, visited Alaska there was not a mile of road in that District over which vehicles could be drawn summer or winter. The committee made a journey of 7,000 miles, occupying nearly two months, and out of the 7,000 only 111 miles were on the land. We followed the course of the Yukon River from its source in the Canadian territory to Dawson, a distance of 700 miles, thence through Alaska, crossing the Arctic Circle at Fort Yukon to St. Michael on the Bering Sea, a further distance of 1,600 miles; thence to Nome, the Pribilof and Aleutian Islands, and along the south coast of Alaska back to the Alexander Archipelago. Alaska is a Territory of mighty streams, which empty into three different seas. The Yukon flows as much water perhaps as the Mississippi, and among its many tributaries are the Koyukuk, 600 miles in length; the Copper, 950 miles in length; and the Tanana, which probably waters the finest valley in Alaska, and which is something over 800 miles in length.

The transportation for that great area which constitutes Alaska must in great measure and through all time be upon its It would be impossible to maintain, in such a vast area, railroads that could, at a reasonable cost, accommodate the demands of all its many interests. For three and possibly four

months in the summer season the rivers are open. Mr. LANE. Pardon me; for over four months.

Mr. DILLINGHAM. For over four months the rivers are open, so that supplies coming through Bering Sea can be transported, as they always have been, to all points on the Yukon and its tributaries and through to Dawson, in the Canadian territory, from which point they can be distributed in every direction, both in the Klondyke and Alaska, as the different

Mr. WORKS. Mr. President—

The PRESIDING OFFICER (Mr. VARDAMAN in the chair).

Does the Senator from Vermont yield to the Senator from California?

Mr. DILLINGHAM. I do.

Mr. WORKS. I should like to ask the Senator from Vermont what was the object of the visit by the committee of which he was a member?

Mr. DILLINGHAM. It was for the purpose of discovering the conditions existing in Alaska with reference to appropriate legislation for that District by Congress.

Mr. WORKS. Had the question arisen then as to the construction of a railroad by the National Government, or was that taken into account?

Mr. DILLINGHAM. Not at all.

Mr. WORKS. What was the date, I should like to ask? Mr. DILLINGHAM. In 1903.

I was saying when interrupted that the system of transporta-tion in Alaska must in all the future be conducted to a large extent upon the waterways, which are so ample for that purpose, and upon wagon and sled roads leading from them to the settlements, though I am not undertaking to say that a railroad should not be built when the development of Alaska indicates the need of such a road and its location has been definitely determined.

GOVERNMENT POLICIES AND ACTION CONTRASTED.

The committee which I have mentioned proceeded from Skagway through the great White Pass to the headwaters of the Yukon and thence to Dawson, which was and is the center of the Klondike territory, where we spent a week studying the methods adopted by the Canadian Government to encourage and protect those engaged in the development of the gold-mining industry of that most remarkable section.

The investigation disclosed the fact that whenever gold had been discovered there, and a rush to the mines had followed, engineer officers had been sent by the territorial government to make an investigation, and if it was determined that the scene of operations was likely to become a permanent center of population a recommendation was immediately made to the Government at Ottawa, and an appropriation was secured for the construction of such highways as were deemed necessary to its convenience and development. Under that admirable system, 225 miles of wagon road had then been constructed over frozen grounds, with the result that the provisions stored at

reasonable cost for transportation, and development was encouraged.

On the other hand, the United States Government, down to that time, had taken no similar action for the construction of highways in Alaska. Gold had been discovered at many points along the Yukon Valley and on the Seward Peninsula, and mining operations were being conducted with vigor, but owing to the fact that there were no roads in Alaska it actually cost more to carry 100 pounds of freight from the Yukon River into any one of its mining camps located even a short distance in the interior than it did to transport the same freight from San Francisco or Seattle to the point on the Yukon River nearest to the point of destination.

In a report made to this body at that time I find it is stated that flour which sold for \$8 per hundred pounds in the Klondike cost the American miner in the 40-mile district, only a short distance in the other direction from Dawson, \$32. other words, flour cost the American miner four times as much as it did his friend in the Klondike. The difference in the cost of delivering a ham or a side of bacon to the miner in the respective sections was 25 cents a pound. On condensed cream and milk there was a difference of 100 per cent in the rate of transportation, and in the case of bulkier articles, like potatoes, which are a prime necessity there, the cost to the miner in the American territory was 300 per cent greater than that paid in the Canadian territory. It was because there were no means of transportation from the rivers back to the mines. I saw lying on the bank of the Yukon machinery destroyed by rust because it could not be transported a distance of 30 miles in-land and where it was needed, simply because that whole coun-try is covered by tundra of moss and marsh, which, when thawed by the summer sun, presents an impassible surface both for man and beast. In the winter season transportation on land was at that time accomplished mainly by the use of dog teams.

The result of such investigations was reported to the Senate and legislation was secured, through the efforts of the Senator from Minnesota [Mr. Nelson], who was one of that subcommittee, appropriating the license taxes in Alaska, outside of incorporated towns, for the purpose of constructing highways. The fund so secured and expended has amounted, in round numbers, to \$1,160,000. Annual appropriations of small and large amounts were also secured from Congress, to be used by the highway commission in Alaska in extending highways from points on the rivers to points where gold had been discovered, amounting in the aggregate to \$1,375,000.

DEVELOPMENT OF ROAD BUILDING IN ALASKA

What is the result of the system of road building so inau-

what is the result of the system of road building so mangurated and carried into operation through such commission? We have to-day in Alaska wagon roads 862 miles in length. It was thought in 1903 that there should be a wagon road from Eagle, which is a military post on the Yukon not far distant from the boundary line between Canada and the District of Alaska [indicating on map], to Valdez, which is the most portharly barbor on the Pacific coast a distance of some most northerly harbor on the Pacific coast, a distance of something over 400 miles. At that time gold had not been discovered in the Tanana Valley. Fairbanks had not been founded. The effect of such discoveries has been to so change conditions as to require a different plan of development, and the commission has constructed a trunk line of wagon road from Valdez northerly to Fairbanks, a distance of 419 miles, and thence through to Fort Gibbon and Rampart, both on the Yukon, the last-named city being 900 miles from St. Michaels, the mouth of the river. They have also extended branches of that road out into the Chifina district, where I am now pointing. [Indicating on the map.] We have built roads from Eagle, Circle City, and other points on the Yukon, back into the mining districts, so that today we have connected with the waterways of Alaska 862 miles of well-constructed wagon road and a system that extends from the Pacific Ocean through to the Yukon.

We have, in addition to that, 617 miles of winter roads, of great advantage to the District, as during the eight months of winter goods brought in by boats during the summer months can be transported on snow to any point desired. In addition to that, we have pack trails amounting to 2,167 miles.

I desire at this point to call attention to the character of the wagon roads before mentioned, because I think the commission have done wonderful work. In their report recently made, they

The great obstacle to road building in Alaska, outside of the heavy cost on account of the high prices for labor and teams, is, however, the permanently frozen ground. A large portion of the soil of Alaska, except on the Pacific coast, is permanently frozen to an unknown depth, the surface being protected from thawing during the summer by a thick blanket of moss or turf. This frozen ground often contains masses of solid ice, locally termed glaciers. It occurs princi-

pally in bottom and lower slopes of the valleys, although the higher slopes are sometimes frozen.

Concerning the roads which they have built under these conditions they say:

conditions they say:

The wagon roads constructed may be described as good country highways intended to meet an all-year-round traffic of considerable tonnage. They are located with suitable grades, crowned, ditched, and drained, and corduroyed or planked where necessary. The winter sled road is an inexpensive form of construction, adapted to the requirements of winter travel in portions of the interior. It differs from the wagon road in not being crowned, ditched, and drained, nor extensively corduroyed, and from the trail in being of sufficient width through the timber and on side-hill cuts for double teams, of suitable grade for loads, and with the principal stumps and surface inequalities removed. The winter travel begins in early October and lasts to about the end of April. The trail differs from the winter sled road only in being marrower and with less attention given to grade and surface inequalities.

Further on in the report, in speaking about the cost of reads.

Further on in the report, in speaking about the cost of roads, they say that it is about two and one-half times greater than the same road would cost at any point in the United States

Mr. President, what has resulted from the construction of those roads? I think an answer to that question will be found interesting. From the report of this commission I find that the whole cost of transportation on the roads in 1913, in round numbers, was \$1,243,000; that the estimated cost of the same transportation, had those roads not been in existence, would have been \$3,385,000. If such estimate is well founded, the people of Alaska were saved a transportation tax of \$2,141,000 in a single year, or a sum nearly equal to the entire cost of the roads, which have amounted to only \$2,535,000. In other words, the profit to the people of Alaska resulting from the construction of wagon roads has been substantially as great as the entire cost of the same. There is one short line running out from Nome on which the tonnage has been so great that it paid for itself eight times over in the first six years after it was constructed. The importance of the trunk line of highway that extends from Valdez—which, by the way, is located on the most beautiful bay upon which eye has ever rested, which is the most northerly harbor on the Pacific—to Fairbanks and through to the Yukon River can not be overestimated, and the Senate should fully understand the substantial character of the work which has been accomplished. In the commission's report I find the following language:

Although the board makes no pretense of having built roads adapted for automobile traffic, machines are used under the ordinary summer conditions about Juneau, Fairbanks, and Nome. Several trips were made with machines during the past summer from Fairbanks to Chitina and to the coast at Valdez.

Chitina lies off from the direct line of the road running north. The road commission placed a field truck

This is what I wish to call attention to-

This is what I wish to call attention to—

The road commission placed a field truck of three-quarter ton capacity, of the type being experimented with by the Quartermaster and Medical Corps of the Army, on this road during the latter part of the summer and fall for the purpose of trying out the machine for supply and maintenance work and to test the availability of the road for such travel. The truck left valdez 1.30 p. m., July 28, and arrived at Fairbanks 10 a. m., August 6; left Fairbanks 12.30 p. m., August 9, and arrived at Chitina about 5 p. m., August 15; left Chitina late afternoon, August 16, returned as far as Gulkana, thence back to Valdez, arriving 4.30 p. m., August 19. The distance covered was 922 miles, making about 50 miles per day.

And that with a truck.

And that with a truck.

The car while running averaged between 8 and 9 miles per hour. In some stretches as high as 18 miles per hour was made, while in others progress was slow. In some instances the car had to be helped through soft spots on rather heavy grades, but this was not actually necessary for a distance of a mile throughout the whole length of the road. The president of the board came with the machine from Fairbanks to Chitina, and the engineer officer from there back to Gulkana and out to Valdez. The truck has done some good work on the road near Valdez since.

This road from the navigable waters of the Tanana to the coast is 419 miles in length, including the Willow Creek-Chitina branch. It crosses two mountain ranges, also numerous rivers and glacier streams, several of which remain to be bridged. It is estimated that an expenditure of an average of \$1,500 per mile would improve it to the condition of a very fair automobile road, capable of sustaining any traffic likely to pass over it.

I have read this, Mr. President, for the purpose of calling attention to what I think is the most excellent work of this commission, and to indicate what a perfect thoroughfarespeaking, of course, in a comparative sense-we have from the northern Pacific through to the waters of the Tanana and of the connection we have with the Yukon Valley as a result.

Mr. President, what I have said indicates that the plan mapped out by the committee which went to Alaska in 1903 has been successfully inaugurated, and has, in fact, brought about great results. It is a plan which is capable of indefinite extension and of incalculable benefit to the people of Alaska.

When we remember-because we are dealing with very large figures when we approach Alaska-that all this work has been done at a cost of only about \$2,600,000, it can easily be imagined what will be done for Alaska if we shall, in the near future, spend in the construction of other highways connecting the navigable waters with the settlements as they are made, and such others as shall be found to be necessary for the development of her industries, even \$4,000,000, which is only one-tenth of the amount that it is proposed to spend upon the construction of a railroad running from nowhere to nowhere, so far as we are at present advised.

CLIMATIC CONDITIONS AND AGRICULTURE.

Mr. President, aside from the gold, silver, and copper in Alaska and the good quality of coal which I feel sure will be developed in time, what elements are there in Alaska which demand at this time such an extraordinary expenditure for the construction of railroads in the interior of the Territory? can not believe that the agriculture of Alaska can ever demand such an outlet. There are mysteries connected with natural conditions in that Territory which never yet have been solved. I have traveled the whole length of the Yukon River and have found the ground everywhere frozen to the bedrock, in some places 40 feet deep and in other places 200 and 300 feet deep, the whole substance of earth between the surface and the bedrock being glacial in character. In the frozen gravel of that region the remains of the mammoth have been discovered, in one instance, I was told, with the flesh so perfect that the dogs ate it, and in such numbers that the tusks of the mammoth which had been exhumed were too numerous to be counted rare. One tusk, I remember distinctly, was 12 feet in length. No intelligent man can claim that this subterranean ice field results from present climatic conditions. Why, we have in New England days that are as cold as you will often find in the interior of Alaska. It is clearly evident that in some prehistoric age a great change was wrought in that section of the earth's surface. When it was I do not know; no one has ever been able to explain it to me. During our journey a scientist who accompanied us discovered, taken from that frozen soil, the skull and horns of what he called, I believe, the primeval ox. It can be seen in the Smithsonian Institution at this time. All these things indicate the conditions which exist throughout the interior of Alaska and which compel the miner to resort to the use of steam in thawing the earth which holds the gold which he is seeking. Can an area such as I have described be changed by present climatic conditions so as to render it capable of raising agricultural products for export? I can not believe it is possible.

When we discuss the climate of Alaska we have to consider the influence of the Japanese Current, which gives to Oregon and Washington their mild winters and cool summers.

Mr. THOMAS. And to California.

DILLINGHAM. And also to California. All of the coast States feel its influence. But how does it affect Alaska? Stop for a moment and consider. After crossing the Equator it flows northeasterly and comes first to the Aleutian Islands, which extend far to the west of Alaska proper. We find that it divides; a part passes through those islands at Dutch Harbor and other points of separation, enters the Bering Sea, and there meets the cold current coming from the Arctic Ocean. It meets it perfectly at the Pribilof Islands, which are only a day's ride by steamboat from Dutch Harbor.

In this meeting of a warm and a cold current we find the reason why the great seal herds, which have been mentioned in the debates in this body so many times in the last 10 years, go to the Pribilof Islands for the breeding season. The seal is a warm-blooded animal; it carries a heavy coat of fur; it subsists in the waters of the North Pacific for eight months in the year, and only seeks land as the breeding season approaches. it that these seal herds invariably return to the Pribilof Islands at such periods? It is simply because the warm current from Japan and the cold current of the Arctic Ocean meet there and form such a dense fog that those islands are substantially always enveloped in it. There the fur seal meets the ideal conditions, because it can not endure the sunshine. Thus it is that the warmth of the Japanese current is destroyed in entering Bering Sea and the west coast of Alaska secures none of the influence of the current, and it can not be depended upon to modify to any extent the climate of the interior of Alaska.

How does the Japan current affect the climate on the south coast of Alaska? It comes there in its largest volume [indicating on the map], bringing its warmth and moisture, and strikes the coast range of mountains [indicating on the map], ranging from 14,000 to 22,000 feet in height. As the warm atmosphere strikes these mountains its moisture is condensed, with the result that all the area south of the coast range is enveloped a considerable portion of the time either in mist or actual rain. The existence of the Japan current accounts for everything which has been said in this debate regarding the moderate tem-

perature and the superabundance of wet weather south of the coast range.

The road commission, for instance, say that they have as much difficulty in building roads on the southern coast of Alaska as they have in the interior, because of the volume of the rainfall there.

I remember on visiting Kodiak Island, at which I am pointing now [indicating on the map], an island 300 miles in length on the southern coast of Alaska, that I was told by an acquaintance, who had been there for three or four years, that on account of the excessive moisture he had never been able to bring his oats beyond the milky stage of development; that he could bring them to a point where they made good oat hay, but was unable to ripen them for the reason stated.

Another result of the condensation of the moisture as the air strikes the mountains is that vast volumes of snow fall in the winter season. When we were at Valdez we were informed that 53 feet of snow had fallen there during the preceding winter. The snow striking the mountains in ever-continuing storm settles and produces the great glaciers for which Alaska is famous. Here [indicating on the map] upon the southern coast is the Malaspina Glacier, which covers 1,500 square miles of territory and breaks into the North Pacific at points 40 and 50 miles apart. I think that at the point where we passed it, at Icy Cape or Icy Bay, the wall of ice was 25 miles in length and probably three or four hundred feet in height, dropping bergs into the sea constantly. We loaded our ship with sufficient glacier ice to last us until we returned to Seattle. I will inquire of the Senator from Minnesota [Mr. NELSON] what his recollection is regarding the length of the glacier wall at that particular place-25 miles, was it not?

Mr. NELSON. I think more than that.
Mr. DILLINGHAM. I speak of that as one of the climatic conditions resulting from the Japanese current.

When, however, you have passed over the coast range of mountains into the interior of Alaska you have passed beyond the influence of that current. The mountains have absorbed its warmth and moisture, and the interior has a climate of its own, wholly unaffected by this current. There one will find only 1 inch of rainfall, where there has been 12 inches of rainfall on the coast, and a correspondingly less amount of snow. The temperature, also, which is moderate on the coast, is extreme in the interior, not infrequently dropping to from 50° to 70° below zero. The point I am seeking to make clear is that the climate of Alaska north of the coast range can never be modified by the influence of the Japanese current.

Mr. CHAMBERLAIN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Oregon?

Mr. DILLINGHAM. Certainly.

Mr. CHAMBERLAIN. The party which accompanied the Senator into Alaska did not get away from the waterways at The trip was confined entirely to the Yukon?

Mr. DILLINGHAM. It was confined entirely to the waterways. As I have said, our journey on land covered only 111 miles, except, I believe, the Senator from Minnesota [Mr. Nelson] made a horseback trip out from the town of Eagle.

Mr. NELSON. Mr. President, will the Senator yield to me? The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Minnesota?

Mr. DILLINGHAM. Certainly.
Mr. NELSON. I made two trips into the interior on horse-back, one from Eagle out to a mining camp on Mission Creek, some 25 or 30 miles, and another trip from Valdez up through the Keystone Canyon to the foot of Thompsons Pass, and quite trip it was into the country.

a trip it was into the country.

Mr. CHAMBERLAIN. What I wanted to get at was that none of that party went into either the Tanana Valley, the Kuskokwim Valley, or the Susitna Valley?

Mr. NELSON. If the Senator from Vermont will allow

Mr. DILLINGHAM. Gladly. Mr. NELSON. I have read all or almost all of the reports of the Government exploring expeditions which have been made, and the fact is that in the interior—and the report of the road commission will show it-the whole country in the valleys is covered with tundra, a layer of moss and decayed grass, from six inches to a foot thick, and below that the ground never thaws. The only way you can remove the frost is to remove that tundra, and then the ground thaws from 2 to 3 feet on the sides of the valley exposed to the sun. From what I saw in Alaska and from what I know about it, I have been utterly astonished at the contention which is made here about its agricultural resources. I am, however, taking too much of the time of the Senator from Vermont.

Mr. CHAMBERLAIN. Mr. President-

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Oregon?

Mr. DILLINGHAM. I yield.

Mr. CHAMBERLAIN. Just a moment. The Senator from Minnesota expresses astonishment at that, and yet he relies on the reports of the Agricultural Department, and those very reports show conclusively that when that tundra is removed the land is susceptible of cultivation of the highest kind, and that this melting moisture or melting ground under the tundra furnishes a subirrigation which makes the land even more productive than ordinary

Mr. NELSON. Will the Senator yield further to me?

The PRESIDING OFFICER. Does the Senator from Vermont further yield to the Senator from Minnesota?

Mr. DILLINGHAM. Certainly.

Mr. NELSON. What the Senator calls the agricultural resources of Alaska are all based on the reports of a Dane up there by the name of Georgeson, who is something of a crank on the subject. When I was up there I visited one of his experiment stations, and it was about the sickliest affair I ever saw anywhere in the shape of an experiment station. Of course he is whooping it up. He has a job up there, and he wants to make a big showing, but I do not take any stock at all in his reports about the agricultural resources of Alaska.

Mr. DILLINGHAM. I will say to the Senator that we were not without knowledge regarding that subject. We stopped at Eagle, and at Circle, and at Fort Yukon, and at Rampart, and at Fort Gibbon, at the mouth of the Tanana River, and at the Holy Cross Mission, and I do not know at what other places, where they were making agricultural experiments

under the very best circumstances.

Mr. CHAMBERLAIN. May I interrupt the Senator just once

more? Then I will not interrupt again.

The PRESIDING OFFICER. Does the Senator from Vermont further yield to the Senator from Oregon?
Mr. DILLINGHAM. Yes.

Mr. CHAMBERLAIN. The Senator from Minnesota speaks of this "cranky Dane," and speaks of him as being the only man who has made any reports. I want to say that the record does not sustain that statement at all. Not only is Prof. Georgeson a very distinguished man, as the record here shows, but Dr. Brooks has been all over this country, and his reports and the reports of the Geological Survey confirm the reports of this so-called "cranky Dane." The reports of officials of the Agricultural Department show the same condition of things. man who has ever been in that country is more capable of judging of climatic conditions than this man, who came from a country which is almost similarly situated with Alaska.

Mr. NELSON. Mr. President-

The PRESIDING OFFICER. Does the Senator from Vermont further yield to the Senator from Minnesota?

Mr. DILLINGHAM. I yield to the Senator from Minnesota. Mr. NELSON. The idea of saying that Denmark is similar to Alaska! Denmark has not a single mountain; it has not even a respectable bluff; it is as level a country as can be found anywhere. Right there in what is called the Sound the climate is as mild and as moderate as that of England, and the whole country is one great farm. The only difference is that on the shore bordering on the North Sea there are some sand dunes. That illustrates what there is in this whole Alaska business. The idea of comparing Denmark as an agricultural country to Alaska verges on the absurd.

Mr. THOMPSON and Mr. BACON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Ver-

mont yield to the Senator from Kansas?

Mr. DILLINGHAM. Before yielding to anybody I should like to add to what the Senator from Minnesota has said-that a glance at the map of Europe will indicate why he is right. There we have England, Scotland, Wales, and Ireland. Every-body knows that the Gulf Stream flows up to and strikes those islands, separates, and goes around them on either side. mark is situated right in its course, and the Gulf Stream continues on along the coasts of Norway and of Sweden, carrying its beneficent effects with it.

I now yield to the Senator from Kansas.

Mr. THOMPSON. I simply wanted to state, as part of the RECORD and for the information of the Senator from Minnesota. that I received this morning through the mails from Alaska pictures of fields of rye that were raised there last year, and I think when I show them to the Senator he will agree with me that the rye is at least equal to that raised in Minnesota.

Mr. DILLINGHAM, Will the Senator state where the rye

shown in the pictures was raised?

Mr. THOMPSON. In the Tanana Valley, where relatives and friends of mine now live; and they sent the pictures to me for the information of Senators.

Mr. DILLINGHAM. Very well; there is no question about I have seen the same pictures, and I hope every Senator has visited room 115 of the Senate Office Building and has seen the exhibit there. They have an exhibit of bound rye and oats that is surprising to the ordinary visitor. I asked the custodians where the grain was grown, and they said in the Tanana Valley, in the neighborhood of Fairbanks.

The report of the man who has been both praised and criticized here, Prof. Georgeson, superintendent of the experiment station in Alaska, tells us that they have been unable to find a wheat that will ripen there. They have found a rye, which is the earliest ripening of the grains, from which they have some very good samples, and they have found an oat which they have ripened there; but in his report he advocates the policy of not attempting to ripen even those grains, but to cut them for hay purposes because of the lack of forage.

In his report for 1910, speaking of the Tanana Valley, Prof.

Georgeson says:

Georgeson says:

Alaska soils are not rich. Frequently statements from travelers and other observers are seen to the effect that the soil must be exceedingly rich in plant food to judge from the height of the grasses and the luxuriance of some of the vegetation, but such a conclusion is not warranted. Grasses will sometimes grow rank on an almost barren, gravelly soil, because they have plenty of moisture and they are adapted to the climate and to the conditions. The virgin soil in the interior is everywhere frozen to an unknown depth or to bedrock. In this state of refrigeration there can be no activity of the organism swhich aid in the formation of mold and the manufacture of plant food from the organic matter, and what plant food the soil may hold is in a large degree insoluble, and therefore not available for plants except by a long and slow process of weathering. For this reason the soil soon becomes exhausted and fertilizers are necessary. This is particularly demonstrated by the results at the Fairbanks station the past season, which will be referred to later.

Now, the problem is how to render the soil fertile. Stock breeding in the interior will almost certainly be limited to the few animals on each farm necessary for domestic use. The feeding period is too long to make it practicable to maintain a herd of cattle on even a moderate scale. It will be a difficult matter to provide the feed. For this reason stable manure will never be abundant in that country. Therefore some other source of plant food must be sought, and it is hoped that this source may be some species of legume which is hardy enough to withstand the winters, which will yield fair crops of forage, and which at the same time has the property of enriching the soil with nitrogen, as do the clovers and alfalfas in more southerly latitudes.

I think that is a fair statement of the soil conditions in

I think that is a fair statement of the soil conditions in Alaska. It stands to reason that, with such subterranean conditions, there can not be the development which he says is so desirable.

I do not wish to be misunderstood, either by the Senator from Kansas or by the Senator from Oregon, about the gardens of Alaska. When the tundra is removed-and it must be removed at great expense, of course-and the sun, which shines during the 100 days of summer for about 23 hours a day, gets to the soil it does thaw the surface down to a depth of 2 or 3 feet, or even 4 feet, and sometimes 5 feet. The soil, when thrown up into ridges so that it may be drained, raises a certain class of products which are really very fine, chiefly those that require a great deal of water and not much richness of The result is that the radishes are free from the usual acrid flavor and are the most delicious that one has ever tasted, the lettuce is magnificent, the cabbages are beyond comparison. When you have gotten beyond that you can raise the red currant, you can raise potatoes, but it depends upon where you raise them, as to their quality. Those which we saw in the Yukon Valley were very watery and not of good quality. We saw in the whole length of the Yukon Valley no case of any grain ripening, except at the experiment station at Rampart, where they had raised a very inferior black Russian oat, not in merchantable quantities, but two or three pecks of which were shown to us as having been ripened at that station.

Mr. LANE. Will the Senator allow me right there? The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Oregon?

Mr. DILLINGHAM. Certainly.
Mr. LANE. I should like to say that I have seen them ripened, gathered, and harvested in the Tanana Valley near Fairbanks

Mr. DILLINGHAM. I have no doubt about that. I have already stated that they have found an oat that can be ripened there, but I have also stated what the director of the experiment station says as to the profit of ripening it. He says it can not be done profitably, and that it is much better to cut the straw at that stage for forage.

When we reached the Holy Cross Mission, which though small was perhaps a better developed agricultural section than any other we saw—we found the first tame grass. They were making experiments to see if they could put in tame grass and ripen There, too, we found the first cultivated flowers seen in the entire valley. Wild flowers grow in the tundra, but without a particle of fragrance, strange as it may seem. I do not know to what to attribute it; but there in their gardens they had very

carefully cultivated a few of the hardy varieties.

The conclusion I have reached, from my observations and from a study of all the reports on Alaska, is that no man would think of going into the interior of that Territory to take up a homestead for the purposes of agriculture unless, near that homestead, there were a settled locality large enough to make a demand for what he could produce. Necessarily the prices there, on account of freights, are high; therefore he could demand a high price for what he produced and could afford to remove the tundra and open up the land to cultivation.

That, I think, is as far as the agriculture of the interior of Alaska goes. There the old rule of supply and demand as affecting prices has its application. I have no doubt that in such neighborhoods as I have indicated, and they are comparatively few and far between, farms can be opened up and a supply of the hardy vegetables can be produced for the mining communities. There is no doubt that the red-top grass which grows wild can be cut, and when harvested it will make a fair quality of hay. It is difficult, however, to cure hay on the south coast of Alaska, because of the moisture of the climate. The same is true in the interior of Alaska, because whatever rainfall there is comes late in the season, at about the time the cutting usually begins. All find difficulty in curing it.

do not want to be misunderstood. It is not my purpose to give Alaska a black eye, but I must give expression to my impression of her agricultural limitations as I saw them and as I

understand them to be from my reading.

OTHER RESOURCES.

It is said that in Alaska we have a country of wonderful resources and that proof of it is found in the fact that its products already marketed have amounted to almost \$450,000,000. True it is; but from what sources has that wealth come?

THE FISHERIES.

From the fisheries alone we have received \$148,000,000 out of the \$446,000,000, and those fisheries have ministered to Alaska's advantage only in the slightest possible degree. as an illustration, the cannery at Karluk, on the island of Kadiak, which we visited, which is capable of putting up in tin 60,000 red salmon in a day. We saw 50,000 fish taken out of the bay at Karluk the day we visited it. seines, drawn by a steam tug, sweep large areas of the harbor and are finally drawn to the shore by a stationary steam engine operating on a capstan. When the seine is landed it is literally filled with a wriggling mass of salmon, which the natives employed transfer by the use of pitchforks to the boats which are rowed up behind it, and are so taken to this cannery

How does Alaska benefit from that industry? Simply by the wages that are paid to a small colony of natives there. corporation ship comes up from San Francisco, bringing a great number of Japanese and Chinese and men of other nationalities to do its work. When the season closes the entire product is shipped, and crews and workmen all disappear until the following year, and Alaska has been benefited only by the small amount paid in wages to some of the natives, who are employed only during the short canning season. So that Alaska, in what she gives us in fish, is not getting the benefit of the transaction. California secured that.

THE FUR INDUSTRY.

And what about the vast product in furs? Alaska has contributed to the world's wealth nearly \$73,000,000, almost wholly from the Pribilof Islands. The fur seals, as I have already indicated, have their home on these islands. The entire advantage Alaska has gained from this vast industry is the advantage that comes to a few natives who live on the islands and who skin the seals and preserve the pelts for the lessees. Alaska secures absolutely nothing out of the business. There is nothing in it to develop the Territory or minister to the advantage of its resident population.

MINERAL PRODUCTION.

So when the value of Alaska's fish and furs, for which that Territory derives no developing powers, is deducted from the grand total of her products we have remaining only the \$205,-000,600 that we have received from Alaska through the gold, the silver, and the copper that has been produced.

How has this mining enterprise developed Alaska? What effect has it had to bring in a white population and to establish homes? The native population of Alaska is in the neighborhood of 30,000. After gold was discovered the whites went in to the number of 30,000, but of those 27,000 were men and only 3,000 women. The census of 1910 shows a white population in Alaska of 30,334, but of females only 6,066.

All this indicates that Alaska is a great mining camp. It is not a Territory of homes. The population is to a considerable extent transient. When the darkness of autumn comes upon Alaska every person who is situated to do so goes to the States to spend the long winter. When it is remembered that there are eight months during which darkness extends from half-past 3 or 4 in the afternoon until nearly 10 the next morning one can imagine why it is that they do not care to remain there during the long winter months. I recall the situation at Nome. I am unable to give the exact figures, but as I now recall them fully one-third of the entire population of that peninsula were in the habit of going to the States before navigation closed in the fall. I do not think I have overstated the proportion.

From all this it appears that the development that has come to Alaska has been the development that has come through the mines and through the mines only. The white population of the Territory is the result of its mineral wealth and whatever has resulted from that; the people as a whole have not gone there to make homes, as has been so many times claimed during these debates. Whatever agricultural development there has been, whatever agricultural development the future may bring forth, is and must be, in my judgment, induced by the demands made upon it by those seeking the advantages which Alaska offers in other fields of enterprise.

Mr. THOMAS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Colorado?

Mr. DILLINGHAM. I yield.

Mr. THOMAS. If the Senator will permit me, I simply wish to interrupt him to say that the condition which he has described is applicable to every section of the world which has been developed primarily through the search for the precious metals. The pioneers who go out and look for gold and silver always blaze the way for those who come after them to settle and build these waste places. So I think that description, while perfectly accurate, merely indicates that Alaska has not yet passed through the initial stage of its settlement, but as gold mines and gold deposits are developed through the attraction of men seeking to have all things to enrich themselves by the discovery and utilization of that metal, there will come afterwards those people who intend to make homes and who civilize and populate the country.

Mr. DILLINGHAM. The Senator and myself, Mr. President, look at the possibility of making homes and making agriculture possible from a different standpoint. He, of course, is entitled to his opinion upon the question. Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Vermont yield further?

Mr. DILLINGHAM. I do.

Mr. THOMAS. In this connection I merely wish to say the same thing agriculturally was said of the section of the country which I in part represent within the lifetime of the present generation-that it was a barren waste. As was stated by the Senator from New Hampshire [Mr. GALLINGER] the other day, it was practically denounced as worthless by even so great a statesman as Daniel Webster, while to-day the men and women who have come after the gold seekers have made it one of the most populous and productive regions of the United States.

Mr. DILLINGHAM. Mr. President, the point I was seeking to make and which I repeat is that, because of the conditions which I have mentioned, the agriculture of Alaska is wholly dependent upon the establishment of the mining camps; and in this area, which I have already said is two-thirds as large as all of the States east of the Mississippi River, no one can to-day prophesy when and where those camps will be opened.

Mr. CUMMINS. Mr. President— Mr. DILLINGHAM. If the Senator pleases, unless he wants to ask a question, I am endeavoring to get out of his way so that he can have the floor.

The PRESIDING OFFICER. Does the Senator from Vermont decline to yield?

Mr. DILLINGHAM. Oh, no; I yield.

Mr. CUMMINS. I would rather ask the Senator a question than to speak in my own time, because I have a high regard for the judgment of the Senator from Vermont, and I wish he would sum it up to me in this way: Suppose we were inclined to give to a private corporation for the purpose of aiding in the building of a railroad or railroads in Alaska the same proportion of her resources or riches that we gave years ago of the resources of my State-and I assume the Senator knows pretty accurately what part of the State of Iowa was given to the various railroad companies to induce them to build railroads across it—does the Senator from Vermont believe that a private corporation so

aided would build a railroad or railroads into the interior of

Mr. DILLINGHAM. I am inclined to think they would eventually

Mr. CUMMINS. Why?

Mr. DILLINGHAM. Mr. President, I do not want to be drawn into a long discussion on that question. The point I proposed to make, if the Senator will excuse me, was do not think the time has now come-I do not think the time is ripe for us to enter into a scheme as large as the scheme involved in this bill seems to be. I do not know how it will be 10 years from now. I do not think the Senator was in the Chamber when I discussed the development of the road system of Alaska, which, earlier in my remarks, I went into quite in detail. It is stated by some of those who have been quoted, and it is in evidence, that one of the railroads already constructed in Alaska failed because it could only lay freight down on its platform, where it remained, as there were no roads from such points into the interior. I think in order to make any railroad profitable in Alaska there must be wagon roads connecting the railroad stations with the mining camps, as they are now building them from the river points into the mining camps of the interior, and I do not think any railroad in any part of Alaska will pay without a great system of wagon roads to act in cooperation with it.

Mr. CUMMINS. Mr. President-

Mr. DILLINGHAM. The point I intended to make in con-

cluding my remarks was along that line.

Mr. CUMMINS. Very well; then I will not pursue the inquiry further. I was rather inferring as the Senator proceeded that in his opinion there ought not to be any railroads built

Mr. DILLINGHAM. I do not say that.

Mr. CUMMINS. In other words, that the Territory was

Mr. DILLINGHAM. Oh, no.

Mr. CUMMINS. That its resources would not support profitably a railroad from the sea to the interior. That is a point upon which I have not, of course, the same amplitude of information the Senator from Vermont has, but I have rather been accepting it as true that whether in agriculture or in the product of mines there would be business enough in Alaska to support a railroad and that a railroad is required in order to carry the products of Alaska of whatever kind to

NECESSITY FOR MORE ACCURATE KNOWLEDGE AS A BASIS FOR ACTION.

Mr. DILLINGHAM. Mr. President, in reply to the Senator from Iowa I will say with all frankness that I do not know where Alaska will have its greatest development, nor where a trunk line of railroad could most profitably be located to-Ten years ago Fairbanks had not been heard of, the coal fields were unknown. What will happen in the next 10 years no one can safely judge. Even now I am uninformed as to the nature of the coal supply in Alaska. When I was there it was said there was nothing but lignite. To-day we are told that there are vast fields of coal, and I am inclined to believe it is so. I have watched this debate and listened to the testimony that has been given, but I can not satisfy myself that anyone knows where the Government ought to direct its agencies in the development of coal properties. Until that development has been made, until we have accurate and definite information both as to the supply and the quality of the coal deposits, and especially until it has been determined which particular coal field is the most desirable, I think it a great mistake for the Government to engage in the building of railroads to the extent provided for in this bill. I think it is a great deal better to develop the system of highways that have done so much for Alaska, and which will do so much in the future, and let the different sections of Alaska be developed minerally until we know precisely where the richer sections are. Let also a scientific investigation of the coal fields be made and correct information secured, and then, when we have intelligently determined where the best coal supply is located, let railroad construction go on.

Mr. CUMMINS. Is it not the observation of the Senator from Vermont that the railroad is the pioneer in progress and development, and that it is not possible to secure a great extent

of development without a railroad?

Mr. DILLINGHAM. That is true where we know the country and what the possibilities of it are, and in a country that does not abound as Alaska does with great navigable streams, which must inevitably furnish the basis for transportation. With a territory as large as that the water rates must be cheaper than those over any railroad. I never expect to see

the time when the supplies for Alaska will not in a large measure be carried upon the navigable streams of that District.

Mr. GALLINGER. Mr. President-

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Does the Senator from Vermont yield to the Senator from New Hampshire?

Mr. DILLINGHAM. Certainly.

Mr. GALLINGER. I will ask the Senator if in his view it is not a prime consideration in the development of Alaska that the laws should be liberalized, so as to invite settlers there, and if they are so liberalized and settlers go there, will they not then build roads?

Mr. DILLINGHAM. I have no doubt about it. The settlers who are there already have contributed to this object. I forgot to mention that they have contributed quite liberally to the building of roads out into districts where they reside.

Mr. CHAMBERLAIN. If I may be permitted—

The PRESIDING OFFICER. Does the Senator from Ver-

mont yield to the Senator from Oregon?

Mr. DILLINGHAM. Certainly.

Mr. CHAMBERLAIN. The Senator suggests liberalizing the

laws of Alaska so as to invite settlers. I may say to the Senator that the homestead laws are more liberal in Alaska than in any other part of the country—that is, settlers are allowed to take up 320 acres of land. The coal-land laws of the West have been modified in favor of Alaska, but all the lands have been withdrawn, practically, from settlement by virtue of Executive proclamations.

Mr. GALLINGER. But they get a good title to the land? Mr. CHAMBERLAIN. They could if the land were not in a

Mr. GALLINGER. Mr. President, just one word more. I have listened to this debate, and we have been told that the reason why our people are going over to Canada is because their land laws are so much more liberal and our land laws are so oppressive. If that suggestion is to be abandoned, then my question would not have much potency. My question grew out of what I had heard discussed here on the floor in this debate.

Mr. NELSON. Mr. President-

Mr. DILLINGHAM. I yield to the Senator from Minnesota. Mr. NELSON. I desire to supplement what the Senator from Oregon [Mr. CHAMBERLAIN] has said. It is true that they can take larger homesteads in Alaska than elsewhere, but the great drawback and handicap is that the lands are not surveyed there, and before a man can secure a title he has to get it surveyed himself; and that proves to be a most dilatory and laborious process. So very few homesteads have been entered; they are simply there as squatters. The delay and expense of getting the land surveyed, when they have to pay for the surveyed to the s themselves, are so immense that few of them have attempted to secure title.

Mr. BORAH. Mr. President— Mr. DILLINGHAM. I yield to the Senator from Idaho.

Mr. BORAH. I rose to say practically what the Senator from Minnesota has said, that while there is the advantage which the Senator from Oregon [Mr. Chamberlain] speaks of, yet in its ultimate effect the settlement laws of Alaska are not so satisfactory as the laws of Canada for the settlement of public lands. Not only with reference to the quantity of land, but with reference to getting title, and so forth, does Canada deal more favorably than the United States toward the settler. but Canada gives her personal attention and makes it her personal business to see that the bona fide settler wins out in his fight. If he becomes short of money or loses a horse, or in anyway breaks down financially, Canada undertakes to see, as long as he is there struggling for a home, that he has the advantage which enables him to secure it. It is that condition of affairs which has taken settlers over into Canada.

Mr. CHAMBERLAIN. Mr. President, will the Senator yield

to me for just a moment?

Mr. DILLINGHAM. Gladly. Mr. CHAMBERLAIN. I wish to say that Canada has gone further, and built railroads to assist their settlers and other people on the public domain.

Mr. BORAH. I am not opposing the Senator's railroad, but reject the proposition entirely that we shall get settlers in Alaska by reason of the railroads, if they do not find a place

where they can alight and have a home of their own.

Mr. DILLINGHAM. Mr. President, in conclusion let me say that by reason of the climatic conditions, which I have described, do not see any future for Alaska agriculture except as it is locally developed by the discovery of gold or copper and the establishment of mining centers. Secondly, I do not see how it is possible for anyone to intelligently locate a railroad to-day for the development of the gold-mining industries and the agricultural industry dependent upon them. We all know that copper is in the Copper River Valley, and in large quantities, and roads already have been projected into that valley.

To my mind the real important consideration with which we have to deal is whether we shall undertake this stupendous project of expending \$35,000,000 or \$40,000,000 on the uncertain

information we have relating to the coal fields.

The debate shows that we have no reliable information regarding the extent of coal deposits or the quality of the different deposits or the location of the best coal, and until we have carried our investigations to a much greater extent than we have already been able to do, it seems to me a mistake for the Government to go to the very great expense of establishing a railroad system in Alaska, with her incomparable waterways. I do not to-day know where I would locate a railroad if I were to build one for the development of the gold-mining industry, nor would I know where I would locate one to best develop the coal industry of Alaska. For these reasons and upon the facts which I have stated, I find myself unable to support the pending

Mr. THOMAS. Mr. President, I shall detain the Senate but a very few moments, because I am conscious of the fact that there is only a brief period between the present moment and the hour that is fixed by the unanimous-consent rule taking a vote upon this measure. I have, however, been much interested and much impressed with this debate, which has involved so many matters of paramount interest to the American people and which bears so intimately upon what may be our future course of legislation with reference to the great problem of transportation, that I feel constrained to say a few words upon that

phase of the subject. I am not personally familiar with any portion of Alaska be-What has been said concerning its possibilities and the development of its resources which will follow cheap or general transportation is the result either of governmental investigation or of personal experience, or both, and this is so far superior to anything that I could add by way of suggestion that I shall say as little as possible upon that subject. I understand, however, that as a general proposition the matter of railroad building, the selection of railroad routes, has largely been determined by the physical conditions of the seacoast, and that there are only two or three passes through which lines of railway penetrating the interior and connecting with the coast can be constructed. Hence that phase of the bill has been settled for us.

There is no question but that this immense Territory has been greatly favored by nature, and that as time passes the wonderful and extensive nature of its resources will be more and more re-I have been several times impressed with what has been said concerning the present unpromising conditions in Alaska and have drawn mental comparisons with the condemnatory criticisms of some of our papers and people about Alaska contemporaneously with and succeeding its acquisition. I have also drawn mental parallels between derogatory or optimistic notions concerning this country and the views that were entertained of the great intermountain west but a few years ago. I believe that as Alaska is opened up and as opportunities are given for the enterprising and ambitious to go into that country and utilize the conveniences that will come from a fairly good system of transportation many of the gloomy things which have been uttered here will be found to be quite as unsubstantial as those which were made of the section known as the great west-ern intermountain region. So far as the matter of railway building is concerned that feature of the bill presents to the country one of the most important subjects that has been brought before this Congress for its consideration.

I am not one of those who feel like modifying or avoiding the impression that it is a proposed experiment in Government ownership or that it may become the precedent for Government ownership upon a more extensive scale, because it does provide for governmental construction, ownership, and operation of a system of transportation. It suggests itself to my mind favorably since I believe that the problem of Government ownership is rapidly becoming one of the insistent problems of the immediate future, and hence I welcome this opportunity for the Government to make the experiment of united ownership and operation in a section of country which may be well considered a virgin field for such an experiment.

Alaska in this particular is sui generis. The United States

Government owns nearly all the Territory. Its physical position makes the expenditure of large amounts of money that its resources may be developed and become available absolutely necessary, and that must be furnished either from private or by

Now, private capital has made an effort at construction. It has made the attempt to do so. It has been frequently asserted,

and is the general public belief, that the private capital thus far expended has been expended as a part of a general scheme of universal control if not ownership of that vast extent and

area of country by private interests.

Assuming that there must be some basis for this general belief and knowing what the general tendency of all great enterprises nowadays is, I think there is ample justification for this impression in the public mind. It has resulted, as those things always result, in executive and departmental orders of restriction and withdrawal and in legislation which bears more heavily upon the innocent than upon the guilty. This has practically paralyzed the development of the country through the apprehension that liberalism in legislation, which would permit the country to be settled through acquisition of mines and coal, may open the doorway to increasing and continued monopoly.

So in that view of the problem I am very glad that we shall have an opportunity, if this bill becomes a law, to ascertain the extent to which governmental construction of transportation facilities may be carried and the capacity of the United States

to own and operate lines of transportation.

I am not impressed, Mr. President, by the contention the Senator from Mississippi [Mr. WILLIAMS] made the other day, that no business for the road is apparent. If I understood him correctly, one of the objections to the embarkation of the Government upon this enterprise is that there is no business for these railroads in the event they are constructed, and therefore no warrant for this large expenditure. That is largely true; but such was the case, Mr. President, when the Union Pacific Railroad and Central Pacific Railroads were organized and endowed by the Government with enormous land grants and bond guaranties as an inducement and an aid to their construction.

Some years ago, and I think in 1889, Mr. Sidney Dillon, who at one time was the president of the Union Pacific Railroad, wrote for Scribner's Magazine a most interesting account of the completion of these two great continental railroads. In the course of that interesting historical article, he called attention to the fact that in all of the discussions, in all of the conferences and preliminaries leading up to the construction of those two railways, the prospect of any local business or the possibility of any local transportation or business, even for the future, was not considered at all. The roads were to be financed by the issuance of bonds and by governmental aid, and upon the theory that the oriental traffic, the traffic with Japan and China-their teas, their silks, their spices seeking the markets of Europe—would reach that Continent by way of San Francisco and New York, and this oriental traffic would furnish an abundant revenue, not only for the purpose of paying the operating expenses and fixed charges of the road, but also ample income for dividends. When Mr. Dillon wrote he said, as illustrating the futility of human speculation, that the oriental traffic of the roads was then 5 per cent and the local traffic, which had sprung into existence and contributing to their lines after the roads had been completed, was 95 per cent of the entire business. The road was completed in 1869, and in less than 20 years the resource from which it was expected that the revenues of the road would be almost entirely, if not entirely, derived had become a negligible quantity in the volume of traffic which went to make up the real revenues of the road in 1888.

Mr. BORAH. Mr. President—
The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. THOMAS. I yield.

Mr. BORAH, The situation which culminated in the development of that great railroad system and its power with reference to natural resources is that there were open to exploration millions of acres of public land and mineral resources, and so forth. While I am in favor of this bill and shall vote for it, it occurs to me, as I said the other day, it is only one step which we will have to take in this matter, because the Government must either exploit these natural resources and develop them, or sell them and permit some one else to go in there and do it.

Mr. THOMAS. The Senator from Idaho anticipated precisely what I was going to add, that unless this bill is followed by legislation that will permit the development of the resources of Alaska, the objection made by the Senator from Mississippi [Mr. WILLIAMS] might prove to be perfectly good. If, however, it is—and I am encouraged to believe that it will be—supplemented by legislation by giving opportunity not only for the ascertainment but for the acquisition and development of the resources of Alaska, the same result will follow that has followed the completion of the first of the great lines of transcontinental highways. Unless that is done the Government might just as well take the proceeds of these bonds for the building of this system of roads as provided in the bill and sink them into the Alaskan seas. The two must go together, and I believe that the one will follow the other. If I did not so believe, then I would not under any circumstances support this

Mr. President, if the Government is going to construct railroads at all in Alaska, I think it should be authorized, and by legislation equipped with the authority, to construct a substantial railway system, not for the purpose of developing coal alone, not for the purpose of developing agriculture alone, but to the end that all of the resources of Alaska may contribute their wealth to the common treasury of the Nation; in other words, the use of the Government's credit and of its capital with reference to Alaska should be with the ultimate end and object in view of serving the entire Territory as an integral part of the United States. While the acquisition of coal may be the immediate purpose to be subserved, it should not by any means be the only purpose to be subserved. As a consequence, when the bill is in operation the administrative department of the Government should be equipped to take advantage of and should do those things which may be necessary to systematize and make effective the lines of railway transportation that are to be completed.

I quite agree with the views of the Senator from Iowa [Mr. KENYON] concerning Government ownership of lines of transportation. If control through ownership of lines of transportation becomes essential to the public interest and the equipment of the roads or of the systems can be so provided for as to secure that efficiency in service and in management which is vital to the success of any great enterprise, then I should certainly welcome such a change. That, of course, is the crux tainly welcome such a change. of the entire problem of public ownership everywhere.

Can the public, represented by the Government, whether municipal, State, or National, secure and keep in constant operation the same efficiency of conditions which is claimed for private enterprise? Mr. President, the Government is to-day and long has been in control of a line of railway in Panama. We are constructing and have almost finished a great canal in that section of the world under the management of the War Department, whose immediate representatives in full control have developed the fact that in efficiency and in effectiveness the Government of the United States may be the equal of private enterprise everywhere. The United States is building lines of railway in the Philippines, whose management, so far as I know, has been satisfactory. It is the owner of about 3,900 know, has been satisfactory. It is the owner of about 3,900 miles of cable and telegraph line leading to Alaska and running across its illimitable distances. In its management and operation of these minor enterprises-and I call them "minor" by way of contrast to the building and equipment of a system such as is contemplated in this bill—the Government has been as capable, as efficient, and as satisfactory as has been the management of the best equipped private enterprises in the United States and much more so than many of those which to-day have been justly condemned by public opinion in view of recent disclosures concerning their management and organization.

We must not forget, Mr. President, that the original conception of the railway in this country was that it was a public highway and should be built by the States, and that, with one or two possible exceptions, every original line of railroad constructed in the United States was builded by the States themselves. One of them in the State of Georgia, the Western & Atlantic, is to-day the property of the Commonwealth. While it has not for many years operated it directly, the fact remains that it was originally built as a public highway by the government of that State, and that it has remained wholly under its control. If my memory serves me aright, it was not until about the middle of the forties that the demand for private ownership of such lines of transportation became sufficiently established to persuade the States to turn over their partly constructed and their completed railways to private hands. So, in making this experiment we are not, except perhaps to the extent to which it goes, taking any new or untried step or branching out into a field which may be beyond or which, I think, many contend-and a few years ago nearly all contended-is beyond the domain of the Government itself.

I do not think anyone in this Chamber or anywhere else would for a moment entertain the idea of turning the Panama Canal over to private hands. Why? The reasons are so obvious that there is no necessity of taking up the time of the Senrte in their discussion. It is so apparently a great international enterprise, it is so evidently a thing which belongs to and never should be separated from the Government as the representative of all, its equipment and investiture with the power and the control of the Government of the United States, to the end that it may at

the vast expenditure incurred in its construction, that the mere suggestion of any management save that of the Government is an absurdity upon its face.

I believe that the time is coming, Mr. President, when the great body of the people will regard our transportation system just as the public to-day regard the Panama Canal. It is a great network of lines which perform and always have performed a public service, a service which should extend its benefits equally to all; a service in which no discrimination should exist; a service which should be operated not for profit, but as a governmental agency for the utilization and service of

the industries of the country.

When we consider the fact that the railway systems of the country have in recent times been very largely operated not for the public good, not in the spirit of equality to all, but as huge money-making concerns for those who control them, whose resources and prospects and possibilities have been capitalized and capitalized again, until to-day the huge burden of debt which they bear is far beyond their value; when we further consider the shameful scandals of administration that have been exposed in recent times regarding some of the greatest systems of the country, which have been made the footballs of financiers intent solely upon their own financial aggrandizement through their powers of speculation, with both assets and liabilities, what wonder is it that the people are beginning to look at the proposition of Government ownership from a much more favorable standpoint and to conclude that nothing can be worse than private ownership, whose consequences are manifested through the awful conditions in which some of the great systems find themselves?

The other day the St. Louis & San Francisco-known as the Frisco system-went into the hands of a receiver. Investigations resulted, which disclosed that the chairman of the board of directors had in a few short years made \$7,000,000 for himself, and I do not remember how many millions for his associates, by building of feeders or purchasing of feeders for the main system which he promptly sold to himself at his own price in the name of the Frisco Railroad; when it was disclosed that of its huge capitalization \$40,000,000 represented commissions paid to bankers and to brokers for the sale of its stocks and bonds, together with the profits made by the directors and the controllers of the road, what man hearing of these conditions but in his heart of hearts feels that the day of governmental ownership is rapidly approaching, and that it is not an expedient, not a matter of politics, but an absolute essen-tial to fair dealing between men and to the subordination of those great lines of transportation to the public good?

I believe, Mr. President, that there is much in the argument of the Senator from North Dakota [Mr. McCumber] that a railway operated by the Government might result in a larger expense account than a similar operation by private companies; perhaps it ought not to be so, but we may concede it for the sake of argument; yet, when contrasted with the waste and the profligacy that have marked the career of some of our great systems, the fact should not be permitted to weigh a dust mote in the scale of determination. Besides, Mr. President, a road operated privately is operated for profit, while a road belonging to the public and operated by the Government should be operated for service and not for profit. Hence, there may be ample margin for better wages, higher prices for materials used in operation and in construction, and yet, at the other end of the scale, the price of service to the consumer may be

Furthermore, Mr. President, Government ownership means, or should mean, the disappearance of all discrimination between sections of the country, between communities, and between individuals. In the region of country where I live, and I think in the Intermountain States generally, we are but the apex of the continent not only in the geographical but in the transportation sense, and almost every discrimination-and there are many-in the transportation rates of the country heavily upon that region, more heavily than upon any other, possibly, because of the absence of actual and potential water competition. I do not think that we would be suffering under such adverse conditions if Uncle Sam, instead of private companies, operated the great trunk lines which intersect that region of the country.

We have heard much about the immense fortunes which have been built up under the unequal operation of our tariff laws; but, Mr. President, the mighty fortunes of this country, all the mightiest of them, find their genesis in the control of transportation or in the utilization of that control, either by, favoritism in rates, commonly known as rebates, or by the common ownership and control both of the lines of transportaall times subserve the great purposes which have amply justified tion and of the articles which they transport. These wholly, indefensible conditions mean all the difference between enormous fortunes on the one hand and certain bankruptcy of com-

peting business upon the other.

Mr. President, I have no intention of making any extended speech upon this subject. It is one of tremendous sweep, which might be discussed and not exhausted if one were to occupy an entire session of the Senate. I shall not, therefore, go much further into the details of the general situation; but I do want to call attention, before taking my seat, to the obvious truth that when it becomes generally apparent to a majority of the people that control is ineffectual, ownership will in all probability then become the sole alternative. A great many years ago Charles Francis Adams, then at the head of the Massachusetts Railroad Commission, emphasized the fact that so long as the rallways were in a position to defeat the orders of a public commission, so long would those orders be ineffectual, and because they continued to be ineffectual public opinion would determine, perhaps correctly, that commissions were of no importance whatever and a nuisance instead of a benefit to the people. He emphasized this assertion by citing instances in his own State where the orders of the commission were not only set at naught, but made ineffective for the evident purpose of creating

an opinion hostile, or at least adverse, to the commission itself.

The Senator from Rhode Island [Mr. Lippitt] yesterday in his very able discussion of the subject declared that there need be no necessity for the construction or control by the Government of a system of railroads in Alaska because the Interstate Commerce Commission was now clothed with such ample and extensive power and authority that it could interfere with and rectify any abuse or abuses that might arise from the private construction and ownership of railroads in Alaska. that were so, it would be a refutation of everything that I have said here to the contrary; but, Mr. President, the history of the Interstate Commerce Commission during the past few years and of the railroads over which they exercise an undoubtedly extensive jurisdiction furnish in themselves a complete reply to the Senator's position. In the very State from which the Senator hails there is at present fresh in the public mind a signal instance of the fact that the worst of abuses may coexist with the most extensive of jurisdictions, for, notwithstanding the power of the Interstate Commerce Commission, the New Haven Railroad Co. has been able absolutely to monopolize, and thereby to dominate, the transportation conditions in New England, and, in addition thereto, deliberately to suppress the only possible competition which could be put in active operation through the construction of a line of the Grand Trunk Railroad from some point in Massachusetts down to the seaboard in the State of Rhode Island.

New England expected and hoped for some competition through the completion of that line of railroad that might bring a little relief to a few sections of that most populous portion of the Union; and yet it awoke one morning to be confronted with the unpleasant and stupefying fact that the proposed extension had been abandoned, notwithstanding it was partially completed and millions of dollars had been expended in its construction. Since that time the power of those who control the railroad situation of New England has been great enough, the Interstate Commerce Commission to the contrary notwithstanding, to continue that situation, and it has been said with perfect truth that there is, unless some change comes soon, no more hope of the extension of that Grand Trunk system down to the seaboard of Long Island Sound than there is of building a railroad from New York City to the moon.

Mr. GALLINGER. Mr. President

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. THOMAS. I do.

Mr. GALLINGER. Is it not a fact that the officers of the Grand Trunk Railroad publicly stated that the reason they did not complete that system was because of the fact that they failed to secure the money in the London market which they had expected to get?

Mr. THOMAS. Oh, yes, Mr. President. Mr. GALLINGER. I do not see for the life of me how the New York, New Haven & Hartford Railroad could have prevented the building of that line, and, if I am not mistaken, the building of that line is now contemplated and probably will be carried out in the near future. In saying this I do not want the Senator to understand me as defending a great many things which the New York, New Haven & Hartford Railroad has

Certainly not.

Mr. GALLINGER. And for which they are now very properly being called to account.

Mr. THOMAS. I certainly would not so reflect upon the Senator's judgment or patriotism. The president of the Grand Trunk Railroad was one of the victims of the Titanic disaster. Up to that time the road had no trouble in getting all the money it wanted. His death, of course, resulted in a change of management and control. Shortly afterwards the activities of building were suspended, and the ostensible reason given by the Grand Trunk people was that which the Senator from New Hampshire states. The New Haven road, on the other hand, justified the action which resulted in the suppression of this extension by contending that it in no manner interfered with competition or with the mandates of the law.

It may be—I am not in a position to deny the fact—that the financial supplies of the Grand Trunk were cut off; but that brings me, Mr. President, to something which I might have omitted in my somewhat desultory discussion of this subject and for which I am indebted to the interruption of the Senator

from New Hampshire [Mr. GALLINGER].

The Senator from Rhode Island [Mr. Lippitt] also took the position-and it has been taken by others, and no doubt with the most perfect earnestness and sincerity—that there is no such thing as control of the money market, in consequence of which the contention that outside enterprise can not enter Alaska because it can not be financed is not well founded. But I have no doubt that the Morgan interests have been sufficiently powerful in themselves to cut off the source of financial supply upon which the Grand Trunk Railway officials depended for the completion of this road. My own belief is-and I shall not amplify it; we have abundant proofs of it in the investigations of the Pujo committee, in the report of that committee, and in the various disclosures which have been made from time to time by State as well as by national investigations—that, through a network of community of interests, through interlocking directorates, through the power that comes from a common purpose, any great enterprise, at the instance of one of a half dozen men in the city of New York, may be throttled, may be killed, may be absolutely wiped out of existence and exterminated at any stage of its construction, if it meets with his objection or is hostile to any plan or purpose of his own. I believe I can go further and say that for the past decade scarcely a mile of railroad has been built in the United States, outside perhaps of the un-fortunate proposed extension of the Grand Trunk, that has not been built as a part and portion of one or more of the great systems of this country.

In my State, Mr. President, we have had a most graphic illustration of the power of financial control over new enterprises and new purposes. Some time ago the richest citizen in my State, a man who had amassed his wealth largely in railroad building, a pioneer in railroad extension in the West, a man of conspicuous administrative ability, conceived the idea of building what he called "a short line from Denver to Salt Lake," which was not only desirable for many reasons, but which was designed to open one of the most fertile and attractive regions of the West, then and now deprived of railroad facilities. Union Pacific was to the north of it and the Rio Grande to the south of it, the latter road then being under the control of Mr. Gould and of Mr. Rockefeller. A company was organized in 1901. It was not favored by the Union Pacific interests or by the Rio Grande interests, and, by that quiet, invisible method of pro-cedure which is so difficult to detect and which at the same time is so obvious and so effectual, the repeated efforts to finance that great enterprise came to naught. Mr. Moffat had his company's bonds accepted at least half a dozen times and the money promised for road construction, but between the execution of his contracts and the receipt of his money influence always interfered and paralyzed their observance. The result was that this public-spirited citizen, possessed of a great enterprise, beginning with a private fortune of \$25,000,000, spurred on in the hope and with the expectation of receiving the financial aid which the enterprise merited, struggled for 10 long and weary years, and succeeded, on his own resources, in constructing 210 miles of this road, at the end of which time he died with a broken heart, bankrupt in fortune and almost in reputation.

So we have some direct experiences as to the extent to which these combinations may interfere with and absolutely destroy further railroad extension.

It is these things which have so powerfully promoted the conviction in public sentiment that the day is approaching when the Government of the United States, for the protection of all its people and to the end that railroads may be operated for the people and not for bankers and speculators in the great centers of the country, shall reach out its strong hand and assume the ownership as well as the control of all our lines

So far as their obligations are concerned, do we not know that every dollar of bonded debt of the railroad companies to-day is as much an indebtedness of the people of the United States as are the bonds issued by the Government itself? It is true they are not direct evidences of the public indebtedness, but the producing and consuming energies of the people are the basis and the security of the thousands upon thousands of millions of railway bonds. So that the taking over of these systems, if it should become necessary—which I hope may not become necessary-if it means anything, simply means the direct assumption by the Government of the United States of a burden that already exists. As a consequence it seems to me the appalling magnitude of the transaction becomes relieved of all of its ominous consequences and surroundings when that supreme fact is given due consideration.

As I stated at the outset, I hope this bill will become a law in order that it may demonstrate to the people, by operating in a virgin country which belongs to the people of the United States, that the establishment of a railroad system built by the Government, owned by the Government, and operated by the Government, is or is not successful, to the end that we may determine whether the experiment should stop right there, whether the Government should recede and transfer that which it has constructed to private hands, or whether because successful it should take another long step forward and do what I think it may be forced to do in view of existing conditionstake over the absolute control and ownership of that great system of transportation without which the industries of the country can not prosper nor its prosperity long continue.

Mr. CUMMINS. Mr. President, I rise chiefly to call the at-

tention of the Senate to an amendment which, at the proper time, I intend to offer to the first section of the bill now under consideration; but I can not resist the inclination to submit to the Senate some observations upon the wider question that has been so generally debated.

The first inquiry of every Senator, of course, must be this: Are the conditions existing in Alaska and is the relation of that Territory to the people of this country of a character that fairly demand the building of a railroad from the seashore to the interior of the Territory?

If there is no fair demand for the construction of a railroad there by private enterprise or by the Government, the whole question is answered; but if the conditions fairly warrant or demand the building of a railroad, then we approach the further inquiry as to the circumstances and the authority under which it should be built.

Until the address of the Senator from Vermont [Mr. Dilling-HAM] I supposed it was fairly well established that there was a demand for the building of a railroad from the ocean into the interior of this Territory. I think that is probably the only conclusion that can be deduced from the testimony that has been taken before the committee or committees. I remember that President Taft, after what seemed to be a full investigation, recommended the building of a railroad in Alaska. I remember that his Secretary of the Interior, Mr. Fisher, after a personal investigation, came to the conclusion that there ought to be a railroad built there, and so recommended in his report to the President. I remember that President Wilson has reached and announced the same conclusion; that his Secretary of the Interior believes that there ought to be a railroad built into Alaska; that the commission, composed of eminent engineers and personages, after traveling through Alaska were of the opinion that a railroad should be built from the ocean to the navigable waters of one or more of the great rivers of Alaska.

Therefore it seems to me this accumulation of proof has left us without much room for disputing that one proposition, namely, that there ought to be a railroad, or two railroads, or more built from the south shore of Alaska to a point or points somewhere upon the navigable waters of the Yukon, the Tanana. or the Kuskokwim, or possibly points on two of these rivers.

Mr. BORAH. Mr. President—
The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. BORAH. It seems to me there is not very much doubt Mr. BORAH. It seems to me there is not resources, nor about the great wealth of Alaska and about its resources, nor that they are there and have been there for a long time.

I fear most is that they are going to be there for a long time.

Mr. CUMMINS. I have a little fear of that myself. I believe,
however, if I may answer the Senator from Idaho in this way, that if the Government spends twenty-five or thirty million dol-lars in building a railroad into Alaska it will be a little more willing that its resources shall be opened up to the enterprise of regard to our internal resources and agricultural and mineral

the citizens of that country, or those of this country who desire to go to that country. I ask the Senator from Idaho if he does not believe that probably will be the result?

Mr. BORAH. Well, yes; as the Senator puts it, only "probably," I think I should accept the proposition, but I do not

think it is at all certain.

We have no business in Alaska as a Government exploiter unless it is going to result in some benefit to the people who are interested in the building of a railroad from a public standpoint. In other words, if we are going to pay just the same for Alaskan coal and for Alaskan timber and for all of the other natural resources of Alaska, then the Government has no business at all in Alaska as a builder of public railroads, because, as I said the other day, it does not make any difference to whom we pay the price if we pay the same price to both parties.

While there has been so much discussion here as to the natural resources of Alaska, there has been regret upon my part that there has not been more illumination upon the subject of how we are going to get the benefit of those resources. have a vast amount of natural resources in the United States over which the railroads are practically running, but nobody is getting the benefit of them. I am anxious that we keep in mind that this is a useless step unless another step is taken.

Mr. CUMMINS. Mr. President, I may not wholly agree with the Senator from Idaho respecting the matter he has just suggested. Because the consumer, if you please, or the ultimate user of the wealth of Alaska, such as coal and other minerals, not get these things more cheaply after the railroad is built than he gets them now I do not think it follows necessarily that there should be no railroad built.

If I may be permitted to speak to my fellow Republicans a moment upon that subject, especially to those who are shrinking from the proposal that the Government shall build a railroad in Alaska, I would say that our party, at least, believes that it is the business of the Government, and at least one of the functions of the Government, to do what it can to give work to the people of the United States, to enlarge the field of their energy, and to broaden the possibilities that open out to the American capitalist and laborer. Our party does not believe in the theory of government advanced and so ably sustained. indeed, by Herbert Spencer, who had no other conception of the functions of organized society save that government should be a mere policeman, to keep the peace.

Some of the argument against this bill upon this side of the Chamber has proceeded upon the theory that the Government of the United States has nothing more to do for the welfare of its people than to keep the peace-that is, to maintain order. I have a different conception respecting the functions of government. I am not willing to advance to the other extreme and adopt the views of Karl Marx, who believed that the Government should be a universal parent, absorbing all the energies of the people and distributing among its subjects in just proportions the results of labor; but somewhere between the policeman of Herbert Spencer and the universal parent of Karl Marx there is to be drawn the line which divides governmental and altruistic activity from individual or selfish activity. try before I have finished to draw that line, so far as this particular project is concerned.

If by building this railroad into Alaska and opening up the treasures and the riches of that great Territory to the enterprise and the work of our people we can broaden the field of labor and give employment to more people at fair, adequate compensation, we shall have done one of the things for which I think this Government was organized, and one of the things to which the party to which I belong has pledged itself.

Mr. BORAH rose.

Mr. CUMMINS. I yield to the Senator from Idaho.
Mr. BORAH. But the one object of government, after all, must be to secure results; and I repeat that the mere fact of building a railroad up there will not be of any benefit to the people of the United States. The fact is that we have discovered the midway point between the policeman and the universal father so far as Alaska is concerned, and that is the stepfather. That is the situation in which we find ourselves. with a vast amount of wealth locked up in the hands of somebody else, and we are not permitted to enjoy it.

I do not argue for the personal exploitation which was very properly terminated several years ago; but there it lies, undeveloped, without benefit to anyone; and so far as any scheme, plan, or proposition proposed is concerned, it is to lie there interminably

Mr. CUMMINS. I am sure the Senator from Idaho knowsand I want every Senator to know—that I have no more sympathy than he has with the policy that has been pursued with wealth. I have no sympathy at all with it. I think it is there for the purpose of being used, and that the Government ought to open every reasonable way to the people of the country so that they may utilize these resources and this wealth. It is still true, however, that if a railroad in Alaska is necessary in order that it may be devoloped, and that its development will bring employment to the people of this country and afford an opportunity for the investment of the capital of this country so that our energies may be extended and our opportunities broadened, then the railroad ought to be built.

That brings me to the question whether the Government ought to build this railroad, or whether it ought to be remitted to the

uncertainties of private enterprise.

I hope I may be permitted to say just a word here that is rather abstract, for I am very solicitous that nothing that occurs here shall be misunderstood, and that the view taken by some of my friends upon this side that we are adopting a false and vicious principle shall not be longer entertained. am not proposing at this time the general acquisition of transportation facilities; but it will be helpful if we keep always in view the fundamental principles which in the end must control the position of the Government upon the subject.

It has been treated by some Senators as though it were a new and unsound proposal in organized society that the Government should own and operate a public utility of this character. think I have heard it from more than one Senator. Yet the city of New York is just finishing an improvement to a great public utility, at an expense of more than \$150,000,000, that is intended to furnish pure water to that municipality. I assume that there is no intelligent man in the world who will claim that New York should allow a private corporation to construct the facilities for furnishing her water, and that her people should depend upon a private enterprise for this necessity of

There is no difference in principle, however, between New York expending this large sum of money in order to construct an adequate system of water supply and the Government of the United States acquiring and operating all of the railroads in the United States. The character of the service is exactly the same. They are both public utilities. Both are supreme

public necessities.

There may be a vast difference between the wisdom, at any given time, of a government entering upon the ownership and operation of its transportation system and a government entering upon the ownership and management of its water-supply system, but there is no difference whatsoever in the principle involved. It is simply a question of good judgment as to whether the people who are dependent upon the one or the other will be better and more adequately served if the ownership and operation is in the hands of the Government than in the hands of individual enterprise.

It is impossible to define the functions of organized society, but there are certain truths which every thoughtful man accepts. First, the general object of government is to guard the rights and promote the welfare of the people who compose it. It ought not to do those things which can be better done by the individual. We all agree to that. It ought to do those things which the individual can not do or can not adequately and efficiently do, if the general welfare requires it to be done; and every age must determine for itself, in view of the conditions of the time, what society as a whole should do and what should be

left to private effort and enterprise.

These are the principles that ought to control any civilized society. I think there may come a time when these principles will demand the acquisition on the part of the Government of the United States of all its transportation facilities. I do not know how soon the time may come. There is more than one thing that must be done before we can safely enter upon the acquisition and the operation of our transportation lines, both on land and on sea; but it must not be forgotten, while we are considering the subject, that one of the things that society now demands is transportation at the lowest possible cost. The high cost of living is the result of the many instrumentalities that intervene between the original producer and the final consumer, and transportation is one of these instrumentalitiesnecessary, of course.

Mr. BORAH rose.

Mr. CUMMINS. I yield to the Senator from Idaho. Mr. BORAH. The Senator refers to the question of the high cost of living and transportation. Permit me to read just a word from the evidence that was taken with regard to this This does not relate to the interior of Alaska, but to the portion of Alaska to which transportation was easily accessible.

I read, from page 8 of the hearing before the House Committee on Public Lands on Friday, January 11, 1907, the testimony of Alfred H. Brooks:

Q. There is a harbor there, is there not?-A. There is a good har-

Q. There is a harbor there, is there not?—A. There is a good harbor; yes.
Q. How much do each of those railroads now lack of reaching the coal fields?—A. The Alaska Central Railway has completed, I think, only 50 miles of track, and the distance is about 200 miles. They have done more or less work, however, along some 60 or 70 miles more of that line. The other railway—I do not remember the name of it now, but it is the one building from Cordova Bay—is said to have completed about 20 miles of track and probably has about 60 more to build.
Q. Is it not true that that whole region there is getting its coal from British Columbia now?—A. In 1905 the consumption of coal in Alaska and by the steamers plying to its ports was over 250,000 tons, of which probably about 50 per cent came from British Columbia.
Q. Then some is even coming from Australia, is it not?—A. There has been coal brought to Alaska from Australia.

Mr. CUMMINS. That is a very fitting supplement to what

Mr. CUMMINS. That is a very fitting supplement to what

I was just saying.

Mr. BORAH. Somebody said the other day that there is four hundred times as much coal in Alaska as there is in Pennsylvania, and yet they are shipping coal from Australia and British Columbia to Alaska. Now, it was very proper to reserve that coal from monopoly, but it seems utterly incomprehensible that we should not provide a method for its use in a proper way.

Mr. CUMMINS. They are doing a more startling thing than that, possibly of necessity. We ship an immense amount of from Pennsylvania and Virginia around Cape Horn to the Pacific coast for the uses of our Navy alone, and this coal costs the United States from \$7.50 to \$10 per ton when it finally reaches the ship on which it is to be consumed.

Mr. BORAH. That is a great source of conservation, cer-

tainly in this part of the country.

Mr. CUMMINS. That may be. It is brought to the eastern shores of America at a cost of about \$3 or a little more per ton, and the remaining part of the cost is the cost of carrying it from the Atlantic coast to the ship that is to burn it on the Pacific.

Mr. LANE. If the Senator will allow me, I will say that when the householder buys his anthracite coal at Portland, Oreg., as I do when I am there, he pays \$17 a ton for it.

Mr. CUMMINS. Yes. Returning for a moment to the suggestion I was making when I was interrupted, if we assume that the direct capitalization of all the railroads in this country is \$15,000,000,000—nominally it is about \$18,000,000,000, but it is probable that there is duplicate capitalization that would reduce it to about \$15,000,000,000—last year the net operating revenues, the revenues of all the railroads in the United States amounted to about 6 per cent upon this entire capitalization. I am not entering into the quality of the capitalization. I know, and you all know, that a very large part of it was issued under circumstances that I sometimes think ought to have been inquired into by a grand jury; but it is there; and last year these revenues amounted to sufficient to pay 6 per cent, if it could have been distributed, upon the capitalization of this vast sum of \$15,000,000,000. The Government would supply the capital for 3 per cent, as was shown by my colleague [Mr. Kenyon] within a day or two. If the railway capitalization of this country could be content with a reward of 3 per cent, certain to come because agreed to be paid by the Government, the people of this country would save in one year upon the interest on the capitalization alone, \$450,000,000.

The railways are not only earning practically 6 per cent upon their capitalization, but they are asking for more, and I am not prepared to say that the commission will not find it necessary to give them more, in order to bridge them over a chasm which their own recklessness has created in their financial

In order that we might be able to utilize all the benefits of the saving of \$450,000,000 a year, it would have to be presumed that the Government of the United States could operate this vast system of transportation as cheaply as it is now being operated. I believe that we require some training and education in our relations, if you please, to the Government before that could safely be presumed of the American people. In other words, we must await the time when we can be sure that political influences can be wholly excluded from this business before it would be safe for the Government to undertake it. But I do not shrink from the time, if it shall come. I very frankly confess that I believe it will come, and when it does come I shall hope that the virtue and strength of the American citizen will be sufficient to bear this new responsibility that will be placed upon him.

Mr. WEEKS. Mr. President—

The VICE PRESIDENT. Does the Senator from Iowa yield

to the Senator from Massachusetts?

Mr. CUMMINS. I do:

Mr. WEEKS. I wish to ask the Senator if he has any knowledge of the cost of operating the Government railroads in Europe as compared with the cost of operating railroads in

Mr. CUMMINS. I have some information in regard to that, but I did not intend when I rose to drift into it at all. fore it is not before me, and I had not intended to use it, because the proposition of Government ownership of our system of transportation is not before us. I am saying what I am saying simply to indicate that we ought not to shrink from its investigation and study, and we ought not to assume that it is a false principle in government.

Mr. WEEKS. If it will not interrupt the Senator too much, want to call his attention to the cost of operating the two

national railways in France. Mr. CUMMINS. Oh, yes.

Mr. WEEKS. The State management of the national railway systems costs 911 per cent and 88 per cent of the receipts, respectively. According to the official report for 1912, which has just been issued, the revenue of the first system, the Southwestern, amounted to \$15,707,000 and the cost of management to The revenue of the second system, the Western, amounted to \$48,000,000 and the cost of operation to \$43,000,000. Now, we operate our railroads in this country at from 60 to 65

Mr. CUMMINS. No; the Senator is wrong.

Mr. WEEKS. If we went on a Government basis, would we not be likely to increase the cost of operation 20 to 25 per cent, as the French report seems to indicate we might have to do?

Mr. CUMMINS. The Senator is wrong about our proportion of operating expenses. The charge is about 67 or 68 per cent in this country. I understand perfectly that the railroads in France, two of them at least, are conspicuous examples of unfortunate management.

Mr. GALLINGER. And bad service.
Mr. CUMMINS. And possibly bad service. If the Senator from Massachusetts is really interested in inquiring into the results of Government ownership and operation, he ought to pass over the line from France into Germany and ascertain what has been accomplished there. He will ind that the Germany and ascertain what has been accomplished there. man Government is able to give its people good service; that it is able to give them fairly low rates, and out of those low rates it is able to lay aside a sinking fund that in the course of a very few years will pay the entire cost of the railway system of that Empire. I do not say that we could operate a system of railways with equal success, but there will come a time when we can, if we desire to enter on the enterprise at all,

Mr. SUTHERLAND. Mr. President-

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SUTHERLAND. I was a little bit startled to hear the Senator from Iowa say that he thought the time might come quite speedily when the Government of the United States

would take over the operation of the railroads of the country.

Mr. CUMMINS. I did not use the words "quite speedily."

Mr. CUMMINS. I did not use the words "quite speedily."
I think it is one of the things of the future.
Mr. SUTHERLAND. The Senator said it might come.
Mr. CUMMINS. It might come. I think it may come.
Mr. SUTHERLAND. I was, further, somewhat startled to hear the Senator say, if I understood him aright, that he would not object to that being brought about not object to that being brought about.

Mr. CUMMINS. Mr. President, the Senator must state just what I did say or allow me to repeat it. Whenever the people of this country believe that they can be better served in transportation through Government ownership and operation than through private ownership and operation, the time of which I spoke will come. Now, it is a question of judgment to be exercised at the particular time.

Mr. SUTHERLAND. Mr. President, I quite agree with the Senator that that time may come, but I think it would be a very sad day for the Republic if it should come. In addition to the fact that something like 2,000,000 employees would be added to the pay roll of the United States, for my part I can not see how it would be possible for the Government to operate such a vast enterprise under our methods as well as private persons regu-

lated by the Government.

I call the Senator's attention to this menace in that situation in addition to others. We are passing every year or two omnibus public-buildings bills. They cover an appropriation of perhaps eighteen or twenty million dollars a year. Yet the Senator knows, I think, that even in that comparatively small expenditure-I mean as compared with the vast resources of the Government and its other vast expenditures—a very large

sum of money is wasted. We are putting up buildings at the cost of sixty, seventy-five, one hundred, and one hundred and fifty thousand dollars in communities where we ought not to spend more than twenty or twenty-five or thirty thousand dol-lars. We are expending money, as the Senator knows, wastefully and foolishly in our omnibus rivers and harbors bills that

we pass from time to time. Now, if the Government of the United States takes over the operation of all the railroads of the country in addition we shall have not only our omnibus public-buildings bill every year or two and our rivers and harbors bill, but the people of the country, of course, will demand of Congress, or it will then be the duty of the Government, to extend the building of new roads into undeveloped communities, the improvement of roads that are already in existence, the building of terminal facilities, and the thousand and one things which go to the efficiency of modern railroads, and the omnibus public-buildings bill will be a drop in the bucket compared with the omnibus railroad bill that the Congress of the United States will be compelled to face every There will be competition among Representatives and Senators upon that subject, as there is competition among them upon these other subjects, to get more railroad terminals in their cities and to have railroads built into undeveloped country, whether it will pay or not. It does seem to me that in considering that one item alone it would result in a waste of untold millions of dollars upon the part of the Government before we

would get through.

Mr. KENYON. Mr. President—

The VICE PRESIDENT. Does the senior Senator from Iowa yield to the junior Senator from Iowa?

Mr. CUMMINS. I yield to my colleague. Mr. KENYON. I wish to ask the Senator from Utah a question. He says we are wasting money on public buildings and wasting money on rivers and harbors and other things. That is absolutely true, but is that an argument against the proposition? Is there not just one complete answer to that, and that is to stop such public-building appropriations? Why do we not stop them?

Mr. SUTHERLAND. It is quite true that we ought to stop

them, but we do not, and we will not stop them.

Mr. KENYON. We can stop them, and we ought to stop them. Mr. SUTHERLAND. We can stop them in one sense, but we can not stop them so long as the present characteristics of Representatives and Senators exist.

Mr. CUMMINS. I hope the Senator from Utah will remem-

ber that I have but a few minutes more.

Mr. KENYON. I want to add that the public conscience is a little different from what it used to be. The Congressman who secures a public building now for a town that does not need it is not banqueted in that town any longer. The people do not have that kindly feeling for him that they used to have.

Mr. SUTHERLAND. The Senator's observation is not the

same as mine on that subject.

Mr. POINDEXTER. Mr. President-

The VICE PRESIDENT. Does the Senator from Iowa vield to the Senator from Washington?

Mr. CUMMINS. I yield.

Mr. POINDEXTER. I only wanted to make one comment on the suggestion of the Senator from Utah. A just comparison would be with the Post Office appropriation bill rather than the public buildings bill. There is much more similarity between the business of the Post Office Department and its operation and a railroad system than there is between the latter and the selection of cities and towns for Government buildings. We get along very well with the Post Office Department.

Mr. CUMMINS. Mr. President, the Senator from Utah will remember that I said there were some things that must accompany the Government ownership and operation of railroads, One of those things is honesty, integrity in the public service of the United States, and another of them must be the elimination of some of the selfishness that is now exhibited everywhere throughout the country. In other words, I said that when the United States approaches this great undertaking, as it may approach it, we must approach it under such conditions that the vicious influences of politics will be entirely excluded, and so that the Government can carry on the transportation enterprise honestly and economically.

Mr. GALLINGER. Mr. President, I wish to interrupt the

Senator but a moment.

Mr. CUMMINS. I yield.
Mr. GALLINGER. When the Senator's most interesting speech was interrupted the Senator had made a statement that the high cost of living was largely dependent or considerably dependent upon transportation charges.

Mr. CUMMINS. No; I did not. I said it was one of the causes that intervened between the producer and the consumer. Mr. GALLINGER. That is probably true; and yet I did not feel like letting it go into the RECORD that the high cost of living should be charged up to the transportation companies to any great extent. The Senator will remember-he is younger than I am—that it was not a great while ago when every rostrum in the country resounded with the cry that prices were too low

and that they ought to be increased, and yet transportation at that time was a little higher than it is at present. So, while it may be one factor, it seems to me it is not one that we ought to place a great deal of emphasis on. There must be a great many other reasons.

Mr. CUMMINS. I asserted that it was one of the things that intervened between the producer and the consumer. Some things must intervene; transportation is one of them. service ought to be rendered at the lowest reasonable cost, and it ought to be rendered fairly, without discrimination, preference, or favor to all the people of the country.

I have said this-and I have drifted into this colleguy unintentionally-because I think we ought not to assume that the building of a railroad in Alaska by the Government and its operation by the Government contravenes any recognized principle of our institutions. On the contrary, in building it we simply fulfill an acknowledged, recognized function of organized

society everywhere.

I have no doubt that this railroad could be built or would be built by private enterprise if we were to do for that enterprise what we have already done for enterprises of like character in the earlier days of the Republic. I asked the Senator from Vermont [Mr. DILLINGHAM] if he thought that that was so. The Senator has made himself very familiar with the resources and the wealth of Alaska. He has no doubt-there is not a Senator here who has any doubt-that if we would give to the Alaska & Northern Railway Co. or to the Copper River & Northwestern Railway Co. the same proportion of the resources of Alaska that we gave to the four railroads which originally crossed my State from east to west, Alaska would be gridironed with railway lines within a very reasonable length of There were four great strips of that magnificent empire of agricultural land from 10 to 20 miles in width, alternate sections, given to the railway companies in order to induce them to build their lines across the State of Iowa. I am not criticizing it; I am not sure that the largess was too great, but I undertake to say that if the United States will give to either of these railway companies a bounty even approaching the magnitude proportionately that was given to these western railroads when they built from the Mississippi River toward the Pacific, we would have all the railroads in Alaska that its business demands or that its resources would warrant.

The only question is, Are you prepared to do it? Are you prepared to give to the Alaska Northern or the Copper River & Northwestern or any other railway company that proportion of the mines of Alaska, that proportion of the coal of Alaska, that proportion of the copper of Alaska, or that proportion of agriculture of Alaska which you formerly gave to the railroads which built the great lines in the western part of the country? We were not able to look into the future very far then, but, profiting by our experience, we are able to see more clearly the future of the great area of the Territory of Alaska. I think there is not a Senator here who is willing to give to a private enterprise that bounty which will be required if the railroad is to be built under auspices of that character. No men or body of men will build a railroad into Alaska unless they can fairly see a profit of 8 or 10 or 12 per cent arising out of the investment of their money. The Government can build a railroad there and pay for the capital only 3 per cent. If the railroad that we authorize to be built is built, and if the rates of freight are charged which would return an interest of 6 per cent upon the money required to construct the property, in less than 25 years the Government will have been repaid for every dollar that it has invested, and it will possess either for itself or for the Territory of Alaska or the State into which that Territory may some time merge the property it thus creates.

I do not see the Senator in charge of the bill [Mr. CHAMBER-LAIN] here at this moment, but if I had my way about it there would be in the bill a provision that when the Government builds this road and equips it it shall in its operation, if the business will warrant it, charge rates of freight that will return 6 or 8 per cent upon the capital it has invested in the construction-after, of course, deducting the expense of operation-and that a sinking fund of not less than 3 or 4 per cent shall be laid aside, so that in the natural course of time, in 20 or 25 years, these bonds which we now propose to issue will

be paid from the sinking fund thus created. That is a natural precaution which ought to be in the bill. I am sorry it is not.

Mr. WILLIAMS. Mr. President, if the Senator from Iowa will yield to me for a moment, I think he need not doubt that if the Government gets into the construction and operation of this railroad, judging by past efforts in like directions, it will make money out of it. For example, the Congress of the United States voted a million and eighty thousand dollars for constructing a cable line from Alaska down. Within six years, if I am correctly informed, the Government has collected the original amount plus \$50,000 in charges, at 36 cents a word, whereas you can send a cable from Seattle to London for 28 cents a word. I imagine the Government will not fail to charge enough, whatever else happens.

Mr. CUMMINS. I hope it will not fail to charge enough not only to pay the expense of operation but to create the sinking fund of which I have spoken. I think that is a fair business

precaution to take.

Mr. WILLIAMS. If a corporation had replaced a capital of a million and eighty thousand dollars in six years, plus \$50,000

additional, we would have called it a trust, a robber.

Mr. CUMMINS. What a private corporation would do, Mr. President, would be to create a sinking fund. It would then capitalize the sinking fund and multiply that by four or five times and expect the business of the Territory to bear this magnified burden.

But, Mr. President, I now desire to call attention to objections that I have to the bill as it is now framed. Earnestly as I am in favor of building a railroad in Alaska, I will not vote for the bill unless it be very materially amended. My objection to the bill is the vast, undefined, unlimited power that it proposes to confer upon the President of the United States. must be taken for granted that I am not making this objection because of the personality of the Chief Executive. I have as much confidence in him as I have in any man. I believe that he will serve, to the best of his judgment, the interests and welfare of the people according to the opinion that he holds of the particular subject under administration; but I am opposed to granting such power to any man under any circumstances at any time. I am opposed to the surrender to such extent of the legislative power of the Government to any Executive or administrator of law. The bill simply says that the President of the United States may take all the money that there may be in the Treasury at any time and use it for the purpose of building railroads in Alaska at any time and to any extent. Not only does it give the President the absolute authority over all the money in the Treasury at any time, but it gives him the power to obligate the United States to any amount for the construction of railroads in Alaska, to be located where he thinks they ought to be located, to be built at the time he thinks they ought to be built, and anywhere he thinks they ought to be built. It seems to me that this is so complete and utter a surrender-or, rather, abdication-of our legislative authority that it ought to shock every Senator who hears it suggested.

I ought to say, in justice to the Senator from Oregon IMr. CHAMBERLAIN], that he has advised me that the committee intends to propose certain amendments to the first section of the bill which will greatly and probably effectually limit the au-

thority which the original measure proposed to give.

Mr. CHAMBERLAIN. We intend to do that; and in this connection I wish to say we will propose an amendment to limit the amount either to be contracted for or to be expended. Mr. CUMMINS. The chairman has very kindly furnished

me a copy of the amendment that he proposes to offer.

me a copy of the dimendment that he proposes to offer.

Mr. CHAMBERLAIN. To the first section?

Mr. CUMMINS. To the first section. While the amendments proceed in the right direction they are not sufficient. They are not adequate. While they remove possibly the most fundamental objection I have to the bill, yet it seems to me that we ought to go further, and I hope that the Senate will adopt a substitute which I shall offer for the first section of the bill.

I have, fortunately or unfortunately, on account of the interruptions that I have suffered, reached the hour at which the offering of amendments is to begin, and, if I may be permitted to do so, I will now offer the amendment which I have heretofore proposed to section 1 of the substitute reported by the committee, and take the 15 minutes that are allotted to me under the unanimous-consent agreement for its discussion.

Mr. BURTON. Mr. President, a parliamentary inquiry. Does any Senator, whether he has spoken before 4 o'clock or not, have a right to speak 15 minutes on the bill, beginning at 4 o'clock, and, in addition to that, to speak 15 minutes on any

amendment?

The VICE PRESIDENT. Undoubtedly.

Mr. CUMMINS. Mr. President, the amendment which I have proposed authorizes the President to acquire for the United States, by construction, purchase, or condemnation, one main line of railroad from the southern shore of Alaska to the interior, connecting with the navigable waters of either the Yukon, the Tanana, or the Kuskokwim. It also authorizes the President to locate this line of railroad. I would vastly prefer the exercise of the judgment of Congress upon that question, but I have been convinced that it will be impossible for Members of Congress to agree upon the location of a single line of railway, and rather than stand as an obstacle in the way of this very worthy enterprise I surrender my judgment upon that point, and in my amendment I grant to the President the authority to designate the route of the single line of road which he may select.

The amendment also provides that if any line of railroad now in existence is to form a part of the main line so to be acquired and operated by the Government, it shall be acquired before the work of construction begins upon the extension of any such line of road.

The truth is, Mr. President, that the bill as it was originally introduced was the result of the recommendation of the commission appointed, I think, by President Taft. It was the purpose of that commission, and it was the purpose of the person who drafted this bill, that the Government of the United States should take up the Copper River & Northwestern Railroad at its northern terminus, and the Alaska Northern at its northern terminus, and build both of them into the interior of Alaska, in that way connecting the Government railroads with privately owned rail-

Mr. CHAMBERLAIN, Mr. President—
The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Oregon?

Mr. CUMMINS. Yes.

Mr. CHAMBERLAIN. I rather infer from the report of the Alaska Railway Commission that they intended to do that; but that was not the intention of the framer of this bill or any

member of the committee, I will say to the Senator from Iowa.

Mr. CUMMINS. I am not speaking of the members of the Senate committee. I take it for granted that this bill originated elsewhere; I have been told so, though I may be wrong about it; but everything indicates it. The \$35,000,000 that were originally provided for in the bill introduced in the other House, at any rate, is just the sum of money that the commissioners reckoned to be necessary to take up the Copper River & Northwestern and to build it on to Fairbanks and to take up the Alaska Northern and to build it on to the Kuskokwim. does not admit of any doubt; and I think the Senator from Oregon, and I think all Senators here, have conceded in the course of the debate that that was the real foundation of the appropriation originally asked for.

I do not want to leave any possibility of the President tak-ing up this work and building an extension of either of these railway lines, for, then, when we come to acquire either of them-and we shall have to acquire one or both, if we ever realize the advantages that are hoped for from this bill-by our construction we shall have added tremendous values that they do not now possess to these two lines that now begin upon the southern shore of Alaska and proceed a few miles into the interior, and we would be paying for property that our own money and our own enterprise had created. I know that in speaking these sentiments I am but echoing the view of the Senator from Oregon; I know that he does not desire any such outcome, and I am very glad, indeed, that the amendment which I have been told will be offered will eliminate this pos-If we build or buy a railroad in Alaska, we must besibility. gin at the seashore or buy from the seashore before we begin to build.

For myself I have given sufficient study to this subject to believe that the railroad which the Government ought to own in Alaska is a railroad which would begin at Resurrection Bay and be built up the valley to either the navigable waters of the Tanana or extended farther to the navigable waters of the Yukon. That is my judgment with regard to it; that was the judgment of the President of the United States who created the commission; that was the judgment of the Secretary of the Interior who investigated the subject by a personal visit to Alaska; but I am not seeking to impose my judgment upon the Senate or upon this bill. I am willing that the President shall select as between the available routes, but I do not believe that the President ought to be permitted to build more than one railroad at this time. We ought to begin the experiment-for it is an experiment; not so much experimental with

regard to the power and ability of the Government to own and operate a railroad, but experimental with regard to the resources of Alaska and to the rapidity with which the business will be developed. I think we ought to build but one railroad, with whatever branches are necessary to reach particular re-Therefore, in my amendment I have provided-

Mr. JONES. Will the Senator permit me, before he proceeds further, to ask him whether his amendment would leave the President to take what we might call a main branch, which the committee has really considered as a main line of road from

near Matanuska to Kuskokwim?

Mr. CUMMINS. Oh, yes; my amendment is so framed that if the President shall adopt the Alaska Northern route—that is, the route that reaches the Matanuska coal fields with a branchthen he can build an independent main line from the seashore to the Bering River coal fields. If, however, the other line is adopted, of course it will require a branch to reach the Matanuska fields. There is authority in my amendment for the building of that branch.

Mr. JONES. That was not the point I was getting at. Let us suppose the President should deem it advisable to also build, in addition to the line going up the Tanana or the Yukon, a line out to the Kuskokwim, would that be included within the

discretion granted by the Senator's amendment?

Mr. CUMMINS. I hardly think that the line to the Kuskokwim, that is shown upon the map that has been hanging in the Senate for several days, would be included within my amendment.

Mr. JONES. That is what I thought; that was my impression

Mr. CUMMINS. It is practically a main line of itself.

Mr. JONES. I wanted to be sure of the Senator's purpose. Mr. CUMMINS. I really do not think that it would. I think the President, under my amendment, would have to choose between a point on the Kuskokwim and a point on the Tanana. Mr. JONES. That was my idea about it.

Mr. CUMMINS. I so intended, because I think that we ought to part with just as little of our legislative authority as we can and accomplish the purpose that we have in view.

My amendment also provides that the President shall not in the execution of this authority spend more than the proceeds of the bonds—I think the amount of the bonds ought to be very materially reduced-nor obligate the United States to expend any further or greater sum.

I have now consumed the 15 minutes to which I am entitled under the agreement, and I desire, when it becomes proper, to

have a vote on my amendment,
Mr. CHAMBERLAIN. Mr. President, I desire to state that the bill has not yet been read, and I request that it be read, and afterwards that it be read for the purposes of committee amendments the committee amendments to be first acted on. I think that is usual. I prefer to have the bill perfected by the committee before other amendments are offered.

Mr. GALLINGER. I will ask the Senator from Oregon if I am mistaken in my recollection that the bill was read into the

RECORD the other day

Mr. CHAMBERLAIN. I think not, I will say to the Senator from New Hampshire.

Mr. LODGE. It has been printed in the Record. I think it was read into the Record, though I am not sure as to that.

Mr. CHAMBERLAIN. It was read into the Record as a part of my address, or printed without reading.

Of course, then, the reading is not required Mr. LODGE. under the rule.

Mr. GALLINGER. The bill has appeared in the RECORD and we have all had the bill before us for a long time. I ask unanimous consent to dispense with the reading of the bill at this time.

The VICE PRESIDENT. Is there objection? The Chair hears none

Mr. CUMMINS. Mr. President, although I have offered the amendment of which I have just spoken, I think it is entirely appropriate for the Senator from Oregon [Mr. CHAMBERLAIN]. on behalf of the committee, to perfect the bill before I have a vote on my amendment. Therefore, with the consent of the Senate, I withdraw my amendment for the time being, in order that the amendments of the committee may be voted on.

The VICE PRESIDENT. The amendment proposed by the Senator from Iowa need not be withdrawn, according to the

ruling of the Chair heretofore made.

Mr. CHAMBERLAIN. Mr. President, before voting on any of the amendments, I think, perhaps, we ought to have a quorum, and I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst Bacon Borah Gore Gronna Hitchcock Nelson Simmons Newlands Norris Overman Smith, Ga. Smith, Md. Smith, Mich. Smith, S. C. Brandegee Perkins Poindexter Bristow Johnson Jones Kenyon Kern Smoot Sterling Bryan Burton Pomerene Ransdell Chamberlain Stone Stone Sutherland Thomas Thompson Vardaman Reed Robinson Roet Saulsbury Chilton Lane Clapp Lea Lippitt Ledge McCumber McLean Martin, Va. Martine, N. J. Cummins Dillingham du Pont Fall Gallinger Shafroth Sheppard Sherman Shively Walsh Williams

Mr. BRYAN. My colleague [Mr. Fletcher] is absent from the city. He is paired with the Senator from Wyoming [Mr. WARREN]. I make this announcement for the day.

The VICE PRESIDENT. Sixty-three Senators have answered

to the roll call. There is a quorum present, Mr. CHAMBERLAIN obtained the floor.

Mr. NEWLANDS. Mr. President— The VICE PRESIDENT. Does the Senator from Oregon

yield to the Senator from Nevada?

Mr. CHAMBERLAIN. I yield to the Senator. Mr. NEWLANDS. With the permission of the Senator from Oregon, I ask leave to introduce a bill for the creation of an interstate trade commission, together with an accompanying paper, and ask that both be printed in the RECORD.

Mr. SMOOT. Mr. President, under the unanimous-consent agreement that is out of order.

Mr. NEWLANDS. It will only take a moment.

Mr. SMOOT. I have no objection to the introduction of the bill, I will say to the Senator, but its introduction is absolutely contrary to our rules when operating under a unanimousconsent agreement. I think the Senator can introduce the bill just as well after the pending bill is acted upon.

Mr. GALLINGER. Regular order, Mr. President. Mr. CHAMBERLAIN. If it is going to lead to controversy

and discussion, I will have to object.

The VICE PRESIDENT. If there is objection, the Chair will rule that the introduction of the bill at this time is out of order.

Mr. CHAMBERLAIN. I send to the Secretary's desk the first

amendment proposed by the committee and ask that it be read.
Mr. GALLINGER. Mr. President, I ask the Senator from Oregon if it would not be well to have the discussion which is to ensue on the bill itself precede the offering of amendments? I have refrained from taking any time, but I should like 15 minutes. The Senator from Ohio [Mr. Burrow] also desires an opportunity to speak to the bill.

Mr. CHAMBERLAIN. I do not know whether that could be done, if the Senator please, except after an amendment has been

Mr. GALLINGER. Let the amendment be offered, then, and

can speak to the amendment just as well.

Mr. CHAMBERLAIN. I have no disposition to prevent the Senator from New Hampshire, or any other Senator, from addressing the Senate on the bill.

Mr. GALLINGER. I can speak ostensibly to the amendment. The VICE PRESIDENT. The amendment will be stated.

The Secretary. In section 1, on page 8, line 5, in the amendment proposed by the committee, after the words "directed to," and before the word "cause," it is proposed to insert "designate and," so as to read:

That the President of the United States hereby is authorized and directed to designate and cause to be located—

And so forth.

Mr. CHAMBERLAIN. It is simply the insertion of two words.

Mr. GALLINGER. Mr. President, I am a friend of the Territory of Alaska and will not be technical now or at any other time as to any reasonable appropriation for the development of that Territory. It has been stated that Alaska has given to the people of the United States something over \$400,000,000 worth of products of various kinds, and the impression in some parts of the country has become a conviction that that amount is in return for the original investment that was made on Alaska and the expenditures which have been made in the Territory since that time. That, of course, is a mistake, which I need not stop for a moment to discuss. Whether or not the \$400,000,000 that Alaska has produced have cost an equal amount to produce, or a greater or less amount, can only be ascertained by investigation, but it is certain that no part of it has gone into the Treasury of the United States. Since Alaska became a Territory, we have expended upon Alaska

\$35,816,674.25. The proceeds from Alaska which have gone into the Treasury of the United States have aggregated \$17,117,354.75; so that we have expended upon Alaska \$18,-699,319.50 more than we have received from Alaska.

As I have suggested, Mr. President, I am in favor of further liberal appropriations for Alaska whenever such appropriations may be needed. I recall the fact with some degree of humiliation that we have appropriated in the last two years \$150,000 to test coal in Alaska; and, while a very considerable proportion of that amount has been expended—certainly the first \$75,000 has been expended and the second \$75,000 has been encroached upon-we have not yet secured a test of Alaskan coal that is satisfactory to anybody. Nobody knows how much money will be required to complete that test by the Govern-The tests which have been made would indicate that the coal is not of good quality for the purposes for which it is desired to use it.

Mr. President, great stress has been laid in this discussion of the feasibility of Government ownership and control of railroads on the fact that the Panama Canal has been built by the Government and that no one has found any fault with or made any criticism upon the method of construction or the amount of the expenditure. I have no disposition to make any criticism on either of those points, although it is a fact that those of us who voted for the canal originally were assured by eminent authorities, including engineers of the United States Army, that the cost would be \$135,000,000, and it has already reached about \$400,000,000 and the expenditures have not yet come to an end. It may be or it may not be that if a private construction company had had the resources of the Government of the United States at its back-unlimited money-the Panama Canal might have been built for a less amount than it has cost up to the present time. I find no argument to sustain the view that it might not have been constructed as economically and as well by private parties as by the Government of the United States.

I do not deny, Mr. President, the right of the Government to build railroads or to purchase existing railroads, telegraph and telephone lines, and operate them; but to me it seems inevitable that Government ownership will increase, rather than deerease, the cost of transportation. We have some illustrations at hand which seem to show that it costs more to do work by the Government than by private parties. It is a generally acknowledged fact-I have never heard it seriously disputedthat the private shipyards of this country build battleships and commercial ships at much less cost than they can be built for in the navy yards of the United States. That is to my mind a fair illustration of the fact that by properly conducted private enterprises ships can be constructed at a less amount than the Government of the United States can build them for.

Why, Mr. President, we have only to go to the Government Printing Office to illustrate the point I am making. A Senator delivers a speech on the floor of the Senate; it goes to the Printing Office and it is stereotyped; the plates are there ready to be put upon the press; and yet that Senator can go down to a private printing office in the city of Washington, have his speech put in type, and get a thousand or ten thousand or a hundred thousand copies of his speech printed for a much less amount than he can get it printed for at the Government Print-

Of course, these are small matters compared to the ownership and control of railroads, but they illustrate the point conclusively, that the Government, as a rule, is more expensive in the construction and operation of public utilities or any other enterprise than private parties.

It will be remembered that the distinguished ex-Senator from Rhode Island, Mr. Aldrich, himself a business man of great acumen and success, stated on the floor of the Senate on a certain memorable occasion that, in his opinion, if the business of this Government were placed in private hands it could be transacted at a saving to the Government of \$300,000,000 a year. I thought at the time that the Senator from Rhode Island overstated the amount that could be saved, and I think so now; but, to my mind, it is beyond question that if the affairs of this great Government could be placed in the hands of enterprising business men and they had a free hand to conduct the business of the Government an enormous saving would be made to the people of the United States.

European railways under Government control do not present an alluring picture to Americans who have traveled on them. The Senator from Utah has called attention to what is happening in France under the Government ownership and control of railroads; and while Germany and possibly England have a better showing than that, it is a fact, undisputed and indisputable, that the service upon the railroads of Europe, Germany and England included, is infinitely inferior to the service that is given to the American people by the railroads of this country as they are now controlled by private corporations.

I am opposed to this bill, for the reason that it establishes Government ownership. I believe it will be a mistake. I believe it will result in great waste of the money of the people of the country. In my investigations thus far-and I have tried to make some careful and unprejudiced investigations-I have failed to find that any country that is undertaking to run railroads and telegraph and telephone lines is conducting the business as economically as it is being conducted in this country under private ownership.

In that view—and then I shall not discuss the bill any further—I desire to have read into the Record an editorial from the London Daily Mail of January 2, 1914, which was sent to me by a friend temporarily resident in Paris, as an illustration of the total failure of the great Empire of Great Britain in the matter of owning and operating telephone and telegraph lines

in that country.

I ask that the editorial may be read by the Secretary.

The VICE PRESIDENT. The Secretary will read as re-

quested.

The Secretary read as follows:

[From the London Daily Mail of Friday, Jan. 2, 1914.] WHY AND BECAUSE.

[From the London Daily Mail of Friday, Jan. 2, 1914.]

Why is it that Government ownership and management of the telephone is practically always a failure? Why is it that for every thousand Europeans there is only one telephone, while for every thousand Americans there are 15? Why is it that the country which has done most to Improve the telephone, both technically and commercially, and to popularize its use is the country in which its operation and development have been and still are exclusively the work of private enterprise? Why is it that not one of the innumerable discoveries that have transformed the telephone industry in the last 30 years has emanated from a department of state; that European Governments have been the last to adopt them, and that the verdict which experts are obliged to pass upon them, with perhaps two partial exceptions, is that they have not learned their business? Why is it that there are great and famous towns in Europe at this moment where methods and machinery that were abandoned 20 years ago in America are still in use? Why is it that throughout the length and breadth of Great Britain and the Continent hardly a single efficient long-distance service is to be found? Why is it that in New York one can invariably get the number one wants, and get it at once, while in London one has often to wage a prolonged and embittering battle with a slow operator, insufficient lines, and a conversation—if any conversation ensues—that is only audible when it is interrupted?

The broad answer to all these questions is that the alertness and enterprise that are essential to telephone development can not be expected from a Government department. The characteristics of the bureaucratic mind and temperament forbid it. The organization of a Government office, with a virtually irremovable staff, forbids it. In anrow professional outlook, its unwillingness to concentrate responsibility, its nessorible stilling of initiative, forbids it. A Government department can not raise and discipline its staff to the

Mr. GALLINGER. That is an object lesson that I think every Senator ought to take to heart. While I am opposed to Government ownership of railroads, in Alaska or elsewhere, I wish to go on record as being ready to vote any reasonable gratuity in any proper form to the Territory of Alaska that would enable private parties to construct necessary railroads and to establish other public utilities that would benefit the

Mr. BURTON. Mr. President, what Alaska needs is a policy, not an appropriation; judicious land and mineral laws which shall be fair to the people of the Territory and shall subserve the interests of the whole United States, and not a railroad

built at Government expense.

The passage of this bill at this time would be altogether premature, because the resources of Alaska are locked up as effectually as would be the case if steamship lines were forbidden to touch at her ports-at least, the resources which this bill proposes to develop—and neither Alaska nor any other country in the world could reach its fullest degree of development under such conditions as exist there.

In the year 1900 an act was passed authorizing the sale of coal lands at \$10 to \$20 an acre in tracts not to exceed 160 acres. This was followed in 1904 by another act authorizing surveys at the expense of the entryman. Railroads were projected and commenced. In 1906 two orders withdrawing coal it has increased, but I can give instances where it has kept

lands were issued, but on May 28, 1908, an act was passed authorizing consolidation with a limit of 2,560 acres.

We are all familiar with the long drawn-out controversy as to the good faith of entries, but none of these tracts have been

utilized for the furnishing of coal.

I desire to express myself at this time in favor of a policy of leasing lands which shall apply to mines of coal, to mines of iron ore if they are discovered, and possibly to mines of copper; also in favor of giving on timberlands, if valuable timberlands are discovered in Alaska, only the right to cut off the trees, the Government retaining the fee-simple title.

Some arguments have been made in the course of this discussion to the effect that methods which involved the leasing of lands had proved unsuccessful. The condition in our own country, including outlying possessions, affords the very strongest argument that can be offered anywhere for the policy of In the first place, we have the mistakes of the past. Much of the present tendency toward combination and monopoly is due to the possession of the most available sources of raw material, as in the case of iron ore. We have seen the forests which contain the best timber concentrated in the ownership of a very few persons.

I maintain, however, that this system has been very successful in other countries as well. A similar objection was raised when the leasing system was proposed with regard to coal lands in New Zealand and in the Australian States, such as New South Wales, Western Australia, Queensland, Victoria, New South Wales, Western Australia, Queensland,

and Tasmania.

I will read briefly on this subject from a report by Mr. Secretary Fisher, which is printed as Bulletin No. 36 of the Department of the Interior, Bureau of Mines:

ment of the Interior, Bureau of Mines:

The coal lands in each of these countries have been taken up and are being developed and mined under the leasing system; and under that system coal is not only being mined for home consumption, but it is being exported to our own Pacific coast and to other countries bordering on the Pacific. The difficulties that stood in the way of leasing the coal lands in those countries were imaginary difficulties, and they disappeared when the matter was put to a practical test.

Again, in Nova Scotia, where the conditions for investment are even more unfavorable than they are in many parts of Alaska, those who were opposed to the adoption of a leasing system said that it would be impossible to lease public coal lands on any basis; but when the experiment was tried, parties came forward to take out the leases, and are operating the coal lands.

Mr. BORAH. Mr. President.

Mr. BORAH. Mr. President-

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. BURTON. I should like to yield to the Senator from Idaho, but I wish to set forth a considerable amount of material, and 15 minutes is a very limited time.

Mr. BORAH. Then I will not interrupt the Senator; but if he has any literature as to the effect upon prices under a leas-

ing system I wish he would read it to the Senate.

Mr. BURTON. I can give an argument right here and now on that point. Coal lands have been sold in Wyoming at from \$200 to \$400 an acre, and coal lands in other portions of the country for much more. Any reasonable rate for leasing would not impose a larger burden on the operator who mines the coal than the payment of so large a price.

If a lease is made at a reasonable price before the increased cost and value impose their burden on the operator, does the Senator from Idaho believe that will be worse than the of the land? There have been repeated instances in the United States in which coal lands which were worth \$40 an acre 20 years ago are now selling for \$1,000 or \$1,500 per acre, or even The interest upon that and the necessity of obtaining a profit on the increased cost is more than should be imposed in a reasonable plan for leasing.

Mr. BORAH. Of course, you can take figures and speculate and prove anything in the world you want to prove if you are a good figurer, but the leasing system has been tried in a great many countries and experimented with in different ways. ask the Senator if he can point to a single instance where, as a practical fact, there has been any favorable reduction of price to the consumer under the leasing system? Has the leasing system benefited the people at large, the ultimate consumer? I have never been able to find any support of that proposition.

Mr. BURTON. Decidedly so. While I have not marshaled

figures in this regard, the Senator from Idaho must realize that the price of coal has increased very greatly in recent years, partly because of the enhanced value of land and partly because of the greater cost of labor. I will ask him, on the other hand—though I do not wish to give him the opportunity in my own time-to give instances in which, under the leasing system, the cost has increased out of proportion to that which exists where there is private ownership.

Mr. BORAH. I can not give the Senator any cases where

even pace with the man who owned the land, and never in a single instance have I been able to find that it has resulted in any benefit whatever to the consumer. They "gut" the mine; they destroy the mine. It sometimes pays a better revenue to the Government; but so far as the price is concerned, it has never benefited the consumer so far as I have been able to find. I want some evidence that the purchaser of coal or fuel is going to benefit. I do not want to simply build up a revenue for the Government.

Mr. BURTON. The Senator from Idaho is making a very broad statement, and he naturally confines his argument to general rules and principles. If there are some privately owned mines side by side with those leased by the State, it is almost inevitable that the price charged in the two shall by the same, because the price will be determined by the general average of cost to the two producers. If there is a mine where the owner holds his acreage at a thousand or two thousand dollars an acre, and side by side with that there is one owned by the State or the Government, where there is a certain rental of a few cents a ton, let us say 10 cents, the price of the two will be equalized; but the tendency is that which arises from all competition, namely, to put down the price. Otherwise, the arguments for competition are altogether futile.

I will read somewhat further on this subject.

Mr. SHAFROTH. Mr. President, will the Senator yield to me for a question?

Mr. BURTON. Yes. I should prefer not to yield. I prefer not to depart from the general line of my argument for the

whole 15 minutes, but I will yield to the Senator. Mr. SHAFROTH. I desire to suggest to the Senator that the difference between selling Government lands and leasing Government lands is that in the one instance the State has the power of taxation and can maintain government over the land and in the other it has not, so that if it is to be a leasing system it unquestionably will be a detriment to the State. The very illustration the Senator makes of land in Wyoming selling at \$400 an acre shows that. Is it right that county government, State government, and school government shall not have the right to get a single dollar out of that land at that high price which the land is estimated by the Government to be worth, and at which it is sold by the Government? Yet if you have the leasing system, that is the result it will have, whereas if you have the sale system the State gets the benefit of the taxation,

Mr. BURTON. The State has a right to establish such a system of taxation as will give it a revenue from lands whether owned or leased. I wish to say to both the Senator from Colorado and the Senator from Idaho that there is a question involved here which is more important than cost and more important than taxation, and that is the danger of monopoly; the danger that coal lands or other lands or materials may so come into private ownership that these great necessities of life may be put beyond the reach of the people at a reasonable cost.

Mr. SHAFROTH. I will say to the Senator that in my State the very withdrawal of lands has brought about a monopoly in the companies that now own title to the lands and that our coals are selling now for \$1 a ton more than formerly. That means a tax upon the people of my State of \$10,000,000 every year, be-

cause that is the amount produced there. Mr. BURTON. Mr. President, I have the greatest respect for the opinion of my friend from Colorado, but that would only be possible in case of mismanagement somewhere. If you have an amount of coal there that is disposed of under a leasing system at a reasonable price, there is no possible tendency in the system to raise the cost. It may be that the agents of the Government or of the State have withheld some of the best mines from use or in some way have pursued an injudicious policy, but it is not the policy that has made the price of coal

higher. It is the method of administration. I quote further from this statement of Secretary Fisher:

I quote further from this statement of Secretary Fisher:
The statutes of Colorado, Montana, and Idaho provide for leasing
State lands containing stone, coal, coal oil, gas, or other mineral.
Colorado and Montana require a minimum royalty of 10 cents a ton
for coal mined on such land. Montana prohibits the sale of its coal
lands, but authorizes the lease of the surface for agricultural or
grazing purposes. It also requires the locator of a mining claim for
gold, silver, and other metals, at the expiration of one year from the
date of the location, either to purchase the claim at \$10 per acre or
take a lease thereof at such price and upon such terms as may be
agreed upon between him and the State board of land commissioners.
Idaho also authorizes leases of State land containing precious metals.

It goes further, as I understand, than coal. Mr. BORAH. If the Secretary of the Interior has found any marketable coal in Idaho, we should be very glad to have him point it out to us. There is no coal in Idaho except that which is hauled through the State on the Oregon Short Line Railroad

or some other railroad.

Mr. BURTON. He does not say that. He says:

Idaho also authorizes leases of State land containing precious metals. Mr. BORAH. But what the Senator read just before that was that Idaho, Montana, and Colorado were leasing their coal

Mr. BURTON (reading):

The statutes of Colorado, Montana, and Idaho provide for leasing State lands containing stone, coal, coal oil, gas, or other mineral.

He refers there to the general statutes on the subject, rather

than to any specific mineral.

Mr. SHAFROTH. I will state to the Senator that the leasing of coal land in the State of Colorado has been very unsatisfactory. I want to say, further, that there is a great difference between the State leasing and the United States Government leasing, because of the fact that if any revenue or profit is derived by the State it is given directly to the county and to the school district where the land is located, or, at least, it is divided among the schools, and as sections 16 and 36 are scattered all over the State equally it is an equal distribution; but it does not turn out in that way when the Government does it, because it is exempt from taxation.

Mr. BURTON. Of course, in addition to all that, it is especially unsatisfactory to those who desire to obtain these lands and obtain a monopoly of the coal trade and obtain the highest

prices possible for the coal.

I ask unanimous consent to add some further extracts, as I shall not have time to read them. While I am making the request, I should like also to add some material, which probably I shall not have time to read, in regard to agricultural lands and agricultural production in Alaska.

The VICE PRESIDENT. Without objection, that may be

Mr. BURTON. Mr. President, I have no insuperable objection to Government ownership as such. The advantage of private management is that it is more alert; that it evokes the more eager efforts of those who are engaged in the enterprises involved; that it is less subject to favoritism and political influence, and that it squares more thoroughly with the develop-

ments and methods of modern business life.

I have been somewhat familiar with railway systems which are under Government management in other countries. In the first place, in most of them they have a very elaborate system of civil service. There is a system of promotion, say, after service in the army. It may be added, though I do not know whether that makes the argument stronger or weaker, that a sufficient number of employees are more readily obtained and wages are less. Those in control are less progressive and respond much more slowly to the complaints of the public. Requests for enlargement and betterment of the service are less exacting. Not only, however, are the conditions more favorable for Government ownership where it prevails, as in Italy, Germany, and Austria-Hungary, but the service is not so good as it is in the United States and in Great Britain, where there is private ownership.

That we may come to a larger measure of public ownership and management at some time I do not deny; but I think it will not be until there is an absolute change in the efficiency of the administration of municipal, State, and National Government, and until promotion is made strictly in accordance with merit. The VICE PRESIDENT. The time of the Senator from Ohio

has expired.

Mr. NEWLANDS. Mr. President, I do not regard a vote for this bill as committing one in any way to the proposal of general Government ownership of railroads. I think the situation of Alaska is peculiar. It has great natural undeveloped wealth, and the development of that wealth depends upon a proper system of transportation.

It is the duty of the Government, as the owner of the Territory, as a governmental matter, to open up roads of some kind. If the Government embarks upon that enterprise the roads should be of the best kind to meet the end desired. It is absolutely essential that transportation, not only of people but of commodities, should be promoted. In order to develop these resources and to transport the products of the Territory, it will be essential to have roads of moderate grade.

The roads, therefore, should be either macadamized roads of moderate grade and of the highest standard or roads of steel. In the evolution of transportation, I regard a steel road as occupying the same status in the economics of the Government as a dirt road occupied 50 years ago and as a macadamized

road of the highest standard occupies now.

In order to secure the proper grades and the proper construction a macadamized road will cost almost as much as a steel road, or possibly quite as much. As the steel road will be much more efficient, I favor the construction of the latter; and therefore I shall vote for this bill.

Mr. BRISTOW. Mr. President, reference has been made to the cost of the Panama Canal. The Senator from New Hampshire [Mr. Gallinger] correctly stated that the first estimate of its cost was \$135,000,000, but he failed to state that that estimate was based upon an entirely different canal from the one we are constructing. That was to be a lock canal with a depth of 35 feet, and the locks were to be very much smaller than the locks we have constructed. The estimate as to the cost of the present canal was, as I remember, about \$375,000,000 after the commission determined the kind of canal that it was necessary to construct in order to meet the demands of modern commerce.

The canal we are now constructing is 42 feet deep and very much wider than the canal first suggested. The locks are 1,000 feet long and 110 feet wide, which is very much larger, indeed, than those that were originally designed. We have not expended \$400,000,000, as was suggested by the Senator from New Hampshire, but only about \$330,000,000 at present. It is estimated that less than \$400,000,000 will complete the canal, and that the estimate which was made as to the cost of the construction of the canal as now designed is approximately accurate. So I do not think the objection that we do not know what the cost will be or that it will be much more than is contemplated is justified.

Of course I am in harmony with the amendment that will be offered by the chairman of the committee limiting the amount to

be expended and fixing the limit upon the mileage.

So far as Government ownership is concerned, I am somewhat surprised that so many Senators seem to view with alarm this proposed construction of railways in Alaska. If Government ownership is as unwise as it is believed to be by a number of Senators who have discussed the matter, then it will be demonstrated to be unwise by this Alaskan experiment, and instead of opposing it, if they are confident in their theories, they ought to favor it, because certainly if it prove a failure it will be a conclusive argument against any further experiment along that line.

I am not ready to say that I am in favor of the Government acquiring the railroads of the United States and operating them. Indeed, I would oppose the operation of the railroads by the Government. I am not certain that I would not favor acquiring the railroads at a reasonable price. The Mexican Government, before the revolution which destroyed the administration of President Diaz, owned a railroad across the Tehuantepec Isthmus, something over 200 miles long, and it was operated under a partnership between the Government and an English company, and operated with success. That was a Government-owned road operated under a partnership contract. Its officers were in no way officials of the Mexican Government.

Then our own experience in the management of the Panama Railroad and the Panama Steamship Line demonstrates that Government ownership is not a menace. That has been operated by a corporation, the Government owning the stock, and no criticism has been offered here against the administration of the affairs of the Panama Railroad in the 10 years that we have

been operating it in that way.

It seems to me that we owe it to ourselves to open up the resources of Alaska, and this is the first step. Complaint has been made because we have not taken other steps at the same time that we are taking the first. It is not necessary to go further now. The other steps will inevitably follow. If we can construct a railroad into the interior of Alaska and open up its wealth, it certainly is a good thing to do.

I shall make some suggestions later on as to the best method. in my opinion, for the operation of this road when it has been constructed, but it seems to me that it is the best way possible for us to determine whether or not we desire to take any further steps along the line of acquiring the great commercial highways which govern and control the commercial development of our country. In going into this Territory, and without any competition acquiring the ineffective and inefficient roads that are there, and providing some means of developing the coal, we are experimenting, if you please, with Government ownership and Government operation, and working out a better method than that which we now have. It seems to me that it is impossible for us to defend the organization of the great fuel resources such as have been acquired by the transportation companies in continental United States, especially in the State of Pennsylvania; and we owe it to the people of the United States to see if we can not find a better way of utilizing this natural wealth than that which we have developed in our own commercial affairs.

So I shall most heartily support the measure, and I believe with the amendments that are to be suggested by the committee the bill is very much improved and will be very desirable legislation.

Mr. STONE. Mr. President, I feel that I should on my own account say just a word or two before this measure is disposed of. I am on record in the Senate and outside the Senate on several occasions, where I put myself on record in public speech, against the Government ownership of railroads in the United States. I am not going now to state the reasons for the belief that it would be unwise, impolitic, and even dangerous to the stability of our governmental institutions to put the vast transportation companies of the United States into Government ownership and control. I can not look with favor upon a policy of that kind; and yet I am disposed to support the measure now before the Senate.

Alaska is a vast country in area, and it has great possibilities in agriculture, in minerals, and in other sources of wealth. Development is the one crying need in Alaska. Opportunity to reach the sources of wealth that they may be developed is a great commanding necessity in that vast empire of ours. As I understand it, practically the whole of Alaska is in the ownership of the United States, the property of the United States.

Mr. WILLIAMS. May I ask the Senator a question there? If practically all of Alaska is in the ownership of the United States Government and in its ownership as trustee for the benefit of the entire people of the United States, including New York, Missouri, and Mississippi, can the Senator differentiate between voting money out of the Public Treasury derived from the sale of lands belonging to the people for the building of railroads in Alaska from a like proposition for the building of railroads in Missouri or Mississippi?

Mr. STONE. I think I can differentiate to my own satisfaction between the two propositions stated by the Senator from Mississippi. Granted that Alaska is in the possession of the Government and that this great property of the whole people of the United States is to be administered by it, still it becomes the duty of the United States Government as trustee to so manage this great estate of the people and the Government as to make it profitable where now it is wholly unprofitable, and to

make it useful where now it is not useful.

Mr. WILLIAMS. But, if the Senator will pardon me, does he mean profitable to the people of Alaska or profitable to the

people of the United States?

Mr. STONE. I speak of the whole people. I think it is to be made profitable to the whole people of the United States. I think, Mr. President, that you can open up and develop Alaska in its agriculture and in its coal and in its gold and in its useful metals. Those products will be brought into the United States and enter into our consumption and uses for the benefit of the entire people. If we have this vast estate of the people of the United States in the hands of our Government as trustee, I repeat, I think it is within the province and a part of the duty of the United States to develop it so as to put it to useful ends, so that it will be a source of advantage to the country. The properties of Alaska in private ownership, the possessions held by private individuals or corporations are infinitesimal in extent or value as compared with the vast aggregate which belongs to the people of the whole country.

Mr. President, I think this great trustee spoken of by the Senator from Mississippi, the Government of the United States, can construct roads into and through and across Alaska so that the people of all the States of the Union may find access to its available wealth and contribute to its development, for in doing this the United States is merely improving its own property, its own estate. I think there is a very wide difference between that and the Government undertaking to construct a line of railroad from Washington to some distant point like Seattle or San Francisco or out to St Louis or Chicago. The purpose there would be necessarily not to develop any estate belonging to the Government or the people, but for transportation purposes, to open up competition with established lines of transportation, or something of that kind, which, I think, is outside the province of the Federal Government, and besides is full of danger to the well-being of our people and of our Government. The things are wholly different.

I am disposed because of this wide difference between the two things to give my support to the bill before the Senate authorizing the governmental construction of a railroad in Alaska when I would certainly oppose the construction by the Government of a line of transportation in the United States.

Mr. WILLIAMS. Mr. President, I want to say a few words especially to this side of the Chamber. The Democratic Party has just gone into power, and among other things that it has promised is an economical administration of the Government

of the United States, as economical as possible consonant with efficiency and consonant with progressive legislation,

Here is a bill to devote \$40,000,000-four-fifths of the entire income tax of the United States-to one outlying and poor and unpopulated Territory. If that is the march of economical progress you are going to start upon, where are you going to stop, and when and how are you going to avoid increasing either tariff taxes or income taxes in this country?

I know that in this bill it is covered up, that it is proposed to issue bonds to do it; that you shall tax posterity upon the general principle that "posterity never did anything for you, and therefore you do not need to do anything for posterity." If you are going to pay out money, it ought to be paid out of the money now on deposit in the national banks to the credit of the United States Government. No sensible, sane individual who wanted to spend \$40,000,000 and had the \$40,000,000 lying in hand would go out and borrow it and pay interest for it. The sole object of the bond provision is to conceal the cost from the present generation-to cover it up and hide it and fool the American people. So much for that branch of the question.

Suppose you pass this bill to give \$40,000,000 to construct railways in Alaska, and you go back to Georgia, to Virginia, to Indiana, to New Hampshire, to Utah, to Mississippi, and the people there say to you, "You have given \$40,000,000 to about half a million people in Alaska to build for them transportation

Mr. BACON. There are only 30,000 white people in the

Mr. WILLIAMS. Take the Eskimos, the Russians, and all. and make it half a million, and let it go at that. am told, about 30,000 white people up there, but I do not want to encounter any race prejudice; I have encountered enough of that. [Laughter.] Here is a State with a million and a half population; here is a State with two millions; here is a State with three millions; here is a State that wants to get a railroad from the Mississippi River to the coal fields of Alabama; here is another State that wants to get from the Mississippi River with a railroad to the ranches of Texas; here is a State that wants to get from tidewater upon the Atlantic to the coal

fields of West Virginia.

Their people say, "You have voted \$40,000,000 for 500,000 suppositions population, then why can you not give us \$2,000,000 to build this little bit of a railroad?" What is your answer going to be? "Alaska is Alaska, and you are you." "Alaska is undeveloped." So was Mississippi once undeveloped; and it is a historic fact that the United States Government never sent even one company of regular soldiers to enable her to develop herself, while she was sending them to the Northwest all the time. Their reply is, "When we were in that condition you did not develop our resources out of the Treasury, and why should you develop Alaska?" Then your answer to that is, "Alaska can not be developed unless we do help her." Then your further reply is, "This is funded upon Alaskan resources"; but the reply to that is what I intimated a moment ago in my interruption of the Senator from Missouri [Mr. STONE], that the property owned by the United States Government in Alaska is not the property of Alaska at all, and never was, but it is the property of the people of the United States-paid for out of the Treasury by them-and the Government of the United States holds it only as a trustee. If you can mortgage the property of Alaska to build railroads in Alaska, you can mortgage the same property to build railroads in Mississippi. If you are going into the general business of building railroads, all right; let us have the fight squarely and honestly before us. Do not sneak it in by the Territorial route. If you want to build railroads at the expense of all the people, Mississippi wants her share of them; she needs them; and she could consume profitably in the way of railroad construction not only \$40,000,000, but \$200,000,000, if you will let her have it.

Mr. CHAMBERLAIN. Mr. President-

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Oregon?

Mr. WILLIAMS. I do.

Mr. CHAMBERLAIN. I call the attention of the Senator from Mississippi to the fact that the Government of the United States did assist Mississippi to the extent of 406 miles of railway by a grant to the State or to corporations within the State.

Mr. WILLIAMS. Oh, yes; by land grants; and I am perfectly willing now for the Federal Government to secure the interest on bonds for a limited period of time to build railroads in Alaska; I am perfectly willing now to deed alternate sections of land in Alaska for the building of a railroad, as was done in other Territories; I am perfectly willing to do anything that was ever done by a precedent established in this country to help Alaska; but I am not willing to establish the new precedent of Government construction and ownership and possible operation of railroads.

Where are you going to stop when you start out into this sort of thing? O Senators, I ask you where you are going to stop? Suppose I were to introduce a bill next week with a preamble reciting that "Whereas the Federal Government is charged with the duty of providing for the Navy and Army, and "Whereas clothes are by law necessary to be worn by sailors and soldiers," "Therefore be it enacted that the United States Government erect a certain number of sweatshops for the purpose of producing clothing for the Army and Navy." I again ask, Where are you going to stop? Where is the ultima ratio? To what point does the reductio ad absurdum lead? Is there any stopping place at all? Is there anything that does not connect itself somehow, directly or indirectly, immediately or remotely, by false or pretended construction with some grant in the Federal Constitution?

I am not contending that this legislation is unconstitutional; it is perfectly constitutional, because Congress has not only absolutely legislative but absolutely aldermanic power over the Territory of Alaska. Here are Democrats who 20 years ago were fighting populites all over this country when the populites were demanding Government ownership of railroads. fought them in Mississippi on every hilltop and down in every shadow of every valley, and we whipped them to a finish, because we fought them in the open. Now, here are Democrats standing around and wanting to do just what the populites then asked, wanting to turn this Government over to State socialism-not the socialism of Marx, not the socialism of the French socialists, in which there is some reason, but State socialismupon the theory that a State can manage transportation, industry, manufacturing, and other things better than they can be

managed by private enterprise.

You built your cable line up in Alaska; you built it upon the theory that the Army and the Navy and the Government and the people needed it. I do not know whether I am correctly informed; but if I am incorrectly informed, I shall subsequently correct it. I have corresponded with the Signal and have not yet got a reply; but I am informed that while we appropriated \$1,080,000 to construct that cable line six years ago we have within that six years collected back the entire cost of construction plus \$50,000, and that meanwhile the United States Government has had all of its business free. If a private corporation had charged 36 cents a word, which is what that cable company has charged for that service, from Seattle up to Alaska, when you can get a cable message through, as I am informed, from Seattle to London for 28 cents a word, and had recouped a million of principal plus \$50,000 in six years, this country would have risen up on its toes in indignation against

the exploitation of that monopoly.

This railroad is either going to be profitable or it is going to be unprofitable—one of the two—there is no escape from that. If it is profitable, it is to be made profitable at the expense of all the people of the United States and of private railroad enterprise in Alaska, because the private railroads must pay \$100 per mile per annum tax, while this, being a Government institution, will pay nothing. The tax alone would give it a very good competitive profit. Suppose it is unprofitable, upon the other side, where is the money coming from? It is coming from the people of Arizona, from the people of Mississippi, of South Carolina, of Nevada, and of the remainder of

this country.

The revenue in the Treasury does not fall, like manna, by the will of God from heaven. There never yet was a dollar in the Treasury that was not taken out of some citizen's pocket in order that it should be placed there. What right have you to tax my constituents in the State of Mississippi \$40,000,000 to build a railroad in Alaska when you are not willing to tax the people of Alaska their share of what they pay into the Treasury in order to build for the people of Mississippi \$40,000,000 worth of railroads? Are you going to answer me by saying that the lands up there belong to the Government? They do not, except as a trustee. They belong to me in Mississippi; they belong to you in New Hampshire; they belong to you in Utah and to you in New York. And the money in the Treasury, to whom does it belong? Does it belong to the Government? No; except as a trustee. It belongs to the same people all over this

Oh, for the great Democratic Party, the party of Thomas Jefferson, the party of individual enterprise, the party whose corner stone was that the most sacred thing in the world was the individual and individual enterprise, the party which believed that government was organized solely for the purpose of preventing depredations by one individual upon another and that all that was necessary for government to do was to see to it that every man had a fair field and equal opportunity. It seems strange to me that a party founded upon that principle should propose to go out and engage in the operation of private enterprises. There is just one exception. When a private enterprise is necessary for naval or army defense, then it is all right to acquire it. If you find that you can not keep your Navy up to the right stretch without manufacturing armor plate, all right; if you find you can not keep your Army up to the right stretch without manufacturing rifles or gunpowder, all right. Self-defense with a nation, as with a man, is the supreme law; but there is no other excuse for it in the world.

Mr. CHAMBERLAIN. Mr. President, I do not know whether

or not I ought to reply to the Senator from Mississippi [Mr. Williams], but I feel impelled to say something in answer to the suggestion which he has made that this bill is intended to conceal something. That is absolutely unfounded by any part

of the record.

The Senator complains that Alaska is here before the Congress of the country asking for an appropriation to increase its transportation facilities. It seems to me that that plea comes with poorer grace from the Senator from Mississippi than it could come from the mouth of any other Senator in this body. As a matter of fact, the people of his section of the country have demanded and have received at the hands of Congress and the people of the United States have assented to its actionmillions of dollars for the improvement of the Mississippi River. What was the purpose of that expenditure? It was for the purpose of improving the navigation of the Mississippi River, a Government waterway or transportation line, if you please. only that, but the people along the Ohio have petitioned Congress for large appropriations to aid in the development of transportation-

Mr. WILLIAMS. Mr. President-

Mr. CHAMBERLAIN. I will not be interrupted now.
Mr. WILLIAMS. I was only going to say that we never
wanted to operate the Mississippi River as a private and local

Mr. CHAMBERLAIN. I am going to show what you do

operate before I get through.

They have not only asked that, but the people along the upper Ohio have appeared before the Congress of the United States year in and year out asking for large appropriations, which Congress has given them, for the benefit of the transportation facilities of the upper Mississippi River, in order to enable the people of Mississippi, of Louisiana, and all along the Mississippi River, to receive coal from West Virginia and the upper stretches of the Ohio River, and to aid the people of the lower Mississippi Valley to regulate transportation charges by rail. Not only that, Mr. President, but after we have appropriated money—and I have never opposed it; I believe in assisting the people along the Mississippi River to improve navigation and to regulate the rates by rail—but after Congress has made these appropriations, if you please, and after levees have been built to keep the Mississippi River within its channel, then. for sooth, there come back the same people and demand money, not for the purpose of improving the channel, but to pay the people on the other side of the river, whose lands have been washed away by the very improvements which Congress has made at the request of the people of that country. I call the Senator's attention to the fact that not very long ago he introduced a bill, the terms of which I do not exactly remember, but which was intended to appropriate large sums of money for the purpose of reclaiming the lands down there.

Mr. WILLIAMS. The Senator is mistaken.

Mr. CHAMBERLAIN. I think I can find the bill.

Mr. WILLIAMS. It was to pay back the price of their land to the people who had been ruined by the operations of the Federal engineers, whose land had been totally destroyed by being put into the channel of the Mississippi River.

Mr. CHAMBERLAIN. Ruined, Mr. President, if you please, because Congress had appropriated money to improve the navigation of the Mississippi River, and these improvements resulted in changing the channel of the river and washing out the lands on the opposite side.

Mr. WILLIAMS. I beg the Senator's pardon.
Mr. CHAMBERLAIN. I know something about it.

Mr. WILLIAMS. The lands were ruined because the levees were not built on that strip as they were built in other places, and that strip was thus dedicated to the public use without compensation—virtually condemned, without its share of levee construction and without legal condemnation, to the bed of the

Mr. CHAMBERLAIN. I happen to know something about it. I was born in Mississippi. I have stood on the banks of the river at Natchez, Miss., and looked across a river 40 miles wide.

Not only that, but I have walked along the levees, if you please, and seen that those levees have changed the channel of the Mississippi River and washed out the lands on the other side.

Mr. WILLIAMS. That has nothing to do with my bill.

Mr. CHAMBERLAIN. It has a good deal to do with this

Mr. WILLIAMS. My bill would pay riparian landowners in that stretch of country where the Government had not built levees for the overflows which the lack of levees had caused, thereby confiscating the lands of riparian owners in the Natchez

Mr. CHAMBERLAIN. I know about the demands which have been made by the people of your State, and my native State, for improving the Mississippi River in order to improve the transportation of that country and to regulate freight rates. exactly what Alaska is doing. She is asking not for a gift, but she is asking to borrow \$40,000,000 for the purpose of improving that country and regulating the freight rates that are charged by transportation companies in Alaska. So that the charge, Mr. President, that there is something furtive, something concealed, in this bill, something put in it to deceive the people of this country, comes with very poor grace from the Senator from Mississippi

Mr. WILLIAMS. It will never be repaid. Why do you not appropriate the money out of the Treasury, instead of issuing

Mr. CHAMBERLAIN. Those people are not here as mendicants; they are not here asking any charity; they are simply asking to do what is frequently done here, and that is to borrow on the credit of the United States a sum which Alaska proposes to pay back. Do you pay back the moneys which we give you every year to improve your streams?

Mr. WILLIAMS. Everybody knows that it is the business of the United States Government to improve rivers and harbors.

Mr. CHAMBERLAIN. Oh, yes.

Mr. WILLIAMS. There is no doubt about that, and never has been.

Mr. CHAMBERLAIN. It just depends on whose ox is gored.
Mr. WILLIAMS. Oh, no; it does not. The States are not
even permitted to interfere, however beneficially, with inter-

state water transportation.

Mr. CHAMBERIAIN. We are simply asking what the Senator has always asked, with this distinction and this difference: We are asking that you lend Alaska the credit of the United States for \$40,000,000, promising to pay you back every cent of it out of the resources of Alaska. What we give the Mississippi, what we give the Ohio River, what we give the other great waterways of this country, is absolutey sunk, and not only sunk, Mr. President, but after we have improved them and damage is done to the people along the way, you come back to us and ask us to pay that as well as to improve your waterways.

Mr. WILLIAMS. You do not give it to us. It is a part of

your duty as a Federal Government to provide for rivers and

harbors

Mr. CHAMBERLAIN. I resent the insinuation which the Senator has made, that there is something secret, something concealed, some ulterior purpose lurking in the provisions of this bill; that it is an attempt upon the part of the people of the Northwest to get their hands into the Treasury of the United Alaska belongs to the people of the country; it belongs to all the people of this country, and we of the Northwest insist that we are entitled to have the same benefits from the development of that great country that the people of the State of my friend the Senator from Mississippi have derived from the improvement of the great waterway bordering Mississippi on

Mr. WILLIAMS. This is not a waterway bill.

Mr. CHAMBERLAIN. It is a transportation bill.

Mr. WILLIAMS. Oh, yes; and so is my walking from here to Pennsylvania Avenue transportation.

Mr. CHAMBERLAIN. And so is steamboating on the Mis-

sissippi River.

Mr. WILLIAMS. Yes; and so is a dugout going through the Chapola; but the two things have nothing to do with one another.

Mr. CHAMBERLAIN. We have improved the Chapola and

good many other streams.

Mr. WILLIAMS. The Chapola is a fictitious stream, and a name which I just invented.

Mr. REED. Mr. President, if it were not for the fact that every man who has been inclined to favor this bill has been, directly or indirectly, accused of violating the fundamental principles of the Government, and outraging the memory of Thomas Jefferson, and being otherwise concerned in doing violence to common sense and reason and good government, I should say

nothing upon this bill; but for just about five minutes I should like to talk upon it.

It is a strange time in the history of our country to declare that a public highway is a private enterprise. There is not a hundred miles of railway in the United States that is in any sense of the term a private enterprise. There is not a railway of any length in the country that did not obtain its right to exist because it was a public enterprise and because it was a public highway.

We have granted to all of these railways the use of one of the highest functions of government, that of eminent domain; or, to state it more accurately, we have exercised on their behalf the right of eminent domain, upon the principle that railways are public highways. They are as much public highways in law as the streets of this city, the highways of the country, or the boulevards that lead from one town to another. It is only because they are public highways, so recognized in law, that they are permitted to take the property of the citizen and condemn it and utilize it for railway purposes

Therefore, when any man stands upon the floor of the Senate of the United States and declares that this bill is an invasion of private rights he talks in a language that, I am afraid, I could not characterize justly without using unparliamentary expressions.

We were told here the other day by one Senator that if the Government built these railroads, they would be run at a loss and that nothing can be done by the Government as cheaply as it is done by private citizens. Mr. President, I might grant that nothing can be done by a government as cheaply as it can be done by a private citizen, although I do not grant it; but, for the moment conceding it, I have this to say to the Senator who advanced the argument:

While in a great many instances a private citizen can do work cheaper than the Government, as a matter of fact the public-service corporations of this country do not do work half as cheaply, in many instances, as the Government of the United States or the government of a State or the government of a city could do it.

The reason can be easily ascertained. If you will turn to the spectacle of the New York, New Haven & Hartford Railway Co., which was recently capitalized fraudulently and wrong-fully for five or six times its actual value, stocks and bonds being issued upon which the road was expected to pay interest and dividends, and that interest and dividend charge being again shifted upon the people who pay transportation rates upon the road, you will have the reason why a public ownership can be a cheaper ownership and a more economical ownership not than private ownership might be but than private ownership is.

I can go over the cities of the United States where waterworks plants were owned by private concerns and point to the rates they exacted from the public, the interest and dividends they paid upon fraudulent stocks and bonds, and I can compare that charge with the charges that are paid under municipal ownership, and I can demonstrate from almost every city in the United States that public ownership has brought a less rate, a more economical management, less stealing, less peculation, and less fraud in practically every instance than existed under private ownership.

We have been told, too, upon the floor of the Senate in the last few days that a railroad in Alaska never could pay, that the public in the end would be taxed, and that the money would be wasted. I thank the Senator from Mississippi for one illustration he gave us in his very recent remarks. He tells us that we laid a cable to Alaska, and that we have actually paid for the cable, and that we have actually laid aside a profit, and that we still own it. I put that up against the fears of the gentlemen who say that if we build these railroads they will be run at a loss, as an example demonstrating that we can use business principles and follow business ideas in the management of these great concerns. If our rates have been too high, it is easy enough to cause them to be lowered; but, high as they have been. I undertake to say that they have been lower than they would have been had that cable been laid by private enterprise and run by a private monopoly. The fact that cable rates may be less across the ocean to England argues nothing, because of the immense business that is transacted over those lines, whereas the lines to Alaska are of course more limited in their

I am surprised, too, that the shade of Thomas Jefferson should once more be invoked, especially upon the proposition that it is undemocratic for the Government of the United States to promote the building of highways, for if there was one dream that was dear to the heart of Thomas Jefferson it was

the construction of great public highways across this country. In the Constitution of the United States we reserved the right of the Government to establish post offices and post roads, and in the very dawn of this Republic we had begun building public highways. They were then public highways that did not have steel rails laid upon them. They were public highways that were only macadamized or only planked, but they were the highest kind of highways known to the people at that time, and they differed in principle not one whit from the highway that has rails laid upon it, and over which the rolling stock of a

railroad runs every day.

That is all I wish to say, Mr. President; but when any man stands in the Senate of the United States and denounces Demostands in the Senate of the United States and Demostands in the Senate of the United States and Demostands in the Senate of the United States and Demostands in the Senate of the United States and Demostands in the Senate of the United States and Demostands in the Senate of the United States and Demostands in the Senate of the United States and Demostands in the Senate of the United States and Demostands in the Senate of the United States and Demostands in the Senate of the United States and Demostands in the United crats because they believe that a public highway can be properly owned by the people of the United States, he is arguing from a false premise to a still more false conclusion.

RECESS.

Mr. CHAMBERLAIN. Mr. President, a number of Senators have requested that they be not detained here later than 6 o'clock. As there is nothing pressing before the Senate except this bill-I mean, it is not taking the right of way of any other important measure-I move that the Senate take a recess until to-morrow at 12 o'clock.

Mr. NEWLANDS. Mr. President, will the Senator yield to me for just a moment?

Mr. CHAMBERLAIN. I yield to the Senator from Nevada. Mr. NEWLANDS. I wish to introduce a bill.

Mr. LODGE. I make the point of order that no other business than the Alaska railroad bill is in order under the unanimous-consent agreement.

The VICE PRESIDENT. The Chair, unfortunately, is compelled to rule that if there is an objection nothing can intervene until the unanimous-consent agreement is out of the way.

There is an objection.

Mr. CHAMBERLAIN. I move, then, that the Senate take a recess until to-morrow at noon.

The motion was agreed to, and (at 5 o'clock and 50 minutes p. m.) the Senate took a recess until to-morrow, Friday, January 23, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 22, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the fol-

lowing prayer: God of the universe, Father of all souls, open Thou our minds and hearts, that we may be wise in our thoughts, quick to conceive, strong to act in accordance with our convictions; that we be profitable servants unto Thee and unto our fellow men,

and thus fulfill our appointed mission, satisfy our conscience, and feel the thrill of Thine everlasting approval. In His name. Amen. The Journal of the proceedings of yesterday was read and approved.

Mr. BARNHART. Mr. Speaker, I ask for the present consideration of the privileged resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman sends up a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 337 (H. Rept. 182).

Resolved, That there be printed for the use of the House of Representatives 500 copies of the decision of the Commissioner of Indian Affairs, affirmed by the First Assistant Secretary of the Interior, in the Grace Cox Indian inheritance case construing the act of June 25, 1910.

The resolution was agreed to.

PURIFICATION OF PUBLIC WATER SUPPLIES.

Mr. BARNHART. Mr. Speaker, I offer the following privileged resolution and ask for its consideration.

The SPEAKER. The gentleman sends up another privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 384 (H. Rept. 183).

Resolved, That there be printed 11,500 copies of House Document No. 1236, Sixty-second Congress, entitled "The Purification of Public Water Supplies."

The resolution was agreed to.

PROBATE RULES, FIVE CIVILIZED TRIBES.

Mr. MURRAY of Oklahoma. Mr. Speaker, I ask unanimous consent to print some rules and regulations made at the request

of the Commissioner of Indian Affairs, who visited the State of Oklahoma during the first week in January and secured from the county judges of the Five Civilized Tribes' portion of the State an agreement to a set of rules which are the equal of any rules governing probate courts to be found anywhere, and which we are sure will eliminate much of the frauds in the probating of Indian estates.

17.1 1

The SPEAKER. Does the gentleman desire to have it printed

in the RECORD or as a document?

Mr. MURRAY of Oklahoma. As a document. The SPEAKER. The gentleman from Oklahoma [Mr. Mur-RAY] asks unanimous consent to have printed as a House document certain rules, regulations, and so forth, promulgated by the committee that was in Oklahoma a short time ago investi-

gating Indian affairs.

Mr. BARNHART. Mr. Speaker, reserving the right to object, it is not a pleasant duty for me to interpose objections to frequent requests for the printing of matters in the RECORD or elsewhere, but I am going to ask my friend from Oklahoma if he will not permit his request to take its regular course through the Printing Committee as a resolution? We can meet any day and give him a hearing, and we would very much prefer that it be done in that way. The custom of asking unanimous consent to print all sorts of public documents is wholly contrary to the procedure of the House in other matters. The Printing Committee is on the job every day, and the gentleman from Oklahoma can have a hearing as soon as he wishes it.

Mr. MURRAY of Oklahoma. Will the gentleman yield for a

Mr. BARNHART.

Mr. MURRAY of Oklahoma. These resolutions go to the heart of almost a national evil, or at least a national evil repute alleged to have existed through the Indian country. It has gone all over the country that great frauds have been practiced in our State, and we must in truth say they have; and certainly this Government is interested to the extent of promulgating rules that, at the request of the Commissioner of Indian Affairs, have been adopted readily by our judges. This request is that those rules may be put into a document, so that these judges may send them to all of the probate attorneys and all of the guardians of these estates.

Mr. STEPHENS of Texas. Mr. Speaker, I hope that the request of the gentleman from Oklahoma will be granted. There is in that State, I presume, \$100,000,000 worth of property going to heirs, and these rules will tend very much to the

settlement of these estates.

It would be impossible for the judges to act intelligently on a motion made before them on these rules unless they have the rules printed in some way. It will reach them much quicker this way than in any other, and it would be authoritative also. The commissioner was before our committee, which is now engaged in making up the annual Indian appropriation bill, and the statement was explicit that the rules are necessary, and especially so for the benefit of the judges in that country

If the gentleman will yield, with the Mr. BARNHART. permission of the gentleman from Oklahoma, I want to ask what objection could the gentleman from Texas have to a resolution taking the regular course, as the one which we reported for the gentleman from Texas? Certainly, he would have

no objection to that.

Mr. STEPHENS of Texas. Only that in this way it would

reach Oklahoma a few days earlier.

Mr. BARNHART. Mr. Speaker, I think for the present I

will object.

Mr. MURRAY of Oklahoma. Mr. Speaker, I will withdraw the request to print it as a public document, and I ask that it be printed in the RECORD.

Mr. CALLAWAY. I shall object to that. Mr. MURRAY of Oklahoma. If the Government can not pay

for the work, I will.

Mr. BARNHART. It is not a question of whether the Government can pay for the work. If the gentleman will introduce the resolution and let it take its regular course, the Committee on Printing will give a hearing to the gentleman to-morrow morning, and it may be reported. At the present I insist that it shall take its regular course.

The SPEAKER. Is there objection? Mr. BARNHART. I object.

WITHDRAWAL OF PAPERS.

Mr. Fess, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, the papers in the case of James B. Mulford (H. R. 3357, 59th Cong., 1st sess., and H. R. 18180, 62d Cong.), no adverse report having been made thereon.

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill (H. R. 11338).

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. Hay in the

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the Post Office appropriation bill, the title to which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 11338) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes.

The CHAIRMAN. At the close of the consideration of the bill on Tuesday last, the gentleman from Tennessee offered an amendment, to which the gentleman from Mississippi [Mr. Sisson] reserved a point of order.

Mr. MOON. Mr. Chairman, I ask unanimous consent to amend the amendment, because of the omission in the printed words leaving out the words "post-office inspector." to amend the amendment by adding those words after the words Railway Mail Service."

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to modify the amendment by inserting the words "post-office inspector" after the words "Railway Mail Serv-

Is there objection?

Mr. GOULDEN. May we have the amendment read? The CHAIRMAN. Without objection, the amendment Without objection, the amendment will be again reported.

Mr. MOON. Mr. Chairman, I will offer in place of that

amendment another amendment.

The CHAIRMAN. Does the gentleman from Tennessee withdraw his request?

I withdraw the request.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to withdraw his amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. MOON. Now, Mr. Chairman, I offer this amendment. The Clerk read as follows:

The Clerk read as follows:

After line 12, insert the following: "That hereafter the Postmaster General shall have authority to employ acting employees in place of all employees or substitutes hereinafter mentioned who are injured while on duty, who shall be granted leave of absence with full pay during the period of disability, but not exceeding one year, then at the rate of 50 per cent of the employee's salary for the period of disability exceeding one year, but not exceeding 12 months additional, and to enable the Postmaster General to pay the sum of \$2,000, which shall be exempt from payment of debts of the deceased, to the legal representatives, for the benefit of those dependent on him for support, of any railway postal clerk, substitute railway postal clerk, supervisory official of the Railway Mall Service, post-office inspector, letter carrier in the City Delivery Service, rural letter carrier, post-office clerk, or special-delivery messenger who shall be killed while on duty, or who, being injured while on duty, shall die within one year thereafter as the result of such injury: Provided, That no compensation shall be paid any such employee for any injury occasioned by his own negligence."

Mr. DIES. Mr. Chairman, I rise for the purpose of pointing out to the House what appears to me to be a very ragged and unscientific way of legislating on this question. As a member of the Committee on Claims I have had a good deal of experience along this line of compensation. It might be of interest to the House to know—and of course the House does know, but I wish to call it to its attention—that we have a general statute enacted, I believe, in 1908 providing for the compensation of beneficiaries of certain employees who are in the Government service in Panama, for instance, and in certain hazardous occupations. The rule laid down in the general statute that we now have is to pay the family of the person killed in the service an amount equal to a year's salary of the deceased. This proposition in this bill would be not to pay a year's salary, but \$2,000. The Committee on Claims, of which I happen to be a member, is constantly confronted with the proposition of claims from different departments of employees of the Government who are injured in the service. It does seem to me that if we are to legislate upon this question at all it should be done by a general statute covering all of the employees of the Government and fixing a uniform rule and a standardized compensation for those who are injured in the service. It is inequitable that one statute should give a year's pay and that another should give a minimum of \$2,000, that one general statute should provide for no compensation for a year or two years after injury, and that another statute should provide for full pay for a year and 50 per cent for the

second year, and all the while the Committee on Claims is selecting some cases to be paid and others not to be paid. There is necessarily a general confusion all along the line in satisfying the demands of those who have claims against the .Government on account of injuries received while in the Government service.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. DIES. Certainly.

Mr. DYER. Does the statute to which the gentleman refers make any provision for an employee who is injured and whose injury results in total disability?

Mr. DIES. I do not believe so.

Mr. MANN. Oh, yes; it does—a year's pay.

Mr. DIES. I have not had the statute before me in several months, and I do not recall, but my impression was that it provided only for a year's pay when death resulted.

Mr. MANN. No; it provides a year's pay if they are not

able to perform duty.

Mr. DIES. The thing which I wish to call to the attention of the House is that by general legislation this whole subject should be treated in one bill to correct the evil if evil exist. As I understand it, the heads of all the departments are anxious that legislation should be enacted covering this matter, and it does seem to me very unscientific to place this legislation on this appropriation bill when the whole subject is crying for general legislation. For that reason, Mr. Chairman, at the proper time I shall make the point of order.

Mr. MOON. Mr. Chairman, this legislation is only amendatory of the law that now exists. It seems to me there is no good reason why, when railway mail clerks have the benefit of this statute, other supervisory officials of the department should not. This is subject to a point of order, and if the gentleman desires to make the point of order on this extension of the law to other employees of the department, now is the time to make it. There is no sense in taking up time in discussing the matter, and the gentleman might as well have made the point

of order to begin with.

Mr. DIES. Mr. Chairman, I do not think the chairman of the Committee on the Post Office and Post Roads should say that I might as well have made it to begin with. I am not afraid to make it.

Mr. MOON. Well, make it now.
Mr. MANN. Mr. Chairman, I will ask the gentleman to withhold it for a moment.

Mr. DIES. I only withhold the making of it because I thought some gentleman might want to give expression to his views. I do not think we need be hasty about the matter.

Mr. MOON. No; but it is subject to a point of order, and the gentleman announced his intention to make the point of order; and I say to him if he is going to make it, make it now. Mr. DIES. I am going to make it, and the gentleman will

find I shall do it in due time.

Mr. MANN. Mr. Chairman, I hope the gentleman will withhold it, and that we may be able to persuade the gentleman not to make the point of order.

Mr. FINLEY. Mr. Chairman, I ask for a ruling on the point

The CHAIRMAN. Does the gentleman from Texas reserve the point of order?

Mr. COX. I hope the gentleman from Texas will reserve the point of order.

Mr. DIES. Mr. Chairman, I reserve the point of order for the purpose of enabling the committee to hear what the gentle-

man from Illinois has to say.

Mr. MANN. Mr. Chairman, I hope we may persuade the gentleman from Texas [Mr. Diss] not to make the point of order. Here is the situation: When I came to Congress there was no provision at all for the payment of any employee of the Government who was injured while in the line of duty, nor did the Committee on Claims report favorably any bill for the payment of people who were either injured or killed in the Government service, except occasionally. There was the case of the Ford Theater disaster where the Government did make an appropriation. In the course of time the sentiment of the country and of the Congress changed on that subject, and we had a compensation bill passed providing for the payment of a year's salary to certain Government employees injured in the service who were injured in certain hazardous occupations. Since that time we have extended that law to persons in the Bureau of Mines, I do not remember now for certain whether we ex-tended it to those who are engaged in fighting forest fires, but that proposition has been before the House. Since that time we have provided that railway mail clerks should be paid \$2,000 in case of death, and they are paid when injured in the service.

The same applies to steamship mail clerks. We have had reported a bill to make compensation generally. After the first law was passed providing for a year's compensation the Committee on Claims adopted the policy of reporting private bills in conformity with the general law where the general law did not cover the case or where the injury occurred prior to the passage of the law, and for quite a while the Committee on Claims insisted that they would only report the amount of a year's salary, but they have abandoned that idea, or did in the last Congress and to a certain extent in the preceding Congress, until now, in the last Congress at least, I think there have been no bills reported in this Congress. The Committee on Claims reported various amounts regardless of a year's salary where the Government employee was injured in the line of service.

Mr. DIES. Does not the gentleman from Illinois think we ought to have general legislation on this question rather than

this haphazard way of dealing with it?

Mr. MANN. I do not think it is quite haphazardous, although I think it would be desirable to have general legislation, but it is not so easy always to get general legislation that covers all Government employees. Now, we have adopted a policy so far as Congress is concerned of pay in the Railway Mail Service and in the steamship mail service this coming year-one year's full pay and an additional half year's pay, or in case of death \$2,000, and the amount is not excessive.

Mr. BARTLETT. May I suggest to the gentleman also we

did adopt that policy in building the Panama Canal?

Mr. MANN. Yes.
Mr. DIES. That is the general statute?
Mr. MANN. No; in the Adamson bill—the Panama Canal bill—there was inserted a provision, which was in the bill which I originally drew, giving the President authority under regulations to be issued by him to pay compensation to persons injured on the Panama Canal in the line of duty.

Mr. DIES. Engaged in what is known as hazardous under-

takings or hazardous employment?

Mr. MANN. No; not as to that provision; it is not confined to hazardous employment. The President has not yet made the regulations

Mr. DIES. I thought the gentleman had reference to the act of 1908.

Mr. MANN. But I am informed by the Secretary of War that he expects that the President will soon make the regula-tions. Now, there may be a distinction between one kind of Government employee and another. It may be desirable to give compensation to persons who are probably engaged in some hazardous employment in the Post Office Department rather than to some clerks in the department at Washington. The amount here is not excessive. I doubt whether it is desirable to make a general law covering all Government employees, although I am free to admit that if we provide \$2,000 for employees of the Post Office Department we ought to, at least, give that same amount to persons engaged in hazardous employment under the Government.

But it is not so much piecemeal legislation. I think the gentleman will find that it is to the advantage of the Government as well as of the employee to adopt legislation in this manner. I hope the gentleman will let the House have a vote on it.

Mr. DIES. Mr. Chairman, I make the point of order against

the amendment.

The CHAIRMAN. The gentleman makes the point of order. and the Chair sustains the same. The Clerk will read.

Mr. GORMAN. Mr. Chairman, I desire to offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 10, line 12, after the figures "\$44,470,000," insert: "Provided, however, That no carrier or clerk in first and second class offices who has been in the Postal Service as a regular carrier or clerk for three years or more shall receive less than \$1,200 per annum."

Mr. MOON. I make a point of order against that, Mr. Chairman.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For compensation to watchmen, messengers, and laborers, 350, at \$840 each; 1,450, at \$720 each; in all, \$1,250,000.

Mr. LEVY. Mr. Chairman, I desire to offer an amendment. The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out lines 17, 18, and 19, on page 10, and insert in lieu thereof the following:
"For compensation to watchmen, messengers, and laborers, 900, at \$840 each; 900, at \$720 each; in all, \$1,404,000."

Mr. MOON. Mr. Chairman, I reserve a point of order on

Mr. LEVY. Mr. Chairman, the amendment proposed by me would grant an increase in pay to 550 additional watchmen, messengers, and laborers. Under existing law but 250 of these men out of a total of 1,800 are receiving \$840 per annum. committee, however, has increased that number to 350, but

they have not gone far enough.

The laborers in the various post offices throughout the country are paid less for the work performed than are the employees of express companies, and even though they have had an enormous amount of additional work imposed upon them since the inauguration of the parcel post their compensation has not been increased. In New York and other large cities of the country these laborers handle a tremendous quantity of mail matter, and in a number of instances they have been obliged to work many hours overtime without receiving extra compensation for the additional services rendered. In one of the branches of the New York post office one of the laborers who had worked 55 hours overtime, as well as 3 Sundays, was recently taken sick and obliged to absent himself from duty for a day, and, although he had worked this overtime, on his return to duty he found that a substitute had been assigned to do his work, and on receipt of his salary the time that he was absent on account of illness was deducted therefrom. York City, where the cost of living is perhaps higher than other cities, there are but 55 out of a total of 385 laborers employed there who receive \$840 a year, whereas if the amendment proposed by me is adopted that number will be increased by 138 and the appropriation by \$154,000. I know of several instances where men holding these positions in the post office at New York City have been employed there for 10 or more years at \$60 per month and have failed to receive an increase in salary owing to the fact that there were such few \$70 places allowed

I sincerely hope that my colleagues who believe in giving justice where justice is due will vote for the amendment proposed by me, so that the men who do the laborious work in the post offices throughout the country will be justly compen-

sated for the work performed.

That is why I offer this amendment. It is no more than fair. These men worked last month, in December, in some cases 60 hours overtime and received no compensation therefor, as the law does not provide for any compensation in such cases.

The CHAIRMAN. The time of the gentleman from New York

has expired.

Mr. MOON. Mr. Chairman, by this amendment to which the point of order has been reserved-

The CHAIRMAN. Does the gentleman from Tennessee [Mr. Moon] reserve the point of order?

Mr. SABATH. May I inquire what the point of order is?

Mr. MOON. The point of order is that it changes legislation. It is new legislation. I will not discuss that, but I want to discuss the merits for a minute. There is a good deal of merit in the proposition offered by the gentleman from New York [Mr. We have increased the salaries of the higher officers from time to time and of the clerks from time to time, but we have done but little for the common laborers in the Post Office The cost of living, as has often been said, is such that a small salary will hardly support a man and his family. This does not amount to very much; and while the chairman of the Committee on the Post Office and Post Roads may be charged with favoritism in not pressing this point of order, he will plead guilty to that in the interest of these people. I believe the amendment of the gentleman from New York [Mr. LEVY] ought to be passed by the House. Therefore, I withdraw the point of order. [Applause.]

The CHAIRMAN. The question is on the amendment offered

by the gentleman from New York [Mr. LEVY].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For compensation to clerks in charge of contract stations, \$1,100,000.

Mr. MANN. Mr. Chairman, I move to amend by striking out "\$1.100,000" and inserting "\$1,300,000."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Page 10, line 21, strike out the figures "\$1,100,000" and insert in lieu thereof "\$1,300,000."

Mr. MANN. Mr. Chairman, I do not know that the gentleman in charge of the bill will agree to this. This item takes care of what are called "contract stations" or usually called "subpostal stations" in the cities. The committee has increased

the amount over the current law \$90,000,000. That increase is fairly sufficient possibly to take care of new contract stations, or the number of stations which are required, but is not sufficlent to make any additional compensation to clerks in charge of those stations. Members from the cities have been very liberal in the support of propositions in regard to rural delivery and other matters pertaining to the postal service in the districts that are usually called the "country districts." The parcel post, which is constantly referred to for increase of expenditures, is, however, putting a very great burden upon these contract-station clerks.

In many places it requires the service of an additional clerk and sometimes of two clerks much of the time.

Mr. DIES. Mr. Chairman, will the gentleman yield for a

The CHAIRMAN. Does the gentleman yield?

Mr. MANN. Certainly.

Mr. DIES. Is it the gentleman's purpose to increase the pay

of the clerks or the number of clerks to be employed?

Mr. MANN. My purpose is to give a chance for increasing the pay of some of the clerks. They have a schedule under which the pay would be increased if the schedule were lived up to, but as Congress has made appropriations in the past the appropriations have not been large enough for the department to live up to its schedule of pay, and the result has been that while clerks have had the promise of an increase as their business increased they have not received the increased pay, because the appropriation was not sufficient.

Mr. DIES. I ask the gentleman for information, because I do not know. What compensation are the clerks to be affected by

the gentleman's amendment now receiving?

Mr. MANN. I think they commence at \$50 and go up. I

think the average pay that a contract clerk receives is \$50.

Mr. STAFFORD. I may say, Mr. Chairman, if the gentleman from Illinois will permit, that in a station located in a large department store the compensation is \$1. In most of the stations, however, the pay is \$50, although there are a lot carrying amounts between \$1 and \$50.

Mr. MANN. Most of them run from \$100 to \$300 and \$400. The CHAIRMAN. The time of the gentleman from Illinois

has expired.

Mr. MANN. I ask for five minutes more. Mr. MOON. Very well. I hope the House will give it to the

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. MANN. The Government ought to keep faith with these people, at least to some degree. They do an enormous amount of work for the Government. In many instances, or in most of the cases, the fees of the money-order service alone will more than pay the amount required to be paid to the contract clerk. Most of these contract stations, it is true, are in drug stores. The department claims the extra business coming to the store is a sufficient inducement. I know that in my district we find difficulty in getting anyone to take and keep a contract station, because the man who takes a contract station and receives for it two or three hundred dollars a year and finds that he has to employ an extra clerk or two at an expense of \$500 or \$1,000 a year is very apt not to keep it. There is difficulty in replacing those. The department has added very largely to their work.

I remember going into a station here in Washington—it is

true, just before the Christmas holidays—when there were at least four clerks engaged in Government work, in weighing and stamping and taking care of the parcel post and other holiday mail. is true that that condition lasts only for a few days, but there ought to be sufficient pay provided so that the department can come somewhere near to living up to its schedule. In my judgment if Congress does not do that it will be asked, and probably will yield to the asking, to fix some schedule itself which will be far more expensive than merely increasing the appropriation.

Mr. MOON. Mr. Chairman, this is a matter of contract, as understand. The First Assistant Postmaster General provides this pay at from \$1 to \$1,000 a year. This bill carries an increase of \$90,000 in the appropriation over last year. I believe that that increase is altogether sufficient to cover any increased necessity for this service. The First Assistant Postmaster General in his testimony indicates that that is all that is needed and all that is desired. That amount is fixed, and I do not see any necessity for loading down this bill with extra appropriations which the department does not want and does not need.

Mr. GOULDEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from New York?

Mr. MOON. I do.

Mr. GOULDEN. I would like to ask the gentleman if he knows how many of these stations there are in the United

States, approximately?

Mr. MOON. No; I do not know how many there are.

Mr. GOULDEN. Does the gentleman believe that that \$90,000 increase over the present law will do more than provide for the extra clerks to be employed in the handling of the parcel post and other mail, including the natural increase of business, in these substations?

Mr. MOON. Yes; but my information on that subject would not add much to the substantial knowledge of the House on that question, nor would the information of any other Member of the House add much to its knowledge. It is a matter that the department has to deal with, and a matter which it is dealing with. It has asked for an increase of only \$90,000. They say that is all they need. That is all they have asked for.

Mr. GOULDEN. I can say, however, that in my own district there is difficulty in securing men who will take these contract offices for the compensation paid them, because the compensation

is too small.

Mr. COX. As the chairman of the committee has said, the committee has given all that the department asked for this serv-The department only asked for an additional \$90,000, and the committee gave it. I want to call the attention of the committee to the hearings, on page 85, to what Mr. Roper, First Assistant Postmaster General, said on this subject:

Assistant Postmaster General, said on this subject:

The Chairman. The next item is "Compensation of clerks in charge of contract stations." You ask for \$1,100,000, an increase of \$90,000. Is that due to the parcel post?

Mr. ROPER. This appropriation is used for the purpose of paying clerks in charge of the contract stations, which are usually numbered stations, and smaller named or lettered stations. The contracts for the year 1914 have nearly all been secured, and there is apparently an unexpended balance of about \$67,000. As I recall, contracts entered into now require the clerk in charge to handle such parcel-post mail as may be offered for mailing, and it is believed that the contracts for the year ending June 30, 1915, will be at a much higher rate.

Mr. Cox. Are these clerks in charge of contract stations in the civil service?

service?
Mr. ROPER. No, sir.
Mr. COX. How do you contract with them?
Mr. ROPER. We adjust that on the basis of the business.
Mr. ROPER. We adjust that if the Post Office Dep Mr. Chairman, I believe that if the Post Office Department felt that they needed more than they asked for-to wit, \$90,000they would have asked it. I do not believe that the increase in the parcel post will bring about an increased demand for this kind of work to the extent that would require the appropriation asked for by the gentleman in his amendment. While I know that the gentleman from Illinois usually investigates these questions very carefully and closely before he offers an amendment upon the floor of the House, yet as this work is altogether under contract, and as the contracts were secured under the appropriation made for the service for the year 1914, and as the department is only asking an increase of \$90,000, I feel that will be sufficient to take care of the increased amount of work. I do not believe that the amendment of the gentleman ought to carry.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. COX. I yield for a question.

Mr. MADDEN. The gentleman will probably recall that I called the attention of the First Assistant Postmaster General to the fact that they were not giving anywhere near the number of contract stations that were required in the great cities.

I recollect that.

Mr. MADDEN. And that they were not paying anything like the compensation that they ought to pay to those stations that they did establish.

I recall the gentleman's conversation on that Mr. COX.

Mr. MADDEN. I think the First Assistant Postmaster General said he realized that they were not paying as much as

Mr. COX. I also recognize the ability of the gentleman from Illinois [Mr. Madden] and his usefulness on this committee, and that he is not extravagant in any sense of the word at all, but only desires efficiency in connection with economy in the administration of the Postal Service; but I again repeat that I sincerely believe the committee in reporting this bill have reported an abundant amount of money to take charge of all the increased amount of work which may be thrown upon contract stations by reason of the enactment of the parcel-post law. I do not think the amendment of the gentleman from Illinois ought to carry.

Mr. SABATH. I will ask the gentleman whether there was evidence before the committee that these contracts that have

been entered into are not lived up to by the Postmaster General ?

Mr. COX. I do not recollect any such statement.

Mr. SABATH. I am given to understand that contracts were entered into some years ago and agreements were made that they were to receive \$100 the first year, \$200 the second year, \$300 the third year, and so on, in accordance with the amount of business.

Mr. COX. I do not know anything at all about that. It is all under contract.

Mr. SABATH. But the Postmaster General has not kept faith with them.

Mr. MANN. Will the gentleman yield for a question?
Mr. COX. Yes.
Mr. MANN. I understood the gentleman to say there was an unexpended balance, or would be at the end of the year.

Mr. COX. An unexpended balance of \$67,000, according to the statement of First Assistant Postmaster General Roper. Mr. MANN. I know of a number of places in my district

where there ought to be these stations, but they have been told that they could not be established because there were no funds. Mr. COX. I do not know anything about that. I am only

reporting what Mr. Roper said.

Mr. MANN. I understand.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. MANN. I ask that the gentleman have two minutes more. The CHAIRMAN. The gentleman asks unanimous consent that the gentleman from Indiana be recognized for two minutes more. Is there objection?

There was no objection.

Mr. MANN. One more question. I will ask the gentleman whether he considers that it would be fair, where the Government establishes a contract station—and it is a contract station in name only, there being a regulation which fixes the paywhether he considers it to be fair for the Government to really live up to its regulations?

Mr. COX. Of course I would make it absolutely the duty of the Government to live up to its contracts.

Mr. MANN. The gentleman knows that the Government has not done that.

Mr. COX. I do not know anything about that.
Mr. MANN. Then I will tell the gentleman. Originally the contract pay was based on the total business. Then they cut out the sale of stamps and made a regulation providing for pay based on a certain amount of money-order and registry business, but they could not live up to that regulation because there was not a sufficient appropriation. Several times the pay has been decreased and the amount of business increased, and they are not able to live up to it now. I think they have abandoned the regulation because they have been charged so many times with bad faith. Where a man sells a large amount of stamps, disposes of a large amount of money orders, and registers many packages, and increases the business, does not the gentleman think there ought to be some method provided whereby he can receive an increased compensation?

Mr. COX. I think, in the first place, the Government ought to live up to its contract. If the Government has broken any

contract which it may have entered into-

Mr. MANN. I do not say that the Government has violated any contract, but it established regulations as to compensation and has not lived up to those regulations.

Mr. COX. The Government should live up to its regulations. Mr. MANN. They can not live up to them if they do not have money enough with which to do it.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last This item during my 10 years' experience on the Post Office Committee has always engaged my special attention. It is not the first time that I have moved in the committee, and on occasions that motion has prevailed, to increase the estimate of the Post Office Department. During the last administration it was the policy of those who had charge of this branch of the service to change the rules of the department in awarding allowances to this meritorious service. If this service had been performed by the Government, it would have cost-and I make no exaggeration as to the amount-more than twice and probably three times the total appropriation carried in this bill.

Because it is performed by those outside the Government service, by those who happen to use it as an adjunct to their regular business, as an accommodation to the Postal Service, utilizing their employees because it may bring business, the department officials have kept on reducing the allowance until, in some instances, they decline to do the service at the rates paid. Because of added burdens and diminishing returns there are many instances where drug-store proprietors are refusing to perform the service in localities where it is most needed.

Formerly, as the gentleman from Illinois stated, the pay was based on the amount of work done, on the amount of money orders, and the number of registered packages dispatched from each station. But under the new rule of compensation the scale of work was continuously and regularly enlarged, thereby reducing their compensation. They have continued in most instances to do this work, and now additional work, in the way of parcel post, has been imposed.

Recently, as anyone here knows who is acquainted with conditions in large cities, during the Christmas period at many of these small postal stations, where the pay is only \$200 or \$300 a year, there were sent out in one day four bags of parcel post, and unless you make this appropriation larger you are not going to be able to give any increase for this added service. The increase carried in the bill will merely provide for added service to keep up with the needs of localities where additional stations are needed.

Mr. SAMUEL W. SMITH. Will the gentleman yield?

Mr. STAFFORD. Yes. Mr. SAMUEL W. SMITH. What does the gentleman say when there is an increase of \$90,000 and an unexpended balance

of over \$49,000?

Mr. STAFFORD. The department is proceeding under the old scale adopted by the last administration which had scaled down the rate of compensation to these deserving employees, or rather deserving servants of the postal service. Unless we increase the total appropriation there is no opportunity for them to provide for an increased allowance based on the number of transactions. Nay, more. The last administration adopted a method whereby they submitted to them a proposal that they should perform the work for a certain period at a certain price. Prior to that time every person was paid a uniform amount based on the number of money orders and registered packages that went out from the respective stations. There are many instances where the managers of these stations will perform the same amount of work and get varying allowances, because they do not wish to lose the advantage of the patronage that comes from the sale of stamps.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for three minutes. Is there ob-

There was no objection.

Mr. STAFFORD. Mr. Chairman, if we wish to do what is right toward this meritorious service, we will increase this I believed in the committee that it was not adequate, and I still believe that if we are to compensate the large number of persons doing this outside service we should give them the same compensation they were receiving a few years ago. and the only way to do it is to increase the total appropriation and thereby indicate to the department that Congress is willing that the scale of payment should be increased and the present reduced scale of pay be revised and revised upward. I hope the amendment proposed by the gentleman from Illinois will

Mr. NORTON. Will the gentleman yield?

Mr. STAFFORD. Certainly.

Mr. NORTON. Does the gentleman know how many clerks are employed under contract?

Mr. STAFFORD. About 5,000. I have the number and the

rate of wages paid the respective offices.

Mr. NORTON. How much does the gentleman intend to increase the number?

Mr. STAFFORD. That will be based upon the growth of the service. The idea is to increase the compensation that these people are entitled to. Is the gentleman in favor of it?

Mr. NORTON. I do not know.

Mr. STAFFORD. If the gentleman represented a large city and had some of these stations in his district where he would have acquaintance with the conditions of these stations, he would be in favor of it.

Mr. NORTON. But the gentleman's statements are so general that I can not tell. Anybody can make a general statement such as the gentleman has made.

Mr. STAFFORD. What information does the gentleman de-

Mr. NORTON. I would like to know what these clerks are being paid now.

Mr. ROBERTS of Massachusetts. What is the highest com-

Mr. STAFFORD. Twenty receive \$1,000, 20 receive \$900, 34 receive \$800, 53 receive \$700, 79 receive \$600, 136 receive \$500, 227 receive \$400, 46 receive \$350, 482 receive \$300, 272 receive \$250, 757 receive \$200, 414 receive \$150, 1,451 receive \$100, 853 receive \$50, and 108 receive \$1, the latter being a nominal al-

lowance, located in large department stores.

The CHAIRMAN. The time of the gentleman from Wiscon-

sin has expired. Mr. MOON. Mr. Chairman, I desire to ask the gentleman

from Wisconsin this question.

Mr. STAFFORD. But my time has expired.

Mr. MOON. The gentleman can answer it in my time. The appropriation at present is \$1,100,000.

Mr. STAFFORD. Yes.

Mr. MOON. That is \$90,000 more than it was last year?

Mr. STAFFORD. Yes.

Mr. MOON. Is the gentleman aware that the unexpended balance on this appropriation this year is \$67,000?

Mr. STAFFORD. Yes; I am aware of the unexpended bal-

ance at the present time.

Mr. MOON. The unexpended balance now. necessity, when there is a large unexpended balance over the previous appropriation and when the new appropriation provides for the natural increase of 10 per cent, of adding any more to it, when the department is not asking for it, and when the department insists it can get on with the amount that we have given it?

Mr. STAFFORD. To indicate, as I stated before, to the department officials our desire of increasing the allowance, and that they should not further increase the scale of work for the same pay. Assistant Postmaster General Grandfield, as shown in the hearings in prior years, increased the amount of work for the same pay, and the result was that some of these people were obliged to give up the stations at their stores. We do not necessarily follow every estimate. When he provided his estimate, I remember on one occasion I offered an amendment in the committee increasing it \$30,000, and it was increased on the showing then made. I have narrated the history of this serv-ice, and if we desire to give to these managers of contract stations their due, with the added work thrown upon them by reason of the increase caused by the parcel post, you will stand

by the amendment offered by the gentleman from Illinois. Mr. CALDER. Mr. Chairman, I move to strike out the last two words. I am in favor of this amendment. I have had numerous complaints which I have lodged with the Post Office Department in Washington from stations that have increased business such as would entitle them to much more compensation than they now receive. I have been faced with the proposition that the inspectors of the Post Office Department have called upon these contract station clerks and have said to them, "If you do not sign a contract for the amount of money you are now receiving, we will go around the corner and establish this post-office station in some other place," and men who, by the scheme of the Post Office Department, were entitled to \$100 and \$200 and \$300 more than they were receiving have been practically forced not only under this administration but under the previous administration, my own party, to accept contracts rather than lose the station. I know of instances during the past Christmas holidays where, in some places at these contract stations, would be seen piled up a truck load of parcel-post packages, and the Post Office Department was compelled to send its truck out to take them away each day for four or five days. Last year these same places did not have half a dozen packages. These men are receiving in many cases \$100, and yet they do a business for the Government worth at least \$1,000.

Mr. Chairman, there is no proposition yet offered in this bill that is more worthy of favorable consideration than this amendment offered by the gentleman from Illinois [Mr. Mann], and I

hope it will be adopted.

Mr. FINLEY. Mr. Chairman, this is a contract service. The Government of the United States can not force any man to enter into a contract to perform this service. It is let out by contract, and it takes two parties to make a contract, so that the Post Office Department makes an allowance to each one of these postal stations, and they make the best contract obtainable, with a view of obtaining the most efficient service that they are capable of making in these great cities. Something has been said about the contract stations where the compensation was \$1. Yes; that is true; and why? Because people compete for the location of the post-office contract stations in their places of business, usually a drug store, and I have heard no complaint come from the department that the department has been unable to obtain satisfactory and suitable contracts for the performance of this service. It takes two to make a contract, the person who

bids and the department.

Mr. MANN. Will the gentleman yield?

Mr. FINLEY. Yes.

Mr. MANN. It takes two to get a rural carrier, does it not? No one is obliged to be a rural carrier.

Mr. FINLEY. No; nor is anyone obliged to come to Congress. Mr. MANN. No; that is true, but the gentleman's argument applies to all.

Mr. FINLEY. No, Mr. Chairman, no; the gentleman, I submit, does not mean that.

Mr. MANN. Why, certainly.

Mr. FINLEY. This is not regulated by law, it is a contract service, and is on a parity with Star Route Service contracts.

Mr. MANN. No; there are star-route cases—
Mr. FINLEY. It is on a parity with the Star Route Service of the country, where they have to enter into contracts.

Mr. MANN. Oh, no; the gentleman is mistaken, it is not that at all, and I am surprised that the gentleman is not sufficiently familiar with it to know.

Mr. FINLEY. There must be a contract entered into. I submit the gentleman from Illinois does not mean that statement.

Mr. MANN. I do mean it, because I am familiar with the

Mr. FINLEY. I am also familiar with the service.

Mr. MANN. I am afraid not. Mr. FINLEY. I say it is, and the Government can not force anybody to take one of these contract stations.

Mr. MANN. Nor can the Government force anybody to be a rural free-delivery carrier.

Mr. FINLEY. But there the party stands an examination and goes in the Government service under existing law-

Mr. MANN. He goes in of his own volition-

Mr. FINLEY, Certainly. Mr. MANN. In both cases.

Mr. FINLEY. But here you are trying to give people something for services they perform and which they are not obliged to perform. In other words, they can go out of the Government service at any time.

Mr. MANN. Anyone can, including us. Mr. FINLEY. So that argument of the gentleman from Illinois is fallacious, because there is no comparison between the carrier or the city clerk in the city post office or the city carrier and the person who enters into a contract with the Government to give to the Government postal service in one of these contract stations. Mr. Chairman, I submit that there has been no complaint. Here is a surplus amounting to 6 per cent of last year's appropriation unexpended. Here is an increase for this service of between 8 and 9 per cent provided in this bill over last year, making altogether something like 15 per cent more than was spent last year for this very service, yet gentlemen come here and undertake to say that more money should be appropriated. For what purpose? Because these people are on a parity with other employees in the Postal Service. Why, Mr. Chairman, that argument will not do; not at all. I submit the department has been liberal; they have informed the Post Office Committee fully, and the Post Office Committee have reported to this House a bill that carries the needed appropriations for this service, and I hope the amendment will be voted down. service, and I hope the amendment will be voted down.

Mr. MADDEN. Mr. Chairman, I move to strike out the last

two words. This is a peculiar service and a very essential one. In the great cities of the country there are places as much as a mile square densely populated where you can not find a place to buy a postage stamp, and these contract stations are place to buy a postage stamp, and these contract stations are established for the purpose of giving the people living in such areas an opportunity to buy postage stamps without going too far to do so. Now, I think it is economy to the Government to have as many of these contract stations as they can establish, because the more we have of them the more stamps will be sold, and, of course, the more stamps sold the more revenue

will come to the Treasury.

The establishment of numerous such stations is an encouragement to the people to patronize the post office. Some of these contract stations in my neighborhood sell about \$60,000 worth of stamps a year, and the men who sell that amount of stamps of stamps a year, and the men who sell that amount of stamps get only about \$600 a year. Sixty thousand dollars of receipts in a post office would place that office in the first class and perhaps entitle the postmaster to a salary of three or four thousand dollars a year. These contract stations are established primarily to accommodate the public, and while it is true that the men who are appointed clerks are usually merhaps to the principle of the salary of the salary state. chants in the neighborhood and, in the first instance, take the appointment because they think it will add to their business,

they soon find that the work becomes so burdensome that they are unable to do it without employing additional help in their stores. And it frequently happens that the pay which they are obliged to give to the person employed is twice the amount they themselves receive for the work. The Government pays no rent for the stores occupied by these contract stations; it does not even pay adequate compensation to the men who are appointed clerks. It seems to me to be a false economy to endeavor to keep this appropriation down, because I look upon it in the nature of the appropriation made for special-delivery messengers. Everybody realizes that special-delivery messengers pay their way, as the appropriation made for that service all comes back into the Treasury because of the added compensation paid for the special delivery of the messages. Now, this is simply establishing a station at a point where it will add to the revenue of the department and at the same time give to the people of the neighborhood the accommodation which the establishment of the station provides. There can be no doubt about the fact that no such number of stations are established as ought to be in existence, and everybody will agree who knows anything about the facts that in the stations which are established the compensation paid for the work performed is in no wise adequate to the service rendered.

The CHAIRMAN. The time of the gentleman has expired. Mr. THOMSON of Illinois. Mr. Chairman—

The CHAIRMAN. The gentleman from Illinois [Mr. Thomson] is recognized.

Mr. THOMSON of Illinois. Mr. Chairman, it seems to me that this country is altogether too big to offer what is an unfair contract, carrying an inadequate compensation for the services rendered, and then attempt to defend itself by saying that nobody will have to take this contract, and that if a man does not like it he can leave it.

It is quite true, as the gentleman from South Carolina [Mr. FINLEY] said, that the Government can not force a man to take one of these contracts, but nevertheless men are frequently forced to take them, not by the Government, but nevertheless forced, as my friend from New York [Mr. Calder] has pointed

Will the gentleman yield?

Mr. THOMSON of Illinois. Yes, sir. Mr. DIES. If the present manner of awarding these contracts to the lowest bidder is not followed, what plan would the gentleman suggest?

Mr. THOMSON of Illinois. I do not understand that that is

the plan which is followed.

Mr. MOON. The gentleman must know that the parties who make the lowest proposition get the contract. The suggestion is to let the party who gets the contract follow his own business. They can afford to pay the Government \$100 a year, many of them, for the contract, because of the attraction of people to their stores for business. It is in no sense an office, It is merely a contract to sell stamps and supplies.

Mr. THOMSON of Illinois. I understand that.

Mr. MOON. There is no salary attached to the place.

Mr. THOMSON of Illinois. I understand that.

Mr. MOON. A man takes it at his own figure. That is all there is to it.

Mr. THOMSON of Illinois. No, Mr. Chairman; I disagree with the last statement of the gentleman. That may be true technically, but, nevertheless, for all practical purposes the figure is dictated, and the storekeeper knows, as my friend from New York [Mr. Calder] stated, if he does not name a figure that is acceptable to the post-office officials somebody around the corner will be given an opportunity to do so.

Mr. DIES. What plan has the gentleman to offer as a sub-

stitute for the plan followed now?

Mr. THOMSON of Illinois. I do not care what the plan is so long as the compensation which is offered is an adequate

Mr. MANN. I should like to ask the chairman of the committee what is the plan now followed?

Mr. MOON. It is a personal contract between the department and the contracting station.

Mr. MANN. It is no more a personal contract than any other employment is.

Mr. MOON. Of course the statute provides what the compensation shall be, as in the case of the rural contracts re-ferred to. The gentleman understands the distinction between the various contractual relations under statute and those that

are not under statute.

Mr. MANN. There is no contract about it in either case.

Mr. DIES. If the gentleman would not pay them what they

will do the service for, he must determine the amount that

Mr. MANN. . The department has made regulations in the ast as to compensation based on the business being done. They have not lived up to those regulations, and do not do so

Mr. DIES. The proposition of the gentleman is to increase the appropriation by \$200,000.

Mr. MANN. To permit the department to live up to its regu-

lations fixing the compensation. Mr. DIES. But the department does not ask for any in-

creased appropriation. Mr. MANN. Oh, the department has never asked for an in-

crease in a great many instances. Mr. DIES. In this case it has asked for an increase of

\$90,000. Mr. MANN. The department has not asked for an increase of appropriations that does not reach the length of a page or

Mr. THOMSON of Illinois. Mr. Chairman, I must decline to

vield further.

My experience in this matter is not different, I suppose, from that of other Members of this House who come from large cities. I have had a number of complaints from men who have these contracts to the effect that the amounts that they were practically forced to accept were not adequate. I went personally to a number of these offices—places of business where these stations are conducted—and talked with these men about these contracts

The CHAIRMAN. The time of the gentleman from Illinois

has expired.

Mr. THOMSON of Illinois. Mr. Chairman, in view of the interruptions, I ask unanimous consent to be permitted to proceed for five minutes more.

The CHAIRMAN. The gentleman from Illinois [Mr. Thomson] asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. COX rose.

Mr. THOMSON of Illinois. I yield to the gentleman from

Mr. MOON. Mr. Chairman, I ask unanimous consent that at the conclusion of the gentleman's five minutes all debate be closed on this paragraph.

Mr. STEENERSON. I would like to have five minutes, Mr.

Chairman, and I object.

Mr. SABATH rose.

The CHAIRMAN. For what purpose does the gentleman from

Mr. SABATH. I also desire a few minutes' time. I hope the gentleman from Tennessee will amend his request.

Mr. MOON. Very well. I move, Mr. Chairman, that all debate on this paragraph be concluded in 15 minutes. That will give all gentlemen five minutes.

The CHAIRMAN. The gentleman from Tennessee [Mr. Moon] moves that all debate be concluded on this paragraph in 15 minutes. The question is on agreeing to that motion,

The motion was agreed to.

Mr. COX. The gentleman from Illinois [Mr. Thomson] has stated that he has been informed by the men running these contract stations that they are practically forced to accept the conditions and contracts exacted by the Government. What forces them to accept? What does the gentleman say about

Mr. THOMSON of Illinois. In answer to the gentleman's question I will say two things: First, as the gentleman from New York [Mr. CALDER] has said, they know that if they do not take these contracts and continue these stations in their places of business at the terms stipulated, the Government will run around the corner and get somebody else who will be willing to.

Then the whole question is a mere matter of com-Mr. COX.

netition?

Mr. THOMSON of Illinois. Yes. But, as I said before, the Government is too big an institution to force these men into that kind of competition.

Mr. COX. I would like to ask the gentleman another ques-Will the gentleman yield?

Mr. THOMSON of Illinois. Yes.

Mr. COX. If the Government can go around the corner and get equally good service at a less price, why not let the Gov-

Mr. ROBERTS of Massachusetts. Mr. Chairman, if the gentleman from Illinois will yield to me for a moment, I would like to ask the gentleman from Indiana [Mr. Cox] a question.

Mr. THOMSON of Illinois. Very well.

Mr. ROBERTS of Massachusetts. Does not the gentleman from Indiana think there are men in his district who can be found to serve as a Representative in Congress for less money than he is receiving?

Mr. COX. I have no doubt that can be done, and they might render better service. But the gentleman is stating a hypo-

thetical state of facts.

Mr. MANN. The gentleman's services are valuable.

Mr. THOMSON of Illinois. I decline to yield further, Mr. Chairman.

I do not think the Government ought to go around the corner and find some one else who is willing to do this work for a compensation that is utterly inadequate. These men are forced to take these contracts at an inadequate amount. I know of a number in my district who take these contracts and pay out more money to their clerks who do this work than they receive for the contract.

Mr. COX. Then they are philanthropists in the strictest sense of the word.

Mr. THOMSON of Illinois. I know from the experience I have had with these men in my district that many of them are holding on to the contracts that they have had for some timesome for a longer and some for a shorter length of time-and are doing the work under unfair conditions, the unfairness of which is increasing because of the increase of the parcel-post mail, because they have been told that after the parcel post has been allowed to run along for a little while, so the Government can size up the amount of business that it will probably result in, the basis of these contracts will be changed and the compensation increased; and they are hanging on under these unfair circumstances in the hope that that will be the case; but it can not be the case unless some such amendment as is proposed by my colleague from Illinois is adopted.

Mr. COX. They will still have to meet the man around the

corner.

Mr. THOMSON of Illinois. No; the man around the corner

will be eliminated then.

Mr. Chairman, I have discussed this situation with the official connected with the Post Office Department who has charge of these contract stations. I went to see him because of the large number of complaints I received from the men in my district who hold these contracts, and he said he realized that the basis was unfair, that the compensation was inadequate, and he hoped that after the parcel post had gone along far enough to demonstrate how much of an increase thereought to be such an increase would be made; but he called my attention to the fact that that could not be done unless we here made some provision for it, such as is suggested in this amendment, and he urged me to support such a proposition when the matter came up, because he realized from his standpoint that it was needed. I trust the amendment will be adopted,

Mr. STEENERSON. Mr. Chairman, I know that we would all like to accommodate our genial friends from Chicago and other large cities in this matter. I can understand why they would all like to be popular with the postal employees of their respective cities, and yet I am unable to understand why they should urge this increase in this appropriation. If you increased this appropriation \$10,000,000, it would still be discretionary with the Post Office Department to establish these contract stations and to determine the compensation of these quasiemployees. Last year there was an unexpended balance in this appropriation of \$41,000, therefore the contention made by my friend from Illinois that there was a failure to increase the salary of these employees because the appropriation was inadequate is not well founded. There was \$41,000 unexpended, and therefore the department could have increased the salaries of these employees if it had wanted to, if in its discretion it thought it a desirable thing to do.

The other day at the hearings the assistant postmaster in charge of this matter testified that there was \$67,000 unexpended They have asked for an increase over the last year's appropriation of \$90,000. There being \$41,000 left over, that makes \$131,000 provided for in this bill more than was expended in the last year, and it seems to me that to adopt the amendment proposed here would only swell the appropriation, without any benefit to anybody. The department officials may be appealed to to increase the salaries or to establish more contract stations.

Mr. GOULDEN. Will the gentleman from Minnesota yield for a question?

Mr. STEENERSON. Yes.

Mr. GOULDEN. The gentleman mentioned an unexpended balance of \$67,000. Does the gentleman mean that that exists to-day, with five months of the fiscal year still remaining?

Mr. STEENERSON. I mean exactly that.

Mr. GOULDEN. Does not the gentleman suppose that will

be exhausted before the end of the fiscal year?

Mr. STEENERSON. The balance is now \$67,000, but there

was a balance of \$41,000 left over from last year.

Mr. GOULDEN. Does not the gentleman think if the postoffice officials had done their duty properly by these contract stations there would not be any \$41,000 or any \$67,000 unexpended, but that this additional \$100,000 would be required?

Mr. STEENERSON. No; I do not think anything of the kind.

I think the department officials are trying to administer the law properly. The Post Office Committee have got to assume We act on the principle that the men in charge of this work of administering this law and expending these appropriations will do their duty, and that they have asked for as much money as they need. If we give them more than they ask for, they can not properly expend it, and you will do nobody any good, except to make an undue amount in the appropriation. That is the way it looks to me. I should be very glad to accommodate all these gentlemen from the large cities. It is true we have treated the rural districts liberally, and they are not complaining; but certainly if we want to do the city employees any good, we want to do it in some other way and not by making any appropriation that will not be expended. We could not compel the department to expend this money if we voted it under the proposed amendment.

Mr. FARR. The gentleman refers to the large cities. This provision would apply to any city or town, regardless of population, that has a substation not sufficiently compensated.

The CHAIRMAN. The time of the gentleman from Minne-

sota has expired.

Mr. SABATH. Mr. Chairman, the reason why the \$41,000 was not expended is because the former Assistant Postmaster General did not keep his word with these employees. If he had lived up to the contracts he entered into, there would not

have been any surplus left.

I desire to say that these men in these contract stations who are receiving \$100 and \$200 a year are performing a greater amount of work and transacting much more business than a great many of the postmasters who are receiving \$1,000, \$1,200, and \$1,500 a year for their services. I myself have only 12 of these stations in my district. For three years I have been en-deavoring to secure more of these stations, and at all times I have been informed that there were no available funds with which to create these contract stations. The result is that the people of my district have not received the service to which they have been entitled.

Mr. MOON. Will the gentleman yield?
Mr. SABATH. Certainly.
Mr. MOON. There is an unexpended balance of \$67,000.
Mr. SABATI That only tends to show that the for Mr. SABATT That only tends to show that the former Postmaster General and the former administration practiced a false economy. They desired to make a showing at the expense of the people and at the expense of the service.

The record does not show that.

Mr. SABATH. I will explain to the chairman of the committee why the record does not show it. These clerks are not organized. They have no one to come here and appeal for them. They have no one to come down here and state the facts. department, as a rule, and especially under a Republican administration, does not borrow trouble in trying to ascertain where they can increase expenditures and the salaries of poorly paid employees. For that reason the committee has not received the information that it is now receiving.

M., STEENERSON. Will the gentleman yield?

Mr. SABATH.

Mr. STEENERSON. The gentleman does not blame the former administration for the expenditure in the current year? Mr. SABATH. I blame the former administration not for the expenditure in this department, but for the failure to spend money appropriated for this service.

Mr. STEENERSON. The appropriation was sufficient.

Mr. SABATH. Yes; but they did not expend it, because they desired to make a showing of economy at the expense of the service and to cover up reckless expenditures in other departments.

Mr. CALDER. The gentleman blames them for setting a bad

precedent?

Mr. SABATH. Yes; because they have entered into contracts; they pledged the Government to do certain things. They established these stations at \$100 a year, and some of these men have been in the service for three, four, and five years without having an increase which the Republican administration promised and failed to give them, notwithstanding the money was in the Treasury.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken; and on a division. (demanded by Mr. Mann) there were 50 ayes and 55 noes.

Mr. MANN. Mr. Chairman, that is so close that I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. Moon and Mr. MANN

The committee again divided; and the tellers reported that there were 51 ayes and 85 noes.

So the amendment was lost.

The Clerk read as follows:

For temporary and auxiliary clerk hire at first and second class post offices and temporary and auxiliary clerk hire at summer and winter resort post offices, \$1,750,000.

Mr. SAMUEL W. SMITH. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record by publishing two letters of Mr. W. D. Brown, the editor of the Rural Free Delivery News, dated January 12 and 20, 1914, and statements of letter carriers showing actual cost of necessary equipment and maintenance for 1913.

The CHAIRMAN. The gentleman from Michigan asks unani-

mous consent to extend his remarks in the Record.

Mr. STAFFORD. Mr. Chairman, reserving the right to ob-

Mr. SAMUEL W. SMITH. I want to make myself understood. I ask to insert in the RECORD two letters from Mr. Brown, editor of the Rural Free Delivery News, and statements from rural carriers in my district as to the actual cost of necessary equipment and maintenance for 1913. I realize that we may not reach that portion of the bill to-day to which they will be applicable.

Mr. FINLEY. Mr. Chairman, I would like to ask the gentleman from Michigan if that is the same matter inserted the

other day by the gentleman from Tennessee [Mr. Austin]?
Mr. SAMUEL W. SMITH. If it is, I will not ask to have it inserted again.

Mr. COX. Mr. Chairman, reserving the right to object, I shall not object, of course, to the gentleman from Michigan extending his remarks in the RECORD, but I shall object to that part of his request which includes the letter of Mr. Brown and the statements made by the rural carriers. I shall object to those two things.

Mr. SAMUEL W. SMITH. Does not the gentleman think

that it will prove a valuable source of information?

Mr. COX. I suppose every Member of this House has been served with a copy of that. I got one with flaming headlines, marked "very important."

Mr. SAMUEL W. SMITH. I hope every Member who has received these statements of the rural carriers will be permitted to insert in the RECORD at least 10 of them from different portions of their districts, and in this way we could get an excellent idea and understanding of the facts throughout the entire country and be enabled to treat the rural carriers fairly and give them adequate compensation.

Mr. COX. I do not suppose there is a Member of the House who within the last 72 hours has not received these data, and I shall object to it.

Mr. SAMUEL W. SMITH. How are we to know what data each has received, except as I have suggested

The CHAIRMAN. The gentleman from Indiana objects.

The Clerk read as follows:

For unusual conditions at post offices, \$90,000.

Mr. TRIBBLE. Mr. Chairman, this question of taking the assistant postmasters out of the classified service is not a question of political expediency, but it is a business proposition. Where is there a business house, an industrial house, a commercial house, a banking house, or any other kind of business in the country that selects its employees by applying civil-service rules? Can you point to one where they are selected by civil-service examination? What more reason is there that school-teachers should not be selected by a civil-service examination and kept in the same place, when you once put them there, all the days of their life? There are too many reasons to think of discussing them. I say this is not a ques tion of political expediency, but it is a business proposition that should appeal to every business man. You know and everyone knows that in every community in every district there is a technically educated man who walks around in the community, and he knows everything. He can tell you everything. He is really an educated man and he does know things. But what business qualification has this particular individual? You have seen him; he is familiar to all. You have seen the crowd that gathers around him. Often the throng stops to hear him talk, You have seen some gaze in wonder, "and still the wonder grew that one small head could carry all he knew." And yet is that man capable of filling a position of assistant postmaster? Why, the banker would not take him in a banking house; he would not be taken in a commercial house; he would not be taken in any kind of industrial establishment, because he lacks business qualification or some other objection. Yet you want to take him into the post office because he can probably stand a better technical examination than anyone else in the community

Would the banking establishments take a bank robber or a train wrecker or one of the bums on the street simply because he can stand an examination? Yet one of these fellows that burns around on the streets may be able to stand a better examination than the fellow at the counter in the bank. Many of them can, but they have no banking qualifications. You know it is the truth. Many bank robbers can stand better examinations than the fellow behind the counter, and yet he is to be taken into the Government employ as assistant postmaster simply because he can stand the best examination. Why should they be forced on the public, kept there in office all the rest of

What more right have assistant postmasters to be placed in the classified service with life tenure than Members of Congress? Assistant postmasters in large cities receive large salaries. Considering the expense of a Member of Congress, the salaries of assistant postmasters in large cities are more. The people should have the right to vote upon the tenure of office of their repre-The people are usually very careful and considerate of the services of their officers. The average length of term of office of Congressmen from Georgia is about 16 years in the last two decades. Only five Members of Congress south of the Potomac River, covering the entire Southern States, were defeated in the last election. No Member of Congress from Georgia has been defeated for the last 10 years who has not served at least 12 years. Several have retired voluntarily or died whose periods of service had covered 15 or 20 years. The people of the States are very considerate with their Representatives in Congress, as the record shows; they recognize the need of experienced and efficient representatives. At the same time, they are entitled to the right to vote on his service. A Member of Congress should not be placed in office for life without the right of the people to vote on his return.

I believe that all postmasters should be elected by the patrons of the office, and as he is responsible for the proper management of the office and efficient service, he should be allowed to name his assistant.

I am surprised to hear Members on the floor of this House advocate placing all postmasters under civil service, thus giving them a life tenure of office. The salaries of many postmasters throughout the United States are greater than those of Members of Congres

Life tenure of United States judges frequently makes them independent and autocratic. The United States court would be more popular with the people if the judges were required to be elected by the people. It would be a great improvement upon the system. If the appointment for life is good for the Nation, then why should not all State officers be appointed for life? What is good for the States is good for the Nation, and yet, Mr. Chairman, you know the States would not stand for their offices being filled by examination with tenure for life. The civil service, when properly applied within reasonable limits, is good. The life tenure of rural carriers, for instance, is not objectionable, but I am bitterly opposed to civil-service postmasters and assistants.

There are hundreds of thousands of employees of this Government under civil service. In a few years there will be hundreds of thousands more. The Member of Congress is the only representative of the National Government elected by the people at the ballot box. This Government, in my opinion, is entering upon a strange and dangerous road. We are no longer guided by the milestones that point to a government by the people. Forty-five thousand fourth-class postmasters were covered by civil service by order of President Taft after his defeat. Memlers of Congress are censured by their constituents for not giving them Democratic officers, and yet one by one all Government employees are securing life tenure of office and now it is boldly advocated on this floor that even postmasters should be classified.

Mr. GREEN of Iowa. Mr. Chairman, I judge from the remarks of the gentleman who has just taken his seat that in his locality an education is considered a damage and an injury gen-As I understand him, school-teachers are not examined in his State, and they are not required to pass an examination and are not graded accordingly. They are in my State, and we

are proud and glad of it, and that is the way we get good schoolteachers there

Mr. TRIBBLE. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. With pleasure.

Mr. TRIBBLE. I beg to correct the gentleman. I did not make any such statement. The teachers in Georgia are graded the same as in any other State. There is not a State in the Nation that does not grade its teachers. I did make the statement that there is just as much reason why a teacher should be selected and put under the civil service and kept in the village for the balance of his life, whether the community were satisfied with him or not, as there is to force on the people of

the community an assistant postmaster.

Mr. GREEN of Iowa. Mr. Chairman, I do not want the gentleman to conclude his speech in my time. What the gentleman asserted was that there was not any community that would have their school-teachers selected by examination. I do not know what he meant, but that is what he said. The proposition he is discussing is simply this: Whether assistant postmasters will understand that the reward of efficiency in office is to be continuance in office, or whether they are to understand that they are to be continued in their position for the reason, not of efficiency in the post office, but of political service.

That is the question before the House.

Mr. SELDOMRIDGE. Mr. Chairman, will the gentleman

yield?

Mr. GREEN of Iowa. Yes. Mr. SELDOMRIDGE. How does the gentleman justify the action of the President covering the assistant postmasters into the civil service as against the right of the employees in the Post Office Department, many of whom had been there for years, and who thus were not given a chance to secure these positions?

Mr. GREEN of Iowa. I do not understand what the gentleman means. None of the employees of the Post Office Department were eligible for these positions.

Mr. SELDOMRIDGE. I mean this, that when assistant post-masters in first-class offices were covered into the civil service they took precedence over the rights of clerks and subordinates in those offices.

Mr. GREEN of Iowa. Well, has the gentleman now got his

question the way he wants it?

Mr. SELDOMRIDGE. I want to know how the gentleman can justify the act of the President in covering the assistant postmasters into the civil service as against the rights of subordinates in those first-class offices to secure that position by civil service.

Mr. GREEN of Iowa. I can not justify the fact of the order being so long postponed. It ought to have been made by President Cleveland, by his Republican successors; it ought to have been made a long time before it was made. [Applause.] That is the only trouble with this order, that it was not made early enough, otherwise we would have done what ought to have been done long ago.

Mr. GARRETT of Texas. Does the gentleman think these people should have been covered into the civil service without

an examination?

Mr. GREEN of Iowa. No; I do not, as far as that is concerned.

Mr. GARRETT of Texas. Were not they all so covered in?

Mr. GREEN of Iowa. Oh, they had an examination. Mr. COX. I beg the gentleman's pardon. Nineteen hundred

were turned into the civil service by an Executive order, with-

out being examined at all, in 1910.

Mr. GREEN of Iowa. The gentleman says in many cases they were not examined. Does he mean no examination what-

Mr. COX. No; never stood any civil-service examination of

any kind.

Mr. GREEN of Iowa. The gentleman is in error about that. No; I beg the gentleman's pardon. If I am in error, the Post Office Department is in error, because there is where I got the information.

Mr. GREEN of Iowa. I got my information from a gentle-

man on the committee who sits here.

Mr. MOON. Let me suggest to the gentleman that about 200 of these assistant postmasters were covered into the service by an Executive order of President Taft on the 21st day of February prior to the inauguration of the President on the 4th of March. There are lying now in the Post Office Department a number of reports made by Republican inspectors as to the utter incompetency of some of these men, and two of them from one district in North Carolina.

Mr. GREEN of Iowa. If that be so, put them out, and you

will meet with my approval.

Mr. MOON. And will meet with our approval.

Mr. GREEN of Iowa. Set the standard of efficiency as high as you desire, and you can not set it too high to suit me. Put the standard of efficiency up, and if they do not come up to that standard then remove them from the service. Now, the gentleman from Maryland the other day in discussing the question of taking over the telephone and telegraph service spoke of the great advantage of Government control in that matter. He stated that a standard could be set, that a standard could be enforced by the Government, and by means of that we could obtain a higher efficiency under Government supervision than we otherwise could. Raise this standard, gentlemen, and discharge those who can not come up to it. And let me make another suggestion of which I will approve. If you want to put first-class pestmasters under civil-service rules—that is, after you have filled them with Democratic appointees-you will do that with my sanction and my approval, and I hope you will. [Applause].

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

The Clerk read as follows:

For allowances to third-class post offices to cover the cost of clerical services, \$1,700,000.

Provided, That no allowance in excess of \$300 shall be made where the salary of the postmaster is \$1,000, \$1,100, or \$1,200; nor in excess of \$400 where the salary of the postmaster is \$1,300, \$1,400, or \$1,500; and that no allowance in excess of \$500 shall be made where the salary of the postmaster is \$1,600 or \$1,700; nor in excess of \$800 where the salary of the postmaster is \$1,800 or \$1,900: And provided further, That the Postmaster General may, in the disbursement of this appropriation, expend not exceeding \$400,000 for the employment, at a maximum salary of \$600 per annum, of assistant postmasters at post offices of the third class where the salary of the postmaster is \$1,800 or \$1,900 per annum. \$1,900 per annum.

Mr. GRAY. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 11, line 12, strike out "\$800" and insert "\$1,800."

Mr. COX. Mr. Chairman, I reserve a point of order on the amendment.

Mr. GRAY. That is your right. Mr. Chairman, I disclaim any intention to gain any special advantage for my district. I believe Members of Congress not only represent their own districts specially but all districts generally. I want to call attention to a condition that is not only prevalent now in my own district but is often prevalent in a great many districts. For the year ending June 30, 1913, the salary of the postmaster at Brookville, Ind., was \$2,000, and the maximum clerk-hire allowance there was \$1,800 per annum.

In the spring of 1913, near the close of the fiscal year, there was a great flood in that district, and the mails were cut off for a great length of time, and the postal receipts fell off \$392. By reason of that decrease in receipt, the post office there was relegated from a second-class to a third-class office. The salary of the postmaster fell from \$2,000 to \$1,800, and the clerk-hire allowance from \$1,800 to \$800 by operation of law. I am not assuming any special knowledge or superior wisdom to pronounce judgment upon salaries and allowances or to say how much the clerk hire of this office or in any other office should be; nor do I claim to speak from any special experience in such I do claim, however, to have some power to reason matters. from analogy. Here in this office the next year-

Mr. FINLEY. Do I understand the gentleman from Indiana [Mr. GRAY] to state that in a third-class office the clerk hire amounted to as much as \$1,800 at any time?

Mr. GRAY. That is the allowance, as limited by law.

Mr. FINLEY. Why, Mr. Chairman, I submit the gentleman

from Indiana must be mistaken as to that proposition.

Mr. GRAY. I may be in error, but I understood this was \$1,800, the amount of the allowance, and I know it is the limit fixed by law. Now, in the next year, with the same amount of business to be transacted, and not only this, but with the parcel post added and the amount of business growing and expanding and increasing, under existing law this clerk-hire allowance was cut down from \$1,800 to \$800, and the postmaster who received \$2,000 a year before for transacting less business now only receives \$1,800 for transacting more business and is compelled to pay out for clerk hire a considerable part of his salary to maintain the proper efficiency in the service.

Now, if you say that \$800 is enough, I say there is something wrong here and a gross inequality and a false gradua-tion of clerk-hire allowance is most apparent. If \$800 is enough, then \$1,800 is too high a limit for transacting the same business in a higher class office. I presented this matter to the Post Office authorities, and they told me they were powerless

to give relief, because under the appropriation bill they could only go as high as \$800. They further told me that many cases were presented of the same kind, and yet they were restricted. They said in this case there ought to be relief granted. but there was no warrant of law for it.

Mr. Chairman, this is purely an administrative feature of the Postal Service. You can not fix clerk-hire allowance any specific amount by law any more than you can fix a railroad rate. Such rates and allowances are determined by many conditions, and so I believe it would be justice to increase the limit of this allowance from \$800 to \$1,500, at least, for transacting the same amount of business in a third-class office for which \$1,800 may be allowed in a second-class office. This is one of the errors of precedent and long usage which, following prior example, is continued in appropriation bills from year to year. I know that by reason of the force of custom men are slow to make changes, even for the betterment of the service. I submit, however, there should be a change here, and the reason for the same is apparent at a glance.

As long as a limit of \$1,800 for clerk hire in second-class post offices is maintained, there can be no reason urged against a higher limit in third-class offices where substantially the same business is shown transacted. Further argument is unneces-There is no escape from the justice of a raise in the limit for clerk hire in third-class offices to be granted upon a proper showing under a sound discretion in the administration

of the Postal Service.

Mr. Chairman, I ask for a vote on the amendment.

Mr. COX. Mr. Chairman, I make a point of order on the amendment.

The CHAIRMAN. The Chair overrules the point of order. The question is on the amendment offered by the gentleman from Indiana [Mr. GRAY].

The question was taken, and the amendment was rejected.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. Saunders having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 541) granting to the Emigration Canon Railroad Co., a corporation of the State of Utah, permission, in so far as the United States is concerned, to occupy, for a right of way for its railroad track, a certain piece of land now included in the Mount Olivet Cemetery, Salt Lake County, Utah.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of

Representatives was requested:

S. 94. An act to amend an act entitled "An act to codify, evise, and amend the laws relating to the judiciary," approved March 3, 1911.

The message also announced that the President of the United States had approved bill and joint resolution of the following titles

S. 3484. An act to amend act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, being chapter 231 of Thirty-sixth Statutes at Large;

S. J. Res. 5. Joint resolution providing for the appointment of a commission to consider the need and report a plan for national aid to vocational education.

POST-OFFICE APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For rent, light, and fuel for first, second, and third class post offices, \$5,200,000.

Mr. LINDBERGH. Mr. Chairman, I desire to offer an amend-

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

Add, after line 18, the following proviso:

"Provided, That \$6,000 thereof shall be paid for the purpose of making preliminary inquiry as to what it would cost to furnish to each patron who regularly secures his mall at the same post office weekly a post-office box free of charge.

"Provided, however, That the same shall not apply to any post office located in any town, village, or city in which there is a free delivery: And provided further, That no person residing more than 1 mile from the post office at which he secures his mail and within 1 mile from the post office at which he secures his mail and within 1 mile by the nearest practical road to a rural free-delivery route shall be entitled to a box free."

Mr. MOON. Mr. Chairman, I make a point of order on that. The CHAIRMAN. The Chair sustains the point of order. Mr. LINDBERGH. Will the gentleman withhold it for a Mr. MOON. Does the gentleman want to be heard?

Mr. LINDBERGH. Yes; I want to be heard.

The CHAIRMAN. Does the gentleman wish to be heard on the point of order?

Mr. LINDBERGH. Not on the point of order. I want to say something on the subject of the amendment.

Mr. MOON. Mr. Chairman, I reserve the point of order for

five minutes. Mr. LINDBERGH. Mr. Chairman, in offering this amendment I only wish it to pave the way for a bill that I have pending (H. R. 6855) for the purpose of furnishing to the people

free post-office box rent in towns where there is no free delivery. The chairman of the Post Office and Post Roads Committee has promised to allow me a hearing on that bill before his committee as soon as practicable after this bill is out of the way.

There can be no possible doubt about the justice of furnishing boxes free under the circumstances provided in the bill. The

bill is short, and I quote the text, as follows:

That, beginning the 1st day of January after the enactment of this bill, the Government shall furnish to each patron who regularly secures his mail at the same post office weekly a post-office box free of charge: Provided, however, That this act shall not apply to any post office located in any town, village, or city in which there is a free delivery: And provided further, That no person residing more than 1 mile from the post office at which he secures his mail and within 1 mile by the nearest practical road to a rural free-delivery route shall be entitled to a box free

nearest practical road to a rural free-delivery route shall be entitled to a box free.

That the Government shall, within one year from the 1st day of January after this act takes effect, buy the boxes from the postmasters who have furnished the same at their own expense: Provided, That such boxes are suitable for the service: And provided further, That the same can be purchased at their reasonable value, not to exceed the cost to the postmaster.

The importance of such a measure, and the justice of it, as well as the practicability, never occurred to me until I read an editorial written by H. S. Saylor, editor of the Buffalo Journal, in Buffalo, Minn. I have misla'd Mr. Saylor's original article and can not place it before the House. I have one of his later articles, setting forth pertinent facts, the main part of which I quote, as follows:

articles, setting forth pertinent facts, the main part of which I quote, as follows:

The Journal has several times called attention to the injustice of the charge for box rent to patrons of offices in which there is no city delivery, as from all offices with an income exceeding \$10,000 a year there is city delivery, and farmers have the rural delivery. Village residents have no way of getting mail except by calling at the post office, and it seems like discrimination to charge them for the privilege.

When a bill was introduced providing for free delivery in all villages of 1,000 or more inhabitants the writer wrote Congressman Lindbergh the following:

"Except as a matter of pride and the revenue drawn from the Government to the small towns for the salary of the carrier, I do not know of any good reason for the establishment of letter-carrier service in towns of but 1,000 population. Families living half a mile or more distant from the post office may now have mail delivered by rural carriers, and of families living within half a mile, with but few exceptions, some member passes the post office daily. Business houses are all located so near the post office that delivery would be very little convenience to them, especially if but once daily. The fact that cities and rural districts are served with carriers is not a good argument for delivery in villages when the service is no great convenience to the people there.

"But the people living in small villages have a real grievance because of the charge for box rent, and the more mail received, with its resultant larger revenue to the Post Office Department, the higher the charge for the box. The resident of the village does not object to calling at the post office for his mail and being the only citizen not served by carriers, but he does object to paying for the privilege. Boxes are more for the convenience of the postmaster than the patron, as their use systematizes his business and saves time in handing out mail. Box rent is a proper charge in a letter-carrier

Only yesterday I received a copy of a letter written by one of my constituents to the Postmaster General. This letter, like the Saylor editorial, clearly states the logic of the situation, and I prefer to use the thoughts of such gentlemen rather than my own arguments, as they live in villages of about 1,200 population and see the daily effect of the service of towns where free delivery is not had. This letter was written by F. H. Lindsley, a prominent man in business in Delano, Minn. It is as follows:

JANUARY 17, 1914.

To the honorable Postmaster General, Washington, D. C.

Washington, D. C.

Dear Sir: I wish to call your attention to the present unjust and unnecessary condition of the box renters in towns of above 1,000 population, where there is no free delivery.

Taking as a basis of my remarks Delano, Minn., with a population of 1,031 at the last census. 10 years ago, the rental charged for an ordinary-sized lock box was 25 cents per quarter. The department has raised that rental until at present that same box costs 45 cents. Wherein is the injustice? I will presently illustrate. The farmers at this same post office have rural free delivery and no box rent to pay—no tax levied on them by the Federal Government whatsoever.

Take one step higher, and the cities have free delivery, with no Federal tax whatsoever. In those cities, if a person chooses to rent a box of the Government, well and good. He is only paying for the special service which be demands from the Government.

Go back to our town of 1,000 population without free delivery. There is no choice but to be ground under the rules of the department to the extent of a tax of \$1.80 per annum. The postmaster can not serve us unless we rent those boxes.

You may say that this is a small tax but it is unavoidable. The postmaster at the class of offices named would be absolutely unable to serve the public if they all refused to submit to this tax and refused to rent a box of the Government at any price.

As it is, he is greatly handleapped by that percentage of the population who receive large quantities of mail and who refuse to rent a box and do get their mail at the general delivery, box rent free.

The injustice of the whole matter lies in the Government charging any rent for boxes where there is no free delivery. Because people live in a town of the class indicated, are they to be taxed when the rural population and the dwellers in cities where there is free delivery go scot-free?

Now, before we talk of cheaper postage, let us face this injustice and let us have the box-rent system, in towns where there is no free delivery, abolished.

REFORMS THAT SHOULD BE INSTITUTED IN THE POSTAL SYSTEM.

First. In every town of permanence, where there is reasonably to be expected that a post office will permanently be maintained, the Federal Government should own the post-office building.

Second. On payment of a reasonable fee, to wit, the cost of a box, the head of each family should be entitled to the use of a box suitable in size to contain the average daily mail of the patron. After the payment of the box it should be rent free. This provision should be in force only in towns and post offices where there is no free delivery. Cities and rural routes should be left as they now are.

These changes are necessary for efficiency in the service, the reasonable requirements of postmasters and equality of service, and to avoid the discrimination that is now practiced by the department.

We are perfectly aware that this inequality and discrimination has been growing up for years; however, within the last two years it has been accentuated by the steady rise in the demands of the department in the demand for more box rent, as the records of the office at this place and elsewhere will amply prove.

The postmaster's salary has been increased with no better service to the public, with shorter hours with the office open, and local increase in box rents from the patrons. We feel it is time to have some changes made in this matter of box rents, and then at a later time other matters can reasonably be considered.

I will send a copy of this letter to Congressman Charles A. Linders and the continuance.

Wery respectfully, yours,

F. H. Lindsley.

continuance. Very respectfully, yours,

I realize that the amendment I offer to this bill is subject to a point of order, but it does not seem to me that it would come with good grace from gentlemen having in their towns free service to object, and I hope the point of order will be withdrawn. Certainly justice rather than technicality ought to govern the Members of this body.

Mr. GREEN of Iowa. And I would also add that they have to pay annually about as much as the cost of the box.

Mr. LINDBERGH. That is a fact. They do have to pay annually about that much.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield? The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from Wisconsin?

Mr. LINDBERGH. Certainly.
Mr. STAFFORD. Following the logic of the gentleman's argument, would it not extend to the rent of boxes in all post offices, even though they had city delivery service?

Mr. LINDBERGH. I do not take that to be true where they have city delivery service, for the parties there secure their mail by carrier delivery and do not need boxes.

Mr. ROBERTS of Massachusetts. But they have them.

Mr. STAFFORD. It is not necessary in the little local offices that do not have city delivery. They can get their mail at the general window without the accommodation of the box, but does not the logic of the argument require that all boxes should be free?

Mr. LINDBERGH. No. They do not get their mail there unless they go to the post office, and they are not required to go to the post office at free-delivery offices, for their mail will be

Mr. MANN. Mr. Chairman, will the gentleman yield?
Mr. LINDBERGH. Certainly.
Mr. MANN. Take the small offices where the compensation is \$50 or \$60 a year, would that apply there?
Mr. LINDBERGH. I suppose it would not.

Mr. MANN. The gentleman knows that in those offices there is no occasion for having separate boxes.

Mr. LINDBERGH. That is true in regard to those offices where the mail is not frequently called for, and in those cases the rule which I ask to have provided, possibly, should not apply. I have not inquired sufficiently into this to be sure about what ought to be done in those cases.

The amendment which I offer only provides at this time for making inquiry as to what it would cost the Government to furnish box rent free under the circumstances named. The bill pending, which I before referred to, makes provision for the securing of boxes, and, in my judgment, ought to pass. Mr. SELDOMRIDGE, Mr. Chairman, I move to strike out

the last word.

The CHAIRMAN. The gentleman from Colorado [Mr. Sel-DOMRIDGE] moves to strike out the last word.

Mr. SELDOMRIDGE. I desire to call the attention of the committee to this language, on page 12, regarding the limitation on the rental of buildings for third-class offices:

That there shall not be allowed for the use of any third-class post office for rent a sum in excess of \$500 nor more than \$100 for fuel and light in any one year.

I am informed by the chairman of the Committee on the Post Office and Post Roads that it would be impossible under the rules to present an amendment changing this limitation; but I wish to say that since I have been a Member of Congress I have visited many of these third-class offices, and I have been greatly surprised at the character of accommodations afforded the public. Many of these third-class offices are located in buildings which are exposed to danger from fire and burglary, and, in view of the increased parcel-post business, there is danger of loss to the Government from the insecure and insufficient accommodations afforded. I think that it is unbecoming to the dignity of this great Government that in these small cities and towns the people should be obliged to come into personal contact with a governmental instrumentality in accommodations that are so unworthy and undignified.

If I could prepare an amendment which would be accepted by the House, I would favor the removal of this limitation and would provide that the Postmaster General should have the power and the right to secure in these small cities accommodations for postal facilities which would be worthy and dignified and representative of the growth and development of the country rather than that the Government should be compelled to secure the cheapest accommodations possible.

Mr. MANN. Mr. Chairman, will the gentleman yield for a

question?

Mr. SELDOMRIDGE. Certainly. Mr. MANN. Why does not the gentleman offer an amendment

increasing the limit?

Mr. SELDOMRIDGE. Well, I presented an amendment to the chairman of the committee, and he informed me that it would be ruled out on a point of order.

Mr. MANN. I think the chairman of the committee was prob-

ably mistaken as to that. It might go out on a vote.

Mr. MOON. Mr. Chairman, I do not know what the gentle-

man's amendment is.

The CHAIRMAN. There is an amendment pending, to which the gentleman from Tennessee [Mr. Moon] has reserved a point

I make the point of order, Mr. Chairman. The CHAIRMAN. The point of order is sustained. Does the gentleman from Colorado desire to offer an amendment?

Mr. SELDOMRIDGE. Yes. It is to strike out the semicolon and insert a period after the word "years" in line 1 of page 12, and to strike out the remainder of the paragraph.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Colorado [Mr. Seldomridge].

The Clerk read as follows:

Amend, page 12, by striking out the semicolon after the word "years," line 1, and inserting a period, and striking out the remainder of the in line 1, paragraph.

Mr. COX. Mr. Chairman, is that on page 12? The CHAIRMAN. Yes; on page 12, line 1.

I reserve a point of order on that. Mr. COX.

The CHAIRMAN. The gentleman from Indiana reserves a

Mr. STAFFORD. Mr. Chairman, if no one wants to be recognized on this side in opposition, I want to be recognized.

Mr. MANN. Mr. Chairman, I think we might as well have the

point of order ruled on.

The CHAIRMAN. No one has made a point of order.

Mr. COX. I reserved a point of order.

The CHAIRMAN. The Chair did not know the gentleman made any point of order. Does the gentleman make the point of order?

Mr. COX. Yes; I will make the point of order.

The CHAIRMAN. The Chair overrules the point of order.

Mr. STAFFORD. Mr. Chairman, there may be instances where in third-class offices a larger allowance should be granted for rent, fuel, and light than the amount limited in this proviso, but to strike out at one fell swoop all limitation on the exercise of discretion by the Postmaster General as to the amount that he may allow for rent and fuel and light for third-class offices would be such action as I hardly think will meet with the approval of this House.

Mr. SELDOMRIDGE. Would the gentleman be willing to

increase the limitation?

Mr. STAFFORD. Unless the gentleman has some figures that he can present showing the need of some general modification,

which has not been presented to the committee. I do not think it is good legislation, on the spur of the moment, to increase the In fact, in the administration of this provision the allowance. department has a scale of allowances based upon the amount of salary and the amount of business done at the respective thirdclass post offices. Several years ago we increased the allowance. I can not now recall how much that increase was. We raised the allowance not only for rent of the building but for fuel and light, and this appropriation has continued to mount up higher and higher each year, and we are continually granting increases and increases. There are not many instances, and I think it would be hard for the gentleman to find any instance, where in a third-class post office you can not obtain commodious accommodations for \$500 a year rental.

Mr. HAMLIN. The gentleman from Colorado [Mr. Seldom-RIDGE] does not propose to strike out the proviso that in first, second, and third class post offices a reasonable annual rental shall be paid quarterly for a term of 10 years, and so forth. Now, as the committee has reported the bill, it is left with the Postmaster General to fix the rental on first and second class offices, together with the expense of fuel, and so forth. Why can we not allow him to do the same thing in third-class offices; and where certain conditions prevail where it might be expedient for the accommodation of the patrons and for the good of the service of the Government to pay .. little more than \$500 why not permit him to do so?

Mr. STAFFORD. I fully explained to the committee that there is a different rule applied in the case of the leasing of first and second class offices than in the case of third-class offices. The department enters into an absolute lease for a period usually of 10 years, but not more than 10 years, in the case of the larger post offices-that is, at first and second class officeswhereas in the case of third-class offices the department does not enter into a lease, but grants an allowance to the postmaster, based on the amount of postal business of his office.

Now, I claim that in the administration of that feature of the bill, so far as third-class post offices are concerned, we, as the controllers of the policy of the department, should place some limit, so that the department can not of its own volition run wild in the expenditure of this sum. That has been the policy pursued by the committee for years and years in the administration of it, always limiting the maximum amount. If the maximum amount is not sufficient, then let the gentleman offer an amendment to increase the amount, but do not take away from the control of Congress all power over the administration of this rent allowance.

Mr. HAMLIN. If it is proper to fix the maximum amount of rentals of third-class offices, why does not the same reason

apply to first and second class offices?

Mr. STAFFORD. Because in one instance we pay the money directly over to the third-class postmaster, whereas in the other cases we pay it to an outside person. Postmasters are creatures of politics, and it would be subject to abuse, as was evidenced in the post-office investigation 10 years ago, where it appeared that under the Machen and Beavers régime there were instances of unfair payments of this very appropriation. To cure that condition and prevent its recurrence-I am not making any charge that a recurrence is liable to occur under this administration—it is good business policy to place a limitation on this allowance which is paid directly to the postmasters themselves.

Mr. HAMLIN. Then why not change the method of leasing

these premises

HOWARD. Mr. Chairman, as a rule I scan appropriation bills with a great deal of care as they come into the House for consideration. In my judgment, the Post Office appropriation bill is one bill in which Congress can not afford to be miserly. For the service performed under these appropriations, the poor man and the rich man, the man who writes one letter week, and the great business corporation that sends out 10,000 letters a week, pay for what they get. It is the most democratic appropriation bill that comes into this House. The Government gets most of its money back, and I agree with the gentleman from Colorado [Mr. Seldomridge] that the Government ought not to be too miserly in appropriating money for the post offices throughout the country. They ought to be firstclass looking places. Why, in my State, in towns of 2,500 or 3,000 inhabitants, and in the third-class offices in the States of practically every gentleman within the sound of my voice, these third-class offices, doing a business of \$6,000 to \$10,000 per annum, are a disgrace to the Government of the United States. They ought to be liberal in their rental supply. Why, in cold weather-and down South we have cold weather sometimes, and I want to disabuse the minds of a good many of my colleagues who believe that we raise only negroes and cotton

Mr. MOON. Will the gentleman yield?

Mr. HOWARD. I will yield to the gentleman from Tennessee. Mr. MOON. The gentleman will notice that the bill carries an increased appropriation of \$400,000, which the department

thinks is altogether sufficient.

Mr. HOWARD. I have noticed that, but at the same time I do not see the wisdom of putting the limitation that is in this bill. In answer to my genial friend from Wisconsin [Mr. Stafford], you can regulate any abuses that may creep in by your post-office inspectors. To-day when a postmaster wants to change his quarters, if he wants better quarters, if he wants to move his office, he has to submit his request to the Postmaster General for larger quarters, and that request in turn is submitted to an inspector. The inspector goes to the location, looks if over, sees the necessity, the part of the town in which the post office is situated, and he goes into the situation thoroughly. If he thinks the quarters are adequate he reports against a change or increase in rental for quarters.

As the gentleman from Missouri says, I can not see any difference in the principle applied to first and second class post offices and the third-class office. It is the difference between

Stephen, come down, and Come down, Stephen.

Mr. RUSSELL. Will the gentleman yield? Mr. HOWARD. With pleasure.

Mr. RUSSELL. I would like to ask the gentleman if he knows what is being paid in his district for the rent of a third-class post office to-day? In my district I believe that on an average the annual rental for third-class post offices is not over \$200. So I take it that \$500 is in nearly all cases a suffi-

Mr. HOWARD. In answer to my good friend from Missouri, admit that in a sparsely settled district like that of my friend, where rent is cheap, you can get a pretty fair building for \$200 a year; but in a district like my own, where the people are thickly settled, where the climate and soil induce them to inhabit the country, where rent is higher, you can not get a decent post-office site suitable for my kind of folks for less

than \$500. [Laughter.] Mr. RUSSELL. Mr. Chairman, I would like to say in response to what my friend from Georgia has just said about sparsely settled districts that the disrict I represent has in it by the last census over 296,000 people. I am satisfied it has as many inhabitants as the district that my friend from Georgia represents

Mr. HOWARD. Why, Mr. Chairman, if the gentleman will allow me, I have one town in my district that has as many

people as he has in his whole district—the city of Atlanta.

Mr. RUSSELL. If what the gentleman from Georgia says is true, and all of his constituents live in one city, I do not see that he is particularly interested in this question. The district I represent has 423 post offices; a large number of them are in towns, and their post offices are in the third class. I do not see any particular distinction between a sparsely settled district and a more thickly settled district, where the towns are of the same size. I represent an agricultural district, very fertile and very wealthy, and the towns are rapidly growing. I know that in nearly all of the third-class post offices in my district \$200 to \$300 per annum is paid as rent. I believe that in nearly all cases the \$500 limit fixed in this bill will be all that is required to pay the rent for third-class post offices in the United States, and I do not think it ought to be made larger.

Mr. COX. Mr. Chairman, if I catch the gentleman's amendment correctly, it is on page 12, beginning at the word "and," to strike out all down to and including the word "year." Mr. Chairman, I do not believe this amendment ought to carry. the amendment should carry, you would open the door to the Post Office Department to pay any amount of rent beyond what they are now paying. I think when that limitation was put on the appropriation bill in 1908 it was a very wise, just, and a well-safeguarded amendment, so as to keep the Post Office Department from paying more rent than was necessary

for third-class offices.

Now, I do not like very much to detail conditions in my own town, but if third-class post offices are not properly equipped, in my judgment it is the fault largely of the citizens of that town. For instance, in my town, a little place of 2,500 inhabitants, a year or 18 months ago a couple of gentlemen desired to build a public building. They submitted the plans and specifications, in fact the blue prints, to the Post Office De-partment to see whether or not the Government of the United States would rent a certain portion of the building for a post office. In fact, that building was built under the supervision and direction of the Post Office Department, and the Government is now occupying a portion of the building for which they are paying \$500 rent. The whole building cost about \$14,000 or \$15,000, and would be a credit to any town. It is a splendid

place for a post office. Now, if this amendment should carry, if this provision is stricken from the appropriation bill, the doors are going to oe thrown wide open and the Postmaster General will be permitted to pay any sum that he sees fit, or that the inspector sees fit to recommend, for the rent of thirdclass post offices.

Mr. HAMLIN. Is not that true now as to the first and second class post offices?

Mr. COX. I do not know about that. Mr. HAMLIN. Of course there is no limitation at all.

Mr. COX. Probably that is wrong. If that is so, I will support an amendment, if the gentleman will offer it, limiting the amount that can be paid for rent for first and second class post offices. I am not in favor at all of turning this thing absolutely over to the Postmaster General and permitting him to send out inspectors and let them make contracts for any amount. I am in favor of hedging them about in such a manner as will fix a limitation on the amount that can be expended as rent for third-class post offices.

Mr. HAMLIN. If that is the gentleman's position—he is on

the Post Office Committee-why has there not been a limitation

placed on the first and second class post offices?

Mr. COX. It is the first time that the matter has been called to my attention. If the gentleman will frame such an amendment, I will gladly support it.

Mr. HAMLIN. But I do not want to frame such an amend-

ment. I am willing to risk the judgment of the Postmaster

General.

Mr. COX. I am not. I would rather risk the judgment of the Congress of the United States and fix the amount that an inspector can pay, giving him such latitude as we think in our wisdom he is entitled to.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. COX. Certainly.

Mr. HOWARD. The gentleman from Illinois [Mr. MANN] commented the other day on the terrible increase in post-office robberies. Does the gentleman not think that if the Government of the United States were to make these third-class offices-and they are mostly the ones that are burglarizedmore secure, there would not be such temptation offered to people to burglarize them?

Mr. COX. I do not know about that. An argument has been made here against the poor old sinner, parcel post. Mr. Chairman, of all the unfortunate individuals that has been ever set up as a ghost, it is the parcel post. He is cursed for all of the iniquities of the post office when we come to a question of increase in appropriations, and yet he is held up and commended for the fact that it is out of his service alone that we are getting a surplus to-day. Had it not been for the inauguration of the parcel post, to-day, instead of having the Post Office Department running along practically balancing accounts, we would be wrestling with a tremendous deficit.

[The time of Mr. Cox having expired, by unanimous consent

he was granted one minute more. 1

The argument has been made that because of parcel post this limitation should be taken off, and the Postmaster General and his inspectors given authority to go out and make larger contracts for larger buildings. I do not believe it is necessary at all. Again, I call the attention of this committee to the fact that, if you take this limitation off, in my judgment, you open the doors to a tremendous expenditure of the people's money. We have gone along well for the last five or six years, with a limitation placed upon it, and, if we have gotten along with it that long, I think we can get along with it for five or six years more.

Mr. FINLEY. Mr. Chairman, my recollection of the limitation is that it was placed on third-class post offices in 1904. My colleague says 1908. I will say this, that it was found that many abuses had crept into the service because of the fact that in localities, various towns in the same situation, alike in almost every respect, the contract price agreed upon for the rental of the post office varied greatly. It was charged—I do not say whether correctly or incorrectly—that it was through the favoritism of the Post Office Department; but, at any rate, this limitation was placed upon the rental of third-class post offices for a wise and good reason, for a reason that would not hinder the efficiency of the service in any respect, and it was supposed to give to every third-class post office in the country about what was necessary in the way of rent for these post offices. I would not like to see this limitation taken off, and I think it should not be taken off. The limitation was placed there for a good reason. The reason is being carried out, and if you remove this limitation then there is no telling what may be paid in any locality as rent for a third-class post office.

I submit that the amendment of the gentleman from Colorado

should be voted down.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Colorado.

The question was taken, and the amendment was rejected. The Clerk read as follows:

For miscellaneous items necessary and incidental to post offices of the first and second class, \$350,000, of which sum \$25,000 may be used for the purchase of post-office equipment.

Mr. MOON. Mr. Chairman, I move to amend by striking out the words beginning in line 6, "of which sum \$25,000 may be used for the purchase of post-office equipment." The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 12, line 6, by striking out all of the paragraph after "\$350,000."

Mr. STAFFORD. Mr. Chairman, I desire to interrogate the gentleman. I was going to ask the gentleman to explain why

Mr. MOON. The purchase of supplies has been transferred from the First Assistant's office to the Fourth Assistant's office, and the language here proposed to be stricken out covers both and will come under the miscellaneous items of the Fourth Assistant's office.

Mr. STAFFORD. The gentleman intends to offer the pro-

vision at another section of the bill?

Mr. MOON. Yes; it is intended to put this language back in that section.

Mr. MANN. Mr. Chairman, why did not the gentleman reduce the amount of this appropriation if he strikes out the use of \$25,000 of it?

Mr. MOON. I do not know that it will be necessary to do There is a limitation on the appropriation, and the same limitation will go on the language of the other appropriation.

Mr. MANN. I know; but there is an appropriation of \$350,000, of which \$25,000 may be used for the purchase of postoffice equipment. Now, the gentleman proposes to cut out that \$25,000 and to put it in somewhere else. Why not reduce the appropriation here?

Mr. MOON. I have no objection to it, if the committee desires to do so. Any proposition to reduce expenditures—
Mr. MANN. But is not that the logical thing to do, if that

\$25,000 is to be added somewhere else?

Mr. MOON. I will move to make this appropriation \$325,000

instead of \$350,000.

The CHAIRMAN. The committee will vote on the amendment first offered by the gentleman.

Mr. MOON. I had understood that the committee had voted, and that it had been carried.

The CHAIRMAN. No; it had not.

Mr. MOON. Very well.

The question was taken, and the first amendment was agreed to

The CHAIRMAN. The Clerk will report the second amendment.

The Clerk read as follows:

Amend, line 6, page 12, by striking out "\$350,000" and inserting "\$325,000."

The question was taken, and the amendment was agreed to. The Clerk read as follows:

For pay of letter carriers at offices already established, including substitutes for letter carriers absent without pay, and for the promotion of 75 per cent of the letter carriers in first-class post offices from the fifth to the sixth grade and for the promotion of 75 per cent of the letter carriers in second-class offices from the fourth to the fifth grade, City Delivery Service, \$37,700,000.

Mr. TREADWAY. Mr. Chairman, I desire to offer an amend-

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 12, line 17, after the word "Service," strike out "\$37,700,000" and insert in lieu thereof the following: "\$38,000,000, whereby carriers at second-class offices may become eligible to promotion to the sixth grade."

Mr. MOON. Mr. Chairman, I make the point of order. Mr. MANN.

Mr. Chairman, I reserve the point of order. Mr. Chairman, I will reserve the point of order Mr. MOON.

for five minutes

Mr. Chairman, my object in offering this Mr. TREADWAY. amendment is to call attention to the fact that carriers in the second-class offices can not receive within \$100 as much salary as the men doing exactly the same class of work in the first-class offices do. I have an instance in my district of carriers from a second-class office adjoining those from a first-class office, having exactly the same kind of work to do, the same community to serve, and all the conditions and expense of living the same, and, I submit, there can be no good reason more.

why these men should not be entitled to receive the identical pay that the men in the first-class office receive who do the same class of work, and who serve adjoining territory. I am informed that there are 2,935 carriers in second-class offices. I therefore offer this amendment increasing the amount whereby carriers in second-class offices can be promoted to become carriers of the sixth grade. Also, in this connection, I want to say, Mr. Chairman, I was very much interested the last time this bill was before the House to see the interest taken in the consideration of the bill by my colleague from Massachusetts [Mr. Murray], who probably at no distant date will become postmaster of our great city of Boston. This interest was shown in the way in which he interrogated the members of the committee in reference to the bill and suggestions he offered. I am very glad, indeed, that he is preparing himself for the able service which he will be expected to render, and for which he has ample capacity. The present postmaster of Boston has conducted the office with such marked ability that our colleague on this floor will require a great deal of acumen, and also of judgment, to fill the position with the same ability which the present Republican incumbent has shown. I fully expect to see my colleague make good and retain the present high standard of the office.

Mr. MOSS of West Virginia. Mr. Chairman, I move to strike

out the last word.

I think it can be stated as a general proposition that the compensation of rural carriers is not sufficient, and, in fact, it can be stated in reference to a great many other employees of the Post Office Department that their compensation is not commen-surate with the services rendered. And this leads me, Mr. Chairman, to call attention of the Post Office Committee to the guaranty feature of this bill, contained in section 14, which, I believe, though recommended by the Postmaster General, would be ill-advised legislation, and would impose an additional burden upon postal employees.

In the first place, it would be objectionable because I believe the idea of Government guaranty is objectionable. I have not the time to go into that question, but I wish to point out in the few moments allotted to me the specific objections which I have to that provision. First, I think a mere inspection of the provision will show and will convince any reasonable mind that the cost to the employees of the Government will be greater if a

portion of their salaries is deposited in the fund—
Mr. MOON. Will the gentleman allow me to interrupt him?

Mr. MOSS of West Virginia. Yes, sir.

Mr. MOON. Is the gentleman talking on this subject or something else?

Mr. MOSS of West Virginia. I will ask the gentleman to not raise the point on that question. I am obliged to be in a committee soon, and I think I will be there when the guaranty section comes up.

Mr. MOON. All right; I will let you have a chance. Go ahead.

Mr. MOSS of West Virginia. I am frank to say that I am talking on something other than the immediate section now under consideration by the House.

Mr. Chairman, I think it is apparent that the cost to the employees of the Government will be greater when this deposit is made out of their salaries than it would be by paying a guaranty company a small premium on their bonds. That is the first objection. The second objection is that it would be punishing the innocent for the faults of the guilty. It will be requiring employees who are honest and careful in the discharge of their duties to pay for the misdoings and faults of those who are not.

Mr. Chairman, a very serious objection, and an objection which I desire to call to the attention of the committee, is the fact that in section 14 it provides:

That the Postmaster General is hereby authorized to prescribe regulations for the establishment and maintenance of a guaranty fund, to be derived from assessments levied against and collected from officers and employees of the Postal Service accountable for funds or property, with which to make good losses resulting from the failure of any officer or employee of the Postal Service to properly discharge his official duties, and for the indemnification of the Government and any person or persons sustaining such loss or losses by payments out of such fund.

The point I make there, Mr. Chairman, is that it puts upon those who receive Government funds, those accountable for funds or property, not only the burden of losses caused by those who handle the funds, but also the burden of losses resulting from the failure of any employee of the Postal Service to discharge his duty

The CHAIRMAN. The time of the gentleman has expired. Mr. MOSS of West Virginia. I would like just one minute

Mr. MOON. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection. Mr. MOSS of West Virginia. Mr. Chairman, it will be noted from this language that those who receive funds, or, in the language of this bill, who are accountable for funds or property are constituted a class by themselves, and upon them will fall the burden of making good any loss which may be caused not only by those in their class but by any employee of the Govern-ment. I think, therefore, outside of the objection to the principle of Government guaranty, outside of the increased expense which will be caused by this new method, that this section is objectionable because of the unjust burden it would place on this class of postal employees, and that now that the attention of the committee has been called to it it will agree that this provision of the appropriation bill should be eliminated.

I am opposed to that provision, and inasmuch as I do not believe I can be here when it comes up for consideration I

wished to state my reasons now for such objection.

The CHAIRMAN. Does the gentleman from Tennessee [Mr. Moon] insist on this point of order to the amendment of the gentleman from Massachusetts [Mr. Treadway]?

Mr. MOON. I insist on the point of order.

The CHAIRMAN. The Chair sustains the point of order. Mr. MANN. Mr. Chairman, I move to strike out the last word. May I get the attention of the gentleman from Tennessee [Mr. Moon]? In the current law was carried an appropriation of \$10,000 to pay rewards for inventions, and so forth, or new devices. The transfer from the first to the fourth assistant was carried at this point, but is that carried anywhere else?

Mr. MOON. I think it will be found in that section. If it

is not, we can put it on.

Mr. MANN. Then it was not the intention to drop it entirely?

Mr. MOON. No. Mr. MANN. Very well; it can be taken care of. I do not think it is carried-

Mr. FINLEY. If the gentleman will look on page 3, under the pay of the Postmaster General, I think he will find it.

Mr. MANN. Just a moment. Oh, no; that is not what I referred to. That is for the payment of awards for arrests, and What I have reference to is the item in the current law providing that the Postmaster General is hereby authorized to pay periodically a cash reward for the invention, suggestion, or series of suggestions for an improvement or economy in device, design, or process applicable to the Postal Service submitted by one or more employees of the Post Office Department, and so forth, where an appropriation of \$10,000 is made to cover it. I did not suppose it was the thought of the committee to drop the idea.

Mr. MOON. I will say to the gentleman that it does not appear in this part of the bill. I do not recall it.

Mr. MANN. Very likely it belongs under the First Assistant Postmaster General. I do not know about that. Under the change that is made, I think it is not carried anywhere in the

Mr. MOON. We will take that matter up when we get to it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For horse-hire allowance, the hiring of drivers, and the rental of vehicles, \$2,000,000.

Mr. BATHRICK. Mr. Chairman, I offer the following amend-

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio [Mr. BATHRICK].

The Clerk read as follows:

In line 25, page 12, erase the figures "\$2,000,000" and insert the words and figures "\$6,280,500: Provided, That of this sum \$100 shall be allowed annually to each rural carrier for equipment."

Mr. MOON. Mr. Chairman, I make a point of order on that. Mr. BATHRICK. I hope the gentleman will reserve it for a moment

Mr. MOON. I will reserve it—for how long?
Mr. BATHRICK. Two minutes.
Mr. MOON. All right; for two minutes.
The CHAIRMAN. The gentleman from Tennessee reserves a

point of order.

Mr. BATHRICK. Mr. Chairman, in the city the letter carrier is allowed from \$240 to \$400, in many instances, for equipment or for horse hire. His vehicles and equipment are used upon the pavement of the cities. The equipment of the rural carrier suffers the wear out of country roads. The rural letter carrier has his salary increased in this bill by the sum of

I have in my possession some statistics of the costs to rural letter carriers for the care of their equipment. The average

cost of wear and tear is \$445.44 per year on about 38 cases which were submitted to me in detail, leaving the average net

salary of the rural carrier \$538.72 per year.

If my amendment prevails, it will allow \$100 per year for equipment to each rural letter carrier in this country, which is \$140 to \$300 less than that which is frequently allowed to the city letter carrier. I think the amendment, in all justice to the rural letter carrier, considering the added expense and wear and tear because of the parcel post, which has added an increased income to this department, should be added to this

The CHAIRMAN. The Chair sustains the point of order.

The Clerk will read.

The Clerk read as follows:

For street car collection service, \$10,000.

Mr. ROBERTS of Massachusetts. Mr. Chairman, I offer an amendment

The CHAIRMAN. The gentleman from Massachusetts [Mr. ROBERTS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 13, line 2, after "\$10,000," strike out the period and insert a comma and the words "Provided, That hereafter provision shall be made with all street car companies transporting mail for free transportation of all letter carriers when in uniform.

Mr. MOON. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN.

The gentleman from Tennessee [Mr. Moon] reserves a point of order.

Mr. ROBERTS of Massachusetts. Mr. Chairman, this mat-

ter was called to my attention too late to bring it before the Committee on the Post Office and Post Roads while they were framing their bill. It was brought to my attention by the president of Branch No. 34 of the National Letter Carriers' Association.

I am advised that a number of the street car companies have propositions now pending with the Post Office Department for an increase of compensation for the carrying of mails and transporting of letter carriers. There is no uniformity of practice or custom in the various cities of the country with regard to the transportation of letter carriers in uniform. In some communities I understand the local transportation companies are very glad to extend, as a courtesy, the right of riding free to the carriers when in uniform. In other cities that courtesy not extended. Under certain conditions the Post Office Department furnishes to some of the carriers a certain number of street car tickets a day. In one city, at least—the city of Washington—the letter carriers are transported to and from the post office in automobiles,

The purpose and intent of the amendment I have offered is to have the Post Office Department make provision, when it is making its contracts for the transportation of mails with the street car companies-and if this amendment prevails I shall offer one to apply to contracts with the steam roadswhereby the street car companies and the steam roads will, as a matter of contract with the Government, transport the car-

riers free of charge when they are in uniform.

Mr. MADDEN. Will the gentleman yield for a question?
Mr. ROBERTS of Massachusetts. I certainly will.
Mr. MADDEN. This provision only contemplates the expenditure of \$10,000 in the whole United States for street car collection service, and we have over 3,000 letter carriers in Chicago alone. They all ride on the street cars free; but the question of giving them the right to ride on the street cars is a matter between the municipality and the street car company. The Government of the United States has no right to contract that.

Mr. ROBERTS of Massachusetts. I do not agree with the gentleman there. I think the Government can contract.
Mr. MADDEN. But we only expend \$10,000 altogether in

the United States for this purpose.

Mr. ROBERTS of Massachuset's. I realize that, and my impression is that there will not be very much increase in the amount of the contract for the transportation of the carriers

Mr. MADDEN. We are spending \$525,000 for street car fare Does the gentleman think the street car companies would contract for \$10,000 worth of work for the Government to do \$525,000 worth of transportation of carriers free?

Mr. ROBERTS of Massachusetts. Oh, no; not at all. amendment prevails, I shall offer it at still another place in the bill. , As I looked over the bill hurriedly, it seemed to me that this was the first place where it could be properly offered.

I have the impression, and I am advised by my correspondent, who is the president of a letter carriers' association, that if the Government will take up this matter by contract with the transportation lines, not only will they not increase the total amount paid for the transportation of carriers, but they will effect a

saving, and that the Government can have all of the carriers transported for less money than is now being paid under the carfare provision.

The CHAIRMAN. Does the gentleman from Tennessee make

the point of order?

Mr. MOON. I insist on the point of order.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For experimental village-delivery service in towns and villages having post offices of the second or third class that are not by law now entitled to Free Delivery Service, \$200,000.

I reserve a point of order. Mr. MANN.

Mr. FITZGERALD. I reserve a point of order on the paragraph.

Mr. McKenzie. Mr. Chairman, I offer an amendment.
The CHAIRMAN. Two gentlemen reserve a point of order, and the gentleman from Illinois [Mr. McKenzie] offers an The Chair thinks the point of order on the paraamendment. graph should be disposed of before any amendment is offered. The Chair will hear the gentleman from Illinois or the gentleman from New York on the point of order.

Mr. FITZGERALD. It shows on its face that it is subject to a point of order, because it is for a service not now authorized by law. There is no question about it being subject to the

point of order.

Mr. MOON. The Chair knows that there is now such a

Mr. FITZGERALD. But it is not now authorized by law. Mr. MOON. This paragraph is in the language of the current law and is now being executed. It is in the identical

language of the law.

Mr. FITZGERALD. I understand that, but the gentleman himself knows that it is not in order, because it is included in the proposed rule which he has introduced to make it in order in case anybody should interpose a point of order.

Mr. MOON. That was put there for the purpose of avoiding

any trouble.

Mr. FITZGERALD. There is no question that it is not in order, but I want to make some inquiries about the provision.

The Postmaster General and the First Assistant Postmaster General, in their annual reports, point out that this service is neither profitable nor satisfactory and recommend that it be discontinued and make no estimate for the ensuing fiscal year. For the current year \$150,000 is appropriated. Despite the recommendations of the Postmaster General and the First Assistant the committee recommends an appropriation of \$200,000. Now, will the gentleman explain why the committee

takes this attitude.

Mr. FINLEY. The committee placed this appropriation in the last appropriation bill. The provision has been found satisfactory in its operation in the judgment of the members of the Post Office Committee, or at least a majority of them. There is some proposition in the minds of the officials of the Post Office Department to change the performance of this service from one branch of postal employees to another branch. I believe that the proposition is to have this service largely performed by rural carriers. I want to say that in the judgment of the Post Office Committee that procedure is impracticable and will be found absolutely unsatisfactory as well as impracticable. This is current law, and the committee, believing that the service is warranted by conditions and that it makes for the efficiency of the service, have included it here. I may for the emerge of the service, have included it here. I may say that this has been the practice for a long time. I believe I have seen it ruled both ways, but I do not think there is a great deal in the point of order. That is an explanation of the reasons actuating the Post Office Committee. We believe this is for the good of the service. It is in the current law te continue a work now in progress.

Mr. FITZGERALD. The mere fact that the Post Office De-

pertment is doing a particular service

Mr. STEENERSON. On the point of order I desire to call the attention of the gentleman from New York [Mr. Frrz-GERALD] and the chairman to the section of the existing law, which reads:

That after June 30, 1912, experimental mail delivery may be established, under such regulations as the Postmaster General may prescribe, in towns and villages having post offices of the second or third class that are not by law now entitled to free-delivery service, and the sum of \$100,000 is hereby appropriated to enable postmasters to employ the necessary assistance to deliver the mail in such villages, and the amount to be expended at any office shall not exceed \$1,800 a year.

It says expressly that after June 30, 1912, the Postmaster General, in towns and villages having post offices of the second and third class that are not by law now entitled to free-delivery

service, may make such regulations, and the provisions in this bill increases the appropriation from \$100,000 to \$200,000. Now, in the current law it is said "that after June 30, 1912," and that makes it permanent law.

Clearly, Mr. Chairman, the point of order made by the gentleman from New York [Mr. FITZGERALD] is not well taken.

Mr. FITZGERALD. Mr. Chairman, the Postmaster General in his annual report calls attention to the fact that under the appropriation for the current year an experiment has been conducted-

ducted—
in the free delivery of mail from post offices of the second and third classes located in communities that are not now entitled by law to City Delivery Service. At the close of the fiscal year the service had been established at 18 post offices of the second and 83 of the third class. A total of 126 carriers were employed for the purpose and the average annual compensation of each was \$625.

The results attained during the year are believed not to warrant the continuance or extension of village delivery. There is no such need or demand for free delivery of mail in small towns and villages as there is in cities and rural districts, and its establishment does not occasion any appreciable increase in the use of the mails. An economical administration of such a service would require the limiting of delivery in nearly every instance to one a day and the employment of carriers at salaries lower than those paid to city and rural carriers. Such service is regarded as inferior by the patrons, who in such communities live near the post office and are in the habit of calling two or three times a day for their mail. The low salaries of the carriers, moreover, would not conduce to efficient service.

The First Assistant Postmaster General points out that the

The First Assistant Postmaster General points out that the extension of the Rural and City Delivery Service fosters, as a rule, the greater use of the mail and an increase of postal recelpts. This, however, has not resulted from the establishment of the village experimental delivery, as the report shows an increase of revenue at these offices of only 2.65 per cent, which is no more than the ordinary annual increase in business. On the other hand, the present average cost of operating the experi-mental delivery service constitutes 11.86 per cent of the revenue of the office.

Mr. PAYNE. Will the ge Mr. FITZGERALD. Yes. Will the gentleman yield?

Mr. PAYNE. I suppose the gentleman is aware of the fact that the postage of local letters in these experimental places is still 1 cent and not 2 cents, as is the delivery in the city. So there would be no increase of the revenue of the postage by the stamps on local letters. I know that is a fact one place, because I saw the report of the postmaster.

Mr. HOWARD. That is true of one experimental place in my

district

Mr. FITZGERALD. Mr. Chairman, I could not catch quite what the gentleman from Minnesota said, and I am trying to find the law that he referred to.

The CHAIRMAN. The Chair has that law. It is as follows:

That after June 30, 1912, experimental mail delivery may be established, under such regulations as the Postmaster General may prescribe, in towns and villages having post offices of the second or third class that are not by law now entitled to free-delivery service, and the sum of \$100,000 is hereby appropriated to enable postmasters to employ the necessary assistance to deliver the mail in such villages, and the amount to be expended at any office shall not exceed \$1,800 a year.

The Chair will ask the gentleman whether that does not make this permanent law?

Mr. FITZGERALD. I think it does.

Mr. MANN. Mr. Chairman, no doubt an amendment could be framed which would comply with the law. They have simply copied this provision into the present bill. The Chair will note that this paragraph provides for such post offices of the second and third class as are not by law now entitled to free-delivery service. It is not sufficient to sustain that to say that Congress three years ago experimentally authorized experimental service in towns and villages not entitled then to free-delivery service.

The CHAIRMAN. The Chair thinks the words "are not now entitled by law" superfluous, and unless they are stricken out the Chair would have to sustain the point of order.

Mr. MANN. I would be glad to see an amendment properly presented.

The CHAIRMAN. The Chair would have to sustain the point of order, because the experimental delivery is now allowed by

Mr. HOWARD. Mr. Chairman, that act was passed in 1912, and it says "on and after June 30, 1912," a specified date. At that time these offices were not allowed by law.

The CHAIRMAN. The point is that under that very act the

experimental delivery service in towns and villages having post offices of the second and third class was allowed by law.

Mr. MOON. Mr. Chairman, I move to strike out the words

that are not by law entitled to."

The CHAIRMAN. The gentleman from Tennessee, as the Chair understands, moves to strike out the words "are not now by law entitled to free-delivery service."

Mr. MOON. I move to strike out the words in lines 14 and 15 "that are not by law now entitled to free-delivery service." The CHAIRMAN. The gentleman from Tennessee, as the Chair understands it, moved to insert a new paragraph, as follows:

For experimental village delivery service in towns and villages having post offices of the second or third class, \$200,000.

Mr. MOON. Yes.

The CHAIRMAN. The question is on the amendment.
Mr. FITZGERALD. Mr. Chairman, I desire to be heard
upon the amendment. I have already called attention to what
has been said by the Postmaster General and the First Assistant Postmaster General regarding this service, that it had not only not been profitable but it had been practically of no benefit whatever to the patrons of the offices in which it had been established. It has been tried for about two years. In the first year \$100,000 was expended, and for the current year \$150,000 was authorized and is being expended. Yet in the face of the recommendations of the First Assistant Postmaster General, who pointed out the results of the experiment, this bill carries an appropriation of \$200,000, which is not requested—\$50,000 increase over the amount provided for in the current law. Everyone interested in the Postal Service desires that the facilities of the Post Office Department shall be extended so as to afford the greatest accommodations possible to the people of the country within reasonable limits. It is not expected that all classes of the service shall be pecuniarily profitable. Some portions are and some are not profitable and will be conducted at a loss, but when in a case like this it is pointed out, and it is well known to men who live in the smaller communities, that there is no real demand among the people who live there for this service, that they will not wait for mail to be delivered once a day, but naturally visit the post office two or three times a day, it seems to me indefensible to appropriate \$200,000 in order to afford service of this character.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. SLOAN. I would like to ask the gentleman if the Post-master General or the First Assistant has named any community which has been granted this service, or if he knows any community that has been granted the service where the patrons of such service are not satisfied or where the patrons

have made any complaint?

Mr. FITZGERALD. Mr. Chairman, neither the Postmaster General nor the First Assistant has indicated any particular community by name, but Representatives in this House who live in such communities have informed me that they know that this service is of no special benefit, and it is the activities of some Members of the House attempting to build up back fire upon men who think it may be of some benefit to them, that perhaps is influencing the actions of some in not antagonizing this provision.

Mr. BARTLETT. Mr. Chairman, I desire to say this: That one of the experimental free-delivery services was established in a town in my district. It was established at the overwhelming petition of the patrons of the office, and it went into effect on the 1st of July, 1913, according to my recollection. The suggestion had been made that it be discontinued, and from the patrons of that office I have had letters asking me, if I could prevent it, to prevent the discontinuance of it; that it had been

of incalculable benefit to the patrons of that office.

Mr. GRIEST. Mr. Chairman, do I understand the gentleman from New York to state that Members of this House have informed him that this service was not satisfactory in their dis-

Mr. FITZGERALD. I did not make any such statement. Mr. GRIEST. I am very glad to know that the gentleman

did not make that statement.

Mr. FITZGERALD. I am stating what both the Postmaster General and his First Assistant stated—that it was of no peculiar benefit. They can make deliveries only once a day, and patrons at these offices want their mail and call for it two and three times a day. This is not a special development of the Postal Service, and is not desired. I have been informed that it has been suggested that perhaps this service, to some extent, might be worked out in connection with the present Rural Free Delivery Service, but I understand the gentleman from South Carolina [Mr. Finley] to have said that that was not feasible. The CHAIRMAN. The time of the gentleman from New York

has expired.

Mr. MOON. Mr. Chairman, the Postal Service of the United States, so far as the delivery of mail to the people is concerned, is yet quite incomplete. We are delivering mail in the city in which the gentleman lives six and seven and eight times a day. I the people are pleased with it and are anxious to have it con-

Mr. FITZGERALD. Oh, the gentleman is mistaken.

Mr. MOON. We used to do it. I do not know how often they have been cut down. Where does the gentleman live-in Brooklyn or New York

Mr. FITZGERALD. Oh, I live in both places.

Mr. MOON. In New York and in the larger cities they get very frequent delivery of the mail. They are getting mail de-livered two and three times a day in the other cities of the country. The people of the rural districts are having \$50.000,000 early expended upon them for the free delivery of their mail.

Now, in the small villages and the towns of the United States many of them having a population that is scattered over a large area, there are from 15,000,000 to 20,000,000 of people who are not getting the benefits of the mail service that the people in the remote parts of the country are getting and that the great cities are getting. This is intended to cover a system of experiments by which we may ultimately extend the mail to all the people of the United States who can possibly get it under the most prosperous conditions. It is going to cost money, it is bound to cost a good deal of money. You can not make this extension without it costing money, but here for the purpose of further trying out this matter we have increased the appropriation only \$50,000. Now the Postmaster General insists that he can inaugurate a system, possibly in connection with the rural-route carriers, by which these people may get the same benefits that the city people and the country people get, but if we strike out of this bill the experimental service there is nothing for him to further operate upon. He would have no law upon which to act. He would have no discretion in the performance of this duty. It is entirely essential that this law remains when the figures fixed here only increase the amount \$50,000 in order that we may retain intact now the service and increase it and give the Postmaster General an opportunity to work out the plan for the final extension of the service to all the people. There is not a place I know of-of course, I do not know of all of them to which it has been extended, but I have heard of many-that the

people did not protest very strongly against taking away this privilege, so I hope the House will support this section.

Mr. LINDBERGH. Mr. Chairman, I quite agree with the remarks made by the gentleman from New York [Mr. Fitzersald], that the people in small villages can only get one service and approximately against taking away this privilege. ice a day under a free-delivery system unless a very great sum

of money is expended annually.

Mr. FARR. Will the gentleman yield? Mr. FARR.

Mr. LINDBERGH. In a moment. I have letters from many persons in various villages within my district, in which they say they would be much better served if they could get free box rent at their offices. They feel they are entitled to it, and it would not cost the Government as much as this proposed service. Now, as a matter of fact, if they have free boxes they go to the post office two or three times a day. They are all of them living in proximity to the post office, and they will get much better service if they have their boxes free than to depend on free delivery in the small villages. They feel they have a right to have free box rent, inasmuch as everybody get their mail free, many of them two or three times a day, and in business sections four or five, in the cities. That is the position taken by the people in the various villages in the district which I represent, so far as I have heard from them. They state that they want free boxes, inasmuch as other people in the farming districts and cities are delivered mail free, and that is all they ask for. They do not ask for free delivery, because they can only have, as the gentleman from New York stated, delivery once a day, except in the larger villages, where they might have two deliveries, and therefore they would rather have box rent free and get their mail when they please. Now I will yield to the gentleman.

Mr. FARR. A number of these places in my district and within the State have two deliveries a day. I have one in my

county with two deliveries a day.

Mr. LINDBERGH. I do not know how that is, but they figure they would only get one delivery a day in the small villages. I am not opposed to free delivery in the villages; but in the smaller of them, and in all cases where mail can not be delivered more than once a day, I know it would cost the Government much less and I think be more satisfactory to the

people to have box rent free,
Mr. McLAUGHLIN. Mr. Chairman, the gentleman from
Minnesota [Mr. Lindbergh] is mistaken in regard to the character of service given in these smaller places. There are in most of them, I understand, two deliveries a day. I am familiar with some of them. The service has been established and is in operation in one of the small cities in my district;

tinued. When I learned that the matter was to be brought up in the House when the appropriation bill was to be considered I wrote a large number of citizens, business men and others, in this little city where the service is in operation. I think I heard from every one, and every reply was favorablevery much so. I am sure that our people are being well served and at not very much expense. The postmaster writes me that he is able to carry on the work of his office with less help, with fewer clerks, at less expense than before the service was established. And I will say, also, in my opinion the suggestion of the Postmaster General of supplying this service by the rural carriers could not be carried out. I trust the amendment of the gentleman from Tennessee will be adopted.

Mr. FINLEY, Mr. HUGHES of West Virginia, and Mr.

STEENERSON rose.

The Chair will recognize the gentleman The CHAIRMAN.

from South Carolina [Mr. FINLEY].

Mr. FINLEY. The gentleman from New York [Mr. Firz-GERALD] states that the Postmaster General has another plan or scheme by which he proposes to work this out. I know of no law, as the gentleman from Tennessee, the chairman of the committee, has stated, except as contained in the last appropriation bill, and unless it is worked out under that I do not know exactly how the matter will be reached. However that is, I stated a moment ago that the scheme was absolutely impracticable to have the rural carriers perform this service.

Now, at what time do they start out? As soon as the princi-

pal morning mail arrives the rural carrier, within 20 or 30 minutes thereafter, usually gets his mail and starts on his day's journey. Now, if you will take the figures compiled by the Joint Committee on Federal Aid in the Construction of Post Roads, page 8, you will find that the average time required by a rural carrier to make his round is 6 hours and 41 minutes. Now, that would leave only 1 hour and 19 minutes. Does anyone think that, on the average, a rural carrier could do this work in that time? In some places there are no rural carriers. At some of these third-class offices and at some of the second-class offices there are no rural carriers. So when you take many of the States you will find the time required by a rural carrier to go his rounds is, as in Alabama, 7 hours and 14 minutes; in Arkansas, 7 hours and 2 minutes; in Mississippi, 7 hours and 26 minutes; in South Carolina, 6 hours and 23 minutes; and in West Virginia, 7 hours and 44 minutes. But the average, as I have stated, is 6 hours and 41 minutes. So if the rural carrier takes up, substantially speaking, all of eight hours a day, no one would expect him to work longer than this in going his round.

But is the service satisfactory? In the town of Winnsboro, S. C., in Fairfield County, in the fifth congressional district, which I have the honor to represent, I made inquiries concerning the matter. I believe they have two deliveries a day. That town is 2 miles in diameter, namely, 1 mile from the center to the extreme edge of the town. I inquired of a gentleman whom I was satisfied knew whereof he spoke, and he stated that it was of great benefit and advantage to those living away from the immediate vicinity of the post office, and that otherwise mail would not go to the residences until from 1 to 2 o'clock in the day, when the business men went home to dinner. My information, gleaned from others besides this gentleman, is that it is a satisfactory service, that it is an efficient one, and, taken in connection with the benefits and the service given to other sections of the United States, it is a necessary service.

The CHAIRMAN. The time of the gentleman from South Carolina [Mr. Finley] has expired.

Mr. TOWNER, Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. TOWNER. I think there is a misapprehension in regard to the matter before the House. As I understand, the matter now pending is the motion of the chairman of the committee to strike out from the paragraph the words "that are not by law now entitled to free-delivery service."

The CHAIRMAN. The question before the committee is the amendment offered by the gentleman from Tennessee [Mr. Moon] to insert a new paragraph, the former paragraph having

been stricken out on a point of order.

Mr. TOWNER. Very well. There is some misapprehension on the part of some gentleman in regard to the matter. They think that this is a matter relating to the merits of the case as suggested by the motion of the gentleman from New York.

The CHAIRMAN. The question is on the amendment of the gentleman from Tennessee [Mr. Moon]. The gentleman from Minnesota [Mr. Steenerson] is recognized.

Mr. STEENERSON. Mr. Chairman, this provision of law vas recommended by the Postmaster General in 1912, and I introduced the bill that provided for that recommendation to be

carried into effect. It was put into the appropriation bill for 1913, and under that authority this service was inaugurated as an experiment, and the experiment has been very successful. I will put in the RECORD the bill I introduced in 1912, which was afterwards made a part of the appropriation bill for that year. My friend from Pennsylvania [Mr. Griest] has compiled the figures, and they show that 114 post offices in 40 States, with 126 carriers, have been served in this way during the last

These towns range in population from 1,000 to 7,000, and have gross receipts ranging from \$2.500 to \$9,000, it being necessary to have receipts up to \$10,000, or 10.000 population,

before free delivery can be had under the general law.

Now, this experiment has not been a failure. The Post Office Department officials who have appeared before the Committee the Post Office and Post Roads stated that they did not estimate for the appropriation, because they wanted to try to extend the Rural Delivery Service in such a way as to serve this class of villages, but on further discussion they admitted that it was not practicable to do so, and I think they have labored under a misapprehension. I believe that to-day, since further information has come in, the Post Office Department officials would concede that this experiment has been a success. As stated by the chairman of the Committee on the Post Office and Post Roads, the experiment can not be continued unless we make the appropriation.

With these general words of authority contained in this provision, they can make the experiment in such a way as they deem just. They can change or modify the existing plan, or combine it with the Rural Delivery Service if they want to. We would thus authorize the department to carry on this experiment as they may deem wise. I submit that the committee ought to allow this appropriation of \$200.000, because it affects the population that is now without Free Delivery Service,

namely, the people in the villages. They are a very important part of the population of the country.

The cities of 10,000 population, or \$10,000 postal receipts, have free delivery, the farmers have the rural delivery, and these small towns and villages without free delivery combine a population estimated at 20,000,000. These people contribute to postal receipts fully as much as any other equal number, and they are in justice entitled to consideration. It is simple justice, and I sincerely hope the amendment will be adopted.

The bill above referred to and letter from the postmaster at

Ada, Minn., follow:

A bill (H. R. 19947) to provide for the introduction of village mail delivery.

Be it enacted, etc., That after June 30, 1912, experimental mail delivery may be established, under such regulations as the Postmaster General may prescribe, in towns and villages having a population of 1,000 or more, and the sum of \$100,000 is hereby appropriated to enable postmasters to employ the necessary assistance to deliver the mail in such villages, and the amount to be expended at any office shall not exceed \$1,800 a year.

UNITED STATES POST OFFICE,
POSTAL SAVINGS BANK,
Ada, Minn., July 9, 1913.

Hon. Halvor Steenerson, Crookston, Minn.

Dear Mr. Steenerson: Experimental city delivery of mail was established in Ada December 15, 1912, and on March 16, 1913, Inspector Lucy, of Fargo, N. Dak, visited us and reported conditions after a three-months' trial of the service. The people of Ada have enjoyed the service for over seven months: we are still without the collection boxes. Our citizens are pleased with the service and would never consent to having it taken away from them. The commercial club has gone to the expense of placing street signs on all corners, and all the houses in the city have been numbered. I am receiving inquiries every day as to when the collection boxes are to be installed and the service completed.

If you are conversant with conditions in this line of the mail service, wish you would let me know why our collections are so long delayed.

Thanking you for the information and your kindness in this respect

in the past, Respectfully,

C. E. WARD, Postmaster.

Mr. FOWLER. Mr. Chairman, the law authorizing free delivery in second or third class post offices provides that such free delivery may be had where the annual income of the post office is \$10,000 or the population of the city or village wherein such post office is located is 10,000.

Now, Mr. Chairman, there is a "twilight zone" about the \$10,000-income office which is as much entitled to free delivery as the post office which is entitled to free delivery under the law. The city or village post office which has an annual income of \$9,000 in many instances embodies all of the features which confer free delivery, except it is short on its income by \$1.000; or the city that has a population of 9,000 people has in many instances all of the necessary requirements for free delivery

that the 10,000-population city has, except it is short by 1,000

This provision was intended to give relief to that character of cities and villages wherein post offices of the second and third classes are established which are not up to the standard

of \$10,000 income or 10,000 inhabitants.

Mr. Chairman, I have seen in my district people at the post offices not entitled to free delivery standing in line for an hour at a time in order to be served with the mail. That is a waste of time on the part of the citizen, and the object of this provision is to give relief in such cases. In my opinion, Mr. Chairman, this provision of the bill is one of the most useful

and necessary provisions in this bill.

There is no reason why free delivery should not be extended to the people in small towns and villages the same as is now had in large towns and cities, and to the people in the country. The effort on the part of the distinguished gentleman from New York [Mr. FITZGERALD] to prevent the desired extension of this service as provided by this amendment is unfair. He has his mail brought to his door and delivered to him at the expense of the United States. Although he is a Member of this House, he is no better than the man who lives in a small town which does not have such free delivery. [Applause.]
The CHAIRMAN. The time of the gentleman from Illinois

has expired.

Mr. Chairman, I want to say a few words on the Mr. COX. subject under inquiry. Having opposed this provision in the committee and reserved the right to express my views, I do not

thing I violate any confidence in making my statement.

I am not in favor of it. I do not believe and can not believe that there is a widespread demand for this legislation. I believe as a rule that under similar conditions men operate along similar lines. I think we will all agree upon this proposition, that in the case of a business man in a little town of 1,500 or 2,000 or 3,000 people the first thing he does in the morning after he eats his breakfast is to go direct to the post office and get his mail, and from there direct to his place of business

The business man in the large city, of course, goes straight to his office, where he finds his mail awaiting him. What will be the result if this becomes a law? In my judgment, the carriers in these smaller towns will not be in a position to start out delivering the mail from second and third class post offices until 9 o'clock in the morning, and by that time the business man, who is the real support and maintenance of the post office at that place, has gone to the post office, got his mail, gone to his office, and answered his letters. So I do not believe there is any demand for this kind of legislation at all.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

Mr. COX. For a question only. Mr. HUMPHREYS of Mississippi. Have the business men in these little towns preferred any requests to the Post Office Committee touching this matter?

Mr. COX. None that I know of.
Mr. HUMPHREYS of Mississippi. Have not a number of requests been filed with the committee?

Mr. COX. Not that I know of.
Mr. MOON. A great many demands for this service have

Mr. HOWARD. The gentleman has said that the business man goes to the post office on the way to his office. I want to ask the gentleman if he thinks that the business man's wife and children and the other members of his family at home are not

also entitled to receive their mail promptly?

Mr. COX. The question put to me by the gentleman from Georgia is a very proper question. In these little towns the children as a rule go to the post office and get the mail. They go there before they go to school. They step there at the noon hour when school adjourns and get the mail again, and they go there when school closes in the evening and take the mail home. I know what I am talking about, because I live in one of these little towns. I refuse to yield any further.

The question was asked a moment ago as to what this was going to cost. The Second Assistant Postmaster General said it is conservatively estimated that the operation of a satisfactory mail delivery from all second and third class offices will cost the Government ultimately \$10,000,000 a year. This is the

foundation for that appropriation.

Mr. WINGO. Will the gentleman yield for a question?

Mr. COX. I should like to, but I can not. I think the mistake was made in ever yielding to the request or demand of the Postmaster General that this service be inaugurated; but this is another proof that when once you begin an appropriation it continues to grow and grow and grow.

I would be entirely in favor of this if I believed that it was

really demanded by the class of people whom it would serve, city of Brooklyn, in which lives my friend from New York

or that it would really add to the efficiency of the administration of the postal laws; but I am unable to see where it will

add to the efficiency in any way whatever.

Mr. SAMUEL W. SMITH. I desire to detain the committee only a moment. I wish to say that the people of my district do not enjoy this service, but they want it, and I hope it will be

extended to them. [Applause.]
Mr. RUBEY. Mr. Chairman, I want to say just a word in behalf of experimental mail delivery. About a year ago it was inaugurated in the town in which I live, and I desire to say that the service there has been entirely satisfactory and the people want it continued.

A few days ago I received a letter from the mayor of my town asking me whether any effort would be made to do away with this service. He seemed to have gotten the idea from some source, I do not know where, that there would be an effort made to discontinue it. He told me that if necessary he could furnish a petition signed by practically every patron of the office

in my town asking that this service be continued.

I am surprised that the opposition to this proposition should have started to-day from a Representative who comes from a great city, where they have every mail facility on earth that can possibly be asked, where their mail comes to them four or five times a day. Yet when we are getting these postal facilities started for the benefit of the people in the smaller towns and cities of two or three thousand people objection is made to it.

I wish to refer to the matter suggested by the gentleman from Georgia [Mr. Howard] a moment ago. While you are talking about the business men who go down to their offices in the morning and get their mail, what about the women and children at home? They get their mail by this delivery, and when the business man goes down town in the morning and opens his business mail he does not have to send his wife's letters home to her or she does not have to wait until noontime to get her mail. She gets it in the morning and in the afternoon. The service in my city has been eminently satisfactory, and I sincerely hope the amendment offered by the chairman of the committee will be agreed to.

Mr. FARR. Mr. Chairman, one town-Peckville, Pa.-in my district is enjoying the benefits of this service. There are several other towns in that district that are very anxious to get it. The work is being effectively done. I will read a letter from the postmistress of that town, who mentions some advantages

that I have not heard advanced on the floor.

that I have not heard advanced on the floor.

My Dear Sir: I am, indeed, very glad to be allowed to tell you of the success of the free delivery of mall under the experimental or village-delivery law at this office. We can not be termed a small village, as we serve a population of 7,000 and cover an area of 3 miles in length and 2½ in breadth, and since the establishment of free delivery here, August 15, 1913, we have reached every part of this territory twice daily. By comparison, we handle more mall and give better service than the average city carrier, at very much less expense to the department. Many of our patrons are 2 miles from the office, and the delivery to them has been the greatest boon. The loss of it would be a calamity you can not realize. They could not be served from a rural free-delivery route, as there is not one in this section.

The gross proceeds of this office for the three quarters of the present fiscal year show a gain over that of last year of \$224.05. Considering that the revenue from box rent is lessened by carriers, and that parcelpost rates are so much cheaper, this increase is definite and decided.

I trust that the House will continue to provide for this service

I trust that the House will continue to provide for this service

in this appropriation bill.

Mr. HARRISON. Mr. Chairman, I am heartily in favor of the amendment offered by the gentleman from Tennessee [Mr. Moon]. I do not believe it is a fair construction of the language of the First Assistant Postmaster General to say that he was against this provision when before the committee, because, in reading his statement before the committee, the only fair construction that can be placed upon it is that he expects to work out a plan whereby the rural carriers can do this service. I ask you, in those cases where there are no rural carriers going out of the small villages, how would you expect to get the service to the people in those villages?

Mr. TOWNER. Will the gentleman yield? Mr. HARRISON. For a question.

Mr. TOWNER. Is it not true that the report of the Assistant Postmaster General, or his recommendation, is based upon some reports made by some post-office inspectors, and that he had not heard from the postmasters or from the people of these villages?

Mr. HARRISON. I think that is true. I want to say, further, that I do not believe that this Democratic administration has had sufficient time to give this experiment a fair trial. I believe that the appropriation should be carried so that the experiment may continue. I can not understand why people who live in small towns and villages should not be permitted to have the mail delivered to them the same as it is in the great

[Mr. Fitzgerald]. I notice in this bill that there is an appropriation carried for the pay of letter carriers in cities of \$37,700,000. That is for the benefit of the constituents of my friend from New York and those gentlemen who come from the large cities. I submit that to ask \$200,000 merely as a matter of experiment for small towns and villages is not going very far.

This bill is filled with equalities, and I submit that it is but fair to these people who live in the villages that this provision should be carried and they, too, be enabled to have their mail delivered to them. I hope a plan can be worked out by the Postmaster General and his assistants so that these rural carriers through the country can do this work. It will be cheaper if they can, but they have not done it, and until that plan has been worked out I think we should carry this experiment along, and I am in favor of the amendment.

Mr. MOON. Mr. Chairman, for the City Delivery Service we are paying \$37,700,000; for substitutes, \$2,575,000; for the pay of letter carriers and substitutes in offices where City Delivery Service is established during the year, \$100,000; for horse hire, \$2,300,000; car fare and bicycle allowance, \$525,000; street car collection service, \$10,000. Then we have fees for special-delivery messengers, \$2,225,000; car fare for special-delivery messengers, \$13,000; making about \$50,000,000 for city service. On the other hand, we have \$48,650,000 to maintain the Rural Route Service. Now, the request I have made here to further

carry out the experiment to enable 20,000,000 people who are not getting similar benefits to get some better service is an appropriation of only \$200,000. I hope, in view of these conditions, the small amount involved and the vast number of people to be benefited by the experiment, that there will be no hesitancy in supporting this amendment. I am going to move that debate on this question be closed——
Mr. HUGHES of West Virginia. I hope the gentleman will

not do that.

Mr. MOON. In 15 minutes.

Mr. MORGAN of Oklahoma. Mr. Chairman, I want some time.

Mr. MOON. If gentlemen want to take a longer time for discussion I am willing, and I will withdraw that request.

Mr. MANN. Mr. Chairman, a few moments ago I offered an amendment to increase the appropriation in order to give adequate postal service in the cities. The gentleman from Tennessee [Mr. Moon] opposed it because it was not estimated for, and that side of the House voted against it, except one or two gentlemen, mainly because they were not interested in large gentlemen, mainly because they were not interested in large cities. All I asked was a reasonable appropriation for a reasonable postal service in the city. Gentlemen say they appropriate so much for carrier service in the city, and seem to think it is a matter of charity. The Government appropriates for carrier service in the cities because it is more economical than to have the mail delivered in any other way.

But, Mr. Chairman, now comes an item which is not estimated for, and which the First Assistant Postmaster General expressly, in his annual report, reports against. "It is recommended that the service as now administered be discontinued on June 30, 1914." That is the recommendation—I will not say of your Assistant Postmaster General, because I take as great delight in the gentleman as you do; I think he is an able Assistant Postmaster General. [Applause.]

And at that I beg to say that I do not agree with him in that I am willing to be more liberal in reference to the country than the country Members are in reference to the postal facilities in the cities. I can see no reason why the Government shall not carry on experimental work with a view of furnishing adequate facilities throughout the country to everyone in the land. I have seen the Post Office Department appropriation bills grow from \$100,000,000 to \$300,000,000 in my short service in this House. Who would have dreamed 20 years ago that the Post Office Department would ask for an appropriation of over \$300,000,000 a year, which in a short time will be increased to over \$500,000,000? And every dollar of it, in my judgment, well spent in furnishing facilities which the public needs, which the public makes use of, and which in the end costs the Government nothing. There is no reason in the world why we should not give that free-delivery service in those towns where it can be given without excessive cost. Speaking for a city which contributes to the postal revenues more money than is contributed by most of the States duplicated several times, I am willing to give to the country adequate postal facilities, though I deplore the fact that the narrowness of mind of gentlemen here from country districts makes them unwilling to give to the cities those adequate postal facilities which the cities ought to have.

Mr. HELVERING. Mr. Chairman, in this connection I desire to read some letters addressed to me by my constituents in the city of Minneapolis, Kans. Dr. E. G. Ganoung writes as follows:

JANUARY 12, 1914.

Hon. Guy T. Helvering,

Washington, D. C.

My Dear Sir: I understand that it is an undecided question as to whether or not we will continue with our city-delivery mail service. Am taking this means of expressing my appreciation of the service we are now enjoying, and hope that you can see your way clear to lend your influence for its continuation.

Very truly, yours,

E. G. Ganoung.

The postmaster, Mr. George W. Barker, writes as follows: JANUARY 19, 1914.

Hon. Guy T. Helvering.

Washington, D. C.

Dear Sir: Yours of recent date received and contents noted in regards to experimental city delivery in Minneapolis, Kans.

I think it is a success. We deliver mail to 1,006 people in the city, and this is over one-half of the population.

I think that most of the people want the service continued.

Very truly, yours,

Geo. W. Berker, Postmaster.

GEO. W. BARKER, Postmaster.

Mr. C. S. Minch, a baker, writes as follows:

JANUARY 15, 1914.

Hon. GUY T. HELVERING, Washington, D. C.

DEAR SIR: In regard to our city delivery, I would say I am very much pleased with same and would be very much disappointed if it were discontinued. I sincerely hope you will use your influence in maintaining same in our town.

Yours, respectfully,

C. S. Minch.

These letters, with many others which I have received since the establishment of this service, October 1, 1913, certify to the fact that it is highly satisfactory and its continuance much desired.

I could not understand, when I read the recommendation of the First Assistant Postmaster General that this service be discontinued, on what reasoning or information he based his conclusions. On making inquiries of some of the members on the Committee on Post Offices and Post Roads, I ascertained that the reason for this recommendation undoubtedly was based on the assumption that the same service would be henceforth performed by rural-route carriers, and therefore the so-called mental village delivery service" should be discontinued. "experi-

In looking up the changes made in the new issue of the Postal Laws and Regulations, I find Order No. 7745, section 717, reads

as follows:

All persons, except those who reside within the city-delivery limits of a city when City Delivery Service is in operation, may be served by rural carriers, provided they will erect approved boxes on the established line of the route in the manner required by the department.

Of course, to one who has lived in a small city and knows conditions this order seems an absurdity, and it is laughable to contemplate the horror depicted upon the faces of the city officials were they to see, some fine morning, one of their inhabitants setting up posts for the purpose of attaching mail boxes in front of their homes and homes and homes and homes and homes and homes are their setting their their setti front of their homes and lawns of their well-regulated little city

in which they have taken great pride. I have a very high regard for the very able Postmaster General, and I believe he is assisted in his work by one of the brightest, most genial, and competent first assistants that the service has had in many years. However, in this particular, I think they have erred in their endeavor to economize and keep down the added expenses of their department. No one will censure their conservatism when it comes to saving the people's money unequally and unjustly spent; but, in my opinion, Mr. Chairman, the people are demanding of the Post Office Department service; aye, and I add to that, equal service. If that be true, then let us see if equality will be established by taking away from the towns and villages this service which they are demanding, and which, when tried, has proved so satisfactory and desirable.

This bill carries an appropriation of approximately \$36,000,-000 for the annual expense in the City Delivery Service. This service accommodates almost one-half of the population of our Nation. A further provision of this bill is an item of \$45,000,000 to cover the expense of the Rural Delivery Service, the same serving about 20,000,000 people. Now, I wish to ask, Mr. Chairman and gentlemen of this House, does it not necessarily follow that the people living in localities in neither of these subdivisions and who contribute just the same to this

postal system should be equally cared for?

I believe the information before the committee will show that there are at least 15,000,000 people living in communities that are too small to come in the first class and too thickly set-

tled to enter in the second class, and that would be discrimina-tion against them if this item were stricken from the bill.

In fact, Mr. Chairman, I am of the opinion that this item could be justifiably raised to five times the amount carried here

and meet with the hearty approval of the people.

There is no man in the city that receives his mail four or five times a day nor any man in the country that is served daily by rural carrier who would oppose this item. If he did, it would be from a prejudiced point of view and not from a stand-

ard of right, justice, and equality.

Now, let us see what could be done in these small cities and towns if the department insisted on having the rural carrier serve the pople as they start on the country routes. The statistics gathered show that in my State the average time necessary for a rural carrier to sort his mail, tie it up, place it in order for distribution and make his trip is almost seven hours. Now, gentlemen, bear in mind this does not include the time necessary every morning for feeding and harnessing horses, greasing buggles, and so forth, nor does it include a like chore So it must be admitted that the average time in the evening. each carrier works each day is about nine hours. Where, then, would I ask, can you find the time for these men to do this service, if we are to consider a Government working day as being eight hours?

There is another point in this connection that many gentlemen overlook. They seem to base all their argument on the proposition of service to the business man. True, he is the great factor in every city and the service to him should be of

the very best.

But why does no one argue the accommodation this service is to the women of these various towns. Their interest should be considered the same as the business man. Oh, yes, I have heard different gentlemen say that a man in the small town always goes to the post office anyway, and when he gets his own mail he can also get that for his wife, daughters, or sisters and take it home with him at noon. And, Mr. Chairman, in all probability he will take their mail to his shop and lay it away on his desk or shelf, and nine cases out of ten he will never think of it until he sees his wife and she asks him if there was any mail to-day. Therefore I say, gentlemen, we must consider all the people, all those that contribute to the vast sum received by this department.

There are many points of interest in this bill, but I will not consume more time now, but, as the discussion proceeds, will make a few observations relative to certain phases of the bill which are of particular interest to the constituency which I

represent.

In conclusion, Mr. Chairman, I wish to state that this particular office would be entitled to free city delivery had the receipts of the office been a few hundred dollars in excess of what they were last ear, and therefore I think it would be an injustice to this one office particularly, and to many other offices in like circumstances, to have this service discontinued now that it has been once established and is on a satisfactory working basis in these different towns. I sincerely hope that

this paragraph will not be stricken from the bill.

Mr. MADDEN. Mr. Chairman, I think the time is almost here, if it is not already here, when free delivery will be made to every village in the United States. There is just as much reason why the people who live in villages should have free delivery as there is that the people in the country should have it. The Assistant Postmaster General, when he came before the committee, it is true, suggested that he had a plan in his mind which he expected to formulate later on, through which he could utilize the rural carriers for the purpose of delivering mail to everyone in the United States living in villages not now entitled to free delivery, but he has not yet suggested the plan to the Committee on the Post Office and Post Roads. It seems to me that while he is getting ready to suggest it the delivery already established in these small villages or cities ought to be continued, and that no cessation of work so well begun should continued, and that no essation of work as well engine in the take place until we have a well-digested plan to continue it in some other form. It is said that to inaugurate this new scheme of delivery will cost \$10,000,000 per annum. I do not know of any other way to spend \$10,000,000 to greater advantage to the American people than by delivering their mail to their homes. I think the expenditure of the \$10,000,000 would add \$20,000,000 to the receipts of the department, and besides it would create happiness in every home in the land. From every town where the system of delivery has been established we get the most glowing accounts of the satisfaction the people feel on that account and avery town that really the people feel on that account and avery town that really the people feel on that account and avery town that really the people feel on that account and avery town that really the people feel on that account and avery town that really the people feel on that account and the people feel on the peopl count, and every town that realizes the benefit accruing from that delivery is praying now that it be continued and protesting

Service of any city in America—\$26,000,000 a year—vastly greater than the city of New York, yet I believe the people who live in the rural districts and in the smaller cities and in the villages everywhere are entitled to every consideration on the part of the postal authorities. The Congress can do no better work than to continue a service which has given so much satisfaction until the committee can report a well-defined plan by means of which we can extend this service, and the expenditure of \$200,000 for that purpose will not be in vain.

Mr. HUGHES of West Virginia. Mr. Chairman, I simply want to add my indorsement to this measure, and I do that after having had this experimental service in one of the towns in my district at Princeton, W. Va. This town is so peculiarly situated that no other service than this can give as effective service. This town is strung out a distance of 3 miles, and at one end of that town is located the county seat and the old part of the town. But this town is keeping pace with the general progress in West Virginia, and this town extends 3 miles to the Virginia Railroad and shops. Now, this town is built up from one end to the other. There has always been a fight there until this service was inaugurated as to where the post office of this town should be located. The people living at the county seat wanted the post office located there, whereas the people down at the railroad end of the town where the shops of the Virginia Railroad are located, which has quite a population, wanted it located there. The people in the center of town wanted it located there. This service has solved the whole question and the people are more satisfied and are now getting their mail all over that town with equal justice to all.

Mr. FINLEY. Will the gentleman yield? Mr. HUGHES of West Virginia. I do.

Mr. FINLEY. The average time required by a rural carrier in West Virginia to make his rounds is 7 hours and 47 minutes. Does not the gentleman think it is utterly and entirely impractical to try to place this service on the rural carrier?

Mr. HUGHES of West Virginia. I certainly do. I do that in view of the fact the Post Office Department itself made an examination at that particular place and found it impracticable, as it would require all the time of the carrier to deliver mail inside of the corporate limits and no time would be left for regular delivery. The department sent an inspctor to that point, and this post-office inspector, after making an examination, found the carrier would have to deliver the mails to 7,500 people before he would start out on his route. There were two carriers, and that, of course, divided would be 3,750 to each. Now, gentlemen of this House will know how much time he would have to make his rural route after performing this service.

The service now is more than satisfactory and is shown by a resolution passed by the city council, which I will ask to have printed as part of my remarks; in addition to this, I have petitions from every interest, both public and private, asking that

this service be continued.

Resolutions, city council, Princeton, W. Va.

At a special meeting of the council of the city of Princeton, W. Va., held in said city on the 9th day of January, 1914, the following resolutions were adopted by said council and ordered to be spread upon the minutes of said council:

"Whereas it appears that our present city delivery of mails is only temporary and dependent upon the Congress of the United States for an appropriation for its continuance; and "Whereas said city delivery has been in use in our city for about 11 months and has proven so entirely satisfactory that our business concerns and residents have become dependent upon same to such an extent that to discontinue same would, in our opinion, be nothing short of a calamity and would result in irreparable injury to the best interests of our city and the whole citizenship of the same: Therefore be it

same: Therefore be it

"Resolved, That we hereby call upon our Senators and Members of
Congress of the United States to use their best efforts to secure sufficient appropriation to insure the continuance of our system of city
delivery of mails until such time as the proceeds of our post office shall
entitle us to general free delivery of our mails.

"Resolved, That a copy of these resolutions be spread upon the minutes of our city and that the recorder be requested to furnish two
copies of same to Wirt A. French, postmaster of our city, with the
request that he forward same to our Senators and Member of Congress.

"Mayor of the City of Princeton, W. Va.

"S. F. CLEGHON,

"S. F. CLEGHON, "Recorder of the City of Princeton, W. Va."

I hereby certify that the above is a correct copy of the records of my S. F. CLEGHON, Recorder.

Mr. HOWARD. Mr. Chairman, I would like to add my testimony to what these friends of mine have already stated about that delivery is praying now that it be continued and protesting the benefit of this service. I can speak in an unbiased and unpagainst its discontinuance.

I come from a great city, the people of which would not be affected in any wise by this provision in or out of the bill. I come from a city yielding the largest revenue to the Postal with the exception of New York and Chicago, and our postal

receipts in the city of Atlanta amount to \$1,456,000 a year, and I have also four prosperous country counties in my district. Now, there has been established this service in one of the towns in my district. The Board of Trade of Decatur heard that they were fixing to abolish this service, and they passed resolutions and sent them up here to me asking me, for the good of the town, to save this service for them. It was a most beneficial service; and although, gentlemen, they decreased the rate on local letters from 2 cents to 1 cent in this prosperous town in which they placed this service, the receipts have grown \$482 since they adopted this carrier service. Now, I want to pay a compliment to the Committee on the Post Office and Post

Mr. MANN. Will the gentleman yield?

Mr. HOWARD. I do. Mr. MANN. I understood the gentleman to say they decreased the postage from 2 cents to 1 cent?

Mr. HOWARD. From 2 cents to 1 cent local.

Mr. MANN. It was 1 cent local, and it is 2 cents where they have city delivery service.

Mr. HOWARD. Not in my town; they made an exception. [Laughter and applause.]

Mr. MANN. Not under this experimental service. But it was not 2 cents in the gentleman's town, either. They could not

Mr. HOWARD. They did not have any service at all. had to come to the office, and the Government is now doing for 1 cent what they made the other fellow do to get his letter. They cut the cost of the service in two. Now, I hope the gentleman understands that. It is a proposition which almost any-

body can understand,

Now, I have the highest esteem for the First Assistant Postmaster General, but I am afraid he has been misled in arriving at his conclusions that this service is unsatisfactory. I do not think you ought to hamper this rural free delivery by allowing the town folks to get their mail in the morning before these good farmers out on the route, 7, 9, or 10 miles away, get theirs, on routes where the carrier has to stop at every man's gate in the I do not believe that they should permit the men in the town to get their mail at 9 o'clock in the day when the people out in the rural districts will have to light a lamp in order to read their paper by when it is received. The town folks are read their paper by when it is received. getting the long end of the stick, and it is time that the country people were given their rights in these small towns and out in the country. I am in favor of the appropriation, and I would vote for \$100,000 more, if it were necessary to give our rural population service through the Post Office Department equal to that received in large cities. [Applause.]

Mr. MANAHAN. Mr. Chairman—

The CHAIRMAN. The gentleman from Minnesota [Mr.

Manahanl is recognized.

Mr. MOON. Will the gentleman yield for a minute?

Mr. MANAHAN. I will,

Mr. MOON. Mr. Chairman, I want to move that all debate on this amendment close in 10 minutes.

The CHAIRMAN. The gentleman from Tennessee [Mr.

Moon] moves that all debate on this amendment close in 10 minutes.

Mr. MORGAN of Oklahoma. Mr. Chairman, reserving the right to object, may I be allowed five minutes of the time?

Mr. MOON. Yes.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee [Mr. Moon].

The motion was agreed to.

Mr. MANAHAN. Mr. Chairman, all of the Members realize that the post office is a very good servant of intelligence, education, and business in this country. In the exercise of this power of appropriation we ought to be actuated by a sense of equality and fairness. It has been very clearly shown here, Mr. Chairman, that equality has not been the rule in post-office management. The cities and the country districts have the advantage at the expense of the larger towns and villages, and that is not fair. This provision is designed, as I take it, to correct that inequality, and therefore I am in favor of it. What we want is service, and equal service. It is possible the rural free delivery service can be extended and the wages of the men increased, as they should be, and the equipment enlarged, as it should be, so as to provide for these towns in the second and third class We are all in favor, I take it, of giving the people of the United States good service, and this cry of economy against this item is not deserving of any consideration, in my judgment.

If the administration will maintain its courage in the face of the hypocritical and side-stepping surrender, so called, of big business, as exemplified by the voluntary agreement of the Telephone and Telegraph Trust as to dissolution, and will do as it should, and serve the people by taking over to the Post Office Department the telephones and the telegraph of this country, there will be no difficulty as to a lack of funds to provide the people with adequate facilities regarding the mail and the carrying of parcels, so as to do away with the express companies, which are parasites on the transportation of the country.

There is not any question, Mr. Chairman, but that if the Post Office Department is intelligently administered by patriotic statesmen, as it should be, there will be no deficiency, and there will be no occasion for the villages and towns to be discriminated against, as they now are and as they have been all along. am in favor of good service to the city and to the farmer. am in favor of extending the service further to the cities and to the farmers. I do not believe there should be any curtailment anywhere of the function of the Government in providing information by mail and, when the time comes, in carrying parcels, packages, and freight to all the people of this country. I favor free delivery service to these towns and villages, and free box rent where free delivery can not be provided.

Mr. SELDOMRIDGE. Mr. Chairman—

The CHAIRMAN. The gentleman from Colorado [Mr. Sel-

DOMRIDGE] is recognized.

Mr. SELDOMRIDGE. Mr. Chairman, in the struggle for recognition I have been kept off the floor until this time, but I ask leave to print in the RECORD a letter that I have received regarding this service in one of the towns in my district. The statements made by the postmaster demonstrate to my mind that this service has not only been satisfactory to the people in the city, but also remunerative from a financial standpoint. And without any further remarks, Mr. Chairman, I will present the letter and ask unanimous consent to have it appear in the RECORD as a part of my remarks.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD by inserting

the letter referred to. Is there objection?

There was no objection.

The following is the letter referred to:

UNITED STATES POST OFFICE, Littleton, Colo., January 19, 1914.

Hon. PAUL J. HOGAN, Littleton, Colo.

General At the service of the extent that they had a special meeting called and had issued a circular to each and every resident informing them that they should have their houses numbered, and the trustees had named what streets that did not have a name. The town was divided—certain streets what streets had no on this map placed each house, whether vacant lots were also numbered in case a house should in some future date be erected. This plat was placed in my office, and the trust had a carrier who was alive to the situation. As this was an appointive position I exercised great care in my selection, and i all satisfied that I have appointed the right man for the patrons of the receive to the extent that they patrons signified their desire to have the service. As time went by different suggestions proposed to me were tried out and were met with favorable success to all. The town trustees were very much in harmony with the service to the extent that they had a special meeting called and had issued a circular to each and every resident informing them that they should have their houses numbered, and the trustees had named what streets that did not have a name. The town was divided—certain streets were designated as north, south, east, and west. The city engineer prepared a map, and on this map placed each house, whether vacant or occupied, giving it its proper number. The vacant lots were also numbered in case a house should in some future date be erected. This plat was placed in my office, and I in turn had run in the several newspapers of the town for the patrons to call, and we would give them their house number, which they did. As it was my aim to make this an Al success I necessarily had to have a carrier who was alive to the situation. As this was an appointive position I exercised great care in my selection, and I am satisfied that I have appointed the right man for the place, as he is quick and active and attends strictly to business. Several times during the year I made trips around with the carrier on his

First class Second class Third class Fourth class	8, 060 3, 808 1, 512 280
Total amount deliveredAmount collected (first class only)	13, 660 3, 250

Amount handled by carrier_____

the attention that it should have been given is the collection box. I have on several occasions taken this matter up with the proper official at Washington, D. C., and in turn they have given me very good concouragement, as on November 14, 1913, I received a letter from the First Assistant Postmaster General stating that at any early date boxes would be supplied this office. Since that time I have not written them, as I presume they have been busy and have not had an opportunity to look after this branch of the department.

There are other matters which I could write you upon pertaining this service, but they are not of a material nature. They are matters which govern different conditions which necessarily arise during the day's business, which must be met with different ideas and handled with a different manner; but I think that I have given you the most essential things that have given this service that success which it now, has.

with a different manner; but I think that I have given you the most essential things that have given this service that success which it now has.

The prime and moving factor of this service or any other kind of service is cooperation in its fullest terms. Without cooperation no business, let alone a public office, will amount to very much. While I do not intend to claim all the credit which has been had in this service by any means, but I do say that I am and have always been a strong supporter of cooperation, and have to that end done all in my power to make this service a success and have worked very hard to accomplish my point. Newspapers, business men, department stores, and every other kind of business that I could reach that has done any great amount of business through this office I have written to and told them to address their customers by house number and street name, and in some instances the large mailing houses have sent me their mailing list, so that I could place thereon after the name the house number and street number. These concerns were with me, and it has been that all those who had anything to do with the city delivery have done just what I have asked, as I have gone to or written in such a manner that they were well in accord with the project.

There are other offices which have this service, but I do not know what success the several postmasters have had with it. All that I can say that as far as this office is concerned the experimental city free delivery has been a success, both financially as well as service, and the patrons who derive its benefit will vouch for the above statement as far as the service standpoint is concerned.

On November 19, 1913, I was given authority to extend this service to what is known as Woodlawn addition to Littleton, but, owing to the severe snowstorm, I have been unable to start this service, and the patrons who derive its benefit will vouch for the above statement as far as the service standpoint is concerned.

Table and meeting of the residents of that a

E. H. ALBERTSON, Postmaster, Littleton, Colo.

Mr. MORGAN of Oklahoma. Mr. Chairman, I desire to say word in favor of this amendment. I have one city in my district—the city of Edmond—that is now receiving this service. have received a letter from the postmaster there, Mr. A. D. Dailey, relative to this service, which reads as follows:

Dailey, relative to this service, which reads as follows:

Replying to yours of January 5, relative to experimental free delivery of mail in Edmond, will say that in my opinion the so-called experiment has proven highly successful. The service is well patronized, and the patrons of this service are so well pleased that I hardly see how you can take it away from them. This is a city of 2,500 population, and the residents here believe that they are as much entitled to free delivery of mail as are the residents of larger cities and those who reside in the country. Our city carrier serves more than twice as many patrons as any of our six rural carriers and does it at but little more than one-half the expense of one rural carrier. I believe the free delivery of mail here has also resulted in an increase of receipts, although I can not furnish facts to substantiate this opinion.

Mr. Chairman, we have now given free delivery to the people.

Mr. Chairman, we have now given free delivery to the people in the larger towns and cities and to the farmers, or at least to a large proportion of the farmers. Nearly one-half of our population, if not more, are located in cities with free-delivery service. Probably 40 per cent of our farmers are now having free delivery of their mail; so that a very large majority of our people now have their mail delivered at their doors

This system should be, and I believe will be, extended until the people of all our villages, towns, and smaller cities shall

have their mail delivered to them at their homes.

The history of the growth of our Postal System in the delivery of the mail is most remarkable. Twenty years ago Postmaster General Bissell refused to expend money for experimenting upon the free delivery of mail to our farmers. Eighteen years ago another Postmaster General, Postmaster General Wilson, said, in effect, that the whole scheme for free delivery of mail to people in the rural districts was impracticable. It was not until 1897 that Postmaster General Gary, following the suggestion made by Postmaster General Wanamaker in 1891, indorsed the proposition. From that time on the system of free delivery to farmers has grown with remarkable rapidity, and it

certainly reflects credit upon our people and upon our Government and must be further extended. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee [Mr. Moon].

The amendment was agreed to.
The CHAIRMAN. The Clerk will read.
The Clerk read as follows:

For the transmission of mail by pneumatic tubes or other similar devices, \$966,800.

Mr. DYER. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman of the committee what has been done, or what is being done, if anything, to increase the pneumatic-tube service.

The CHAIRMAN. The gentleman from Missouri [Mr. DYER]

strikes out the last word.

Mr. DYER. I see here an appropriation of only \$4,000 more

Mr. Moon. I will say to the gentleman that nothing has been done to increase it. There has been appointed a commission by this body and the Senate requiring a report upon that subject; and that report, I understand, is to come in in March. The hearings before the committee on the question of pneumatic tubes, and particularly with respect to the service in one city, show that the results have not been altogether satisfactory. The committee has thought it best not to undertake to extend this service until the report shall have been received.

Mr. DYER. The report that the gentleman refers to has come

in from one of these cities?

Mr. MOON. Yes. Mr. DYER. Is that the commission that the gentleman refers

to, or a special commission?

Mr. MOON. The commission that was appointed by the House. We have given all that we felt we were warranted in giving under the circumstances.

Mr. DYER. This appropriation does not provide for any more

increase

Mr. MOON.

Mr. MOON. No, sir. The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For regulation screen or other wagon service, \$2,600,000.

Mr. MANN, Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN]

moves to strike out the last word.

Mr. MANN. Mr. Chairman, I notice that the Postmaster General recommended that authority be given under this item to combine the screen-wagon service with the collection and delivery service and with automobiles, which, I take it, was for the purpose of permitting the delivery of parcel post, in part, at least. Was that considered by the committee and turned down, may I ask the gentleman from Tennessee?

Mr. MOON. Has the gentleman got the hearings?

Mr. MANN. I have not the hearings, but I have the report of the Postmaster General. On page 50 of that report the Postmaster General makes a recommendation to that effect.

Mr. MOON. The gentleman's inquiry is what?

Mr. MANN. Was this recommendation of the Postmaster General considered and turned down by the committee or not disposed of? Which recommendation does the gentieman

Mr. MOON.

Mr. MANN. It is contained in the report of the Postmaster General, where he asks that in connection with the screenwagon service this item be inserted in the bill:

That the Postmaster General is hereby authorized in his discretion to use as much of the appropriation for regulation screen or other wagon service as may be necessary for the purchase and maintenance of wagons and automobiles for the operation of a combined screen-wagon collection and delivery service.

Mr. MOON. The item in the bill is reported just as the committee agreed upon it. They did not give any further consideration to the Postmaster General's request than is shown on the face of the bill.

Mr. MANN. I can see by the face of the bill that they did not regard what the Postmaster General recommended.

Mr. MOON. We did not do that in several other instances. Mr. MANN. But, without having the special knowledge that the Post Office Committee had, it looked to me like a reasonable proposition to combine the screen-wagon service with the delivery service, especially the parcel-post delivery.

Mr. MOON. And the automobile service. It is likely that

the automobile service will not be continued. That has not

which carries the mail from the post office to the railroad station, with the City Delivery Service.

Mr. MOON. The committee reached the conclusion stated in this bill. The gentleman will find quite a discussion of the matter on pages 118 and 119 of the hearings.

Mr. MANN. I am never going to take the trouble to read all the hearings. I expect to try to elicit information in the House from my distinguished friend, who can condense it.

Mr. MOON. If the gentleman desires, it can be read to him just as it occurred before the committee.

Mr. HAMILTON of Michigan. I suppose the gentleman from Tennessee could give us a free translation of it.

Mr. MADDEN. Mr. Speaker, in response to the inquiry of my colleague [Mr. MANN] with respect to the recommendation made by the Postmaster General, asking authority to purchase wagons, horses, and automobiles to be used in connection with the screen-wagon city delivery service, I wish to say that the committee decided that it would be unwise and extravagant to allow the Post Office authorities to own their own equipment, and it was the conclusion of the committee that we can contract for equipment for much less money than the equipment could be bought for and operated by the department itself. That is really all there is to it.

Mr. GOULDEN. Will the gentleman from Illinois answer a

question?

Mr. MADDEN. Surely, if I can. Mr. GOULDEN. The chairman of the committee rather intimated that the automobile service in connection with the transmission or delivery of the mails was not satisfactory. I should

like to ask the gentleman about that.

Mr. MADDEN. In reply to the question of my friend from New York I desire to say that in the city of New York they have established an automobile service for the transportation of the mail from the stations and the post office to the various railway terminals, and that service is contracted for at a much more extravagant price than the screen-wagon service is contracted for.

The purpose of the introduction of the automobile service, as stated by the Second Assistant Postmaster General, was to increase the rapidity with which the movement of the mail could be made, and he said that they had increased the rapidity from 3 or 4 miles per hour to 9 miles per hour.

Mr. HAMILTON of Michigan. To the great danger of the

Mr. MADDEN. But the fact of the matter is that the cost of the screen-wagon service is 38 cents per unit mile and the cost of the automobile service is 60 cents per unit mile, and the automobiles are not at all keeping up the schedule of 9 miles

an hour, as they calculated they would.

Now, I think it can be stated without fear of successful contradiction that in a crowded city street you could move a wheelbarrow almost as fast as you can move an automobile, and the truth of the matter is that even with the pneumatic-tube service in Chicago, an investigation as to the rapidity of the movement of the mail in that way has shown that when you take into account the time when the mail leaves the post office and the time it takes to go through the pneumatic tube and the time it takes to redistribute it when it gets to the end of the tube, when the mail is ready to be loaded on the railway car, you could leave the post office with a wheelbarrow carrying that mail and reach the car upon which it is loaded for transportation into the interior of the country just about as quickly as the pneumatic tube does it. [Laughter.] The pneumatic tube is only 8 inches in diameter-

Mr. PAYNE. Do I understand the gentleman, that if they could get anything slower than a wheelbarrow it would be an

improvement on everything at present in use?

Mr. MADDEN. No; I am stating a fact. I am not stating

what could happen or might happen.

Mr. PAYNE. I am asking a practical question. Is not a mail bag filled with mail marked for its destination sent through the pneumatic tube, so that there does not have to be any redis-

Mr. MADDEN. No. The pneumatic tube is 8 inches in diameter, and they send a package of letters such as the letter carrier ties up for delivery on his route. It may be that they can put two or three such packages of letters in the pouch that is put in the tube. That is transmitted from the post office to the railway terminal, and when it reaches the railway terminal they are obliged to have clerks there to redistribute the mail that comes in those packages. Although we can transmit the mail with great rapidity, the time lost in the redistribution of the mail at the other end of the tube makes the time consumed in the transmission of the mail through the tube equal

to the time that would be consumed by a man pushing a wheel-

barrow from the post office to the station.

Mr. COX. Mr. Chairman, I move to strike out the last two words. I was temporarily out when the paragraph was read in regard to transmission of mail by pneumatic tube. I want to put a few remarks in the RECORD on that subject, and I ask unanimous consent to insert as a part of my remarks pages 114, 115, 116, 117, and a part of page 118, statements made before our committee by the gentleman from Illinois [Mr. Maddleman]. While I hold no brief to speak for the gentleman from Illinois, I want to say that he is a man who has risen by his own force of character until he is at the head of one of the largest business concerns in the city of Chicago. He is a man who has given this subject careful consideration.

Mr. FITZGERALD. Is the gentleman speaking of Mr. Mad-DEN, a Member of the House?

Mr. COX. I am; a member of the Committee on the Post Office and Post Roads.

Mr. FITZGERALD. The gentleman from Indiana said he

testified" before the committee, which misled me.

Mr. COX. He made a statement before the committee; perhaps I should not have used the word "testimony." I have read everything that has been said on the question of the pneumatic-tube service for the last six or seven years, and all I know about it is what I have read. For the life of me I never have been able to understand what real, genuine benefit pneumatic tubes have ever performed in the mail service of this country and wondered if it was not designed solely for the purpose of taking money out of the Treasury of the United

Mr. LLOYD. Has the gentleman seen the device downstairs? Mr. COX. I have not. I am talking about the pneumatic-tube service now in force in the several cities of this country. I wanted to call the attention of the committee to the state-ment of the gentleman from Illinois [Mr. Madden]. It is indeed a startling statement that the gentleman makes as the result of 10 days' investigation in his own time at his own expense last summer. The statement is as follows:

result of 10 days' investigation in his own time at his own expense last summer. The statement is as follows:

The Chairman. Then comes the item covering transmission of mail by pneumatic tubes or other similar devices, \$966,800, or an increase of \$4,600.

Mr. Madden. Will you allow me to ask the general a question?

The Chairman. Yes, sir.

Mr. Madden. What advantage is the pneumatic-tube service?

Mr. Stewart. It is a very important auxiliary. It serves a larger use in New York City than in the other cities where it is installed. The postmaster recently told me that it was of special use during the recent strike of the mail-truck chauffeurs. It is of special utility when traffic is interfered with by snow or storm. For regular service it is used whenever mail can be handled and advanced thereby during 20 hours of the day. They do carry a large amount of first-class mail. Of course it is not practicable to transport the heavier classes of mail such as second, third, and fourth classes.

Mr. Madden. What is the special advantage outside of this strike there in New York?

Mr. Stewart. It furnishes a continuous dispatch between the post office and postal stations and between them and rallroad stations, and allows later closes and later dispatches.

Mr. Madden. How much later does it allow—12 minutes?

Mr. Stewart. It depends upon the distance.

Mr. Madden. What do you pay a year a mile for the pneumatic service?

Mr. Stewart. \$17,000 a mile per annum.

Mr. Madden. What from the main post office in Chicago is dispatched by the pneumatic-tube service?

Mr. Stewart. A large part of the first-class mail and some part of other classes.

Mr. Madden. Is there any time gained by transmitting it that way?

by the pneumatic-tube service?

Mr. Stewart. A large part of the first-class mail and some part of other classes.

Mr. Madden. Is there any time gained by transmitting it that way?

Mr. Stewart. Yes; there would be. Some part of the mails is advanced, but not all of them.

Mr. Madden. Would you be surprised to know that an investigation that I made of the pneumatic-tube service in Chicago led me to the conclusion that it was a service of no special value, except in the matter of the 12 minutes' time saved in closing the mail; that they would have to close 12 minutes earlier if they did not use the service, but that all mail sent through the pneumatic tubes from the office to the rallway stations had to be broken up and be put up in small packages in order to put it through the tubes at all, and then it had to be redistributed for transportation over the rallroad at a cost of \$60,000. A number of clerks sufficient to consume \$60,000 a year in pay had to be maintained to put that mail back into form. Perhaps it might surprise you to be told that I could take a wheelbarrow from the main post office and start up to any of the ordinary railroad stations with it and load it in and get it mailed on the train as quick as the pneumatic-tube service, taking the time for redistribution into consideration.

Mr. Stewart. That last statement would surprise me if told it were so.

Mr. Cox. You will not offer that as a business man, as a business proposition?

Mr. Madden. I went over every station in our city from the bottom to the top.

Mr. Madden. I took 10 days at it, doing nothing else.

Mr. Madden. Except as between stations. I think that for the main post office and the substation it would be all right, because there you drop the mail onto the desk of the distributor for delivery in the local

they are working on the final report to-day.

Mr. Madden. That was about all I wanted to say in that connection.

Mr. Finley. General, has there anything come of that proposal, where, in place of using force to drive the mail, the suction principle applies?

Mr. Stewart. There is a company which constructed the tube between the Capitol Building and the House Office Building. The tube is intended to be operated by the vacuum system. They have no other system in operation that I know of.

Mr. Finley. Have you any knowledge as to how that works?

Mr. Stewart. I have seen it operate. It seems to operate all right. You understand. It is not in regular operation. They give an exhibition if you want to see it. It was put in as an experimental line, I understand.

Mr. Madden. What is that?

Mr. Stewart. The principle is different from that employed by the Pneumatic Tube Co. having contracts with the Post Office Department.

Mr. Finley. The principle is different from that employed by the Pneumatic Tube Co. having contracts with the Post Office Department.

Mr. Stewart. Yes, sir.

Mr. Stewart. They use a vacuum system instead of compressed air.

Mr. Stewart. They use a vacuum system instead of compressed air.

Mr. Madden. The Government of the United States furnishes these companies, from whom they rent the machine, space in the Government building, however, does it not?

Mr. Stewart. Yes.

Mr. Stewart. Not as a rule.

Mr. Madden. They do not own any property upon which they build their machinery?

Mr. Stewart. Not as a rule.

Mr. Madden. The basement of the Chicago Federal building.

Mr. Stewart. The terminals must be located in the post office build-

ing, and as a rule their power machinery is located in the post office, if there is available space.

Mr. Madden. As a matter of safety, so that the Government may control the service; is that it?

Mr. Stewart. Yes.

Mr. Cox. It is not contemplated extending this service, is it, General?

Mr. Stewart. No, sir. We could not, under the law, extend this service to any other cities without the authority of Congress and specific appropriations.

Mr. Madden. Do you believe, General, from your experience and observation of the pneumatic-tube service, that the amount of benefit accruing to the people as a result has equaled the outlay?

Mr. Stewart. Yes; I think it has. I know of no place where they would be willing to give it up; and the cost per letter or article sent is very, very small. I have those figures, and would be very glad to put them into the record. That was developed by the inquiry of the commission which preceded the last one, and it is stated in their report.

Mr. Madden. Do they take into account the cost of redistribution of the mall at the end of the tubes?

Mr. Stewart. No, I think not; I think it is only the pneumatic-tube cost.

Mr. Madden. That ought to go in; that is a part of the cost.

Mr. Stewart. No, I think not; I think it is only the pneumatictube cost.

Mr. Madden. That ought to go in; that is a part of the cost.

Mr. Madden. That ought to go in; that is a part of the cost.

Mr. Madden. That ought to go in; that is a part of the cost.

Mr. Madden. That is the biggest item there is in the whole business, and, as a matter of fact, at both ends there is a good deal of cost, because the tubes are not large enough in any case to take anything but broken packages of first-class mail.

Mr. Stewart. They are large enough to take the usual tied-up packages of mail—that is, the way they tie them out of the case—so that they will come down to the operating room in the same shape that they go into the mail bag.

Mr. Madden. Those packages have got to be broken at the other end and redistributed, whereas, if they were not going to use the pneumatic tube, they could distribute all that stuff for transmission from one railroad to another on the incoming trains, and they would not have to do anything with the mail in the post office.

Mr. Stewart. I do not see how that would result.

Mr. Madden. I wish you would just investigate it a little.

Mr. Stewart. I will. You see, mail starts from the post office for the railroad station made up generally for States and railway post offices; it is tied out of the case in the ordinary size bundles and it is ready for dispatch. When it reaches the postal station at the railroad station, it ought to be in shape to be dispatched directly in pouches to trains.

Mr. Madden. If would be but it is not when you do that through

station, it ought to be in shape to be dispatched directly in pouches to trains.

Mr. Madden. It would be, but it is not when you do that through the pneumatic tube.

Mr. Stewart. That would not be the fault of the pneumatic tube, but in the manner of handling it before it reached the tube.

Mr. Madden. I am only stating the conditions as I found them.

Mr. Stewart. Yes.

Mr. Madden. Of course, I am not undertaking to assume technical knowledge of how the thing ought to be done. I am just suggesting how it is done.

Mr. Stewart. I would suggest that it may be that they are utilizing one of our railway post-office terminals in Chicago for distribution instead of distributing them before they are put in the tubes.

Mr. Madden. I think, Mr. Stewart, the superintendent of city delivery would agree with me to the effect that we could save \$60,000 a year in the redistribution of the mail if the mail did not go through the tubes.

the tubes.

Mr. STEWART. I will be glad to look into that.

Mr. MADDEN. Of course, there is some part of the use of the tube that I agree is valuable, as between post offices and subpostal stations.

I wanted, Mr. Chairman, to call attention to this particular branch of the subject, so that when the next contract period comes around the Post Office Department will look carefully and well into this matter before they enter into a contract for pneumatic service that will cost the people of the country \$60,000 by way of additional clerk hire. I do not believe that they perform any service whatever. The gentleman from Illinois made an able speech the other day, in which he presented the subject, and I desire only to supplement what he said on that occasion by calling attention to the statement he made before the Post Office Committee, and especially the tremendous cost that it imposes upon the Government to reassemble the mail

Mr. MOON. Mr. Chairman, a parliamentary inquiry. This discussion is proceeding upon the pneumatic-tube service. Has not that item been passed?

The CHAIRMAN. It has been passed.

Mr. HOWARD. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. HOWARD. I had an amendment pending to that paragraph.

The CHAIRMAN. The gentleman offered an amendment after

the Clerk had read the subsequent paragraph.

Mr. HOWARD. Mr. Chairman, I was listening, and the gentleman from Missouri [Mr. Dyer] made some comment, and then I got upon my feet immediately to offer an amendment.

The CHAIRMAN. If it was a misunderstanding on the part

of the gentleman from Georgia, the Chair will allow the gentleman to offer the amendment.

Mr. MANN. What is the amendment?

Mr. HOWARD. It is an amendment I want to offer at the end of line 7, page 14.

Mr. MOON. I reserve a point of order to it, Mr. Chairman.
Mr. MANN. I have no objection to his offering the amendment, but the gentleman from Georgia is mistaken in his recollection. That paragraph was read and the next paragraph was

read, and the Clerk was proceeding to read the next paragraph when I took the floor to offer some remarks on the screenwagon service.

The CHAIRMAN. If there is any question about it, the Chair will resolve the doubt in favor of the gentleman from Georgia and the Clerk will report the amendment. The Chair has the same recollection as the gentleman from Illinois [Mr. MANN]. The Clerk rend as follows:

Insert after line 7, page 14, the following:

"For the construction and equipment of a system of large-diameter underground tubes, connecting the general post office, the Union and Terminal Railroad Stations, in the city of Atlanta, Ga. (the said tube system to be of sufficient size and capacity to transport all mail and parcel-post matter between these stations), the sum of \$75,000, to be expended under the direction of the Postmaster General."

Mr. MOON. Mr. Chairman, on that I make the point of order

The CHAIRMAN. The Chair sustains the point of order.
Mr. HOWARD. Mr. Chairman, I wish the Chair would hear
me on the point of order.

The CHAIRMAN. The Chair will hear the gentleman on the

point of order

Mr. HOWARD. Mr. Chairman, I desire to call the attention of the Chair to the fact that the paragraph carries with it an increase from \$962,200 in 1913 to \$966,800 in 1914. I contend that, if the committee itself carries an increase over a former appropriation, a further amendment for an increase is in order and not subject to a point of order.

Mr. FINLEY. Mr. Chairman, will the gentleman permit an

interruption?

Mr. HOWARD. Yes.

Mr. FINLEY. Mr. Chairman, I will say to the gentleman that the increases carried in the bill are to carry out necessary

appropriations under existing law.

Mr. HOWARD. Mr. Chairman, I contend that it does not matter what the appropriation is intended for; that if it is an increase over an appropriation of the previous year, the amendment is in order and not subject to a point of order, because it carries with it a further increase.

The CHAIRMAN. The Chair would call the attention of the gentleman to the fact that his amendment proposes the

expenditure of this money at a particular place?

Mr. HOWARD. Yes

The CHAIRMAN. Does the gentleman think that is in order?

Mr. HOWARD. I do, sir, for this reason, that the money therein stated as an appropriation for the year 1914 is certainly money expended at a particular place, for instance, Chicago,

Ill. New York City, and St. Louis.

The CHAIRMAN. But that puts it at the discretion of the Post Office Department, and, as the gentleman understands, is for a work that has already begun. The gentleman proposes

to put in new service at a new place where there is no service?

Mr. HOWARD. Yes. Mr. Chairman, the gentleman from Tennessee has been very courteous, but I wish he would with-hold making the point of order until I can make a brief statement of three or four minutes,

Mr. MOON. Let the gentleman proceed and make his At-

lanta statement.

Mr. HOWARD. Mr. Chairman, this is a question that I approach with a good deal of seriousness. I am not asking Congress to give to the people of my city anything. As I stated a while ago, the post-office receipts for the city of Atlanta for the year just ended are \$1,478,000, and by the practice of the very strictest economy under a Democratic postmaster our expenditures for the entire service were only \$376,650.28, which leaves net to the Government from this magnificent post office over \$1,000,000. Here is the condition in the city of Alanta, very much like the condition that exists in the city of Chicago: We have 14 great railroads running into the city of Atlanta. We have two terminal stations-one known as the Union Station and one known as the Terminal Station. These stations are about three-quarters of a mile from the Atlanta post office itself. The screen-wagon service costs us \$9,746 a year. The postmaster has looked into this question. It is agreed that a contract can be entered into by the Government for the construction of 30-inch tubes that will carry seven full sacks of mail, the equivalent of 700 pounds; that this service will be turned over to the Government for \$75,000. The annual operative expenses of the system would be \$2,200. The present expense for the screen-wagon service is \$9,746.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. MANN. Has the gentleman himself made any investigation as to the practicability of the size of the tube suggested?

Mr. HOWARD. Yes.

Mr. MANN. The gentleman is aware that a few years ago contracts for construction of pneumatic-tube service were authorized in Cincinnati for 20-inch tubes, and that they could not enter into them because that size would not work?

Mr. HOWARD. Mr. Chairman, in answer to my good friend, right here within a hundred yards of where you now stand there is an 18-inch tube in operation. The concern that made this estimate for the Atlanta post office guaranteed that the service would prove efficient, and they further guaranteed that the operating expenses of this system would not be over \$2,200 a year, and here is the estimate.

Mr. MANN. Where is this 18-inch tube service within 100

Mr. HOWARD. Right here from the House Office Building to the Capitol. It has a capacity of 30 miles an hour and will

Mr. MANN. But not a pneumatic-tube service like the ordi-

nary pneumatic-tube service?

Mr. HOWARD. It is complete in every particular, with electrical appliances and everything, and the gentleman can step in and see it. It is a perfectly practical system. If we can work an 18-inch tube, we can work a 30-inch tube, because the principle applying to an 18-inch tube will also apply to a 30-inch tube. It is not a question of power, because over and above the draft or suction it takes to operate the pneumatic tube only 5 pounds pressure to the natural pressure is necessary to make the cylinder go 30 miles an hour.

Mr. MANN. If the gentleman will permit me, the same argument he is now making was made when we passed the Cincinnati business, but when it came to brass tacks they would

not construct it.

Mr. HOWARD. I can only say this in reply, that this is a contract, and if it does not work, it does not cost the Government one penny.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOWARD. I ask for three minutes longer.
The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SAMUEL W. SMITH. Will the gentleman yield for a question?

Mr. HOWARD. With pleasure. Mr. SAMUEL W. SMITH. Did the gentleman say this service was between the House Office Building and the Capitol?

Mr. HOWARD. Yes, sir.

Mr. SAMUEL W. SMITH. Does not the gentleman mean

between the Congressional Library and the Capitol?

Mr. HOWARD. I do not; I mean it runs from the basement of the House Office Building, and before you can say "shoo cat" that will take a letter from the House Office Building to the Capitol. It goes before you can say "scat." [Laughter.] Now, Mr. Chairman, this is a perfectly practical business proposition. The people of Atlanta need this service; they are entitled to it; it is economical to adopt it, and why not do it? The Government can not possibly lose anything and it stands to make a saving of \$7,500 a year. Now, Mr. Chairman, as I said a while ago, the gentleman from Indiana [Mr. Cox] in eminently correct in his position that the 8-inch tube service is absolutely of no value to the Postal Service, for the simple reason that the 8-inch tube can carry nothing in the world but a very small package of letters. I hold in my hand a photograph of eight large bags of mail, aggregating 800 pounds in weight, that are to-day being successfully carried with the 30inch pneumatic tube.

Mr. MANN. Where?

Mr. HOWARD. I do not know the city that it is installed in; I have forgotten. Here is a picture of it and the photograph will not lie, and it shows the amount that it will hold. they say this service is operated successfully and I do not see any reason why it would not operate successfully; and I am willing, Mr. Chairman, if the gentleman from Tennessee will be so magnanimous as to withdraw his point of order, to test the 30-inch pneumatic tube in the great city of Atlanta; and if it does not work, then the people of Atlanta can proclaim to all the world that the pneumatic-tube business is absolutely a

rce. [Applause.]
The CHAIRMAN. The Chair sustains the point of order. Mr. SABATH. Mr. Chairman, I move to strike out the last three words of the last paragraph of the section that has been read, for regulation screen or other wagon service. I do so for the purpose of making an inquiry of the gentleman, who is a member of this committee and who represents the same city, namely, the city of Chicago, as to why the subway service has been discontinued in the city of Chicago, in view of the statement that has been made that it is absolutely impossible to transport the mails from one station to the other or from the post office to the station as speedily as a person could by a wheelbarrow

Mr. MADDEN. My colleague means the Illinois Tunnel?
Mr. SABATH. I mean the Illinois Tunnel.
Mr. MADDEN. The reason why the use of the Illinois Tunnel

was discontinued was this:

A contract was entered into between the postal authorities on the part of the Government and the Illinois Tunnel Co, in our city for the transportation of the mails from station to station and from the stations to the post office. At the end of the contract period the tunnel company asked a very much larger amount for doing the work than they were getting under the old contract, and the authorities decided that they would take bids for the transportation of the mail by screen-wagon service in competition with the bids which they were taking for the tunnel service. The screen-wagon service bid was about \$300,000 less per annum for the removal of the mail than the bid made by the tunnel company, and the postal authorities decided it was much better to pay \$184,000 a year for screenwagon service than it would be to pay \$484,000 a year for the movement of the mails in the tunnel.

Mr. SABATH. Is it not a fact that the former contract with

the tunnel company was about \$173,000 a year?

Mr. MADDEN. Yes; but they wanted nearly \$500,000 when that contract expired.

Mr. SABATH. Was that the bid and was that the reason why that good service was discontinued?

Mr. MADDEN. It was a question whether it was good service or not, and the postmaster of Chicago says the screen-wagon service is a better service and more expeditious than the tunnel service.

Mr. SABATH. In view of the statement that has just been made with regard to the transportation on our down-town

streets?

Mr. MADDEN. Yes, I was talking about the pneumatic service in that instance, and the reason why it was slow in making its final delivery is that all the mail transmitted through the pneumatic tubes had to be redistributed at the end of the tubes, and that made the delay. But the department did not consider itself justified in paying \$300,000 more to transport the mails from station to station within the city limits of Chicago than it could get the work done for on the surface of

Mr. SABATH. Can the gentleman answer another question?

Mr. MADDEN. I do not know. I will try. Mr. SABATH. Namely, how much does the department pay for each and every wagon in the city of Chicago?

Mr. MADDEN. You mean the collection wagons?

Mr. SABATH. Yes, sir; and the numbered wagons that the

department hires from day to day.

Mr. MADDEN. The wagon service for the transportation of the mails from the post office to the railroads is under contract, and the man who owns the wagons does all the work for

Mr. SABATH. How much more does he receive for other service he renders the Government, and is there a contract,

and is that work given to the lowest bidder?

Mr. MADDEN. He renders no other service except that which he renders to the Government, and his wagons are at the disposal of the Government for service supposed to be rendered to the Government.

Mr. SABATH. Are there not other wagons engaged from time

to time by the department?

Mr. MADDEN. I think the department does engage wagons for the collection of the mails, but that has nothing to do with the transportation of the mails, and I do not know what they do pay them.

The CHAIRMAN. The time of the gentleman from Illinois

[Mr. Sabath] has expired. The Clerk will read.

The Clerk read as follows:

For inland transportation by railroad routes, \$55,188,000: Provided, That no part of this appropriation shall be paid for carrying the mail over the bridge across the Mississippi River at St. Louis, Mo., other than upon a mileage basis: But provided further, That the Postmaster General may, in his discretion, pay within the present law a fair and reasonable price for the special transfer and terminal service at the Union Station at East St. Louis, Ill., and at the Union Station at St. Louis, Mo., including the use, lighting, and terminal of the mail building, and transfer service at St. Louis, Mo., provided the amount so paid shall not exceed \$35,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the

second proviso

The CHAIRMAN (Mr. GARNER). The gentleman from Illinois [Mr. Mann] reserves a point of order on the second

Mr. CULLOP. Mr. Chairman-

The CHAIRMAN. The gentleman from Indiana [Mr. Cul-LOP] is recognized.

Mr. CULLOP. Mr. Chairman, I desire to ask the chairman of the committee a question or two about this paragraph. The sum here appropriated for the carrying of the mails by the railroads is \$55,188,000—a very large amount. I would like to ask the chairman if the committee has made any investigation as to whether or not the Government can provide its own cars, pay a mileage to the railroads over which they may run, and reduce this amount very largely?

Mr. MOON. There is an experimental proposition in this bill covering that question. It is one of the sections at the close of the bill that will be subject to a point of order unless there is a rule granted for it. The committee did not go into the question of the whole appropriation along that line. There will be reports that will come in in a short while from commissions of the House on that subject. But the committee did reach a conclusion to make an experiment to the extent of

\$200,000 in connection with cars.

Mr. CULLOP. To build its own cars and operate them, and pay the mileage for running them over the railroads?

Mr. LLOYD. The question the gentleman asks is applicable to the railroad-car service, on page 15.

Mr. CULLOP. I mean the railroad mail cars-the post-office cars. I mean for this service.

Mr. LLOYD. The \$200,000 is not experimentally for this

Mr. MOON. It is not subject to this section.

Mr. CULLOP. I should want it to apply to the entire car-

riage of the mails over the railroads.

Now, Mr. Chairman, this question was up before the committee two or three years ago, and I think the discussion of it then developed this fact very clearly to the country, that one of these postal cars cost anywhere from \$7,000 to \$8,000. The average lifetime of the wooden car is about 15 years. It earns for the railroad company \$7,500 each year. Every two years in which it is in operation it more than pays the railroad company for its entire cost.

Now, that is the wooden car. The steel car-

Mr. MOON. Mr. Chairman, I will say to the gentleman, if he will permit me to interrupt him, that section 8 covers that question, and all the proof he is discussing is contained in the

Mr. CULLOP. Now, the steel car costs about \$12,000.

Mr. COX. No; \$11,000.

Mr. CULLOP. My understanding is that it was \$12,000 or \$14,000. If it is \$10,000 or \$11,000, it is so much the better. Now, it seems to me that it is a very clear proposition that the Government can own the post-office car-all mail cars-as well as the company that carries the mail, and thereby save a very large sum annually to the people. In other words, by that means it would not cost the Government one-half as much as it now costs to carry the entire mail of the country, or at least all of it that is carried over the railroads, if it owned the mail cars. And it seems to me, further, that it would be advisable for the Government to enter upon the trial of the plan. It can build its cars. It can pay the railroad companies a mileage charge, as other businesses pay for the carrying of cars over the railroads, and save by that manner of operating the Post Office Department at least \$30,000,000 a year. The sum paid for the post-office car, what is called the post-office railway mail car, is out of all proportion with what the service is worth.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield? Mr. CULLOP. In just a moment. If the department desires to economize in a manner that will not affect the efficiency of the service to the public, but will benefit every taxpayer of the country; if it desires to reduce the cost of operation where it will not be at the expense of the service, it should own its own cars and pay a mileage rate to the railroad companies for hauling them. That it can do this successfully, I think, has been clearly demonstrated by the investigations that have been had. I think it can save one-half of the expense that is now incurred for carrying the mails by rail.

Mr. LLOYD. Mr. Chairman, will the gentleman yield?

Mr. CULLOP. Yes.

Mr. LLOYD. At the present time the Fish Commission has a special car, and the Immigration Bureau has a special car, and those cars are paying 25 cents per mile for transit over the railroads. If that is a reasonable basis upon which we would pay for our cars, and we would pay the same for every railway mail car as we pay for the fish car, the amount paid by the Government for carrying the mails over the railroads would be \$8,000,000 more than we are now paying.

Mr. CULLOP. Mr. Chairman, the answer to that proposition is that the officials who made that contract for the Government in those instances with the railroad companies ought to be promptly discharged from the Government service for want of business capacity. The Pullman Co, makes a contract. We can make as fair a contract for the Government for carrying the mail as the Pullman Co. makes for carrying its sleeping cars on every railroad in the country.

The CHAIRMAN. The time of the gentleman from Indiana

has expired.

Mr. CULLOP. I would like to have two minutes more, Mr. Chairman, if I may have it.

The CHAIRMAN. The gentleman from Indiana [Mr. Cul-LOP] asks unanimous consent to proceed for two minutes. Is

there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Chairman, I would like to ask the gentleman a question, and I ask unanimous consent that the gentleman be permitted to proceed

The CHAIRMAN. Is there objection?

Mr. CULLOP. I do not want five minutes. I want only two

Mr. MOON. Mr. Chairman, I want to make a point of order. There is a point of order pending, to be disposed of. I call for the regular order.

The CHAIRMAN. The gentleman calls for the regular order.

Does the gentleman insist upon the point of order?

Mr. MOON. If the gentleman desires to explain it, I have no objection. If he desires it disposed of without explanation, I shall insist.

The CHAIRMAN. The gentleman has called for the regular

Mr. MOON. I'ask unanimous consent that the gentleman from Indiana may proceed for two minutes. Then we will take up the other question.

The gentleman from Tennessee asks The CHAIRMAN. unanimous consent that the gentleman from Indiana be allowed to proceed for two minutes. Is there objection?

There was no objection.

Mr. CULLOP. I take it there is no reason why the Government can not make as fair a contract, and why it ought not to make as fair a contract, in behalf of the people of this country as the great Pullman Sleeping Car Co. is able to make with every railroad in this country. And if it paid any such toll for running its cars over the railroads as the gentleman from Missouri has mentioned in reference to the two branches of the Government, the Pullman Co. could not operate its sleeping cars on any railroad in this country. But if the Government will take hold of this matter and repeal the statute that is now in force, which fixes this sum as a matter of Federal law, then it can enter upon negotiations with the railroads of this country, and if it can not get a reasonable contract for this service it can build its own cars and pay on a mileage basis and carry the mails of this country for one-half the sum it is costing the Government to-day.

Mr. STAFFORD. Will the gentleman yield?

Mr. CULLOP. In one moment. The sum which is now paid the railroads is out of all reason. It is out of all proportion to the advantages derived from it and out of all proportion to the pay that these railroads are receiving for similar service to the

public throughout the Nation.

Mr. STAFFORD. The gentleman from New Jersey [Mr. TUTTLE], a member of the postal commission charged with the investigation of the subject, states that the Government is paying for the use of these railway post-office cars at the rate of 18.64 cents per mile, whereas the cost of operation alone for the carriage of a passenger car is 19.41 cents per mile. The Government is obtaining this service for a little less than the real cost of operation of passenger cars. Now, in view of these figures, does the gentleman believe that the officials who have entered into contracts for the Fish Commission and the Immigration Department at 25 cents per car-mile should be

discharged from the Government service?

Mr. CULLOP. Yes; I repeat it. I think they ought to be relieved from the service for making such an exorbitant contract as that with the railroad company. There is no business man in the country looking after his own financial concerns who would not make a better bargain than that. He would not pay

half as much.

INTERSTATE TRADE COMMISSION.

Mr. CLAYTON. Mr. Chairman, I ask unanimous consent to have printed in the Record a bill which I introduced in the House to-day (H. R. 12120) providing for an interstate trade commission and defining its powers and duties, and for other purposes, together with a statement made by myself to the press this afternoon, and a statement made by Senator NEWLANDS this afternoon to the press, on the subject matter of this bill.

The CHAIRMAN (Mr. GARNER). The gentleman from Alabama asks leave to extend his remarks by printing in the RECORD a certain bill and certain statements. Is there objection?

Mr. MANN. What is the bill? Mr. CLAYTON. The interstate trade commission bill, introduced to-day

The CHAIRMAN. Is there objection?

There was no objection.

The statement referred to is as follows:

THE CLAYTON-NEWLANDS BILLS.

Representative Clayton this afternoon gave to the press the full text of the tentative bill as agreed upon by a subcommittee of the Judiciary Committee of the House (Messrs. Clayton. CARLIN, and FLOYD of Arkansas) and the majority members of the Senate Committee on Interstate Commerce, and said:

"The bill will be introduced at the same time by Representa-tive CLAYTON and Senator NEWLANDS. The bill is modeled after the lines of what is commonly known as the Newlands bill, which was introduced in the Senate some months ago by Senator NEWLANDS, and involves the fundamental idea that a trade commission shall be created, consisting of five members, with full inquisitorial powers into the operation and organization of all corporations engaged in interstate commerce, other than common carriers. It provides for a commission of five members, and makes the Commissioner of Corporations chairman of the board, and transfers all the existing powers of that bureau to the commission. Its relation to the Attorney General's Office and to the courts is advisory. Its principal and most important duty besides conducting investigations will be to aid the courts, when requested, in the formation of decrees of dissolution, and with this end in view it empowers the courts to refer any part of pending litigation to the commission, including the proposed decree, for information and advice."

Senator Newlands, being interviewed, said:
"The trade-commission bill and several other bills limiting the debatable ground of the Sherman Act have been the subject of laborious consideration by a subcommittee of the Judiciary Committee of the House, consisting of Mr. CLAYTON, chairman, and Messrs. Carlin and Floyd, during the holidays and before. The majority members of the Interstate Commerce Committee of the Senate have been brought into consultation with them of

"The trade-commission bill preserves the essential features of the bill which I have been urging for some time, but contains amendments and additions of great value, and is, in my judgment, a distinct improvement upon the bill as it was considered and perfected by the Interstate Commerce Committee of the Senate during the last Congress. As a whole, I should say that the trade-commission bill ought to be satisfactory to members of all parties, for it is distinctively progressive, and we have endeavored to frame it in harmony with the President's views presented in an admirable message which has received the approval of the entire country, regardless of party. While these bills represent at present the best thought of the participants in the shaping of this legislation, they are presented simply as tentative measures upon which the judgment of the proper committees of the House and Senate and of the country is invoked!

[H. R. 12120, 63d Cong., 2d sess., by Mr. Clayton, in the House of Representatives.]

A bill to create an interstate trade commission, to define its powers and duties, and for other purposes.

Be it enacted, etc., That a commission is hereby created and established, to be known as the interstate trade commission, which shall be composed of five members, not more than three of whom shall be members of the same political party, and the said interstate trade commission is referred to hereinafter as "the commission."

SEC. 2. That on the taking effect of this act the Bureau of Corporations shall cease to exist, and is hereby transferred to and merged in, and becomes a part of the commission; and all officers and employees of the Bureau of Corporations shall hereafter be the officers and employees of the commission, and with the transfer there shall pass to the possession of the commission all the records and papers of said bureau, and the commission shall hereafter exercise all the powers and perform all the duties heretofore conferred or imposed upon the said bureau.

All appropriations heretofore made for the support and maintenance of the bureau shall stand as appropriations to be expended by the commission in the exercise of the power and in the performance of the duties which the law, prior to the passage of this act, conferred or imposed upon said bureau. And the person who at that time shall be the Commissioner of Corporations shall become a member of the commission and the chairman thereof for the term of seven years. The other four

commissioners, and a fifth commissioner upon the retirement or expiration of the seven-year term of the former Commissioner of Corporations, shall be appointed by the President, by and with the advice and consent of the Senate. The term of the commissioners shall be seven years: Provided, That the term of the commissioners first appointed by the President shall date from the taking effect of this act and be as follows: One for a term of three years, one for a term of four years, one for a term of five years, and one for a term of six years; and the successor to the former Commissioner of Corporations, when appointed, shall be appointed for a term of seven years; and thereafter all appointments shall be for a term of seven years. Upon the retirement from the commission, from whatsoever cause, of the person who at the time this act shall take effect shall be the Commissioner of Corporations the commission shall elect one of its members chairman. The commission shall elect a secretary and assistant secretary, said chairman to hold his office as chairman and said secretary and assistant secretary to hold their offices or connection with the commission at the pleasure of the commission. The members of the commission shall each receive a salary of \$10,000 per annum, the secretary of the commission shall receive a salary of \$7.200 per annum, and the assistant secretary shall receive a salary of \$4,500 per annum. In case of vacancy in the commission during the term of the commissioners, an appointment shall be made by the President, with the advice and consent of the Senate, to fill such vacancy, and shall be for the unexpired term. The office of the commission shall be in the city of Washington, but it may at its pleasure hold meetings elsewhere. The commission shall have such clerks, examiners, experts, and other employees as may be necessary and as may be, from time to time, appropriated for by Congress

Sec. 3. That all corporations engaged in commerce among the several States or with foreign nations, excepting common carriers, whether required by general rules and regulations for regular information or information specially asked in special instances, shall, from time to time, furnish to the commission such information, statements, and records of their organization, business, financial condition, conduct, management, and relation to other companies, at such time, to such degree and extent, and in such form, as may be prescribed by the commission. The commission, at all reasonable times, or its duly authorized agent or agents, shall have complete access to all records, accounts, minutes, books, and papers of such corporations, including the records of any of their executive or other committees. Failure or neglect on the part of any corporation subject to this act to comply with the terms of this section within such time after written demand shall have been made upon such corporation by the commission requiring such compliance as shall be fixed by the commission shall constitute a misdemeanor, and upon conviction such corporation shall be subject to a fine of not more than \$1,000 for every day of such failure or neglect.

Sec. 4. That the information so obtained shall be public records, and the commission shall, from time to time, make public such information in such form and to such extent as it may deem necessary.

Sec. 5. That the district courts of the United States, upon the application of the commission alleging a failure to comply with any order of the commission for the furnishing of information, shall have jurisdiction to issue a writ or writs of mandamus or other order enforcing such order of the commission and to punish the disobedience thereof as in other cases of contempt of court.

SEC. 6. That for the purposes of this act the commission shall have the power to require by subpœna the attendance and testimony of witnesses and the production of all books, papers, contracts, agreements, documents, or other things of every kind and nature whatsoever relating to any matter under investigation by the commission. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States at any designated place of hearing, and in case of disobedience to a subpœna the commission, or any party to a proceeding before the commission, may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of books, papers, and documents under the provisions of this section.

And any of the district courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpœna issued to any corporation subject to the provisions of this act, or other person, issue an order requiring such corporation or other person to appear before said commission (and produce books, documents, and papers as so ordered), and give evidence touching the matter in question; and any failure to obey such order of this court may

be punished by such court as a contempt thereof. The claim that any such testimony or evidence may tend to incriminate the person giving such evidence shall not excuse such witness from testifying.

Witnesses whose testimony is taken under the provisions of this act shall severally be entitled to the same fees as are paid

for like service in the courts of the United States.

No person shall be excused from attending and testifying or from producing books, papers, documents, or other things before the commission, or in obedience to the subpæna of the commission, whether such subpæna be signed or issued by one or more of the commissioners, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may testify under oath or produce evidence, documentary or otherwise, before said commission in obedience to a subpæna issued by it in a proceeding instituted other than upon his own initiative: Provided, That no person so testifying shall be exempt from prosecution and punishment for perjury committed in so testify-The purpose of this provision is to give immunity only to natural persons who, under oath, testify in response to a subpæna of the commission in any inquiry instituted by the commission.

Sec. 7. That any person willfully making or furnishing to said commission any statement, return, or record required by this act, when knowing such statement, return, or record to be false in any material particular, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than \$1,000

or imprisoned not more than one year, or both.

Sec. 8. That the commission is hereby given authority, upon complaint made to it in such manner as it may by general or specific regulations provide, or on its own initiative, to institute and conduct an investigation to determine whether or not any corporation subject to the provisions of this act was organized or has established such relations with other individuals or corporations or is conducting its business in whole or in part in violation of the provisions of the act approved July 2, 1890, entitled "An act to protect trade and commerce from unlawful restraints and monopolies," or any existing or future amendments thereof, or any of said provisions. If the commission shall find any such violation, the matter shall be submitted by it to the Attorney General, to the end that the said violation be proceeded against, prosecuted, and terminated in accordance with the provisions of said act of July 2, 1890, and the amendments thereof or supplemental thereto as aforesaid.

SEC. 9. That the commission shall, at any time, upon the request of the Attorney General or any corporation affected, investigate any corporation subject to the provisions of this act, with all the powers of investigation heretofore bestowed on the commission, for the purpose of ascertaining whether there has been in the conduct of said corporation or is in the organization of such corporation or its relations to other corporations or individuals a violation of said act of July 2, 1890, and the amendments thereof as aforesaid, and in case the commission shall find such violation it shall make a finding, fully stating the same and prescribing the acts, transactions, and readjustments necessary in order that said corporation may thereafter comply with the terms of said act and the amendments thereof as aforesaid, and shall transmit a copy of the said finding as aforesaid to the Attorney General, as advisory to the Attorney General, in terminating, by agreement with the corporation affected or by suit, as provided in said act aforesaid, the said unlawful conduct or condition. Said finding shall become a public record of the commission, as provided in section 4, only upon the direction of the Attorney General or the President.

SEC. 10. That in suits of equity brought by or under the direction of the Attorney General, as provided in the act of July 2, 1890, as aforesaid, the court in which said suit is pending may, at any stage in the litigation, at its discretion, refer to the commission any aspect of the litigation or any proposed decree, whereupon the commission shall investigate the question or questions referred to it with all the powers of investigation hereinbefore bestowed on the commission and shall report its findings to the court, with a copy of the evidence upon which said findings or recommendations are based. Said evidence, findings, and recommendations shall be public records, as pro-

vided in section 4 hereof.

Sec. 11. That the said commission shall, on or before the 1st day of January of each year, make a report, which shall be transmitted to Congress. This report shall contain such information and data collected by the commission as it may deem of value in the determination of questions connected with the

regulation of commerce, together with such recommendations with reference to additional legislation relating thereto as

the commission may deem necessary.

SEC. 12. That, with the exception of the secretary and assistant secretary and one clerk to each of the commissioners, and such special agents as may be employed from time to time, all em-ployees of the commission shall be a part of the classified civil service, and shall enter the service under such rules and regulations as may be prescribed by the commission hereby created and by the Civil Service Commission. The commission shall also have the power to rent suitable rooms for the conduct of its work, paying therefor such rent as may be provided for by appropriation.

SEC. 13. That nothing contained in this act shall be construed to prevent or interfere with the Attorney General in enforcing, according to the provisions thereof, the said act of July 2, 1890, and the amendments thereof as aforesaid, nor to amend or modify otherwise the provisions of said act and the amendments thereof.

POST OFFICE APPROPRIATION BILL.

Mr. SAMUEL W. SMITH. Mr. Chairman, I should like to be recognized for two minutes, just to ask the gentleman from Indiana a question. Does the gentleman know what Swift & Co., Armour & Co., and similar great institutions pay the railroads for the use of their cars?

Mr. CULLOP. No; I do not know, and do not know that I have ever seen a statement of it.

Mr. SAMUEL W. SMITH. The gentleman from New Jersey [Mr. Tuttle] says he can answer the question, and I shall be

obliged if he will.

Mr. TUTTLE. I am informed by the Interstate Commerce Commission that Swiff & Co., Armour & Co., and other packing house companies owning their own cars are paid by the railroads for the use of those cars three-quarters of a cent a mile in the East and a cent a mile in the West. These packing companies in return pay the railroads the tariff rates of freight for the goods which are shipped in the cars. They pay sufficient freight, of course, to make the traffic profitable and to enable the railroad companies to pay this rebate of three-quarters of a cent or 1 cent a mile, as the case may be.

I would like to say in regard to the Pullman contract, to which the gentleman from Indiana has referred, that the Pullman Co. has arrangements with the railroads whereby they pay the Pullman Co. 3 cents, 2 cents, 1 cent, or nothing a mile in proportion to the amount of traffic in the Pullman cars, the railroads, of course, receiving the passenger revenue. But this has no relation whatever to the Railway Mail Service; the two are not comparable, because the revenue of the Pullman Car Co.

is based on the amount of service performed.

It is also true the express companies have an arrangement on the basis of a percentage of the business done, and, contrary to public opinion, the express companies are paying more for their service per foot ton per mile than the Post Office Depart-

Mr. CULLOP. Will the gentleman yield? Mr. TUTTLE. I will.

That was the reason exactly that made the Mr. CULLOP. establishment of the parcel post absolutely necessary, because the express companies and the railroads had joined hands, and their contract shows it, to extort money from the people who transport small packages, and their charge was a most unreasonable one-all because there was no competition in that line of business.

Mr. TUTTLE. I want to say, further, that the joint commission appointed in the last Congress has gone into this question very thoroughly, and has had the benefit of the statistics and reports of the Interstate Commerce Commission, the benefit of the report of the Post Office Department investigations, all of which indicate that the cost to the railroads for transporting passenger cars per mile, as the gentleman from Wisconsin has just stated, is about 19.41 cents, excluding dividends, interest, and other charges. It has been shown that the railroads to-day, in both the pay for the mails and for the railway post-office cars, are receiving but 18.84 cents for carrying this mail, and they are carrying it for less, according to these figures, than what would be a proper and reasonable rate, according to the Interstate Commerce Commission.

Mr. MOON. Who are these figures made by?

If. TUTTLE. The rate of 19.41 was compiled by the Interstate Commerce Commission, as of June 30, 1913, as the result of reports received from 64 of the great railroad lines in the country. These figures correspond generally with other authentic information.

Mr. MOON. Do they show the secret contract between the express companies and the railroads for the division of profits?

Mr. TUTTLE. They do not.

Mr. MOON. Then, you can not tell anything about it until you get that.

Mr. TUTTLE. There is no reason to believe that the Government would effect any economy by owning its own cars and paying the railroad to haul them.

Mr. CULLOP. Will the gentleman yield?

Mr. CULLOP. Mr. TUTTLE.

Mr. TUTTLE. I will.
Mr. CULLOP. Does not the gentleman know that since the adoption of the parcel post the express companies have arranged and put into operation a carrying schedule very largely reducing the former rates before the passage of the parcel-post law, and does not the gentleman understand that prior to the passage of the parcel-post law there was a secret contract between the railroads and the express companies by which the profits were divided? In addition to that, that the stockholders of the express companies as a rule were owners of stocks and bonds in all of the railroad companies?

Mr. TUTTLE. But that has nothing to do with the case we

are discussing.

Mr. CULLOP. And thus it was charging the public and making earnings on which to pay the stockholders in both companies, because of the dual ownership, and therefore earning a double profit? Does not the gentleman know that the express companies in this country own at least \$86,000,000 worth of railroad stocks and bonds? Therefore the pay for carriage on the railroads simply enabled a double dividend because of the dual ownership.

Mr. TUTTLE. I know that has nothing to do with the question of the economy of the Government owning its own railway

Mr. CULLOP. The charge was based upon the earning of double dividends upon these stocks that made necessary elimination of it by the parcel-post law, which it will certainly do. The express companies cared but little what the railroads charged for carrying their packages, because they shared in the dividends earned because of its ownership of stock in both companies.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word. I have received a number of communications recently which have been based upon the so-called publicity bulletins issued by the Kansas City Southern Railway Co., under date of December 22, 1913. These communications complain that the compensation received by the railroads for carrying the mail since the initiation of the parcel post are inadequate.

There are both that applied and digures given in this circular.

from which I doubt that anybody can draw any proper conclusion, but I shall be glad if the gentleman from Tennessee would make a statement as to what arrangement has been made to compensate the railroads for the additional burden placed upon them by reason of the enactment of the parcel-post law, so that it will be available for reference.

Mr. MOON. There is nothing the committee could do or

recommend under the present situation.

Mr. FITZGERALD. Has any arrangement been made by the

department, if the gentleman knows?

Mr. MOON. No; the bill carries four and a half million dollars more money than the previous bill, and it is assumed by the department that they have enough to meet this emergency. They have not been able to determine yet what percentage the increase will be. This appropriation provides for ordinary service and 5 per cent additional.

Mr. FITZGERALD. Do I understand that pending the final adjustment the railroads are being paid additional money over the amount that would have been paid if the parcel post had not

been initiated?

Mr. MOON. Until the quadrennial weighing.

Mr. FITZGERALD. And then the payments will be adjusted upon the rates as determined at that time?

Mr. MOON. Yes, sir. Mr. FITZGERALD. There seems to be some misapprehen-

sion on this information in respect to the matter.

Mr. MOON. That is about all the department could do about the matter in view of the fact that we did not have at one time a weighing to determine it, and in view of the fact that the parcel post is not yet sufficiently developed to determine what the increase might be.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Chairman, this communication, which originates in Kansas City, Mo., and is sent out from the office of the vice president of the Kansas City Southern Rail-

way Co., states that previous to the inauguration of the parcel post the total space on the passenger trains of the Kansas City Southern was divided as follows: For the handling of United States mail, 8.7 per cent; for handling express companies' business, 10.8 per cent; and for handling passenger business, 80.5 per cent. Then the figures are given showing the amounts received by the company for the various classes of service, and the statement is made that had the Post Office Department paid for the additional space occupied on the passenger trains since the initiation of the parcel post, \$182,271.23, as against the amount actually received, the railroad would have received \$59,024.16 additional to the amount it has been paid. This circular has evidently been given wide publicity, because I have received a number of them from constituents living in my district, in Brooklyn, N. Y. It is apparently addressed to the employees of the railroad, but it seems to me that it is being sent to stockholders of railroads all over the country.

Mr. McCOY. Mr. Chairman, will the gentleman yield? Mr. FITZGERALD. Yes.

Mr. McCOY. I will say to the gentleman that I received a similar letter from a stockholder and transmitted it to General Stewart, who wrote me last week very fully in answer to it. I regret that I sent that letter of General Stewart to the person who inquired of me, but I have no doubt that we can obtain a copy of the letter.

Mr. FITZGERALD. It would be very desirable if that letter could be placed in the RECORD, so that information of an authoritative character would be available to send to persons who are

basing their complaints on this communication.

Mr. MOON. Mr. Chairman, I take it that General Stewart would be very, willing to furnish that letter. The amount

offered is enough, in the opinion of the committee.

Mr. SLAYDEN. Mr. Chairman, somewhat to the point of the discussion raised originally by the gentleman from New York is a matter that I desire to call to the attention of the chairman of the committee. There is a good deal of complaint of the burden that is being put on the carriers of mails over rural routes, and the railways and other people who are interested in it feel that the corporations are not being adequately paid for the service that is being rendered, and are communicating with me, and I suppose every other Member of the I have here a bit of news, clipped from a paper published in Texas, my home, which suggests a condition of a very extraordinary nature. If this story is true-and I heard something in the Post Office Department which indicates that it is then I doubt if the sum of money which I understood the chairman to mention as additional provision to meet these emergencies will be adequate. Here is an extraordinary story of an increase of parcel mail offered to the contractor between Silver City, Grant County, N. Mex., and a mining camp 50 miles away. A flouring mill out there is putting up its produce in packages to come within the weight limit fixed by the parcelpost law, and is offering it to be sent in that way over the mountains. The mining camp has had metal receptacles made to bring its fuel oil in by parcel post, because it is cheaper than it can be carried in any other way over those mountains. The contractor has been utterly swamped. The post office at Silver City has been converted into a warehouse for a flouring mill, and the contractor is utterly unable to transport the stuff. It has accumulated, and he has proposed to throw up his contract and to reimburse his bondsman, who will settle with the United States, the bond being merely for \$2,000. Now, I would like to ask the chairman of the Committee on the Post Office and Post Roads whether or not emergencies like that will be met and the service continued, or will the contractor be forced into bankruptcy?

Mr. MOON. I think the department can, under the law, meet

any emergency

Mr. SLAYDEN. This distinctly states that the department is insisting that he go on with the execution of his contract.

Mr. MOON. Well, probably that is right.
Mr. SLAYDEN. That means immediate bankruptcy for the

Mr. MOON. That is a matter we could not settle in this bill, anyway, nor could we make any provision of law in this bill that would cover questions of that sort.

Mr. STAFFORD. Mr. Chairman, for the purpose of clearing up the minds of some of the members of the committee in re gard to the effect of the establishment of the parcel post and as to any increase in the payment to the railroads, I wish to say that it will be some years before the railroads receive any

adequate compensation for that added burden.

Mr. MOON. I want to say this to the gentleman, that the long-line railroads insist that they are not paid enough, and the short-line railroads insist that they are not paid enough, and

there is a conflict of testimony of that nature, but the Governmen is insisting, and has insisted, that they are all paid too much now.

Mr. STAFFORD. In reply to the statement made by the chairman of the committee I do not know of any recommendations made by the post-office officials in which they state that the

present scale of pay to the railroads is too high——
Mr. MOON. There are documents in the last Congress show-

ing it.

Mr. STAFFORD. The point I am making is this, that by reason of the increased tonnage arising from the establishment of the parcel post the railroads are not receiving any added compensation for this service other than the little percentage increase that was provided in the last appropriation act, which authorized an allowance of 5 per cent to all those railroads whose weight of mails was determined prior to January 1, 1913.

Mr. FITZGERALD. Why?
Mr. STAFFORD. The gentleman from New York asks why. I will say to the gentleman that as he well knows the principle on which railroads receive their compensation is determined by weight every four years, and because of the conditions of weighing through the four different contract sections, most of the railroads will not receive any additional compensation for two, three, and four years.

Mr. SLAYDEN. Will the gentleman permit? Mr. STAFFORD. If the gentleman will permit me to conclude, I will then be glad to do so. The weighing of the mails took place last in what is known as the first contract section, consisting of New England and the Middle States. England the mails were weighed in the autumn of 1912, and the parcel post was not in operation until January 1 following, therefore they receive no compensation and they will not receive additional compensation based on parcel-post tonnage until the weighing four years hence. All the railroads in New England will not receive an increase over the tonnage shown in the last weighing until July 1, 1917. In the Middle States, including the State which the gentleman so ably represents on the floor of the House, the weighing there took place last February to June, but the parcel post was not in full operation even then. The average weight of parcel post at that time was only 1 pound. Since then it has been increased to 20 pounds in the first two zones, and recently that weight has been extended to the entire country and to 50 pounds in the first two zones. Mr. MOON. Will the gentleman yield?

Mr. STAFFORD. Permit me to explain this feature and then I will be glad to yield. So the railroads in the Middle States are only receiving the added compensation based upon the weighing as ascertained from February to June. next weighing takes place in the far western section beginning this coming month—that is, in the States west of the Dakotas and running to the Pacific coast. There the parcel-post mail is comparatively light and they will receive their added compensation beginning July 1 of this year. The heaviest section, known as the Middle West, will not have their mails weighed for a year hence, and upon those weights, which will go into effect July 1, 1915, they will receive for the first time any added compensation other than this little 3.7 per cent which was provided in the last appropriation bill. The appropriation aggregated but \$1,700,000.

Mr. MADDEN. Five per cent the last time.

Mr. STAFFORD. It was 5 per cent, but the average allowed by the department only averaged 3.6 per cent, and totaled \$1,700,000, according to a letter sent to me by the Second Assistant Postmaster General, Mr. Stewart.

Mr. FITZGERALD. Whatever may have been allowed, the department is authorized to allow up to 5 per cent if the figures

show it should be allowed.

Mr. STAFFORD. The department authorized and allowed about \$1,700,000

Mr. FITZGERALD. The department will allow all that it

can reasonably be shown to be due.

Mr. STAFFORD. Now, the year following the weighing of the mail in the middle western section will be the weighing in the southern section, and the southern railroads will receive no other added compensation except this little percentage until July 1, 1916.

Mr. MADDEN. Will my colleague yield for a question?

Mr. STAFFORD. I yield for a question.

Mr. MADDEN. I understood my colleague on the committee to say that, on account of the increased size of the package authorized-

Mr. STAFFORD. The increased weight of the package authorized.

Mr. MADDEN. On account of the increased weight of the package authorized, there would be a great deal of added

weight; but the truth is the average weight of the packages is

only 15 ounces now.

Mr. STAFFORD. I beg the gentleman's pardon in that particular. I have here the reports of the department, taken in April, where the average weight was 16 ounces; and also those of average weighings from October 1 to October 15, which show that, by reason of the increase of weight established by the Post Office Department from 11 pounds to 20 pounds in the first and second zones, the weight has increased to 1 pound and

Mr. MOON. Now, if the gentleman has reached a point where

I can interrupt him——
Mr. STAFFORD. I will yield gladly to the gentleman now. Mr. MOON. It seems to me the discussion along this line is of no value to us now. We can do nothing in the bill on this subject, and a report is coming in on the question of railway mail compensation before a great while, upon which the House may readjust the whole matter and cover all of these questions in reference to the parcel post. Of course it is apparent to the gentleman as to everybody else that there has been an increase in transportation by railroad companies for mail on account of the parcel post, and there is no disposition in the world to give the railroad companies any less than is due to them or that they ought to have for that service. Unquestionably short-line roads may require some additional compensation, and the longline roads may or may not. There is a document in the Committee on the Post Office and Post Roads from the last administration that is quite strong on the question of railway compensation, and they insist that they are paying under the first plan now very much more than they are entitled to.

Mr. STAFFORD. And an official connected with the postal commission that is now investigating this subject claims that we

are underpaying the railroads \$15,000,000.

Mr. MOON. We have no vote on that now.

Mr. STAFFORD. Assuming that the former compensation was fair and adequate, then I claim, and rightly claim, and it can not be disputed, that this added tonnage that has been imposed upon the railroads is an appropriation of property for which they are receiving no compensation.

Mr. MOON. Mr. Chairman, I move that all debate be closed

on this section.

There is a point of order on this question. Mr. MANN.

That is what I wanted to call up. Mr. MOON. Mr. MANN. Does the gentleman reserve it?

What do you want to know about the matter? Mr. MOON. The first proviso is a limitation and is not subject to a point of order. The second section is subject to a point of order. Mr. MANN. Of that I am aware.

Mr. MOON. This bill simply carries a provision already carried in the last bill, word for word, on this subject, and if this proviso is stricken out we will simply go back to the old law. That is all there is about it.

Mr. MANN. In the absence of the gentleman from Kansas [Mr. Murdock], who would make a point of order if he were

here, I will make a point of order.

Mr. MADDEN. I trust the gentleman will not do so.

Mr. MANN. In view of the action of the committee, which is touchy on the subject, I make the point of order.

Mr. MOON. I did not understand what the gentleman from

Illinois [Mr. Mann] said. Mr. MANN. I said the gentleman declined to explain the

matter and seemed to be quite touchy. Mr. MOON. I did not decline to explain it and did not get

touchy about it.

Mr. MANN. If the gentleman explained it fully, that ends I make the point of order.

Mr. MOON. Well, let the gentleman make his point of order

and let it go out.

The CHAIRMAN. Does the gentleman make the point of

Mr. MADDEN. I hope, Mr. Chairman, that my colleague

will reserve his point of order for an explanation.

Mr. MANN. I am willing to reserve it for an explanation, but the gentleman from Tennessee [Mr. Moon] insisted upon action.

Mr. MADDEN. I will explain it. This proviso at the bottom of page 14 of the bill is a limitation on the appropriation. It

That the Postmaster General may, in his discretion, pay within the present law a fair and reasonable price for the special transfer and terminal service at the Union Station at East St. Louis, III., and at the Union Station at St. Louis, Mo., including the use, lighting, and heating of the mail building and transfer service at St. Louis, Mo., provided the amount so paid shall not exceed \$35,000.

from the end of the railroad terminals that come from the east-for East St. Louis is the terminus of all the railroads coming from the east toward St. Louis-and all the mail coming from the west and the south into the terminal station at St. Louis is loaded in-

Mr. MOON. Mr. Chairman, what is the gentleman insisting upon? Does he insist that this is a limitation?

Mr. MADDEN. I insist that it is a limitation on the appropriation.

Mr. MOON. And that the point of order is not well taken? Mr. MADDEN. I am reaching that. The gentleman has withheld his point of order.

Mr. MOON. I thought he made it.

Mr. MADDEN. No: he has withheld it.
Mr. MOON. All right.
Mr. MADDEN. The Terminal Railroad Association of St. Louis hauls the mail coming from the east over the Eads Bridge and through the tunnel built under the city of St. Louis into the Union Station at St. Louis, Mo., where the mail is handled and distributed, and facilities, such as space, heat, light, and water, are furnished by the Terminal Railroad Association.

There were railroads ending in St. Louis, Mo., on the west side of the Mississippi River, and at East St. Louis, Ill., on the east side of the Mississippi River, long before any bridge was built. No railroad has ever had its own tracks across the Mississippi River at St. Louis. All the west-side lines end at the Union Station, St. Louis, Mo., and all the east-side lines end at East St. Louis, Ill. The Eads Bridge was constructed, as was the tunnel, in order that the east-side lines might connect with the west-side lines at the Union Station in St. Louis, Mo. The Terminal Railroad Association of St. Louis was organized in order to operate this connecting link.

The stock of the Terminal Railroad Association is owned in equal parts by 15 railroads, known as proprietary lines, but there are using railroad companies which are not proprietary lines and whose rails end in East St. Louis, Ill. The west-side proprietary lines, which end in St. Louis, Mo., and which are not concerned with the transportation of the mail over the Eads Bridge are: Wabash Railroad Co.; Burlington Railroad Co.; Missouri, Kansas & Texas Railroad Co.; Rock Island Railroad Co.; Cotton Belt Railroad Co.; Frisco Railroad Co.; Iron Mountain Railroad Co.; and Missouri Pacific Railroad Co.

The proprietary lines which end in East St. Louis, Ill., and bring the eastern mail to that point are: Baltimore & Ohio Railroad Co., Chicago & Alton Railroad Co., Big Four Railroad Co., Illinois Central Railroad Co., Louisville & Nashville Railroad Co., Southern Railway Co., and Vandalia, or Pennsylvania Lines. The railroads which are not proprietary lines and which end

in East St. Louis, Ill., are: Chicago & Eastern Illinois Railroad Co.; Mobile & Ohio Railroad Co.; Chicago, Peoria & St. Louis Railroad Co.; and Toledo, St. Louis & Western Railroad Co.
Under a recent decision of the Supreme Court of the United

States the Terminal Railroad Association of St. Louis must be operated without a profit, and any railroad may use its facilities and become a stockholder as a matter of law and right without the consent of the present proprietary lines or the terminal com-All other terminal companies, such, for instance, as the pany. one at Washington, D. C., may be operated at a profit, and other railroads may be refused entrance. The tariffs of the Terminal Railroad Association of St. Louis, under the Supreme Court decision, must be fixed by the Interstate Commerce Commission, and can be no higher than is necessary for the maintenance, upkeep, and betterment of the property, and no dividend can ever be declared.

Since the Terminal Railroad Association of St. Louis is not permitted to make any profit, the Government can not, as a matter of equity, require it to perform services at a loss. If any loss does result from operation, the proprietary lines must make up the deficit. This obligation is imposed in the contract between the proprietary companies and the Terminal Railroad Association, and has been declared obligatory in the Supreme Court decision. The west side proprietary lines have their termini in the Union Station at St. Louis, Mo., and use no part of the facilities of the Terminal Railroad Association in the transportation of the mail.

Since the east side lines end in East St. Louis, Ill., it is necessary for the terminal company to haul the mail across the bridge and through the tunnel into the Union Station and then expend approximately \$20,000 in handling the mail, and in addition thereto afford facilities worth many thousand dollars more. All the revenue for having hauled the mail to East St. Louis, Ill., is received by the east side lines, four of which are not proprietary companies and can not therefore be called upon to make up any deficit. If the Government requires this service To begin with, all the mail that crosses over the St. Louis make up any deficit. If the Government requires this service bridge from the east side, or from East St. Louis, crosses over to be performed at a loss, the west side proprietary lines, which

do not make use of the terminal facilities, must contribute toward the resulting deficit, while the nonproprietary companies on the east side get all of the revenues for hauling the mail to East St. Louis, Ill., without having to bear any of the loss arising from subsequent handling and the performance of the necessary services at the Union Station at St. Louis, Mo. It seems but fair that if this terminal company, which, under the decision of the Supreme Court, is made absolutely unique and different from any other terminal company, can not operate at a profit the Government should not ask it to operate at a

Experience of many years has shown that it is necessary to charge the railroads, including the proprietary lines, at least \$3 per car for the use of the bridges and tunnel in order to meet the cost of their upkeep. The railroads, both proprietary and nonproprietary, now pay \$3 for each baggage and passenger car so transported, and the express companies pay \$3.71 per car. The Terminal Railroad Association owns both the Eads and Merchants Bridges. From the standpoint of handling mails for the Government the terminal company has treated the mail coming over the Merchants Bridge and the mail coming over the Eads Bridge as a unified proposition. Since 1894 there has been an annual deficit from the operation of the Merchants mail route by the terminal company. The terminal company receives approximately \$14,000 annually for transporting the mails over the Merchants Bridge, and if the full amount of \$35,000, as provided for in this bill, should be granted for the service performed on the Eads Bridge, the total compensation of the Terminal Association would be \$49.000. Approximately 33,000 cars go annually into the Union Station from the east side over both bridges, 19,000 going, approximately, over the Eads Bridge and 14,000 over the Merchants Bridge. If the full amount of \$35,000 should be granted, the Government would, in reality, be paying only \$1.50 per car.

Mr. BARTLETT. Mr. Chairman, may I ask the gentleman what these words mean in this proviso—

The Postmaster General may, in his discretion, pay within the pres-

And so forth. What is the "present law"? Mr. MADDEN. The present law authorizes the payment of \$50,000 a year for this work.

Mr. BARTLETT. How can it, then, be subject to a point of order?

Mr. MADDEN. It is not subject to a point of order; but I was explaining the item in the bill and the reasons for it.

Mr. BALTZ. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to his colleague?

Mr. MADDEN. Surely.

Is this the only point in the United States Mr. BALTZ. where these conditions exist as to the carrying of mails across

a bridge from one State to another?

Mr. MADDEN. It is not a question of carrying the mails across a bridge from one State to another, because the mail comes into this terminal from the other side as well. Now, the railroads from the other side are not participants in the expense of maintaining the terminal, because they do not have to cross the bridge at all. If this item went out of the bill and the terminal company was required to do the work for nothing, it would have to add to the expense of the railroads coming in from the East, while the railroads coming from the West into the terminal station would participate in the benefits of it without participating in the expense.

Mr. BALTZ. Is there not a law now which authorizes the

payment to the terminal association of \$50,000 a year?

Mr. MADDEN. Yes; the law authorizing the Postmaster General to pay \$50,000 a year for this service; but this limits him to \$35,000.

The \$35,000 was virtually an agreement made Mr. ALLEN. last year, after the gentleman from Kansas [Mr. MURDOCK] had presented this question.

Mr. MADDEN. Yes. Mr. STEENERSON. Does not this come within the Holman rule, as being a reduction of expenditure?

Mr. MADDEN. There is a permanent law that authorizes the payment of \$50,000.

Mr. STEENERSON. And this is less than that?

Mr. MADDEN. Yes. The CHAIRMAN. Does the gentleman from Illinois withdraw his point of order?

I do not withdraw the point of order. Mr. MANN.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. MANN. Mr. Chairman, I do not think there can be any possible question about this being subject to a point of order. Perhaps the Chair has a different view.

The CHAIRMAN. The Chair is inclined to think it is not subject to the point of order.

Mr. MANN. Here is a direct authorization-

But provided further, That the Postmaster General may in his discretion pay within the present law a fair and reasonable price for the special transfer and terminal service at the Union Station at East St. Louis, III., and at the Union Station at St. Louis. Mo., including the use, lighting, and heating of the mail building, and transfer service at St. Louis, Mo., provided the amount so paid shall not exceed \$35,000.

That is not provided for by law anywhere.

Mr. MADDEN. Yes; there is a provision for the payment of

\$50,000.

Mr. MANN. I beg the gentleman's pardon. The Postmaster General under the existing law, regardless of the appropriation, is authorized to pay the terminal company at St. Louis for the transportation of mail across the bridge there not to exceed \$50,000 a year.

This matter has been before the House on a number of occasions, and there was inserted in this bill the first proviso-

Provided, That no part of this appropriation shall be paid for carrying the mail over the bridge across the Mississippi River at St. Louis, Mo., other than upon a mileage basis.

That, by the way, was the action of the House. I think myself that that probably would be unfair. That was an amendment offered by the gentleman from Kansas [Mr. Mur-DOCK]. In the Senate or in conference-I think in conferencethe item was agreed to that is in the bill. I would not have the item go out entirely and stay out, if I could. I think there ought to be a reconsideration of the subject. I do not believe the present provision in the bill is a fair one to the Government.

Now, Mr. Chairman, there is no authorization of law for the payment for the use or for the lighting and heating of the mail buildings in St. Louis. Here is a direct authorization; and while it says "within the present law," the only meaning of that term is, within the sum of \$50,000, to pay \$35,000. The gentleman from Tennessee [Mr. Moon], who understands the situation as well as I do, at first conceded the point of order, because he knew that this is legislation.

The CHAIRMAN. The attention of the Chair had not been called to that portion of the proviso—

including the use, lighting, and heating of the mail building, and transfer service at St. Louis, Mo., provided the amount so paid shall not exceed \$35,000.

The Chair thinks there is no law providing for that particular part of the proviso, and therefore the Chair thinks it is subject to the point of order.

Mr. MADDEN. Does the Chair want to hear anything on

that? I should like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.
Mr. MADDEN. Mr. Chairman, I contend that there is permanent law authorizing the Postmaster General to pay \$50,000 for this work.

The CHAIRMAN. Will the gentleman permit the Chair to call his attention to the words at the end of the paragraph:

Including the use, lighting, and heating of the mail building, and ransfer service at St. Louis, Mo., provided the amount so paid shall transfer service at not exceed \$35,000.

Mr. MADDEN. Does the Chairman contend that that is subject to a point of order?

The CHAIRMAN. What is the permanent law to which the gentleman refers by which he states that this provision is authorized?

Mr. MADDEN. It seems to me that the permanent law authorizes the Postmaster General to pay \$50,000 for the transportation of the mails across the bridge, for their handling, and for the lighting and heating of the terminal station, and the facilities that are used in the handling of the mail; and on the merits of the question alone there ought not to be any doubt about the right of the Postmaster General to pay for this service, without any denial by anybody that it is rendered. Those people pay over \$20,000 a year out of their own pockets to do the work that is chargeable against the Government of the United States.

Mr. STAFFORD. Perhaps I can give the chairman the law that applies to this.

I read from the Postal Laws, section 1320:

SEC. 1320. The Postmaster General is hereby authorized, in his discretion, to pay from appropriations for transportation by railroad routes for the special transfer and terminal service between the Union Station at East St. Louis, Ill., and the Union Station at St. Louis, Mo., including the use, lighting and heating of mail building, and the transfer service at St. Louis, at the rate of not exceeding \$50,000 per annum.

The marginal reference is 1899, March 1, Thirtieth Statutes at Large, page 965.

Now, the section in reference to the mileage basis is as follows:

2. That no part of this appropriation shall be paid for carrying the mail over the bridge across the Mississippi River at St. Louis, Mo.,

other than upon a mileage basis: But provided further, That the Postmaster General may, in his discretion, pay within the present law a fair and reasonable price for the special transfer and terminal service at the Union Station at East St. Louis, Ill., and at the Union Station at St. Louis, Mo., including the use, lighting and heating of the mail building, and transfer service at St. Louis, Mo., provided the amount so paid shall not exceed \$35,000. (1913, Mar. 4, 37 Stat., 797.)

Mr. MANN. From what statute has the gentleman been read-

Mr. STAFFORD. The first paragraph, according to the marginal notes, is the act of March 1, 1899, and the second paragraph is contained in the Post Office appropriation act for the present fiscal year. Mr. MANN. If

If that is the case, Mr. Chairman, I withdraw

the point of order.

The CHAIRMAN. The point of order is withdrawn.

The Clerk read as follows:

For pay of freight or expressage on postal cards, stamped envelopes, newspaper wrappers, and empty mall bags, \$510.000. And the Postmaster General shall require, when in freightable lots and whenever practicable, the withdrawal from the mails of all postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture, equipment, and other supplies for the Postal Service, except postage stamps, in the respective weighing divisions of the country, immediately preceding the weighing period in said divisions, and thereafter such postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture, equipment, and other supplies for the Postal Service, except postage stamps, shall be transmitted by either freight or express.

Mr. MOON. Mr. Chairman, I move to strike out all the lan-Mr. MOON. Mr. Chairman, I move to strike out an the language after the figures "\$510,000," on page 14, down to and including line 9, on page 15.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Pages 14 and 15, strike out all after the figures "\$510,000," in line 24, page 14, down to and including line 9, on page 15.

The amendment was agreed to.

The Clerk read as follows:

The Clerk read as follows:

For acting clerks in place of clerks or substitutes injured while on duty, who shall be granted leave of absence with full pay during the period of disability, but not exceeding one year, then at the rate of 50 per cent of the clerk's annual salary for the period of disability exceeding one year, but not exceeding 12 months additional, and to enable the Postmaster General to pay the sum of \$2,000, which shall be exempt from payment of debts of the deceased, to the legal representatives of any railway postal clerk, substitute railway postal clerk, supervisory official of the Railway Mail Service, or post-office inspector who shall be killed while on duty or who, being injured while on duty, shall die within one year thereafter as the result of such injury, \$134,500.

Mr. O'SHAUNESSY Mr. Chairman and gentlemen of the

Mr. O'SHAUNESSY. Mr. Chairman and gentlemen of the committee, I think that this bill is a sort of Jekyll-and-Hyde measure. The paragraph just read bestows a blessing, and another paragraph in it pronounces a curse. I think it is an attempted assimilation of benevolence and malevolence. an attempt to give at once good legislation and bad legislation. This paragraph to provide for injured employees is radiant with the sunshine of social justice, and the paragraph that attempts to get rid of efficient assistant postmasters is enveloped in the atmosphere of partisan decapitation.

Mr. MOON. That question is not up in this section. Mr. O'SHAUNESSY. I am speaking about this one.

Mr. MOON. But the gentleman is speaking about the other provision.

Mr. O'SHAUNESSY. I am speaking about both.

Mr. MOON. There is no amendment with reference to the

Mr. O'SHAUNESSY. I have made a pro forma amendment that entitles me to speak

Mr. MOON. I insist, Mr. Chairman, that the debate shall be confined to this section.

The CHAIRMAN. The gentleman from Rhode Island will proceed in order.

Mr. O'SHAUNESSY. Does the Chair sustain the point of

The CHAIRMAN. The gentleman will proceed in order.
Mr. O'SHAUNESSY. I shall proceed to say, Mr. Chairman,
as I said before, that I believe the Democratic Party should be true to its pledges. I believe the Democratic Party should be true to its pledges. I believe the Democratic Party made its latest declaration in the platform at Baltimore, and that it is about to prove itself a defaulter to its promises.

Mr. MOON. Mr. Chairman, I make the point of order that the gentleman is not discussing the section under considera-

The CHAIRMAN. The Chair will have to rule that the gentleman is not discussing the paragraph that has been read nor the motion that he made to strike out the last word. If

legislation or that legislation that conflicts with the employees of the service. I am speaking about this paragraph which attempts to do something good for them, and I am contrasting it with the paragraph that attempts to do away with the efficient assistant postmasters.

Mr. MOON. Mr. Chairman, the gentleman might discuss the

whole Bible in that way.

The CHAIRMAN. But the gentleman must remember that the rule of debate under the five-minute rule differs from the rule of debate under general debate. The gentleman must confine himself to a discussion of the paragraph which is now under consideration.

Mr. O'SHAUNESSY. Mr. Chairman, if the Chair so rules, I shall be so guided. I simply wish to express my approval of the Committee on the Post Office and Post Roads for this beneficent legislation. It is a hard thing to realize that men give their lives to the Postal Service and have no provision made for them, and I am very glad that the Post Office Committee has seen fit to bring in a provision which will create an opportunity for men when they shall be disabled in the service to be properly compensated. I have had many men in the Postal Service complain to me about the unfairness of the service in not making suitable provision for injured employees, and I am glad that it has been done. I hope that it will meet with the approval f the Senate and become a law. But. Mr. Chairman, I want to say in conclusion that I hope the opportunity will come to me to express my disapproval of another paragraph in this bill in a more emphatic manner than is now allowed me.

Mr. MOON. That comes on section 6.

Mr. REILLY of Connecticut. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read: On page 17 strike out lines 1 to 13, inclusive, and insert in lieu thereof the following:

In lieu thereof the following:

That hereafter the Postmaster General shall have authority to employ acting employees in place of all employees or substitutes hereinafter mentioned who are injured while on duty, who shall be granted leave of absence with full pay during the period of disability, but not exceeding one year, then at the rate of 50 per cent of the employees' salary for the period of disability exceeding one year, but not exceeding 12 months additional, and to enable the Postmaster General to pay the sum of \$2,000, which shall be exempt from payment of debts of the deceased, to the legal representatives, for the benefit of wife, children, or dependent relatives of any rallway postal clerk, substitute rallway postal clerk, supervisory official of the Rallway Mall Service, post-office inspector, letter carrier in the City Delivery Service, rural letter carrier, post-office clerk, or special-delivery messenger who shall be killed while on duty or who, being injured while on duty, shall die within one year thereafter as the result of such injury: Provided, That no compensation shall be pald any such employee for any injury occasioned by his own negligence.

Mr. MANN. Mr. Chairman, I suggest to the gentleman from Connecticut that the form in which he offers his amendment is the form of an appropriation item-

To enable the Postmaster General to pay the sum-

And so forth.

That form is taken from a form where it is followed by an appropriation. I suggest to the gentleman that he strike out the words "to enable" and insert, after the word "General," the words "is authorized," so that it would read:

And the Postmaster General is authorized to pay the sum of \$2,000-

Mr. REILLY of Connecticut. Mr. Chairman, I will be very

glad to accept that suggestion.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend the amendment by striking out the words "to enable" and inserting, after the word "general," the words "is authorized," so that the paragraph will read:
"But not exceeding 12 months additional, and the Postmaster General is authorized to pay the sum of \$2,000, etc."

Mr. MOON. Does that paragraph provide for an appropriation at all?

The CHAIRMAN. It does not. Mr. MOON. Mr. Chairman, I suggest that the gentleman from Connecticut include the appropriation of \$134,500 provided for in the bill.

Mr. REILLY of Connecticut. I desire to do that, and ask unanimous consent to so modify my amendment.

The CHAIRMAN. Without objection, the amendment will

be so modified.

There was no objection.

Mr. STAFFORD. Mr. Chairman, the amendment just sugthe gentleman desires to discuss the section, he may proceed.

Mr. STAFFORD. Mr. Chairman, the amendment just suggested by the gentleman from Connecticut, in my opinion, does not go far enough. It carries the recommendation of the com-

mittee as embodied in section 7, but it leaves out of the classifi-cations who are to receive this benefit many very meritorious employees, employees who are in a much more hazardous employment than some of those who are classified in the amendment now pending. May I mention the chauffeurs who are employed by the Government in operating the parcel-post automobiles, mechanics, applicated in the leading treat officer. mobiles, mechanics employed in the leading post offices, and also the 1,800 laborers who receive the small salary of \$840 a year. No compensation whatsoever is provided for those classes, but provision is made for some who do not have any hazardous employment whatsoever. No one can say that the letter carrier is engaged in any hazardous employment I am in entire sympathy with the object which is sought to be attained by the amendment offered by the gentleman, but I do not think it goes far enough. Another criticism that might properly be urged against this amendment is that, as embodied in section 7, it provides for the payment of \$2.000 to the legal representatives for the benefit of the wife, child, or dependent Who is to determine whether there is any wife, relatives. child, or dependent relative existing?

Under its terms the Post Office Department must necessarily be obliged to pay \$2.000 absolutely to the legal representatives and then let the legal representatives or local probate courts determine whether there is any wife, child, or dependent relative. I am not making this criticism in any captious spirit. I have studied this provision very carefully; in fact, 10 years ago I drew a similar provision when it was first carried in the appropriation hill. As to the proviso at the end, that no comago I drew a similar provision when it was first carried in the appropriation bill. As to the proviso at the end, that no compensation shall be paid any such employee for any injury occasioned by his own negligence, I ask the gentleman from Connecticut, in case an employee dies within a year and an injury happened as a result of his own negligence, is the Government thereby obliged to pay \$2,000 to the legal representatives?

Mr. REILLY of Connecticut. The Government is not obliged to pay it at all

to pay it at all.

Mr. STAFFORD. And yet it would be obliged under the phraseology as it now exists. There is no question about it. It is a matter for serious consideration. The only limitation as to payment in case of negligence is this phraseology on page 29 of the bill, "That no compensation shall be paid any such employee for any injury occasioned by his own negligence." There is no limitation whatsoever upon the payment of an allowance of \$2,000 to his legal representatives in case of death. So, Mr. Chairman, I have prepared a bill, and I am going to offer it as a substitute for the pending amendment. It extends to all postal employees. I now offer it, and wish to have recognition to discuss it. I desire to offer it as a substitute for the amendment offered by the gentleman from Connecticut.

The CHAIRMAN. The Clerk will report the amendment.
The Clerk read as follows:

Page 17, line 13, insert as a substitute for the pending amendment

Page 17, line 13, insert as a substitute for the pending amendment the following:

"That any employee of the Postal Service who is disabled by accidental injury not due to his own negligence received while performing his official duties may be granted leave of absence with full pay during the period of his disability, but not for more than one year, and then at half pay for the further period of disability, if any, but not exceeding one year additional; and if he dies within a year as a result of the injury, leaving a widow or children under 16 years of age, such widow and children shall be entitled to receive, in such portions as the Postmaster General may decide, the sum of \$2,000; and in the event that no such widow and children survive him and he leaves dependent parents or dependent brothers or sisters, then such parents, brothers, and sisters shall be entitled to receive, in such portions as the Postmaster General may decide, the sum of \$1,000; and the Postmaster General is hereby authorized to employ substitutes in place of such injured employees while absent during such period of disability."

Mr. MANN. Mr. Chairman, this has passed the point of order, and there is not a full House, and it really ought to be voted upon by a full House.

Mr. MOON. No point of order has been made.

Mr. MANN. It has passed the point of order.

Mr. MOON. It has passed that stage.

Mr. MANN. Why not adjourn?

Mr. MOON. I am going to make that motion when the gentleman finishes; I did not want to take the gentleman off his

Mr. STAFFORD. I will take the floor to-morrow morning in advocacy of the substitute I offer.

Mr. MOON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11328,

the Post Office appropriation bill, and had directed him to report that it had come to no conclusion thereon.

SENATE BILLS REFERRED

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 94. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

S. 1884. An act for the relief of Phoebe W. Chase; to the Committee on Claims.

S. 1644. An act for the relief of May Stanley, and for other purposes; to the Committee on Claims.

S. 533. An act to consolidate certain forest lands in the Ochoco National Forest, Oreg.; to the Committee on Agriculture.

S. 1355. An act relating to easements in connection with reclamation projects; to the Committee on Irrigation.

S. 3550. An act ratifying the establishment of the boundary line between the States of Connecticut and Massachusetts; to

the Committee on the Judiciary.
S. 2260. An act to fix the standard barrel for fruits, vegetables, and other dry commodities; to the Committee on Agric

S. 539. An act to amend section 3 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year June 30, 1902, and for other purposes," approved March 3, 1901 (31 Stat. L., p. 1133); to the Committee on Irrigation.

ADJOURNMENT.

Mr. MOON. Mr. Speaker, I move that the House do now adjourn.

Mr. RAKER. Will the gentleman withhold that for a moment?

Mr. MANN.

Mr. MANN. No. For a report. Mr. Speaker, a report was made on H. R. 122 and two documents were left out, and I ask that they be printed as a supplemental report.

Mr. MANN. We will do that in the morning.
The SPEAKER. The gentleman from Illinois objects. The gentleman from Tennessee moves that the House do now ad-

The motion was agreed to; accordingly (at 6 o'clock p. m.) the House adjourned until to-morrow, Friday, January 23, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and plan and estimate of cost of improvement of Elizabeth River, N. C. (H. Doc. No. 629); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Pembroke Creek, N. C., from its mouth up to the United States station (H. Doc. No. 630); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

3. A letter from the Acting Secretary of the Treasury, transmitting a revised estimate of appropriation for printing and binding for the Treasury Department for the fiscal year ending June 30, 1915 (H. Doc. No. 631); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting a paragraph amendatory of the urgent deficiency act approved October 22, 1913, relative to interior alterations in the old building of the Bureau of Engraving and Printing for the accommodation of various auditors of the Treasury Department (H. Doc. No. 632); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Acting Secretary of the Treasury, transmitting an item of legislation to be included in the deficiency bill, for changes and alterations in the Treasury Building, for the accommodation of the Reserve Board (H. Doc. No. 633); to the Committee on Appropriations and ordered to be printed.

6. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the brig Hiram, in the case of Brooks Adams, administrator of Peter C. Brooks, v. The United States, and other cases (H. Doc. No. 637); to the Committee on Claims and ordered to be printed.

7. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the schooner Harmony, in the case of David W. Low, administrator of Zacariah Stevens et al., v. The United States, and other cases (H. Doc. No. 638); to the Committee on Claims and ordered to be printed.

8. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the schooner Lark, in the case of Brooks Adams, administrator of Peter C. Brooks, v. The United States, and other cases (H. Dc., No. 639); to the Committee on Claims and ordered to be printed.

9. A letter from the assistant clerk of Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the brig *Dolphin*, in the case of Robert E. Goodwin, administrator of William Rice, v. The United States, and other cases (H. Doc. No. 636); to the Committee on Claims and ordered to be printed.

10. A letter from the assistant clerk of Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the sloop Discovery, in the case of William Babbitt, administrator of Noble Perry, v. The United States, and other cases (H. Doc. No. 644); to the Committee on Claims and ordered to be printed.

11. A letter from the assistant clerk of Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the schooner Agnes, in the cases of James C. Freeman, receiver of the Boston Marine Insurance Co., and the case of Isaac Brewster, administrator of Thomas Jackson, surviving partner of the firm of Thomas & William Jackson, v. The United States (H. Doc. No. 640); to the Committee on Claims and ordered to be printed.

12. A letter from the assistant clerk of Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the schooner Industry, in the cases of Brooks Adams, administrator of Peter C. Brooks, v. The United States, and other cases (H. Doc. No. 641); to the Committee on Claims and ordered to be printed.

13. A letter from the assistant clerk of Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the sloop Jenny, in the case of W. D. Pruden, administrator, etc., of Nathaniel C. Bissell, surviving partner of the firm of Thomas Bissell & Son, v. The United States (H. Doc. No. 643); to the Committee on Claims and ordered to be printed.

14. A letter from the assistant clerk of Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the brig Pearl, in the case of Charles F. Adams, administrator of Peter C. Brooks, v. The United States, and other cases (H. Doc. No. 635); to the Committee on Claims and ordered to be printed.

15. A letter from the assistant clerk of Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the schooner Nancy, in the case of Merchants Trust Co. of Philadelphia, administrator, etc., of William Smith, v. The United States (H. Doc. No. 642); to the Committee on Claims and ordered to be printed.

16. A letter from the assistant clerk of Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the brig Resolution, in the case of Leigh Bensal, administrator of Hezekiah Kelley, v. The United States, and other cases (H. Doc. No. 634); to the Committee on Claims and ordered to be printed.

17. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of the Mississippi River from Cape Girardeau, Mo., to Rock Island, Ill., with a view to such improvements as will at the same time promote navigation, develop water power, and protect property adjacent to said river from damage by flood, consideration being given to plans for cooperation by the localities affected, etc. (H. Dec. No. 628); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. McCLELLAN, from the Committee on Claims, to which was referred the bill (H. R. 3468) for the relief of the heirs of the late Samuel H. Donaldson, reported the same with an

amendment, accompanied by a report (No. 185), which said bill

and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 7633) for the relief of the personal representative of Charles W. Hammond, deceased, reported the same with an amendment, accompanied by a report (No. 184), which said bill and report were referred to the Private Calendar.

Mr. POU, from the Committee on Claims, to which was referred the bill (H. R. 10763) for the relief of Dr. L. W. Culbreath, reported the same without amendment, accompanied by a report (No. 187), which said bill and report were referred to

Mr. McCLELLAN, from the Committee on Claims, to which was referred the bill (H. R. 10345) for the relief of C. M. Ham-, reported the same without amendment, accompanied by a report (No. 186), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memo-

rials were introduced and severally referred as follows:
By Mr. DONOVAN: A bill (H. R. 12104) authorizing a survey with a view to protection of navigation at and near Norwalk, Conn., and for other purposes; to the Committee on Rivers and Harbors

By Mr. EDWARDS: A bill (H. R. 12105) to amend section 77 o. an act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, so as to put Jenkins County, Ga., in the eastern division of the southern district of Georgia; to the Committee on the Judiciary

By Mr. LEVY: A bill (H. R. 12106) to provide for the investigation of combinations, monopolies, trusts, and mergers, and to protect trade and commerce against unlawful restraints; to

the Committee on the Judiciary.

By Mr. GRIEST: A bill (H. R. 12107) authorizing the Secretary of War to donate to the borough of Terre Hill, Pa., for the soldiers' plot, two bronze or brass cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DOOLITTLE: A bill (H. R. 12108) to provide old-

age and cripples' pensions; to the Committee on Pensions.

By Mr. HARDY: A bill (H. R. 12109) to better regulate the serving of licensed officers in the Merchant Marine of the United States and to promote safety at sea; to the Committee on the Merchant Marine and Fisheries.

By Mr. KENNEDY of Iowa: A bill (H. R. 12110) providing for the erection of a public building at Mount Pleasant, Iowa: to the Committee on Public Buildings and Grounds.

By Mr. REILLY of Wisconsin: A bill (H. R. 12111) providing for the purchase of a site and the erection thereon of a public building at Two Rivers, Wis.; to the Committee on Publie Buildings and Grounds.

By Mr. MONDELL: A bill (H. R. 12112) for the reservation by the United States of a preference right to purchase radium ores taken from certain lands and the radium produced therefrom; to the Committee on Mines and Mining.

By Mr. FIELDS: A bill (H. R. 12113) to construct a levee at Russell, Ky.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 12114) to construct a levee at Augusta. Ky.; to the Committee on Rivers and Harbors.

By Mr. SHERWOOD: A bill (H. R. 12115) to provide for the relief of certain officers and enlisted men of the Volunteer and Militia forces; to the Committee on War Claims.

By Mr. BURKE of Pennsylvania: A bill (H. R. 12116) authorizing the sale of certain real estate in the city of Pittsburgh, Pa., and the purchase of a site for a public building in said city; to the Committee on Public Buildings and Grounds.

By Mr. ADAMSON: A bill (H. R. 12117) to authorize the Government of Porto Rico to construct two bridges across the Arecibo River near the city of Arecibo, P. R.; to the Committee on Interstate and Foreign Commerce.

By Mr. SUTHERLAND: A bill (H. R. 12118) granting an honorable discharge to the Independent State Scouts or Guards of West Virginia; to the Committee on Military Affairs.

Also, a bill (H. R. 12119) to authorize the erection of a monument at Fort Seybert, W. Va., to commemorate the capture and massacre of Capt. Seybert and a number of men and women at that point and in the South Fork and South Branch Valleys of the Potomac by the noted Indian Chief Kill Buck and his band of Indian warriors in the year 1758; to the Committee on the

Library.

By Mr. CLAYTON: A bill (H. R. 12120) to create an Inter-

other purposes; to the Committee on Interstate and Foreign

By Mr. STANLEY: A bill (H. R. 12121) defining restraint of trade, and for other purposes; to the Committee on the Judi-

ciary.

Mr. DIFENDERFER: A bill (H. R. 12122) to prevent cruelty to poultry while being transported from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia by any railroad company, car company, company operating steam, sailing, or other vessels, or the masters or owners of same, or express companies, or any common carrier engaged in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. STANLEY: A bill (H. R. 12123) to prescribe the conditions under which corporations may engage in interstate commerce, and for other purposes; to the Committee on Inter-

state and Foreign Commerce.

By Mr. MURRAY of Oklahoma: Resolution (H. Res. 385) to print as a House document certain rules of procedure in pro-

bate matters; to the Committee on Printing.

By Mr. GRAY: Joint resolution (H. J. Res. 197) to provide for the invitation, reception, and entertainment of members of the Parliaments and national legislative bodies of the world, and to authorize an assembly of such members to secure the immediate suspension of increased naval construction by international agreement to be entered into by such assembly; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 12124) granting a pension to Lauretta Elston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12125) granting a pension to Sarah A. Campbell; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 12126) granting an increase of pension to Martha T. Littleton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12127) granting an honorable discharge to William C. Chandler; to the Committee on Military Affairs, By Mr. BAILEY: A bill (H. R. 12128) to correct the military

record of George M. Waltz; to the Committee on Military

By Mr. BARTLETT; A bill (H. R. 12129) for the relief of heirs of John M. H. Martin, deceased; to the Committee on War Claims.

By Mr. BRITTEN: A bill (H. R. 12130) granting an increase of pension to Lucius M. Rood; to the Committee on Invalid

By Mr. BULKLEY: A bill (H. R. 12131) granting a pension P. L. Miles; to the Committee on Invalid Pensions.

By Mr. BURKE of Pennsylvania: A bill (H. R. 12132) for the relief of the Pittsburgh & Cincinnati Packet Co.; to the Committee on Claims.

By Mr. CARAWAY: A bill (H. R. 12133) granting an increase of pension to James W. Sparks; to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 12134) granting a pension to John H. Detwiler; to the Committee on Pensions.

By Mr. CONNELLY of Kansas: A bill (H. R. 12135) granting a pension to Axie Eads; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 12136) granting a pension to Leila F. Devine; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 12137) granting a pension to

Louie McGuire; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 12138) granting an increase of pension to Henry Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12139) granting an increase of pension to James B. Hamilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12140) granting an increase of pension to Andrew Watts; to the Committee on Invalid Pensions. Also, a bill (H. R. 12141) to remove the charge of desertion

from the record of Joseph West; to the Committee on War

By Mr. FESS: A bill (H. R. 12142) granting an increase of pension to John T. Myers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12143) granting an increase of pension to Francis M. Sears; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12144) granting a pension to Mary C. Parsons; to the Committee on Pensions.

By Mr. FRANCIS: A bill (H. R. 12145) granting a pension to Sarah F. Stellars; to the Committee on Invalid Pensions. By Mr. FREAR: A bill (H. R. 12146) granting an increase of

pension to Luther L. Musser; to the Committee on Invalid Pen-

By Mr. GARD: A bill (H. R. 12147) granting a pension to

Theodore J. Kountz; to the Committee on Pensions.

By Mr. GOOD: A bill (H. R. 12148) granting an increase of

pension to Peter A. Fullgraf; to the Committee on Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 12149) granting a pension to Mary A. (Persons) Taylor; to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 12150) granting a pension to

Ferdinand Sandusky; to the Committee on Pensions.

By Mr. HINDS: A bill (H. R. 12151) granting a pension to Mary E. Savage; to the Committee on Invalid Pensions. By Mr. KENNEDY of Iowa: A bill (H. R. 12152) for the

relief of Nathan Crutchfield; to the Committee on War Claims. By Mr. LEE of Georgia: A bill (H. R. 12153) granting an increase of pension to Allen Philpot; to the Committee on Pen-

Also, a bill (H. R. 12154) granting an increase of pension to John Loughmiller; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 12155) granting a pension to Thomas Dixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12156) granting a pension to Margaret A. Price; to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 12157) granting an increase of pension to Elias Shook; to the Committee on Invalid Pen-

Also, a bill (H. R. 12158) granting an increase of pension to

George W. Riley; to the Committee on Invalid Pensions. By Mr. MOSS of West Virginia: A bill (H. R. 12159) granting a pension to Israel B. Smith; to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 12160) granting an increase of pension to George W. Hurd; to the Committee on Invalid Pen-

By Mr. REILLY of Wisconsin: A bill (H. R. 12161) to remove the charge of desertion against John Mitchell; to the Committee on Naval Affairs.

By Mr. ROGERS (by request): A bill (H. R. 12162) granting an increase of pension to Allen T. Hodge; to the Committee on Invalid Pensions

By Mr. RUPLEY: A bill (H. R. 12163) granting an increase of pension to John K. Longnecker; to the Committee on Invalid

Also, a bill (H. R. 12164) granting an increase of pension to

Laura V. Tegethoff; to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 12165) granting a pension to Mattie Johnson; to the Committee on Pensions.

By Mr. STEPHENS of Nebraska: A bill (H. R. 12166) for

the relief of Jennie S. Sherman; to the Committee on Claims.

By Mr. STEVENS of Minnesota: A bill (H. R. 12167) grant-

ing a pension to Joanna Bevans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12168) granting an increase of pension to Capt. Samuel Lee Davis; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the General Assembly of Kentucky, favoring use of Kentucky stone in building of Lincoln memorial; to the Committee on Public Buildings and Grounds.

Also (by request), pention of the Antica Santa No. 213, of the American Continental League, of New York, pro-Also (by request), petition of the Andrew Jackson Branch, hundred years of peace with English-speaking peoples"; to the Committee on Foreign Affairs.

Also (by request), memorial of the Legislature of the State of Mississippi, favoring legislation for the benefit of the Choctaw Indians in the State of Mississippi; to the Committee on Indian

Also (by request), petition of Order of Railway Conductors of Washington, D. C., against workmen's compensation law as an exclusive remedy for damages; to the Committee on the Judiciary.

By Mr. ASHBROOK: Petitions of A. E. Ralls and 22 others, of Coshocton, and G. W. Schmob and 50 other citizens, of New Philadelphia, Ohio, protesting against the passage of House bill 9674; to the Committee on the District of Columbia.

Also, petition of the Chapter of the Knights of Luther of Newark, Ohio, favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. BARTHOLDT: Petitions of the Chicago Federation of Labor and the Woman's Trade Union League of St. Louis, Mo., favoring an investigation of the strike conditions in Michigan; to the Committee on Rules.

Also, petition of the Tuesday Literary Club, of St. Louis, Mo.,

favoring House bill 29; to the Committee on Labor.

Also, petitions of Order of Railroad Conductors, of the Brotherhood of Locomotive Firemen and Enginemen, and of the Brotherhood of Railroad Trainmen, protesting against all bills providing for workmen's compensation; to the Committee on the Judiciary.

Also, petition of citizens of St. Louis, Mo., protesting against passage of bill to make Columbus Day a national holiday; to

the Committee on the Judiciary.

Also, petition of citizens of St. Louis, Mo., protesting against House joint resolution 168; to the Committee on the Judiciary.

Also, petition of the Mississippi Club, of St. Louis, Mo., favoring House bill 1875; to the Committee on the Judiciary.

Also, petition of the Bell Oil Co., of St. Louis, Mo., favoring the national antidiscrimination law; to the Committee on the Judiciary.

Also, petition of the Shoe Manufacturers' Alliance, of St. Louis, Mo., protesting against the Shoe Machinery Trust; to

the Committee on Interstate and Foreign Commerce,

Also, petition of Col. W. H. Harris, of Minneapolis, Minn., and Col. Lewis E. Breitler, of Philadelphia, Pa., favoring erection of a peace monument at Gettysburg; to the Committee on the Library.

Also, petition of Prof. M. W. Butler, of St. Louis, Mo., and Prof. W. P. Evans, of Jefferson City, Mo., favoring maintenance of the Bureau of Education; to the Committee on Education.

Also, petition of A. M. Douglas, favoring House bill 7951; to

the Committee on Agriculture.

By Mr. BREMNER: Petition of Bakery and Confectionery Workers of Paterson, N. J., favoring House bill 1873; to the

Committee on the Judiciary.

Also, petitions of J. H. Kenworthy, of North Paterson, N. J.; citizens of Little Falls, N. J.; Washington Camp, No. 104, of New Jersey, Patriotic Order Sons of America; G. W. Bogert, of Paterson, N. J.; Council No. 137, Daughters of Liberty, of Passaic Falls, N. J.; Banner Council, No. 64, Daughters of America, of Paterson, N. J.; Passaic (N. J.) City Council, No. 147, Junior Order United American Mechanics; and Henry Ribbe, of Paterson, N. J., favoring House bill 6060; to the Committee on Immigration and Naturalization.

Also, petition of the United Patriotic League, Paterson, N. J., protesting against House bill 8978; to the Committee on the

Also, petitions of Lout & Overkamp and C. Poelstra, of Paterson, N. J., and Hungarian Free Press, of Passaic, N. J., protesting against immigration bill; to the Committee on Immigration and Naturalization.

Also, petitions of Socialists of Passaic City, N. J., and Passaic

County (N. J.) Socialist Party, favoring investigation of strike conditions in Michigan; to the Committee on Rules.

Also, petition of Branch No. 120, National Association of Letter Carriers, of Paterson, N. J., protesting against withdrawal

of assistant postmasters from the classified service; to the Committee on the Post Office and Post Roads.

By Mr. BRITTEN: Memorial of the Western Wholesale Oil Association, favoring the national antidiscrimination

law; to the Committee on the Judiclary.

By Mr. BRYAN: Petition of Hillgard Lodge, No. 637, International Association of Machinists, Hillgard, Wash., favoring a two-battleship program; to the Committee on Naval Affairs.

Also, petitions of Chicago Federation of Labor; Socialist Party of Spokane; Central Labor Council of Seattle and vicinity; laboring men of Issaquah; Socialist Party of Seattle, Bellingham, Matlock, Rainier, and Richmond Precinct; Cloverleaf Grange, No. 520, of Okanogan; Local No. 24, International Union of Shingle Weavers of Southwest and West Olympia; citizens of Wilkeson; Socialist Party of Tonasket; Socialist Party of Sedro Woolley; Local Union No. 2257, United Mine Workers of America, of Black Diamond; and organized labor of Spokane, all in the State of Washington, favoring investigation of strike

conditions in Michigan; to the Committee on Rules.

Also, petitions of 23 labor unions of Seattle, Wash., favoring the passage of the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. BURKE of Pennsylvania: Papers to accompany a bill (H. R. 12132) for relief of the Pittsburgh & Cincinnati Packet Co.; to the Committee on Claims.

By Mr. CALDER: Petitions of Olive Branch Council, No. 77, Daughters of Liberty, of Brooklyn, N. Y., and other citizens of Brooklyn, N. Y., favoring House bill 6060; to the Committee on Immigration and Naturalization.

Also, petitions of the Snare & Triest Co. and the Foundation Co., of New York City, protesting against House bill 1873; to the Committee on the Judiciary.

Also, petition of Gen. Horatio C. King, favoring erection of peace monument at Gettysburg; to the Committee on the Library.

Also, petition of Local No. 338, Boiler Makers' Union, of Brooklyn, N. Y., favoring an investigation of strike conditions

in Michigan; to the Committee on Rules.

Also, petition of George Washington Branch, American Continental League, of Brooklyn, N. Y., protesting against appropriation of money for celebration of "One hundred years of peace among English-speaking peoples"; to the Committee on Foreign Affairs.

By Mr. CARY: Petition of the Milwaukee Lodge, No. 234, International Association of Machinists, of Milwaukee, Wis., urging an investigation as to the conditions in the copper mines of Michigan; to the Committee on Rules.

Also, petition of the Licensed Tugmen's Protective Association, of Milwaukee, Wis., urging an investigation as to the conditions in the copper mines of Michigan; to the Committee on Rules.

By Mr. COPLEY: Petition of citizens of Woodstock, Ill., relative to immigration; to the Committee on Immigration and

By Mr. DALE: Memorial of the Order of Railway Conductors, protesting against the passage of the workmen's compensation law; to the Committee on the Judiciary.

Also, memorial of the General Assembly of the State of Kentucky, relative to the use of Kentucky stone in the erection of the Lincoln memorial building at Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. DAVIS of Minnesota: Petition of the Order of Railway Conductors, Brotherhood of Locomotive Firemen and Enginemen, and Brotherhood of Railroad Trainmen, opposing workmen's compensation law; to the Committee on the Judiciary.

Also, petition of Singing Society, Lester Prairie, Minn., protesting against a prohibition amendment; to the Committee on the Judiciary.

By Mr. DYER: Petition of Weisert Bros. Tobacco Co., of St. Louis, Mo., favoring Ransdell-Humphreys bill; to the Committee on Rivers and Harbors.

By Mr. EAGAN: Petitions of Arbeiter Turnverein of Hudson County; Silk Workers' Union of Hudson County; Local No. 772 of Union Hill; Brewery Workers' Union No. 9, of Union Hill, all in the State of New Jersey, favoring an investigation of strike conditions in Michigan; to the Committee on Rules.

By Mr. ESCH: Petition of International Association of Machinists, of Milwaukee, Wis., favoring an investigation of the labor troubles in the copper regions of Michigan; to the Com-

mittee on Rules.

Also, memorial of the General Assembly of the State of Kentucky relative to the use of Kentucky stone in the erection of the Lincoln Memorial Building at Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. FRANCIS: Petition of Local Union No. 20, N. B. of O. P., Steubenville, Ohio, favoring an investigation of the trouble in the copper regions of Michigan; to the Committee on

By Mr. GRAHAM of Pennsylvania: Petition of the General Daniel Morgan Branch of the American Continental League, of Philadelphia, protesting against an appropriation for celebrating "One hundred years of peace among English-speaking peoples"; to the Committee on Foreign Affairs.

By Mr. GRIFFIN: Petitions of Commodore Barry Branch, No. 311, Continental League of America, of Brooklyn, N. Y., and the George Washington Branch of the American Continental League, of Brooklyn, N. Y., protesting against appropriation of money for celebration of "One hundred years of peace among English-speaking peoples"; to the Committee on Foreign

Also, petition of American Association of Foreign-Language Newspapers of New York City, protesting against the immigra-tion bill; to the Committee on Immigration and Naturalization.

By Mr. HAMILTON: Papers to accompany bill (H. R. 10626) granting a pension to Sylvanus Balcom; to the Committee on

Also, papers to accompany bill (H. R. 10624) granting a pension to Marshall L. Marvin; to the Committee on Invalid PenAlso, papers to accompany bill (H. R. 10628) granting a pension to Patrick Higgins; to the Committee on Invalid Pensions.

Also, papers to accompany bill (H. R. 10623) granting a pension to Lason I Tillyon to the Committee on Invalid Pansions.

sion to Jason J. Tilyon; to the Committee on Invalid Pensions.

Also, papers to accompany bill (H. R. 10619) granting a pension to Lucina Tingrel; to the Committee on Invalid Pensions.

Also, papers to accompany bill (H. R. 10620) granting a pension to Lucina Collection of Collection of Collection (Particular Pensions).

sion to Lyman Cole; to the Committee on Invalid Pensions.
Also, papers to accompany bill (H. R. 10625) granting a pension to Frank W. Bryan; to the Committee on Invalid Pensions.
Also, papers to accompany bill (H. R. 10618) granting a pen-

sion to Carrie Phillips; to the Committee on Invalid Pensions. By Mr. HULINGS: Petition of 3,600 citizens of the State of Pennsylvania, favoring an investigation of the trouble in the copper regions of Michigan; to the Committee on Rules.

By Mr. KENNEDY of Rhode Island: Memorial of United National Association of Post Office Clerks, Branch No. 25, of Providence, R. I., protesting against the elimination of assistant postmasters from the classified service; to the Committee on the Post Office and Post Roads.

By Mr. LEE of Pennsylvania: Memorial of the Order of Railway Conductors, Brotherhood of Locomotive Firemen and Enginemen, and Brotherhood of Railroad Trainmen, protesting against the workmen's compensation law; to the Committee on the Judiciary.

Also, memorial of the General Assembly of the Commonwealth of Kentucky, relative to use of Kentucky stone in the erection of the Lincoln Memorial Building at Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. LEVY: Memorial of the Orce: of Railway Conductors, Brotherhood of Locomotive Firemen and Engineers, protesting against the passage of a workman's compensation law; to the Committee on the Judiciary.

"Also, memorial of the joint board of the Cloak and Skirt

Also, memorial of the joint board of the Cloak and Skirt Makers' Unions, protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of the General Assembly of the State of Kentucky, relative to the use of Kentucky stone in the erection of the Lincoln Memorial Building at Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. LIEB: Petitions of the United Mine Workers of America, Local Union No. 1371, of Chandler, Ind., and Local Union No. 1452, of Evansville, Ind., and Indiana State Federation of Labor, favoring the passage of the Bartlett-Bacon bill; to the Committee on the Indiana

to the Committee on the Judiciary.

Also, memorial of Cigar Makers' Union No. 54, of Evansville, Ind., and Vanderburg County (Ind.) Socialist Party, favoring an investigation of the labor trouble in Michigan copper region; to the Committee on Rules,

By Mr. LONERGAN: Petition of the Hartford Central Labor Union, Hartford Building Trades Alliance, Local Hartford Socialist Party, and International Brotherhood of Electrical Workers, all of Hartford, Conn., calling for an investigation of the strike situation in the copper regions of Michigan; to the Committee on Rules.

By Mr. MAHAN: Petition of Independent Norwich (Conn.) Lodge, No. 309, Independent Order B'rith Abraham, opposing Burnett immigration bill; to the Committee on Immigration and Naturalization

Also, retition of citizens of Middletown, Conn., favoring certain financial legislation; to the Committee on Banking and Currency

Also, petition of citizens of Mansfield, Conn., opposing House bill 9674; to the Committee on the District of Columbia.

By Mr. MAHED: Memorial of the Commodore Barry Branch, No. 311, Continental League of America, protesting against the passage of an appropriation for celebrating "One hundred years of peace with English-speaking peoples"; to the Committee on Foreign Affairs.

Also, petition of the Maritime Association of the Port of New York, favoring the passage of House bill 3323, for four new revenue cutters; to the Committee on Naval Affairs.

By Mr. MARTIN: Petitions of the South Dakota German-Apperican Alliance, protesting against all prohibition measures; to the Committee on the Judiciary.

to the Committee on the Judiciary.

Also, memorial of Sioux Falls Trades and Labor Assembly, faloring an investigation of the trouble in the Michigan copper region; to the Committee on Rules.

By Mr. O'BRIEN: Petition of Commodore Barry Branch, No. 311, Continental League of America, of Brooklyn, and George Washington Branch, American Continental League, of Brooklyn, N. Y., protesting against an appropriation to celebrate

"One hundred years of peace with English-speaking peoples";

to the Committee on Foreign Affairs.

Also, memorial of New York Post Office Clerks' Association, protesting against the elimination of assistant postmasters from the classified service; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Brooklyn, N. Y., also Brooklyn Council No. 21, Junior Order United American Mechanics, favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Maritime Association of the Port of New York, favoring the passage of House bill 3328, for four new revenue cutters; to the Committee on Naval Affairs.

Also, memorial of the joint board of the Cloak and Skirt Makers' Union, protesting against the passage of House bill 6000, the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. REILLY of Connecticut: Petition of the Waterbury Central Labor Union, of Waterbury, Conn., favoring the passage of the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Bakers' Union, No. 60, of Meriden, Conn., favoring an investigation of the copper mine troubles in Michigan; to the Committee on Rules.

Also, petition of the Silver City Independent Order B'rith Abraham Lodge, No. 152, protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petitions of sundry citizens of the United States and Daughters of Liberty, of New Haven, Conn., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. SCULLY: Petition of Order of Railway Conductors, protesting against the passage of the workman's compensation law; to the Committee on the Judiclary.

Also, petition of the Maritime Association of the Port of

Also, petition of the Maritime Association of the Port of New York, protesting against the passage of the seamen's bill; to the Committee on the Marchant Marine and Fisheries.

By Mr. J. M. C. SMITH: Petition of citizens of Vicksburg, Charlotte, Union City, and Kalamazoo, Mich., advocating that the right of free speech be accorded to the Menace; to the Committee on the Judiciary.

mittee on the Judiclary.

Also, petition of the Staatsverland of Michigan, against the immigration bill; to the Committee on Immigration and Naturalization.

Also, letters to accompany House bill 7868; to the Committee on Invalid Pensions.

Also, memorial of Trades and Labor Council of Kalamazoo, Mich., favoring investigation of strike conditions in Michigan; to the Committee on Rules.

Also, petition of citizens of Michigan, protesting against the Sabbath observance bill; to the Committee on the District of Columbia.

By Mr. STEPHENS of California: Petition of the Chamber of Commerce of San Francisco, Cal., favoring House bill 8947; to the Committee on the Post Office and Post Roads.

Also, petition of Los Angeles (Cal.) Bartenders' Union, No. 284; Painters and Paper Hangers' Union, No. 350, and Bakers' Union, No. 37, of Los Angeles, Cal., favoring seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, petitions of Miss Annie L. Roberts, Miss H. E. J. Stoe-

Also, petitions of Miss Annie L. Roberts, Miss H. E. J. Stoebird, and Miss Margaret Hayes, of California, favoring a more liberal pension for Army nurses; to the Committee on Invalid Pensions.

Also, petitions of Associated Anti-Japanese Leagues of California and the Anti-Japanese Laundry League, of San Francisco, Cal., favoring House bill 102; to the Committee on Immigration and Naturalization.

Also, memorial of the Commercial Club of Seattle, Wash., favoring printing of tables and maps relating to the Kelp survey of California, etc.; to the Committee on Printing.

Also, petition of Columbia Council No. 4, Daughters of Liberty, Los Angeles, Cal., favoring immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Henry Cowell Lime & Cement Co., San Francisco, Cal., favoring certain changes in tariff law; to the Committee on Ways and Means.

By Mr. WINGO: Memorial of the Local Van Buren Socialist Party, favoring an investigation of the labor trouble in the Michigan copper region; to the Committee on Rules:

By Mr. WILSON of New York: Petitions of the Order of Railway Conductors and Brotherhood of Locomotive Firemen and Engineers, protesting against the passage of a workman's compensation law; to the Committee on the Judiciary.

SENATE.

FRIDAY, January 23, 1914.

(Continuation of the legislative day of Thursday, January 22, 1914.)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess

The VICE PRESIDENT. Senate bill 48 will be proceeded

BAILROADS IN ALASKA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 48) to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes.

The VICE PRESIDENT. The pending question is on the amendment proposed by the Senator from Oregon [Mr. Cham-BERLAIN] to the amendment of the committee.

Mr. CHAMBERLAIN. Mr. President, before that is acted upon, I desire to make a statement in reference to the RECORD of yesterday's proceedings. In the latter part of the little controversy between the Senator from Mississippi [Mr. Williams] and myself the following occurred:

Mr. WILLIAMS. Yes; and so is a dugout going through the Chapola; but the two things have nothing to do with one another.

Mr. CHAMBERIAIN. We have improved the Chapola and a good many other streams.

Mr. WILLIAMS. The Chapola is a fictitious stream, and a name which I just invented.

I wish to state that I understood the Senator from Mississippi to refer to the Atchafalaya, which is an outlet for the Mississippi River into the Gulf of Mexico, and for the improvement of which an appropriation of over \$450,000 has been made.

If the Senator invented the word "Chapola," I want to say

that the Chapola is a river in Florida, a branch of the Apalachicola River, for which Congress from time to time has made appropriations, running from \$27,500 to other amounts at dif-So, if the Senator invented the name, I simply ferent times. wish to say that he is a pretty good guesser.

Mr. SMOOT. Mr. President, I do not believe we ought to con-

sider the bill further until we have a quorum. I make the point

The VICE PRESIDENT. The Secretary will call the roll. The Secretary called the roll, and the following Senators an-

swered to their names:

Gallinger Goff Gronna Martine, N. J. Myers Nelson Norris Ashurst Bacon Bankhead Gronna Hitchcock James Jones Kenyon Kern Lane Lea Lipplit Lodge Brady Brandegee Bristow Smith, Md. Overman Perkins Poindexter Stephenson Sterling Sutherland Bryan Burton Chamberlain Chilton Pomerene Ransdell Thomas Thompson Walsh Williams Reed Robinson Cummins du Pont Fall Colt Lodge McLean Martin, Va. Saulsbury Works Shafroth Sheppard

Mr. BRYAN. My colleague [Mr. Fletcher] is absent from the city. He is paired with the Senator from Wyoming [Mr. WARREN]. I make this announcement for the day.

Mr. SHEPPARD. I wish to announce the unavoidable absence of my colleague, the senior Senator from Texas [Mr. CULBERSON], and to state that he is paired with the Senator from Delaware [Mr. DU PONT]. This announcement may stand for the day.

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the amendment proposed by the Senator from Oregon [Mr. CHAMBERLAIN] to the amendment of the com-It will be stated.

The Secretary. On behalf of the Committee on Territories, on page 8, line 5, before the word "cause," insert the words "designate and."

The amendment to the amendment was agreed to.

Mr. CHAMBERLAIN. I desire to offer the following amendment to the amendment.

The VICE PRESIDENT. The Senator from Oregon, on behalf of the Committee on the Territories, offers an amendment to the amendment, which will be stated.

The Secretary. On page 8, line 5, after the word "located," insert the words "and acquired for the United States by construction, purchase, or condemnation or partly by construction, purchase, or condemnation."

Mr. BURTON. I should like to ask in what print that is

proposed to be inserted?

Mr. CHAMBERLAIN. I will state to the Senator that it does not appear in any print. It is one of the committee | Canal, and those who were not here have familiarized them-

amendments, and embodies a portion of the Commins amendment. There was some question in the mind of the Senator as to whether the President would have power to condemn or to acquire a road now constructed up there, and to remove any doubt on the subject the committee took that portion of the amendment of the Senator from Iowa [Mr. CUMMINS] and embodied it as a committee amendment.

Mr. BURTON. These words are to be added to the portion included in the print in italics, I understand, on page 5

Mr. CHAMBERLAIN. It is to be a part of that. It is a part of the Cummins amendment.

Mr. BURTON. After the word "located"? Mr. CHAMBERLAIN. Yes, sir.

Mr. BURTON. I should like to have the amendment read again. It is

The VICE PRESIDENT. The Secretary will again state the amendment to the amendment.

The SECRETARY. On page S, line 5, after the word "located," insert the words "and acquire for the United States by construction, purchase, or condemnation, or partly by construction, purchase, or condemnation," so that, if amended, it will rend:

That the President of the United States is hereby authorized and directed to designate and cause to be located and acquired for the United States, by construction, purchase, or condemnation, or partly by construction, purchase, or condemnation, such main lines for railroads, and so forth.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

Mr. President, I wish to ask the Senator if that means that the President is authorized to purchase rallroads already constructed.

Mr. CHAMBERLAIN. Yes; if he saw fit to do so. state to the Senator that there was some doubt as to whether he would have that power if he could make arrangements to purchase one or other of the lines now there. There is a further committee amendment proposed which provides that, if the President does not see fit to purchase one of the established lines now and prefers, rather, on the report of engineers, to go somewhere else and construct a line, that power will also be given him under the terms of the bill.

Mr. BACON. But he has the power, under this proposed

amendment, to purchase any railroad he sees fit? Mr. CHAMBERLAIN. There in Alaska.

Mr. BACON. In Alaska, and without any specification as

Mr. CHAMBERLAIN. It is left to the President to determine that.

Mr. BACON. That is what I mean. The proposition is that the President shall have the right to purchase any railroad in Alaska he may see fit to purchase, without any stipulation as to the cost of it.

Mr. CHAMBERLAIN. Yes; or to condemn it.
Mr. JONES. Let me suggest that if he does that it will be necessary to acquire it as a part of the Government line.

Mr. BACON. I understand.

Mr. SMITH of Georgia. Mr. President, I wish to express my protest against so broad an authority being given by Congress to anyone. It seems to me to be utterly unwise for us to agree to appropriate \$40,000,000 to be spent in the purchase of railroads or in building railroads just as the President, even, might see fit. That, of course, means that he shall appoint a commission to make the purchase or a commission to determine what is to be built.

I do feel that when Congress votes the money we ought to know with reasonable accuracy what we are preparing to do, and that before we vote the money to buy a railroad we ought to know what the railroad is, what it is to cost, and what it is to be worth to operate. We ought to have some vision of the feasibleness at least of the enterprise into which we are plunging.

The bill went certainly far enough before; too far for me. If a practical proposition was submitted designating a line of road in Alaska with accurate estimates as to its cost, with accurate designation of the proposed line, with reasonably accurate estimates showing that it could be operated without loss, and under provisions where when built the Government was to lease it, I am not prepared to say that I would not support such a measure.

I had not at this time intended to say anything, but the added suggestion that the President is to have the liberty of taking \$40,000,000 to buy railroads has reached to so extreme a point I am impelled to express the objection I have been feeling for

Mr. BACON. Mr. President, Senators will recall—those of us who were here at the time of the purchase of the old Panama

selves with it since—that even in that instance we stipulated the price and designated the property. But in this instance it is proposed neither to designate the property nor to stipulate

I did not intend to say anything either, Mr. President, but it does seem to me that there is a limit beyond which we should not go. I do not mean to say that I am opposed to any effort to develop Alaska; but I do want it, if I give my support to it, to be kept in moderate bounds, and that Congress shall have some definite information and commit itself to some definite plan before this enterprise is undertaken. Unless it is so restricted, I shall not myself vote for it.

Mr. CUMMINS. Mr. President, as I said yesterday, I think this bill as originally reported grants authority altogether too indefinite to the President, but the amendment now proposed distinctly betters the bill. This bill as it is now before the Senate provides that the President shall locate a main line of railroad from tidewater to the interior of Alaska. I think most people feel that there are but two points, or possibly three, from which the railroad can leave tidewater. There are railroads extending into the interior a little way from two of these points. It would be absurd, as every one will agree, for the United States to build a parallel line of road from Resurrection Bay or from Cordova toward the interior if it can buy either of these roads more cheaply than it can build another. The only purpose of this amendment is to provide that, if the President locates the line or the lines of railroad from either of these points, he shall have authority, instead of expending the money of the United States in building a new line side by side with one that is already there, to buy the existing railroads. That is so obviously right that no one ought, as it seems to me, to question it.

I have much sympathy with the view of both Senators from Georgia that, before a purchase of this character becomes completed or binding upon the United States, Congress ought to know the conditions of the purchase and the amount of the purchase price, but that can be provided for by a later amendment to the bill; and I am sure we will all agree that, if the President locates a line of railroad, he must locate it from tidewater and that he ought to have the option either to build a distinct line or to buy an existing line, for it would be a criminal waste of money to construct a new line up a narrow gorge from the Pacific Ocean when already there is a line located and constructed over such route. I take it that is the

only object of this particular amendment.

There is a later amendment proposed by the committee, which also adopts part of the amendment that I shall offer, that if an existing line is to form a part of the railroad, then the acquisition of the existing line shall precede the construction of any extension of that line. That also, it seems to me,

Mr. BACON. Mr. President, will the Senator permit me to

ask him a question?

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS. Certainly. Mr. BACON. I am not so familiar with this matter as is the Senator from Iowa. I wish to say, however, that we have been strongly urged to support this measure, on the ground that it is necessary to reach the coal fields and to open them to the public. As I understand, the two railroads that are already constructed reach the coal fields.

Mr. CUMMINS. No, Mr. President; that is an error. Neither

of the railroads reaches the coal fields,

Mr. BACON. I can not designate by name the different localities on the map, but I am quite sure that while the Senator from Montana [Mr. Walsh] was speaking he indicated a point near the shore

Mr. CUMMINS. If I may be permitted to reply now to the Senator from Georgia, I will say that the Copper River & Northwestern Railroad would reach the Bering coal fields with a branch, and the Alaska Northern, as is shown on the map, would reach the Matanuska coal fields with a branch. I take it that the main line of neither is intended to reach the coal fields.

Mr. BACON. I am not speaking about what is intended; I am speaking about what has already been done. I recollect asking the question of one of the Senators—I think it was the Senator from Montana, when he was on the floor, and he indicated the two points. One of them was within some 25 or 30 miles of the coast, in the southern part of Alaska, and the other one was some greater distance—a little farther up to the north each of which, as I understood from the Senator, did reach the coal fields. The junior Senator from Oregon [Mr. LANE], when on the floor yesterday, was asked the question in regard to one of these railroads, and I think he said it did reach the coal

fields, but that there were such windstorms almost constantly prevailing there as to make it a very undesirable locality in which to do work.

Mr. LANE. Mr. President-

The VICE PRESIDENT, Does the Senator from Iowa yield to the Senator from Oregon?

Mr. CUMMINS. I do. Mr. LANE. I wish to correct the Senator from Georgia [Mr. Bacon]. I did not intend to make the statement which he has attributed to me. Neither one of these railways reaches the coal fields, and it is not a great distance from the coast to the

Mr. BACON. I could not indicate the point on the map, but I should like to ask the Senator from Oregon to do so, as he is the Senator nearest to the map. As to the point indicated on the map by the Senator, I understood him to say that that was

one of the coal regions.

Mr. LANE. That [indicating on the map] is the Matanuska coal field, and a line of railway reaches into the interior about 75 miles. The line is perhaps 75 miles away from the coal fields now.

Mr. BACON. That line of railroad is yet 75 miles away from

the coal fields?

Yes. The other line has started up the Copper Mr. LANE. River to reach the copper mines, but there is not a branch into the Bering coal fields at all.

Mr. BACON. Speaking now of the coal fields, are they not within 25 miles of the coast, and does not the railroad there reach the coal fields?

Mr. JONES. They are 35 or 40 miles away.
Mr. LANE. I do not think they have ever built that road.

Mr. BACON. They are within a very short distance of the coal fields. The point as to which I wanted to ask the Senator from Iowa-and the question I have propounded was but preliminary-was, if these railroads have reached the coal fields or near by, where they can easily be projected into the coal fields by their present owners, is there any advantage in those railroads being taken away from the private owners and vested in the ownership of the Government? Is it not rather to be desired that the railroads exist and that they be operated by their present owners rather than that the Government operate them?

Mr. CUMMINS. Mr. President, I am not sponsor for the bill, although I do favor the Government ownership of a line of railway in Alaska. As I understand the situation, what is known as the Bering coal fields lie within about 30 miles of the shore. They are not reached by any line of railroad now in existence. They can be reached, first, by an independent line from the shore of about 25 or 30 miles in length, or they can be reached by a branch line built from the Copper River to the Northwestern Railroad that extends farther north, or into the interior, than the locality in which these coal fields lie. The Matanuska coal

Mr. SMITH of Georgia. Before the Senator leaves that point, is it not true, however, that if you build lines from the coal fields immediately to the seashore you will not have a harbor

there which you can use?

Mr. CUMMINS. There is one harbor there. There is no trouble about that part of it. I was about to say in regard to the Matanuska coal fields that they lie 20 miles, or something like that, from the shore, and the Alaska Northern has reached out so that it is already about 60 miles in length. If it is continued upon the lines suggested by the commission, it will require a branch from that main line of railroad of, I think, some 25 or 30 miles in order to reach the latter fields of coal, so that in either event the coal fields must be reached by an independent line from the shore or by branches from the main lines that are now contemplated.

Answering the further suggestion of the Senator from Georgia, I observe that, while it is perfectly true that these lines of railroad would undoubtedly be extended if there were sufficient inducement to do so, they will not be extended until the opportunity is given to do so to those who might desire to develop the resources of Alaska; and, in my opinion, they would not be extended unless the Government were to extend some such aid to them as in times past it extended to the pioneer railroads in

continental United States.

Mr. BACON. Does not the Senator believe that those roads would be extended if the Government were to so open the coal fields, either by lease or otherwise, that they could be operated and mined and the coal transported over those roads and utilized in commerce?

Mr. CUMMINS. I doubt that somewhat; but the Senator from Oregon [Mr. CHAMBERLAIN] knows so much more about the subject, and can give so much more definite information, that I would rather the question were directed to him.

Mr. BACON. Before the Senator takes his seat I wish to say, to avoid any possibility of misconception, that the object of my inquiry of him was not to raise an issue as to the propriety of Government ownership or the policy of Government ownership, but it was this: If the object is the development of Alaska by the building of railroads, and a railroad is already built, that development is no more secured by the transfer of the title to the Government of the United States than it is at present secured by its existence, the title resting in the hands of private individuals.

Mr. CUMMINS. If it were true that the railroads were already built, the conclusion would inevitably follow; but the railroads are not built; they extend but a short way from the seashore, and there seems to be no immediate likelihood, at any rate, of a further extension, and therefore the Government intervenes to relieve the situation.

Mr. WORKS and Mr. CHAMBERLAIN addressed the Chair. The VICE PRESIDENT. The Senator from California is recognized.

Mr. WORKS. Mr. President, I have felt for a long time that the National Government should do something definite and effective in the way of opening up the resources of Alaska. The construction of a railroad is one step in that direction. doubt very much whether it should be the first step, but the friends of the measure have seen proper to take that course. Unless fair and just laws are enacted, by which the resources of Alaska can be opened up, we had better not spend any money in the construction of a railroad. Therefore in supporting this bill I shall do so with the hope and expectation that it will be followed by legislation that will enable the resources of

that great section of the country to be opened up.

At one time this whole matter was before the Committee on Public Lands, of which I am a member. It was given the most careful consideration by that committee in many respects, including the question of the construction of a railroad and the question of providing some means by which somebody, either the Government or private individuals, might develop the coal fields of Alaska. At that time I was very much impressed in favor of a leasing system that might be adopted that would enable the Government to lease these lands for development purposes, and I hope some just laws may be enacted with that end in view.

Senators may think it is an easy matter to determine the location of the proposed road. It is not. That matter was considered very carefully by the Committee on Public Lands, and there was a good deal of discussion as to where the railroad should be located; in fact, it was one of the most difficult questions that presented itself to that committee. There are There are different bays or harbors there with which a railroad may con-There has been a good deal of difference of opinion as to which one of them should be touched by the railroad; and the various questions as to whether the Government should build independently or purchase the existing railroads and extend them were considered with a good deal of care.

While it seems to be transferring to the executive department a very broad authority in providing that the President may determine the question of the location of this road, perhaps the President is in better condition and will be better able to determine where the railroad should be located than is Congress. For that reason I am perfectly willing to confer that power upon the President, trusting that that department will be just as conscientious and will protect the public interests just as fully as the Congress would do. Therefore I am not disturbed about the proposition to invest this power in the executive

I was not willing to go to the extent that was proposed in the first draft of this bill, and if it had been left in that condition should have voted against it; but as the amount has now been limited and restraints thrown around it that will enable the President to go only so far I am willing to give my support to the bill, although I should much prefer that there should have been included in it some provision by which, after constructing the railroad, we could proceed at once to develop the resources of Alaska in order that the coal that is there might transported over the railroad which we propose to have

Mr. BURTON obtained the floor. Mr. WILLIAMS. If the Senator from Ohio will yield just a second, I want to correct a misstatement I made yesterday.

Mr. BURTON. Certainly.

WILLIAMS. In stating about the cable line up there, the Signal Corps sent me this morning their annual report for 1905, and in that report they claim that the cost of maintenance and operation is and probably will be for years greater than the receipts. So the statement I made yesterday upon information

must have been erroneous. I want to correct it in the Record.

Mr. BURTON. Mr. President, I quite agree with the Senators from Georgia that the vast powers conferred upon the President by this bill are undesirable and without precedent. progress of popular government has been very closely associated with control over the public purse. It is for Congress to make appropriations after the objects of expenditure are thor-

oughly known and understood.

I recall two instances which might be cited as a precedent for giving the right to the President to select these railway routes and expend a certain amount of money. One was in 1898, when the sum of \$50,000,000 was granted to President McKinley for military and naval preparation for the prosecution of hostilities against Spain. That, however, was in a case of great military exigency. The other instance was in 1902, when power was given to President Roosevelt to select a route and then proceed with the construction of an isthmian canal. He was directed, if he could do so within a reasonable time and at a reasonable price, to select the Panama route, otherwise the Nicaraguan route. But the estimates of the cost and all the conditions were fairly well known. Again, it was a case of competition as between the owners or projectors of two routes, and international relations as well were involved in the execution of the plan. This bill, however, proposes to set aside the sum of \$40,000,000 to build railroads-or \$35,000,000 I believe it is in the last print of the bill.

Mr. JONES. Forty million dollars

Mr. BURTON. There is a little difference of opinion here; some say \$35,000.000 and some say \$40,000,000.

Mr. JONES. The House bill proposes to appropriate \$35,000.000 and the Senate bill \$40,000,000.

Mr. BURTON. Well, when you have \$35,000,000 or \$40,000,000 a mere bagatelle like \$5,000,000 does not matter much. Let us compare that with the simple matter of improving a river or a harbor. No matter how exigent it may be, no matter how great a benefit it may impart, it is necessary, first, to pass a resolution here, under which resolution a preliminary examination is made. As the law formerly was a preliminary examination was then followed by another resolution for a But in any event there must be this preliminary examination in pursuance of legislative authority. On that preliminary examination a detailed survey and estimate, an exact estimate, must be had, and then the estimate, with a full report of prospective benefits and other conditions, is placed before Congress.

That, Mr. President, is the true theory of legislative government in the making of expenditures and in the control of This purposes to give to the President absothe public purse. lute power to select routes and to go ahead and build the lines. The sum of \$35,000,000 or \$40,000,000, whichever it may be, is placed at his disposal.

Mr. President, I think altogether too much is attempted here. in any event. The discussion engaged in by the senior Senator from Georgia [Mr. Bacon] opens up a very interesting inquiry. At present you have not any resources to develop. You have no laws, no policy under which they can be developed. It is generally believed—and I trust it may be true—that there is very valuable coal in the Bering River field and in the Matanuska field. The Bering field can be reached by a branch 38 miles in length from an existing railroad. Why go ahead with this elaborate plan, involving, perhaps, the construction of a thousand miles of railway, when it is altogether uncertain whether you will obtain mineral in valuable quantities, when it is still more uncertain whether the agricultural possibilities are there? This, too, when the building of 38 miles of railroad will afford a clear demonstration as to what can be developed.

I must say that I believe decidedly in the amendment proposed by the Senator from Iowa, under which existing lines may be utilized, provided they can be obtained at a reasonable price and are in the right location. In the first place, they are there. You will not have to delay your enterprise to build new In the next place, existing railways may occupy the passes and gorges, which are the sole routes available. In the next place, it would be an economic crime to seek to develop the resources of the country by duplicating existing means of transportation, whether furnished by private capital or by public taxation.

So I think that amendment improves the bill; but it does seem to me, Mr. President, that this whole plan is ill advised and contrary to experience. With a comparatively small amount we can try out these questions and discover whether the hidden wealth or undeveloped wealth is there which can be brought to the seaboard and be made an addition to the resources of the

country. Presuming that it is there, presuming that there are unlimited quantities of coal and that millions of acres of land can be brought under profitable agricultural production, we are proposing in this bill to build railroads without taking any step to encourage settlers to make available these mineral and agricultural resources. It may be said that railways are necessary to development, that they were built in the western coun-But just see how different the condition was there. The railways constructed across the uninhabited prairies were built through lands of known fertility, where great development was possible in the raising of grain and of stock. There were well-established laws for the acquisition of those lands by homesteaders and purchasers. That was one class of railways constructed. Another was of railways to terminal points on the Pacific coast and elsewhere,

Mr. POINDEXTER. Mr. President-

Mr. BURTON. Thus far we have found in this country that wherever there was development waiting for population private enterprise would supply what was needed. I believe that is true in Alaska. I will add that I think there is no insuperable objection to Government ownership, though I do not believe in it. But, in this case, I do not think it is necessary, and if we embark in that direction we ought to move moderately, not with a great network of lines full grown, but merely adopt the plan that is necessary to determine what possibilities exist and give them proper utilization.

Mr. BORAH. Mr. President-

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Washington?

Mr. BURTON. I think the Senator from Idaho was first on his feet

Mr. POINDEXTER. I want to make only a very brief statement.

Mr. BURTON. Very well.
Mr. POINDEXTER. The Senator from Ohio says that the

Mr. POINDEXTER. The Senator from Onto says that the western railroads were built through lands of known fertility.

Mr. BURTON. It was one of two objects—either through lands of known fertility or to reach terminal points.

Mr. POINDEXTER. Undoubtedly the Senator remembers when Henry Villard drove the last spike in the Northern Pacific Railroad Co. and took the German stockholders out over the line to show them the magnificent country that the road was to open up, and collected the natives at the stopping places in order that they might see what a vast native population the country supported. But the German stockholders, instead of being encouraged at what they saw in that great Northwest as we now know it, were so discouraged that they telegraphed to their agents in Germany to sell the stock, and it caused the col-lapse and bankruptcy of Henry Villard.

Mr. BURTON. I have no doubt that may have had something to do with the failure, but I do not think that is what caused the collapse of the Northern Pacific. In that great era of railroad building we were going ahead of rational, symmetrical development. Twenty years later all those railroads were useful as arteries for commerce, but in the season immediately succeeding the Civil War there was a fever for railway construction, which caused very much capital to be wasted and roads built prematurely, just as it seems to me you are proposing to act in

a manner altogether premature in this case in Alaska.

Mr. BORAH. Mr. President-

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. BURTON. Certainly. Mr. BORAH. The Senator from Ohio has said several times in the course of his remarks that we might assume that wealth was in Alaska, that the resources were there. We do not have to assume it. It has already been demonstrated. There is

plenty of evidence of that fact.

Mr. BURTON. That opens up a proposition which would require a lengthy discussion. I think there are great mineral resources there, great resources in fisheries, possibly some in timber, probably nothing more in agriculture than would be required at points near to the place of production, but here is a very surprising fact. In the year 1901 I rode over a railway from Skagway to White Horse. I have forgotten the exact distance, perhaps 60 or 70 miles. That railway connects at White Horse with steamboats on the Yukon. The little town of White Horse seemed like a Mississippi or Ohio River town. There were a number of boats moored at its wharves. That road had been in operation then for a year or two. It has now been in operation for some 14 years. The total annual tonnage that is carried by railway and by boats on these connecting lines is 32,000 tons, about a dozen trainloads with the modern maximum load of a freight train.

Mr. BORAH. I am very much astonished to know that when

Mr. BORAH. I am very much astomshed to know that when everything has been tied up.

Mr. ROOT. They get it in Canada.

Mr. BORAH. I presume they get it in Canada, because they could not get it in the United States under the present system of administering the law. If all the resources possible for the human mind to conceive of were in Alaska, under present conditions you could not haul any tonnage, because you are not permitted to loosen it and haul it. This bill is defective in that it does not, with the building of the road, provide some means to utilize these resources so that the people generally get the benefit of them. It is only a step, and it seems we should prepare at once to take the other steps.

Mr. BURTON. Does not the Senator from Idaho believe it would be well to establish a policy for Alaska before we go ahead and build railroads when they will have nothing to carry?

Mr. BORAH. Yes; and the Senator from Idaho has been for that for the last five, six, or seven years, and every time he has met with the proposition, "Let us do something else first," for fear that somebody will get in there and steal all the resources. Now, there is a way to open these resources without permitting monopoly or theft.

Mr. BURTON. Mr. President, I have here a little pamphlet-I think other Senators have received it—on the Alaskan Railway Problem, by Mr. Harrington Emerson. The substance of it is that he favors a narrow-gauge or smaller road, and even ridicules the idea of building standard-gauge roads with a high grade of equipment. I do not know who he is or what he represents, but I ask leave to have it printed in the RECORD with my remarks, because it certainly adds to the information brought

out by the discussion.

The VICE PRESIDENT. Is there objection? The Chair

hears none, and it is so ordered.

The matter referred to is as follows:

THE ALASKAN RAILWAY PROBLEM.

(By Harrington Emerson.)

(By Harrington Emerson.)

It is ridiculous to use a 10-gallon flask as a nursing bottle for a baby. It is also not economy to use a steam hammer to drive carpet tacks. Yet Americans in their large enterprises like to do things of this kind. The great national fault is overequipment, not two blades of grass where one grew before, but 6 acres for 160 bushels of corn instead of 1 acre.

The development of Alaska is being held back on account of the national proclivity to overequip.

Alaska is a land of immense distances, great natural obstacles, sparse population. It is 1,500 miles from Ketchi Rau to Bering Straits. The great fjords, arms of the sea; immense glaciers, Malaspina, 80 miles across; high mountains, Mount St. Elias, 18,000 feet; Mount Denali, 20,000 feet; the volcanoes, Katmai, whose ashes three Algerian sunsets. The wide and turbulent rivers, Copper, Kuskokwin, Yukon; the extreme cold in the interior, 70° below zero; the rainfall and snowfall. 110 inches at Juneau, sufficiently exemplify the natural obstacles. The population is about 1 to 20 square miles.

In the presence of these tremendous conditions it behooves man to be modest. There were good Roman roads over the Alps 1,800 years before Napoleon built his magnificent wagon roads, and Napoleon wagon roads served the purpose for 80 years before 10 to 14 mile tunnels were either necessary or remunerative. Any Alaskan railroad building will be hard enough without attempting it on an absurdly overequipped basis.

roads served the purpose for 80 years before 10 to 14 mile tunnels were either necessary or remunerative. Any Alaskan rallroad building will be hard enough without attempting it on an absurdly overequipped basis.

Shall we build in Alaska railroads costing \$10,000 a mile or railroads costing, like the New York Subway, \$1,000,000 a mile? Even if both kinds of road cost the same, should we put in roads cheap to maintain and operate, or roads costing much to maintain and operate?

Some years ago an Alaskan mine owner wanted me to figure on a 14-mile railroad to carry, as he hoped, 10,000 tons of ore a year from mine to water. He wanted a standard. I was able to show that a 2-foot gauge road with 12-pound rails could carry 180,000 tons a year.

Many years ago I saw operating in France a 2-foot gauge passenger road, on which the passengers sat back to back on longitudinal scats. Traveling in this way may not be as comfortable as in a Pullman car, but it is an immense improvement over mushing through the snow behind a dog team, which is, however, luxury compared to packing on one's own back a 60-pound load.

In 1902 I ran the preliminary survey for a road from Golovin Bay to Council City. The total population of the Ophir Creek district was about 1,500 people, with a yearly immediate traffic of 1,500 tons, at \$50 a ton, or 5 tons a day, a gross income of \$250 a day—a wheel-barrow or at best a mule-cart proposition—yet an engineering lunatic, backed by Wall Street, floated bonds to build a standard-gauge road. The bonds were floated on the statement that the road could carry 400,000 tons a year—it was not emphasized that the total actual tonnage was only 1,500 tons.

Thirteen years ago Charles D. Lane set a sane example by building a railroad from Nome to Anvil Creek so cheaply that it earned its first cost in the first 30 days of operation. Later he built a similar road from Council to Ophir, which carned its first cost in 90 days. To his great indignation, the United States forced him to survey it after it was built

Where the total travel might amount to half a dozen persons a day, a full train with conductor, engineer, fireman, trackman, station agents, and interlocking signals and switches is not necessary. Three or four Ford automobiles with trailers running on light track could take care of all the business. Where the freight traffic amounts at most to a few thousand tons, 50-ton freight cars, weighing empty 25 tons, are not needed; 3 to 5 ton trucks will do the business, and a string of mules may, for the start, be more economical and more reliable than steam locomotives.

If rivers have to be spanned, mountains tunneled, swamps filled in, hills cut through, snowdrifts dug out, a miniature line with heavy grade and steep curves is far cheaper to build, to operate, and to keep open than a standard gauge.

Cash subsidies may be needed. Land grants are absurd. They do not produce cash when it is wanted. The United States Government could well advance at a low rate of interest \$10,000 a mile on Alaskan roads, demand low rates for transportation of troops, supplies, and mail, and with great economy to itself promote the welfare of that great empire and its pioneers.

One of the fundamental rules, often violated, of sane capital expenditure is that we shall not invest \$1,000,000 to accomplish a result if we can accomplish an equally valuable result from an investment of \$10,000.

Mr. JONES. I want to suggest to the Senator that there is nothing in this bill that would prevent the President from building in accordance with those suggestions if he deemed it advisable

Mr. BURTON. That calls the point to my mind that you are fixing this limit at \$35,000,000 or \$40,000,000. What does that mean? Does not everyone know that pressure will be brought to bear upon the Executive Government to spend the whole There is the great advantage in compariof that amount? son in bringing it back to Congress in the surveys: Just the same lobby, if you might call it such, that has favored this plan of construction of railways in Alaska will be equally potent in demanding that the last dollar that is authorized shall be expended by the President. We might just as well face it right now that you are not going to spend any smaller amount than \$40,000,000

The VICE PRESIDENT. The Senator's 15 minutes have

Mr. LIPPITT. Mr. President, I rose to ask the Senator from Ohio, when he says that the inevitable tendency of this proposition will be to require the entire \$40,000,000 to be spent, whether, in his opinion, he does not think it is also very likely that not only will the whole of that sum be spent, but it will be spent in such a way that to make it available it will be inevitable that very considerable additional sums will be spent. A main line of railroad is useful in many cases only in accordance with the number of branch lines that it may have as feedcrs. The purpose here is to build a through line. There can be very few feeders built at present, because nobody knows where the feeders can be located; but the inevitable effect of building a substantial main line of railroad, costing \$35,000,000 or \$40,000,000, will call for at least a similar amount to be expended shortly afterwards to supply the necessary extensions that should go with that line.

I merely wanted to suggest to the Senator from Ohio that we are entering upon an expenditure of not merely the millions that are provided in this bill, but an incalculable number of additional millions.

Mr. BORAH. Before the Senator takes his seat, the proposition which we have before us, whether a wise or unwise one, is a concrete proposition. It has for its purpose the opening up of this Territory. Now, what do those who oppose this proposition offer in lieu of it? Are we going to still continue to let Alaska lie there unused? If there were another proposition presented here which would open up the resources of Alaska so that the people could have the benefit of them there might be some justification in refusing to vote for this bill; but even should we conclude that it is not demonstrated upon its face to be a wise proposition, it is the only concrete proposition which is presented to do the work. What does the Senator propose to substitute in place of it? I confess that a powerful argument with me is that it seems to be the only proposition pro-

Mr. LIPPITT. Mr. President, I think that is a very proper question. What I would propose to put in place of it is a provision that would open the coal lands in such a way that they could be worked and coal could be taken out of them, so that it could be demonstrated in the first place whether or not the coal that would be obtained is valuable coal. In conjunction with that, there are plenty of indications that private enterprise will build all the roads for which there is business.

It seems to me the carrying out of the desire indicated by the position the Senator has described himself as being in for the last five or six years would be met by this alternative. A scratch of the pen by the President of the United States would open up these coal lands. Everybody who has testified in re-

gard to this matter has said that if the coal lands are opened the development of Alaska will soon begin.

Mr. CHAMBERLAIN. May I interrupt the Senator just a moment? In that connection, I wish to say to the Senator that the testimony of the men who were connected with the Cordova & Northwestern Railroad was that even when the lands were open prior to 1906 they were only going to go to the copper fields and build a branch line into the coal mines.

Mr. LIPPITT. Mr. President, allow me to differ with the distinguished Senator from Oregon. I did not read the testimony in that way. Whatever may have been the testimony in 1906, however, the testimony to-day is that if the coal fields are opened roads will be extended to the interior. It is repeated over and over again.

Mr. CHAMBERLAIN. I differ from the Senator again in that regard, because the testimony of the manager of the Yukon & White Pass Railroad was that they did not intend to extend it any farther in, because it would come in competition with their line-

Mr. LIPPITT. I am not talking about the White Pass & Yukon Railroad. I am talking about the road from Seward, the Alaska Northern. Of course the White Pass Railroad in the Alaska Northern. not going to extend itself down the banks of the Yukon and parallel water transportation.

Mr. CHAMBERLAIN. That is not what I am saying, if the Senator will let me explain the matter to him. The manager of the Cordova & Northwestern Railroad testified that they did not intend to extend it any farther because it would come in competition with the line which they already had through British territory, down the Yukon and up the Tanana to

Mr. BORAH. If I may be permitted; I should like to make a suggestion to the Senator. The Senator says that by a scratch of the pen the President could cancel these Executive orders and open up this coal region in order to develop it, and so forth. The President is not going to make that scratch of the pen. These coal mines are not going to be opened up to be taken possession of in the manner in which they were attempted to be taken possession of heretofore. We do not want them monopolized and we do want them developed. We shall have to face this condition of affairs with that condition of affairs also

Mr. LIPPITT. If the Senator will permit me-I presume my time will expire in a minute or two-I desire to answer the statement that has just been made by the Senator from Oregon. Those statements have been made so frequently in this discussion, and they are so absolutely contrary to the facts as they are laid down in the record, that I think this is a good time to make a statement about them.

I read from page 305 of the Senate hearings the testimony given by Mr. Jemmett, the representative of the Alaska Northern Railroad:

far as the Alaska Northern is concerned, I want to be equally explicit.

He had been talking about another railroad.

The Alaska Northern Railroad Co. wishes to build to the interior, Fairbanks, up the Susitna Valley, just as soon as it can be allowed to do so.

What is the use, in the face of such testimony, repeated over and over again in this document, for people to stand up here and quote some other railroad representative who says they do not want to build? The facts in this case are that if the coal fields in Alaska are opened there is plenty of private capital ready to develop that country just the same as the West was developed in the last 40 or 50 years, and just the same as this country has been developed from the beginning, and just the same as Canada is being developed to-day, except that where Canada is being developed by subsidies given by the Government these people ask no Government aid. They are ready to undertake the difficult and doubtful problem by themselves.
Mr. BRISTOW. Mr. President—

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Kansas?

Mr. LIPPITT. I have finished, Mr. President. Mr. BRISTOW. I do not doubt that the railroad would extend its line if the coal fields were opened up so that it could own all of them.

Oh, Mr. President, the gentleman I have re-Mr. LIPPITT. ferred to distinctly says that they do not care to own a bit of the coal fields. The testimony of Mr. Ryan, who is the one man who wants to build to the coal fields from Controller Bay, says his company does not even contemplate owning coal fields. for anybody attempting to monopolize the coal fields of Alaska under the present laws, which limit their ownership to 2,560

acres, it is an impossible proposition. Moreover, in my opinion, if there were no limitations nobody could ever monopolize all of those coal fields. Whether they could or not, however, the situation to-day is that the law provides that not over 2,560 acres can be owned by any one group of men. There is a known area of coal fields in Alaska some 150 square miles in extent and, in addition, some hundreds of square miles of lignite coal.

Mr. BRISTOW. The Senator speaks of the experience in this country. The experience in the development of the coal industry in this country is that the transportation companies control it, control the price, monopolize its production, handle the business as they please, and crush any man who does not obey them.

That has been the universal experience.

For one, I do not want private companies to build the railroads in Alaska. I want the Government of the United States to build those railroads and open the coal fields. By the ownership of these roads the Government can control transportation rates, and that will eventually control the business of Alaska

or any other country.

Mr. SMITH of Michigan. Mr. President, I presume that if the question of coal for the Navy were to be taken out of the discussion we would not waste very much time upon the advisability of building a railroad in Alaska. The project upon which the commission reports as the most feasible and the one which will cost the least money is the one that is farthest from the coal fields

There are 277 miles of very good railroad in Alaska now. Am

I not right about that?

Mr. CHAMBERLAIN. About 500.

Mr. SMITH of Michigan. According to this report, there are 132 miles of the Cordova-Fairbanks road, there are 72 miles of the Seward-Fairbanks road, and there are 72 miles of the Seward-Iditered railroad.

Mr. CHAMBERLAIN. I will say to the Senator that there are practically 500 miles, including all of the little, short rail-

ways in the Territory.

Mr. SMITH of Michigan. Very well; but I was speaking of three railroads that are of sufficient importance to engage the attention of this commission. I am perfectly willing, and indeed anxious, to see something done that will open Alaska appropriately for settlement and the utilization of her vast resources. It was my pleasure to be at the head of the Committee on Territories when Alaska was given civil government and when the commission was authorized to make this inspection. I think their work has been very well done, considering the fact that they were given only a very few weeks in which to do it; but to plunge this country into a vast experiment such as the more enthusiastic advocates ask us to do seems to me very reckless.

I should like to support something that is reasonable and fair: this is not. If we lodge this tremendous discretionary power in the President of the United States, and a railroad is constructed under his direction, and such construction or operation does not turn out to be practical or helpful to Alaska, of course the next move under this same discretionary power will be to urge that it be extended still further and further until you will get 1,000 miles of railroad, costing \$40,000,000.

Mr. President, if I knew where to find the magic key that would unlock those vast resources for the use of the people. I should certainly proceed instantly to do it; but I do not want the Government to experiment with such a tremendous undertaking as this when all that can be claimed for it is that it may possibly be the medium of developing that Territory more rapidly

than would otherwise be the case. I have said what I have said rather reluctantly, because I feel very deeply interested in Alaska, and would willingly aid her; but I wish this plan might be limited to the present neces-

Mr. VARDAMAN. Mr. President, the provisions of this bill are not what I would have them. I think too much power is vested in the President—not the President who now occupies the White House, for I have great faith in his integrity, his good judgment, his prudence, his capacity for doing things, and at the same time steadfastly remaining within constitutional limitations. The power, however, is too great ordinarily to be vested in a single individual.

For that reason I had determined to vote against this bill; but after carefully studying the questions involved and informing myself as to what would result to the American people from the development of this country so rich in minerals and agricultural resources, I have changed my mind about it and intend to vote for the bill on its passage.

I wish to say also that I am not in any way hindered by the specter of Government ownership of railroads, with all its

socialistic tendencies. That old ghost has ceased to frighten me. If the building of this road by the Government shall contribute to the prosperity and the happiness of the people whose toil produces the wealth of the country, maintain its commerce in time of peace, and who fight its battles in time of war, then I say let the road be built. If the building of this railroad will add to the sum total of the Nation's wealth, if it will open up opportunities for the home builder and give employment to the idlers in the congested cities and mining districts, by all means let the road be built.

Mr. President, because I once antagonized the Populist Party, which stood for these things, I do not want to be guilty of that vanity of consistency which is the vice of small statesmen. The Populists favored in their platform a great many things which I approved then and all progressive Democrats favor now. I agreed with them on the money question, and I still think the Populists were right. I believe in the provision which the Senate borrowed from the Populists and incorporated in the banking and currency bill which authorizes the issue of bank currency on agricultural securities. I agree with Populists on the question of a graduated income tax, and our tariff bill would have been greatly improved if we had followed more closely the Populist text on that subject. I believe in the postal savings bank, which the Populists in their platform demanded; I believe in the Government ownership of telephones and telegraphs, the extension of the parcel post to the end that it may ultimately take the place of the express companies, all of which the Populists demanded; I believe in shortening the hours of labor, which the Populists demanded; I believe also, with all my heart, in the initiative, the referendum, and the recall, which the Populists demanded. And in this connection, if I may be permitted to divert a moment, I believe that one of the reasons for the success of the present administration has been due more largely to the fact that the Government has been carried closer to the people. The election of United States Senators by the people has been influential in producing harmony in the Democratic ranks and the enactment of legislation for the universal good.

I believe in limiting presidential tenure to one term, another Populist demand the wisdom of which the national Democratic convention at Baltimore approved and recognized. I am opposed to a subsidy by the National Government to a private corporation of any character, and in that I am only voicing one of the planks in the Omaha platform. I believe with the Populists that laws should be enacted to prevent dealing in futures in agricultural products, and this Senate by an amendment to the tariff bill last fall indorsed that Populist demand.

In fact, Mr. President, the Populist creed which has been so much criticized, that platform of principles which they proclaimed at Omaha, has been appropriated by the Democrats and stolen by the Progressives. Really the creed of that much despised and criticized political minority has now become, to a very large extent, the political faith of the Nation.

Actuated by the same motives which shall impel me to vote for this bill, I hope at some time in the very near future to ask the Senate to enact a law which will require the United States Government to take hold and manage the great Mississippi River, protect its banks, deepen its channel, increase and encourage commerce between the States, and protect the fertile lands lying on its banks from the devastation of an annual over-

I know in days gone by the idea of Government interference in these matters was condemned. But, Mr. President-

New conditions teach new duties,
Time makes ancient good uncouth,
They must upward still and onward,
Who would be abreast of truth.

The necessity for this legislation is apparent to me, and I am going to contribute what I can to its passage by casting my vote

Mr. WALSH. Mr. President, inasmuch as those of us on this side of the Chamber who are giving our support to this measure were taunted yesterday as having abandoned the principles of the Democratic Party, I desire this morning to read into the RECORD a brief page from history. The accusation was made by the learned Senator from Mississippi [Mr. Williams], who ought to know what constitutes a Democrat if anybody does. The Senator from Missouri [Mr. Reed], the Senator from Nevada [Mr. Newlands], and other Senators on yesterday, quite clearly, as I think, established the proposition that there is no essential difference between the construction by the Government of the United States of a road on which rails are not laid and the construction of a road on which rails are laid.

With these preliminaries I read to the Senate from the third volume of MacMaster's History of the United States, beginning at page 469. Discussing there the stirring years of the administration of Thomas Jefferson, and having adverted to legislation in relation to improvements of navigation, the author continues:

in relation to imprevements of navigation, the author continues:

While thus assisting commerce by sea Congress was not unmindful of the needs of commerce by land. To such a course, indeed, it was pledged by the solemn compact made with Ohio. When that State was about to enter the Union her people agreed that public lands sold within her borders should not be taxed for five years after the day of sale. In return for this Congress agreed to spend 5 per cent of the net proceeds of such sales in road making. Some of the roads were to be in the State, others were to join the Ohio River with navigable waters emptying into the Atlantic. As 3 per cent was speedily appropriated for road making within the State but 2 per cent was left to be expended on highways without. Yet, small as the percentage was, it had, by December, 1805, produced \$12,600. A Senate committee was then appointed to consider the best manner of using it, and reported in favor of a road from Cumberland, on the Maryland side of the Potomac, to a point near Wheeling, on the Virginia side of the Ohio. This route, the committee were careful to state, was chosen from among several because it seemed best suited to the present needs of the people of Ohio.

A remark to which I invite the especial attention of the senior Senator from Ohio [Mr. Burron], who seems now to be opposed to similar legislation to open up territory which is in practically the same condition as was that of his own State at the time of which we read.

This route, the committee were careful to state, was chosen from among several because it seemed best suited to the present needs of the people of Ohio, and because, starting at Cumberland, on the eastern slopes of the mountains, it would not interfere with systems of internal improvements then being carried on by Pennsylvania and Maryland. No fault was to be found with the location of the road, and, as the money was lying idle in the Treasury, a bill to regulate the laying out and making of a road from Cumberland to the State of Ohio readily passed both Houses and became law.

Which precessorily implies that it had the signature of Preci

Which necessarily implies that it had the signature of President Jefferson.

dent Jefferson.

Thirty thousand dollars were appropriated for beginning the work. Three commissioners were appointed to select the route. Applications were at once made to the States of Maryland, Virginia, and Pennsylvania for leave to build the road, and the summer and autumn of 1806 was spent by the commissioners in travelling over ground to determine the alignment. Starting at Cumberland, just where Wills Creek joins the north branch of the Potomac, the commissioners decided that the route should be over Wills Mountain at Sandy Gap, and along the line, but rarely on the bed, of Braddock's old road to the Big Crossing of the Youghlogheny, over Laurel Hill, across the Great Meadows, past the site of Fort Necessity, and on to the Monongahela at Red Stone Old Fort, or, as it had long since been called, Brownsville, and thence, by as direct a course as the country would permit, to the Ohlo, near Wheeling. It now became the duty of the President to approve or disapprove the work of the commissioners, but Jefferson would not act till the three States had consented that he should have a free choice of routes.

Apparently President Jefferson was given the opportunity to

Apparently President Jefferson was given the opportunity to choose the route which should be pursued.

choose the route which should be pursued.

Pennsylvania did not consent till the early spring of 1807. Summer came, therefore, before the commissioners were again in the field. Their instructions were to change the alignment, bring the road through Unionville, and cut it out for half of its width from Cumberland to Brownsyille. More money was appropriated in 1810, and still more in 1811. Nevertheless, the work dragged on so slowly that the first contracts for actually building the roadbed were not signed till May, 1811. Four men then contracted for 10 miles, beginning at Cumberland, and bound themselves to have their work completed by August 1, 1812.

Thus when the war for commercial independence opened Congress had yielded to the demands of the East and of the West and had begun to make internal improvements at Government expense.

Then, Mr. President, so satisfactory to the Democratic idea was the work thus undertaken that the great Secretary of the Treasury under President Jefferson was charged with the duty of preparing a complete scheme of internal improvements, including the construction of great highways traversing the country, of which the author tells in the language which I shall read. Having spoken of a certain bill pending before Congress in the year 1807, he continues:

in the year 1807, he continues:

While the bill was still under debate John Quincy Adams moved that the Secretary of the Treasury be directed to report a plan for a general system of internal improvements. He was to consider the opening of roads, the removal of obstructions from rivers, and the building of canals. He was to make a statement of the number and character of works of public utility then existing in the country and was to name such as in his opinion were worthy of Government aid. The motion did not pass. Nevertheless, within 10 days a Senator from Ohio secured the passage of a resolution precisely similar in character. With these instructions from the Senate before him, Gallatin set to work. A series of questions regarding the number, length, route, cost per mile of canals and roads, rate of toll, gross receipts, and substance of their charters was drawn up and sent to the collectors of the ports, with orders to secure full answers. From the information thus obtained, Gallatin prepared that famous report on roads, canals, harbors, and rivers which is still ranked among the best of his official papers.

He refers again to certain work contemplated for the im-

He refers again to certain work contemplated for the improvement of rivers and harbors, and the remainder is referred to by the author in this language:

The second suggestion of the Secretary was that of a great turnpike alorg the Atlantic coast from Maine to Georgia. This, too, was old,

and had but a year before been presented to the Senate in a resolution. Having thus disposed of the subject of communication north and south, Gallatin took up that of communication east and west and southwest. Four great rivers flowing into the Atlantic should, he thought, be improved to the head of possible navigation and then joined by four great roads over the mountains with four other rivers of the Mississippi Valley. The rivers selected were the Juniata and the Allegheny, the Potomac and the Monongahela, the James and Kanawha, and the Santee or Savannah and the Tennessee. There should also be a canal around the Falls of the Ohio and good roads from Pittsburgh to Detroit, to St. Louls, and New Orleans. Northward and northwestward the Hudson should be joined with Lake Champiain and the Mohawk with Lake Ontario. A canal should be dug around Niagara, that sloops might pass from Ontario to Lake Michigan. The cost of this splendid system of inland waterways would be \$20,000,000.

We know, of course, Mr. President, that this ambitious program was not carried out. The Cumberland Road, however, was constructed; and we know from the correspondence of Mr. Jefferson how close to his heart that project always lay. Surely it would be of interest to know, in brief, about what was actually accomplished on that project. I read from the Encyclopædia Americana a brief review of its history

was actually accomplished on that project. I read from the Encyclopædia Americana a brief review of its history:

Cumberland Road, The, or Great National Pike originally, a road planned from the Maryland frontier at Cumberland, Md., to connect with the State roads and run to St. Louis (then just fallen into United States hands by the Louisiana Purchase), to open up the West to immigrants and provide for military and postal transportation. It was to be built at national expense, from the sales of public lands, as a fair counterpoise to the seaboard States' ability to pay their expenses by levying customs duties, and pushed forward by section as settlement advanced. Henry Clay was its most conspicuous projector and advocate, and a monument to commemorate his services to it has been erected on its course near Wheeling, W. Va. The bill for the first section passed Congress March 29, 1806; it authorized the President (Jefferson) to appoint three commissioners to lay out the road from Cumberland to the Ohio River (Wheeling), and appropriated \$30,000 for expenses. At the same time another was passed to lay out one through Georgia, on the New Orleans route, and others followed in swift succession for two decades. This policy of roads, soon supplemented by canals, became the great battle ground for the Strict Construction Party, who fought the whole policy of internal improvements as unconstitutional, and the Cumberland Road, with its constant call for improvements and repairs, aroused ever fresh resistance. Finally, in 1822, Monroe, although he had signed two annual bills of the kind, vetoed a third, and for the time the improvements and new roads came to a standstill. With John Quincy Adams, who was in thorough sympathy with Clay's policy, as with every other to increase the national wealth and power, the system started up afresh, and the Cumberland Road was pushed forward through Ohio and Indiana. On the accession of Jackson, a Strict Constructionist, the vetoes began and the roads had become so decisively the coming

So, Mr. President, whatever other objection anyone upon this side may find to the bill, he ought not to be troubled with any

conscientious scruples in regard to violating any traditions of the Democratic Party in voting for this measure.

The PRESIDING OFFICER (Mr. ΗΙΤΟΙΙΟΟΚ in the chair). The question is on the amendment offered by the Senator from Oregon to the amendment reported by the committee.

Mr. SMITH of Georgia. Mr. President, while the Senator from Montana is still on his feet, I wish to ask him if it is not true that the engineers who have had charge give their preferential indersement to the eastern route which seems to preferential indorsement to the eastern route, which seems to go most of the way in a section of no resources, and then to the western line, which crosses the mountains, and not to the north and south lines to Fairbanks, which reach the best coal?

Mr. WALSH. That is the situation, I will say to the Senator.

Of course I do not mean to be understood as saying that the

western line has the best coal nor that the other passes through a section of no resources.

Mr. SMITH of Georgia. Is it not true that the report indicates that the most valuable deposit of coal is where these black specks [indicating on the map] are found to the south of Fairbanks?

Mr. WALSH. No; the Senator is in error there. The coal to which the Senator refers is of inferior quality. That is lignite coal.

Mr. SMITH of Georgia. Where is the best coal in Alaska found?

Mr. WALSH. The best coal is in the Bering field and the Matanuska field, to which I now point [indicating on the map]. The Bering field is in territory adjacent to the eastern route and the Matanuska field is in territory adjacent to the western Mr. SMITH of Georgia. But a Government road is entirely unnecessary to reach this coal. It is only 20 miles from the

water, is it not?

Mr. WALSH. The Senator is not altogether correct in his statement. The commission finds that Controller Bay, from which a line only 25 or 30 miles could reach the Bering coal field, does not possess the characteristics to make it suitable as a harbor and depot. That is very stoutly controverted by those who are interested in Controller Bay. Mr. Ryan, who has projected a line from Controller Bay to the Bering field, insists that it constitutes as good a harbor as is Orca Bay, on which is Cordova, or as Resurrection Bay, on which is Seward. What the fact is I do not undertake to say.

Mr. SMITH of Georgia. Is it not a matter which investiga-

tion in advance ought to settle?

Mr. WALSH. Undoubtedly investigation ought to settle it.
Mr. SMITH of Georgia: Then, if we had the information
we might determine that a road 20 miles from a good harbor would take us into the best coal fields.

Mr. WALSH. But, of course, Mr. President, though that were so—and in any case a branch line 55 miles from the existing railroad would take you into the Bering coal field-if you had no other purpose in the construction of these railroads

except to get coal for the Navy or for commercial purposes, such a road would be adequate, no doubt.

Mr. SMITH of Georgia. Then, I wish to ask the Senator another question. I am asking merely for information. I said a little while ago that this bay [indicating], 20 miles from that coal, was not a good bay, and a Senator took issue with me and insisted that it was a good bay. Now, is there not a good bay which this central line [indicating] could reach, not far from the point where it begins and to the east, without using the rail-

road south of it already constructed?

Mr. WALSH. I said, in the course of my remarks on the bill, that some recent surveys have led to the belief that an easy route by the construction of a tunnel 2 miles long can be laid out, giving a terminus on a harbor free from ice the entire year at Prince William Sound. If that route is feasible the line will take the course which I indicate up the Susitna Valley to the Tanana, with a branch to the Matanuska fields. Whether or not that route is feasible I do not pretend to be able to say. The people who are interested in the town of Seward will assure you in a most positive way that the idea of its feasi-bility is not to be entertained for a single moment. The information which I have been able to gather about the matter leads me to believe that probably it could be utilized.

Mr. SMOOT. Mr. President—
The PRESIDING OFFICER. Does the Senator from Georgia

yield to the Senator from Utah?

Mr. SMITH of Georgia. In just a moment. I wish to get the Senator from Montana to give me a little more definite information. The broad line [indicating on the map] is the line recommended just above the coal fields, and the other line goes away off to the west instead of up toward Fairbanks through the coal region. Is there any special difficulty about constructing this line [indicating] through the coal region up to Fairbanks?

Mr. WALSH. Apparently not. Leaving Knik Arm, the most northerly extremity of Cook Inlet, it strikes the valley of the Susitna, and then proceeds up that valley. It seems to me a reasonable assumption that that would not be difficult railroad construction. It then crosses the divide separating the waters which flow north into the Tanana and Yukon from those flowing south into the Gulf of Alaska. My recollection is that that pass is 2,800 feet in elevation, which of course, is not a very high pass; so that, so far as I am able myself to judge, the construction problem in pursuing that route would not, from an engineer-

ing standpoint, be at all difficult.

Mr. SMITH of Georgia. Then, a 20-mile road from Controller Bay would carry the road into excellent coal, and about 300 miles of railway from an arm of Prince William Sound

would carry the road up to Fairbanks?

Mr. WALSH. I should say it would be at least 400 miles.

Mr. SMITH of Georgia. About 400 miles.

Mr. WALSH. My recollection is that it would be about 450 miles from Seward to Fairbanks, and the tunnel route would cut off possibly 90 miles.

Mr. SMITH of Georgia. Three hundred and sixty miles, then, would carry it from Cook Inlet up to Fairbanks?

Mr. WALSH. Yes, sir.

Mr. SMITH of Arizona. Why, then, is not that a better route than the other?

Mr. SMOOT. Mr. President, I should like to say to the Senator that the testimony shows, I think, that the route from return.

Resurrection Bay or from Prince William Sound up to Fairbanks is a fair route, with the exception of three elevations; but none of the engineers, so far as I know, has reported that the difficulties of constructing a road over them could not be The route up the Copper River selected by the Copper River Railroad Co., which has constructed a road part of the way, is a natural route for a railroad in Alaska. If it is undertaken to build over the eastern route

Mr. SMITH of Georgia. Are there any special resources along that line? It does not pass through the gold region, and it does not pass through agricultural lands or coal lands.

Mr. SMOOT. Along that route are the great copper mines. I think that a railroad there would be just as good for the development of the agricultural lands of Alaska as a road along this route here [indicating on the map]. Of course, the route that is recommended by the engineers would reach a larger part of the agricultural land, but it would not touch coal deposits at any point. The Senator is correct in saying that a railroad 23 miles from Controller Bay would reach the Bering coal fields

Mr. SMITH of Georgia. Which are as good as any.

Mr. SMOOT. In my opinion, from the testimony I have examined, the Bering coal fields are just as good as the Matanuska coal fields. The testimony also shows that Controller Bay, as the Senator says, is just as good a bay for landing purposes and wharf purposes as Resurrection Bay or any other of the landings on the Gulf of Alaska.

Mr. WALSH. Mr. President, if I may be permitted just a

The PRESIDING OFFICER. The Senator's time has expired. He is speaking in the time of the Senator from Georgia.

Mr. SMITH of Georgia. All right.

Mr. WALSH. I feel that it is only just to say, in this connection, that this western route encounters more grades than the more eastern route. The more eastern route, Senators will observe, goes up the Copper River, and continues up the Copper River until it drops over into the Tanana; so that it crosses but one divide, near the point at which I now indicate on the map, while in the case of the other it crosses more. There is a spur of mountains running down through the Kenai Peninsula which lies between Prince William Sound and Cook Inlet. It is necessary to cross that divide. Then there is another one when you cross the main range, and then the third, which I indicated before. I ought to say, however, that neither of the two lower ones is of any elevation that is of any very great consequence.

I feel like repeating what I said in the course of my remarks, that with the inadequate information that I myself had I should unhesitatingly give my approval to the more western route, particularly because it opens up not only the Tanana Valley, which is reached by the more eastern route, but the Susitna Valley as well, which I have no doubt has agricultural possi-

bilities even greater than those of the Tanana.

Mr. SMITH of Georgia. Is that the more western route or the central route? The Senator means the more western to Fairbanks?

Mr. WALSH. The more western of the two.

Mr. SMITH of Georgia. To Fairbanks?

Mr. WALSH. Yes. Mr. STONE. Mr. President, I should like to ask the Senator a question as to the several routes indicated on the map. proposed to determine now which route shall be adopted?

Mr. WALSH. It is suggested by some of the Senators that the Senate ought to determine the route and fix it in the bill. The bill does not undertake to do so.

Mr. STONE. I thought not. Mr. WALSH. The bill allows the route to be determined by the President; that is, it charges him with the duty of determining which of the routes shall be pursued.

Mr. STONE. While I am on my feet, with the permission of the Senator, I should like to ask another question.

I have already stated that I am disposed to favor this legislation, and I have been listening to various objections to the proposal. Among others is the one that nothing is to be accomplished by the expenditure of this large sum of 'thirty or thirtyfive million dollars

Mr. SMITH of Georgia. Forty million dollars.

Mr. STONE. Well, \$40,000,000, in constructing railroads that will run up through these canyons and over these mountainous divides, except to build them and get to somewhere—perhaps an indefinite somewhere—but to get somewhere to a terminus, and that we are building the roads and spending all this money without any object, without any likelihood of any substantial

I want to vote for this measure, and I should like to know hat there is in this objection. What are the people of the what there is in this objection.

United States going to get out of it?

Mr. WALSH. Of course an answer to that question would necessitate a review of the entire facts of the matter, in detailing which I fear I have already taken too much of the time of the Senate. I feel, however, that I ought to say at this time that, like the great project of which I read you a while ago of connecting the Atlantic seaboard by great highways with the Ohio River and the Mississippi River and the inland waterways, the project here is to connect the seacoast of Alaska with the inland waterways of Alaska for exactly the same reasons; so that if we went to these coal fields that purpose would not be subserved at all.

I will answer the Senator from Missouri by saying that here is this great river—the Yukon—2,300 miles of which are navigable, giving, with the Kuskokwim and the tributaries of the Yukon, navigable waters of 5,000 miles. We propose to connect up the navigable rivers of the interior with the coast for the purpose of developing the great region that is tributary to these great rivers. They are valuable from an agricultural standpoint. The territory marked in blue upon this map is territory that has agricultural possibilities. It is believed, and I think no one will undertake to deny, that that country will produce breadstuffs and foodstuffs enough to supply whatever population shall ever go into that country, the same as Sweden and Norway and the northern Provinces of Russia produce agricultural products sufficient to supply their people.

The great product there is gold. The country between the Yukon and the Tanana River, even with the tremendous prices they have to pay for transportation now, produces \$9,000,000 in You will bear in mind that the capabilities are gold a year. restricted almost incalculably by reason of the high transportation rates that prevail, consequent upon the absence of transportation facilities. If these transportation facilities are given, great areas there that are known to be rich in gold, low-grade, as a matter of course, placers not so rich to the cubic yard will

be opened up and developed.

So we propose to attract into the interior of Alaska a great population which will be consuming our products. We propose to increase in that way our commerce with those sections, to give employment to our people here in the continental United States, and to spur industry here the same as the development of the western section enriched the East and the Atlantic seaboard by reason of the opportunity it gave to sell their products. That is the purpose. Mr. STONE. All

All the vast country in there that is to be improved by opening it up through these railroads, or practically

all of it, belongs to the United States?

Mr. WALSH. Over 99 per cent of everything in Alaska belongs to the United States.

Mr. STONE. Then it is to improve the property of the United States?

Mr. WALSH.

Mr. WALSH. Why, certainly.
Mr. WILLIAMS. For the benefit of Alaska.
Mr. STONE. Which is held in trust, according to the Senator from Mississippi—and I have no quarrel with him on that point—for the benefit of the entire people of the United

Mr. WALSH. I take it that the construction of the Cumberland Road, although it was exceedingly valuable to the people of Ohio, was undertaken not simply because it was valuable to them, but because it was deemed valuable to the Nation as a whole; and the event proved that it was at least as valuable to the people living along the Atlantic seaboard as it was to those

living in the interior.

Mr. SIMMONS. Mr. President, I have not had anything to say upon this bill, and I should not do so now but for the fact that I have made up my mind to vote for the bill with the amendment which I understand will be offered by the committee, to limit the expenditure for building these Alaskan roads to the amount of bonds the bill authorizes to be issued. Not so much because of any hope I have of enlightening the Senate or of changing any Senator's view with reference to this question, but that my reasons may be recorded, I desire the indulgence of the Senate for just a few moments.

I am not troubled about the constitutional or the paternalistic arguments that have been made, nor am I troubled about the suggestion of graft and corruption which some apprehend may grow out of the Government undertaking such an enterprise as this. I have no doubt myself about the power of the Government to build and own railroads between the States of the Union; and I certainly do not feel that there can be even the shadow of a doubt about the right of the Government under the Constitution to build and operate a railroad in one of its Territories, especially when it possesses and owns practically all the property in the Territory. We do not legislate for the Territories under the same constitutional limitations under which we legislate for the States, and I dismiss the constitutional objection without further discussion, because I do not consider it a serious one.

Neither am I troubled about the paternalistic argument upon which the senior Senator from Mississippi [Mr. WILLIAMS] laid such stress on yesterday. I am not in favor of the general proposition of Government ownership of railroads, but this is not that kind of a proposition. The Senator from Mississippi entirely fails to differentiate between the Government building a railroad through one of the States, through the private property of the inhabitants of that State, for the benefit of private property, and the Government building a railroad through its

own property for its enhancement and development.

The Senator from Mississippi was correct when he said that the Government does not own Alaska, but that the people own Alaska. That is to say, they own probably 95 per cent of all the lands in Alaska. The Senator was correct when he said the money of the people and not the Government would pay for building this railroad. That is correct; but these statements mean, when properly interpreted, that in spending the money required to build these railroads the people will be spending their own money to improve and develop and settle their own lands. The Senator fails, I think, to make this distinction, which I think is a fundamental differentiation.

I do not want to stop to discuss the expediency and wisdom of the policy of the Government building roads to develop its own property; but I do wish to say, generally, that I think the Government of the United States can not spend a dollar of its money more profitably to the people of the United States than

in opening the way for the development of Alaska.

I am not troubled about the suggestion of graft and of corruption in case the Government shall undertake this great work. There is no foundation in our experience-certainly in recent years-in Government construction of great public utilities and improvements to justify the suggestion that we may

reasonably look for graft if we build this railroad.

Why, Mr. President, we are just about finishing the greatest constructive work of the ages, the Panama Canal, involving the expenditure of over \$400,000,000. The work has been done by the Government solely and exclusively, and up to this time I have not heard of a suspicion of graft, or even of extravagance, in connection with it. It is true that it has been discovered that the cost and the difficulties of construction were underestimated when the original estimate was made, and it has required more money than the original estimate, but the money has been honestly expended and the work has been economically conducted. The same is true of the construction of the Panama Railroad.

We are now spending about \$50,000,000 a year on our rivers and harbors. A large part of that work is done by the Government; that is, all of it is done either by the Government or under its supervision through contracts let by the Government. Yet I have not heard in recent years any suggestion of graft or of corruption or of unnecessary extravagance, except that the method of appropriation by Congress in doling out this money in small sums instead of making an appropriation to cover the whole estimate has necessarily involved an increased expendi-

Mr. BANKHEAD. Mr. President—
The PRESIDING OFFICER (Mr. HITCHCOCK in the chair).
Does the Senator from North Carolina yield to the Senator from Alabama?

Mr. SIMMONS. I have only 15 minutes. I would be glad if the Senator would wait until I get through, and then ask me

his question in his own time.

Mr. President, we have been for some time engaged in the irrigation of our western arid lands, lands that belong to the Government, and we have been doing it with the money of the people, just as it is proposed in the case of this railroad-not for the purpose altogether of developing the lands of the Government, but also for the purpose of helping that part of the country and of enhancing the traffic and the productiveness of that section. We have spent millions of dollars upon those works conducted by the Government. So far as I know, there has been no suggestion of graft or of excessive cost in connection with them. I think there can be no contention about that. Compare the work that the Government of the United States has done in constructing public utilities in recent years with the work that has been done on a large scale by big private interests in this country, and I think you will find that there has been more graft in the constructive works in the case of individual enterprises than in the case of Government construc-

tion. The amount of extravagance, the amount of graft that we have had in connection with the construction of some of the great railroads in this country amounts to sums that are appalling. Yet. Mr. President, every bit of graft in connection with the great trunk transcontinental lines that have been built in this country, and all the extravagance that has been practiced in connection with the building of private railroads, result in a charge upon every producer and every citizen of the country in its effect upon freight rates.

I have not had the opportunity of hearing very much of the debate upon this bill; I have had other duties that have taken me out of the Chamber; but I have given considerable time at night to an investigation of the resources and the possibilities of Alaska, and I give it as my deliberate opinion that not since the adoption of the Constitution has the Government acquired either by purchase or by conquest any part of God's footstool richer in potentialities than is Alaska. I say as a result of my study of the physical conditions in Alaska and of its resources that I do not believe there is to-day upon this globe any undeveloped territory that is richer in possibilities than Alaska. If these great resources have not been developed quickly, if Alaska has not been populated quickly, it is not because of any paucity of its resources; it is not because there is not there that which attracts the venturesome and the enterprising and the thrifty, but it is due to the almost criminal treatment of Alaska and its people by this Government during the third of a century that we have owned and

If we had dealt with Alaska as it has been our wont since the Civil War, and even before, to deal with our newly ac-quired and undeveloped and unsettled territories; if we had dealt with Alaska like the enlightened nations of the world have in recent years been dealing with their unsettled and newly acquired territory; if we had dealt with Alaska upon the basis of reasonable justice and fairness, yea, Mr. President, if we had treated the people of Alaska as well as we have treated the people of the Philippines-whom we never expect to incorporate and never will, I hope, incorporate as a part of this Union—instead of 35,000 white inhabitants in that country to-day, I believe there would have been in Alaska today from three to four million white people. I believe instead of \$60,000.000 interchange of trade between this country and Alaska in 1912 our trade with that country in that year would have reached three or four hundred, possibly five hundred, million dollars. I believe that instead of three or four hundred miles of now practically bankrupt railroad, and bank-rupted through the discriminating treatment and the legislation of this Government with respect to that Territory-instead of three or four hundred miles of railroad there now, practically in the hands of a receiver, or not earning ex-penses, we would have had in Alaska three or four thousand miles of railroad upon a profit-bearing and prosperous basis.

The PRESIDING OFFICER. The time of the Senator from

North Carolina has expired.

Mr. SIMMONS. I desire to inquire whether it is now competent under the rule for me to offer an amendment and to speak to that amendment.

The PRESIDING OFFICER. An amendment is now pending before the Senate, offered by the Senator from Oregon [Mr. CHAMBERLAIN], to the amendment of the committee.

Mr. SIMMONS. I give notice that I will finish my general observations on this question upon some other amendment.

Mr. SMOOT. Mr. President, I believe that under the unanimous-consent agreement the Senator from North Carolina can proceed now to speak upon the bill. He has been speaking upon the amendment offered, and under the unanimous-consent agreement each Senator is allowed to speak 15 minutes upon an amendment and 15 minutes upon the bill.

The PRESIDING OFFICER. That might be true if an amendment were not pending, but the amendment of the Senator from Oregon to the amendment of the committee is pending.

Mr. SMOOT. I think a good many Senators have already spoken upon the bill, not upon an amendment, and they have not referred to a pending amendment. If the Senator from North Carolina has spoken 15 minutes on the bill he can certainly speak 15 minutes upon the amendment.

The PRESIDING OFFICER. The Chair thinks not. The

Chair thinks the spirit of the rule is to limit an address to 15

Mr. SIMMONS. I will renew my remarks after the pending

amendment has been acted on.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Oregon to the amendment of the com-

Mr. WILLIAMS. Let us have the amendment read, please,

The PRESIDING OFFICER. The amendment to the amendment will be read.

The Secretary. On page 8, line 5, after the word "located," insert the words "and acquired for the United States by construction, purchase, or condemnation or partly by construction, purchase, or condemnation."

The amendment to the amendment was agreed to.

Mr. CHAMBERLAIN. I desire, on behalf of the committee, to offer an amendment to the amendment.

Mr. WILLIAMS. The Senator from North Carolina can speak on that amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The Secretary. On page 8, line 6, after the word "interior," insert the following:

Of Alaska and to navigation on the Yukon, Tanana, or Kuskokwim Rivers.

The PRESIDING OFFICER. The Senator from North Caro-

lina will proceed.
Mr. SIMMONS.

Mr. President, the United States Government not only has not helped the people of Alaska to build needed transportation requisite to the development of that country, as to all new countries, and to develop their industries, but it has literally fettered and gagged the people of that Territory in their effort to develop it. I say we have not only not helped to build railroads there, but we have interposed every possible hindrance to railroad building, and, in effect, we have

practically prohibited railroad building in Alaska.

How have we done this? By the most outrageous system of discriminatory legislation that any great country ever followed toward one of its territories or colonies. In the first place, by law we imposed an annual license tax of \$100 a mile upon every mile of railway in Alaska. In the next place, we have with-drawn from entry all the coal and oil lands of Alaska. The only fuel with which railroads are operated in this day is either electricity, coal, wood, or oil. The usual material with which motive power for operating railroads is developed in this day, especially in our country, is oil or coal. Neither wood nor electricity is generally used for the purpose of making steam. Yet we have deliberately denied the railroads that have been constructed there, and we deliberately deny to any railroad that may hereafter be constructed in Alaska, the use of these two great natural resources of the Territory for the purpose of operating their lines.

Suppose, Mr. President, the railroads of this country were to-morrow deprived of the use of coal and of oil that are mined in our coal beds and obtained in our oil fields, do you think the railroads of this country could be operated at a profit, if at all?

The next impediment or handicap that the Government has placed upon the building of these railroads is the application to the railroads of Alaska of the commodity clause of the interstate-commerce law. I am not questioning the correctness of the construction; but that construction of the law as applicable to this Territory in the conditions which exist there practically says to every man who owns a mine of coal or a mine of iron ore or who owns a forest, if you construct a railroad to your mine for the purpose of developing it, if you construct a railroad to your oi! fields for the purpose of developing it, if you construct a railroad to your forest for the purpose of utilizing its timber supplies, you must give up either your railroad that you have constructed, parting with its ownership and control, or you must give up your mine and your forest, parting with the control of it; the law will not permit you to own both together.

In that condition, Mr. President, I ask how is it possible to induce the private owners of capital interested in coal, interested in iron ore, interested in the forest or any of the agriculture of that country, to build railroads to develop and improve their property if, as soon as they build the railroads, they must surrender under the law their property or part with

their right in the railroad?

But, Mr. President, with handicaps making it practically impossible for that country to secure needed transportation, making it impossible for citizens to acquire the valuable resources of the Territory for the purpose of developing and utilizing them-with all these handicaps and impediments upon development, we have witnessed during the last 30 or 40 years a very remarkable growth in this Territory. I do not know whether it is true or not, but it is stated here that during that time Alaska, which originally cost us only about \$7,000,000, has sent of its products to this country about \$470,000,000. In 1912 we had a trade of \$60,000,000 with this possession of the United States. It sent us \$40,000,000 and bought \$20,000,000 from us. What would happen there if these impediments were removed, and if it was given the same opportunity for development that our other Territories were given, we can only con-

jecture. I do not want to go into that domain.

President, there is but one of two ways, to my mind, by which we can secure proper and needed and indispensable railroad facilities to develop this magnificent and rich asset of ours, and that is either by the Government building this railroad itself or by subsidizing somebody else to build it for the people of that Territory and of this country.

know it is said if you will remove these impediments to railroad building, if you will take off this special annual tax of \$100 a mile, if you will open the oil fields and the coal beds to entry, if you will annul the application of the commodity clause of the interstate-commerce law, private enterprise will

come in and build these roads.

Mr. President, that has not been the experience in new, rugged, undeveloped, and unsettled countries either in this country or anywhere else in the world in recent years. Our own experience in developing the magnificent country we acquired in the Northwest was through a system of bounties and subsidies such as the world had never seen up to that time. Canada is developing a country very much like that of Alaska on her side of the border through a system of subsidies even greater than we indulged in in the middle of the last century. Great Britain, Germany, and France had the same experience in securing needed railroad facilities for their colonies in Africa. Great Britain had the same experience in securing needed railroad facilities in developing India. Take every unsettled country that some civilized nation has come into possession of, and seeks to develop with reasonable rapidity and settle, and the experience has been that after waiting a while the parent counhas found that these necessary instruments of commerce could not be secured except with the help of the Government

or by Government construction.

What did Canada do, Mr. President? She has subsidized the privately owned roads of Canada to the extert of \$208,000,-000, and in addition to that she has given for every mile of these privately constructed roads a land grant for about 5,600

miles of the soil of the Dominion.

We can get railroads constructed here in our thickly settled and developed country. To get private capital to build rail-roads in a country like Alaska, with so many inducements to the investment of capital in a thousand channels and lines more profitable and less venturesome, is impracticable. So I say if we are to get these roads built in a reasonable time, either we will have to build them by the Government or we will have

to subsidize somebody else to build them.

Mr. President, in the state of public opinion, with the strong crystallization of sentiment in this country against subsidizing private enterprises, I do not believe that it is feasible to consider now the construction of railroads in Alaska by subsidizing the roads. And why should we want to do it by subsidizing them? If the United States owns all of the territory there, and it owns 95 per cent of it, why can not the United States venture the amount necessary to build railroads to develop that land of its own, the people's land, enhancing its value and making certain return on a large basis in the future as well as settling almost a continent and developing one of the most magnificent trades we have ever enjoyed? What is the objection to it? Will we lose anything?

We own practically the whole of it, and if, with the whole pledged and mortgaged, so to speak, for the success of the enterprise, we, owning it all, can not afford to build these railroads, how can we expect private individuals, who own only a mine or an oil field or a gold mine, to risk their money in such

Are we going to lose the money invested in these railroads? Mr. President, that is out of the question, it seems to me. We are simply lending our credit, just as we did to the builders of the great trunk lines that we subsidized. We have here not a lien upon the railroads built, but the ownership of the railroads and the whole property through which they run. We will own both the railroad and the property. When the railroads are built that property can be sold by the Government at a greater price than it can be sold to-day, and it can be sold much faster than it can be sold to-day. There can be no possibility of loss.

I am not terrorized, Mr. President, by the suggestion that this is a large sum of money. It is not a large sum of money, considered in connection with the great object to be accomplished the opening up of a Territory seven, eight, I believe nine times as large territorially as the State which I represent. The amount is not large compared with the amount that we invested in the Panama Canal. It is not large compared with the amount that we contributed by way of subsidy, only taking a lien upon I the basis of their reports.

the roads as our security, in the construction of the Union Pacific and the Northern Pacific Rallroads. It is not large from the standpoint of a great governmental undertaking to accomplish a great governmental work, an era-marking national undertaking

But we are told if we pass this measure we will be confronted with all sorts of applications for large sums of money for the purpose of building public highways and improving our waterways. We are spending every year in the improving of our waterways in this country as much as the total amount that this bill proposes that the President may spend in constructing these trunk lines to open up this magnificent domain.

And, so far as the appropriations for good roads are concerned, Mr. President, I hope the time is at hand when Congress is ready to appropriate twenty, thirty-five, forty million dollars, if need be, annually, until the dirt roads of this country have been brought up to the standard of those of Germany, England, and such other countries as rank in the same class with us in the family of nations.

The PRESIDING OFFICER (Mr. Walsh in the chair). The time of the Senator from North Carolina has expired.

Mr. BANKHEAD. Mr. President, I hope the Senator from North Carolina will now kindly consent to answer the question that I desired to ask him when he occupied the floor.

Mr. SIMMONS. If I can, I will be glad to do it. I will state to the Senator that I am not familiar with the details of

this matter.

Mr. BANKHEAD. The Senator from North Carolina referred approvingly on one or two occasions or more to the large appropriations that we are making for the improving of our waterways and harbors. I quite agree with him in that. In all of his experience in river and harbor improvements, and he has had a great deal-he has been on the Committee on Commerce for a long time-I should like to have him state to the Senate whether in all the years that he has served on that committee he has ever known a single instance where the Government of the United States entered upon the improvement of a river or harbor without first having a survey made?

Mr. SIMMONS. Mr. President, that question has been asked

here before.

Mr. BANKHEAD. I want the Senator to answer it. Mr. SIMMONS. I commented upon it. I will, if the Senator will permit me, answer the question.

Mr. BANKHEAD. Certainly.

Mr. SIMMONS. I do not take it that it is such a hard question to answer. I do not think anybody would want to run from the answer. There is a law, I will state to the Senator, adopted many years ago requiring first, as he has said, a survey and investigation and a report by the Army engineer upon the route.

Mr. BANKHEAD. I understand.

Mr. SIMMONS. And an estimate as to the amount of money

required to be expended.

Mr. BANKHEAD. That is true, Mr. President. Now, what was the necessity for that law? It was to prevent just such things as we are about to do now. It was to prevent entering upon the improvement of rivers and harbors without any knowledge at all as to the cost, without any knowledge at all as to the commerce to be served, without any knowledge at all as to what the ultimate result of the commerce and business would be.

Mr. SIMMONS. Mr. President— Mr. BANKHEAD. That is exactly what the Senator from North Carolina is insisting upon in this bill.

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from North Carolina?

Mr. BANKHEAD. I do. Mr. SIMMONS. In doing that it would not be fatal, because I have no idea that the President will ever expend a dollar of this money until a most thorough and searching investigation had been made and a satisfactory conclusion reached. I will state to the Senator that the very thing that the Army engineers do in connection with a survey and laying out routes has been already done by the commission which was appointed for this Government. The department made an investigation, and they have indicated which route, in their judgment, was the most feasible and which was the least feasible. I think the Senator from Alabama should take the pains to read the report of this commission, if he has not read The commission has, in my judgment, devoted more time and study to the Alaska situation, with reference to its needs for railroad transportation, than the Army engineers upon an average devote to the supervision of the rivers and harbors as

Mr. BANKHEAD. Will the Senator kindly tell us if the members of the commission, to which he refers, are in anywise

competent to give an engineering opinion?

Mr. SIMMONS. I have not discussed the personnel of the commission, and I do not know who composed it. I assume that the commission was a proper one to investigate a question of this character, and that those who were members of it were competent to deal with the question.

Mr. JONES. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ala-

bama yield to the Senator from Washington?

Mr. BANKHEAD. Yes.

Mr. JONES. I will read to the Senator the names and occupations of the gentlemen on this commission. Maj. Jay J. Morrow, Corps of Engineers, United States Army, chairman; Alfred H. Brooks, geologist in charge of Division of Alaskan Mineral Resources, Geological Survey, vice chairman; Civil Engineer Leonard M. Cox, United States Navy; and Colin M. Ingersoll, consulting railroad engineer, of New York City. Mr. BANKHEAD. Have they made any report or any sug-

gestion as to what the cost of the construction of these roads

Mr. JONES. Certainly.

Mr. BANKHEAD. I know they made a general recommendation, but did they show anything about the rate of the cost of construction per mile?

Mr. JONES. They have gone into the matter very much in

Mr. SIMMONS. I want to ask the Senator from Washington if he does not think they have gone into it very much more in detail and more thoroughly than do the Army engineers when

making estimates for river and harbor work?

Mr. JONES. Certainly. The report not only covers the engineering features but the possibilities of development, the commerce that is likely to be developed, and all that sort of thing, Mr. BANKHEAD. I should like to have the floor, Mr. Presi-

dent.

The PRESIDING OFFICER. The Senator from Alabama de-

clines to yield further.

Mr. BANKHEAD. I yield to the Senator from Washington,

of course.

Mr. JONES. I have concluded what I now desire to say. Mr. BANKHEAD. Mr. President, I should like to ask the Senator from North Carolina another question. Has he ever heard in all of his life-and I make that general-of any corporation or private individual setting aside a large sum of money like this for the purpose of constructing a railroad, without first having a survey made and an estimate of the cost and some information as to what the tonnage or the business of the road was likely to be?

Mr. CHAMBERLAIN. May I interrupt the Senator at that

point?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Oregon?

Mr. BANKHEAD. I do.

Mr. CHAMBERLAIN. I suggest, in that connection, that the Alaska Railroad Commission, the personnel of which has Just been stated, in their report of 172 pages go into those questions in great detail, showing not only the cost of construction but the probable tonnage, based on estimates which they have made from the present business in Alaska.

Mr. BANKHEAD. Now, Mr. President— Mr. WILLIAMS. May I make a suggestion in that connec-

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. BANKHEAD. I do. Mr. WILLIAMS. In that connection permit me to suggest to the Senator from Alabama that when we first began on the Panama Canal we were assured that we were going to build that canal for something like \$160,000,000, but it has cost us nearly \$500,000,000 since that time. The idea of building a railroad in Alaska for \$45,000 a mile is absolutely absurd to any man with ordinary common sense.

Mr. SIMMONS. May I ask the Senator from Mississippi a

Mr. WILLIAMS. Yes; if the Senator from Alabama will yield for that purpose.

Mr. SIMMONS. Of course, I should not desire to do so unless the Senator from Alabama were willing.

Mr. BANKHEAD. I yield for that purpose.
Mr. SIMMONS. The Senator from Mississippi says that there was an estimate made as to the cost of the construction of the Panama Canal, and that the actual cost has far exceeded that little later.

estimate. Does not the Senator from Mississippi know that that has been true with reference to probably more than half of the estimates made for the improvement of every one of our rivers and harbors?

Mr. WILLIAMS. Yes; I do know it; and that adds to the force of what I intended to convey to the intelligence of the Senator from North Carolina and other Senators, that you can not rely at all upon these so-called estimates by civil engineers.

Mr. SIMMONS. You can rely upon one as well as you can upon the other.

Mr. WILLIAMS. Just about as well; but you can not rely at all on either when they want jobs and want work; that is all there is to it

Mr. SIMMONS. That is the point the Senator from Alabama

is making against it.

Mr. BANKHEAD. And it is a good point, too.

Mr. President, while I am on my feet I want briefly to submit merely a few observations as to why I can not consent to give

my support to this measure.

I do not question the authority of Congress to appropriate money to build railroads in Alaska; I do not question the authority of Congress to aid in any proper way the development of the resources of Alaska; but what I am objecting to is that we have gone at this business without the necessary information.

It has been said here that one of the chief reasons why the Government should go into the business of constructing a great many miles of railroad in Alaska is to develop its mineral resources. Chief among those resources is coal, so we have been told. Nobody has claimed, so far as I have heard, that there is timber in Alaska that is very valuable or extensive. We all concede that there are gold, copper, and other precions metals there, but the contention has been made here that this development and this expenditure on the part of the Government are necessary in order that the Government may be able to get coal for the Navy and for commercial purposes. The other day, in perfect good faith, I asked the Senator from Oregon [Mr. CHAM-BERLAIN] if he had ever seen the analysis of the Alaska coal, in order that we might know what was its quality. He replied by saying yes; that he had filed an affidavit from somebody who had brought coal down from Alaska, but that it had gravel mixed with it, and, therefore, that it was not exactly a fair test.

Mr. CHAMBERLAIN. Mr. President-

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Oregon?

Mr. BANKHEAD. I do.

Mr. CHAMBERLAIN. I think the Senator from Alabama misunderstood what I said to him. I said that I had seen an analysis of Alaskan coal made by the Geological Survey and one made by one of the engineers of the Navy, but there was an affidavit filed and presented and placed in the RECORD by the Senator from Washington [Mr. Jones], showing how the coal was produced, as a matter of fact, and, notwithstanding the fact that it was poorly mined, it nevertheless made a good showing.

Mr. BANKHEAD. That is not an analysis, Mr. President, of this coal. It is necessary, it is proper, that the advocates of this bill, who are contending that this is an admirable coal for naval purposes, should bring that proof and that evidence into the Senate Chamber and let us examine it. A test of this coal has been made, and it has been demonstrated, if anything can be demonstrated, that it is entirely unfit for naval purposes. It has been tested aboard a battleship and proven to be unfit for such purposes; it has been tested at the testing grounds at Annapolis and has been proved to be unfit for those purposes. Why? Because it is like a great many other coals in this country, it is too high in ash; in other words, the percentage of ash in the coal is so high that it makes its use for marine purposes entirely impossible. That is the case here, and it has been demonstrated by actual tests. When coal is from 18 to 20 per cent ash in its composition, it is almost utterly worthless for steam purposes, and especially for marine purposes. Why? You can not consume the ash in coal; it is noncombustible. When you put the coal into your fire box to produce heat, you burn the carbon out and you have left the ash; it is there in the box; and it takes but a little while to fill that box up with ash. Then what happens? You must draw your fire; you must shovel out the ash and recharge your fire box in order to get another start of steam.

The PRESIDING OFFICER. The time of the Senator from

Alabama has expired.

Mr. BANKHEAD. I shall take the opportunity to speak a

Mr. MARTINE of New Jersey. Mr. President, it is with gratification, at least to myself, that I announce that I shall vote for the passage of the pending bill. For many years, both by pen and by voice, I have advocated measures of this character. A few years ago advocates of this policy and of kindred policies were termed dreamers with ill-balanced minds and like terms, but it remained until this day for the Senator from North Dakota [Mr. McCumber] to endeavor to arraign those who advocate Government ownership as socialists. Why, Mr. President, some of our friends do not seem to have realized that this world has moved in the last 25 years. The arguments used by the Senator from North Dakota to-day are the same threadbare arguments that were heard 25 years ago. Danger of the Government going into business! Why, Mr. President, this Government is in business now in a hundred ways, all to the advantage and the blessing of the people. All the argu-ments used against the passage of this bill can be used, and were used, against the establishment of the Postal System; they were used against the parcel post; they were used against the construction of the Panama Canal and the great irrigation projects built by our Government. I hold that it is not only the right but that it is the duty of our Government to conserve and control the question of transportation and also to mine the great deposits of coal in our country for the use of the whole

The Senator from North Dakota, however, said a day or two ago that Government ownership of railroads meant ultimately the Government working the coal deposits. God knows I most devoutly pray for that result. I feel that a repetition of the late unhappy strife in the coal fields of West Virginia can only be averted by such action on the part of the Government. is well established in many instances that the owners of the coal mines and the railroad companies are in collusion in fomenting strikes and disturbances for their own profit, as was the result in the anthracite region of Pennsylvania years ago, when the price of coal was forced up to \$12, \$15. and even to \$18 a ton; yet at that very time great pyramids of coal fairly lined the railroads reaching into the Commonwealth of Pennsylvania, for which the railroad companies demanded the most extortionate rates, as high as \$12, \$15, and

Mr. President, I insist that Government ownership of those deposits the land over and the control of the great means of transportation is the only solution of this problem. serted that the employees would be a powerful political arm of the party in power. Possibly so; but I feel that no Senator to-day will charge that the great number of letter carriers are a serious menace or danger to our country or to our liberties. Let us have a secret ballot-one absolutely secret-and I care not how many employees the Government may have on its pay

Mr. President, I feel that there is another side to this question, which is the humanitarian side. We pass laws regulating and safeguarding the lives of miners, and yet the fact is that, under private ownership, last year there were 1,141 miners'

lives, which were the toll given to private ownership.

A political power, you tell me! Why, Mr. President, the railroads of this country to-day are controlled by private ownership, and it is safe to say that every one of them is in politics up to its very eyes. I know how it was in my State. Private owner-ship of railroads led to scandals, until we were known not as the Commonwealth of New Jersey, but "the State of Camden and Amboy," the natural and legitimate legatee of the Camden & Amboy Railroad of the great Pennsylvania Railroad. In my State the Delaware, Lackawanna & Western Railroad, the New Jersey Central, and the Reading were up to their eyes in politics. For 25 years of my life I have come in close contact with their opposition in instances where I have been a candidate or where our party has presented a candidate for office. We were met by, in the first instance, and had to combat with the powers of the great railroad corporations. It was the common thing to ask, "How does he stand with us?"

Let me say for myself that 35 years ago, when a candidate for the lower house of the Legislature of the Commonwealth of New Jersey, I was asked by one of the great railroad corporations from their office in New York, on Liberty Street, to come there. I was young then. They wanted to talk with me. I went. I will not mention the man's name who was then the head of that great railroad. He is now dead. His first question to me was, " Young man, how do you stand for our legislation?" I said to him-and I am proud to rehearse it to-day-"I want to be elected; I realize the potency and force of your great corporation. For all things that are decent, fair, and honorable I will be an advocate, but for you to own me and carry me around as your chattel, never, so help me Heaven." Sufficient to say, I

was defeated in that and in many other battles. The same railroad powers confronted us in nearly all our political contests. So that the railroads to-day are as much a power under so-called private ownership as they can possibly be under Government ownership.

I heard my friend from North Dakota brand us as Socialists. Webster says popular usage of that term is to indicate lawlessness and revolutionary means. What, Mr. President, I ask has the Senator to say with the definition in mind of the looting, plundering, and robbing of the New Haven Railroad? has been done under private monopoly, not under public control or public ownership.

I vote for this measure because I believe in the principle it embodies. embodies. Whether or not it will pay does not worry me a particle. I simply want that it shall benefit the country and advance the general well-being of our people. Whether it shall pay or not, it will bring a better day, a brighter dawn, cleaner progress, and better advantages to those who may come after us.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Oregon [Mr. CHAMBERLAIN] on behalf of the committee to the amendment heretofore reported by the committee.

The amendment to the amendment was agreed to.

Mr. CHAMBERLAIN. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The Secretary. On page 8, line 14, after the word "are" and before the word "located," it is proposed to amend the amendment by inserting the words "designated and."

Mr. NORRIS. I should like to make an inquiry of the Senator from Oregon. This amendment, as I understand, is in some section beyond section 1 of the bill?

Mr. CHAMBERLAIN. No; this is still section 1. We are going to perfect that section.

Mr. NORRIS. I did not understand the page, then, as read by the Secretary.

The Secretary. On page 8, section 1, line 14, before the word "located" and after the word "are," it is proposed to amend the amendment by inserting the words "designated and," so as to read:

And when such line or lines are designated and located he is hereby authorized to cause to be constructed.

And so forth.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon to the amendment originally reported by the committee.

The amendment to the amendment was agreed to.

Mr. CHAMBERLAIN. I also offer the amendment which I send to the desk

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The Secretary. On page S, section 1, line 14, after the word "be," near the end of the line, it is proposed to amend the amendment by inserting a comma and the words "acquired, located.'

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon to the amendment reported by the committee.

The amendment to the amendment was agreed to. Mr. CHAMBERLAIN. I offer another amendment. The PRESIDING OFFICER. The Senator from Oregon offers

another amendment to the amendment, which will be stated.

The Secretary. On page 8, section 1, line 18, it is proposed

to amend the amendment by striking out the following proviso: Provided. That the President may cause said road or roads to be operated by contract or lease, but no contract or lease shall be for a longer period than 10 years.

And inserting in lieu thereof the following:

And inserting in lieu thereof the following:
If any railroad now in existence shall, with any line which may be designated and located hereunder, constitute a continuous main line of railroad from the interior to tidewater, such existing railroad, with its appurtenances, shall be acquired by purchase or condemnation as hereinafter provided, before construction is entered upon, or the line to be constructed hereunder shall be so relocated as that construction shall begin at tidewater and be carried forward, so that, in any case, the United States will at all times be the owner of a continuous line or lines from tidewater: Provided. That in executing the authority granted by this act the President shall not expend, or obligate the United States to expend, more than the proceeds of the issue of the bonds hereinafter authorized: Provided Inther, That the President may cause said road or roads to be operated by contract or lease, but no contract or lease shall be for a longer period than 20 years.

Mr. CUMMINS. Mr. President, a parliamentary inquiry.

Mr. CUMMINS. Mr. President, a parliamentary inquiry. Would it be in order to offer an amendment to the amendment just read?

The PRESIDING OFFICER. The Chair is of the opinion that an amendment to the amendment offered would be in order.

Mr. BRISTOW. Mr. President, a parliamentary inquiry. The PRESIDING OFFICER. The Senator from Kansas will state it.

Mr. BRISTOW. Since section 1 is an amendment to the bill and since the amendment offered by the Senator from Oregon [Mr. Chamberlain] is an amendment to the amendment, would not an amendment to the amendment proposed by the Senator from Oregon be an amendment in the third degree?

Mr. CUMMINS. Mr. President, before the ruling is made The PRESIDING OFFICER. The Chair will say for the information of the Senator from Kansas that he recalls that the question was under consideration by the Senate in the course of the debate on the tariff bill and also on the currency bill, and it was then ruled that, pursuant to the provisions of Rule XVIII, an amendment might be offered to an amendment proposed to the report of a committee.

Mr. CUMMINS. Then, Mr. President, I move to strike out the last proviso of the amendment offered by the Senator from Oregon, and upon that I desire to be heard a moment.

Mr. BRISTOW. Mr. President-

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. CUMMINS. I do. Mr. BRISTOW. I should like, if the Senator from Iowa will yield, to ask the Senator from Oregon whether it would meet with his approval to insert in his amendment after the word "lease," in the third line from the end, I think, the words "or by the Panama Railroad," so that it would read "may cause said road or roads to be operated by contract or lease or by the Panama Railroad Co."?

Mr. CHAMBERLAIN. Mr. President, I will say to the Senator that I would not like to assent to that without having an opportunity to submit it to the committee. Personally, I might not have an objection to it, and yet my colleagues on the com-mittee might seriously object. The only objection that could possibly be urged against it would be that it would complicate a situation which, under the present form of the bill, is not at all complicated, by mixing up the proposed lines in Alaska with the Panama Railroad.

Mr. BRISTOW. Mr. President, of course I do not want to interfere with the Senator from Iowa, but I shall insist that such a provision as to the Panama Railroad be put into this bill because, in my judgment, one of the vital things in the project is to make the Panama Railroad Co. available for the various kinds of work in connection with the proposed Alaska

Mr. NORRIS. Mr. President, I should like to say to the Senator from Iowa that I want to offer an amendment to the amendment which I think would take precedence over his amendment to strike out the last proviso. The theory of my amendment would be to perfect the amendment of the Senator from Oregon; and I think it ought to be voted on before the Senator's motion to strike out is voted on.

Mr. CUMMINS. Will the Senator withhold his amendment a moment until I can state my objection to this part of the amend-

I have no objection to that, of course.

Mr. CUMMINS. Mr. President, as much as I am in favor of building a railroad in Alaska and in favor of giving the President of the United States somewhat extensive authority with regard to that subject, I am not in favor of giving him the authority to lease a railroad built or acquired by the United States in that Territory. I can understand how it might be-come wise to lease the Government property thus created; but we ought not at this juncture to say to the President that he can, after building a railroad or acquiring a railroad, lease it to some private company or enter into a contract with a private company in regard to its use. If that seems to be wise at any time, it ought to be submitted to Congress and receive legislative sanction. It is altogether too much to ask Congress to say to any officer or to any one man of the Government that he may take a vast property of this character and lease it upon whatever terms may seem to him to be best adapted to promote the general good.

We ought for another reason to remove this authority from the bill. We are entering upon an experiment. The fact that it is an experiment does not deter me at all, because Governments, like individuals, must from time to time enter upon experiments; but if the experiment is to be of value to us we must ascertain whether it is possible for the Government of the United States to operate a property of this sort in a way that will secure the general welfare; that is to say, whether it can operate it economically and efficiently through the chosen officers of the Government.

To say that we shall build this railroad and then immediately turn it over for operation to some corporation which, of course, will not operate it unless it can see a profit in its operation, is to defeat, as it occurs to me, one of the great objects which we are seeking to accomplish. If, after we have built the railroad, the President thinks it can not be operated by the Government, it is quite easy for him to refer the subject again to Congress and obtain the authority necessary to dispose of it either by lease or by any other form of contract. I earnestly hope we will not make an authority, which is already vast and indefinite, cover this additional power.

Moreover, I agree with the Senator from Kansas that if this property is to be operated in any other way than directly through the officers of the Government, I am in favor of committing its operation to the Panama Railroad Co., already organized, already trained and skilled in such work. I shall have no objection whatever to the inclusion of the idea suggested by the Senator from Kansas, for I look upon the operation of a railroad by the Panama Railroad Co. as the equivalent of an operation by the Government of the United States itself, inasmuch as the Government owns all the capital stock of that

It may be, as the Senator from Kansas has more than once said, that in doing this work we can do it better through the intervention of that form than we can do it through the appointment by the President of men who will immediately take charge of the operation. Of that I am not entirely sure, but I have no objection whatever to attempting it in that way. I do object, however, and I repeat that we will do great harm to the cause we are attempting to further if we say to the President or any other officer of the Government: "Having invested \$40,000,000, more or less, as the case may be, in a railroad property, you may lease it to any company that may propose to operate it upon any terms that may recommend themselves to you."

If we knew that all our Presidents in the future were to be infinitely wise and infinitely good, there would be no harm in giving this authority; but it reminds me very much of a little conversation I once had in New York with a great financier now gone to his reward. I was making a speech there and giving utterance to some of these ideas that are still regarded as so unorthodox about our transportation system and about the principles which should control it. It was at a banquet, and this financier happened to be sitting near me. After I had finished, he asked me to pull my chair to the rear of the platform on which we were sitting, and he proceeded to paint in the most beautiful way the picture of complete consolidation of all the transportation facilities of the United States, both on land and on sea, the economies that could be secured, the conveniences that could be given to the public that are now withheld, and the efficiency with which this sort of consolidated system could serve the purposes of commerce. When that picture was complete he turned to me and asked me what I thought about it, and whether I did not think what I had just been saying was a little bit I said to him: "When you have completed this consolidation in one board of directors of all the transportation facilities, both on land and water, and have it all ready, if you could get the Almighty to come to earth and manage the corporation, I would be willing to consider it; but I am afraid to trust you."

Just so I am afraid here to trust any President of the United States to take a property that has cost us whatever it shall cost us-and no one can determine at this moment the ultimate costand dispose of it according to his pleasure. We are creating this property in order to serve a public necessity that we believe exists. We ought at least to try to operate it. We ought not to say to an officer of the Government: "You can take the property and lease it or dispose of it by contract," unless we are advised of the terms of the contract and the character of the

The VICE PRESIDENT. The time of the Senator from Iowa has expired. Mr. WILLIAMS. Mr. President, I rise chiefly to propound

a parliamentary inquiry.

The pending amendment contains three distinct propositions, and I think the Senate probably has a right to vote upon each one of them. I make the request, or, if it be in accordance with the parliamentary law of the Senate, I make the demand, that the question shall be divided.

To explain what I mean, the first part of the amendment is: If any railroad now in existence shall, with any line which may be designated and located hereunder, constitute a continuous main line of railroad from the interior to tidewater, such existing railroad, with its appurtenances, shall be acquired by purchase or condemnation, as hereinafter provided, before construction is entered upon, or the line to be constructed hereunder shall be so relocated as that construction shall begin at tidewater and be carried forward so that in any case the United States will at all times be the owner of a continuous line or lines from tidewater.

That is one proposition in the amendment, standing singly and separately. That particular proposition meets with my ineffectual disapprobation, and I should like to vote against it. It involves merely the idea that, whatever else may happen, the Government shall make this experiment of Government ownership of railways.

The second proposition is this:

Provided, That in executing the authority granted by this act, the President shall not expend, or obligate the United States to expend, more than the proceeds of the issue of the bonds hereinafter authorized.

I am emphatically in favor of that part of the amendment. I am just as much in favor of that as I am opposed to the preceding part of the amendment. They have nothing in the world to do with one another. Each one is sui generis.

Then follows this:

Provided further. That the President may cause said road or roads to be operated by contract or lease, but no contract or lease shall be for a longer period than 20 years.

I am in favor of that amendment because it does, at least, reduce this State socialistic proposition down to Government ownership from Government ownership and operation both put together. If the Government can take the road and the roadbed and the road material and lease it, so that it shall be operated by private enterprise instead of Government enterprise, it comes that near to what I want.

I make the point of order that the amendment involves three separate and distinct propositions, and that the Senate is en-

Mr. CUMMINS. Mr. President, I think the Senator from Mississippi may not have been in the Chamber when I offered

my amendment to the committee amendment.

Mr. WILLIAMS. I am not talking about the Senator's amendment to the committee amendment. I am talking about this amendment.

Mr. CUMMINS. Very well. My amendment is the one that is pending now, and therefore the point of order raised by the Senator from Mississippi would not apply.

Mr. WILLIAMS. I am making a parliamentary inquiry and a point of order about this amendment. The Senator is right.

I did not hear his amendment. What is it?

Mr. CUMMINS. I have offered an amendment proposing to strike out the last proviso, and that is the pending question.

Mr. WILLIAMS. Why, that is about the only proviso in the amendment that is worth anything. That carries us a little bit further from State socialism than the balance of

Mr. CUMMINS. I understood that the Senator from Mississippi would be opposed to my amendment, but that does not make it any the less in order as I understand parliamentary procedure. I supposed the Senator from Mississippi had made his point of order on the assumption that the pending question was the amendment offered by the committee, whereas that is

Mr. WILLIAMS. I beg the Senator's pardon. I have propounded a parliamentary inquiry, and with it I have submitted a point of order, not upon his amendment at all, with which I was totally unacquainted, and to which after his explanation confess that I am opposed. What I want to know, and what I want to get a ruling from the Chair upon, is this: After the Senator's amendment is defeated—as it will be, because this thing is all fixed up-and this committee proposition comes before the Senate, I wish to inquire if we can not have a separate vote upon each of the three propositions involved in the amendment. I am very much interested in it, because there are two propositions involved in the amendment that I am in favor of and one to which I am opposed, and if it is all put to me in one dose I shall refuse to take the medicine.

Mr. BRISTOW. Mr. President, I desire to say that I am in sympathy with the position taken by the Senator from Iowa [Mr. Cummins]. I do not think we ought to lease this railroad. There is no occasion to lease the railroad when the Government of the United States owns a railroad that is now being operated successfully and has all the facilities to operate it. Why can not the Government of the United States, through the Panama Railroad Co., operate this railroad as well as it operates the

not the pending question.

railroad which now is operated?

Mr. WILLIAMS. Why can not the Government of the United States make clothing, or do anything else? With its immense Treasury and its immense wealth it could beat any private competitor, of course.

seems to be very much opposed to the Government undertaking to do anything that would benefit the people if it comes in conflict with any of his preconceived theories of things.

Mr. WILLIAMS. Mr. President, I protest against being mis-

represented

Mr. BRISTOW. I beg the Senator's pardon. I did not mean

to misrepresent him.

Mr. WILLIAMS. The Senator from Kansas had no right to say that. I am opposed to the Government of the United States doing anything which private enterprise can do half as well. Take that as my position. I have never said that I was opposed to the United States Government doing anything for the benefit of the people. Of course every man with a particle of common sense wants the United States to do everything that is indispensable in behalf of the public welfare under its constitutional grant. I do believe, however, that it would be better for any Government-not only this, but England or France or Germany-not to undertake anything that private enterprise can attend to even half as well as the Government can.

I admit that the Government of the United States could establish sweatshops for ready-made clothing to-morrow and beat every sweatshop in the United States. I admit that the Government of the United States could manufacture steel rails tomorrow and beat the manufacturers of steel rails. I admit that the Government of the United States could grow cotton to-morrow and put me out of business. Somebody might come up and say that that was for the benefit of the consumer or of the general public; but my idea is that in so far as individuality and individual enterprise is concerned, which God respects and which all great intellects have respected, it should be left as far as possible free, without governmental inter-ference, and that private enterprise, which has developed this great country and made it what it is, should be respected and not overridden by governmental bureaucracy. I believe that man is more important than Government.

Mr. BRISTOW. The difference between the Senator from Mississippi and myself is that, while he favors private enterprise doing anything that it can do half as well as the Government can, I am in favor of the Government doing everything that it can do if it can do it cheaper and serve the people better than private enterprise can. If it can not do it so well-

Mr. WILLIAMS. Well, Mr. President—
Mr. BRISTOW. If the Senator will let me have a little of my time I shall be obliged. If it can not do it so well, then private enterprise ought to do it. If it can do it better and serve the public interest better than private enterprise, then the Government ought to do it.

Mr. WILLIAMS. If the Senator will pardon me just one more interruption, I will let him alone, because I recognize that I have taken a part of his time that I was not entitled to. Does not the Senator know, as a matter of fact, that the Government

can raise cotton cheaper than I can?

Mr. BRISTOW. I do not think it could raise it anything

like as cheaply as the Senator.

Mr. WILLIAMS. I know it could. I know that with all of its soil experts, all of its boll-weevil experts, and everything else, the Government could open up a thousand acres of land next to my 1,400 acres on my home farm and make twice as much on the thousand acres as I could make on the 1,400 acres.

Mr. BRISTOW. If the Senator will pardon the difference, I think the Senator from Mississippi would make twice as much as the Government would make on the same thousand

acres of land under the same circumstances.

Mr. LANE. I should like to interject a remark there, and say that if the Senator thinks the Government could handle that 1,400 acres twice as well as he does, it would pay the Government to hire him to get off the land and let the Government do it. [Laughter.]
Mr. WILLIAMS. Mr. President, I am very glad to have that

answer. That brings this question to a focus. That brings the

question to the final analysis. Mr. LANE. That is right.

Mr. WILLIAMS. It is the analysis I have been seeking. Here is a proposition that provided the Government can do a thing cheaper than I can do it, or better than I can do it, the Government shall do it, and the Government shall pension me to remain in idleness. Now, that is socialism. That is State socialism, and I am glad to recognize the fact that the Senator from Oregon announces himself publicly as a State socialist.

Mr. IANE. Mr. President—
Mr. WILLIAMS. I want a fair, square fight between men
who believe in individualism and individual enterprise and men Mr. BORAH. It might reduce the cost of living.

Mr. BRISTOW. Yes; it would come nearer reducing the cost of living than the tariff bill did. The Senator from Mississippi finds out that the Government can make shoes cheaper than a shoemaker does or can raise cotton cheaper than a cotton raiser can, the Government ought to go to work and make shoes or grow cotton and pension the shoemaker and the cotton raiser. want that new idea of progressivism stamped upon the American mind right now, and I want the American mind to go to work on it.

Mr. LANE. Mr. President-

Mr. BRISTOW. I now yield to the Senator from Oregon.

Mr. WILLIAMS. I admit that there is not a single, solltary thing in the world that the United States can not do cheaper than I can, because the Government of the United States can charge up the losses to the Public Treasury, and I have no

public treasury.
Mr. LANE. Mr. President, I should like to say that if the Senator, by his efforts in raising cotton, damages the average production per acre 50 per cent, he is in the same class as the boll weevil and the codling moth and the woolly aphis, and he ought to be sprayed and dipped in sheep dip and hired to get out of business. [Laughter in the galleries.]
The VICE PRESIDENT. The Sergeant at Arms will pre-

serve order in the galleries.

Mr. WILLIAMS. Oh, no, Mr. President; do not do that. What the Senator from Oregon has just said is that any private citizen engaged in private enterprise ought to be subjected to sheep dip unless he can produce his particular product cheaper than the Government, with all of the money in the Treasury behind the Government, can do it, while perhaps the individual—take my own case, for example—has not \$200 in bank to his credit. Now, the galleries have laughed, and the Senate has laughed, and they both ought to have laughed, and the Senator from Oregon thought they were laughing with him.

They were really laughing at him. [Laughter.]

Mr. BRISTOW. Mr. President, the Senator from Mississippi proceeds upon the wrong basis. Of course, if the Government should pay out of the Public Treasury the losses it would incur in growing cotton in competition with him, he would be at a disadvantage; but nobody would suggest anything like that. I do not believe the Government could run a sweatshop or a cotton field or a wheat farm as cheaply as a private individual

could run it.

This, however, is an entirely different proposition. We are proposing to develop our own resources in Alaska by constructing a great highway for that purpose. I want that highway operated by a corporation which has all the advantages that the private individual has in the operation of the highway which the Government owns. It can not in any way, without the consent of the Government, monopolize or favor or discriminate against anyone who patronizes the road.

I think the amendment of the Senator from Iowa ought to prevail, because there is no use in building this road and then leasing it to a private corporation and giving it the control of the transportation when we have the very facilities that the private corporation would have, which we have been successfully

using for years in operating a railroad.

Mr. BORAH. Mr. President, it seems to me the distinguished Senator from Mississippi, in his argument against this particular measure, overlooks the proposition that the United States, as the owner of the property up there, is, as a matter of fact, engaged in developing its own property. If the Senator had a different method by which to put that property into individual hands, or to open it so that individuals might take hold of it and develop it, his argument would be very hard to answer

Mr. WILLIAMS. If the Senator will pardon an interrup-

Mr. BORAH. I rose in order to give the Senator a chance to discuss this question.

Mr. WILLIAMS. I have already propounded to the Senate a method whereby I think the end could be much better at-

Mr. BORAH. I did not catch the proposition. Mr. WILLIAMS. The Senator perhaps was not in the

Chamber when I did it.

Mr. BORAH. I always try to get here when the Senator talks, but I overlooked it in this instance.

Mr. WILLIAMS. Oh, I know that; and I always try to get here to hear the Senator from Idaho, and when we do not like to hear one another we at least make out that we do. are always glad to hear one another, except when it is more

pleasant to escape one another.

I have already propounded this idea, however. It is that the United States Government should open up the resources of

cultural possibilities, and everything else, and that they should fix a limitation upon the number of square feet or square yards or acres that anybody could hold, either for a mining purpose or for an agricultural purpose, and that they should make a lease instead of a sale, and that they should put in the lease a provision that if the leaseholder attempted to dispose of it in any way, either by re-leasing or by selling, it should fall back into the ownership of the United States Government, so that monopolization should be absolutely impossible.

I do not know what the limitation should be, because I do not know enough about mining, as I stated before when I was on my feet; but the Senator from Idaho does know, and he can help me. You can fix the number of square yards, the number of linear feet, or whatever else is necessary, running along a vein for mining purposes, to be leased to one person; you can make it large enough to enable him to expend the capital requisite and necessary to develop it, and make it small enough for him not to be a monopolist; and then you can put in the contract a provision that if he undertakes either to re-lease or to sell, the contract shall be forfeited. That will obviate even the

possibility of monopolization.

Mr. BORAH. Mr. President, the President of the United States, shortly after his election, made the statement that it was his purpose to open up the development of the natural resources of the West, and the West was glad to hear the statement. Now, this proposition, as I understand, has been presented as one of the steps which it is proposed to take to open up those natural resources. I am frank to say that I am supporting this measure because there is no alternative. I believe it will accomplish this if certain other steps are taken. I might prefer other methods, but I want results in some way.

Mr. WILLIAMS. Why not make an alternative? The Sena-

tor and I and the Senate can do it.

Mr. BORAH. I am not a member of the Democratic caucus, and therefore I can not make it.

Mr. WILLIAMS. We will admit the Senator just for that

Mr. BORAH. That would likely make two votes in the caucus in favor of it. They would be the votes of the Senator from Mississippi and myself.

Mr. President, aside from the facetious feature of it, this is presented here as a concrete proposition, and there is no other presented. The property up there belongs to the United States, and this is a step taken for the purpose of developing that property, which is the property of the United States. If the Senator from Mississippi had his measure here as a concrete proposition in the form of a bill, he would get a vast amount of support for it; but when there is no other proposition to be submitted. those of us who have seen these resources tied up year after year perhaps should take some chance in opening up those resources, even if the method is not the specific one which we would prefer.

I am opposed to the leasing of the road for the reason that we would not accomplish anything at all by it. If we should lease the road, we would be up against precisely the same proposition that we are now; and that is that as a practical fact we would secure no relief to the consumer or to the utilizers of the natural resources of the Territory. A certain amount of compensation would have to go to the lessee, or a certain amount of compensation from the consumer to the lessee, and from the lessee to the Government, and by the time the ultimate consumer was reached there would be no benefit derived

to him whatever by reason of this enterprise.

If it is possible, Mr. President, for the Government to build this road and develop its own territory, its own property, I want it to experiment with it upon a basis where it will be demonstrated when we get through whether or not that is the cheapest way. If it is not possible, we will come to the method which has been suggested by the Senator from Mississippi. If

so, the alternative at that time shall receive my support.

Mr. WILLIAMS. If the Senator will pardon me, the Senator from Utah a moment ago made a suggestion as an analysis of the Senator's argument that struck me as peculiarly apt. He said it reminded him of a man who wanted to play keno in a town out West. Somebody came to him and said, "My dear fellow, you know it is not a straight game; you will just go in there to be swindled; you can not help losing; there is nothing good in that game." He replied: "Yes; I know that; but it is the only game going on." [Laughter.] That seems to be the Senator's argument.

Mr. BORAH. Mr. President, I frankly confess this is the only game that is going on, and as I want some kind of a game I am going to sit in this game. It is the game that is presented Alaska, its coal fields, its copper mines, its gold mines, its agri- by the Democratic administration. It is a Democratic measure, an administration measure. It is the only one we are permitted to play. I am going to take my chance in this game. I believe we will get something out of it for the West. Certainly we will not get anything out of the nebulous and incon-crete proposition presented by the Senator from Mississippi unless he reduces it to a bill and brings it in here for consideration.

Mr. WILLIAMS. The Senator does not want me to reduce it to a bill right now?

Mr. BORAH. No; not right now, although I think the Sena-

tor has had some time to do it.

Mr. WILLIAMS. With a perfectly stupendous capacity as a statesman I could not do that just upon the spur of the moment, especially as I am too ignorant of mining conditions. But I will tell the Senator what I will do. I will meet in conference with the Senator from Idaho, and he and I will draw up a bill of that sort, if he is in favor of it, and I will let him do nearly all the framing of it, because I know his information is so much superior to mine, especially his knowledge of mining conditions, and when we come to the details he is entitled to have the main say.

Now, why should we imagine that the world was built in a day or that Rome was built in a day? Why should we go out and spend four-fifths of the entire income tax per annum derived in this country in building one railroad for one little outlying Territory upon the ground that there is not any other

game going on in town?

Mr. STONE. Mr. President—

Mr. BORAH. I yield to the Senator from Missouri.

Mr. STONE. If the Senator will permit me, he says he is in a game that is an administration game; that this is a proposal presented here and urged by the present administration. I am not seeking any controversy with the Senator on that point, but I wish to state a question of fact. I think it is also true that this measure was approved and recommended by the former administration, by President Taft, as it has been by President Wilson. When my friend from Idaho approves of this measure and supports it, he has back of him a Republican President as well as a Democratic President. I am assuming that the Senator from Idaho is supporting this measure because of his own individual judgment about its merits, without reference to any President.

Mr. BORAH. That is a rule which I have followed in the

Senate, but I have not always been accompanied by a full Senate in doing it. When I said it was an administration measure, I was not speaking in the way of criticism, but I said it was a proposition which had been submitted here, as I understood, as an administration measure. I judged from the language of the Secretary of the Interior that it was in a practical sense an administration measure. That did not in any way militate against the measure; neither did it militate against the measure that a preceding Republican President had indersed it; but I was answering the Senator from Mississippi, who was objecting to the proposition and suggesting that there was no other measure here for us to consider and it was not within our power to present any other measure that would be The Secretary of the Interior, who knows more about this subject, in my judgment, than any other member of the administration, says in his report:

the administration, says in his report:

I have already expressed to Congress my belief that it was wise for the Government itself to undertake the construction and eperation of a system of trunk-line railroads in Alaska. And I am led to this view irrespective of the possibility of private enterprise undertaking such work, although my belief is that no railroads would be privately constructed in Alaska for many years to come excepting as adjuncts to some private enterprise. Be that as it may, it would seem wise for the Government to undertake this task upon grounds of state. The rates and the service of such railroads should be fixed with reference to Alaskan development, not with regard to immediate returns. The charges fixed should be lower for years to come than would justify private investment, I would build and operate these highways in the same spirit that the counties or the States build wagon roads—not for revenue, but for the general good. After all, a railroad is little more than an operated wagon road. In many countries they still call railroad cars "wagons." Our laws as to railroads are evolved from our old laws as to carriage by wagon. Our courts speak of railroads as property charged with a public interest, and so justify the regulation of their rates. But no court would justify the imposition of rates made for the purpose for which Alaskan rates should be made—the creation of a commonwealth. If this is our task, it should be done whole-heartedly and with a consciousness that the dollar spent to-day on an Alaskan railroad will yield no more immediate return on the investment than the dollar spent on the Panama Canal.

I take it the Senator from Missouri understands that is prac-

I take it the Senator from Missouri understands that is practically presenting the matter to the Senate as an administra-tion measure, and I think it is worthy of our support. It is certainly far better than to continue our policy of do nothing. It approaches a crime to leave matters longer as they are. I am willing to venture when there is so much at stake, and this is the only proposition since another decade of do nothing.

Mr. NORRIS. Mr. President, the immediate question, as I understand the parliamentary situation before us, is the motion of the Senator from Iowa [Mr. CUMMINS] to strike out of the amendment offered by the Senator from Oregon [Mr. CHAMBER-LAIN] the provision which authorizes the President to lease these roads after they have been constructed. So, if the motion of the Senator from Iowa prevails the authority to lease roads to private individuals and private corporations by the President will be taken away.

It seems to me, Mr. President, that the same reasons which should induce anyone to vote for this bill ought also to induce him to vote for the amendment moved by the Senator from Iowa. I believe that we ought not only to construct these railroads but we ought to operate them after they have been constructed. I believe it is just as important that we should operate them after they are constructed as that we should construct them. If the Government of the United States is able to construct the reads the same principle would induce us to preclude the President from leasing them to private parties and thus provide for their operation by the Government. would favor an amendment, if it were necessary, that would provide that the President should have the right to lease this railroad to the Panama Railroad Co., because that is a corporation, all the stock of which is owned by the United States.

It has been said here that both a Republican President and the present President have recommended the construction of railroads in Alaska. As I remember the message of President Taft, he recommended the construction of railroads in Alaska, but he did not recommend their operation by the Government. However, he did recommend that they should be leased. So far as the bill with this provision in it is concerned, as I remember President Taft's recommendation, it would fully comply with it.

But let us see now how the present President and the Secretary of the Interior line up on that doctrine. Secretary Lane, the present Secretary of the Interior, in his annual report has recommended that the Government not only construct these railroads but that the Government should operate them. The Senator from Idaho [Mr. Borahl] has just read from his report where he not only uses the word "construction" but the words "Government operation." So the Secretary of the Interior, who, as was said by the Senator from Idaho, perhaps knows as much about this proposition as any man connected with the Government, recommends not only the construction of the roads but their operation by the Government after they have been constructed.

Now, let me read from the message of President Wilson delivered to the joint meeting of the House and Senate on the 2d day of December, 1913. Speaking of Alaska, he uses this language:

A duty faces us with regard to Alaska which seems to me very pressing and very imperative; perhaps I should say a double duty, for it concerns both the political and the material development of the Territory. The people of Alaska should be given the full Territorial form of government, and Alaska, as a storehouse, should be unlocked. One key to it is a system of rallways. These the Government should itself build and administer, and the ports and terminals it should itself control in the interest of all who wish to use them for the service and development of the country and its people.

So we find that President Wilson recommends that we construct the railroads and administer them, and Secretary Lane that we construct them and operate them, which, I take it, means practically the same thing.

Mr. SMITH of Michigan. Mr. President-

Mr. NORRIS. I yield to the Senator from Michigan, Mr. SMITH of Michigan. If the Senator from Nebraska will permit me, I will read in just a word what President Taft recommended. He said:

If the Government is to guarantee the principal and interest of the construction bonds, it seems clear that it should own the roads, the cost of which it really pays. This is true whether the Government itself should operate the roads or should provide for their operation by lease or operating agreement. I am very much opposed to Government operation, but I believe that Government ownership with private operation under lease is the proper solution of the difficulties here presented.

Mr. NORRIS. That carries out exactly what I said was my recollection in regard to President Taft's recommendation. In other words, President Taft recommended the construction of the roads and the leasing of them. That is what this bill provides. President Wilson recommends that the Government shall construct and administer them, and so does Secretary Lane, who, I believe, is a man whose judgment on a question of this kind is entitled to as much consideration as any other man connected with the Government in any way.

It seems to me, Mr. President, that the members of the committee who have so diligently worked on this proposition make a mistake if they should prevent the operation by the Government of these railroads after the Government has constructed them. I can see objection to the construction of railroads on the part of those who believe fundamentally that the principle is wrong, but that is not the question now before the Senate. Conceding that we should build the railroads, then should we operate them? It seems to me that if we lease them it will be of no practical benefit to the people of Alaska in the regulation of rates or to the people at large of the United States. appears to me that every man who is at heart in favor of this proposition ought also to be in favor of the amendment moved by the Senator from Iowa and that the provision giving the President authority to lease the railroads should be stricken out.

Mr. JONES. Mr. President, I do not intend to discuss the merits of this proposition. I simply want to say as a member of the committee, having taken quite an interest in the preparation of this measure, that in committee I was opposed to the proposition contained in the amendment. I was in favor of the provision providing for the construction of the road and its operation by the President until otherwise provided by Congress. Therefore, I feel that on the proposition of the Senator from Iowa I must vote for his proposition, although if it should fail I would not consider that a sufficient justification to vote

against the whole amendment.

The Senator from Nebraska [Mr. Norms] conveyed the impression, at any rate, that he thinks the committee by this provision is taking away the right of the President to continue the operation of the road. I do not so understand the effect of the amendment. The effect of the amendment is to permit the President, if he deems it wise, instead of operating the road to lease it, but if he does not deem it wise to lease it he can operate it under the amendment that is proposed by the committee.

I simply wanted to explain my position as a member of the committee and the reason why I shall vote for the proposition of the Senator from Iowa, so as to leave it to the President simply to operate the road until Congress otherwise provides.

Mr. BACON. Mr. President, as I previously indicated, I am not in favor of the pending bill. But if it is going to pass, I should like to see it passed in a shape which would be the least objectionable. I can very readily conceive of circumstances where it might be to the interest of the Government to lease It may be feasible to operate it. I will not say anything on that question now, but I think it would be well for me to give to the Senate an instance of a practical nature as to the

working of a railroad by government.

The State of Georgia owns a railroad running from Atlanta to Chattanooga, Tenn. It has owned it for 60 or 70 years. In that time it has operated it directly as the owner of the road. Whenever it did so, if my recollection is not incorrect, it was at a great loss; and there are a great many other very unfortunate features connected with the operation of that road by the State. The State, in view of the continued loss and in view of other matters of which I will not now speak, determined to abandon the policy of operating the road itself and leased it out, and the road is leased at a very fair rental. If I recollect aright, the State of Georgia gets \$35,000 a month from the lessee of that road. It would certainly be a very great hardship if the State of Georgia were compelled to operate the road at a loss, which experience shows it will always do when it attempts to operate it, and if the State were denied the privilege of leasing it at a fair rental, as the experience of 40 years has shown it can do successfully. It has been leased for 40 years. Prior to that time it was always operated by the State

Now, why should the United States Government be put in a position where, if experience has demonstrated that it can not successfully operate the road, it should be prohibited from the privilege of leasing it?

Mr. BORAH. May I ask the Senator a question?

Yes. Mr. BACON.

Mr. BORAH. In view of the peculiar situation which exists in Alaska, what would be the difference between building this road on the part of the Government and leasing it to private enterprise, and permitting it thereby to be operated, and permitting private enterprise to go there in the first instance and build the road and operate it?

Mr. BACON. I do not understand that the prime object of this proposed legislation is to prevent private enterprise from building a road. The prime object is to get the road built. I understand it, if we could have assurance and guaranty that

the roads would be built by private enterprise, we would not now be urged so strongly to undertake the work ourselves. Mr. BORAH. I think the Senator from Georgia is in error as to that. I think private enterprise would be there building the road if conditions were made such as that country would be permitted to develop.

Mr. BACON. I quite agree with the Senator. Mr. BORAH. The Government not being willing to grant those conditions it feels the necessity of building the road itself. Therefore I can not see that the people of Alaska or the people generally are to get any benefit out of this matter if the Government builds the road and leases it other than the benefit which they would get if private enterprise went in there in the first instance and built it.

Mr. BACON. So far as that goes, if the Government of the United States keeps the mines hermetically sealed in Alaska, it may build a road in every square mile of the Territory, and it certainly can not operate that railroad to advantage. will open those mines in the one case, it can do so in the other; and in either case it is obliged to do so if these roads are to be

successfully operated.

I repeat, Mr. President, I understand the purpose here not to be simply the securing of Government ownership in Alaska, but it is to secure the building of a road. After the road is built, we want it operated by the United States Government in such a way as will be of greatest benefit and will subject us to the least danger of loss. If experience shall demonstrate that it can be operated to a greater advantage by the Government, if it is left optional, the Government can do it. If it shall be demonstrated, as in the case of the State of Georgia, that it can only be operated by the Government at a great loss, and can be disposed of by lease at a fair rental, why should not the Government have the right and the opportunity to

Mr. CUMMINS. Mr. President, I rose to ask a question of the Senator from Georgia because I have already exhausted my time on this amendment. The amendment I have offered does not forbid the Government of the United States from leasing this property when it is finished. It does prevent the President of the United States from leasing the property. If the property is completed and experience shows that it can be better operated by leasing, the Congress of the United States can authorize the President, when those conditions arise, to lease it. I take it for granted that in Georgia the governor was not given originally the power to lease the property.

Mr. BACON. Nor was he given the power to build the road. Mr. CUMMINS. Certainly not; and when conditions arose which made it desirable to lease the property the Legislature

of Georgia, I fancy, authorized it to be done.

Mr. BACON. Yes.

Mr. CUMMINS. Now, that is just what I want this bill to do, so that when we get the road and see how it can be best operated Congress may determine whether it shall be leased

Mr. BACON. I see the strength of the Senator's argument; but I would reply that here is a proposition to put it within the discretion and the power of the President to go into this vast Territory and build railroads wherever he-sees proper, at any cost which may suggest itself to him to be proper, without any limitation except as to the amount of money. And yet, after giving him that wide and vast and unlimited discretion and power, it is said it will not be safe to trust to him the decision of the question whether or not he shall be permitted to lease a road.

I agree with the principle upon which the Senator from Iowa bases the question he asked me-that this unlimited power ought not to be given to the Executive-and if you begin in the proper way and have this road constructed under the direction of Congress, with a limitation as to where the road shall be located, and with all the other information necessary to enable us to legislate wisely on the subject, I am willing to go still further and say that Congress, having thus begun and having thus controlled the construction of the road, shall also afterwards control its operation. But by what possible reasoning can it be justified that the President shall be given this vast power and still be denied the much less power of determining whether or not the road shall be leased? It seems to me, Mr. President, it is straining at a gnat and swallowing a camel.

Mr. PITTMAN. Mr. President, as chairman of the committee

I should like to explain to the Senate the reason why this bill was framed just as it is framed. There has been considerable dispute as to the construction of the bill. The committee was in session for some six weeks, having hearings and considering suggestions on this matter. The main object was to get a railroad or a number of railroads built into Alaska to develop its resources. I believe that two-thirds of the Members of this body are in favor of that.

If we had reported a bill that provided for the operation solely by the Government, it would have received bitter opposition from some Senators who are in favor of the general ciple; and, on the other hand, if we left out of the bill the power to lease, it would receive opposition from other Senators

who are in favor of the general principle.

The committee worked long and untiringly on this matter and listened to every suggestion that was brought before it. It seems a late hour for the Senator from Mississippi [Mr. WIL-LIAMS] to suggest that at some later date he will take this matter under consideration and settle the whole affair in the

The Senate at a subsequent date, on a plan suggested either by the Senator from Iowa or the Senator from Idaho, may act with regard to the operation of this road. There is no doubt the railroad will not be ready for operation for over a year-it may be two or three years-and during that time the Senators who are interested in the method of operation will have an opportunity to present to this body some concrete plan. Therefore it is practically immaterial to this bill what provision is in it con-

cerning the operation of railroads.

No matter what provision is included in the bill at the present time as to the operation, that plan can be changed by this body at any subsequent time. Under the necessity of the case, under the necessity of getting action in the committee, under the necessity of getting an appropriation to start this particular matter, the bill had to be formed originally in its broad powers. Therefore the committee refused to say how the operations should be conducted. It simply provided that the business might be conducted either by Government operation or by the leasing of the land, and that can be changed at any time

before this operation ever becomes necessary.

I observe that the Senator from Idaho [Mr. Borah] has left the Chamber. I want to address myself just a second to one of his remarks. He asked the Senator from Georgia [Mr. BACON] the distinction between leasing the road to an individual and permitting an individual to own it. I might ask him in return the distinction between leasing the coal lands and allowing an individual to own the coal lands. The distinction The distinction is that when you own a property is the same. and lease that property you may place any terms, any condi-tions, or any covenants in the lease to protect the property or its use. In this case the President may provide in the lease such terms and conditions as may be necessary to protect the people against overcharges or against discriminations.

Mr. CUMMINS. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Iowa?

Mr. PITTMAN. I do.

Mr. CUMMINS. I think the Senator from Nevada is in error in regard to one statement that he made a moment ago. Under this bill the President could lease the railroad at once, the very moment it was located and its route was determined and the construction was entered upon. The President could lease the railroad to be constructed for a period not exceeding 20 years. Therefore the opportunity which the Senator says Converses was heave to with the senator says Congress may have to withdraw this authority before it could be exercised may not present itself.

Mr. PITTMAN. I will answer the Senator by saying that a

great deal has been intrusted to the President of the United States in this bill. A great deal will be intrusted to the President of the United States in the bill, if the Senator's amendment is carried, which provides for the Government control. More will be intrusted to him, if that amendment is adopted, than is intrusted to him now. I want to say to the Senator, as a practical proposition, that he believes in trusting the President to a great extent in this matter, and all of us do, so far as the circumstances require. We have intrusted to him enormous powers in the bill, and those powers will be increased if the amendment of the Senator from Iowa, providing solely for the Government operation of the roads, passes.

But I want to ask the Senator, as a practical man, as one who favors the principle of this bill, as one who wants Government control and operation of this railroad, if he believes that the President of the United States would undertake to lease any of those roads before they were constructed or before the time arrived for the operation of the roads?

Mr. CUMMINS. Mr. President, I answer that without the least hesitation. A great many railroads in this country have been constructed after a contract of lease has been entered into. It is a familiar way in which railroads are built. If the President of the United States thought it was better to lease than to operate, there would be nothing extraordinary and, from his standpoint, nothing wrong in entering into a lease with some railway company for the operation of the road after its con-It would be entirely in harmony with the history of railroad building, and to my mind, if the proper way to operate the railroad is under a lease, I can easily imagine that there would be many advantages in leasing it before it was con-

structed. I rather assume that that is what is intended, for much depends in the construction upon the question of whether the road is to be ultimately operated by the constructing company-in this case by the Government-or whether it is to be

operated by a private corporation.

Mr. PITTMAN. Mr. President, railroads have frequently entered into contracts for the lease of a property before its construction as a part of the consideration of raising the necessary funds; but there is no consideration at the present time of this character why the President should attempt to enter into the lease of a railroad before it is constructed. I do not believe that, in the reason of things, the President at the present time, after this bill is passed, or after the railroad is laid out, could arrive at a reasonable lease until he had ascertained the cost of the road—until he had ascertained how far the \$35,000,000 would go, what territory it would actually reach, and what would be the character and the condition of the roads and their probable tonnage. Therefore, it seems to me that the fear expressed by the Senator that the President of the United States will use this power of leasing before a plan of operation can be adopted has no force or effect in it. It is simply an argument to have placed in this bill a declaration that we are in favor of the Government operation of railroads. If the Senator is willing to sacrifice the chance of carrying a principle by engrafting on it something that is only slightly material to it, he may take the chance; but I want to say that the members of this committee, who have studied this question carefully and who chiefly desire the development of Alaska to be accomplished, believe that the best way to pass the bill is to encumber it with as few details as we possibly can. I know that there will be opposition in the Senate if you strike out that amendment, and I know that there will be opposition in this body to it when you try to engraft on the bill a proposition purely and simply of Government ownership.

Mr. CUMMINS. Mr. President, I want to say to the Senator from Nevada—I will ask him a question now—I do not say that I will vote against the bill if it contains the leasing power, although I sincerely believe that it will destroy a very large part of the benefit that we hope from it. I do not believe that any bill should be framed in order that it may meet the prejudices of those who are really opposed to the principle upon which it is founded. I put to the Senator from Nevada this question: Suppose the President of the United States were in favor of private operation, as was the former President of the United States, and not of Government operation; suppose that he were dealing with the Copper River & Northwestern Railroad Co. and sought to lease the new road that is to be built by the Government to that company, do you not believe that with regard to this route, the character of its construction, the points it is expected to reach, the resources it is expected to develop, there must necessarily be consultation with the company that is finally expected to secure a lease of it? On the other hand, suppose it were expected to lease the other the other hank, suppose it were expected to lease the other line to the Alaska & Northern Railway Co., do you not think that, even though it were not necessary to secure the lease in order to have the capital, the company that is to lease it for 20 years would want something to say with regard to the route, as to the final location, and as to the manner of its construction? It would be the most natural thing in the world. Therefore we will be put in the position that if we should have a President-I do not know what his view is upon it exactlybut if we should have a President at any time who was in favor of private operation, he would enter into a lease for the operation before there was a single stroke in the way of construction.

Mr. PITTMAN. Mr. President, I do not believe the President of the United States will consult any of the present owners of transportation companies in Alaska as to where this railroad shall be built, and I doubt if the Senator from Iowa takes that matter very seriously, or he would not be intrusting these pow-

ers to the President, the powers contained in the bill.

We all know that the Alaskan Syndicate, being the Morgan-Guggenheim Syndicate, controls practically every road and every transportation company in Alaska to-day. One of the very objects in the building of these railroads is for the purpose of fighting that monopoly in Alaska. The President of the United States has access to these hearings; he knows the facts just as well as we know them; and it is not within the range of possibility that he is going to consult those men as to the way this road shall be laid out or that he is going to consult those men

in regard to a lease. The situation is different here.

I want to say to the Senator that we have not tried to involve this bill with details. We are simply trying to enact that this Government pledges its credit to the extent of \$35,000,000 in the development of the Territory of Alaska through a railroad or railroads hereafter to be built. We are not tying down

the operation of those roads either to a lease or to Government operation. I want to say that we are not appealing to the prejudices of anyone. We might be appealing to the prejudices of the Senator from Iowa [Mr. Cummins] if we provided that these roads should be operated solely by the Government or we might be appealing to the prejudices of the Senator from Georgia [Mr. SMITH] if we provided that these roads could only be operated through a lease. We are simply doing this: We are saying that the method of operation shall be left to the future determination of this body.

Mr. BRISTOW. Mr. President, when the Government acquired the Panama railroad the same question that is here was then up for consideration. Three propositions were before the President of the United States at that time, namely, whether the road should be sold—and that plan had very strong advocates on the part of those who believed that the Government ownership of railroads was a political heresy-or whether the railroad should be owned and leased to a private company to operate—that also had very strong supporters—or whether the Government itself should run the road and operate the steamship lines through the corporation, as it has been doing. After some investigation it was determined to keep the road and run it as a Government line. It has been so run since that time, and successfully run,

To refuse to adopt the amendment of the Senator from Iowa [Mr. CUMMINS] is simply to leave open the opportunity to nullify the good work that we are doing in this bill. For one, I am bitterly opposed to doing that. If President Roosevelt had taken the position which is proposed here, the advantages of the ownership of the Panama Railroad would have been lost

to the people of the United States.

Mr. SMITH of Georgia. Mr. President-

Mr. BRISTOW. He took the other position, and that was to operate it through the corporation, as has been done. That has been a success; and not one word of criticism has been offered here upon this floor against the Government operation of that road.

Mr. SMITH of Georgia. Mr. President, I think the illustration of the Panama Railroad does not apply and is of very We have been building a canal alongside of the railroad; we have been handling our own supplies. Its operation has largely been a part of the construction of the canal. We have had no demonstration of practical Government operation of a commercial road through the handling of the Panama Railroad, and I want to add that I believe we have operated it extravagantly and that the expense of the operation by the Government even under these advantageous circumstances has been excessive and bad. I believe an investigation would show

Mr. BRISTOW. Mr. President, I trust the Senator-

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Kansas.

Mr. SMITH of Georgia. I had rather not. I only have 15 minutes. I tried to interrupt the Senator from Kansas, and he

did not yield to me.

Mr. President, I hope the amendment of the Senator from Iowa will not prevail. If these roads be built, I certainly hope that the President may have an opportunity to lease them. We have given the country and ourselves no demonstration of the possibility of successful operation of railroads by the Government. I doubt its possibility most seriously. If I were compelled to express an opinion, I would say that it is utterly impossible for the Government to operate them successfully.

do not like the bill, because I find in the report of the commission what I think is a commendation of one line and a re-commendation of the construction of two others. They present five lines—their east line, their next eastern line, their third line, their fourth line, and their fifth line. I do not believe any student who examines carefully the report of the commission will fail to reach the conclusion that the facts they state show that the best line would be a line from Prince William Sound or Resurrection Bay almost directly north to Fairbanks. Mr. PITTMAN. Mr. President, will the Senator allow me to

interrnot him?

Mr. SMITH of Georgia. Yes. Mr. PITTMAN. Does the Senator not think that the President would form the same conclusion from the same report?

Mr. SMITH of Georgia. I do not know. I think the President would naturally rely on his engineers; and with the facts fur-nished, which, to my mind, indicate this north and south line as by far the best plactical line, the engineers recommend the lines east and west of it. I do not want to leave it in the air.

If we have the facts that we are to be furnished, then I

should like to vote, if we are to spend the people's money on either of these lines, for the construction of the line that the

evidence satisfies me is much the best line. I do not want to leave it for these men to advise the President. I do not know whether the President is familiar with railroad construction or railroad business; I suppose he will rely on the same engineers who made the former report; and yet they give us this map favoring the eastern and western lines, instead of the central line, which I think the evidence clearly shows, and it has satisfied most of the Senators who have studied it, is by far the best line. I feel that Congress ought to exercise a voice in determining where the people's money should be spent.

Mr. BORAH. Mr. President—
The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Idaho?

Mr. SMITH of Georgia. Does the Senator from Idaho wish ask me a question?

Mr. BORAH. I will not interrupt the Senator if he does not desire to be interrupted. I was simply going to ask him a question

Mr. SMITH of Georgia. Certainly.

Mr. BORAH. I was going to say that the President undoubtedly will need the advice of his engineers; but, besides the President, there is a man who, I think, by reason of his experience in railroad management and with the West, is better fitted than almost anyone we could designate, and that is Mr.

Mr. SMITH of Georgia. I join the Senator from Idaho in his high opinion of the Secretary of the Interior, but I do not feel that it is our business to vote \$40,000,000 away into the air without any definite purpose for its use. There are a number of different schemes to which it could be applied. None of them are ready. There is no necessity for an immediate vote; there is no necessity for an immediate appropriation. It is admitted that we do not know what is the condition of a number of these bays or which could best be used. We ought to have a definite report indicating a definite line. We ought to know where the money is going. I do not go to the extent of objecting to the use of the public money to help develop Alaska. I do object, however, to voting the public money into a scheme that I do not think is surrounded, up to the present time. with that practical business knowledge and accuracy of information that ought to exist. None of us would spend a thousand dollars of our money and turn it loose so indefinitely.

Mr. BORAH. Mr. President, may I ask the Senator another

question?

Mr. SMITH of Georgia. Yes.

Mr. BORAH. That is true; but would not the Senator be perfectly willing to spend his money upon the judgment of such men as the President and Mr. Lane should select? Would he rather have his own judgment of Alaska and of the conditions there than the judgment of those men who are so familiar with them? Furthermore, it is so completely an Executive

Mr. SMITH of Georgia. I answer the Senator frankly that I would, and I would exercise it before I spent it. I have read the report of the first board selected by President Taft, and I disagree with it. I would not vote for the expenditure according to their report. I think the fact that a commission had to report an exact scheme to Congress, and that its recommendation was to be weighed, investigated, subjected to criticism, and go through the test of a committee examination, would make the report better, more accurate, and far safer; and as we have to vote away the money, I should like to know for what the money is to be used.

It is too complete an abandonment of legislative responsibility to vote \$40,000,000 for the purchase and construction of railreads without knowing which are to be bought or what price is to be paid, without knowing which roads are to be con-

structed or what the construction is to cost.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Iowa [Mr. CUMMINS] to the amendment proposed by the Senator from Oregon [Mr. CHAM-

Mr. CUMMINS. On that question I ask for the yeas and

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). I am paired for the remainder of the day with the Senator from Colorado [Mr. Shafroth], who has been called from the floor by impor-

tant public business. I therefore withhold my vote.

Mr. BURTON (when his name was called). I am paired with the Senator from Colorado [Mr. Thomas]. I consequently withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER], which I transfer to the senior Senator from South Carolina [Mr. TILLMAN] and vote "nay."

Mr. CHILTON (when his name was called). I have a pair with the junior Senator from Maryland [Mr. Jackson], which transfer to the Senator from Oklahoma [Mr. Owen] and vote

Mr. KENYON (when Mr. La Follette's name was called) I desire to announce that the senior Senator from Wisconsin [Mr. La Follette] is detained from the Chamber on account of illness, but he hopes to be here for the final vote on the bill. I will let this announcement stand on all votes during the day.

Mr. STONE (when his name was called). I have a general pair with the Senator from Wyoming [Mr. CLARK], who is necessarily absent from the Senate, I am informed. I transfer my pair with him to the Senator from Illinois [Mr. Lewis] and vote "nay."

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Arkansas [Mr. Clarke]. Under an arrangement made with the Senator from Mississippi [Mr. Williams], who is paired with the Senator from Pennsylvania [Mr. Penrose], the Senator from Pennsylvania will stand paired with the Senator from Arkansas, so as to allow the Sen-

Mr. MARTIN of Virginia (when Mr. Swanson's name was called). My colleague [Mr. Swanson] is unavoidably absent. He is paired with the Senator from Vermont [Mr. Page].

Mr. SMITH of Michigan (when Mr. Townsend's name was called). My colleague [Mr. Townsend] is necessarily absent from the Senate. I understand he is paired with the Senator

from North Carolina [Mr. OVERMAN].

Mr. OVERMAN (after having voted in the negative). derstood the pair to cover the passage of the bill, but I did not think it covered the amendments. I do not know how the junior Senator from Michigan would vote on this question if present. I have already voted, but if the Senator thinks I ought to withdraw my vote I will be glad to do so.

Mr. SMITH of Michigan. I have no information as to the

nature of the pair.

Mr. OVERMAN. Perhaps there is something that might be misunderstood, and I therefore want to withdraw my vote and announce my pair with the junior Senator from Michigan [Mr. Townsend]. I understood the pair to cover only the vote on

the passage of the bill, but I will withdraw my vote.

Mr. SMITH of Michigan. I did not hear the Senator from North Carolina vote and did not wish to challenge his vote at

Mr. OVERMAN. I understand that.

Mr. SMITH of Michigan. If the Senator desires to vote, I am sure it will be agreeable to my colleague.

Mr. OVERMAN. I think, Mr. President, under the circum-

stances I had better withdraw my vote.

Mr. WALSH (when his name was called). a general pair with the senior Senator from Rhode Island [Mr. LAPPITT], it is agreed that it shall not extend to amendments to this bill. Accordingly I vote "nay."

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. Pen-ROSE], but under the arrangement which has been announced by the Senator from Utah [Mr. SUTHERLAND] I am at liberty to vote. I vote "nay."

The roll call was concluded.

Mr. LEA. I have a general pair with the senior Senator from South Dakota [Mr. Crawford], which he has released, I understand, upon this bill and all amendments thereto. I therefore

feel at liberty to vote. I vote "nay."

Mr. GALLINGER. I have a general pair with the junior Senator from New York [Mr. O'GORMAN]. Not knowing how he

would vote if present, I withhold my vote,
Mr. MARTIN of Virginia. The senior Senator from Louisiana [Mr. Thornton] is absent from the city. He is paired

with the Senator from South Dakota [Mr. Crawford].

Mr. MARTINE of New Jersey. I desire to announce the pair of my colleague [Mr. Hughes] with the Senator from New Mexico [Mr. Catron]. I am not aware how my colleague would vote if present.

Mr. CHAMBERLAIN. I have been requested to announce that the Senator from Minnesota [Mr. CLAPP], who is favorable to the bill generally, is paired with the junior Senator from Tennessee [Mr. Shields]. Both Senators are absent from the city.

Mr. BACON (after having voted in the negative). If I noted correctly, the Senator from Minnesota [Mr. Nelson] did not

The VICE PRESIDENT. The Chair is informed that the Senator from Minnesota has not voted.

Mr. BACON. I have a general pair with the Senator from Minnesota, but I feel assured that if present he would vote the same way I have voted. Therefore I will permit my vote to

The result was announced-yeas 17, nays 44, as follows:

	Y	EAS-17.	
Borah Brady Bristow Colt Crawford	Cummins Fall Goff Gronna Jones	Kenyon Lane Martine, N. J. Norris Perkins	Poindexter Works
	N.	AYS-44.	
Ashurst Bacon Bankhend Bradley Bryan Chamberlain Chilton Dillingham Gore Hitchcock Hollis	James Johnson Kern Lea Lodge McCumber McLean Martin, Va. Myers Newlands Pittman	Pomerene Ransdell Reed Robinson Root Saulsbury Sheppard Simmons Smith, Ariz. Smith, Ga. Smith, Md.	Smith, Mich. Smith, S. C. Smoot Stephenson Stone Sutherland Thompson Vardaman Walsh Weeks Williams
	10-100 Per	VOTING-34.	
Brandegee Burleigh Burton Catron Clapp Clark, Wyo, Clarke, Ark. Culberson du Pont	Fletcher Gallinger Hughes Jackson La Follette Lewis Lippitt Nelson O'Gorman	Oliver Overman Owen Page Penrose Shafroth Sherman Shields Shively	Swanson Sterling Thomas Thornton Tillman Townsend Warren

So the amendment of Mr. CUMMINS to the amendment of Mr.

CHAMBERLAIN was rejected.

The VICE PRESIDENT. The question now recurs on the amendment proposed by the Senator from Oregon [Mr. Cham-BERLAIN] to the amendment reported by the committee.

Mr. POINDEXTER. Mr. President, some question was raised by the Senator from Mississippi as to a division of the amend-

ment. Has that been ruled upon by the Chair?

The VICE PRESIDENT. The matter is covered by Rule XVIII, if it is desirable to have a ruling. That rule says that a motion to strike out and insert is not divisible. The question is on the amendment proposed by the Senator from Oregon.

Mr. BRISTOW. Mr. President, I should like to suggest the amendment which I suggested before this amendment was adopted, and that is to give the President the authority to have this railroad operated by the Panama Railroad Co., if he so

Mr. WALSH. Mr. President, I am in hearty accord with the suggestion of the Senator from Kansas with respect to this mat-It occurs to me that the Panama Railroad Co. ought to be utilized as a convenient instrument in the operation of the road; but I ask the Senator from Kansas whether the provision as it is now does not accomplish the entire purpose? That is to say, as the amendment stands now the President is authorized to lease the road. He could lease the road, for the purpose of operating it, to the Panama Railroad Co. He could lease it for \$1 or for \$10. The amount to be paid is a matter of no consequence whatever, inasmuch as the United States owns the stock of the Panama Railroad Co.

In other words, we would not add to the bill in any respect by inserting the words "or operate the same through the Pan-ama Railroad Co.," because it can now be operated by leasing the road to be constructed to the Panama Railroad Co.

I must say, however, that so far as I am myself concerned, if the Senator from Kansas insists upon it I shall be glad to vote for the amendment out of consideration for him; but I submit that there is absolutely no necessity for it, and it would not add at all to the power of the President.

Mr. BRISTOW. Of course, the Senator is a very able lawyer, but it seems to me that it is rather ridiculous for the President in one capacity to lease to himself in another capacity to do something. It looks to me rather like a roundabout way

to do it.

Mr. WALSH. In answer to that, I desire to say that that is just exactly what the Senator proposes. He wants to use, as I do, the instrumentality of the Panama Railroad Co. The Panama Railroad Co. is the President, and the President is

authorized to construct a road; so that in either case the President is simply using a convenient instrument, to wit, himself.

Mr. LODGE. Mr. President—
Mr. BRISTOW. I yield to the Senator from Massachusetts.
Mr. LODGE. As I understand, the Panama Railroad Co. is corporation chartered under the laws of the State of New York. The purposes of the corporation are stated in the charter, namely, to build and to operate a railroad across the Isthmus of Panama. The United States is simply a stockholder in the corporation. What occurs to me is, How have we the right here to enlarge the powers of a New York corporation?

I have no doubt it can be done; almost anything seems possible; but it strikes me as an odd thing to do suddenly to enlarge the powers of a New York corporation or amend the charter of a New York corporation, which is what we are apparently going to do.

Mr. WALSH. 'Mr. President, if the Senator from Kansas will

permit me

Mr. BRISTOW. Yes. Mr. WALSH. I desire to say, in answer to the suggestion made by the Senator from Massachusetts, that I endeavored to inform myself concerning the scope of the powers which the Panama Railroad Co. might exercise under its charter. fortunately, I have not been able thus far to get possession of it. Of course if its powers are not so general in character as would authorize its operation in Alaska, it would be impossible either to enter into a lease with it, or, as suggested by the amendment, to operate through it any road which may be constructed there.

Mr. LODGE. I am speaking only from memory. The charter of the Panama Railroad Co. was, of course, printed at the time we took possession of the property; and my remembrance is that the charter of the Panama Railroad Co. authorizes them simply to build and operate a railroad across the Isthmus of I dare say that under the new dispensation we can Panama. amend State charters. I am not contesting that point.

Mr. NORRIS. The Panama Railroad Co. have been operating ships as well; so their charter at least is broader than the

Senator from Massachusetts states.

Mr. LODGE. It did not occur to me that these railroads

Mr. NORRIS. No; but the Senator is talking about the power of the Panama Railroad Co., and he says the only authority they have is to operate a railroad across the Isthmus of Panama. They have also been operating ships upon the Atlantic

I was speaking of their railroad authority because it did not occur to me that the power to operate ships gave them the power to operate another railroad, although it

Mr. NORRIS. I do not want the Senator from Massachusetts to undertake to put me in that position, because I have no intention of being put in it, and I will not be, of course. The Senator said the power of the Panama Railroad Co. was to operate a railroad in Panama. I was calling attention to the fact that they had at least powers under their charter greater than he has suggested, because they have been operating a line of ships.

Mr. LODGE. I did not suggest it because I could not see that the power to operate the ships had any bearing whatever on it.

Mr. NORRIS. It has a bearing to show that they have greater power than the Senator has suggested.

Mr. LODGE. I do not deny their power to operate ships, but that does not give them power to operate another railroad.

Mr. NORRIS. Nobody said so, and I did not even intimate such a thing.

Mr. LODGE. Then, why raise the point?

Mr. BRISTOW. Mr. President, I am not versed in the technical operation of the laws so far as these charters go; but what I want, if it can be done, is to provide some means by which the Panama Railroad Co. can build and operate a railroad in Alaska.

Mr. LODGE. All the Senator needs to do is to amend the

New York charter; that is all.

Mr. BRISTOW. The Senator from Massachusetts thinks that would be an awful calamity, of course, if it aided in the extension of the operations of the Panama Railroad Co., since the Government owns it.

The VICE PRESIDENT. The Chair feels it is its duty to enforce the unanimous-consent agreement. The Chair is acting as timekeeper, but there seems to be nothing before the

Senate on which to keep time.

Mr. BRISTOW. I beg the pardon of the Chair. I will offer this amendment, and then there will be something on which to keep time.

The VICE PRESIDENT. Yes.

Mr. BRISTOW. We can at least discuss it and come to a conclusion.

I move to amend the pending amendment by inserting, after the word "lease," the words "or by the Panama Railroad Co." I should like to inquire of the Senator from Montana—and I think he and I agree exactly as to what we would like to do in regard to this matter-whether that will not be accepted?

Then it can go to conference or to the other House, and in the meantime the Senator can examine the charter and see whether or not this adds anything to the bill, or makes it more certain or desirable in so far as the operation is concerned.

Mr. WALSH. The amendment suggested by the Senator from Kansas is entirely agreeable to me, and I am sure it will be to the Senator from Oregon; but what I rose to say in the first place was that, in my opinion, it did not at all enlarge the scope of the powers of the President. However, the amendment is entirely agreeable to me.

Mr. BRISTOW. If it does not enlarge the scope of the powers of the President, then it is useless. If it does, it will be of use. This will give plenty of time for the Senator, who I know is a

very able lawyer, to examine into the matter.

Mr. CHAMBERLAIN. So far as the committee is concerned, I think I am safe in saying that all of the committee would assent; and I am sure that if the corporation did not have the power to accept a lease, the President would not undertake to do an illegal act.

Mr. BRANDEGEE. I should like to have the Secretary state the amendment as proposed to be modified by the amendment of

the Senator from Kansas.

The VICE PRESIDENT. The Secretary will state the amend-

ment as it is proposed to be amended.

The SECRETARY. On page 8, beginning with the proviso on line 18, it is proposed to strike out the proviso and in lieu thereof to insert the following:

If any railroad now in existence shall, with any line which may be designated and located hereunder, constitute a continuous main line of railroad from the interior to tidewater, such existing railroad, with its appurtenances, shall be acquired by purchase or condemnation as hereinafter provided, before construction is entered upon, or the line to be constructed hereunder shall be so relocated as that construction shall begin at tidewater and be carried forward so that, in any case, the United States will at all times be the owner of a continuous line or lines from tidewater: Provided, That in executing the authority granted by this act the President shall not expend, or obligate the United States to expend, more than the proceeds of the issue of the bonds hereinafter authorized: Provided jurither, That the President may cause said road or roads to be operated by contract or lease, or by the Panama Railroad Co., but no contract or lease shall be for a longer period than 20 years.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Kansas to the amendment of the committee.

There were on a division—ayes 25, noes 2, no quorum voting. The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Smith, Mich. Smith, S. C. Smoot Stephenson Sterling Stone Sutherland Vardaman Walsh Weeks Willams Works Nelson Norris Ashurst Gronna Hitchcock Hollis Bacon Bankhead Overman Perkins Borah Brady Brandegee Bristow Pittman Poindexter Pomerene James Johnson Jones Bryan Burton Chamberlain Chilton Ransdell Kenyon Kenyon
Kern
Lane
Lea
Lodge
McCumber
McLean
Martine, N. J. Robinson Root Sheppard Simmons Smith, Ariz. Smith, Ga. Smith, Md. 'ummins Works Dillingham Gallinger

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. A quorum of the Senate is present.

Mr. GALLINGER. I ask that the pending amendment may

be stated.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

Mr. GALLINGER. As I understand, it is an amendment to the amendment submitted by the Senator from Kansas that we are to vote on.

The VICE PRESIDENT. That is correct.

The Secretary. After the word "lease," in the proposed amendment of the Senator from Oregon [Mr. CHAMBERLAIN], it fs proposed to insert "or by the Panama Railroad Co."
Mr. GALLINGER. On that I ask for the yeas and nays.

The yeas and nays were ordered. Mr. SMITH of Georgia. I ask that the amendment may be again stated.

The Secretary again stated the amendment to the amendment.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. KENYON (when Mr. Bradley's name was called). am requested to announce that the senior Senator from Kentucky [Mr. Bradley] is detained from the Chamber on official busine

Mr. BRANDEGEE (when his name was called). nounce my pair with the junior Senator from Colorado [Mr. SHAFBOTH 1.

Mr. BURTON (when his name was called). I am paired with the senior Senator from Colorado [Mr. THOMAS], and con-

sequently withhold my vote.

Mr. CHAMBERLAIN (when his name was called). paired with the junior Senator from Pennsylvania [Mr. OLI-Carolina [Mr. Tillman] and will vote. I vote "yea."

Mr. CHILTON (when his name was called). With the same

announcement of my pair and transfer as on the former vote, I

will vote. I vote "yea."

Mr. GALLINGER (when his name was called). I have a pair with the junior Senator from New York [Mr. O'GORMAN]. I transfer that pair to the junior Senator from Maine [Mr. Bur-LEIGH] and will vote. I vote "nay."

Mr. KERN (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. Bradley]. As I do not know how he would vote if present, I will withhold

my vote.

Mr. NELSON (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. BACON], and in his absence withhold my vote.

Mr. OVERMAN (when his name was called). I announce my pair on this bill with the junior Senator from Michigan [Mr.

Townsend], and therefore withhold my vote.

Mr. STONE (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. CLARK], and therefore withhold my vote.

Mr. SUTHERLAND (when his name was called). I make the

Mr. SUTHERLAND (when his hance was caned). I make the same announcement that I made upon the former vote with reference to my pair and will vote. I vote "nay."

Mr. MARTIN of Virginia (when Mr. Swanson's name was called). My colleague [Mr. Swanson] is unavoidably absent. He is paired with the junior Senator from Vermont [Mr. Page]. I ask that this announcement may stand for all votes this afternoon.

Mr. RANSDELL (when Mr. Thornton's name was called). wish to announce that the senior Senator from Louisiana [Mr. THORNTON] is absent on account of illness.

The roll call was concluded.

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. Shively]. He is paired with the junior Senator from West Virginia [Mr. Goff].

Mr. MARTINE of New Jersey. I desire again to announce the pair of my colleague [Mr. Hughes] with the junior Senator

Smith, Ariz.

from New Mexico [Mr. CATRON].

The result was announced-yeas 43, nays 12, as follows:

	YEAS-43.		
Hitchcock	Newlands Norris		

Ashust Borah Brady Bristow Bryan Chamberlain Chilton Cummins Fall Gore Gronna	Hollis James Johnson Jones Kenyon Lea McLean Martin, Va. Martine, N. J. Myers	Norris Perkins Pittman Poindexter Pomerene Ransdell Robinson Saulsbury Sheppard Simmons	Smith, Md. Smith, Mich, Smith, S. C. Smoot Sterling Thompson Vardaman Walsh Works
	NA	YS—12.	
Bacon Dillingham Gallinger	Lodge McCumber Reed	Root Smith, Ga. Stephenson	Sutherland Weeks Williams
	NOT V	OTING-40.	
Bankhead Bradley Brandegee Burleigh Burton Catron Clapp Clark, Wyo. Clarke, Ark.	Crawford Culberson du Pont Fletcher Goff Hughes Jackson Kern La Follette Lane	Lewis Lippitt Nelson O'Gorman Oliver Overman Owen Page Penrose Shafroth	Sherman Shields Shively Stone Swanson Thomas Thornton Tillman Townsend Warren

So Mr. Bristow's amendment to the amendment was agreed to, The VICE PRESIDENT. The question recurs on the amendment proposed by the Senator from Oregon, as amended.

Mr. WILLIAMS. Mr. President, upon that question I make a demand for a division of the amendment.

There are three separate propositions involved in the amend-

The first one is, that if any railroad now in existence shall, with any line which may be designated and located hereunder, constitute a continuous main line of railroad from the interior to tidewater, such existing railroad, with its appurtenances, shall be acquired by purchase or condemnation, and so forth.

The second proposition is, that in executing the authority granted by this act the President shall not expend or obligate the United States to expend more than the proceeds of the issue

of bonds hereinafter authorized.

The third proposition is, that the President may cause said road or roads to be operated by contract or lease or by the Panama Railroad Co., but no contract or lease shall be for a longer period than 20 years.

There is hardly a Senator who stands in the affirmative or the negative upon all three of those propositions. They are separate propositions and ought to be voted upon separately.

I make the parliamentary inquiry of the Chair as to whether I have a right to demand that they shall be voted upon separately. If I have not that right, then I shall propose an amendment.

The VICE PRESIDENT. The Chair rules that in accordance with Rule XVIII, the question is not divisible. That rule

If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided.

This is a motion to strike out and insert.

A further clause of the same rule, however, provides that-

Pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded for the purpose of amendment as a question.

Mr. WILLIAMS. Mr. President, I move to strike out this language in the motion to strike out and insert:

If any railroad now in existence shall, with any line which may be designated and located hereunder, constitute a continuous main line of railroad from the interior to tidewater, such existing railroad, with its appurtenances, shall be acquired by purchase or condemnation as hereinafter provided, before construction is entered upon, or the line to be constructed hereunder shall be so relocated as that construction shall begin at tidewater and be carried forward, so that in any case the United States will at all times be the owner of a continuous line or lines from tidewater.

I move to strike out, from the motion to strike out and insert, that much of the language of the pending amendment.

Mr. POINDEXTER. Mr. President—
The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Washington?

Mr. POINDEXTER. I supposed the Senator from Mississippi had concluded. If not, I will wait until he has concluded. Mr. WILLIAMS. I did not hear the remark of the Senator

from Washington.

Mr. POINDEXTER. I rose for the purpose of making a few remarks upon the amendment which the Senator from Mississippi has just offered. I am not sure whether the Senator is still holding the floor or not.

Mr. WILLIAMS. No; I am not. I made a motion to amend, and that is all I want to do.

Mr. POINDEXTER. Mr. President, I merely wish to say that I shall vote for the amendment proposed by the Senator from Mississippi, and I wish to state my reasons for doing so. I am opposed to the Government buying the Copper River & Northwestern Railroad under any circumstances. That road is there now. Whatever benefit may be derived from a privately owned road under those conditions the country, and particularly Alaska, will receive. Whatever money the Government spends in Alaska for railroads should be spent, in my judgment, for the construction of a different line at a different place. Even if, as I hope will not be the case, the Government should conclude under the authority granted by the bill to build an extension of that line—we will say from Chitina to Fairbanks, I certainly would not vote to make it mandatory upon them to do it. I trust they will not buy the Copper River & Northwestern Railroad, but that, rather, they shall operate a Government extension of it in connection with the privately owned road, using the governmental power and its increased opportunities, which it will have through this Government extension, to compel reasonable rates over the privately owned road.

Mr. CUMMINS. Mr. President—
Mr. POINDEXTER. If the Senator will pardon me just one moment, it is said that if the Government adopt that course, then it will be adding to the value of the Copper River & Northwestern Railroad by the extension which the Government will build. That is true; but, on the other hand, the existence of the Copper River & Northwestern Railroad, which has been built by private capital, adds to the value of the extension which the Government will build, and instead of the Government paying out \$18,000,000 or \$22,000,000 to acquire the road which already exists there, my judgment is that the public can be far better served, if we become involved in the Copper River sys-tem at all, by using its power to compel good service and reasonable rates upon a through line rather than by buying the road.

For that reason I shall vote to strike out of the amendment the portion of it which makes it mandatory upon the Government to buy the road which is there at present.

Mr. CUMMINS. Mr. President—
The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Iowa?

Mr. POINDEXTER. I yield to the Senator from Iowa.

Mr. CUMMINS. I rose to ask the Senator from Washington to state what he understood to be the import of the amendment offered by the Senator from Mississippi. I could not hear it as it was read, and I would be very glad to have the Senator's construction of that amendment, for I agree with him. I do not want the Government to buy the Copper River & Northwestern Railroad Co., nor do I want the Government to build an extension of that road to Fairbanks. I hope the Senator will state just what he understands the meaning of the amendment to be.

Mr. POINDEXTER. The meaning of the amendment offered by the Senator from Mississippi is that it strikes out of the committee amendment that portion of it which requires the Government to buy the Copper River & Northwestern Railroad if the Government builds an extension of it and leaves in the amendment proposed by the committee the clause with reference

to leasing

Mr. WILLIAMS. If the Senator from Washington will pardon me, of course the amendment is merely to strike out and, of course, for the purpose of this particular amendment, the motion does not affect the balance of the committee provision. But I do not mean by that that I commit myself to keeping in the balance. What I move is to strike out the language in the committee amendment down to the word "provided," and that language is this:

If any railroad now in existence shall, with any line which may be designated and located hereunder, constitute a continuous main line of railroad from the interior to tidewater, such existing railroad, with its appurtenances. shall be acquired—

Shall be acquired-

by purchase of condemnation, as hereinafter provided, before construc-tion is entered upon-

Refore construction is entered upon-

Or the line to be constructed hereunder shall be so relocated as that construction shall begin at tidewater and be carried forward, so that in any case the United States will at all times be the owner—

By the way, not the "owner"; there are 48 of the United States, but this nationalistic program puts them in the singular number.

Mr. POINDEXTER. Mr. President, I will have to decline further to yield to the Senator from Mississippi.

Mr. WILLIAMS (reading)

so that in any case the United States will at all times be the owner of a continuous line or lines from tidewater.

My proposition is to strike out that language.

POINDEXTER. If the Senator will pardon me, I will conclude what I have to say. My time is very limited.

Mr. WILLIAMS. I did not intend to interrupt the Senator at all, except the Senator from Icwa had asked what the amend-

ment is, and I wanted to explain it.

Mr. POINDEXTER. The Senator has now stated what it is, and it will go into the RECORD, and I am very glad he has done so. I fail to see how this proviso would have any effect upon the valuation of the Copper River & Northwestern Railroad property, if it is to be acquired, whether you acquire it after you build the extension or before you build the exten-I am opposed, as I said before, to acquiring it at all. But the minute that the Government proceeds to condemn or to negotiate for the Copper River & Northwestern Railroad, then that company knows that the Government is going to extend the road and is going to confine its activities to that route, and whatever value the Government extension will give the acquirement by the Government and the perfection of that system will immediately go into effect just as soon as the Gov-ernment proceeds. A jury would take those circumstances into consideration at that time just as much as they would if the Government waits until after it has constructed its extension. It could not prevent the added value of the completion or the proposal of the completion of the system by the Government in entering into the valuation, whether the proceedings are begun before or afterwards. The amount of money which would be required to acquire that property is too large to be expended for what improvement of conditions would come from the own-ership of the road by the Government in that particular locality.

I will speak at some other time very briefly as to the benefits which will come from the location by the Government of a road in some other locality, which would afford the development of a country which this road does not reach and which would give Alaska two railroads instead of giving it one railroad for

the same money. Mr. WILLIAMS, Mr. PresidentMr. CHAMBERIAIN. I move to lay on the table the amendment proposed by the Senator from Mississippi to the amend-

Mr. WILLIAMS. I hope the Senator from Oregon will not insist upon that motion.

The VICE PRESIDENT. The Chair can not control the action of the Senator from Oregon. The question is on the motion of the Senator from Oregon to lay the amendment to the amendment on the table.

Mr. WILLIAMS. But under the unanimous-consent agreement the Senator from Oregon has no right to make that motion. Mr. BRANDEGEE. Mr. President, I make the point of

Mr. WILLIAMS. Under the unanimous-consent agreement each Senator has a right to speak for 15 minutes on each amendment, and a Senator has no right to move to lay an amendment on the table in order to cut off the 15 minutes.

Mr. BRANDEGEE. The Senator from Mississippi has made

the point of order I rose to make.

Mr. WILLIAMS. I make that point of order.

The VICE PRESIDENT. The point of order is sustained, and the motion to lay on the table is out of order.

Mr. WILLIAMS. Mr. President, if you are going to empower

the United States Government under this amendment to proceed to purchase the 466 miles of railway now in Alaska, one line or another, and connect them so as to make them continuous, it is a possibility at any rate, whether it is a probability or not, that this entire \$40,000,000, four-fifths of the annual income tax of the country, will be devoted to paying the present stockholders of railroads in Alaska for their railways.

This entire amount of money may possibly, if not probably,

be devoted to buying the existing railways in Alaska.

Mr. President, every railway in Alaska to-day is in the hands of a receiver except those that are waiting to be put into the hands of a receiver. I assert, upon my information, that every railway in Alaska not already in the hands of a receiver will be in the hands of a receiver if the Attorney General of the United States dares to collect the railway tax. They have been to me, and they have been to other Senators, talking about it. They have effected an arrangement with the Department of Justice whereby the Department of Justice will not immediately insist upon the payment of the tax. They are hundreds of thousands of dollars delinquent upon that tax—every railroad in Alaska; and not one of them can pay the tax to-morrow and continue to exist. This proposition is to arm the United States continue to exist. This proposition is to arm the United States Government or the President with the power to go up there and buy them out. What is going to happen? They will step up every one of them, and proceed to prove that they are worth so many thousand dollars per mile per annum, when they are not worth a cent to anybody. They are fakes. They are failures, and they are bankrupt right now.

Now, why should you give the Federal Government the power to go out there and buy up those railroads from the stockholders at the price the stockholders will fix upon them or at the price a jury of condemnation in Alaska will fix upon them? With a jury of condemnation in Alaska, every juror will be interested in getting the largest amount of money possible from the Govern-

ment for the payment of the railroad.

I think that much of this amendment ought to be stricken I do not want to go to the point of constructing and owning railroads by the Government; but, God knows, I do not want to go to the point of buying up existing lines of transportation already furnishing to the people of the locality such conveniences as are possible at a price which may be either fixed by the stockholders or by a local jury of condemnation. Therefore I have moved to strike out that part of the amendment.

Mr. STONE. Mr. President, I should like to take the opinion of the Chair, by way of a parliamentary inquiry, as to whether a motion to proceed to the consideration of executive business

would be in order.

The VICE PRESIDENT. The opinion of the Chair is that

Mr. STONE. Then I will not make it.

Mr. CUMMINS. Mr. President, the amendment of the Senator from Mississippi, if it is to be construed as stated by the Senator from Washington [Mr. Poindexter], raises a fundamental question. If it is proposed that the United States shall enter Alaska and build a railroad from the northern extension of the Copper River & Northwestern to Fairbanks and build another railroad from the northern terminus of the Alaska & Northern to some point upon the Tanana River, or the Yukon River, or the Kuskokwim River, and in that way construct Government railroads in the interior, with no way of reaching tidewater or any harbor save over privately owned railways, then I am opposed to building any Government railroad in

Alaska. I believe that the people of this country will repudiate overwhelmingly the proposition that we are to take up the Morgan-Guggenheim railroad at its northern terminus and extend it into the interior.

Mr. WILLIAMS. And at their price.

Mr. CUMMINS. And take up the Alaska & Northern Railread at its terminus and extend it into the interior, and that when we attempt to serve the people of Alaska and the people of the United States we must serve them upon terms that can be reached with these privately owned railroads. I do not think that there is a Senator who would be willing to appropriate the money of the United States to build little stretches of railroad in the interior that could be of no value to the people of that country or to the people of this country save in connection with the railroads owned by private corporations, and that are already there.

If we are to build and own a railroad or railroads in Alaska, it or they ought to begin at a harbor and reach as far into the interior as may be necessary, so that the Government can control the transportation in Alaska, so that it can control it until it reaches the broad open ocean, where we may reasonably ex-

pect fair, substantial competition.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. CUMMINS. I yield to the Senator. Mr. CHAMBERLAIN. The Senator understands that this amendment does exactly what he now suggests ought to be

Mr. CUMMINS. Precisely; and that is the reason why I am opposed to the amendment offered by the Senator from Mississippi. If that prevails, it overthrows, as it seems to me, every object that ought to be accomplished in a bill of this character.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Mississippi to the amendment.

Mr. NORRIS. I should like to have read by the Secretary the amendment offered by the Senator from Oregon as it would stand if the amendment offered by the Senator from Mississippi should prevail. I have not been able to hear at this place in the Chamber the amendment of the Senator from Mississippi, which, I believe, has not yet been read by the Secretary.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. The Senator from Mississippi moves, in that

part of the committee amendment which proposes to insert cer-tain words, to strike out all down to the first proviso, in lines 18, 19, and 20, as printed in the bill, and to insert the following words:

That in executing the authority granted by this act the President shall not expend or obligate the United States to expend more than the proceeds of the issue of the bonds hereinafter authorized: Provided further, That the President may cause said road or roads to be operated by contract or lease, but no contract or lease shall be for a longer period than 20 years.

Mr. SMOOT. I should like to have the Secretary read the part which is proposed to be stricken out.

The VICE PRESIDENT. The Secretary will read the part proposed to be stricken out.

The SECRETARY. It is proposed to strike out the following

If any railroad now in existence shall, with any line which may be designated and located bereunder, constitute a continuous main line of railroad from the interior to tidewater, such existing railroad, with its appurtenances, shall be acquired, by purchase or condemnation, as hereinafter provided, before construction is entered upon, or the line to be constructed hereunder shall be so relocated as that construction shall begin at tidewater and be carried forward so that in any case the United States will at all times be the owner of a continuous line or lines from tidewater.

And also to strike out the word "Provided," which follows.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Mississippi to the amendment of the committee. [Putting the question.] The noes appear to

Mr. WILLIAMS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). I again announce my pair with the Senator from Colorado [Mr. Shaf-ROTH].

Mr. CHAMBERLAIN (when his name was called). I transfer my pair with the junior Senator from Pennsylvania [Mr. OLIVER] to the senior Senator from South Carolina [Mr. TILL-

While I am on my feet I desire to say that the Senator from Minnesota [Mr. CLAPP] is paired with the Senator from Tennessee [Mr. Shields].

Mr. GALLINGER (when his name was called). I again announce my general pair with the junior Senator from New York [Mr. O'GORMAN] and transfer that pair to the junior Senator from Maine [Mr. BURLEIGH] and vote "nay."

Mr. KERN (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BRADLEY]. In his absence, I withhold my vote.

Mr. OVERMAN (when his name was called). nounce my pair with the junior Senator from Michigan [Mr.

Townsend] and withhold my vote.

Mr. LEA (when the name of Mr. SMITH of Maryland was called). I have been requested to announce the necessary absence of the Senator from Maryland [Mr. SMITH] and to state that he is paired with the senior Senator from Vermont [Mr. DILLINGHAM]

Mr. SUTHERLAND (when his name was called). I make the same announcement with reference to the transfer of my pair

which I made on the former roll call and vote "nay."

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Florida [Mr. Fletcher] and therefore withhold my vote. I make this announcement to stand for the day.

The roll call was concluded,

Mr. SMITH of Michigan. I have been requested to announce the unavoidable absence of the senior Senator from Ohio [Mr. BURTON]. He is paired with the senior Senator from Colorado [Mr. THOMAS].

The result was announced—yeas 5, nays 46, as follows:

	YE	CAS-5.	
Bacon Fall	Gronna	Poindexter	Williams
	NA	YS-46.	
Ashurst Bankhead Brady Bristow Bryan Chamberlain Colt Cummins Gallinger Gore Hitchcock Hollis	James Johnson Jones Kenyon Lane Leag Lodge McCumber MeLean Martin, Va. Martine, N. J.	Nelson Newlands Perkins Pittman Pomerene Ransdell Reed Robinson Root Saulsbury Sheppard Simmons	Smith, Ariz. Smith, Mich. Smith, Mich. Smith, Sc. Stephenson Sterling Sutherland Thompson Vardaman Walsh Weeks
		OTING-44.	
Borah Bradley Brandegee Burleigh Burton Catron Chilton Clapp Clark, Wyo. Clarke, Ark. Crawford	Culberson Dillingham du Pont Fletcher Goff Hughes Jackson Kern La Follette Lewis Lippitt	Norris O'Gorman Oliver Overman Owen Page Penrose Shafroth Sherman Shields Shively	Smith, Ga. Smith, Md. Smoot Stone Swanson Thomas Thornton Tillman Townsend Warren Works

So the amendment of Mr. WILLIAMS to the amendment of the committee was rejected.

The VICE PRESIDENT. The question now recurs on the amendment proposed by the Senator from Oregon [Mr. Chamberlain], on behalf of the committee, to the original amend-

Mr. LODGE. Mr. President, I have succeeded at last in getting a copy of the act incorporating the Panama Railroad Co. The first report of the company was in 1849. I have here the sixty-fourth annual report. That company was incorporated under the laws of the State of New York, and the first section of the act of incorporation is as follows:

of the act of incorporation is as follows:

Section 1. William H. Aspinwall, John L. Stephens, Henry Chauncey, James Brown, Cornelius W. Lawrence, Gouverneur Kemble, Thomas W. Ludlow, David Thompson, Joseph B. Varnum, Samuel S. Howland, Prosper M. Wetmore, Edwin Bartlett, Horatio Allen, and their associates, successors, and assigns, are hereby constituted a body corporate, by the name of the "Panama Raliroad Co.," for the purpose of constructing and maintaining a railroad, with one or more tracks and all convenient buildings, fixtures, machinery, and appurtenances, across the Isthmus of Panama, in the Republic of New Granada, under the grant made by the said Republic to the said William H. Aspinwall, John L. Stephens, and Henry Chauncey, and of purchasing and navigating such steam or sailing vessels as may be proper and convenient to be used in connection with the said road; and for such purposes all the necessary and incidental power is hereby granted to the said corporation.

That is the grant of the State of New York. I simply place it in the RECORD for the consideration of better lawyers than I am.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Oregon, as amended, to the amendment reported by the committee.

The amendment, as amended, to the amendment was agreed to. The amendment, as anended, to the amendment was agreed to.

Mr. CHAMBERLAIN. Mr. President, I believe that that
completes all the committee amendments to the first section;
and inasmuch as some other Senators have substitutes to offer
for the section as amended, I move that the Senate take a recess
until to-morrow at 12 o'clock noon.

Mr. CUMMINS. Will the Senator from Oregon withhold

that motion for just a moment?

Mr. CHAMBERLAIN. I withhold the motion.

Mr. CUMMINS. Do I understand that the committee amendments have now all been considered?

Mr. CHAMBERLAIN. The committee amendments to the

Mr. CUMMINS. Has the committee amendments to offer to other sections?

Mr. CHAMBERLAIN. A few; but I think there will be lit-tle, if any, discussion of them. Mr. CUMMINS. I desire to offer a substitute for the first

section.

Mr. NORRIS. Mr. President, before the Senator from Iowa offers his substitute-

Mr. WILLIAMS. Mr. President, a parliamentary inquiry, Do I understand that the amendment of the Senator from Oregon [Mr. Chamberlain] has been agreed to?

The VICE PRESIDENT. It has; and the Senator from Oregon has made a motion to take a recess, which the Chair understands he has withheld.

Mr. WILLIAMS. What was that, Mr. President?

Mr. CHAMBERLAIN. I only withheld the motion for a

The VICE PRESIDENT. The inquiry of the Senator from Mississippi was as to the motion to strike out and insert?

Mr. WILLIAMS. By the committee; yes. The VICE PRESIDENT. It has been adopted.

Mr. WILLIAMS. Now, Mr. President, I wanted to address a few words to the Senate upon that subject; but if it has been

Mr. SIMMONS. The amendment of the Senator from Missis-

sippi was not adopted.

Mr. WILLIAMS. Oh, no; I am not talking about that. I am talking about the amendment of the Senator from Oregon from which I proposed to strike out a part. I understand, Mr. President, that the motion of the Senator from Oregon has been adopted by the Senate.

The VICE PRESIDENT. The amendment, as amended, to the amendment reported by the committee has been agreed to.

Mr. WILLIAMS. I do not know whether I am in order or not—the Chair can decide—but I want to inform the Senate now of my opinion that of all of the propositions of prospective graft presented to the Senate this is the greatest.

Mr. CHAMBERIAN. I insist on my motion.
Mr. WILLIAMS. What is the motion?
The VICE PRESIDENT. The motion is that the Senate take a recess until the hour of 12 o'clock meridian to-morrow.

Mr. GALLINGER. Which is not debatable.
Mr. WILLIAMS. Is or is not that question debatable?

The VICE PRESIDENT. It is not debatable. The question is on the motion of the Senator from Oregon.

The motion was agreed to, and (at 5 o'clock and 35 minutes p. m.) the Senate took a recess until Saturday, January 24, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, January 23, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the fol-

lowing prayer:

Infinite and eternal source of life and light and love, pour out of Thine abundance into our hearts more life, more light, more love, that we may trust and doubt not, hope and despair not, love and hate not, work and faint not. To love God and life and people is to be, to have, to do, making the world purer, stronger, better. The thought of God is ours in the book, in the landscape, in the sea, in the sky that arches above us, in the touch of a sympathetic soul, in the uplift of the spirit. It is written man shall not live by bread alone, but by every word that proceedeth out of the mouth of God. So may we receive, so may we give, so may we live, in the spirit of the Christ.

The Journal of the proceedings of yesterday was read and

ORDER OF BUSINESS.

Mr. RUSSELL. Mr. Speaker, this is Private Calendar day, and the day on which pension bills have preference, but there is pending before the House now the Post Office appropriation bill, and I am advised by the chairman of the Post Office Committee that he would like to complete that bill to-day and tomorrow. Therefore our committee is willing to accommodate itself to the convenience and the wishes of the chairman of the Committee on Post Offices and Post Roads. I ask unanimous consent that the day following the completion of the Post Office

appropriation bill, provided such day does not fall on a Monday, Wednesday, or Friday, and in that case the following day, shall be substituted in lieu of to-day, with all the rights and

privileges of to-day under the rules.

The SPEAKER. The gentleman from Missouri [Mr. Rus-SELL] asks unanimous consent that pension day be transferred to the first day after the Post Office appropriation bill is disposed of, unless such day occurs on a Monday, a Wednesday, or a Friday, and in that case the following day. That would throw it on a Tuesday, a Thursday, or a Saturday after this bill is disposed of.

Mr. GARDNER. Mr. Speaker, reserving the right to object, the gentleman from Alabama [Mr. Burnett] is not here this morning. I know that he is very much interested in getting the immigration bill up under the rule. Has the gentleman from Missouri consulted with him about this matter?

Mr. RUSSELI. I have not; but I can not see that there will be any delay in that matter at all, because if we should consume to-day with pension legislation the Post Office appropriation bill would take that much longer hereafter. As I understand it, the purpose is to call up the immigration bill after the Post Office appropriation bill has been disposed of. Therefore I do not see that this order would work any delay to the immigration bill.

Mr. GARDNER. How long does the gentleman suppose the

pension bills would take?

Mr. RUSSELL. If there is no fight against us, I presume they would not take over an hour or an hour and a half. We can not tell how much time may be taken, but we hope very little.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. Russell]?

There was no objection.

SUPPLEMENTAL REPORT ON HOUSE BILL 122.

Mr. RAKER. Mr. Speaker, several days ago the Committee on the Public Lands filed a report, which has been printed. It is No. 178, and is a report on House bill 122. In preparing that report two important letters were left out, and I ask unanimous consent to file a supplemental report including those two

letters, from the Department of the Interior and the Reclamation Service. (H. Rept. 178, pt. 2.)

The SPEAKER. The gentleman from California [Mr. Raker] asks unanimous consent to file a supplemental majority report on House bill 122. Is there objection? [After a pause.]

The Chair hears none, and it is so ordered.

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I am obliged to my friend from Missouri [Mr. Russell] for his courtesy. I now move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11338) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes

Mr. BOWDLE. Will the gentleman withhold that motion for a moment, until I make a request for unanimous consent? I would like to have unanimous consent to make a statement to the House on a matter of some interest to me, and which will not take more than two and one-half minutes.

Mr. MOON. I withhold for that length of time.

The SPEAKER. The gentleman from Ohio [Mr. Bowdle] is recognized for two and one-half minutes.

PATENT OFFICE MODELS.

Mr. BOWDLE. Mr. Speaker, I desire to bring to the attention of the House a rather curious matter, in which I take more than ordinary interest, not at all with the view of securing immediate action, for some committee consideration will be required, but with the view of directing the Members' attention to a new subject, so that rapid action may be obtained when the matter comes up formally.

There is stored in the cellar of this Capitol a vast collection of mechanical models belonging to the Government and in the care of the Patent Department. These models are of devices in which patents have been allowed and patents refused, and all are for patents now expired.

These models are full of interest and educational value to the thousands of young men who are receiving their education in our industrial and scientific schools.

The history of electricity is there, from Volta and Ampere to Edison, in models.

The history of the stationary steam engine is there, from James Watt to George Corliss, in models.

The history of the locomotive is there, from John Stephenson to our own Vauclair.

The history of the marine engine is there, from Fulton nearly down to Curtis and Parsons.

I am advised by Mr. Frazier, Assistant Commissioner of Pat-ents, that there is in the collection a model made by Abraham Lincoln of a device for helping flatboats over sand bars.

At present these models are utterly useless where they are and are suffering deterioration.

Our schools need them. They can be loaned for temporary exhibition purposes to the schools of America.

A movement for this use of them has commenced in Cincin-

A movement for this use of them has commenced in Cincinnati under the leadership of Mr. John L. Shearer, a conspicuous educator there. That city has one of the finest and oldest industrial and scientific schools in this country—the Ohio Mechanics' Institute. It is devoted almost entirely to the mechanic arts and allied sciences. It is especially adapted to the education of young men who are neither cursed nor blessed education of young men who are neither cursed nor blessed with fortune. Recently it has come into a noble building by the benefaction of a Cincinnati lady conspicuous for her good works, Mrs. Emery; so that to-day I think it is in advance of even the Franklin or Spring Garden Institutes, of Philadelphia, most reputable schools. This institute is arranging for an industrial museum, after the fashion of the South Kensington Museum, of London. As part of that museum, these models are needed. What it is that is wanted is best told in models are needed. What it is that is wanted is best told in a resolution which I shall introduce to-day. Senator Pome-RENE will introduce a similar resolution in the Senate to-mor-row; at least, I am to make that request of him. Allow me to read the resolution. It is brief and is designed to allow all such schools to share in these models. I read:

House joint resolution 198, to authorize the Commissioner of Patents to make temporary loans of models, deposited with Patent Office as exhibits and not as a part of the record, to certain educational institutions located in the continental United States.

Resolved, etc., That the Commissioner of Patents be, and he is hereby, authorized in his discretion, to loan to educational institutions devoted chiefly to the mechanic and industrial arts and related sciences located within the continental United States such of the models deposited and stored within the Patent Office of the United States, as exhibits only and not as part of the record of any patent issued or pending, for temporary use by such institution, without charge to the Government, in buildings secure against fire or other ordinary hazard, and on such terms as to time of loan and conditions of holding as may be fixed by said Commissioner of Patents.

The Patent Department of the Government is agreeably disposed to this resolution.

I am obliged to the House. [Applause.]

POST OFFICE APPROPRIATION BILL.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Tennessee [Mr. Moon] that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill (H. R. 11338).

The motion was agreed to.

The SPEAKER. The gentleman from Virginia [Mr. HAY]

will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill, with Mr. Hay in the

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill, which the Clerk will report by title.

The Clerk read the title of the bill, as follows:

A bill (H. R. 11338) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes.

The CHAIRMAN. When the House adjourned last evening the gentleman from Connecticut [Mr. Reilly] had offered an amendment.

Mr. REILLY of Connecticut. Mr. Chairman, I wish to amend that amendment.

The CHAIRMAN. The gentleman from Connecticut moves to amend his amendment.

Mr. DIES rose

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. DIES. I wish to make an inquiry.
The CHAIRMAN. The gentleman will state it.
Mr. DIES. I want to know, Mr. Chairman, what is the parliamentary status of an amendment to the pending bill which

was stricken out on a point of order yesterday?

The CHAIRMAN. The amendment offered by the gentleman from Connecticut [Mr. Reilly] was not the same amendment as was stricken out on a point of order. Some change was made in it, and therefore it was not the same amendment as was stricken out on the point of order.

Mr. DIES. Is that amendment open to discussion—the amendment offered by the gentleman from Connecticut? I would like to know, Mr. Chairman, if the amendment offered by the gentleman from Connecticut, somewhat similar to the one stricken out on a point of order, is now open to discussion?

The CHAIRMAN. It is. The gentleman from Connecticut

offered an amendment, and the gentleman from Wisconsin [Mr.

STAFFORD] offered a substitute amendment.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. When the committee rose last evening, I

believe I had the floor. Am I entitled to recognition?

The CHAIRMAN. It is the understanding of the Chair that the gentleman from Wisconsin has the floor on his substitute. Mr. STAFFORD. Am I entitled to proceed? I have no ob-

jection to the new amendment of the gentleman from Connecticut being offered for information.

Mr. REILLY of Connecticut. I understood I had the gentle-

man's permission.

The CHAIRMAN. The amendment offered by the gentleman from Connecticut as a substitute for his amendment will be read by the Clerk for information.

Mr. MANN. It was an amendment to his amendment. The CHAIRMAN. Very well.
Mr. STAFFORD. I have no objection to its being read for information.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

Amend the amendment by striking out the figures "\$134,500," where they appear in the amendment and insert at the end of the paragraph the following: "To enable the Postmaster General to carry out the provisions of the above, \$134,500."

The CHAIRMAN. The gentleman from Wisconsin [Mr. Staf-

FORD] is recognized.

Mr. STAFFORD. Mr. Chairman, may I ask unanimous consent to have the amendment offered by the gentleman from Connecticut [Mr. REILLY] as amended read for the information of the committee, and also the substitute that I had offered read?

The CHAIRMAN. The Clerk will read the amendment, with-

out objection.

There was no objection.

The Clerk read as follows:

The Clerk read as follows:

The Reilly amendment as amended: On page 17 strike out lines 1 to 13, inclusive, and insert in lieu thereof the following:

"That hereafter the Postmaster General shall have authority to employ acting employees in place of all employees or substitutes hereinafter mentioned who are injured while on duty, who shall be granted leave of absence with full pay during the period of disability, but not exceeding one year, then at the rate of 50 per cent of the employee's salary for the period of disability exceeding one year, but not exceeding 12 months additional, and to enable the Postmaster General to pay the sum of \$2,000, which shall be exempt from payment of debts of the deceased, to the legal representatives, for the benefit of wife, children, or dependent relatives of any railway postal clerk, substitute railway postal clerk, supervisory official of the Railway Mail Scrvice, post-office inspector, letter carrier in the City Delivery Service, rural letter carrier, post-office clerk, or special-delivery messenger who shall be killed while on duty or who, being injured while on duty, shall die within one year thereafter as the result of such injury, \$134,500. *Procided, That no compensation shall be paid any such employee for any injury occasioned by his own negligence. To enable the Postmaster General to carry out the provisions of the above, \$134,500."

Mr. MANN. Mr. Chairman, I have no doubt the Clerk has it

Mr. MANN. Mr. Chairman, I have no doubt the Clerk has it correctly, but he did not read the amendment quite correctly. He should have read: "The Postmaster General is authorized to pay the sum of \$2,000."

The Clerk read as follows:

But not exceeding 12 months additional, and the Postmaster General is authorized to pay the sum of \$2,000.

Mr. STAFFORD. Now, Mr. Chairman, I ask unanimous consent that the Clerk also read the substitute that I offered.

The CHAIRMAN. Without objection, the Clerk will read the substitute offered by the gentleman from Wisconsin [Mr. Staffered] FORD].

There was no objection.

The Clerk read as follows:

The Clerk read as follows:

Page 17, line 13, insert as a substitute for the pending amendment the following:

"That any employee of the Postal Service who is disabled by accidental injury not due to his own negligence, received while performing his official duties, may be granted leave of absence with full pay during the period of his disability, but not for more than one year, and then at half pay for the further period of disability, if any, but not exceeding one year additional; and if he dies within a year as a result of the injury, leaving a widow, or children under 16 years of age, such widow and children shall be entitled to receive, in such portions as the Postmaster General may decide, the sum of \$2,000; and in the event that no such widow and children survive him and he leaves dependent parents or dependent brothers or sisters, then such parents, brothers, and sisters, shall be entitled to receive, in such portions as the Postmaster General may decide, the sum of \$1,000; and the Postmaster General is hereby authorized to employ substitutes in place of such injured employees while absent during such period of disability, for which purpose \$150,000 is appropriated."

Mr. STAFFORD. Mr. Chairman, the objections that I have to the amendment offered by the gentleman from Connecticut [Mr. Reilly], which amendment is substantially the provision

carried on page 28, are the following:

Under his amendment provision is made for 90,000 employees, but no provision is made for 2,000 of the most meritorious men in the service, namely, the 1,400 laborers who are employed at salaries ranging from \$720 to \$840; for the chauffeurs who are employed in the operation of Government automobile delivery wagons, and for the mechanics connected with the service.

Another very pointed objection that I have to this amendment is that the proviso seeks to limit the compensation to those who are not injured by reason of their own negligence, but there is no provision whatsoever in the amendment offered that will prevent the payment of \$2,000 to the legal representatives of any employee who may die as the result of his own negligence.

Mr. REILLY of Connecticut. Will the gentleman yield? Mr. STAFFORD. Not until I have stated my objections to the amendment. Thirdly, the provision as presented would authorize the payment of \$2,000 to legal representatives for the benefit of wife, children, and dependent relatives, leaving it to the local court or the legal representatives, perchance, to determine the portions in which this money shall be paid, or who shall be considered dependent relatives; whereas in the substitute that I have offered, which is framed along the lines of the best thought of workmen's compensation acts, there is no such uncertainty. As we are here adopting a rule that should be followed in other branches of the service, I claim that this House should not vote \$2,000 haphazard to some legal representative, but that they should vote this money directly to the widow, to the minor children, if there are any, under 16 years of age; or \$1,000, if there is no widow and if there are no minor children, to the dependent parents or dependent brothers or sisters.

Mr. LENROOT. Will the gentleman yield?

Mr. STAFFORD. I yield to my colleague.
Mr. LENROOT. Is it not also true that under the original phraseology the money must be paid to the legal representatives,

whether there are any dependents or not?

Mr. STAFFORD. That was the case in the original phrase The amendment that has been proposed is only a hotchpot of a provision that we carried for years, applying only to the railway mail clerks. But, if we are going to establish a general policy

Will the gentleman yield? Mr. HAMILL.

Mr. STAFFORD. Not now, but I will as soon as I have explained this. If we are going to establish a general policy toward 90,000 postal employees, then I say this money should also extend to those most deserving. The substitute I have framed is copied from the workmen's compensation acts of some of the States, containing the latest thought on this subject. It provides that the \$2,000 shall go first to the widow or minor children under 16 years of age, to be apportioned in amounts according to the discretion of the Postmaster General. That will prevent any expenses of administration being deducted from this \$2.000. The money will be parceled out directly to the widow and the minor children. Perchance an employee may die leaving no widow, but leaving a grown son, who may be 25 years of age, and able to earn his own livelihood. Yet the Government would pursue the policy under the amendment offered by the gentleman from Connecticut of paying \$2,000 to the legal representatives for his benefit. There is no workmen's compensation act that I have been able to find that would justify the Government, or any private establishment, paying Government is going into this policy of paying gratuities to those who are not dependent, as in the case I have instanced, then let us vote haphazardly these amounts of money without any restriction whatsoever.

The CHAIRMAN. The time of the gentleman from Wisconsin

Mr. STAFFORD. I ask unanimous consent to proceed for five minutes more

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that he may proceed for five minutes more. Is there objection?

Mr. HAMILL. Mr. Chairman, reserving the right to object,

will the gentleman allow me-

Mr. STAFFORD. I stated to the gentleman that I would be glad to yield to him in a moment after I had explained this. There is no reason for reserving an objection.

The CHAIRMAN. The Chair hears no objection.
Mr. STAFFORD. There is this other difference in the substitute I have offered, that if there is no widow and no minor children under 16 years of age, then the Government is not obli-

gated to pay any money whatever unless there is a dependent parent or dependent parents or a dependent brother or sister. Then the amount is \$1,000. It is hard to conceive why we should pay \$2,000 to an extremely old, dependent parent, and, in my opinion, \$1,000 would be adequate to pay to a dependent parent or a dependent brother or sister; whereas in the omnibus provision that has been suggested by the amendment of the gentleman from Connecticut [Mr. REILLY], if there happened to be a dependent relative, no matter how far removed the lineage might be, the Government would be obligated to pay \$2,000 to the legal representatives, maybe for a dependent aunt; whereas there is no State compensation act, so far as my investigation goes, which authorizes the payment of compensatory allowance beyond those degrees of relationship I have stated here. Now I will yield to the gentleman from New Jersey.

Mr. HAMILL. As I understand, the gentleman's main objection to the amendment as amended by the gentleman from Con-

necticut seems to be-

Mr. STAFFORD. I only yield for a question.
Mr. HAMILL. The gentleman's main objection seems to be that it is not as broad as the one which is now under discussion, Mr. STAFFORD. I have stated three objections.

Mr. HAMILL. But the main one is that the amendment of the gentleman from Wisconsin has a wider scope?

Mr. STAFFORD. Mine favors all in the Postal Service-does not omit laborers, chauffeurs, and mechanics.

Mr. HAMILL. Why not allow the amendment which is narrower to go through and gather behind it the general pension

bills now before the committee?

Mr. STAFFORD. I get the scope of the gentleman's inquiry We are enacting permanent legislation. and I will answer it. If this amendment offered by the gentleman from Connecticut is adopted, it means a law for the Postal Service for years and years to come. Provision has been made under the other amendment for every organized branch of the service, and for the poor laborers, who receive \$720 and \$840, who are subjected to more dangerous and hazardous work than the letter carrier or the rural carrier, no provision is made whatever. I say it is not fair legislation to exclude the unorganized, those who are subjected to more hazardous work, and favor those who have a powerful organization. While we are legislating extend it to all and do not play favorites. Extend it to those who have not an organization

If this amendment offered by the gentleman from Connecticut passes in this form, there will be no chance for years and years What justification can be shown for excluding the laborer, the chauffeur, and the mechanic, all engaged in hazardous employment, and include the letter carrier and the rural carrier, who is not subjected to hazardous employment? How can you justify paying \$2,000 to the adult son of some man, able to support himself, just because perchance he is the son of a man employed in the Postal Service?

Mr. REILLY of Connecticut. He must be a dependent son. Mr. STAFFORD. No; the gentleman's amendment does not say that. It does not say dependent children. I challenge the gentleman to cite any workmen's compensation act where they pay the money to a child over 16 or 18 years of age unless he is dependent.

Mr. CALDER. Does the gentleman from Wisconsin say that

a child over 21 years of age could get this \$2,000?

Mr. STAFFORD. He could under the amendment of the

gentleman from Connecticut.

Mr. REILLY of Connecticut. Mr. Chairman, the amendment I have offered is an amendment favored by the great majority of the Post Office Committee on both sides. The gentleman's amendment which he has offered is favored only by himself. He sees fit to call ours a hodgepodge and is asking in his amendment compensation for chauffeurs. The fact is, 90 per cent of the men who drive the mail-wagon automobiles are under the employment of private contractors.

Mr. STAFFORD. Will the gentleman yield?

Mr. REILLY of Connecticut. Yes.

Mr. STAFFORD. They are not postal employees. I am re-

ferring to postal employees.

Mr. REILLY of Connecticut. If they are postal employees, they are classified as carriers; but the chauffeur is the employee of a private contractor. And yet the gentleman from Wisconsin is shouting for economy.

Mr. STAFFORD. Will the gentleman yield? He has some

Mr. HAMILL. Mr. Chairman, the purpose of this amendment of the gentleman from Connecticut is to vest the Postmaster General with power to give compensation to postal employees injured in the performance of duty, and to authorize him in cases where death results from injuries incurred in line of duty to pay the sum of \$2,000 to those depending on the employee for support. The amendment provides that in the event of injury the Postmaster General can allow the employee, first, a leave of absence for one year with full pay, and secondly, on the expiration of this first period, an additional leave of absence for another year, if necessary, during which second year the employee shall receive 50 per cent of pay. The authority to make payment of \$2,000 to the legal representative of the deceased employee exists only where death occurs within one year from the date of injury.

This clause is predicated on the doctrine of employers' lia-

This clause is predicated on the doctrine of employers' liability. It is one of several meritorious measures calling for fair treatment on the part of the Government toward its civil servants which in recent years have been introduced in Con-

gress.

I myself for the past few sessions have introduced a similar measure. My measure forms a part—the part dealing with disability—of a civil-pension retirement bill which I hope to have this House and the Senate consider and pass before the close of the present session.

My measure providing compensation in case of disability differs somewhat in details from the one now before us, but rests upon the same general principle and is supported by the same

solid reasons.

But it is creditable to the committee that they have reported this clause, and I fervently favor and support it. I can not, as a matter of fact, entertain the thought that anyone could be opposed to it, at least not after finding out what is its purport and becoming informed of the situation to which it is intended to apply. The design of this section is to afford to the postal clerks and letter carriers of the country some encouragement and recompense to cheer them on in the devoted performance of their arduous daily tasks.

The postal clerk and the letter carrier are working always in constant peril of life and limb. I know of a letter carrier in my own home city, Jersey City, who alighted from an electric car carrying a heavy quantity of mail. As he passed in the rear of the car on which he had been riding and was proceeding across the other set of tracks, he was unable to see a car coming in the opposite direction, and as a result was struck by it and killed. His next of kin obtained no compensation from

the Government.

I was informed of another instance where a letter carrier slipped on a sidewalk made dangerous by frost and sleet and broke his kneecap. This man was incapacitated for the remainder of his life, yet not a single dollar did the Government contribute to aid him in his unequal struggle for a living.

And every city has its own list of honor bearing the names of men killed or injured in the performance of their toilsome tasks to whom or to whose dependent families or relatives the

Government has never awarded any compensation.

With the parcel-post feature added to the activities of our post offices, these working conditions are bound to grow more dangerous. Clerks and carriers will be and are now subjected to continual risk of death or bodily injury, and ordinary justice voices the demand that the Government requite them.

The employers' liability laws of the States compel the payment of compensation in the event of a workingman's death or disability. The three stock defenses known as the assumption of the risks of the business, the fellow-servant rule, and the doctrine of contributory negligence have been abolished from the statute books. Even under the old common law, rigorous and antiquated though it is, in its application to modern industrial conditions did not altogether deprive the employee of the right of recovery; but the Government employee in the Postal Service has not even the poor and inadequate protection given to a private employee under the common law.

It is high time the Government heeded the demands of fairness and equity and took a more enlightened view of its relations to its public servants in the minor governmental positions. If it will not be, as it should be, a model employer, it ought, at any rate, to be an honest employer. The people demand this, at least, as a minimum, and we ought to grant no less.

at least, as a minimum, and we ought to grant no less.

The gentleman from Wisconsin offers in place of this amendment a substitute which increases the classes of employees to which this relief would apply, and calls upon us to pass it.

But, Mr. Chairman, the great difficulty with the proposal offered by the gentleman from Wisconsin is that although seemingly tender in its purposes it is calculated to cause its own undoing by broadening the scope of this piece of remedial legislation beyond reasonable limits, and thus he does more to secure the defeat of the whole proposition than the most pronounced opponent on the floor of the House.

Mr. STAFFORD. Will the gentleman from New Jersey yield?

Mr. HAMILL. Yes.

Mr. STAFFORD. When this provision was pending last night it was within my power to reserve a point of order, but I did not do so because I am in entire sympathy with the proposition. If I can not secure the adoption of my amendment, I intend to vote for the amendment of the gentleman from Connecticut.

Mr. HAMILL. Mr. Chairman, I did not say that the gentleman was deliberately hostile, and I am not saying it now. I even go so far as to say that I would like to see the amendment so drawn that instead of taking in postal employees it would extend to every classified employee of the Government. But we can not get that at this time. Hence, I say this substitute will bring about its own rejection by its broadness. We must get something feasible through at this time. This amendment of the gentleman from Connecticut includes all the men in one class of hazardous employment and asks that they be taken care of now. It embodies a proposition which has been in the minds of legislators for years. Other classes of Government employees can be taken care of in a scientific way, and I hope in a short time under the general pension bills now pending before Congress and under my own pension bill in particular.

But these letter carriers, postal clerks, and other civil employees comprised within the amendment of the gentleman from Connecticut are performing work in which they are subjected to constant hazards and dangers, and it is only fair that in legislating on a bill for postal purposes we should adopt it as meeting the situation properly and reject the substitute as being

inappropriate, [Applause.]

Mr. STEENERSON. Mr. Chairman, the proposition offered by the gentleman from Connecticut [Mr. Reilly] is faulty and is somewhat improved by the proposition offered by the gentleman from Wisconsin [Mr. Stafford]. I have a proposition drawn very carefully by himself which I think improves the proposition drawn by the gentleman from Wisconsin. I had this matter up before the committee, and I offered several drafts in lieu of the one adopted in committee, and I have given the matter careful consideration. The first point of difference between the proposition offered by the gentleman from Wisconsin [Mr. Stafford] and the amendment of the gentleman from Connecticut [Mr. Reilly] is that the first provides for compensation to certain specified employees in the Post Office Department, but omits others because they are not mentioned. and it falls to state definitely and specifically that the Gov-ernment is liable only where the accident or injury occurs by reason of the employment of the person injured, that it occurred in the line of duty. Next, it provides that the sum to be paid-\$2,000-shall be paid to the legal representatives of the deceased, whether the deceased had any persons dependent on him or not. Clearly that is unwarranted, because if a person dies, having no dependent relatives, the Government ought not to pay anything. The gentleman from Wisconsin has limited the compensation to dependent sisters, brothers, wife, and children, but my proposition, which I have drawn, includes other dependent relatives. I want Members to bear that in mind. The gentleman from Illinois [Mr. Fowler] made that point when we had the matter under consideration in committee, that we ought to include dependent persons who might not be relatives. For instance, there might be an adopted child dependent upon its adopted parent, and equity and justice would require the same treatment. That is the one difference between the draft of the amendment that I have completed and the proposition of the gentleman from Wisconsin.

The amendment that is pending, if I understand it, and I think I do, provides that there shall be a compensation of \$2,000 in case of injury, whether there be any relation of cause and effect between the employment and the injury or not. All that is required to be proven is that the injury occurred coincidentally in point of time with the employment, and not that it was the result of the employment. Manifestly it is unreasonable to require the Government to pay any such claim where there is no relation of cause and effect between the injury and

the employment.

With reference to the question of administration, the Department of Commerce and the Navy Department have employees that receive compensation in case of li,jury, and compensation is also paid in case of death which occurred in the line of duty or employment. The dependent relatives are paid under that law, and not the legal representatives. Where legal representatives are required it is taking so much money out of the estate. The Postmaster General and the Secretary of Commerce and the Secretary of the Navy can just as well pay the money to the designated relatives as to pay the money to a legal representative appointed by a probate court. The appointment of a legal representative involves the administration of the estate, and these laborers and common clerks probably have no other estate, so that we will be taxing

them unnecessarily for the appointment of an administrator. I have talked with the Secretary of Commerce to-day over the telephone, and I talked with the Department of the Navy, where they administer this compensation act with reference to navy-yard employees, and both of these officials say that the provision for a legal representative is not necessary; that they are having no difficulty in administering the law by paying the money directly to the dependent relatives.

The CHAIRMAN. The time of the gentleman from Minne-

sota has expired.

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEENERSON. Mr. Chairman, we may as well provide for all postal employees, and the draft that I have completed does that. So does the amendment offered by the gentleman from Wisconsin [Mr. Stafford], and there can be no reason for going piecemeal at this matter. The Postmaster General in 1912 recommended substantially this same law. He put it in so many words in his report, and I prepared and introduced a bill two years ago substantially like the amendment now offered by the gentleman from Wisconsin, with the exception that the gentleman from Wisconsin has a limitation upon the amount to be paid to relatives of \$1,000 instead of \$2,000.

Now, as to the wisdom of the limitation I beg to differ. It seems to me that \$2,000 is small enough. From the conversa-tions I have had with the department officials who administered the workmen's compensation as to Government employees, they all think that the compensation here provided would be reasonable and not excessive. I would like to have this proposition of mine read in my time by the Clerk. I presume it is an amendment in the third degree, and therefore not in order; but I ask to have it read for the information of the House in

my time.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to have the amendment read for the information of the House. The Clerk will read.

Mr. J. M. C. SMITH. Will the gentleman yield for a ques-

tion?

Mr. STEENERSON. As soon as this is read. Let it be read first.

The Clerk read as follows:

On page 10, line —, insert the following:

"Any employee of the Postal Service who is disabled by accidental injury, not due to his own negligence, received while performing his official duties may be granted leave of absence with full pay during the period of his disability, but not more than one year, and then at half pay for the further period of disability, if any, but not exceeding one year additional; and if he dies within a year as a result of the injury, leaving a widow or children under 16 years of age, or dependent parents, or other dependent persons, such widow, children, dependent parents, and other dependent persons shall be entitled to receive, in such portions as the Postmaster General may decide, the sum of \$2,000."

Mr. STEENERSON. Now I yield to the gentleman from Michigan.

Mr. J. M. C. SMITH. Can the gentleman state how many deaths occurred last year in this service which would be entitled

to the compensation

Mr. STEENERSON. No; I could not; but I am advised by the department that is administering the workmen's compensation that there are not many, and I do not think there would be many in the Postal Service. In my judgment and observation, there are not many killed or injured except in the hazardous employment of railway-mail clerks. You will observe that this dispenses with an administrator, a useless and unnecessary expense for most of these estates, and we pay not only to the dependent children, parents, brothers, and sisters provided for in the proposition of the gentleman from Wisconsin, but also to other dependent persons, and I have said there might be cases where other dependent persons would be as much entitled to it, like adopted children, as natural children; and for that reason I submit this is a carefully prepared proposition, and I hope that you will see fit to adopt it.

Mr. WALSH. I would like to ask the gentleman from Minne-

sota a question.

Mr. STEENERSON. Yes: I vield.

Mr. WALSH. Would the gentleman from Minnesota or the gentleman from Wisconsin or the gentleman from Connecticut be willing to change the phraseology of their amendment which reads "not due to their own negligence" so as to read "not due to willful negligence"?

Mr. STEENERSON. Well, I would be perfectly willing to do

Mr. WALSH. Then I would ask to have the amendment changed so as to conform to that.

Mr. DECKER. Will the gentleman yield?

Mr. STEENERSON. Yes

Mr. DECKER. I would like to call the gentleman's attention to this fact and ask whether he has ever thought of the proposition, that as a legal proposition and as a proposition of ordinary interpretation of language there is no such thing as "willnegligence. Negligence is failure to exercise ordinary care that an ordinary prudent person would exercise under the same or similar circumstances.

Mr. STEENERSON. I think the gentleman's definition is

probably correct.

Mr. DECKER. Whereas willful negligence by all law writers and other writers is inconsistent. Willful means intentional.

Mr. STEENERSON. I appreciate the gentleman has a very

analytical legal mind, and I see the distinction.

Mr. FINLEY. Mr. Chairman, this debate is not unusual for the members of the Post Office Committee. Many years ago this matter was taken up, at first for the benefit of the railway postal clerks. The language which is brought by the committee in the bill which is before the House was supposed to be what would be the best generally when the railway postal clerk was either killed or injured. Now gentlemen come here with varying propositions, and I may say to them that practically all of this legislation is patterned after—I do not mean strictly, but patterned after-Lord Campbell's act. I have listened to the debate here, in the committee, and elsewhere, and I find that nearly every Member who takes up this question has the law of his own State in mind.

Mr. STEENERSON. Will the gentleman yield?

Mr. FINLEY. Certainly.

Mr. STEENERSON. Does the gentleman think it is anything wrong to copy after the Lord?

Mr. FINLEY. I am afraid some of my friends over there do not do that. So that Members come here with the idea that the law in their particular State is the correct law. we must provide a law-and we have provided heretofore for railway postal clerks injured or killed-that will suit the entire country, and I say to these gentlemen who pattern after the laws of the various States that the average amendment that is brought here to change the language as we now have it would simply make the Post Office Department, so to speak, a probate court, a court of law to pass on facts, and all of that.

This matter has been debated for many years in the Committee on the Post Office and Post Roads, and we decided, and I think correctly and wisely decided, that to pay the money to the legal representative of the injured person, or the person who lost his life in the service, was about the fairest and best thing that could be done in the premises. Now, we can not follow the law of Missouri, or Wisconsin, or Kansas necessarily. But we must make one law that will fit all cases, and that is what the committee has done. So I submit, Mr. Chairman, that here is only an attempt to enlarge the scope of benefit-to extend the benefits that heretofore applied to railway mail clerks to other employees mentioned in the amendment of the gentleman from Connecticut [Mr. REILLY]. There are those who would have it extend to every person in the service. Well, I am not disputing the rightfulness of that proposition, but I say that this is a postal matter, and we are dealing with postal employees, and when we have succeeded in doing that work we have done our duty in the premises.

Mr. LLOYD. Under the Reilly provision, how much is there paid to the widow when there is a widow and children?

Mr. FINLEY. I will say that under the Reilly proposition, and under the law as it has been heretofore, the money is paid to the legal representatives. Each of the employees has a domicile or legal residence, and the money is distributed under the law of the jurisdiction where the party had his residence.

Mr. LLOYD. Then, if in the State the money would go to the widow, under this provision it would go to the widow?

Mr. FINLEY. Certainly.

Mr. LLOYD. And if in a State it went to the widow and children in equal parts, then under this provision it would go to the widow and children in equal parts, depending on the law of the State?

Mr. FINLEY. That is the right view of it.

Mr. LLOYD. And the provision does not show how much goes to the wife or children or dependent relatives?

Mr. FINLEY. But it states how much shall go to the repre-

sentative of the person killed.

Mr. WALSH. I would like to ask the gentleman from South Carolina whether he would deprive an injured employee from compensation if an accident happened which to him was un-foreseen, and which by the authorities was claimed should have been foreseen by him, and was therefore due to his negliMr. FINLEY. I will say to the gentleman that the term "negligence" is one of broad significance, and it depends upon the facts and circumstances in each particular case. There has been no complaint heretofore that the Post Office Department has improperly or in any technical way administered this law, and I may say there will be none in the future.

Mr. STAFFORD. Will the gentleman yield?

Mr. FINLEY. Certainly. Mr. STAFFORD. Take a supposititious case, that of a postal clerk dying and leaving a widow and children who are above 16 years, or above 18 or 21 years of age; would it be distributed to the widow or the widow and children under the law of distribution in the State, so that the money would not go exclusively to the widow, as it should do?

Mr. FINLEY. I will say to the gentleman this, that this law is presumably made to fit cases happening generally throughout the country, and there is no intention here in the Reilly amendment to discriminate against anybody.

Mr. STAFFORD. There may not be any intention, but it

Mr. FINLEY. Well, that is a matter of opinion. I do not think so.

Mr. LOGUE. Will the gentleman yield?
Mr. FINLEY. Certainly.
Mr. LOGUE. The understanding is, therefore, to let the law of the place of domicile control?

Mr. FINLEY. That is the way I understand it.

Mr. LOGUE. So, in Pennsylvania it would be one-third absolutely to the widow and the rest for distribution to the chil-You consider the law of the State in which the employee lives is the best one to determine it?

Mr. FINLEY. I think so.

Mr. STAFFORD. How can you justify paying \$2,000 at the rate of one-third to the widow and two-thirds to children who are of age, as it would be under the law of Pennsylvania, as stated by the gentleman?

Mr. LOGUE. My understanding was that the State passing the intestate law would do the wisest thing under the cir-

Mr. FINLEY. It would govern the law of descent and distribution. That is my view. I do not see how any other view can prevail here and give satisfaction to the country. So that the law of South Carolina, the law of Pennsylvania, the law of Wisconsin and the other States should govern, and it does govern. I will say to the gentleman I think there were only x killed last year. There were quite a r Mr. STAFFORD. There were nine killed. There were quite a number injured.

Mr. FINLEY. Nine. Mr. LLOYD. Is not this more in the nature of an insurance than anything else? Is it not true that in all insurance mat-

The CHAIRMAN. The time of the gentleman from South Carolina [Mr. FINLEY] has expired.

Mr. FINLEY. Mr. Chairman, I ask for five minutes more. The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to proceed for five minutes. Is there objec-

There was no objection.

Mr. FINLEY. I yield to the gentleman from Missouri for

Mr. LLOYD. Is it not true that in all matters of insurance the insured individual controls the destination of his own policy, and the policy usually provides that the payment shall go to the wife?

Mr. FINLEY. In the matter of accident and health insurance I believe he always controls, and there is no law in any State which in any way interferes with his disposition of the funds arising on account of an accident.

Mr. LLOYD. Does not the gentleman think that in a case like this, if the Government is going to make a gratuity, it ought to provide that the money should go to the man's widow in the event of his death?

Mr. FINLEY. Oh, I will say to the gentleman that that brings up the question we started out with, namely, What is the best policy, generally speaking? What general law will best suit the needs of the whole country? I say that in my opinion, and in the opinion of the committee, the laws of the various States of the Union should be left to govern the disposition of this fund.

Mr. LLOYD. The misfortune is that the law of the States is not made with reference to this fund. The law of the States is made with reference to the personal estate which the indi-'dual possessed at the time of his death, and he certainly 's not possess this at the time of his death.

Mr. FINLEY. I understand that; but if you followed out the laws of the various States you would have to make 48 different provisions here, and you can not do that.

Mr. LOGUE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Pennsylvania?

Mr. FINLEY. I do. Mr. LOGUE. The provision that it shall go to the personal representative, with the proviso exempting it from use for the payment of debts, means to practically make it a family fund and permit the courts of the decedent's domicile to determine the relative rights, either in accordance with intestate law or in accordance with the peculiar circumstances that may have arisen, because it might be that a wife had deserted or it might be that the husband and wife were not living together. Other circumstances might arise, and instead of the department being brought into those details the intention is to let the facts be ascertained and determined by the courts of the State in which the man resided.

Mr. FINLEY. The gentleman means to have the question

thrashed out in the various States?

Mr. LOGUE. Yes; to put it in the proper channel.
Mr. FINLEY. Yes. I believe there were 9 postal clerks killed last year and 150 or 175 injured—a relatively small number. This is attributable largely to the fact that we are beginning to use more and more steel cars in the Postal Service.

Now, as to the other employees mentioned here, I know of very few instances—I can not recall more than half a dozen where parties have been killed or injured in the discharge of their duties as postal employees aside from railway mail clerks. They are very few, and I may say that it will be found that in the administration of this proposed amendment, if it becomes a law, very few cases will arise. Why, there are no such risks elsewhere as those which the railway postal clerk takes; but inasmuch as there are a few cases arising, they should all be placed upon the same plane and receive the same benefits in the case of accident or death. So, Mr. Chairman, I hope the amendment offered by the gentleman from Connecticut [Mr. REILLY] will prevail, and I hope the amendments and substitutes to that amendment will be voted down. They should be voted down. [Applause.]

Mr. DIES. Mr. Chairman, the present consideration of this matter illustrates very forcibly the truth that we ought not to place legislation of this sort upon an appropriation bill.

Here is a piece of legislation of most serious import tacked on to an appropriation bill. Important amendments are under consideration, and neither myself nor any other gentleman on the floor of this House knows the contents of a single amendment.

It is proposed in this appropriation bill to tax the people of the United States to create insurance for certain employees of the Government. This is not a new question. This is only a bite out of a very large question which is pending to-day before the Congress in some of its committees. I happen to be a member of the committee known as the Committee on Reform in the Civil Service. The gentleman from New Jersey [Mr. HAMILL] a moment ago stated correctly that he has a measure pending before that committee to pension all of the civil-service employees of the United States Government.

Mr. BRYAN. Will the gentleman yield?
Mr. DIES. I have no time. I decline to yield. There are almost 400,000 civil-service employees of the Government who are knocking to-day and every day at the door of the Treasury to be pensioned by the Government. The President before this one recommended that they be pensioned. Almost any day now the Committee on Reform in the Civil Service are likely to bring out a bill here to pension the 400,000 civil-service employees of the Government; and if you pass this bill, then there is no reason why they should not be pensioned. But why should you take money from the taxpayers of the country and give it to the lucky one who has a job? You are proposing here to take care of rural carriers and city carriers and assistant postmasters, some 90,000, I believe.

Mr. MADDEN. No; not assistant postmasters.

Mr. DIES. I do not know what is in the amendment. It was read in confusion. I doubt if its author could repeat a line that is in it. A number of employees of the Post Office Department are to be provided for out of the taxes of the people, 90,000 of them, some gentleman has stated. Why should not the other 400,000 civil-service employees be provided for as well? Here are 400,000 jobs in the Government. If placed up at auction, they would bring many millions of dollars. Ten men can be found who would be glad to fill each of these jobs as well as they are being filled now. But so anxious are we to make politics by appropriation, so anxious are we to please the rural

carriers and the city carriers, and so indifferent are the people who pay the taxes of the country that we are about to tax the people to pension the fortunate officeholders.

Mr. MADDEN. Will my friend yield to me for a question? Mr. DIES. I will yield, Mr. MADDEN. Would the gentleman think it wise to put

these jobs up at auction?

Mr. DIES. No; I would not put them up at auction; but I mean to illustrate the point that the officeholders are the fortunate ones and the taxpayers are the unfortunate ones. should the taxpayers of this country pension the lucky officeholders of the country? If you give a gratuity to the 400,000 civil-service employees of the Government, why should you not give it to the common soldiers in the Army and to the common sailors in the Navy, to your postmasters, to your secretaries, and to all of officialdom in this country?

Mr. HAMILL. Will the g Mr. DIES. Make it brief. Will the gentleman yield for a question?

Mr. HAMILL. If a pension is right, does the mere fact that the hardness of industrial conditions makes it imperative that 10 men should bid for each position make a pension unjust?

Mr. DIES. Oh, I do not believe in a pension system for civil employees of the Government. I will tell you what we are doing. We are making new jobs in this Government every day. You are reaching out the long arm of the Federal Government to take over every function of the State, making new berths for officeholders every day, and at the same time you are providing new burdens for the people in order to make soft places for the officeholders of the Government. You may pass this bill and thereby get the rural carriers or the city carriers in your districts to become your political partisans; you may pass this bill, and the man in the Government employ, who eats out of the hand of the Government, may vote for you and work for you, but if the people who pay the taxes ever wake up in this Republic they will put the brand of Cain on the forehead of every Representative who votes to tax the people in order to pension the officeholder. It is a scramble to get a in order to pension the officeholder. It is a scramble to get a job, and, after it is gotten, a scramble for a pension for the job holder. Mr. Chairman, there is no reason why the lucky one should be pensioned. Here are two brothers. They both stand a civil-service examination. They have equal educations. One is lucky enough to get a job in the Government. The other is compelled to go out and farm or to be a bank clerk or to work in some other ordinary private occupation. The one who has the Government job gets \$1,200 a year. The one who is a clerk or telephone operator gets \$50 a month. If the one in private life neglects those ordinary precautions of economy and fragality and good down to allow the state of the frugality and goes down to old age without a competency it is his own lookout. Do you think it is right that the one who is unsuccessful and does not get the Government job should be taxed to pension his lucky competitor?

Mr. DYER. Will the gentleman yield?

Mr. O'SHAUNESSY. Does not the gentleman recognize the

vast army of Government employees who are underpaid—
Mr. DIES. I recognize the fact that 90 per cent of the Government jobs, if vacant to-day, would have 100 applicants for each one of them. [Laughter and applause.]

Mr. COX. Make it 100 per cent.
Mr. O'SHAUNESSY. Does not the gentleman recognize that there has been no revision in the salaries of Government employees for 50 years?

Mr. DIES. Oh, no; promotion goes on. The Government is all the time raising and increasing salaries. You have a little You have a little post office in your district that pays \$1,200 a year, and the residents of your district will about cut a man's head off in the scramble to get at it. Let a Government job be opened paying \$1,200 a year and every man knows that private employment will pay \$600 for the same work, but yet you advertise in your district that there is a \$1,200 job open and you will have a thousand applicants for it

Mr. O'SHAUNESSY. Will the gentleman yield?

Mr. DIES. Yes.

Mr, O'SHAUNESSY. The gentleman says that men are lucky who get Government jobs.

Mr. DIES. I say they think they are lucky. Mr. O'SHAUNESSY. I say that many a man who gets a Government job is unlucky.

Mr. DIES. Yes; and many a man that comes here to Congress is the most unlucky man in the world. [Laughter and applause.]

Mr. CARTER. But he stays here. Mr. DIES. I say it is true that public employment pays twice as much as private employment.

Mr. O'SHAUNESSY. I have in mind one incident. I have a man in my district who has been a Government employee in the Internal-Revenue Service, and when he entered he supposed he was getting a good job.

The CHAIRMAN. The time of the gentleman from Texas

has expired.

Mr. DIES. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes. Is there objection? There was no objection.

Mr. O'SHAUNESSY. Will the gentleman yield to me? I do not like to leave a sentence unfinished.

Mr. DIES. I will.

Mr. O'SHAUNESSY. As I was about to say, this man has been a Government employee for 19 years, and this generous Government of ours has raised his pay \$100 during that 19

Mr. DIES. Yes; and if they ever get after your man, he will have a petition with a thousand names on it asking you to help

him to hold it. [Laughter.]
Mr. DYER. Will the gentleman from Texas yield?

Mr. DIES, I will.
Mr. DYER. I want to say that I have in mind the case of a letter carrier in my city who was injured, through no fault of his, in having a heavy mail sack thrown on him, and by reason of that injury he has been paralyzed for several years, unable o earn a livelihood.

Mr. DIES. Yes; and I have in mind farmers that are half dead working to pay the taxes of the officeholders of this country, and I think somebody in an appropriation bill ought to find some way of sympathizing with the men who work to pay the taxes to sustain and pay the salaries of the officeholders of the Government.

Mr. HAMILL. Will the gentleman yield?

Mr. DIES. I have only a short time, but I will yield to the gentleman.

Mr. HAMILL. The gentleman spoke about public salaries

being higher than private compensation.

Mr. DIE3. Will the gentleman ask his question?

Mr. HAMILL. Does not the gentleman know that private employers throughout the country are obeying the voice of righteousness and now pensioning their private employees, while

the Government sticks in the old rut?

Mr. DIES. I will tell you, Mr. Chairman, the whole truth is this: Everybody wants a pension. There is a bill pending before the committee to pension the old mothers. Great God, what could appeal to you more than the aged and decrepit mothers of the land, those who gave birth to and sheltered and nurtured the Congressmen? There is another measure to pension the old school-teachers. Will you refuse to pension them after they have served faithfully and brought your children up well under a republican government? Will you turn them out into the snow and the rain? There is an age pension that takes in the old hod carrier, the farmer, the lawyer, and the old doctor.

After they have farmed and raised your bread and meat, will you suffer them to go to the poorhouse in their old age?

Mr. BARKLEY. How about the old maids? [Laughter.] Mr. DIES. Well, I will leave that to the gentleman from Kentucky to take care of. [Laughter.]

Mr. GARRETT of Texas. Does my colleague forget that all these people have lost their political pull?

Mr. DIES. I think, brethren, we are making the taxpayer the goat on every proposition. Every time a man gets tender-hearted and wants to appropriate money, he makes the taxpayer the goat upon which to saddle a new load. But the day will come when all Congressmen will be wanting a pension-the old Congressman sitting here voting pension after pension, who has sat here in his frightened condition receiving word from the carriers in his district and employees throughout the country, "We have got our eye on you," who sits and quakes and votes more pay and more pensions, will need a pension, because when the people wake up he will be out of a job.

Do you not think that perhaps the taxpayers some of these days will wake up, and that we will need a pension? to say this, Mr. Chairman, that we are proceeding rapidly along new lines of legislation in this Congress. It might be well to hark back to some of the old principles of government. Government is not constituted to support the people, but to be supported by the people. It is not the function of government to see that those who neglect to provide for old age shall have a home and a competence when old age comes. If you place Government employees on the pension roll, if you provide for them a sure protection against want in old age and insure them at the ex-

pense of the Government, you take away from those employees the incentive to economize, to be frugal, to be industrious, and to lay up something against an old age. [Applause.] farmer drives his team afield in the morning and he labors in the sun and in the rain and in the cold, and when he sows in the spring and harvests in the autumn it is with full knowledge of the fact that if he is a sluggard and a spendthrift his old age will be spent in penury and want. It is a wholesome thing that every man should stand on his own manhood and not depend upon the Government. [Applause.] You are going now to pension the 400,000 civil-service employees of the Government. Why make it civil service? Why not take in the whole army of Government employees and pension them, and then take in the old mothers and the old taxpayers and pension them, and when you do, it will be like the invalid pension bill. No man dare raise an objection to an increase of pension of an old soldier. He is almost ostracized here if he dare ask for five minutes' time in which to question the fact that we have gone from some few millions of dollars to \$180,000,000 in war pensions. Place the 400,000 civil-service employees of the Government on the pension roll, and let each one of them contribute to newspapers and organs and lobbyists, and when a man introduces a bill to increase the pension of a Government employee no man will be found in the Congress who will dare to say that they are already getting enough.

The CHAIRMAN. The time of the gentleman from Texas

has expired.

Mr. CARTER. Mr. Chairman, I ask unanimous consent that the gentleman from Texas be permitted to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DIES. Mr. Chairman, I do not want to take up a moment of time more than I think it is my duty to do. I do not believe in the doctrine of Socialism and paternalism that has become so deeply rooted in this country in recent years.

Mr. HAMILL. Mr. Chairman, will the gentleman yield?

Mr. DIES. For a brief question.

Mr. HAMILL. Will the gentleman tell us what he means by paternalism?

Oh, trying to make the Government the papa Mr. DIES. of all your constituents. [Applause and laughter.]

Mr. HAMILL rose.

Mr. DIES. Oh, I can not yield any further.

Mr. HAMILL. Just for a question.

Mr. DIES. Very well. Mr. HAMILL. Will the gentleman cease being side-splittingly witty and try to be commonsensibly logical and define his term of paternalism? [Laughter.]

Mr. HOWARD. The gentleman's statement, I think, is pretty

Mr. DIES. I will take another try at it, anyway. It is this: The gentleman desires a broader term for paternalism than the effort of men to make the Government their father. I will give it to him. The gentleman has certain civil-service employees of the Government in his district, and I have some in mine. They love their jobs—I do not want to say how much they love them. They wanted them when they got them, and they got them through the use of every means at hand. I do not blame them. They are holding onto them like grim death to a dead nigger. They now want to go to the moving-picture shows; they want to go to Keith's vaudeville show; they want to buy Huyler's candy—we all do—but they do not want to give up the pleasures that are up and down the streets of the city in which they live to do that which every prudent man ought to do—save up a part of what they make against a rainy day. [Applause.] They do not want to depend upon themselves as your farmer constituents depend upon themselves, as your country merchants and lawyers and doctors depend upon themselves; but they want the Government to put a brace on them for injured joints, and hold them up and say to them, "Go to the moving-picture shows all you please, get a little jag at pay day if you feel like it, go to the show, eat red apples and spend your money, and do not be alarmed, for your father, the Government of the United States, will support you when you are no longer able to support your-selves." [Applause and laughter.]

Mr. HAMILL. Suppose the conditions which the gentleman pictures did not exist; suppose, for instance, that they are not going on a jag but are the most exemplary living men in the country, did not eat red apples, but toiled onerously day in out for insufficiently remunerative wages, then does the gentleman think it is paternalistic when they come looking for a pension to sustain them in their old age-

Mr. DIES. I can not yield further-

Mr. HAMILL. After they have wasted their blood and energy in their country's service?

Mr. DIES. But I can pick up an old farmer in the gentleman's State and district-

Mr. HAMILL. And I can pick one against the gentleman-Mr. DIES. I decline to yield further. There is no more underpaid class of people in the country than the common laborers who dig in your streets or work in your mines or till the broad acres of this country. I have worked for twelve and a half dollars a month. I have worked on a farm when I started at 4 o'clock in the morning and did not get through until dark. I dare say if I had been told that I need not save any money, but that the great Government, father of us all, would pay a pension to me later, I doubt if I would have bent my efforts and energy to saving a few dollars, and I doubt if I would have been a man of any means to-day. You can not do the employees of this country a greater injury than to make them pensioners upon the bounty of the taxpayers of the country. Tell them fairly and squarely, as you must tell the farmers of the country, that the Government will give you protection in your life, liberty, and property. Now, you have a fair, square chance in the race of life, go out and go to work and save what you can. If you do not get but \$50 a month, save part of that, and if you get \$100, save a greater part of it. This thing of giving a pension is a narcotic to Iull their energy, ambition, and manhood by a bounty from the Government, and it is not only a wrong to the taxpayers of the country but it is an injustice to the men who receive the pensions themselves. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. Mr. MILLER. Mr. Chairman, I can not agree with the position taken by the gentleman from Texas in so far as what he may have said has any relation or bearing upon the amendment before the House. It is not a question of paternalism; it is not a question of charity; it is not a question of politics; it is not a question of fattening those already fat. It is a question of good business and decent humanity. I believe that the business of the country, and particularly the big business of the country, should pay for the accidental injuries and resultant hardships incident to that business. I fancy that nearly every Member of this House is in accord with that view. The business conscience of the Nation is in accord with it. There is no business in the country to-day with more numerous employees, with more complete ramifications throughout the country, than the post-office business. During recent years there have come to be many hazardous employments in the post-office business, and to my mind that business should be made to pay reasonably for accidents resulting from and incident to that business. I am told by gentlemen of very eloquent voices-and I believe it is true—that now the post office is on a paying basis. I think it has been true for the last three or four years. It seems reasonable to expect that the post office in the future will be also on a paying basis. Whether it is or not, Mr. Chairman, can any man say there is any reason why the Post Office Department should not pay for injuries to its workmen and employees just the same as any other business of a private nature in the United States pays for injuries to its workmen? What right has a Member of this House to advocate employers' liability measures here and grow eloquent in their support when he will not ask the Government of the United States to stand before the people of the country on the same basis as private business? [Applause.] If we are going to reform the business of the country in accordance with enlightened views of humanity and with common decency, let us begin here among ourselves.

There are some features of this pending amendment, Mr. Chairman, that seem to be criticized by some of the membership of the House. It does not seem to me, however, that these criticisms are merited by the amendment. Unlike the gentleman from Texas [Mr. Dies], I read with great care and interest the amendment pending and the substitute. It seems to me the amendment offered by the gentleman from Connecticut [Mr. Reilly] meets the situation, and meets it fairly. In the first place, criticism has been made because this provides that the amount shall be paid to the legal representative. Mr. Chairman, during the sixty and odd years the world has recognized the right of survival of action in cases of death universal consent has been given that the amount can best be paid to the legal representative. Nearly every State in the Union has such a law, patterned after the law England passed in 1846. Unless we have such a general provision as that, comprehensive and sweeping, we will be led into great and devious windings and difficulties in administering the law throughout the several

States of the Union.

Then again, it has been said, Mr. Chairman, this amendment would permit adult children to participate and share in the benefits that may be secured. But that is not so. In no State in the Union is an adult child over the age of 21 years a dependent child. That child is independent. That child has dependent child. attained its majority and is independent, unless, perchance, it belongs to a class known as incompetents. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.
Mr. BRYAN. Mr. Chairman, however much we may agree or
disagree with the gentleman from Texas [Mr. Dies] in the discussion of pensions, this proposition we have before us now has nothing to do with that subject. It has no more relation to the question of pensions than the price of green cheese in Ireland has to the full moon. It is absolutely an immaterial matter. We are talking about the compensation of men injured in the service, and not talking about pensions.

Now, I want to present to the House the question of negligence and the charging up to the injured employee his own negligence. We have gotten away from that kind of a doctrine out in my State. We have passed a workman's compensation act, and we do not hold the dependents of a man responsible for his acts of negligence which may have been involved in an accident or may have been the ultimate or approximate cause of the accident. It made no difference to the people of my State when they were enacting the State workman's compensation law who was responsible for the accident.

Mr. MOON. May I ask the gentleman what is the rule, then? Does the negligence of the complainant go in mitigation?

Mr. BRYAN. The law in my State does not allow negligence to go in mitigation. The gentleman from South Carolina [Mr. spoke of the Lord Campbell law. I understand that involves the doctrine of comparative negligence; that is, that the fact that the decedent has been guilty of contributory negligence shall not bar recovery, but consideration shall be given to the degree of negligence attributable to the decedent and reduce the damages accordingly; but in this bill you do not even provide for comparative negligence.

Mr. MOON. Aside from the rule of your State, do you think it is fair in any case where the negligence of a plaintiff is not the approximate or producing cause, yet where it contributed in a measure to the accident, that that contribution of negligence on the part of the plaintiff ought not to be taken into consideration in computing the damage?

Mr. BRYAN. The compensation is given to help out the widow and dependent children, who are left either as a charge on the community or else left in such condition that they can not earn a livelihood. And what difference does it make whether the man who may have been injured was an especially nervous man, was distracted, or was in bad physical condition because of some incident at home; because he had been up all night with a sick child, or he may have been overworked and exhausted through long hours or something of that kind, and becomes a victim of some accident which results in his death? the difference, then, so far as society is concerned, whether he was negligent or not? We do not subscribe to the doctrine which tells the dependent widow with her little children in such case to go to the poorhouse because her husband was not careful. In my State we compel the particular industry involved to give \$4,000 for the death of an individual; so I am certainly in favor of the limited relief that is proposed here, which is only \$2.000. I think we do not go far enough in this bill, and I shall insert as a part of my remarks a portion of the statute of my own State governing this matter. This statute was enacted in response to a demand for social justice not to the unfortunate man who was killed, but to his surviving dependents. What has negligence of the deceased to do with this? I want further to suggest, in connection with the getting of these claims through the department, that there is always a great amount of red tape that is necessary, and of course proper. All of these provisions are generally interpreted against the employee, and I think the statute ought to be liberal, and we ought to be willing to make it liberal.

I ask unanimous consent to insert in connection with my remarks the statute of my own State on this matter and the brief correspondence I had with the department in regard to one case, which shows how different men will take different views of the same statute and affords ample reason for liberal provisions in this statute.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the Record in the manner stated. Is there objection?

There was no objection.

Mr. BRYAN. The portion of my State statute referred to is as follows

Mr. BRYAN. The portion of my State statute referred to is as follows:

SEC. 5. Each workman who shall be injured whether upon the premises or at the plant or, he being in the course of his employment, away from the plant of his employer, or his family or dependents in case of death of the workman, shall receive out of the accident fund compensation in accordance with the following schedule, and, except as in this act otherwise provided, such payment shall be in lieu of any and all rights of action whatsoever against any person whomsoever be paid in all cases, not to exceed \$75 in any case; and

(1) If the workman leaves a widow or invalid widower, a monthly payment of \$20 shall be made throughout the life of the surviving spouse, to cease at the end of the month in which remarriage shall occur; and the surviving spouse, shall also receive \$5 per month for excursion of the deceased under the age of 16 years at time of the exceeding of the deceased under the age of 16 years at time of the shall receive, once and for all, a lump sum equal to twelve times her monthly allowance, viz, the sum of \$240, but the monthly payment for the child or children shall continue as before.

The children shall continue as before.

(3) If the workman leaves no widow, widower, or child under the age of 16 years, a monthly payment of \$10 shall be made to each such child until such child shall reach the age of 16 years, but the total monthly payment shall not exceed \$35, and any dedict shall be deducted proportionately among the beneficiaries.

(3) If the workman leaves no widow, widower, or child under the age of 16 years, but the total monthly payment shall continue to the state of the age of 16 years, the state of the age of 16 years, the state of the age of 16 years, the state of the state of the age of 16 years, the state of the state of the age of 16 years, the state of the st

monthly payment under this paragraph shall in no case exceed \$50. Upon remarriage the payments on account of a child or children shall continue as before to the child or children.

(d) When the total disability is only temporary, the schedule of payment contained in paragraphs (1), (2), and (3) of the foregoing subdivisions (b) shall apply so long as the total disability shall continue, increased 50 per cent for the first six months of such continuance, but in no case shall the increase operate to make the monthly payment exceed 60 per cent of the monthly wage (the dally wage multiplied by 26) the workman was receiving at the time of his injury. As soon as recovery is so complete that the present earning power of the workman, at any kind of work, is restored to that existing at the time of the occurrence of the injury the payments shall cease. If and so long as the present earning power is only partially restored the payments shall continue in the proportion which the new earning power shall bear to the old. No compensation shall be payable out of the accident fund unless the loss of earning power shall exceed 5 per cent.

(e) For every case of injury resulting in death or permanent total disability it shall be the duty of the department to forthwith notify the State treasurer, and he shall set apart out of the accident fund a sum of money for the case, to be known as the estimated lump value of the monthly payments provided for it, to be calculated upon the theory that a monthly payment of \$20, to a person 30 years of age, is equal to a lump-sum payment, according to the expectancy of life as fixed by the American Mortality Table, of \$4,000, but the total in no case to exceed the sum of \$4,000. The State treasurer shall invest said sum at interest in the class of securities provided by law for the investment of the permanent school fund, and out of the same and its earnings shall be paid the monthly installments and any lump-sum payment then or thereafter arranged for the case. Any deficiency shall be made goo

known in surgery to be permanent partial disability. For any permanent partial disability resulting from an injury, the workman shall receive compensation in a lump sum in an amount equal to the extent of the injury, to be decided in the first instance by the department, but not in any case to exceed the sum of \$1,500. The loss of one major arm at or above the elbow shall be deemed the maximum permanent partial disability. Compensation for any other permanent partial disability shall be in the proportion which the extent of such disability shall bear to the said maximum. If the injured workman be under the age of 21 years and unmarried, the parents or parent shall also receive a lump-sum payment equal to 10 per cent of the amount awarded the minor workman.

(g) Should a further accident occur to a workman already receiving a monthly payment under this section for a temporary disability, or who has been previously the recipient of a lump-sum payment under this act, his future compensation shall be adjusted according to the other provisions of this section and with regard to the combined effect of his injuries and his past receipt of money under this act.

(h) If aggravation, diminution, or termination of disability takes place or be discovered after the rate of compensation shall have been established or compensation terminated in any case the department may, upon the application of the beneficiary or upon its own motion, readjust for future application the rate of compensation in accordance with the rules in this section provided for the same, or in a proper case terminate the payments.

(1) A husband or wife of an injured workman, living in a state of abandonment for more than one year at the time of the injury or subsequently, shall not be a beneficiary under this act.

(j) If a beneficiary shall reside or remove out of the State the department may, in its discretion, convert any monthly payments provided for such case into a immp-sum payment (not in any case to exceed \$4,000) upon the theory, according to th

The correspondence refers to a claim on behalf of Mrs. Edward Edmonds. It was first emphatically turned down by the honorable Secretary of the Department of Commerce and Labor on the theory that the death was not the result of an accident. The certificate of the naval surgeon and of Dr. E. J. Taggart, of Bremerton, Wash., was that the death was caused from inhaling dust particles into the lungs while engaged at the

From innating dust particles into the lungs while engaged at the Puget Sound Naval Station. The certificate recites as follows:

Post-mortem examination of Edward Edmonds, at Bremerton, Wash., February 14, 1913, showed the following: A diffuse carcinoma of the right lung; the mediastinal and retroperitoneal glands were infiltrated; the costal pieura and diaphragm showed numerous small nodules; the lung was free, except a small area at apex, where it was firmly adherent; the plural cavity was filled with bloody serum. The left lung was edematous, otherwise normal; left pleura, heart, and abdominal viscera were normal, except a few small cancer nodules in the liver. No tubercular process found.

The claim came into my bands on March 4, 1912, and the

The claim came into my hands on March 4, 1913, and after that there was the following correspondence:

MARCH 13, 1913.

Hon. Josephus Daniels,

Secretary of the Navy, Washington, D. C.

My Dear Mr. Secretary: Re claim of Mrs. Edward Edmonds for compensation for the death of her husband, Edward Edmonds, at Puget Sound Naval Station.

I am well acquainted with the claimant, Mrs. Edmonds, and was well acquainted with her husband, Edward Edmonds, before his death. I am also well acquainted with Dr. E. J. Taggart, whose certificate has been filed with the papers in the above case. I heartily indorse the claim and believe, from representations made in the certificate of Dr. Taggart, that the claim is well founded and meritorious.

These people are reliable, and I know that Mrs. Edmonds is left in such condition as to make the claim a highly worthy one. While it is true that the deceased did not die as the result of any accident, perhaps, still the inhaling of dust particles from the boilers resulted in his death. It seems to be a very fine distinction for the department to draw between the falling of a heavy piece of metal and the inhaling of the dust. It seems to me that a reasonable interpretation would make the direct cause of the accident so simple in either case as to make it come under the statute.

I hope the department will make a liberal interpretation, if need be, in this case and grant the relief asked for.

Very truly, yours,

J. W. Bryan,

Congressman at Large, State of Washington.

J. W. BRYAN, Congressman at Large, State of Washington.

NAVY DEPARTMENT, Washington, March 13, 1913.

Washington, March 13, 1913.

Mrs. Edward Edmonds,
Care of James W. Bryan, Esq., Hunter & Dailey Building,
Bremerton, Wash.

Dear Madam: Referring to your letter of March 6, 1913, in regard to your claim for compensation under the Government liability act of May 30, 1908, because of disease contracted by your husband, Edward Edmonds, while employed as a boiler maker at the Puget Sound Navy Yard, which resulted in his death, the records of the department show that this claim has been disallowed by the Secretary of the Department of Commerce and Labor, who was charged with the administration of the act referred to. The department is without jurisdiction in the matter.

of the act of March 3, 1913, creating a Department of Labor provides that the Government liability act will hereafter be administered by the Commissioner of Labor Statistics of said department, and if it is desired to pursue the matter further, you should communicate directly with the Commissioner of Labor Statistics.

Very respectfully,

BEEKMAN WINTHROP,

BEEKMAN WINTHROP, Assistant Secretary of the Navy.

MARCH 19, 1913.

Hon. WILLIAM B. WILSON,
Secretary of Labor, Washington, D. C.
MY DEAR MR. SECRETARY: A claim was filed quite recently in the
Department of Commerce and Labor for compensation for Mrs. Edward

Edmonds because of the disability of her husband through disease contracted while in the Puget Sound Navy Yard.

In correspondence with the Navy Department, the Assistant Secretary of the Navy, under date of March 17, informs me that the records of the department indicate that the claim has been disallowed, but it is the earnest desire of the claimant that the matter be examined into in the light of new information furnished, in the form of medical certificates and other data, which reveals a condition which I understand will entitle her to the compensation.

The point involved is that Edmonds, the deceased, did not suffer death by reason of an accident; but it is shown that his death was occasioned by the breathing into his lungs of dust particles while engaged in work on the boilers at the Puget Sound Navy Yard. I believe the facts are such as to warrant further investigation, and hope that you will take the matter up in such a way as to insure justice to this claimant.

Very truly, yours,

J. W. BRYAN, Congressman at Large, State of Washington.

MARCH 19, 1913.

Hon. F. D. Roosevelt,
Assistant Secretary of the Navy, Washington, D. C.

MY Dear Mr. Roosevelt: With further reference to the claim of Mrs. Edward Edmonds for compensation under Government liability act for the death of her husband in the Puget Sound Navy Yard:

I consider myself under obligations to make every effort to have this matter considered thoroughly, and I desire very much that the papers in this case be referred to the Commissioner of Labor Statistics in the Department of Labor, in compliance with your suggestion of March 17.

In this case I understand there is a claim filed and several eartificates or affidavits of medical experts, together with a statement from the officers at the Puget Sound Navy Yard, all of which will have to be considered by the commissioner in connection with the matter.

Will you kindly inform me whether it will be possible for these papers to be transmitted to him for further consideration.

Respectfully, yours,
J. W. Bryan,
Congressman at Large, State of Washington.

NAVY DEPARTMENT, Washington, March 17, 1913.

Hon. J. W. Bryan, M. C.,

Washington, March 17, 1913.

House of Representatives, Washington, D. C.

My Dear Mr. Bryan: I have your letter of March 13, 1913, in behalf of Mrs. Edward Edmonds, who has made claim for compensation under the Government liability act for the death of her husband from disease contracted while employed at the Puget Sound Navy Yard.

The records of the department indicate that this claim has been disallowed by the Secretary of the Department of Commerce and Labor, who, under the act referred to, was charged with its administration. This department has no jurisdiction in the matter of these claims, and all claims submitted to it must of necessity be referred to the officer who, under the Government Hability act, is given exclusive jurisdiction. In view of the provision in the act of March 3, 1913, creating a Department of Labor, that the Government Hability act will hereafter be administered by the Commissioner of Labor Statistics of said department, instead of the Secretary of Commerce and Labor as heretofore, if it is desired to pursue the matter further, it should be taken up directly with the Commissioner of Labor Statistics.

Very respectfully,

F. D. Roosevelt, Assistant.

F. D. ROOSEVELT, Assistant.

NAVY DEPARTMENT, Washington, March 25, 1913.

Washington, March 25, 1913.

Hons. J. W. Bryan, M. C.,

House of Representatives, Washington, D. C.

My Dear Mr. Bryan: Your letter of March 19, in further reference to the claim of Mrs. Edward Edmonds for compensation under the Government liability act for the death of her husband from disease contracted while employed at the Puget Sound Navy Yard, has been received.

received.

In accordance with the request contained therein, I have forwarded to the Commissioner of Labor Statistics, Department of Labor, the statements of Dr. E. J. Taggart, of Bremerton, Wash., and Dr. A. U. Simpson, of Scattle, Wash., inclosed with Mrs. Edmonds's letter to the department, dated March 6, 1913.

The official papers bearing upon this case are already on file in the office of the Commissioner of Labor Statistics, who is charged under the law with the administration of the liability act.

Very respectfully,

F. D. ROOSEVELT, Assistant Secretary of the Navy.

DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, Washington, March 31, 1913.

Hon. J. W. Bryan,

House of Representatives, Washington, D. C.

Dear Sir: I have your letter of the 19th instant, which has been referred to me by the Secretary of Labor, relative to reconsidering the case of Edward Edmonds, boiler maker. Puget Sound Navy Yard, whose claim for compensation on account of incapacity, beginning August 19, 1912, was disapproved by the Secretary of Commerce and Labor on the ground that the incapacity was not the result of an accidental injury within the meaning of the compensation act. No additional information has been furnished since the claim was disapproved on January 18, and there is nothing in the record to show that the employee has died.

If Mrs. Edmonds has information regarding the case which here is

died.

If Mrs. Edmonds has information regarding the case which has not been considered and will furnish the same to me, I shall be pleased to reconsider the action previously taken.

The compensation act of May 30, 1908, copy herewith, does not apply to disability caused by diseases, unless diseases are due to injuries that can be connected with an accident occurring at a definite time, and disability due to a gradual development does not come within the scope of the law. In the case of Mr. Edmonds, the record shows that disability was due to lung trouble, probably tubercular, caused by inhaling dust from time to time while working at the navy yard, and there is nothing to show that his condition was due to an accidental injury within the meaning of the compensation act.

Whether the compensation law should be amended so as to cover all eases of disability caused by the nature and conditions of employment in the Government service, regardless of the element of accident, is a question which I believe is worthy of the consideration of Congress.

Very truly, yoars,

G. W. W. HANGER, Acting Commissioner.

Hon. WILLIAM B. WILSON,

Secretary of Labor, Washington, D. C.

My Dear Mr. Secretary: In reference to the claims of Mrs. Edward Edmonds for injury to her husband, a boilermaker at Puget Sound Navy Yard, which injury resulted in his death on account of incapacity beginning August 19, 1912, and in reply to yours of March 31 as to the scope of the compensation act, I should like very much to have you to the first section of the act, wherein it is provided that whenever any person employed "is injured in the course of such employment, such employee shall be entitled to leave for one year thereafter" as compensation. Now, it is true that the subsequent sections refer to the injury as an accident, but certainly they do not repeal the first section of the act, which provides that when any person is injured he is to receive compensation. In this case I believe that a liberal interpretation ought to be made on behalf of the employee, and the mere fact that the injury would be properly defined as an accident happening at a particular moment of time, it seems to me, ought not to bar recovery. Nor do I believe that the statute warrants that rigid interpretation.

The whole tendency of present-day legislation along these lines is to cut out the negligence and misconduct features included within the proviso at the end of section I; and it seems to me but just that if this man was actually injured by inhaling these particles while working on the boilers his widow ought to be compensated.

All I ask is that this question of fact be determined by further investigation. The information I have is that the man was not suffering from any form of lung trouble, but that the inhaling of these particles was the sole and only reason of his malady and his death. This certainly was an injury received in the course of his duty, and the first section of this compensation act provides that when a man is so injured the compensation must follow.

There is no disposition upon my part to be captious about this or to put the matter up to you in

NAVY DEPARTMENT, Washington, April 7, 1913.

Washington, April 7, 1913.

Hons. J. W. Bryan, M. C.,

House of Representatives, Washington, D. C.

My Dear Mr. Bryan: Referring to your letter of March 19, 1913, in regard to the claim of Mrs. Edward Edmonds for compensation under the Government liability act for the death of her husband, while employed at the Puget Sound Navy Yard, and to the department's reply under date of March 25, 1913, in which it was stated that in accordance with your request the papers in the case have been forwarded to the Commissioner of Labor Statistics, there is inclosed for your information copy of letter addressed to the department by the Commissioner of Labor Statistics, dated April 2, 1913, in regard to this claim.

Sincerely, yours,

JOSEPHUS DANIELS.

Josephus Daniels, Secretary of the Navy.

UNITED STATES DEPARTMENT OF LABOR,
BUREAU OF LABOR STATISTICS,
Washington, D. C., April 2, 1913.

The honorable the SECRETARY OF THE NAVY.

Washington, D. C., April 2, 1918.

The honorable the Secretary of the Navy.

Sir: Receipt is acknowledged of your letter of March 25, inclosing statements of Dr. A. U. Simpson and Dr. E. J. Taggart, in the case of Edward Edmonds, who died as the result of a disease contracted while employed at the Puget Sound Navy Yard; also of a letter addressed to you by Representative J. W. Bryan, requesting that the case be reconsidered, with a view to reversing the action heretofore taken in disapproving the claim for compensation filed by Mr. Edmonds before his death.

The record of the case shows that the employee's disability and death were caused by carcinoma of the right lung, probably due to inhaling dust while scaling and cleaning boilers. The employee had done this work on several ships and had complained of something wrong with his lungs at various times prior to the time he became incapacitated, which tends to show that his condition was due to the gradual development of a disease, excited by inhaling irritating dust for several years.

A disease contracted in the course of employment is not an injury within the meaning of the compensation act, as the act was intended to apply to injuries of an accidental nature and not to the effects of disease, although directly attributable to the conditions of employment, unless the element of accident is involved as in cases of disease caused by traumatism. Neither is disability referable to no definite accident or occurrence, though arising in the course of employment, involving a gradual weakening, wearing out, or breaking down of the employee, an injury within the meaning of the compensation act, and for this reason I regret to say that I have no authority to reverse the action previously taken, although the case appears to be a very meritorious one from an equitable standpoint. It does, however, raise the question as to the need of legislation to extend the benefits of compensation to all employees who are incapacitated as the result of conditions under which they are em

CHAS. P. NEILL, Commissioner.

APRIL 10, 1913.

Hon. William B. Wilson, Secretary of Labor, Washington, D. C.

juries received at the Puget Sound Navy Yard, I desire to say that I am preparing a bill for introduction in Congress remedying the defect which your predecessor has ruled to exist in the present statute. Personally I can not fail to conclude that the line drawn by the department as to the form of Injury necessary in order to justify an award is a distinction of interpretation and not of the statute. I believe this statute plainly awards the year's pay where death results from an injury, and I can not understand why the department is justified in ruling that such injury must be an accidental injury or one received from an accident in order to justify an award. I shall take the matter up, however, and present it the best I can under the situation, as the ruling of the department establishes it; and I shall attempt to have added to the first section such provision as shall make impossible for the present ruling to obtain.

I certainly agree with the tenor of the department's suggestion to the effect that such an interpretation is unjust and wrong in principle except as required and forced upon the department by the act itself. It is certainly rank injustice to allow damages where the man suffers instant death from explosion, and where he inhaies poisonous gases, for instance, and labors on for the Government, giving his best services until he is actually incapacitated and dies after continued loss of time and great expense of doctor's bills and medicine, in such case to deprive his widow of any relief whatever because, forsooth, the injury complained of was not the result of an accident.

I hope the department will excuse me for insisting that I do not believe this is the law at all. But under the ruling of the department, which I have not the slightest doubt was made in perfect good faith, the best remedy would be to add a clause in the statute making it impossible for the ruling to stand.

Thanking you for your courtesy and enlisting a further support in the matter, I remain,

Sincerely, yours,

UNITED STATES DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, July 9, 1913.

Hon. J. W. Bryan,

House of Representatives, Washington, D. C.

My Dear Mr. Bryan: The case of Edward Edmonds, an employee of the Puget Sound Navy Yard, who died as the result of inhaling dust and whose claim for compensation under the act of May 30, 1908, was disapproved by the Secretary of Commerce and Labor for the reason that incapacity was not the result of an accidental injury, has been carefully reconsidered by this department. In my opinion the case is one that clearly comes within the scope of the compensation act and should be approved for payment.

As the matter was brought to my attention by your letter of March 19, I presume that you know the present address of Mrs. Edmonds. I am inclosing a blank form for making a formal claim for compensation, and it is requested that you forward the same to Mrs. Edmonds to be filled in and returned to this department.

Very truly, yours,

Louis F. Post,

Acting Secretary.

Louis F. Post, Acting Secretary.

This case illustrates the difference of viewpoint of Louis F. Post and his predecessors and shows that the Department of Labor is better equipped to consider all features of such cases than was the Department of Commerce and Labor. It also should serve as an argument for liberal provisions in the pending bill, and, I might add, is another evidence that the country is to be congratulated on the change of administration that occurred last March.

Mr. MOON. Mr. Chairman, I fully agree with the gentleman from Texas [Mr. Dies], but, as well said by a gentleman on the other side, his remarks are not pertinent to the issue before the House. This is simply a question of the Government paying to the legal representative of a deceased clerk or other employee. for the benefit of his widow, children, or dependent relatives, a sum of money, provided that he is injured in the line of his duty and his death or injury is not brought about by his own negli-

Now, I want to be very brief in the discussion of this matter. The term "legal representative" is used here because it is necessary, if this money be provided, that there shall be some person to whom it may go in the place of the deceased. He holds it in the capacity of legal representative, and, as was said by the gentleman from South Carolina [Mr. FINLEY], to be distributed according to the laws of the State where the clerk

As to the phrase "for the benefit of the wife," nobody will question but that it ought to be for her benefit and for the benefit of the children. But "dependent relatives" are sup-posed to be out of order by some gentlemen here in the distribution of this fund. Now, a man may have as a dependent relative a mother or a crippled father or a crippled brother or sister, or he may have had some other relative who has been in his family for years and has been close to him and dependent upon him. We ought not to limit the descent too closely here. It ought to be left, in my judgment, in the hands of the legal representative, to be distributed according to the laws of the State, and the duty ought not to be imposed upon the Postmaster General of doing any more than turning over this fund to the legal representative, because otherwise, as was said, that would constitute him a court for the purpose of determining the rights

on. WILLIAM B. WILSON.

Secretary of Labor, Washington, D. C.

My Dear Mr. Secretary: Relative to the claim of Mrs. Edward Edonds for damages resulting from the death of her husband for in-

a man in the line of duty shall be so grossly negligent as to Bring about his own injury or death, the obligation, in my judgment, does not rest upon the Government to pay to his heirs any sum of money whatever. It ought to be paid only for a man who was discharging his duty and is guilty of no negligent conduct that brings about his own death.

This section has been carried in part in the bill for a long time, in reference to railway mail employees, whose duties are exceedingly hazardous, and we ought to be careful in extending the section to the other employees of the Government. it is to be extended-and it seems to be the opinion of the committee that it should be extended, and I agree with that conclusion—it ought to be done under the limitations provided in this section, and no man, or his estate, or his representative, ought to be paid when his injury or death is brought about by his own negligence. Nor ought we to look too closely to the person to whom it goes. The language "dependent relais about as near as we can reach it justly to all concerned, in my opinion.

The CHAIRMAN. The time of the gentleman from Tennes-

see has expired.

[Mr. DECKER addressed the committee. See Appendix.]

Mr. MOON. Mr. Chairman, I move that all debate on this

paragraph close in five minutes.

The CHAIRMAN. The gentleman from Tennessee moves that debate on this paragraph and amendments thereto close in five minutes.

The motion was agreed to.

Mr. LOGUE. Mr. Chairman, just a word or two in connection with this. As I view it, it is merely in the line of affording a measure of compensation in connection with injuries received while in the performance of duty to a public employee, who, if in a private employment, could seek the redress that the law affords him and bring his action. As I view it, it is very careaffords him and bring his action. As I view it, it is very that fully worded, in providing that where the injury or death has occurred in the line of one's duty, without negligence upon his part, that the Government shall pay the sum therein stipulated. In our changed days, getting away as we are from the question of contributory negligence, getting away from the question of the negligence of the coemployee, which defeats the right of action, I feel that the committee are reasonably conservative when they add to this the proviso that it shall be without the negligence of the employee who is injured. It is only fair. It is only reasonable. If a private employee is injured, he has his right of action. The public servant has no such right of action. He could not maintain it against any superintendent and reach a responsible person. He could not maintain it against any coemployee and reach a person who could respond in damages. I feel therefore that we are only bringing ourselves in line and in touch with the changed and enlightened ideas of our own

Mr. COX. Have not the supreme courts of the various States of the Union held that railway postal employees are passengers, and that where they meet death without any negligence on their part the railway companies must respond in damages?

Mr. LOGUE. The majority of the supreme courts have so held, but at the same time it is only very recently that that proposition has been undertaken to be established generally.

Mr. COX. That has been the rule in our State for 15 years.

Mr. LOGUE. It has not in mine. That would be the question of an action being maintained against a railway company, which would throw upon the person or his legal representatives the burden of establishing negligence on the part of the railway company, and it might be impossible to do that. carries it over further, to the case of the man killed in the line of his duty, beyond any question of the maintenance of an action at law, and does not throw upon him the burden of establishing negligence on the part of the railway company. In the case that the gentleman has referred to there is that burden The law is broadening out in our day to get away from that in the workmen's compensation acts. I feel that in this legislation we are keeping within reasonably fair lines.

Mr. BARTLETT. Did not the Democratic convention at Baltimore recognize the duty of the Government to compensate its injured employees when it declared in its platform at Balti-

more these words:

We also recommend the extension to all classes of civil-service employees the benefits of the provisions of the employers' liability law.

Mr. LOGUE. There is no question about that.

Mr. BARTLETT. So as Democrats we ought to vote for it,

because it is in our national platform.

Mr. LOGUE. There is no doubt about it; and also on the question of broad policy.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment proposed by the gentleman from Connecticut [Mr. Reilly] to his own amendment previously offered.

The amendment was agreed to.

Mr. MANN. Mr. Chairman, may we have the amendment reported, so we may know what it is.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend the amendment by striking out "\$134,500" where it appears the amendment and inserting at the end of the paragraph the fol-

lowing:
"To enable the Postmaster General to carry out the provisions of the above, \$134,500." The CHAIRMAN. That is the amendment just agreed to. The question now is on the substitute offered by the gentleman

from Wisconsin [Mr. STAFFORD].

The question being taken, the Chairman announced that the noes appeared to have it.

Mr. STAFFORD. Division, Mr. Chairman.

The committee divided; and there were 34 ayes and 60 noes. So the substitute was lost.

Mr. CALDER. Mr. Chairman, I ask the gentleman from Connecticut if he will not agree to incorporate in his amendment the following-

The CHAIRMAN. The gentleman is out of order; all debate

has closed.

Mr. CALDER. Then, Mr. Chairman, I will offer the following amendment: That after the words "letter carrier" there be inserted in the amendment the words "post-office laborer.

The CHAIRMAN. The gentleman from New York offers an amendment to the amendment, which the Clerk will report. The Clerk read as follows:

After the words "letter carrier" insert "post-office laborer."

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from New York

The question was taken; and on a division (demanded by Mr. CALDER) there were 49 ayes and 51 noes.

Mr. CALDER. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. CALDER and Mr. MOON

The committee again divided; and the tellers reported that there were 52 ayes and 64 noes.

So the amendment to the amendment was lost.

The CHAIRMAN. The question now is on the amendment offered by the gentieman from Connecticut [Mr. Reilly].

The question was taken; and on a division (demanded by Mr.

Dies) there were 97 ayes and 9 noes.

So the amendment was agreed to.

Mr. MANN. Mr Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. MANN. I think as the amendment was reported it was to have come in after line 13. As I understand, the amendment of the gentleman from Connecticut was to strike out the paragraph and insert.

The CHAIRMAN. As the Chair understands, the gentleman from Connecticut offered the amendment to strike out the paragraph and insert in lieu thereof the amendment just agreed to.

The Clerk read as follows:

For rent, light, heat, fuel, telegraph, miscellaneous and office expenses, schedules of mail trains, telephone service, and badges for railway postal clerks, including rental of offices for division headquarters, and chief clerk, Railway Mail Service, in Washington, D. C., and rental of space for terminal railway post offices for the distribution of mails when the furnishing of space for such distribution can not under the Postal Laws and Regulations properly be required of railroad companies without additional compensation, and for equipment and miscellaneous items necessary and incidental to terminal railway post offices, \$490,000.

Mr. MOON. Mr. Chairman, I move to amend by inserting the words "that the Postmaster General may hereafter make leases for terminal railway post offices for a term not exceeding I will say that this amendment is asked for by the 10 years." department.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 18, after line 5, by inserting the following: "That the Postmaster General may hereafter make leases for terminal railway offices for a term not exceeding 10 years."

Mr. STEENERSON. Mr. Chairman, I move to strike out the word "ten" and insert the word "twenty," so that it will read "20 years."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by striking out the word "ten" and inserting the word twenty."

Mr. MOON. Why does the gentleman want 20 years?

Mr. STEENERSON. Because it will induce the department to make sufficient appropriation so that private owners will build suitable post offices in the smaller towns.

Mr. MOON. This amendment only applies to terminal sta-

tions. You might not need one for 20 years.

Mr. STEENERSON. I think the same reason would apply, but I will withdraw my amendment, Mr. Chairman.

The CHAIRMAN. The gentleman from Minnesota withdraws the amendment. The question now is on the amendment offered by the gentleman from Tennessee [Mr. Moon].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For per diem allowance of four assistant superintendents while actually traveling on official business away from their home, their official domicile, and their headquarters, at a rate to be fixed by the Postmaster General, not to exceed \$3 per day, and for their necessary official expenses not covered by their per diem allowance, not exceeding \$700; in all, \$3,607.

Mr. MOON. Mr. Chairman, I offer the following amendment, The Clerk read as follows:

Amend page 18, at the end of line 12, by adding the following:

"That hereafter all railway companies carrying mail shall furnish free transportation on the line of their respective roads to railway mail clerks, including transfer clerks, terminal railway post-office clerks, and clerks detailed to division superintendents' and chief clerks' offices."

Mr. MANN and Mr. STEENERSON reserved points of order. Mr. MOON. Mr. Chairman, this amendment speaks for itself. It is subject to a point of order. The department thinks this rule ought to be extended as provided in the amendment, and

I think so, too.

Mr. STAFFORD. Mr. Chairman, reserving a point of order to the amendment that has been proposed, I want to say that this amendment has not the approval of the department. is in opposition to the artipass law carried in the railroad act we passed a few years ago. In fact, it not only wants the approval of the department, but it has the department's opposi-It is the same provision in the bill as section 3, on page 27.

Mr. MOON. May I interrupt the gentleman?

Mr. STAFFORD. Yes.

Mr. MOON. Does the gentleman from Wisconsin intend to make the point of order?

Mr. STAFFORD. Yes; but I want to explain the reasons

why I make it.

Mr. MOON. There is so much in the bill that we want to get along with it, and the amendment is clearly subject to a point

Mr. STAFFORD. Mr. Chairman, I think it is only fair when one is forced to make a point of order that he be granted five minutes in which to explain the position he feels obliged to

Mr. MOON. Very well; let the gentleman proceed. however, where a point of order is to be made, that the gentle-

man make it.

Mr. STAFFORD. Mr. Chairman, I do not want to consume unnecessary time. The amendment provides for extending free transportation to clerks who are employed in terminal railway offices, a similar employment to that of other post-office clerks who are engaged in the leading post offices. By reason of the establishment of the parcel post the department has recently established terminal post offices in connection with the various railway stations throughout the country. That service is governed by the Second Assistant Postmaster General. Terminal post-office clerks are assigned to those terminal postal stations, and it is now proposed to allow them free transportation on the railroads coming from their homes to these terminal post offices. If we are to extend free transportation to these post-office clerks employed in these terminal post offices, we should, to be consistent, extend it to all post-office clerks. And if to post-office clerks, why not to letter carriers and others in the service who could conveniently travel on the railroads in going to and from their homes? I have here a letter from Second Assistant Postmaster General Stewart, dated December 27, in response to a query that I put to him as to whether the department favored this amendment, and I am going to read it in my time. I shall read only the second paragraph, as that relates to this subject.

POST OFFICE DEPARTMENT,
SECOND ASSISTANT POSTMASTER GENERAL,
Washington, December 27, 1913.

Hon, William II, Stafford $House \ of \ Representatives$.

My Dear Ma. Stafford: In answer to your communication of the 22d instant, I have to say that the Assistant Attorney General for this depar ment has held to be permanent legislation the provision which was included in the appropriation acts for several years directing the withdrawal from the mails of certain supplies for the Postal Service prior to the weighing period in the respective weighing divisions of the

country and their transmission thereafter by freight or express. The supplies named in the law, when in freightable lots and whenever practicable, have been withdrawn from the mails in all weighing divisions of the country and are now being transported by freight or express. With respect to the question of requiring railroads to furnish free transportation to all railway-mail clerks, including transfer clerks, terminal railway post-office clerks, and clerks detailed to division super-intendents' and chief clerks' offices, I have to say that, in the opinion of the department, such transportation is not a part of the service of carrying mails by railroads unless it be furnished to clerks on duty on the trains or going to or returning from such duty. Any transportation furnished to employees not performing duty in railway post-office lines, or when going to or returning from such duty, would appear to be in the nature of free transportation, without any consideration to the railroads, as in other cases. This might violate a Federal statute if the travel were interstate; it would violate a State stratue if the travel were interstate; the such situative exists. The department has had correspondence with the Interstate Commerce Commission concerning this subject, and it is believed the views expressed above are harmonious with the commission's opinion concerning the proper use which may be made by railway postal clerks of Post Office Department commissions.

Sincerely, yours,

JOSEPH STEWART, Second Assistant Postmaster General.

If the proposition were to extend free transportation on railroads to all post-office clerks, that would be another proposition; but to single out one branch of the service that is performing the identical service that clerks in another branch of the service perform and to give them a gratuity, a railway pass, which these others do not enjoy, I think is favoritism and should not be encouraged.

Mr. MANN. Mr. Chairman, I would like to have the attention of the gentleman from Tennessee [Mr. Moon] for a moment on this proposition. I have had occasion to give a good deal of consideration to the question of pass and antipass legislation, because of my membership of the Committee on Interstate and Foreign Commerce. As I read this provision, it would require every railroad in the United States to grant free transportation to every or any railway mail clerk or terminal railway mail clerk, whether he be occupied in one part of the country and the railroad in another, or not; that is, it would have nothing to do with the official work. Am I correct in the intention of the author of the amendment?

Mr. MOON. Mr. Chairmanu, I want to say this: The gentleman may be correct, but I have always thought it a useless thing to discuss dead questions. A point of order is reserved on this section. It is going to be made. Inasmuch as it is going to be made, I do not care to discuss it. I do not want to discuss a question just for the mere purpose of talking about it.

Mr. MANN. That is quite true; but where a gentleman pre-

sents a proposition it seems to me

Mr. MOON. If objection is made to it, then I do not want to discuss it.

Mr. MANN. It is fair to the House, it seems to me, to know what the intention of the author of the proposition is,

Mr. MOON. The gentleman read the section and he probably

interprets it correctly.

Mr. MANN. Then the intention of the amendment is to grant the railway mail clerk, whose home may be in Washington, free transportation all the way to Florida, say.

Mr. MOON. If he is on his official business.

Mr. MANN. But there is nothing in the amendment about its being on duty or business or anything of the sort.

Mr. MOON. If it is not, then that makes the section so much worse, and the point of order ought to be sustained very quickly.

I wanted to find out what the intention was. I sympathize with the purpose of the gentlemen in the Railway Mail Service who may desire free transportation for official purposes. I do not think it is quite courteous to the House to offer a proposition and then refuse to give any explanation of

Mr. MOON. I do think it is discourteous to the House to offer the proposition, and I do not think it is necessary to debate a proposition after a gentleman has announced that he is going to make a point of order against it and the point of order must be sustained. It does not help the House any to take up time in debate upon a dead issue. I have thought it best, where these propositions are made, when points of order are made to them and where the point of order is well taken, to wait and incorporate the section in some other bill and explain it at some other time, so that we may go on with our business here.

Mr. MANN. But the distinguished chairman of the committee knows that we very often learn by discussion of these propositions in advance. We have just debated a proposition on which a point of order was made, which, if it had not been discussed at all when the point of order was made, would not have come up again in the House.

Mr. MOON. Well, I know, and I understand what the gentleman from Wisconsin is going to do, and I ask the Chair to

rule on the point of order.

The CHAIRMAN. Does the gentleman from Wisconsin make the point of order?

Mr. STAFFORD. I make the point of order for the reason stated.

The CHAIRMAN. The Chair sustains the point of order. Mr. STEENERSON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

The Clerk read as follows:

On page 18, after line 12, insert the following:

"That after June 30, 1914, an experimental radio-communication service may be established under such rules and regulations and rates of postage and terms as the Postmaster General may prescribe, between post offices in the United States and between such offices and post offices in foreign countries, and in that behalf may either acquire radio-communication equipment or apparatus, or may employ the stations and equipment or apparatus of other departments of the United States, or of private persons, companies, or corporations, upon such terms as may be agreed upon, and the sum of \$100,000 is hereby appropriated to enable him to carry out the above provisions."

Mr. MOON. Mr. Chairman, I make the point of order on this amendment.

Mr. STEENERSON. Will the gentleman reserve the point of

Mr. MOON. I am not going to reserve any more points of

order, and I do not want any reserved on me.

The CHAIRMAN. The Chair sustains the point of order,
Mr. STEENERSON. I would like permission to extend my

Mr. MANN. We might as well take up a little time.

Mr. STEENERSON. I only want about three minutes to speak on this.

Mr. MOON. All right, speak a little if you want to do so. Mr. STEENERSON. Mr. Chairman, I move to strike out the last word. The Postmaster General in his report recommended that the Government shall acquire all the telephone and telegraph lines. It has been estimated by some well-informed persons that it would require a thousand million dollars to do that, the purpose being to have these lines of communication by telegraph and telephone as an adjunct and part of the Postal System. Now, we all know this is a progressive age; that in a few years it is probable that telephones and telegraph will be out of date; that telephone poles and wires will be as useless as a battleship 20 years old; and that, therefore, it would be a useless waste of funds to acquire the enormously expensive equipment of the telegraph and telephone companies.

Mr. SAMUEL W. SMITH. Will the gentleman yield for a

question?

Mr. STEENERSON. Certainly.

Mr. SAMUEL W. SMITH. What are you going to substitute

for it?

Mr. STEENERSON. Radio communication; wireless teleg-I believe in a few years the Government, if you appropriate this \$100,000 for experiment, will be able to send communications through the wireless establishment of the Navy Department or through the establishment of private companies; that you can file your telegrams with them and they will charge a rate of postage that will be reasonable, and they will compete not only with the telegraph and telephone companies in the United States but with the cable companies across the ocean. We have established over here on the other side of the Potomac, conducted by the Navy Department, a station that can send radio communications to Europe, to Panama, to San Francisco, and we have another establishment on the Pacific coast that can send them clear across the Pacific Ocean. We send them clear around the world. I believe in a few years that this method of communication will supersede the telephone and telegraph, and it is time that the Government should conduct experiments in the use of this service so that they will not be behind the times. It has been the habit of all Governments to adopt a completed and perfected system and then establish it as a monopoly. The railroads were perfected by private enterprise, and in some of the countries after perfected they were taken by the Government. The telephone companies and telephone service vas perfected by private enterprise and private inventions, and then when they were perfected it was adopted by the Govern .ent in many countries, likewise the telegraph companies. Now, let us for once start in at the auspicious moment and adopt this kind of communication as a part of the Postal System.

Mr. SAMUEL W. SMITH. How does the cost compare with the present system of telegraphing?

Mr. STEENERSON. Radio communication? The gentleman

from Michigan wants to know how much the cost will be. provide in my amendment that the postmaster may fix rates. Of course that would have to be a competitive rate, and the Government will have to furnish means of communication by radiograms cheaper than you could by telegram or telephone messages, otherwise they would not get any business.

I believe, in all seriousness, that the matter ought to have consideration. We ought to appropriate \$100,000 as an experiment, and then perhaps by the time the next appropriation bill comes up they will report that the experiment is a perfect success and we will thereby establish a means of competition with these monopolies which our friends on the other side have so seriously criticized, namely, the telegraph and telephone companies of the country. [Applause.]

The Clerk read as follows:

For transportation of foreign mails, \$4,000,000: Provided, That the Postmaster General shall be authorized to expend such sums as may be necessary, not exceeding \$116,000, to cover the cost to the United States of maintaining sea post service on steamships conveying the mails, and not exceeding \$87,900 for transferring the foreign mail from incoming steamships in New York Bay to the steamship and railway piers, for transferring the foreign mail from incoming steamships in San Francisco Bay to the piers, and for transporting the foreign mail from incoming steamships at Honolulu from quarantine to the piers; also for transferring the mail from steamships performing service under contract for transporting United States mail.

Mr. CURRY. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 19, line 10, after "\$4,000,000," insert a semicolon and the words, "contracts for carrying foreign mails on the seas shall be awarded to American ships in all cases when the bid of the Americanship owners is not more than 5 per cent higher than the bid of foreign-ship owners."

Mr. FINLEY. Mr. Chairman, I make a point of order on that amendment.

nat amendment. It changes existing law.

The CHAIRMAN. The Chair sustains the point of order.

Does the gentleman wish to be heard?

Mr. CURRY. Mr. Chairman, I move to strike out the last word.

The tariff bill as it passed this House carried a 5 per cent differential in favor of goods carried in American bottoms. This amendment which I have offered, and to which the point of order has been raised, was intended to be along the same lines, namely, to encourage the rehabilitating of the American merchant marine. Now, the Postmaster General to a certain extent has some little discretion with reference to awarding these contracts, but I am of the opinion that unless some such amendment as this is included in the bill in the next contracts let for carrying foreign mails American ships will not receive and differential consideration and the contracts will be awarded on the figures of the bids submitted.

The mails carried from San Francisco to Japan and China to-day are carried in Japanese ships, and the Japanese bid was only a few dollars lower than the bid of the American ship company. The result of that is that two of the trans-Pacific steamers have been taken off the run, and to-day we have sailing from San Francisco but three American trans-Pacific steamers. I believe that all parties in the House would like to see the American merchant marine reestablished on the seas. But when there is an opportunity to do something to help the American merchant marine, why, there is a point of order raised or else the proposition is voted down.

Mr. MANN. Mr. Chairman, I rise to oppose the motion to attribe out the last word for the propose of the motion to

strike out the last word, for the purpose of calling attention to another provision in this paragraph. I have a great deal of respect for the distinguished Committee on the Post Office and Post Roads. I have wondered, however, notwithstanding that, why they took the trouble to change the word "transferring" into "transferring." The item provides for an appropriation for "transferring" the foreign mail from incoming steamships in New York Bay to the steamship and railway piers; also for transferring" the foreign mail from incoming steamships in "transferring" the foreign man from incoming Scan Francisco Bay to the piers; also for "transferring" the mail from steamships performing service under contract; but Uspelula it provides for "transporting" the when it comes to Honolulu it provides for "transporting foreign mails from incoming steamships at Honolulu from quarantine to the piers. Now, I take it, that being a change quarantine to the piers. Now, I take It, that being a change from the current law, the committee had some very excellent reason for turning "transferring" into "transporting," and doubtless will be able to explain the distinction which exists between "transferring" the mails from quarantine to piers in New York City and "transporting" the mails from quarantine to piers in Honolulu Bay; and I would be very glad to yield to the distinguished gentleman in charge of the bill for an explanation of that change, if one exists.

Mr. FINLEY. Do I understand the gentleman from Illinois

Mr. FINELL. Do't understand the general room remove to say that there is a change of verbiage?

Mr. MANN. The existing law says "transferring" in each case. The present bill leaves it "transferring" in three cases and makes it "transporting" so far as Honolulu is concerned.

I did not know whether or not there was anything in connection with Asiatic immigration that caused it to be changed from "transferring" to "transporting." Mr. FINLEY. I think that has nothing to do with it, Mr.

Chairman. I will say, without a very careful perusal of the last appropriation bill. I think it carries very nearly the language that has just been reported.

Mr. MANN. Heretofore in the current law we have provided an appropriation for "transferring" the mails from incoming steamships at Honolulu from quarantine to the piers.

Mr. FINLEY. That is true, Mr. Chairman; but at some of the ports where mail arrives it does not necessarily stop at quarantine

Mr. MANN. I think it proper to put it "transferring," but why do you change it from "transferring" to "transporting"?

Mr. FINLEY. I understand the gentleman to complain of its being changed to "transporting" from "transferring"?

Mr. MANN. Oh, I was not complaining at all. But the gentleman has changed in one case out of four the word "transferring" to "transporting." I did not know whether it was a "sporting" proposition or not. [Laughter.]

Mr. LOBECK. The gentleman is evidently in favor of uni-

versal transfers, then.

Mr. FINLEY. I do not think the committee had any object

Mr. MANN. Very likely. Mr. REILLY of Connecticut. I might suggest, Mr. Chairman,

that the committee may have run out of transfers. [Laughter.]
Mr. MANN. Not with \$87,000.
Mr. FINLEY. The last appropriation bill provides for transporting the mail from incoming steamships at Honolulu from quarantine to the pier, and we have followed the usual language in that, as I think the gentleman will find.

Mr. MANN. The gentleman is mistaken. He has not followed the old language; he has made a change. It is not important, but it raises a very nice question as to a fine distinction between the meaning of "transferring" and the meaning of "transporting."

Mr. FINLEY. I do not think there is anything in the gentleman's point. I do not think that it makes any difference which word is used.

Mr. MANN. Then why do you make the change?

Mr. FINLEY. I will leave it to the gentleman to supply the explanation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL.

For manufacture of adhesive postage stamps, special-delivery stamps, books of stamps, and for colling of stamps, \$810,000.

For manufacture of stamped envelopes and newspaper wrappers, \$1,650,000.

\$1,650,000.
For pay of agent and assistants to examine and distribute stamped and official envelopes and newspaper wrappers, and expenses of agency at Dayton, Ohio, \$20,500.
For manufacture of postal cards, \$385,000.
For ship, steamboat, and way letters, \$250.
For payment of limited indemnity for the loss of pieces of domestic registered matter, first, third, and fourth classes, \$110,000.

Mr. FINLEY. Mr. Chairman, I offer the following amendment. On page 20, line 16, strike out the words "first, third, and fourth classes" and insert in lieu thereof "insured and collect-on-delivery mail," so that the item will then read, "For payment of limited indemnity for the loss of pieces of domestic registered, insured, and collect-on-delivery mail, \$110,-

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 20, line 16, by striking out the words "first, third, and fourth classes" and inserting "insured and collect-on-delivery mail."

Mr. MANN. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] reserves a point of order on the amendment.

Mr. FINLEY. Mr. Chairman, the purpose of this is to enable mail to be insured by the consignor, and the person to whom it is sent will pay the insurance on delivery, so that I think there can be no serious objection to the proposed change of the law.

Mr. MANN. What provision is there now for insuring first-

class mail?

Mr. FINLEY. At present when there is insurance it is paid at the initial office.

Mr. MANN. What authority is there now for insuring firstclass mail?

Mr. FINLEY. In the last appropriation bill I think there is a proposition that will cover it.

Mr. MANN. I do not now recall it, and I do not think it was in the last appropriation bill.

Mr. FINLEY. This proposition will make for betterment of the service and for a more efficient service, and it can do no harm.

Mr. MANN. Well, let us see. The Post Office Department insures parcel-post mail. They have the authority to make that regulation. We now pay, where mail is registered, on first-class mail. But that is not insured. In case of loss of registered mail, which is first class or otherwise, we make a payment on it. The gentleman strikes that out and provides only for insured mail.

Mr. FINLEY. I think the gentleman will find that the

amendment as read covers the point.

Mr. MANN. Well, the gentleman strikes out the first and third and fourth classes and provides only for mail which is insured?

Mr. FINLEY. Yes. Mr. MANN. I do not recall any authority for insuring firstclass mail.

Mr. FINLEY. There has been a law on the statute books for

many years providing indemnity for the loss of registered mail.

The gentleman is well aware of that.

Mr. MANN. Why does not the gentleman leave it the way it is and add "insured mail," which covers the parcel-post

proposition? Mr. FINLEY. My recollection of the matter is that this is the identical amendment asked for by the Post Office Department, and the committee supposed that the department had

looked into the matter.

Mr. MANN. They have not recommended any such thing in their annual reports. I am inclined to think that the gentle-man will find that this would eliminate the protection of mail that is not insured, and there is no authority for the insurance of first-class mail.

M1. FINLEY. Here is a letter from the Third Assistant Postmaster General, in which he makes a recommendation for this. I will have the letter read if the gentleman wishes it.

Mr. MANN. I have no objection at all to the appropriation covering the loss of insured mail; but where the law provides for making payment on first-class mail which is lost I do not believe it is desirable to say that we will not pay for it, and that is what the gentleman's amendment would do, because his amendment would only make an appropriation for insured mail.

Mr. FINLEY. The amendment is intended to cover all cases where registered mail is lost.

Mr. STAFFORD. As this matter has not been considered in the committee, does not the gentleman think the position taken by the gentleman from Illinois is the proper one, that if you eliminate the payment of indemnity for first-class mail by strik-

ing that out you thereby do not have any indemnity at all?

Mr. FINLEY. This does not do away with indemnity for any mail which is now provided for by law, as I understand the

amendment.

Mr. MOON. I will say to the gentleman from Wisconsin [Mr. Stafford] that the Third Assistant Postmaster General says in his letter:

This change is necessary in order that the department may comply with the law, section 8, act of August 24, 1912 (37 Stats., 557), providing for the payment of indemnity for insured parcel post mail which is not registered.

Mr. STAFFORD. I quite agree that there should be an amendment adding to the pending provision, but I do not wish to have anything eliminated that would take away the indemnity that now exists for first-class mail.

Mr. MANN. May I suggest to the gentleman that instead of striking out first, third, and fourth class, he add the words-

And insured and collect-on-delivery mail-

so that the paragraph will cover all of it.

Mr. FINLEY. Then, would not the gentleman's proposed amendment also cover indemnity and insurance as well?

Mr. MANN. The amendment in that shape would cover the registered mail which is lost, and also the insured and collecton-delivery mail, which the gentleman desires to cover

Mr. FINLEY. There is no doubt about the proposition that the department wishes to change the collection to the consignee; but now we have a law on the statute books, and this does not interfere with it, providing for indemnity for loss. Will not the gentleman's proposed amendment have the effect of giving double payment?

Mr. MANN. Not at all. The amendment I suggested was using the gentleman's own language, but would still give the Government the right to make indemnity for the loss of registered mail which is not insured.

Mr. FINLEY. Yes.

Mr. MANN. But simply add to the provision, which we have always carried for years, for the payment of loss for registered the additional provision for payment of loss for insured and collect-on-deliver; mail.

Mr. STAFFORD. May I ask the gentleman a question?

Mr. FINLEY. Certainly.

Mr. STAFFORD. Why should the consignor have the privilege of compelling the consignee to pay for insurance? The large mercantile establishments in my home city, which are using the parcel-post mail, pay the insurance on the parcel-post packages which they ship. Why should you compel the con-signee to pay the insurance when he may not wish the parcel insured and be a stranger to the transaction?

Mr. FINLEY. The law does not lay any burden on the condignee. He can take the package or not take it, as he pleases.

The gentleman is aware of that.

Mr. STAFFORD. But you are compelling the consignee to pay the insurance, or else refuse the package.

Mr. FINLEY. It is expected that by this course the amount of mail of this character will be largely increased and the collection simplified.

Mr. STAFFORD. I think the result will be that all the collections will fall upon the consignee and the consignor will discontinue paying the insurance.

Mr. FINLEY. I will say to the gentleman that his view at variance with the views of the Post Office Department. I will say to the gentleman that his views are

Mr. STAFFORD. We have had propositions before our committee, submitted by the Third Assistant Postmaster General, which were withdrawn when their defects were pointed out in the committee. This matter has not been considered by the Post Office Committee.

The CHAIRMAN. Does the gentleman from Illinois withdraw

his point of order?

Mr. MANN. I withdraw the point of order.
Mr. STAFFORD. I reserve the point of order.
Mr. MADDEN. I wish to ask the gentleman from South Carolina a question. Our colleague on the committee [Mr. Starrond] says that the provision suggested by the gentleman from South Carolina [Mr. Finley] will probably force the consignee to pay the insurance. I do not see how any such statement as that can have any weight, because if I buy from you and you ship to me, you ship under whatever agreement is made between us. If we agree that you, as the shipper, are to pay the insurance, of course that would relieve me from the payment of it; but if you refuse to ship to me unless I pay the insurance, I will have to pay it; and if in the end we settle the controversy by either one of us agreeing to pay it, the whole question is settled. As I take it, when a man buys goods he understands the terms upon which he buys them and the terms upon which they will be shipped and the amount of money he will have to pay, whether it includes insurance or whatever it may be. The mere statement of the case in this item of the bill would have nothing to do with the case when the goods are shipped.

Mr. FINLEY. Does the gentleman from Wisconsin insist on

his point of order?

Mr. STAFFORD. I may not. The CHAIRMAN. The gentleman from Illinois [Mr. MANN] made the point of order and then withdrew it.

Mr. STAFFORD. But I rose, Mr. Chairman, to renew the

point of order.

The CHAIRMAN. But the gentleman did not renew it in The Chair asked the gentleman from Illinois if he withdrew the point of order, and he said he did. If the gentleman from Wisconsin made his point of order, he made it too late.

Mr. FOSTER. Mr. Chairman, I heard the gentleman from

Wisconsin reserve the point of order.

The CHAIRMAN. Does the gentleman from Wisconsin make a point of order?

Mr. STAFFORD. I reserve a point of order.
The CHAIRMAN. The gentleman will proceed.
Mr. STAFFORD. Mr. Chairman, in view of the discussion and in view of the fact that if there is any faulty method provided by this amendment it may be corrected in another body. I do not care to press the objection. I think the objection I raised has merit in it, but I will not press it, and I will withdraw the point of order.

The CHAIRMAN. The gentleman withdraws the point of order, and the question is on the amendment of the gentleman

from South Carolina [Mr. FINLEY].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For blank books, forms, pamphlets, rubber stamps, canceling devices, and postal savings certificates for use in depository offices and banks, postal savings cards and stamps, official postage and stamped envelopes for use in lieu of penalty or franked envelopes, in the transmittal of

free mail, authorized by act of June 25, 1910, including those used in the central office, \$100,000.

[Mr. SAMUEL W. SMITH addressed the committee. See Appendix.]

The Clerk read as follows:

Supplies for the City Delivery Service, including letter boxes, letter-box fasteners, package boxes, posts, furniture, satchels, straps, baskets, time cards, time-card frames, time-recorder supplies, maps, transfer designs, and stencils, \$150,000.

Mr. McLAUGHLIN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 22, line 1, after the word "service," insert the words "and the experimental delivery service provided in this act."

Mr. MOON. Mr. Chairman, to that I reserve a point of order. Mr. McLAUGHLIN. Mr. Chairman, I think the need of this amendment is made plain by the action of the House yesterday in voting in favor of continuing the appropriation for experimental free delivery service in the smaller cities and villages. This particular paragraph as it appears in the bill is intended to provide an appropriation for supplies to the Free City Delivery Service, and it seems to me that the supplies for the experimental service ought to stand on a footing with the supplies for the regular city service. I understand by inquiry that it is not necessary to increase the appropriation, and it seems to me that it would be proper to give the department authority to provide for the experimental service out of this appropriation which provides for the regular delivery service. It seems to me it is clearly in order. It is appropriation for a work that has been authorized, not only authorized by the action of the committee in framing this bill, but in carrying on and supplying a service that has heretofore been authorized and actually in operation.

Mr. MOON. The \$200,000 provided in this bill is intended to be expended to cover such matters as may be needed; it is for experimental service, and this would only be an enlargement

of it.

Mr. McLAUGHLIN. It seems to me that the point of order

The CHAIRMAN. The Chair calls attention to the fact that this paragraph provides for City Delivery Service, and the Chair hardly thinks this amendment offered by the gentleman from Michigan is germane.

Mr. McLAUGHLIN. The two kinds of service are identical. Mr. MOON. The gentleman's amendment applies to the village delivery service.

Mr. McLAUGHLIN. It is the experimental delivery serv-

Mr. MOON. And this is for the city.
Mr. McLAUGHLIN. In my own district the experimental service has been installed in a small city which does not come within the regular law.

Mr. MOON. There is a distinction between the city service and the rural service, and we are attempting to provide for the city service. Two hundred thousand dollars is appropriated. I am as much interested in the matter as the gentleman from

Michigan, and I do not think there is any trouble about it.

Mr. McLAUGHLIN. This would enlarge the authority of the department in the use of the money in this branch of the service. If more money is needed, it would give the department authority to take part of this particular appropriation.

Mr. MOON. But it takes all of this for the city delivery

supplies. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For the purchase, exchange, and repair of typewriting machines, envelope-opening machines, and computing machines, and for the purchase and repair of copying presses, numbering machines, and miscellaneous articles purchased and furnished directly to the Postal Service, \$120,000.

Mr. MOON. Mr. Chairman, on page 22, lines 17 to 21, inclusive, I move to strike out that language and insert the following:

For the purchase, exchange, and repair of typewriting machines, envelope-opening machines, and computing machines, copying presses, numbering machines, and miscellaneous articles purchased and furnished directly to the Postal Service, \$120,000.

Mr. MANN. What the gentleman moves to strike out is the language on line 19, "and for the purchase and repair of."
Mr. MOON. That is correct. That will fit it just the same,
The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 22, strike out the item from lines 17 to 21, inclusive, and insert the following:

"For the purchase, exchange, and repair of typewriting machines, envelope-opening machines, computing machines, copying presses, numbering machines, and of miscellaneous articles purchased and furnished directly to the Postal Service, \$120,000."

Mr. MANN. As I understand it, the proposition is to strike out what accidentally was inserted in the bill and which is not

in the current law?

Mr. MOON. It is for the purpose of enabling them to ex-

change machines.

Mr. MANN. There is inserted in this bill, I suppose by accident, something which is not in the current law, being the lan-guage to which I called attention in line 19.

Mr. MOON. Yes; that is right.

Mr. MANN. To strike that out perfects the item. Mr. MOON. Yes. That suggestion is correct, Mr. Chairman. The CHAIRMAN. The question is on the amendment offered

by the gentleman from Tennessee.

Mr. FITZGERALD. Mr. Chairman, the amendment as reported is not the amendment desired, as I understand it.

The CHAIRMAN. The Chair has endeavored to have the amendment reported.

Mr. FITZGERALD. The amendment reported by the Clerk is practically to strike out the paragraph.

Mr. MANN. And to insert something else. It is precisely The only difference is leaving out the words the same thing. which I referred to.

It is the same thing.

The CHAIRMAN. The gentleman will observe that it is necessary for both the Clerk and the Reporter to know exactly what the amendment is.

Mr. MOON. I will ask the Clerk to again report the amend-

ment as originally offered.

The Clerk read as follows:

Page 22, strike out lines 17 to 21, inclusive, and insert:

"For the purchase, exchange, and repair of typewriting machines, envelope-opening machines, computing machines, copying presses, numbering machines, and of miscellaneous articles purchased and furnished directly to the Postal Service, \$120,000."

The CHAIRMAN. Does the Chair understand that the gentleman from Illinois proposes to amend the amendment?

Mr. MANN. Oh, no; it is precisely the same thing. I was trying to get at it in a shorter way. The gentleman's amendment strikes out and inserts a new paragraph.

The CHAIRMAN. The question is on agreeing to the amend-

ment.

The amendment was agreed to.

The Clerk read as follows:

The Clerk read as follows:

For miscellaneous expenses in the Division of Supplies in the preparation and publication of post-route maps and rural-delivery maps or blue prints, including tracing for photolithographic reproduction, \$30,000. And the Postmaster General may authorize the sale to the public of post-route maps and rural-delivery maps or blue prints at the cost of printing and 10 per cent thereof added, the proceeds of such sales to be used as a further appropriation for the preparation and publication of post-route maps and rural-delivery maps or blue prints. Of this amount \$100 may be expended in the purchase of atlases and geographical and technical works needed in the Division of Supplies.

Mr. EHTZGERALD. Mr. Chairman, I reserve the point of

Mr. FITZGERALD. Mr. Chairman, I reserve the point of order on the paragraph. I wish to inquire of the gentleman from Tennessee why this provision is carried in this bill. Heretofore it has been carried in the legislative bill as a part of the departmental expenses. By carrying it in this bill it is trans-ferred to the expenses of the field service, and I would be glad to have the gentleman state the reason.

Mr. MOON. The department makes the request that this change be made, as I understand it.

Mr. FITZGERALD. Will the gentleman tell why they re-quested it? I have not investigated the matter fully, except that I know it has always been carried as a part of the departmental expenses.

Mr. MOON. Yes; but the department thought it best to carry it here as a part of the field service.

Mr. FITZGERALD. Is there any statement from the department about it?

Mr. MOON. There is something about it somewhere, but I do not know where it is now.

Mr. STAFFORD. Mr. Chairman, will the gentleman from Tennessee yield? Mr. MOON. C

Certainly.

Mr. STAFFORD. As the chairman of the Committee on Ap propriations may know, most of this appropriation is for rural route maps that are constantly being sold to the general public

throughout the country.

Mr. FITZGERALD. But the sale of the maps to the public is not the primary purpose. The primary purpose is to furnish

them to the postmaster.

Mr. STAFFORD. The primary purpose is to furnish them to the Postal Service, just like they furnish any other supplies, as a part of the postal expenditure. In addition to furnishing them to the postmasters and the rural route carriers, they also furnish them for sale at a rate a little above cost. I think the gentleman will conclude this is really an expenditure for the

Postal Service and not for the department, that it is just as much a supply as letter-carriers' bags or letter-carriers' straps.

This is something connected with the operation of the Postal Service, and members of the committee thought that the recommendation of the department to have it included in this bill was a proper one, and accordingly we included it in the Post Office appropriation bill.

Mr. FITZGERALD. This item carries appropriations to supply the rural free-delivery maps and post-route maps. They are not used in the department, but in the field.

Mr. MOON. Almost exclusively in the field. Mr. FITZGERALD. As I believe, Mr. Chairman, that the appropriations for the field service and departmental service should be kept separate, and this bill properly carries the appropriations for the field service—

Mr. MOON. The department recommends this transfer from

the departmental to the field service.

Mr. FITZGERALD. I withdraw the point of order.
Mr. MANN. Mr. Chairman, I reserve the point of order.
Mr. FITZGERALD. If the gentleman will permit me, there is one change here of one word. There has been in the Post Office Department, in Washington, a division of supplies and a division of topography.

Mr. MOON. The divisions have been consolidated.

Mr. MANN. I will say to my friend I am not interested in the controversy between the Committee on Appropriations-

Mr. FITZGERALD. There is no controversy. Mr. MANN. And the Committee on the Post Office.

Mr. FITZGERALD. There is no controversy. I have stated, in my opinion, supplies for the field service are properly in this bill, and I have no objection to its transfer from the legislative bill to this bill.

Mr. MANN. The gentleman from New York, by the way, will notice, I am surprised that he has not called attention to it, that this apparently violates all the regulations we usually have made in appropriations about a sale being applied to other funds. This proposes to allow the sale of post-route maps and covering the proceeds into the appropriation given without any limitation at all. Certainly it ought to be limited to the fiscal year and not pile up the funds from year to year. gentleman be willing

Mr. FITZGERALD. My recollection is that the construction placed by the comptroller is that the appropriation of the proceeds are credited to this particular appropriation and are avail-

able no longer than the appropriation itself.

Well, that is true where the provision provides for reimbursement of the funds, but that is not the language used here. The language used here is it shall be a further appropriation for the preparation and publication of post-route maps, rural-delivery maps, or blue prints, which I do not think is confined to the fiscal year. I was going to ask the gentleman in charge of the bill if he would be willing to accept an amendment which would provide that it be used for the fiscal year in which received?

Mr. FITZGERALD. It has been carried for years this way. MANN. The gentleman from New York [Mr. Fitz-GERALD] assures under this language it would be simply a reim-

bursement of the appropriation for the fiscal year.

Mr. FITZGERALD. That the money collected is available for use for this purpose the same as the appropriation itself. That

is my understanding. Mr. MANN. Well Well, with that statement I will withdraw the point of order.

The Clerk read as follows:

For miscellaneous items necessary and incidental to post offices of the first and second class (except labor incident to cleaning post offices, telephone rental, water rental, laundering and towel service, sanitary towels, brooms, mops, drayage, and miscellaneous service items), \$100,000.

Mr. MOON. Mr. Chairman, I offer this amendment: "Of which \$25,000 may be used for the purchase of post-office supplies.'

The CHAIRMAN. Has the gentleman the amendment in writing?

Mr. MOON. The Clerk can read it on the margin of this bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 23, after line 23, by adding "of which \$25,000 may be used for the purchase of post-office equipment."

Mr. MANN. Mr. Chairman, I understand this simply restores the item on page 12?

Mr. MOON. It restores the item stricken out on page 12 of

Mr. MANN. There is a difference between miscellaneous items necessary and incidental to post offices of the first and second class carried in this item and the one for \$350,000 carried on page 12.

Mr. MOON. I will tell the gentleman in a moment. Well,

towels, brooms, mops, drayage, and so forth.

Mr. MANN. Heretofore we have made an appropriation of \$400,000 for miscellaneous items necessary and incidental to post offices of the first and second class.

Now, you put that into two items, one of \$350,000 and one of \$400,000, in identically the same language. What is covered

by the two items?

Mr. MOON. It is the transfer of these items, as I understand the department, from the first assistant to the fourth assistant. It includes sanitary towels, and brooms, and mops, laundry, and so on.

Mr. MANN. On page 3 it says "except" those things.

Mr. MOON. Yes; that is what is excepted.

Mr. MANN. What is included, as a matter of fact? Is there any difference between the two items as to the items that can be purchased? They are both stated to be miscellaneous items. Mr. MOON. I think they are largely the same things. They

are used in different offices.

Mr. STAFFORD. As the chairman will recall and well knows, in the item first carried in the bill the department makes an allowance to the respective postmasters for miscellaneous services, as cleaning up offices, laundry work, and the like, whereas as to the item under consideration it is for the actual purchase of supplies by the department here for general miscellaneous purposes. That is the distinction, in effect. One is an allowance of money to postmasters direct, and the other is for the purchase of supplies to be furnished postmasters.

Mr. MANN. I would suggest, really without meaning to make any criticism at all, that the department ought to suggest a change of language, so that it would not be identical in the

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. Moon].

The amendment was agreed to.

Mr. MOON. Mr. Chairman, I think it would be proper to make a further change in that item there of \$100,000 and make it \$125,000.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 23, line 23, by striking out the figures "\$100,000" and inserting "\$125,000"

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For mail locks and keys, chains, tools, machinery, and material necessary for manufacturing and repairing same, and for incidental expenses pertaining thereto; also for making in the mail-lock repair shop such metal attachments as may be needed for use in the manufacture and repair of mail equipment, \$15,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I called the attention of the distinguished chairman of the committee the other day to the fact that the bill did not apparently include the appropriation for awards for suggestions for valuable improvements, and so forth, and I understood that subject matter had been transferred to the Fourth Assistant Postmaster General. Would it be proper to insert that item here?

Mr. MOON. I think it would be all right to insert it here.

will say to the gentleman, I believe, it has been left out of the

bill entirely

Mr. MANN. I have a copy of the current law, if the gentleman desires to offer it.

Mr. MOON. I have no objection to the gentleman offering it

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

The Clerk read as follows:

The Postmaster General is hereby authorized to offer and pay periodically a cash reward for the invention, suggestion, or series of suggestions for an improvement or economy in device, design, or process applicable to the Postal Service submitted by one or more employees of the Post Office Department which shall be deemed the most valuable of those submitted and adopted for use, and for that purpose the sum of \$10,000 is hereby appropriated: Provided, That to obtain this reward the winning suggestion or invention must be one that will clearly effect a material economy or increase efficiency: Provided further, That the sums awarded to employees in accordance with this act shall be paid them in addition to their usual compensation: Provided further, That the total amount paid under the provisions of this act shall not exceed \$1,000 in any month or for any one invention or suggestion: And provided further, That no employee shall be paid a reward under this act until he has properly executed an agreement to the effect that the use by the United States of the invention, suggestion, or series of suggestions made by him shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns, and that no application for patent has been made for any such invention.

Mr. MADDEN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

For pay of letter carriers, substitutes for carriers on annual leave, clerks in charge of substations, and tolls and ferriage, Rural Delivery Service, \$48,650,000: Provided, That not to exceed \$20,000 of the amount hereby appropriated may be used for compensation of clerks in charge of substations.

Mr. BELL of Georgia. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from Georgia offers the following amendment, which the Clerk will report.

The Clerk read as follows:

At the end of line 19, page 25, insert the following as a new para-

At the end of line 19, page 25, insert the following as a new paragraph:

"That from and after the 1st day of July, 1914, the compensation of rural letter carriers for carrying the mail six days each week on standard routes of 24 miles in length shall be the sum of \$1,150 per annum, to be paid monthly; and on routes exceeding 24 miles in length, the sum of \$22.50 per mile per annum for each mile in excess of 24 miles; and on routes under 24 miles in length, an increase of 10 per cent per mile per annum; on routes carrying the mail three times each week, of the same length as above, the pay shall be one-half the compensation there provided: Provided, That no carrier's pay shall be increased more than \$75 per annum on account of the passage of this act."

Mr. FITZGERALD. Mr. Chairman, I reserve a point of order on that.

Mr. CULLOP. Mr. Chairman, I desire to offer a substitute.

The CHAIRMAN. Until the point of order is disposed of it will not be in order to add further amendments.

Mr. FITZGERALD. How much will this add to the gross amount required to pay the rural carriers?

Mr. BELL of Georgia. About \$2,700,000. Mr. FITZGERALD. I make the point of order, Mr. Chairman.

The CHAIRMAN. The Chair sustains the point of order. Mr. CULLOP. Now, Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 25 line 19, after the word "service," insert the following: "Provided, That from and after July 1, 1914, the compensation of rural letter carriers, for the upkeep, feed, and maintenance of horse and wagon, shall be \$250 per annum, as additional salary to that now received by them."

Mr. FITZGERALD. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The gentleman from New York [Mr. FITZ-GERALD] makes a point of order. The Chair sustains the point of order.

Mr. AUSTIN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Tennessee [Mr. AUSTIN] offers an amendment, which the Clerk will report. The Clerk read as follows:

Amend. page 25. after line 19. by adding the following: "Provided further, That the salary of all rural free-delivery carriers with 24-mile routes shall be \$1,400 per annum, and \$48 per annum extra for every additional mile over 24 miles, and that there shall be a reduction of \$30 per mile for every mile less than 24 miles.

Mr. FITZGERALD. I make a point of order against that, Mr. Chairman.

The CHAIRMAN. The gentleman from New York [Mr. Firzgerald] makes the point of order against the amendment, and the Chair sustains the point of order.

Mr. AUSTIN. Mr. Chairman, I ask the gentleman to withhold his point of order. I think I can convince him. [Laughter.

The CHAIRMAN. The Clerk will read.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Tennessee [Mr. AUSTIN] moves to strike out the last word.

Mr. AUSTIN. Mr. Chairman, the amendment I have offered to the bill is practically the amendment which was indorsed at the annual meeting of the Rural Free Delivery Carriers' Na-

tional Association, held at Evansville, Ind., in September, 1913.

Now, I want to make a few remarks to justify an increase of salary of the rural free-delivery carriers. There are 42.838 carriers, and their total compensation is \$45.541.672. The proposed increase carried in this bill will make a total of \$48.410,648, or a net increase of \$2.868.976. There will be an increase for carriers whose routes are 6 miles in length of \$48.40; of carriers with a route of 10 miles, of \$57.20; of 24 miles, \$50.58; of 25 miles, \$72.50; and of 26 miles or more, of \$75.

Now, there are 198 rural carriers in the district I represent, and I have returns from those carriers showing their average net compensation, after deducting the cost of maintenance, equipment, and so forth, is \$557 a year. That is a net income or salary to the carrier of \$46.45 a month, or \$1.55 a day.

This bill carries appropriations for watchmen, messengers, and laborers in the department here, where they are housed

from inclement weather, of \$840 each.

So that a rural carrier in the district that I represent—and which is a pretty fair average-draws a net salary of \$557, as against the salary of a laborer, a watchman, or a messenger of \$840. The pay of a messenger or laborer is \$70 a month, and the pay of a rural carrier is \$46.45 a month. We require of a rural free delivery carrier that he shall, rain or shine, in inclement weather, in snow, rain, or sleet, or torrid weather, six days in the week, on a route of 24 miles, 311 days in the year, deliver the mail for \$547 a year, or \$40 a month, or \$1.55 a day, and a majority of these men have families to support. We are paying the rural carriers of this country less than we are paying for common or ordinary labor in the various departments of the Government.

Now, we are requiring rural delivery carriers to carry parcelpost packages. Up to the 1st of January the limit of weight of those packages was 20 pounds. On the 1st of January the limit of weight was extended by the Postmaster General to 50 pounds, and the chairman of the committee having this bill in charge has stated in the debate on the floor that on the 1st of July, when this bill goes into effect, the limit of weight of parcel-post packages will be increased to 100 pounds. this increased service is going to compel the average rural carrier to buy new equipment at a heavier expense, and to have an increased expense of maintenance of his wagon, team, and harness, and we are going to more than treble the weight

that he is now compelled to carry.

The city carrier, with pavements and improved streets upon which to deliver his mail, enters the public service at \$800 a year, and in time can have his pay increased to \$1,200 per annum. A clerk in the post office in a city or town, who works

in a comfortable building, with every convenience, enters the public service at \$800 a year, with an automatic increase in his

salary until it reaches \$1,200 a year.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUSTIN. I ask three minutes more. The CHAIRMAN. The gentleman from Tennessee [Mr. Aus-TIN] asks unanimous consent that he may proceed for three minutes more. Is there objection?

There was no objection.

Mr. AUSTIN. It is not fair or just to expect the rural delivery carriers of this country to serve the Government at a salary of \$1.55 a day, in all kinds of weather, with no hope of improvement or increase in salary. I appeal to the Members of this House and those who constitute the Committee on the Post Office and Post Roads to give us an opportunity under the rules of this House to pass legislation that will be fair, just, and honorable to this great class of deserving and competent men.

Mr. FINLEY. Will the gentleman yield?

Mr. AUSTIN. Yes. Mr. FINLEY. I think I can say that the gentleman will have that opportunity.

Mr. AUSTIN. I am glad to hear it,

Mr. FOWLER. We are all for it.
Mr. AUSTIN. I am more than pleased to hear it. In spite of the low wages we pay, everything used by a rural carrier in the way of feed for his horses has advanced in price. The price of corn, according to the statements furnished here by the rural carriers themselves, is from 95 cents to \$1.10 a bushel. Everything used in the maintenance and upkeep of the carrier's equipment has advanced in price, and everything he needs for himself and family has advanced in price; and I say it is not just or fair on the part of Congress to continue these hard and unjust conditions upon this large class of honest and faithful

The gentleman from South Carolina stated we would have an opportunity to pass upon this question. May I ask him when we will have that opportunity?

Mr. FINLEY. I hope the gentleman will have it very soon. Mr. AUSTIN. That is quite indefinite. Does "very soon"

mean during the present session of Congress? Mr. FINLEY. We hope the gentleman will have that opportunity during the present session.

Mr. AUSTIN. I am very glad to hear it. Mr. RUSSELL and Mr. SLOAN rose. The CHAIRMAN. The gentleman from Missouri [Mr. Rus-SELL] is recognized.

Mr. SLOAN. I have an amendment.

The CHAIRMAN. The Chair will recognize the gentleman

Mr. RUSSELL. I only desire to consume a moment of the time of the House, but I do want to express myself as believing that there ought to be an amendment made to this law, paying the rural route carriers at least \$1,200 salary per annum on standard routes. Two years ago I offered an amendment of At that time I was not permitted to obtain the information directly from the rural carriers, but through the officials of the Post Office Department I communicated with every rural carrier in my district as to the expense of maintaining his outfit. I learned that it was about \$422 a year. age of their salaries at that time was less than \$1,000, leaving them less than \$600 salary after expenses were paid. Now, these men that carry the mail over the rural routes render a service more beneficial to and more appreciated by more people, I believe, than any other rendered by any other class of employees in the public service in this country.

With the permission of the Postmaster General, about two years ago, I was given the privilege on one occasion to make one trip over the route with a carrier of my home city, so that I might see how the people regarded this service. I found when we were approaching a farmer's house that the good wife or the children or the husband, if he was not in the field at work, met the carrier and greeted him on his arrival. They bought stamps of him, he delivered to them registered letters and packages, and gave them the news from the city. I found that service was appreciated by those people more than any other service of the Government enjoyed by the people of the

rural districts.

I understand that the city carrier never gets less than a salary of \$800 and is promoted to higher wages from time to time, of \$800 and is promoted to higher wages from with no necessity for maintaining an outfit, no horse to buy, no with no necessity for maintaining an outfit, no horse to buy, no with no feed to purchase. His vehicle to keep up and wear out, and no feed to purchase. services are all rendered in the city with good sidewalks and he gets a salary of \$800 or more. The rural carrier gets less than \$600, and with an increasing burden all the time by reason of the parcel-post law. The weight of parcels that may be carried has been increased from 20 to 50 pounds, making it necessary to have more teams, larger vehicles, do more work, and still his salary is not increased.

I want to express myself as convinced that this is one of the most just amendments that will be offered, and I understand that it is to be stricken out on a point of order. There ought to be some way of enabling this House to vote upon this question that is so important to a great number of the most faithful

public servants in this country. [Applause.]

Mr. SLOAN. Mr. Chairman, I have an amendment to offer.

The CHAIRMAN. The gentleman from Nebraska offers a The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 25, line 19, after the word "substations," by inserting: "Provided further, That on and after July 1, 1914, letter carriers of the Rural Delivery Service shall receive a salary for a standard route of \$1,200."

Mr. FITZGERALD. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The point of order is sustained.

Mr. SLOAN. Mr. Chairman, I call attention of the committee to the proposed \$50 increase made in the salary of the rural carrier. That is a step in the right direction, but : is one of those mincing little steps of \$50 where it should be a full century stride of \$100. [Applause.]
I want to call attention to this peculiar fact. In this bill

there are 85 classifications. Some of them contain many thousands of employees, and in 82 classifications they terminate on the \$100 grade. In only two besides the rural carriers have they seen fit to split the final century. The first split is making a \$50 grade in the 10 inspectors where, in order to make the grade, they had to split the \$100, giving one subclass \$2,250. The other is where they give messengers and laborers

\$840 and \$720. Now, I do not think the House can see, nor will the country approve, the wisdom of this pinch-penny parsimony applied to these men who, as a class, have personally the greatest amount invested in order to do their work; who receive the least for expense money; who are not provided with uniforms; who travel the farthest of any of the employees of the whole system; who endure more storm than any of the rest; who suffer more heat; go over roads, muddy, sandy, with snow, ice, and all other adverse conditions that you find on the public highway; who are the real missionaries for the n.ail service; whose work has brought about an increase in the income of the Post Office Department and gone further toward making it pay and remain on a paying basis, who have the least net salary. Yet they constitute one of the 3 selected out of 85 classes where they split the salary on a basis of \$50 instead of ending it on a basis

It seems to me that here is a split we can well remedy, and that with justice. I urge the House to find a way to carry this proposition and give to these poorly paid men \$100 a month.

Why, gentlemen of the committee, under the proposed bill, while they live and are faithful you divide up on the \$50 basis, whereas if they cease to be faithful or they die you grade them on a \$1,000 basis; because if they become unfaithful you penalize them for \$1,000, and if they die in the service you give their family \$2,000. If they live and are faithful you pinch them on a \$50 basis. Your liberality seems to favor defalcation or death instead of life and faithful service. [Ap-

Mr. HEFLIN. Mr. Chairman, I move to strike out the last

Mr. MOON. Mr. Chairman, I move that debate on this paragraph and all amendments thereto be closed in 10 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee that debate on the paragraph and all amendments thereto close in 10 minutes.

Mr. MANN. Mr. Chairman, I will ask the gentleman from Tennessee to make it a little longer than that.

Mr. MOON. Well, let us say 20 minutes. Mr. MANN. This is a subject that is very close to the Members

Mr. MOON. There is another section in the bill, I will say, which provides for the increase itself.

Mr. POU. Mr. Chairman, I hope the gentleman will not make it less than 20 or 25 minutes. I would like to have five minutes

Mr. MOON. Mr. Chairman, I move that all debate on the paragraph and all amendments thereto close in 40 minutes.

The motion was agreed to.

Mr. HEFLIN. Mr. Chairman, and gentlemen of the committee, I think that this Congress ought to raise the salary of the rural carriers. The amendment offered by the gentleman from Georgia [Mr. Bell] provides for an increase of \$75 per annum. Now let us take the mail clerks on the railroad, for instance. The very beginners the first year get \$900, and there is an automatic system of promotion of 75 per cent of them every year to a salary of \$1,800. The rural carrier buys his own vehicle. The Government provides a vehicle for the mail clerk. It costs the rural carriers about \$450 per annum for his equipment. It costs the mail clerk nothing. On the 1st of March, under the parcel-post law, these rural carriers will be compelled to carry packages weighing as much as 50 pounds. Their labors have been greatly increased, and they are entitled to increased pay. Whenever the duties of any other officer have been increased his salary has been increased.

When the work of a judge of inferior courts increases, his salary is invariably increased. Appellate courts have been established to relieve the Supreme Court of some of its work, and so on up and down the line of official station, but there is no provision to relieve these rural carriers of any of their increased labors and no provision for increased pay. work is increasing all the time, and the salary now paid is inadequate for the service rendered. This committee ought to provide for an increase to at least \$1,150. The additional duties and expenses, all considered, they ought to have \$1,200 per annum. The cost of living has increased. The cost of horse feed and horses has increased. A mail carrier has to pay for a good mule or a good horse \$250. These men are doing great work for this Government. They are engaged in a great service, distributing the mail among the people. are out in all kinds of weather, not sheltered and protected as the mail clerk is in a car provided for him. He goes to no expense whatever for that, but the rural carrier must provide his own vehicle, must pay his house rent, and support himself and family, and all this on \$1,100 a year. I am in favor of increasing the pay of rural letter carriers and postmasters, too. The parcel post has greatly increased the labors of both. appeal to the chairman of this committee to prepare and offer an amendment himself raising the rural mail carriers' salary. I will cheerfully support both propositions, because they are just and right. [Applause.]

Mr. POU. Mr. Chairman, I heartly agree with the remarks of the gentleman from Alabama with respect to the necessity of an increase in the salaries of rural free-delivery carriers, and I will say right now that I have been impressed with certain data I have received showing the net amount per received by these carriers. The amounts are pitifully small. will not undertake to give the accurate figures, but from statements sent to me I should say that \$500 and \$600 a year net was a large estimate. Now, we all know this amount is too small. I want to say that there are perhaps 80 to 100 of these gentlemen in my district. I have in the past been receiving very few of their votes. I do not suppose that my party will receive many of their votes in the next campaign; but if every single one of them was a Republican and I never expected to get the vote of a single one of them, I would stand here and advocate this increase, because I believe it is right.

It is not just to expect these men to carry the immense amount of the recent increase in the mail matter of the country and to incur the expense they have to incur upon the pitiful salaries they are now being paid, and we may as well recognize the fact that if the people of the United States demand these modern postal facilities, if the farmer expects his mail delivered at his home every day in the year except Sundays and holidays, he ought to be willing to pay for it, and, as a matter of fact, he is willing to pay for it; and no fair-minded man will protest if you give these carriers an adequate salary.

Mr. FRENCH. Mr. Chairman, the text of the amendment that the gentleman from Tennessee [Mr. Austin] has offered. looking to the relief of the rural delivery carriers throughout the United States, is in the language of a proposed bill sent to me by the president of the Idaho Rural Letter Carriers' Association, Mr. Frank O. Paul, of Rexburg, Idaho. It is the same as is included in section 14 of the resolutions adopted by the National Rural Letter Carriers' Association, in convention as-

sembled, at Evansville, Ind., September 16 to 19, 1913.

The amendment provides that, beginning with the 1st of July, 1914, the compensation of each rural mail carrier upon a standard route of 24 miles shall be \$1,200 per annum for

carrying the mail six days a week.

The amendment provides, further, that on routes extending 24 miles in length the compensation shall be increased by \$48 per annum for each mile in excess of 24, and upon routes less than 24 miles in length the compensation shall be reduced by \$30 per annum for each mile less than 24. Provided, however, that under this section the compensation of no rural carrier shall be reduced below the amount obtaining at the date of the passage of the act.

The amendment also provides that, in addition to the satary provided for, that each rural carrier on a route that can be served by one horse shall receive, as compensation for providing and maintaining suitable equipment, the same sum as is allowed to mounted city carriers in the city having such mounted carriers nearest to the post office from which such carrier starts. For each additional horse needed for the rural service, each carrier shall receive, as an additional compensa-tion for equipment, two-thirds of the corresponding allowance of said mounted carrier.

The reasons why this amendment should prevail, it seems to me, must be apparent to the Members of this Congress, and especially to those representing districts in which there are

rural routes.

For many years the Government has maintained the policy of free-delivery service to the inhabitants of our cities, but it has been but a comparatively short time that the Government has realized that it owes a responsibility to the farmers living throughout our land that does not fall short of furnishing them with adequate mail service. Right at this time we hear a great deal of talk about the drift of people to the cities. There is pointed out the peril that exists on account of this condition; there is pointed out the advisability of building up the farm, and the advice now is that our people stay by the farms. I want to say, gentlemen, that the way to make the farm appeal to the people of the country is to surround farm life with the conditions that appeal to the intelligent population that our country possesses, and one of the ways of doing this is by bringing those upon the farm into as close touch as may be with the world at large. This can be done, and should be done, through our Post Office Department. It can be done, and should be done, through the establishment of rural delivery routes throughout the country. It can be done, and should be done, by paying to the rural delivery carriers a compensation that is adequate to the service performed by them-a compensation that will permit them to equip their routes with the horses and equipment necessary to give the best service without requiring the carrier himself to pay for this equipment out of his own salary.

It may be said that the carriers to-day are receiving as much as they were a few years ago, and the question is asked, Why pay them more? The answer lies in two reasons: The cost of living is high, and the salary of to-day should be in proportion to the cost of living. Not only this, but under the laws that Congress has passed providing for a parcel post the work of the carrier has been greatly increased and in some places it has been multiplied. The income of the Government from this service ought to be in part expended upon those who made the service possible and who give the people generally the convenience that it was believed would be granted by the passage of the law.

I have in my hand a copy of a letter from Mr. Frank O. Paul, of Resburg, Idaho, bearing upon the expenses necessary to be borne by the carriers in performing their duty. The letter is dated April 5, 1913. Mr. Paul says, in part:

I beg to inform you as to the expenses of the carriers, which I obtained by a report sent them—which was signed by the postmasters as well as the carriers—for the purpose of getting the average expense, condition of roads, etc. I found that the average expense of the carriers was \$317.99.

A buggy lasts about three years, which we are obliged to replace at an average cost of \$140. We also have to purchase one new horse, on the average, for the same length of time, at a cost of about \$100, to replace the one we have either lost or crippled up so we can not use it.

on the average, for the same length of time, at a cost of about \$100. to replace the one we have either lost or crippled up so we can not use it.

We have to advance at least \$500 to purchase an outfit to start out with; then the repairs for five years cost another \$500. Our feed bills will average approximately \$250 per year, or \$1,250 for five years. Our miscellaneous expenses of stable repair, druggists' and veterinary bills, etc., will cost another \$250, making a grand total of \$2,500 for the expenses for five years. We are paid at present \$1,100 per year, or for five years \$5,500, for a standard route of 24 miles or over. With a deduction of \$2,500 for expenses, we have left \$3,000 for five years of service to support our families and educate our children so they will be better able to fulfill the duties falling on them, and we don't think this enough to do this.

The average time used in making our routes is six and one-half hours; then there is the time it takes to work our mail up before we can leave for our routes, the time used in fixing up our reports, money orders, registers, etc., when we get back, making about eight and one-half hours daily given to our labors, making it impossible to get work along other lines to help make ends meet.

Our roads are accountable in a measure for the high repair bills. I find, through the reports I sent out, that the roads were bad a hig portion of the time, especially in spring and fall, when they were muddy and rutty, caused by bad weather. There is only a small portion of our roads drained, allowing the water to stay on, making mudholes and ruts. We are in favor of Federal aid to roads.

This letter indicates something of the condition that con-

This letter indicates something of the condition that confronts our letter carriers throughout the country. But I have further data upon this question. I have letters from many of the rural carriers throughout my State setting forth the number of horses, the number of vehicles, the amount of harness that they are required to possess; setting forth the annual depreciation, the cost of feed for the horses, the cost of upkeep that may be scheduled under the heads of horseshoeing, repairs to vehicles, harness, and other similar expenses. An examination of these many letters indicates that our rural carriers are being asked under the present law to perform their service for a meager compensation. I have not heard from all the rural carriers in my district, but to those from whom I have heard the average cost of equipment and maintenance of the horses, vehicles, and necessary equipment for the carriers is \$474 per year.

The average salary of those in the service from whom I have heard is \$1,084. The subtraction of \$474 from \$1,084 is but a simple problem in arithmetic, and it leaves a net salary of \$610, on an average, throughout my district. These figures alone ought to furnish a complete reason for the passage of my

amendment.

The people who live upon the farms are deserving of the same consideration through the Postal Service that is extended to the people who live in our cities, and the carriers who perform this service of bringing the people of the farm into the closest touch with all the world are deserving of fair compen-

sation. I trust the amendment may prevail,

The CHAIRMAN. The time of the gentleman has expired.

Mr. GUDGER. Mr. Chairman, it is with exalted pride that I recall the glorious victory of the Democratic Party in 1912. We championed the rights of the people; the Republican Party took its old stand for the trusts and monopolies. The issues were clearly drawn and the contest severe. Under the great leader-ship of Woodrow Wilson the people triumphed and gave into our hands the administration of affairs. What was the cause? The reason is not far to seek—the Republican Party forgot to keep faith with the people.

THE TARIFF.

The Republican Party in 1908 was continued in power under promise to revise and reduce the tariff. It revised but did not The Payne-Aldrich law was higher than the Dingley The Democrats in 1910 elected a majority of Democrats to seats in the House on a promise to reduce tariff rates, and did pass several bills reducing the tariff which were either killed in the Senate or vetoed by President Taft. In 1912 the Democrats elected a President, a Democratic Senate, and a Democratic House. Congress proceeded at once to reduce the tariff and accomplished this result effectually by the passage of the Simmons-Underwood bill, which was signed by the President and is now a law. No one denies that the new law is a genuine reduction, and no one accuses the Democratic Party of being

false to the pledges it made to the people. The free list as to the necessaries of life has been enlarged and the dutiable list cut from 10 to 50 per cent. The business of the country is conceded to be on a sound basis. The new tariff law has not injured the business interests. We have launched our country into a greater and newer freedom, which in due course of time will yield an unparalleled prosperity.

THE CURRENCY.

The national-bank system or the currency question next engaged our attention. The national-bank law had outlived its usefulness and become a menace to the growing interests of the country. Its defects were notorious and glaring. All men recognized its weaknesses and both parties had set about to remedy them. The Republican Party from 1908 to 1912 temporized with the matter. Under the leadership of Senator Aldrich a great monetary commission was devised and Aldrich placed at its head. It accomplished nothing, except to put the American people on guard. The leopard can not change its spots, and a man who has always stood for the classes as against the masses can not be expected to do the right thing even on his deathbed. Senator Aldrich was almost dead politically, as was the party to which he belonged. The people repudiated both the man and his party and turned to the rising sun-the reorganized and unterrified Democracy-for relief.

The Democrats brought in a new currency bill and pressed it to a victorious conclusion. It was a bill to take from a class the banking interests-the management and control of the currency, and to place that control more immediately under the control of the people. It was to be a safer system and a far more serviceable system, in that the Government was to have the chief control and not the national banks. Wall Street is no longer to dominate the money of the United States. A great series of Federal reserve banks, under control of a great reserve board appointed by the President, take the place of nationalbank control, and the people are assured of a "square deal" in management of the financial interests of the country. are a thing of the past, and business of all kinds is freed from

the grasp of greed and monopoly.

THE CIVIL-SERVICE LAW.

The civil-service law has been on the statute books for more than two decades, and in the final analysis of its workings has not proven itself to be wise legislation. From 1789 to 1887 we had no such law, and by any fair comparison the business of the country was better managed during the earlier days of the Republic than it has been during the life of the present law. Fitness for service has in every administration been recognized as the only basis for wise and safe appointments. There are fit men in all parties, and a wise President can better be intrusted with their selection than any board or any system of examina-tions that can be devised. No mere literary examination, even when impartially administered, can ascertain special fitness for a particular place. The duties of the place must be learned by the appointee after he arrives at his post, and an appointee of an honest President can and will learn these duties and perform them more faithfully than will the man sent in by a civil-service board, with good scholarship markings and the assurance that he has a life job.

The affairs of government were in as safe and as intelligent hands under the appointments of Jefferson, of Jackson, and of Lincoln as they have been under Cleveland, Roosevelt, or Taft. The old system was called "the spoils system" and the modern one "the merit system." The modern plan sails under false colors, for it does not produce clerks or officials of equal or greater merit than did the system it supplanted. Men were chosen for their fitness even under the "spoils system," and there is an everlasting ring of truth in the old saying, "To the victor belongs the spoils." No one ever supposed that the victor in any age of the country intended that the offices should go to incompetent men. Jackson swept cleaner than any President, but no one ever accused him of turning out a competent man to replace him with an idiot or an incompetent. Everything being equal, he took a Democrat, because as a Democrat he was entitled to be surrounded by men thoroughly in accord with his

policies.

The present system is weaker than the old, in that it shifts the selection from the men actually in charge to a set of men ignorant of the demands of the bureau or division. It is weaker than the old, again, in that while posing as nonpartisan it is the most shameless of partisan machinery. Why is it that the departments have from 75 to 90 per cent of the employees Republicans? Republican boys and girls are no more efficient in our schools and colleges than are Democratic boys and girls, and cny "merit system" that gives from three-fourths to seventenths of the Government places to Republican employees is a parody on merit and worse than the worst examples of the old

spoils system. At the worst, an appointee under the old régime only held place from four to eight years, while the appointees under the new-appointed ostensibly for merit, but really for partisan activity--hold their places for life-an anomaly in American governmental affairs. Our chief officers are changed and changed frequently; under the old system all employees were subject to the same law of change, and public affairs then were as well administered as they are to-day. Postmasters of the first and second classes are changed frequently without injury to the service.

The present system discriminates in favor of third and fourth class postmasters by exempting them from the law of change. In large cities the recipients of mail rarely see the postmaster, while third and fourth class postmasters are in evidence to their entire electorate. The great rural communities elected a Democratic administration, and expect to have an object lesson in changes of postmasters and other petty officers, but so far as they are concerned they are doomed to disappointment. The same Republican officials and employees continue to hand out the mail, and for all practical purposes the old Republican administration is continued indefinitely.

I am proud to say that the Democrats are weary of this false system of selection, and that the House has now under consideration amendments to certain bills which abolish a large part of the civil-service law, falsely called "the merit system." sonally, I am opposed to the whole law, and am in favor of a law that will keep in office those men that are in harmony with the administration. There are equally as fit Democrats who seek public employment as there are Republicans. Democratic applicants are equal mentally and morally to Republicans in office and superior to any Republican in carrying out Democratic policies. Policies may originate with those who are higher up, but they must be effectuated by those who are lower down, and Democratic policies have as much hope for faithful administration at the hands of Republican employees as the proverbial feather has to come out unscorched from a trail through the infernal regions. Then, again, the Democratic applicant has worked for the change as faithfully as has the greater men who are elected. The Democrat who goes out in sunshine and rain to elect a Democratic President desires recognition when victory perches on the Democratic banners. He should have an advantage over the ward heeler who is chosen under the guise of civil-service rules. If civil service is to be applied, let it go to every appointed place. It is unfair and unappened, let it go to every appointed place. It is untait and injust to have at least 75 per cent of the appointed places filled by men opposed to the party in power, and who are perniciously active as "calamity howlers," "panic prophets," and "breeders of unrest." Life jobs for employees destroy independence of of unrest." thought and independence of action. Life jobs destroy alertness and continued effort in improvement. Life jobs produce routine work slovenly done. Life jobs are un-American when applied to the public service.

For 50 years the Democratic Party has contended for certain great political truths, and in the hour of its success the members of that party demand that every office shall be filled by competent men in harmony with Democratic administration. Our Democratic army must not be led by Republican officials, any more than an American Army should be led by Mexican officials. The honest, efficient party worker should be rewarded after party success, and in that sense our fathers wrote us their shibboleth, the manly words, "To the victors belong the spoils." I do not blush for my Democratic friends in North Carolina who apply for place under a Democratic administration, nor do I dread to make a comparison of North Carolina applicants asking and seeking place with the best of the Republicans now holding the jobs; I am willing to gauge North Carolina applicants, or Democratic applicants anywhere, by any standard of virtue, intelligence, or worth, except a civil-service standard inaugurated and maintained to give Republican employees a life hold on their jobs. These same Democratic applicants, if chosen to place, upon a change of administration would expect to be turned out from one end of the country to the other, and I, for one, would disown them as party associates if they whimpered over their removal. The gentleman who preceded me spoke of this proposition as an encouragement of the pie counter and pie hunters. I am humiliated at such a comparison. Is a man who aspires to a small office to be catalogued as a pie hunter, while one who seeks the large one is a patriot? Is the man who seeks a \$10,000 place to be called a statesman while the humbler man who asks for a \$900 place is to be dubbed a "job hunter' am proud to stand here and speak for the humblest patriotic Democrat who has been faithful and loyal to his party and to demand for him recognition in this the people's administration.

The CHAIRMAN. The gentleman from Iowa [Mr. Towner]

is recognized.

Mr. TOWNER. Mr. Chairman, I entirely sympathize with those who desire to keep the appropriations of this Congress within a reasonable limit. Everyone, however, understands that certain increases must be made. Of course, it is a question for this Congress to determine in what cases meritorious increases are asked for. Certainly, there can be no consideration of this question with regard to whether increases ought to be made for the rural carriers by anyone without his arriving at the conclusion that their demand is entirely justified. There has been, in the first place, a very large increase in the general cost of living. Of course, we all understand that. There has been a very large increase, as well, in the cost of feed, which increases materially the cost of the equipment of these rural carriers. Gentlemen should understand that these men are placed, after all, in an anomalous position as public servants. There is hardly any other class of public servants that is required to furnish their own equipment. Usually the Government does this at its own expense. But these men are required to furnish their own equipment, and it is a most considerable one, as gentlemen will find by investigation.

In my own district the reports show that these rural carriers are required to keep three horses, in order to make their routes. They are required to keep two vehicles, at least. The value of the horses on an average for each one of those carriers is \$343.50. The average of the vehicles is \$120. The cost of the harness that is required is \$46. They are required at present prices to pay on an average of \$331.40 annually for feed. The shoeing and repairs cost over \$60 each year. The average expenses in my district of these rural carriers is \$586, and the average salary is but \$1,082. This leaves as actual compensation for these men, working six days in the week, every week in the year, in rain and shine, in summer and winter, and under all conditions, but \$496 annually. I submit to gentlemen that this country can not afford to ask a man to maintain a family and educate his children on that amount of compensation. submit that a man who is required to take such responsibilities and do such efficient work for the people whom he serves, ought not to be asked to work for such small compensation. A fair, a reasonable compensation ought to be granted, and that would mean a substantial increase in their present compensation. I sincerely hope that a way may be found for the House to consider and pass such legislation.

Mr. PETERSON. Gentlemen in the House here have frequently announced during the consideration of this bill that we can not afford to be parsimonious with those who devote their time and labor to the services of the Government. gentlemen, if that be true, and we all admit that it is, it seems to me that this is the opportunity when we should show our liberality, and this is the class of men who are entitled to the benefits of our liberality. These are the men who perform actual service, who render to the Government every day full returns for the compensation they receive, and more

The chairman of the committee stated on yesterday that the average time devoted to the service by these men was over 71 These men live in the towns and in the cities. hours a day. Many of them have to pay rent. They must clothe and support their families and educate their children. I submit that no man under such circumstances can well do that at the rate of salary they are receiving. In my district, of which I have the returns here, the average net amount received by these men is less than \$600 a year. Think of it, gentlemen. Trying to support a family and educate children at this time, considering the cost of living, on \$600 a year. Is not that parsimonious? Is it fair and just to the citizenship of this country? There is no class of men possessing the qualifications that these men must possess that is required to work for such a wage as that. These men are men who must be educated; they must have special qualifications. They can not pass the examination unless they And I want to register my voice in favor of fairness and justice to these men, and to say that I believe their salaries should be raised.

The CHAIRMAN. The gentleman from Oklahoma [Mr. Mor-GAN] is recognized.

Mr. MORGAN of Oklahoma. Mr. Chairman, I offer the following amendment.

The gentleman from Oklahoma offers an The CHAIRMAN. amendment which the Clerk will report.

The Clerk read as follows:

The Clerk read as follows:

Amend, by adding after the word "substations," in line 10, on page 25, the following:

"That from and after the 1st day of July, 1914, the compensation of rural letter carriers for carrying the mail six days each week on standard routes of 24 miles in length shall be the sum of \$1,250 per annum, to be paid monthly; and on routes exceeding 24 miles in length, the sum of \$50 per mile per annum for each mile in excess of 24 miles; and on routes under 24 miles in length, an increase of 10 per cent per mile per annum; on routes carrying the mail three times each week,

of the same length as above, the pay shall be one-half the compensation there provided: *Provided*, That no carrier's pay shall be increased more than \$200 per annum on account of the passage of this act."

Mr. MANN. Mr. Chairman, I reserve a point of order on

Mr. COX. I make the point of order on that, Mr. Chairman. The CHAIRMAN. The gentleman from Indiana [Mr. Cox] makes a point of order. The point of order is sustained,

Mr. MORGAN of Oklahoma. Mr. Chairman, as I understand it, on a standard route of 24 miles the rural carrier now receives \$1,100 per annum. Section 9 of this bill provides that for such route a carrier shall receive \$1,150.

Mr. DONOVAN rose.
The CHAIRMAN. For what purpose does the gentleman from Connecticut rise?

Mr. DONOVAN. Was not the point of order sustained?
The CHAIRMAN. It was; but the gentleman from Oklahoma has been recognized to debate the proposition under the 40minute plan.

Mr. MORGAN of Oklahoma. Mr. Chairman, as I said, under section 9 of this bill the pay is increased to \$1,150. Under the amendment which I have offered the pay for such a route would

be \$1,250 per annum.

Now, Mr. Chairman, since I have had the honor to be a Member of this House I have felt a special interest in doing what I could to promote improvement in every department of what I could to promote improvement in every department of our mail service. I have taken especial interest in every propo-sition to better the service given our rural population. Great progress has been made along this line. I am ready to vote for larger appropriations from year to year until every farmer shall have his mail delivered at his door. The pay which our rural carriers receive will affect the mail service which our farmers receive. Poor pay to rural carriers means inferior mail service to our farmers. I am therefore in favor of paying rural carriers liberally for their services. Four years ago, March 10, 1910, I made a speech in this House on the very subject we now have under consideration—the pay of rural carriers. My sentiments have not changed. In that speech I said:

My sentiments have not changed. In that speech I said:

In my judgment the pay of the rural carriers should be substantially increased. They perform a very important service for the people. The position is one of great responsibility and requires men of unquestioned integrity. These men come in close contact with the people. The success of the service and the reputation of the department depend upon their fidelity to duty. The rural carrier is required to make quite an investment before he enters upon his work. He must maintain this investment. There is constant danger of loss. There is the wear and tear of his vehicle and equipment, and he never knows when a large portion of his annual salary must go to purchase a horse to replace the one that has died. He is often exposed to inclement weather. He must go, rain or shine, in heat or in cold. The patrons of the route expect him every day at the proper time. The records show that he seldom fails. The present schedule of salaries was fixed when the equipment of the rural carrier cost much less than it does now and when admittedly the cost of living was not nearly so high. Unless these men receive better pay, in my opinion, the service will lose many of its best men. This would cripple the service. This we can not afford to allow. The rural service must be both extended and improved. We must pay sufficient salary to induce the right kind of men to seek and remain in this service. For two important reasons the pay of the rural carriers should be increased—first, in the interest of an improved service, and, second, in justice to the carriers, who are not now, in my judgment, receiving pay commensurate with the service performed.

The CHAIRMAN. The time of the gentleman from Okla.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. MORGAN of Oklahoma. I ask unanimous consent, Mr.

Chairman, to revise and extend my remarks in the Record.

The CHAIRMAN. The gentleman from Oklahoma [Mr. Morgan] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MORGAN of Oklahoma. Under the act approved August 24, 1912, the maximum pay allowed a rural letter carrier was \$1,100 annually

Section 9 of this bill, H. R. 11338, fixes the maximum salary to be paid to a rural carrier on a standard route of 24 miles at \$1,150. This is an increase of only \$50 annually.

Section 9, in full, is as follows:

Sec. 9. That from and after the 1st day of July 1914, the compensation of rural letter carriers for carrying the mail six days each week on standard routes of 24 miles in length shall be the sum of \$1,150 per annum. to be paid monthly; and on routes exceeding 24 miles in length, the sum of \$22.50 per mile per annum for each mile in excess of 24 miles; and on routes under 24 miles in length, an increase of 10 per cent per mile per annum; on routes earrying the mail three times each week, of the same length as above, the pay shall be one-half the compensation there provided: Provided, That no carrier's pay shall be increased more than \$75 per annum on account of the passage of this act,

EXPENDITURE FOR EQUIPMENT AND MAINTENANCE.

Through Mr. W. D. Brown, editor of the Rural Free Delivery News, I have received an itemized statement of the amount that I

the rural carriers in the second congressional district of Oklahoma, from which I was elected in 1912, spent in 1913 for equipment and maintenance. Each report is signed by the carrier, and an itemized statement is presented. I present a tabulated statement, giving name of carrier, salary, and amount spent for equipment and maintenance for 1913.

Amounts expended by the rural carriers in second congressional district of Oklahoma.

Carrier.	Route.	Equip- ment and mainte- nance.	Net salary.
Arthur C. Shinn Albert H. Broadbooks Edd Wilt. Harvey T. Topley Roy Lee Charles W. Hale W. N. Guilliams Everett M. Allen John L. Hodel Frank H. Benefiel Alden B. Mackey Luchs T. Wining Charles W. Geagun William A. Jones Joseph F. Spangler Ira H. Conkling James T. Howe Arthur Farrington Frank Nash Le Roy B. Wheeler Edward L. Ballinger Charles Beadles Frank D. Ratliff Julius A. Rice Wm. A. Schley Charles L. Brooks Wm. A. Schley Charles L. Brooks Wm. Vorhies Frank A. Bird Henry J. Noble	Edmond No. 2	\$590.60	\$509.40
Albert H. Broadbooks	Geary No. 3	773.00	327.00 508.70 588.00
Edd Wilt.	Aline No. 2	593. 25	508.70
Por Les	Aline No. 1	512.00 593.25	506. 75
Charles W. Hale	Aline No. 4	519, 50	590.50
W. N. Guilliams	Aline No. 1. Aline No. 3. Aline No. 4. Edmond No. 5.	562. 25	537. 75 844. 00
Everett M. Allen	Niles No. 1	256.00	844.00
John L. Hodel	Orienta No. 1	420.00 414.50	680.00
Alden B Mackey	Cedardale No. 1	560.45	575.00 92.25
Lucius T. Wining	Geary No. 4	270.05	529. 78
Charles W. Geagun	Jones No. 4. Jones No. 4. Jones No. 1. Edmond No. 2. Eagle City No. 1. Hitchcock No. 2. Ringwood No. 3. Ringwood No. 1.	334. 60 243. 00	776.40
William A. Jones	Jones No. 1	243.00	823.50
Joseph F. Spangler	Edmond No. 2	666, 30	433. 70 472. 40
James T. Howe	Hitchcock No. 2	627. 60 492. 80	617.00
Arthur Farrington	Ringwood No. 3	680.00	420.00
Frank Nash	Ringwood No. 1	470.00	630.00
Le Roy B. Wheeler	Ringwood No. 2	366.00 688.00	734.00
Charles Readles	Avard Nos 1 and 2	510.00	412.00 590.00
Frank D. Ratliff	Webb No. 1	679.00	421.00
Julius A. Rice	Rhea No. 2	581.00	519.00
Wm. A. Schley	Gracemont No. 2	479.00	621.00
W. C. Vendeventer	Ringwood No. 1 Ringwood No. 2 Seiling No. 2 Avard Nos. 1 and 2 Webb No. 1 Rhea No. 2 Gracemont No. 2 Gracemont No. 3 Gracemont No. 1	437.00 436.00	663.00 664.00
Wm. Vorbies	Alva No. 1	402.00	698.00
Frank A. Bird Henry J. Noble. Wm. H. Umbach.	Alva No. 1. Haskew No. 1. Haskew No. 2. Weatherford No. 4. Weatherford No. 4.	550.00	650.00
Henry J. Noble	Haskew No. 2	492.00	608, 00 429, 00
Wm. H. Umbach	Weatherford No. 4	671.00	429.00
E E Myore	Weatherford No. 1	652. 25 448. 00	447.78 652.00
Wm. N. Miller	Doby Springs No. 1	153.00	787.00
Robt. L. Cate. E. E. Myers. Wm. N. Miller. James D. Harris.	Alva No. 4	577.00	523.00
D. A. Peatherny	Weatherford No. 4. Weatherford No. 2. Weatherford No. 1. Doby Springs No. 1. Alva No. 4. Buffalo No. 1. Yelton No. 1. Olegen No. 2.	745.00	655.00
John Simmons Chas. W. Harris Walter A. Miller James W. Cox Frank M. Judge. Ustace L. Wilson Lan A. Avenett Warren P. Wagoner Chas. W. Hendrickson Charles Leckner Jervis H. Gorham Jos. W. Jackson	Okeene No. 3	731.00 401.00	369:00 699.00
Walter A Miller	Okeene No. 2 Okeene No. 1	552.00	548.00
James W. Cox	Okeene No. 1	627.00	474.00
Frank M. Judge	Okeene No. 4 Lambert No. 1 Goodwell No. 2	473.00	627.00
Ustace L. Wilson	Coodwell No. 2	603.50 318.50	696.50 781.50
Warren P Wagener		530.00	570.00
Chas, W. Hendrickson	Newalla No. 3 Oklahoma City No. 8 Durham No. 1	580.00	520.00
Charles Leckner	Oklahoma City No. 8	550,00	545.00
Jarvis H. Gorham	Durham No. 1	474.00	626.00
Weeley S Wetson	Averd No. 3	580.69 270.00	591.67 390.00
Albert J. Fontz	Hitchcock No. 3	950.60	150.00
Jackson. Jos. W. Jackson. Wesley S. Watson. Albert J. Fontz J. M. Samuel. J. C. Hamrick. J. Coomis	Curtis No. 2. Avard No. 3. Hitchcock No. 3. Watonga No. 2. Carnegie No. 1.	792.00	208.00
J. C. Hamrick	Carnegie No. 1	587.50	512.50
J. Coombs. Garrison W. Skimber John S. Ewing. David W. Lowder.	Bishop No. 1	905.00 364.50	195.00 736.50
John S. Ewing	Tangier No. 1. Sharon No. 1. Calumet No. 1.	568.00	532.00
David W. Lowder	Calumet No. 1	531.00	569.00
Henry Jensen	Calumet No. Z	772.00	328.00
Wm. J. Crooks	Carmen No. 2 Fay No. 2	205.50 635.00	894.5
Inmes A Rennett	Amos 9	560.00	465, 00 540, 00
Fred S. Lewis	Oklahoma City No. 7 Garlington No. 1 Fairview No. 3	413.00	687.00
Chas. W. Ogston	Garlington No. 1	203.50	600.00
John W. Howard	Fairview No. 3	386,50 600,00	713.50
W. C. Haynes	Alden No. 1. Geary No. 2 El Reno No. 4. El Reno No. 3.	685.00	500.00 471.00
J. H. Bolton	El Reno No. 4.	468.00	632.00
John Lamman	El Reno No. 3	435.00	645.00
Deter A Immell	Helena No. 1	366.20	733.80
Daniel Burkett	Helena No. 3	368.06 550.00	731.94 550.00
Alvin R. Bowles	Ames No. 1.	565.00	535.00
Hays B. Tomlin	Balko No. 2	495.00	605.00
Peter A Immedia Daniel Burkett Alvin R. Bowles Hays B. Tomlin. Ralph R. Schmoyer. Robt. W. Wadsworth Michael E. Gamble. Lubn Kannady	Helena No. 1. Helena No. 3. Helena No. 2. Ames No. 1. Balko No. 2. Geary No. 1. Arapaho No. 2. Apache No. 5. Apache No. 3.	553.75 447.00	546.25
Nobt. W. Wadsworth	Arapano No. 2	447.00 429.50	643.00 670.50

According to the foregoing statement the average cost for equipment and maintenance to rural carriers in my district is \$521, and the average salary for the carriers in my district is \$1,090. In other words, according to this statement, rural carriers in my district received only a net salary of \$569 annually. It may be difficult to provide by law a salary that will be

equitable in all cases.

Mr. W. D. Brown, the editor of the Rural Free Delivery News, who has, no doubt, given this subject very careful consideration, discusses this proposition in a letter which I received from him under date of January 12, 1914. Referring to the proper basis

of adjusting salaries according to service rendered, road conditions, and cost of equipment and maintenance, he says:

ditions, and cost of equipment and maintenance, he says:

I take the liberty of suggesting two bases as tending to adjust the compensation more nearly in proportion to the service rendered, road conditions, and cost of equipment maintenance:

First. In addition to the present salary of each carrier, provide an annual equipment allowance of \$120 minimum and \$300 maximum, provided that carriers on routes not less than 16 miles in length shall be allowed a minimum of \$150; on routes not less than 20 miles in length, a minimum of \$200; on routes not less than 24 miles in length, a minimum of \$240. Major fractions of a mile to be considered a full mile. Additional equipment allowance to be based upon condition of roads, quantity of mail handled, and length of time required to serve route.

Second. Fix arbitrarily the length of a standard rural delivery route at 24 miles and the pay for same at \$1,200 per year; for each mile above the standard add \$30 per year, and deduct a like amount for every mile below the standard, major fractions of a mile to be considered a full mile. In addition, allow for equipment maintenance for routes not less than 20 miles in length a minimum of \$100 per year and a maximum of \$200 per year, provided that the total of salary and equipment allowance shall in no case exceed \$1,400.

I hope that before this bill shall be passed proper amendments may be made and that we shall place upon the statute books a law that will give every rural mail carrier adequate pay for the service he renders and make due allowance for what he is compelled to pay out in maintenance and equipment.

EXTENSION OF RURAL DELIVERY SYSTEM

I am heartily in favor of extending the rural delivery system. In this service there must be no halting, no hesitation, no delay. The work must go on. We must give to every citizen of the United States the advantages of daily mail as rapidly as suitable public highways shall be provided. The people now understand the value of this service. If the system is not selfderstand the value of this service. If the system is not self-sustaining, this will not justify any backward step relative thereto. The people are willing to pay what is necessary to secure this service. The people who reside in the rural distinct. tricts are entitled to a daily mail to place them to some extent upon an equal footing with the splendid free-delivery system But aside furnished the inhabitants of our towns and cities. from the question of justice, this system is a good investment for the Nation. It is worth far more than it costs. The Post Office Department, as a rule, should be made self-supporting. In the main, it should be managed as a business institution. But there are exceptions to every rule. The manifest and manifold benefits of a daily mail to all our people bring the rural delivery system within the exception. We can afford to provide this system even if it is not self-supporting. If we have in view the welfare of the people of this Republic, we will continue to develop, extend, and perfect the rural delivery until all of our people orients. all of our people enjoy its advantages and benefits.

Unanimous consent was asked by Mr. French, Mr. Ashbrook, Mr. Rubey, and Mr. J. M. C. SMITH to extend their remarks in

The CHAIRMAN. The gentleman from Idaho, Mr. FRENCH; the gentleman from Ohio, Mr. ASHBROOK; the gentleman from Missouri, Mr. Rubey; and the gentleman from Michigan, Mr. J. M. C. SMITH, ask unanimous consent to extend their remarks in the Record. Is there objection?

There was no objection.

Mr. RUBEY. Mr. Chairman, I had intended to make a speech upon this proposition, but my good colleague from Missouri [Mr. Russell] made my speech before I got the chance. [Laughter.] I will say, however, in this connection that, in my opinion, no employees in the Government service receive as small compensation for the work done as do the rural route boys, who carry the mail throughout the length and breadth of this land. They are the poorest paid, yet they do the hardest work. They serve the people in all kinds of weather. It never gets too hot; it never gets too cold; it is never too dry; it is never too wet. In the sunshine or in the rain, through the dust of summer or through the snow and ice of winter, the faithful carrier "wends his weary way," bearing his ever-increasing burden of mail and distributing it cheerfully and good-naturedly to the most appreciative patronage on earth—the American farmers, their wives and daughters.

During the Christmas holidays I prepared a letter which I

mailed to the 92 carriers in my district. In that letter I sub-

mitted 10 questions, as follows:

1. How long is your route? How long have you been a carrier? What is the average length of time, in hours, required to make your

What is the average length of time, in hours, to have the first of the form of

5. What is your net monthly salary—that is, how much do you make, exclusive of all expenses incurred by you in carrying the mail?

6. What kind of a road have you? How many months in the year is your road good, how many months bad? Has your road been recently improved? If so, how? What kind of work has been done upon it? Are your roads, as a rule, getting better or worse?

7. In your opinion, would an annual appropriation by the Government of \$20 to \$30 per mile, to aid in road work, be of material benefit to your roads? Would it stimulate road improvement?

8. Are your patrons pleased with the rural mail service? What do they think of the parcel post? What is the sentiment for improved roads?

8. Are your parrous present they think of the parcel post? What is the sentiment for improved roads?

9. Make suggestions of your own regarding (a) the improvement of rural mall service, (b) the roads, (c) the parcel post.

10. Add any suggestions or comments you may wish to not included in the foregoing.

This letter was mailed December 31, and up to the present time I have received replies from more than two-thirds of thecarriers. One or two of the carriers wrote me that they would be pleased to respond to my letter, but they were not allowed to do so under the ruling of the Post Office Department. These carriers evidently were laboring under the impression that the old "gag" rule, abolished by the last Congress, was still in existence. Many of the letters which I have received treat the subject exhaustively, and contain information, not only upon the rural route service and the parcel post, but also data in regard to the character of the roads, the methods of improvement, the local sentiment, together with valuable suggestions as to how our public roads may be improved. I am frank to say that the information I have received from the carriers in my district has amply repaid me for the time and trouble of preparing and sending out the letter.

The average annual salary paid to rural carriers in my district, on routes having six times a week service, is \$1,040, or a little less than \$87 per month. The average annual cost of maintenance, repairs, and so forth, is \$408, or \$39 per month, leaving the carrier an annual net salary of \$572, or about \$48 per month. The salary paid to city carriers ranges from \$800 to \$1.200 per year, with no expense for equipment. When the work of the city carrier requires the use of a conveyance, he is given an additional allowance of from \$200 to \$400 to assist him in

the maintenance of his equipment.

I represent an agricultural district. My people appreciate the rural-route service; they are pleased with the parcel post, and they are entitled to receive prompt and efficient service. It is unfair to ask the carriers to render such service at a compensation which nets them now but little more than half what is paid to the carriers in the cities. The boys in the country who serve the farmers are entitled to equally as good treatment at the hands of the Government as the boys in the cities who

serve the city folk

The present salary of the rural-route carrier was fixed before The present salary of the fural-totte carrier was face before the parcel post went into effect. Recently the limit of the amount carried has been increased to 50 pounds, and we are told that it is to be further increased to 100 pounds. The increased limit in the parcel post will ultimately compel the rural carriers to increase their equipment. Mail matter must be protected from inclement weather, and soon the boys on the routes will be compelled to provide themselves with 2-horse, covered conveyances in order that papers, letters, and parcelpost packages may be protected from the rain and snow, and possibly from the heat of the summer sun. Congress should either increase materially the salary paid to the rural-route carriers or it should grant to them an annual allowance for the maintenance of their equipment. The patrons of rural routes are entitled to receive, and carriers are anxious and willing to render, efficient service, but with the increased burdens and the small compensation they are now receiving the time will come, and that soon, when they will be absolutely unable to render that kind of service.

Walt Mason, in his inimitable style, in a recent paragraph,

has this to say about the rural mail:

THE RURAL MAIL.

A fierce and bitter storm's abroad, it is a bleak midwinter day, and slowly o'er the frozen sod the postman's pony picks its way. The postman and his horse are cold, but fearlessly they face the gale; though storms increase a hundredfold, the farmer folk must have their mail. The hours drag on, the lonely road grows rougher with each mile that's past, the weary pony feels its load, and staggers in the shrieking blast. But man and horse strive on the more; they never learned such word as fall; though tempests beat and torrents pour, the farmer folk must have their mail. At night the pony, to its shed, drags on its cold, exhausted frame; and after supper, to his bed the wearled postman does the same. To-morrow brings the same old round, the same exhausting, thankless grind; the journey over frozen ground, the facing of the bitter wind. The postman does a hero's stunt to carn his scanty roll of kale; of all the storms he bears the brunt—the farmer folk must have their mail.

Vos. Mr. Chairman, as Walt Mason says. "the farmer folk

Yes, Mr. Chairman, as Walt Mason says, "the farmer folk must have their mail." Additional rural routes will continue to be established; the parcel post will be improved and per-fected, that we may give to the people of rural communities in-creased and better mail facilities. But what of the carrier,

"the postman who does the hero's stunt"? Shall we give him a compensation commensurate of the work he is doing? The Post Office Department is now self-supporting, and so long as this continues not one dollar for its maintenance will come out of the Federal Treasury. The Committee on the Post Office and Post Roads has reported an increase; this House, I believe, favors even a larger increase than that recommended by the committee. To-day we are face to face with the proposition that no legislation can go upon an appropriation bill without either a special rule, or unanimous consent, and the objection of one man will be sufficient to prevent, for the time being, any action being taken in the matter. I am glad to know, Mr. Chairman, that the committee will very shortly report a bill upon this subject. Within a few weeks this House will be given an opportunity to voice its sentiment in the passage of a bill which, I am sure, will mete out simple justice to the rural carrier.

Mr. ASHBROOK. Mr. Chairman, I have been very much interested in the debate on this bill. The people generally are more interested in the bill which provides the revenues to run the Postal Service than any of the great appropriation bills, because it most directly concerns every man, woman, and child in the land. We appropriate for the Army and Navy, for the rivers and harbors, and for this and for that, without seeming regard as to where the money goes or where it is to come from. But when we reach the Postal Service then every item must be carefully scrutinized and all increases in salaries come in canary bites. This bill carries about three hundred and five or six millions of dollars. But what of that? That is not much when considered in a proper light; not much, because it all comes back into the Treasury. No other branch of the Government is self-supporting except the Post Office Department. The people who use the mails-and everybody does-pay the money to run this great system, and they are entitled to the best possible service; the great army of employees who make this splendid service so nearly perfect are entitled to more than a

Who is there in this Chamber or anywhere else that does not want to pay well for good service? The Hitchcock administration seemed bent upon but one thing, and that was to make the Postal Service self-supporting, regardless of the needs of the country. I am glad that we have a Postmaster General now who is proceeding on broader and bigger lines. With 2-cent letter postage there is no danger of a deficit, and for one I am opposed to a reduction in existing rates. The rate is low, when the service is considered. The people are content to pay 2 cents to mail a letter to the next town or 3,000 miles away. The mail-order houses and big business concerns want 1-cent letter postage, but I do not care if they do. Let us continue existing rates, and thereby be enabled to enlarge and extend the service and give the boys in it better pay. This bill gives many increases of salary and is twenty-two millions greater than ever before appropriated for any fiscal year. I am glad of it. I wish it was more, and I claim to be an economist, too. Every dollar collected from the people for postage should be expended to better and improve the Postal Service. Give us more rural routes, extend the city delivery, and increase the number of city carriers. Give us more clerks in the post office and in the Railway Mail Service; enlarge and improve the service and enlarge the pay.

There are two classes of employees in the Postal Service who are particularly entitled to better pay, to wit, the railway postal clerks and the rural carriers. The railway clerks receive on an average something like \$1,300 or \$1,400 per annum, if I am correctly informed. Consider the risk they run, the service they render, and the ability they must possess to fill these positions. Other employees either receive too high pay or the railway clerks receive too little. I think it is the latter. would cheerfully vote for an increase of \$100 for each year they are in the service until their pay reaches \$2,000 per annum. No one can accuse me of trying to pour water on my wheel by my advocacy of the increase of the pay of railway mail clerks. I do not suppose there are more than a dozen railway post-office clerks who live in my district, and half or more of them are out on their runs on election day. I plead plain justice for these employees who handle the mail with lightning rapidity in the railway post-offices and who was greater risk of life. in the railway post offices and who run greater risk of life than any other class of postal employees.

This bill increases the pay of the rural carriers on a standard-length route \$50 per annum, making the compensation \$1,150. It further provides that on routes more than 24 miles in length \$22.50 per mile additional per annum for each mile in excess of the standard route, provided no carrier's pay shall be increased more than \$75 per annum. I am glad for this increase, but believe it should have been \$100 instead of \$50, with an allowance for additional pay of not less than \$30 per mile for each mile in excess of 24 miles. Some seem to believe the rural carrier is well paid—even overpaid. I have carefully examined the statements sent in to Mr. W. D. Brown, editor of the Rural Free Delivery News, from the carriers of my own district. I know the boys who made these reports, and that they are reliable reports. Four hundred and fifty dollars, I take it, is a fair average of the cost of maintenance of the necessary equipment per annum. Some carriers report an amount considerably in excess of \$450 and some considerably less; so I take it that

\$450 is a fair average.

It is no argument, in my opinion, against proper pay for the rural carriers and all other postal employees, because there are a dozen or more applicants to fill each vacancy. Why, gentlemen, I already have four fine gentlemen back in my district who are after my job here, and I have never even intimated to anyone that there was a possibility of a vacancy in my district. There are plenty of good men in every congressional district who would fight for our places here if our salaries were cut in two. But because of this fact, how many Members of Congress believe they are overpaid? Then why should we use such an argument against the poor fellows who make a bare living. It is poor argument and falls of its own weight.

With the \$450 deducted from the salary of \$1,050 to \$1,150 leaves but \$650 to \$700 for the carrier to live upon and support Not a very princely salary after all. In one of these reports to Mr. W. D. Brown, who is surely a friend of the rural carriers, I read this notation:

Bad days and bad roads, the huckster makes no trips, the farmer stays at home, but the rural carrier must go.

And so he must, for the arrival of the rural carrier is waited

with impatience by every patron of this splendid service.

The rural carrier must keep at least two horses, two vehicles, harness, and so forth; the feed of the animals, the upkeep of the equipment, and the depreciation will easily equal the \$450. It is true that when a rural carrier owns an automobile it is not an all-day's job during the summer and fall months, but the expense of the machine offsets the time saved. It is an all-day's job on the average, the best you can make out of it. Farm hands and laborers get from \$2 to \$3 per day, so that a rural carrier only gets ordinary day-labor pay.

I would offer an amendment to the bill increasing the pay to \$1,200 of a standard route, with additional pay for each route in excess of 24 miles at the rate of \$30 per mile if I thought it would do any good. The chairman of the committee, Mr. Moon, would do any good. The chairman of the committee, art. aloos, informs me that it would be objected to, and would therefore avail nothing. I want to go on record, however, in favor of the increase just mentioned. I have no criticisms to make of the chairman or the members of the committee. They have shown their hearts are in the right place by bringing in this bill with an increase, carrying an additional expense of \$3,000,000 for the rural free delivery carriers. But they have not gone far enough, in my opinion. With the parcel-post limit now at 50 pounds, and soon to be increased to 100 pounds, I say to you gentlemen that a further increase must soon follow. The rural free delivery wagon can no longer be a light vehicle drawn by one horse, but must be a strong wagon with a good team, and will resemble an express wagon or the old-time stage coach. The people demand this increased service and they have the right to have it, but the Government will be compelled to pay for it by further increasing the pay of the rural carriers. I gladly vote for this \$50 increase, and stand ready to vote for a more substantial

increase, which must come at no far-distant day.

I wish to include in my remarks a letter just received from Mr. W. D. Brown, giving valuable information upon this subject. JANUARY 20, 1914.

Hon. WILLIAM A. ASHBROOK, Washington, D. C.

Washington, D. C.

My Dear Mr. Ashbrook: As per my letter to you of the 12th instant, I inclose herewith statements from a number of rural letter carriers in your district, showing the original outlay and annual cost of maintenance of equipment necessary to properly serve their routes. These statements were requested on January 10, and all carriers have not yet responded, but as the Post Office bill is now under consideration in the House, I send you all we have received, so that you may know something of conditions of rural service in your district. From these you will see that the average cost of equipment maintenance of your carriers who have reported is \$468; average salary, \$1,062; leaving net salary \$594.

I am to-day mailing to Members of Congress more than 10,000 of

I am to-day mailing to Members of Congress more than 10,000 of these statements from carriers in every State, and the general average is about the same as in your district. If you think the above figures are extravagant, please consider the following:

mately	\$20, 000, 000
Interest on investment at 6 per cent	1, 200, 000 4, 000, 000
Feed of only 1 horse per route, \$150 per year; 43,000 routes	6, 450, 000
Motel cost non mean	11 050 000

As a matter of fact, the average requirement is two horses per route and the cost of feed per horse more than as shown above, not including repairs to vehicles, etc.

In his splendid speech, when presenting the Post Office appropriation bill, Chairman Moon stated that on July 1 next the Postmaster General would increase the weight limit of the parcel post to 100 pounds. The expenses indicated by the inclosed statements cover only parcelpost weight of 20 pounds. What will they be with the present weight of 50 pounds and the 100-pound limit now in sight?

I feel sure that under these conditions you will appreciate the imperative need of a substantial increase in compensation, either in straight salary or equipment allowance, for rural carriers, and that the carriers in your district may count upon your active support.

Sincerely, yours,

W. D. Brown.

Mr. HUGHES of Georgia. For several years I have believed that the rural carriers were the poorest paid employees in the Government service. Last summer I determined to investigate conditions in my own district and learn, if possible, just what salary the average carrier made above his actual expenses. I wrote each carrier to send me an itemized statement of his expenses as mail carrier. The information I thus gained has borne out my belief and has demonstrated to me how extremely low their pay is.

Out of 53 replies from carriers whose salaries ranged from \$1,000 to \$1,100, though I believe there are some under the former figure, I found that their total expense for horse feed and hire, repairs, horseshoeing, and other actual expenses incurred in carrying mail for one year was \$20,517.23, or an average annual expense to each carrier of \$387.11. Divide this by 12 and we see that there is a monthly expense of \$32.26.

Assuming the equipment—horses, wagon or buggy, harness, and so forth—to be worth \$500, and assuming the life of this equipment to be four years, there is an additional annual expense for depreciation to each carrier of \$125, or a monthly expense of \$10.41, making the total actual expense of carrying the mail \$512.11 per annum, or \$42.67 per month. Considering that each of these carriers is paid \$1,100 per annum—though many of them receive less than this—we find that their monthly salary is \$91.60. Deducting the expense of \$42.67 upkeep and depreciation from the salary of \$91.60, we find that each carrier receives \$48.93 for his month's work, and this is a liberal estimate of the amount of money which he clears after paying his carrying expenses.

The average Government clerk begins his service at a salary of from \$60 to \$75 per month and does not even have to buy so much as a cedar pencil. He is provided with comfortable quarters. He is promoted from year to year until his salary is doubled or trebled. The rural carrier has no system of promotion, but draws the same pay year in and year out, and his work carries him for a long drive each day, no matter how severe the weather.

For years the rural carrier has been in this condition. It is long past the time when Congress should raise his pay in Georgia to a living wage.

The parcel post is a source of revenue to the Government, but it is a source of additional expense to the carrier. Weight soon will be increased from 20 to 50 pounds, and on July next it will be increased to 100 pounds.

For these reasons I introduced a bill increasing the salaries of these carriers \$30 per month, or \$360 per year, making the salary on 24-mile routes \$1.460. I think this only justice and right. "The laborer is worthy of his hire." I regret that a point of order can be made on any increase in this great Post Office appropriation bill which will prevent any increase in the salary of these underpaid servants of the Government. I sincerely trust and believe a rule will be brought which will permit justice to the carriers and give them reasonable compensation. I am convinced this is the sentiment of this House and that

justice will yet be done.

Mr. MANAHAN. Mr. Chairman, I have been impressed very much by the lack of arguments in opposition to the demand made for an increase in the salaries of the rural-mail carriers. Not one word has ever been offered here, by the committee or by anyone else, in opposition to the arguments which have been advanced in favor of this increase. The point has been made that their average compensation is approximately \$50 a month after paying the legitimate expenses of operation. As Representative at large from Minnesota, I have taken occasion to examine the certified reports made by every Rural Free De-livery carrier in that State, and I find that when the actual expenses of repairing their wagons and harnesses and feeding their teams are taken out of their salaries they have left, on an average, as pay for personal work and responsibility less than \$600 for the year; less than \$50 per month each.

It requires only the exercise of a little common sense to realize that a man can not carry and distribute a load of mail and parcels over a route 25 or so miles long every day in the year but Sundays and the like, regardless of weather or condi-

tion of roads, without lots of wear and tear and expense. The wonder is that they can make above expenses as much as \$50 per month on an average. Does any man claim that this is a fair wage? Can any man support himself and family decently and educate his children now, when everything is so dear, out of a salary of \$50 per month? Does the committee think they are giving these men a fair deal by the terms of this appropria-The laborer is worthy of his hire.

Mr. FOWLER. Will the gentleman yield for one moment?
Mr. MANAHAN. For a question.
Mr. FOWLER. The committee have incorporated a provi-

sion for an increase in these salaries.

Mr. MANAHAN. I recognize the fact that the committee have made a provision increasing the salary \$50 a year, leaving it still pitifully and shamefully inadequate. It is no substantial increase to a man getting only \$50 a month to increase his compensation five or six or ten dollars a month more. Does the committee pretend that \$50 a year increase meets the point that the men who render these services are getting approximately only \$50 a month net? Is the committee so singularly obtuse that it can not recognize the fact that \$60 a month or \$70 a month or \$80 a month net to the men who render this service to the Government is still inadequate compensation under the circumstances? I can not relieve myself from the suspicion that the committee are willing to sacrifice these toiling men; and, more than that—and this is the most serious consideration I desire to offer to my colleagues—to place in jeopardy the whole parcel post system of the United States. That is the important consideration to me, although I do not belittle the importance of giving men fair compensation for the service they render. But it is more important, Mr. Chairman, that we should so pay these men and so maintain this service to a point of efficiency that it will not jeopardize that great system of transportation when the increased weight of parcel-post packages is placed upon the shoulders of these men. I can not overestimate the importance of this consideration.

The department has increased the size of the parcel-post packages. The parcel post is the only system yet devised by our Government to render proper service to the public in the matter of transportation of parcels. It is the only scheme yet devised by this Government to check the extortion and tribute which for years the great express companies have levied upon the people of this country. The parcel post should be further enlarged, extended, perfected; its rates should be revised and lowered; its service should promptly and cheaply reach every nook and corner of this country, and its work should be done in the city and in the country by live, well-paid, and contented men. It should handle all public transportation of parcels and packages of light freight to the minute all of the time and everywhere, and not limp, as it has so long, in the rear of great corporations. It should assert its right to the whole field of parcel transportation and delivery and drive from that field the express companies, who should never have been permitted to fasten themselves like double-mouthed parasites, with one end sucking from the railroads and the other from the general public. The parcel post has no more important field of operation than in the farming districts. Why should the committee controlling this bill try to cripple this service in this field by overloading and underpaying the rural carriers, upon whom its success so much depends? Why should the committee play into the hands of the express companies by crippling their only possible competitor? Is it economy to so run a business as to break it down in its most important department?

The cry of economy made in defense of this miserable wage to rural carriers is a false cry-a cheap, false, cringing cry-that should deceive no one. Talk about economy. Your committee in control here to-day are not economical at all in the main provisions of this measure. They are penny wise and pound foolish. They starve the clerks and carriers who do the work by less than a living wage under modern conditions; they feed full the railroads with the pull in Congress as well as out of it. The committee appropriates over \$55,000,000 to pay railroads for hauling the mail over steel rails as freight, with no work of distribution; it has a spasm of economy when we suggest anything over \$55 a month net to ordinary men for the work of carrying and distributing mail over the country Figuratively speaking, locomotives seem to have more pull than human beings have in the field of legislation as well as in that of transportation.

Mr. Chairman, let me suggest a way in which economy may be served by the Post Office Department without underpaying clerks and carriers. In addition to the \$55,188,000 appropriated for railroad transportation for the coming year, I notice on the next page of the bill an additional appropriation of \$5,412,000 to pay railroads for the rent of post-office cars for next year. What does this mean? I find on page 136 of the hearings before the committee that Mr. Stewart, the Second Assistant Postmaster General, who asks for this five million and odd dollars to pay to the railroads for use of cars, testified that last year there were 1,102 railway post-office cars in use.

Assuming that the same number of cars will be used this year as last, it means an appropriation of approximately \$5.000 per car. This same report on the next page shows that a large number of these cars are old wooden affairs, averaging over 10 years old and not worth anywhere near as much as they earn for the railroad, at least get, from the Treasury of our generous Government as rent annually. Furthermore, Mr. Chairman, these wooden cars are a constant menace to the lives of the underpaid clerks who work in them. In case of any sort of accident to the train they crumple up like an eggshell and burn. But who cares on this committee if considerable mail is burned up and several mail clerks are mangled and killed? Men are plentiful and cheap, some people think, but railroad dividends are mighty sacred things to the safe and sane statesmen of all parties.

Mr. Chairman, the criminal folly of these monster rentals for cheap old cars that long ago should have been consigned to the scrap heap is very plain when we consider what it would cost the Government to build new and modern all-steel cars which would protect the mail and the men also and save the largest portion of this \$5,000,000 annual appropriation. The Interstate Commerce Commission carefully investigated the whole subject during the Sixty-first Congress and reported to the Senate (Doc. 810) that all-steel cars cost \$8,500 to \$9,500; average, \$10,000. Cost of repair for average use per 1,000 miles (my estimate from cost of passenger cars reported), \$2.50; cleaning, per 1,000 miles, \$1.50; lighting, per 1,000 miles, \$2.75; heating, per 1,000 miles, 50 cents.

Figured on the basis of 100,000 miles per car, which is more than the average, as shown by this report, it would make the full cost to the Government of \$725 per car; and as the railroads are well paid for the hauling of all the mail carried in these cars the cost of hauling them would be nominal.

It is therefore very clear, Mr. Chairman, that if the department really wishes to economize it will, with our authority, build not less than 100 cars a year until the Government owns its own post-office cars as well as its own post offices. shuts off the graft of the railroads in this respect alone, it will save enough to substantially increase the wages of the men who do the work and who, to my mind, are so much entitled to our protection and consideration. The intelligent, if not patriotic, management of the big trusts who have heavy transportation, long ago adopted the plan of building and owning their own cars. Why should not the Government, with its constantly increasing burden of transportation? The railroads and railroad subserviency in this body is the only answer. I know men hide behind the pusilanamous cry of paternalism or sidestep anything that smells like socialism or Government ownership without understanding either; but I am fully per-suaded that all right-thinking men with capacity to understand the difference between a Government function and private business who will carefully study this question will favor the Government building all of its own post-office cars as well as decently paying its own men.

Mr. GUERNSEY. Mr. Chairman, I am heartily in favor of the amendment offered by the gentleman from Tennessee, because after looking over the statements of expenses, compensation, and net income of the rural carriers of my district I am convinced that the carriers there, and in the country as a whole, are among the most poorly paid of the Government employees. I was surprised to find, in one instance, a carrier who works more than 300 days in the year, furnishing his own equipment, and who receives less than \$185 a year net compensation. I find that the average salaries of the carriers of the district, so far as they have come to me, amount to \$998 a year; the average expense of equipment, maintenance, and so forth, is \$476 a year, leaving the net average salary \$522 a year; I wish to call the attention of the House to the net compensation now received by some of the rural carriers in the fourth congressional district of Maine, men who in winter travel the snow-blocked roads of northern Maine, often when the thermometer is 25 below zero and the winds blowing a gale.

The Rural Free Delivery News has submitted to me a statement of the net compensation of carriers in the district I represent, and, according to that report, the net compensation of the carrier from North Dixmont, for instance, is \$184.20; the carrier at Brownville receives \$250.79; at Golden Ridge, \$261.50; Jemtland, \$359.75; West Enfield, \$387; La Grange, \$416.45; Patten, \$489.82; Bradford, \$530; Houlton, \$543.30, \$650, \$553.20,

and \$628.70; Newport, \$632.20, \$575.95; Dexter, \$620; Milo, \$628.80; Springfield, \$703.92.

When I compare the compensation of the carriers mentioned above with the salaries paid to other men in other branches of the Government service in the capacity of carriers in the cities, clerks in the Railway Mail Service, and clerks in hundreds of other lines of work under the Government, I am impressed that men in the Rural Service, who go out in all kinds of weather, under all kinds of conditions, with the increasing burdens that are being added to the service they perform through the adoption of the parcel post and the increased weight of parcels, as well as the further consideration that the carriers are obliged to make a heavy personal investment in horses and equipment before they can qualify for the service—that when we consider all of these facts, that as a class they are greatly underpaid; and I believe it to be the duty of Congress at this time to increase their compensation and their allowance for expenses. It is but a matter of simple justice to do so, and I hope that the amendment now before the House will receive the support necessary for its adoption.

Mr. FARR. Mr. Chairman, I shall favor the slight increase in salaries of the rural mail carriers, with the regret that it is not more, in view of the fact that the rural carriers purchase their horses and equipment and maintain them out of their salaries. This cost in my district runs from \$400 to \$500 a year, and leaves the compensation for their splendid service unreasonably low. The additional work due to the development of the Parcel Post System will add to the expense account of the carriers. Many persons think that these carriers get an allowance for maintenance of equipment, which of course is not true. It is unfortunate that some plan is not provided in this measure to make definite allowance, separate from actual salary, for the purchase of equipment and maintenance of the same. phase of the question must be met and satisfactorily adjusted in the near future. In this connection I submit the following statement of the monthly expenditures for maintenance and living of a carrier in the district (tenth Pennsylvania) that I have the honor to represent:

Mr. NORTON. Mr. Chairman, the position of rural mail carrier under the present compensation paid by the Government is one of the last positions I would advise anyone to seek. The salary as now paid is in almost every case wholly inade-quate. When compared with the compensation of carriers in towns and cities the pay allowed rural carriers is unreasonable and unfair. I am heartly in accord with the spirit of the amendment of the gentleman from Tennessee [Mr. Austin]. The main objection I have to the proposed amendment is that it does not provide for a sufficient increase of pay for rural mail carriers. In my judgment the increase now should be at least \$350 a year for the standard 24-mile route and a proportionate increase for other distances. Reports I have received from my district show that the average yearly compensation paid rural carriers is \$1,028, and the net amount per year received by each carrier, after deducting expenses for horse feed, repairs of vehicles, and depreciation of and interest on equipment necessary for the work and furnished by the carrier, is but \$463. On this magnificent sum the carrier must support himself and those dependent upon him throughout the year.

The Rural Mail Service is of the most practical and valuable assistance to the farmers of the district I have the honor to represent and to the rural population of the entire country. There is no good reason under the sun why the farmers of this country should not be entitled to as good Postal Service as their brethren in the towns and cities of this land. And there is no good reason why the rural carriers should not be proportionately as well paid as the city carrier who delivers mail to the city man in his office, factory, or home. The fact

is that the present underpaid rural carrier has a much more responsible and difficult daily work to perform than the city carrier, who receives relatively more than twice as much compensation. The rural carrier is obliged to be out in all kinds of weather. He must travel over rough and ofttimes uncertain country roads. Through the blighting heat and the blistering san of summer days and through the storms and snows of winter weeks he must as best he can make his way over his long and frequently lonesome route. Altogether unlike the city carrier he has no near refuge from the winds and the mins and the snow, but must often suffer the severest exposures in the performance of his duties.

If the Democratic Party desires to economize in its administration of the Government, as has been suggested in this debate, it occurs to me that this is unquestionably the wrong place to begin the practice of economy. The cry of economy comes with poor grace from any party when made to deprive the underpaid and overworked of a relatively fair compensation for their services. In other employments additional work is followed by additional compensation. If the work of a postmaster or postal clerk is increased his salary is increased. and duties of a man in an office or shop is added to his salary is likewise increased. Although the adoption of the parcelpost system has brought a greatly increased amount of work to the rural mail carrier and his labors have been added to as the limit of the weight of packages has been increased from 20 to 50 pounds and will be further made more difficult when the Limit is raised to 100 pounds, as I anticipate it soon will be, the rural carrier is expected to continue faithfully at work with practically no increased compensation.

The inadequate, unreasonable, and unfair salary paid rural carriers should be substantially increased. This increase of salary should be provided for now and in this bill. It should be such an increase as to provide for them a compensation fairly proportionate to that paid other employees in the Postal Service who may be required to perform similarly difficult and re-

The rural carriers six days in each week bring cheer to thousands of country homes with news from neighbors and letters from near and dear ones. They it is who are rendering splendid service in bringing closer together the producer and the consummer. To them we may safely look to eliminate many of the items of the present high cost of living. Through their assistance the farmers are being freed from the graft and the grasp of the great express companies of the country. They are, as I have met and known them in the West, a brave, intelligent, highly responsible, and faithful body of men. They are men far more than worthy of the hire they are now receiving. owe to our own sense of fairness, and we owe it to them and to those whom they serve on their daily rounds, to provide for them adequate and relatively reasonable compensation for the services they are rendering the country.

The CHAIRMAN. The time of the gentleman has expired. Mr. STEENERSON. Mr. Chairman, I ask unanimous consent

to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks in the Record. Is there abjection?

There was no objection.

Mr. STEENERSON. I heartily favor a reasonable increase in rural carriers' compensation. I have long advocated additional compensation for service upon the long routes. Many routes in my district extend over a distance of more than 30 miles; some are as long as 32 miles. Standard routes are 24 miles, and a carrier on such a route receives the same pay as one who carries the mail over 32 or more miles. I think distance should be taken into consideration.

I have repeatedly introduced bills providing for extra pay on the long routes, and I hope a rule will be brought in to allow such a provision in the bill. The rural carrier now has an such a provision in the bill. The rural carrier now has an added burden in the shape of parcel post. Cost of maintenance and equipment has increased, and justice requires a recognition of this fact.

Unanimous consent was asked by Mr. Rubey, Mr. Allen, Mr. Barton, Mr. Francis, Mr. Rupley, Mr. Smith of Maryland, Mr. FALCONER, Mr. HENSLEY, Mr. BELL of Georgia, and Mr. TREAD-

WAY to extend their remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri, Mr. Rubey; the gentleman from Ohio, Mr. ALEN; the gentleman from Nebraska, Mr. Barron; the gentleman from Ohio, Mr. Francis; the gentleman from West Virginia [Mr. SUTHERLAND]; the gentleman from Pennsylvania, Mr. Rupley; the gentleman

gentleman from Georgia, Mr. Bell; and the gentleman from Massachusetts, Mr. Treadway, ask unanimous consent to extend remarks in the RECORD. Is there objection?

There was no objection.

Mr. CULLOP. Mr. Chairman, I regret very much that the distinguished gentleman from New York [Mr. Fitzgerald] should interpose with a point of order against the amendment offered to this bill. The rural carriers are the least paid for the services they render than perhaps any other servant in the employ of the Government. It is one of the most popular services rendered and serves a most important function. work is constantly increasing and will continue to do so.

Because of the parcel post, very much has been added to the labor of these men, and as the parcel post is constantly growing in popularity, the work for the rural carriers must necessarily increase. Therefore their wages ought to be increased in proportion to the great service they render to the country. It many instances they have had to secure additional equipmenthorses, wagons, and harness—for the purpose of performing the duties imposed upon them because of the increase of work. I do hope that before the bill is passed some ample provision will be made in it for the remuneration of these men because of the extra services they are required to render the public.
Mr. BARKLEY. Will the gentleman yield?
Mr. CULLOP. Certainly.
Mr. BARKLEY. How much does the gentleman think ought

to be the compensation of the rural carriers?

Mr. CULLOP. I offered an amendment that their pay should be increased \$250 per annum, because of the additional work for the upkeep of their equipment. This increase is reasonable and just and has merit.

Mr. BARKLEY, Making it \$1,350 per annum? Mr. CULLOP. Yes; and I do not think that is too much. I think that was a very reasonable increase, and for that reason offered it, and I hoped the House would see fit to adopt it and increase their salary for the increased services they will be required to render because of the parcel post. I regret a point of order was made against it.

Now, the gentleman from South Carolina [Mr. Finley], in charge of this bill, has assured the House at an early date we shall have an opportunity to vote on a measure giving an increase of pay to the men engaged in this branch of the public service. I shall for one welcome this opportunity. I believe the laborer is worthy of the hire. These men endure hardships and through all the seasons of the year make their daily rounds serving the public. Their duties will multiply yearly because of the ever-increasing population and business which must necessarily ensue. With the enlarged demands of the public service follows the increasing labors as a natural consequence.

Now, because a man is engaged in a public duty is no reason why he should not receive a compensation commensurate with the duty he is to perform. A public servant should always be paid a fair remuneration for the services rendered and the hardships endured. In this case that is not done, and we should see to it that it is done. I insist here is a case of merit, one which appeals to us for justice and we should grant the appeal.

True another part of this bill provides for an increase, but the increase proposed is not sufficient and is wholly inadequate and hence I hope the point of order will be withdrawn and that the increase proposed by my amendment granted. If we do this, we will perform a duty which the conditions require and one which the public will approve.

The Clerk read as follows:

For travel and miscellaneous expenses in the Postal Service, office of the Fourth Assistant Postmaster General, \$1,000.

Mr. HOUSTON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Tennessee offers the amendment which the Clerk will report.

The Clerk read as follows:

On page 25, after line 22, insert the following paragraph:

"All persons honorably discharged from the military or naval service in the Civil War, either in the Federal or Confederate Army, shall be exempt from any age limitation in the selection of fourth-class postmasters, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such office."

Mr. MANN. To that, Mr. Chairman, I make a point of order. Mr. FINLEY. I trust that the gentleman will not make the point of order. The Civil War has been over many years. Here is an effort in this year 1914 to give to these old men, where they are physically and mentally qualified, an exemption. I believe that the Federal soldiers have it under the general law. This amendment is offered by the gentleman from Tennessee from Maryland, Mr. Smith; the gentleman from Missouri, Mr. so as to place the Confederate veterans under the same rule as Hensley; the gentleman from Washington, Mr. Falconer; the applies to the Federal veterans, and I wish to congratulate the so as to place the Confederate veterans under the same rule as

gentleman from Tennessee for offering the amendment. It is such an amendment as should have been made long ago. There is no question to-day or difference among the people in all sections of the country. The majority of the Members who are here were either born after the Civil War or they were children at the time of the war.

I was one of the men born the first year of the war-1861. I want to say that I am sure there are very few old soldiers on this floor, but I do not believe there is one anywhere who would

object to this amendment.

Mr. COX. Will the gentleman yield?

Mr. FINLEY. I will.

Mr. COX. I am for the amendment, but I want to ask the gentleman for information-either the gentleman from South Carolina or the gentleman from Tennessee. Under the Executive order issued by President Wilson last spring all fourth-class postmasters paid less than \$180 a year are not required to submit to a written competitive examination.

Mr. FINLEY. Yes.

Mr. COX. Now. in that particular class of offices, if the salary pays less than \$180 a year, does the age of 65 obtain?

Mr. FINLEY. I understand that it does. Mr. HOUSTON. It does not, I understand; I do not think so. If I understand the gentleman from Tennessee correctly, under the Executive order issued by President Wilson last spring, where the salary is less than \$180 per annum men over 65 years of age can be appointed to that class and grade of offices where the salary is less than \$180.

Mr. HOUSTON. I so understand. Mr. BARKLEY. If the gentlema If the gentleman will permit, I will offer this suggestion: Under the Executive order issued by President Wilson, where the compensation is less than \$500 a year the age limit does not apply. It is only at offices paying more than \$500 a year where the limitation applies.

Mr. FINLEY. This proposed amendment will include offices

paying more than that.

Mr. BARKLEY. I understand that, but I simply gave that

Mr. FINLEY. It is a very proper amendment, particularly at this time, and I do not believe that any Federal soldier, I care not who he is, would make objection to it here; and that being true, I know of no one who would be warranted in making an objection when the men on the other side of the firing line in the Civil War would not make it.

Mr. BUTLER. Will the gentleman yield?

Mr. FINLEY. Yes. Mr. BUTLER. I understand the only disqualification that an ex-Confederate soldier would have would be his age at this time. Mr. FINLEY. Yes.

BUTLER. Is not that subject to Executive order?

Could it not be remedied by an Executive order?

Mr. FINLEY. Well, we can remedy it here.

Mr. BUTLER. I understand that, and I have no objection to it; but is it not within the power of the President of the United States to remedy it?

Mr. FINLEY. The law exempts the Federal soldier.
Mr. BUTLER. The law exempts the Federal soldier?
Mr. FINLEY. That is my understanding. The purpose of this amendment is to place the Confederate soldier on a parity, subject to his having the physical and mental ability.

Mr. MANN. The gentleman is mistaken about the law.

Mr. MANN. The gentleman is a supersection of the gentleman has expired. Mr. HOUSTON. Mr. Chairman, I hope the gentleman from Illinois will not make the point of order which has been reserved. against this amendment. I think it a most reasonable and just provision to ingraft into the law of the land that men of this age who were in the Army, no matter whether it was the Federal or the Confederate Army, should be at least relieved of the age limitation. Now, Mr. Chairman, we have in the Revised Statutes of the United States to-day this provision:

That persons honorably discharged from the military or naval service by reason of disability resulting from wounds received or sickness incurred in the line of duty shall be preferred for appointments to the civil offices, provided they are found to possess the business capacity for the proper discharge of the duties of such office.

Now, Mr. Chairman, this amendment does not go to that tent. These men are given preference by that statute who were in the Federal Army, who are within the qualifications here set out; but the purpose of the amendment only goes to the extent that men who were either in the Federal or Confederate Army shall not be debarred from holding fourth-class post offices by virtue of their having reached the age of 65 years,
Mr. MANN. Will the gentleman permit a question?
Mr. HOUSTON. Certainly.
Mr. MANN. Did the gentleman quote the statute?

Mr. HOUSTON. I read it.
Mr. SAMUEL W. SMITH. The gentleman read it so softly
we did not hear it. Will the gentleman again read it? We want to hear it.

Mr. HOUSTON. This is the provision of the Revised Statutes of the United States, section 1754-I have not the section before me, but I have an excerpt from it in the postal regulations-

That persons honorably discharged from the military or naval service by reason of disability resulting from wounds received or sickness incurred in the line of duty shall be preferred for appointments to the civil offices: Provided, That they are found to possess the business capacity necessary for the proper discharge of the duties of such offices.

The statute I have read made a preference in behalf of Federal soldiers. We do not ask for a preference for soldiers in this amendment, but we only ask that these old veterans of either Army shall have an even chance and that they shall not be debarred because of the fact that they have reached the age of 65 years. Under the civil-service rule they will be required to pass the examination as all others are required to do. At present, under the rules of the department, they are not admitted even to examination after they have reached the age of 65 years. I think it but just and right and proper, because there are many of these old men, although aged and decrepit, are yet fully competent, mentally and physically, to discharge the duties of a fourth-class post office. Many of them are filling these offices now, men who are maimed and crippled and going on crutches, who are not able to make a living otherwise, and yet are competent to act as postmasters, and are making the most satisfactory postmasters in the service. The amendment provides that they shall have a chance to take the examination, and, if they have the qualifications, not to be debarred on account of their age.

I trust, Mr. Chairman, the time has come when no man in this House will raise an objection to extending this kind of privilege to a Confederate soldier any more readily than he would to a Federal soldier. I hope the bitterness and ani-mosities of the war have passed away. I think an era of peace and brotherly love prevails all over this country, and the soldiers of both armies should at least be put upon the same

footing.

Mr. RUSSELL. I agree with all the gentleman says, and I want to ask him if it is not a fact that the postmaster of this House to-day is a one-armed Confederate soldier and a man of splendid ability?

Mr. HOUSTON. Yes; and a man that would not be permitted to take an examination for a fourth-class post office on

account of his age.

Mr. MANN. I do not think the gentleman from Tennessee correctly understands the existing law. This matter has been up before the House a good many times. The existing law gives a preference to the Federal soldiers who were discharged from service in the Army during the Civil War because of wounds, and so forth, incurred in the service. It has long since been practically of no importance whatever. There are very few soldiers now who were discharged from that service-practically none, and there have not been for years-that are competent to attend to the work. The law does not apply to Federal soldiers generally, as it is proposed to have it apply here both to Federal and Confederate soldiers.

This is a matter wholly within the power of the President. He can change these regulations if he chooses. He has already changed the regulations concerning fourth-class post offices, and can make further changes if he wishes to do so. I am not willing to break down the law by making these preferences one way

or another, and therefore I make the point of order.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

That if the revenues of the Post Office Department shall be insufficient to meet the appropriations made by this act, a sum equal to such deficiency of the revenue of said department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply said deficiencies in the revenues for the Post Office Department for the year ending June 30, 1915, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

Mr. MOON and Mr. TREADWAY rose.
The CHAIRMAN. The gentleman from Tennessee [Mr. Moon] is recognized.

Mr. MOON. Mr. Chairman, I move to strike out the last

After this provision in the bill there are a number of other sections-some eighteen of them, I believe-three or four of which, on motions made during consideration of other parts of the bill which have been passed over, have already been incorporated into the act. Other sections in the bill are subject to

the point of order. It is well understood, of course, by every Member of this House that you can not under the rules of the House change general legislation on an appropriation bill. That is the effort, in this instance, as to the sections that I have named. These are very important sections. They affect the weighing of the mails, the diversion of the mails, and measure the computation or pay for various employees, and one section provides for the purchase of cars for the purpose of experiment, in order to determine whether the Government itself can carry the mails cheaper, as it has been asserted it can do, by \$30,000,000 in this way than in some other way.

There is a section that provides for the increase of the pay of rural letter carriers and a number of other sections that I will not mention that are before you that are of great importance. There is one that provides for taking out of the civil service and making subject to appointment by the Postmaster General all assistant postmasters. It is impossible for the House to give consideration to those sections without a special rule changing the general rule of the House in order to make them in order. By the direction of the Committee on the Post Office and Post Roads I submitted a rule incorporating all of these sections, which was referred to the Committee on Rules with the request that a rule be brought before the House in order that the House itself might determine whether it would consider this most important legislation on this appropriation bill or whether it would not.

Now, for 40 years every important measure affecting the postal affairs of the Government of the United States has, in the main, been carried upon the Post Office appropriation bill.

The original proposition for rural free-delivery service, the postal savings bank, the parcel post, the reclassification act, the antigag act, the city-delivery propositions, all were carried upon this bill. It can not be said by the Committee on Rules which up to this moment has failed to make a report upon these sections and upon the rule submitted-that it has not been a custom of this House to present and discuss upon an appropriation new law

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?
The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Kansas?

Mr. MOON. I yield to the gentleman.
Mr. CAMPBELL, I hope the gentleman from Tennessee does not charge dereliction of duty upon the whole Committee on Rules. I can say for the members of the Committee on Rules who sit on this side of the aisle that we have been ready to meet and to take up the rule submitted by the gentleman from Tennessee ever since the day it was referred to the committee, but for some reason or other a meeting of the committee has not been called by the chairman of the committee or by any other In fact, demands have been made for meetings of the Committee on Rules for the consideration of other important matters, and for some mysterious reason there has been no meeting up to this hour. I am ready now-and I am sure that other members of the committee are ready-to report to make it in order to increase the pay of rural mail carriers.

The CHAIRMAN. The time of the gentleman from Ten-

nessee has expired.

Mr. MOON. Mr. Chairman, I ask permission to conclude what desire to say upon this subject. It will take only a few

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to be allowed to conclude his remarks.

Mr. MANN. How much time does the gentleman desire? Mr. MOON. It will take me only 5 or 10 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOON. Mr. Chairman, I have no desire to criticize the Committee on Rules; particularly none to criticize the gentlemen who say they have not had opportunity to consider this But we might as well be frank in this House. would have been no objection at all to this important legislation, every particle of which is asked for and demanded by the Post Office Department, save one or two sections. But for those other sections, which were incorporated in accordance with the judgment of the committee in this bill, there would have been, beyond question, a consideration of them by the Committee on Rules and a report made here. The objection was chiefly to section 6, which provided that the Postmaster General might appoint assistant postmasters.

is true or not. I am inclined to think that perhaps it is not true. I hope that the President of the United States has not descended to the point where he will demand, as the Executive of this Government, that men shall vote in accordance with his will and not in accordance with their own on this floor. I can not

believe that to be true. [Applause.]
But, sir, there have been other influences. There is nobody in public life that I think more of, personally, than the Postmas ter General. He is a most estimable, conscientious, and able man, and he has made a splendid Postmaster General, and I have upheld him in the past and propose in the future to uphold and sustain him wherever I can. But I think that when we consider the differences between the coordinate branches of this Government, the power of each, and the necessity of each to refrain from interfering with the functions of each other under the Constitution, the Postmaster General made a slight mistake when he addressed an open letter to me, as chairman of this committee, in opposition to that section. It was well that he might voice to me personally or by letter, or to members of the committee, his objection; but when that objection has gone so far that the Committee on Rules, or the Democratic part of it, shall make a visit to him and take the dictation of the department and decline to report a rule here, it is going a little further than I am willing to see a Democrat or anybody else go. [Applause.]

I went before the Committee on Rules—I mean the Democratic portion of it—and I said; "Gentlemen, I believe that this section 6 ought to pass; that it ought to be the law. We have 290,000 men in the public service in the Post Office Department to-day, and, in my judgment, not one man out of fifty, scarcely, is a Democrat. They have been covered in by civil service, and that civil service must be fraudulent." I said that these postmasters who were covered by Executive order of 1910 for the most part, and 200 of them covered in two weeks before Mr. Wilson was inaugurated as President, ought not to remain there in the interest of good and honest and efficient public service, and I will ask you to amend this section that gives the control and power to the Postmaster General to make these appointments, and provide that these men, many of whom the Republican inspectors in their reports have declared to be incompetent, shall be subject to civil-service examination, just exactly like the President, in his modification of President Taft's order, made fourth-class postmasters subject to examination.

Mr. POU. Mr. Chairman, I think the gentleman from Tennessee dropped one remark inadvertently. So far as I know, there has been no visit of the Committee on Rules to the Postmaster General.

Mr. MOON. I know there has been. [Applause.] A special committee of two.

Mr. POU. I take issue with the gentleman. There has been no such visit, in the sense that the gentleman means.

Mr. MOON. Oh, I do not mean to say that they went down there to take orders

Mr. POU. Certainly; but the truth might as well come out. Mr. MOON. I have no objection to their visit.

Mr. POU. The only thing that I know of that has taken place is that the Post Office Department, as the gentleman knows, favored certain items in the rule and desired favorable action; and I think there were two members of the committee who talked over the matter generally with the Postmaster General

Mr. MOON. Why, I was there when that committee was appointed, and it went for the purpose of getting the opinion of the Postmaster General mainly on section 6. [Applause.]
The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON. May I have five minutes?
The CHAIRMAN. The gentleman asks unanimous consent that he may proceed for five minutes. Is there objection?
There was no objection.

Mr. MOON. Now, Mr. Chairman, I will not censure this committee too severely. I am going to give them credit for everything. I said to them, "If you can not give a favorable report on section 6, I am not going to insist upon a report on other matters in the bill that I think of less consequence." Thus far I may be, in a measure, responsible for no report; but the vital question, in my judgment, was the one involved in section 6! There ought to be a report upon that question. And as the time has been given me, I want to say briefly that the attacks made by the press upon the Post Office Committee, to the effect that I do not know the origin of that objection. It has been stated upon the floor of this House and elsewhere that the President was utterly opposed to it, and therefore the Members under his direction and control have offered opposition before the Committee on Rules, or before the Democratic portion of it, to the consideration of this question. I do not know whether that

What is a spoilsman, that they speak of so glibly? Is he a man who is a common plunderer and thief, who wants, on account of political advantage, to do wrong and injustice to anyone of the opposite politics who is in office? Or is he one who believes in the honest enforcement of the laws that exist, in a civil service that has merit in it, in a civil service that gives equal opportunity to all men of all parties and all conditions in life? Has it come to this, that when gentlemen inveigh against a spoils system within the alleged merit system, by which men of one party alone can get office, that when a man demands that his party, ordered and decreed by the people at the ballot box to take charge of this Government, shall have a voice in it in the administrative departments, he is to be denounced from headquarters as a spoilsman and a practical plunderer?

Mr. Chairman, I believe in an honest civil service. believe in the life tenure for offices of any kind. In this civilservice arrangement there ought to be a term of years. Men ought to go in who are capable and shown to be capable under examination. They ought to be kept for a reasonable term of They ought to be reexamined time and again. ought to go out of this service before they reach the age of inefficiency, to the end that the Government may get the best service out of its employees, and that the employees themselves may have the advantage of going out with the experience they have had and take their chances with their fellow men in the walks of life, in order to avoid the payment by this Government of a civil pension. I believe that no party called to power can, with justice to the people, enforce those principles and policies of government that the people desire to have enforced with the enemies of the party in power in all the high and the low places of Government. I have nothing against these assistant post-masters. There are but two of them on the earth that I have ever seen. Both are very clever men. One is a Democrat and one is a Republican. Both are competent. I have no objection to their remaining in office, but they ought to be subjected to the examination because of the manner in which they were covered into the service for life.

In my opinion the President of the United States is one of the most scholarly and accomplished statesmen that ever held that exalted office. Surely, he is entitled to the respect and confidence of the American people for the great work that he initiated on the question of the tariff and the currency, and the laws that he has just spoken of in his great message. Surely, the work that he has done commends him to the people of the United States. He is a great Democrat and a great man. Let me tell you that no President, however great, however powerful, can, for the purpose of enforcing his policies, directly or indirectly, for a moment attempt to influence, according to his will, another coordinate branch of the Government without bringing his administration into disrepute. [Applause.]

We said of the Republican Party that you had no judgment of your own, that you are creating a government of commissions and of bureaus, of petty chiefs; you multiply everywhere and under all conditions official positions, for which the people must pay out of their taxes. That cry went out throughout the Republic. The great questions upon which the battle between the parties was fought, in my opinion, had no more effect than that one proposition that the Government of the people of the United States was being administered by one man instead of one executive, one legislative, and one judicial branch of the

The CHAIRMAN. The time of the gentleman from Tennessee

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Illinois asks unani-

mous consent that the time of the gentleman from Tennessee be extended five minutes. Is there objection?

There was no objection.

Mr. MOON. Mr. Chairman, I am not asserting, and do not want to be understood as asserting, that the President of the United States is now pursuing the policy that we claim the Republican Party did, and upon which it fell from power. But I say on the threshold that, for want of proper consideration on the part of the committee of the rights of this House, we face

Do you tell me that with 140 Democratic majority on this floor, with 90 per cent of the offices of this Government held by Republicans under a system that was not a merit system but was a system of favoritism and prejudice instead of one of efficiency, that with this vast number of Democrats there are as many tender-feet gentlemen as we find here actually advising you to let alone that section because the department does not want you to pass it? Whether there is any merit in the proposition or not, we must preserve the integrity, the dignity, and

power of the legislative branch of the Government or you will sink lower in the estimation of a great and virtuous people than you are now. [Applause.]

Mr. TRIBBLE, Will the gentleman from Tennessee yield?

Mr. MOON. If I have time.

Mr. TRIBBLE. I notice that section 9 provides for a small increase for the rural carriers. It is true, it is a pittance. Does the failure of the Rules Committee to act on these sections take out of this bill this small increase for the rural carriers?

Mr. MOON. It takes out that and everything that follows, beginning with section 2, providing a point of order is made against it; but we shall bring in these measures in a legislative bill later, not subject, as an appropriation bill is, to a point of

Mr. LENROOT. Mr. Chairman, confession is good for the soul when it is honest. We on this side of the aisle have known for a long time that the Democratic majority of the House of Representatives was not located across the aisle from us, but was at the other end of Pennsylvania Avenue in the White House. [Applause on the Republican side.] The gentleman from Tennessee has just admitted as much, so far as the matters that he has discussed are concerned. But it is to be regretted, Mr. Chairman, that the first condemnation of the President of the United States from the Democratic side of this House comes upon a matter where the President should be commended rather than condemned for trying to preserve the civil service of the United States against the spoilsmen of the Democratic Party.

The gentleman criticized the Committee on Rules, and justly so; but as my colleague, Mr. Campbell, has said, the Republican membership in that committee is not to be charged with that criticism. We were ready to meet at any time and consider the several propositions involved in the gentleman's rule, and the Republican members would have been glad to have supported some of those provisions.

Mr. TRIBBLE. Will the gentleman yield?
Mr. LENROOT. Yes.
Mr. TRIBBLE. Will the gentleman be willing to give us rule giving the letter carriers the increase as provided in the bill?

Mr. LENROOT. I certainly will. Will the gentleman's party do as mucl.? Will the Democratic members of the Committee on Rules be willing to bring in a rule making that section in order? The Republican members will vote for it, if you do so. [Applause on the Republican side.] But so far as that criticism of the Committee on Rules is concerned, you Democrats had a caucus last night, and you discussed several questions. did you not discuss these questions, if you are free and inde-Why did you not pass upon the question of increasing the salary of the rural carriers? Does anyone believe that if the Democratic caucus last night had determined that no point of order should be raised against this section increasing the pay of the rural carriers that the gentleman from New York

would have made the point of order?
Mr. FITZGERALD. I would have I would have, regardless of the Demo-

cratic caucus. I hope that satisfies the gentleman.

Mr. LENROOT. If the Democratic caucus had passed such a resolution and the gentleman from New York had done what he says he would do, does anyone believe that the Democratic Committee on Rules would not have immediately brought in a rule making the section in order?

Of course, we all know that that would have been done; but, Mr. Chairman, crocodile tears were shed by gentleman after gentleman upon the Democratic side half an hour ago when they each got up and said, "We are all in favor of increasing the pay of rural carriers, but we regret the gentleman from New York has made the point of order," making the gentleman from New York the goat

The CHAIRMAN. The time of the gentleman has expired. Mr. CAMPBELL. Mr. Chairman, I ask unanimous consent

that the gentleman may proceed for five minutes.

Mr. FITZGERALD. I ask that the gentleman's time be ex-

tended five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time of the gentleman from Wisconsin may be extended five minutes. Is there objection? [After a

pause.] The Chair hears none.

Mr. LENROOT. Making the gentleman from New York the goat, when it is the Democratic majority that must stand the responsibility. How many of you gentlemen who got up this afternoon and said you were in favor of that proposition got up in your caucus last night and tried to bring it to an issue? Were there any of you?

A MEMBER (on the Democratic side). No.

Mr. LENROOT. Of course you did not; but you are willing to get the benefit of your individual speeches trying to make your constituents believe that you stand for these things, but you were not willing to do the thing that would have brought the increase to the rural carriers. [Applause on the Republican side.] Now, Mr. Chairman, there are some provisions in this proposed rule that I and my Republican colleagues would oppose. There are other provisions of which we would be in I should favor attaching to an appropriation bill legislation that is so intimately connected with the appropriation itself that it can not well be separated, and that was exactly the case with reference to the rural carriers. And I now and here challenge the Democratic Members of the Committee on Rules to come out this afternoon and bring in a rule making this section increasing the pay of rural carriers in order, and if they fail to do it you Democrats must take the responsi-bility as a party and not blame the gentleman from New York

[Mr. FITZGERALD]. [Applause on the Republican side.]
Mr. FITZGERALD. Mr. Chairman, the gentleman from Wisconsin [Mr. Lenroot] should not complain where the Democratic majority is located. It is immaterial to him whether it is located in this House on this side or whether it is located in the White House at the other end of the Avenue

Mr. LENROOT. Will the gentleman yield?
Mr. FITZGERALD (continuing). Because he voted for two important legislative propositions submitted by the Democratic Party in this Congress, so he is with the Democratic Party when he votes, however much he may differ from it where he sits. [Laughter on the Democratic side.]

Mr. LENROOT. Will the gentleman name those proposi-

tions?

Mr. FITZGERALD. The tariff bill.

Mr. LENROOT. I did not vote for the tariff bill.

Mr. FITZGERALD. For the currency bill.

Mr. LENROOT. Yes.

Well, the gentleman wanted to vote for Mr. FITZGERALD.

the tariff bill.

Mr. LENROOT. Will the gentleman yield once more? the Democratic Party was located on the gentleman's side there would be some possibility of Republicans appealing to them, but when it is located at the White House anything we say upon this floor can have no effect whatever. [Applause on the Republican side.]

Mr. FITZGERALD. Mr. Chairman, nobody expects the appeals made by Republicans in this House to have any effect on legislation. The Republican Party was in absolute and unlimited control of the Government for 16 years, and at the end of that period they received the most thorough defeat from an outraged public that any political party ever got in the history of the country. Their position in this House is not to regulate and control legislation. If they wish to understand what the country meant, it was that they should sit quietly by and learn how a great political party, when it comes into power, can carry out the pledges it makes to the people. [Applause on the Demo-

cratic side.1

The gentleman from Wisconsin is one of the original progressive insurgents in the House of Representatives, one of that little band that year after year sat here and protested against the Committee on Rules bringing in special rules making legis-lation in order upon appropriation bills and giving Members an opportunity to vote for items in bills in which they were peculiarly interested. What is the difference between the Speaker and two or three Members appointed by him under former conditions agreeing to a rule that would bring legisla-tion before this House and the fact that the gentleman from Wisconsin asserts he is willing with other Members of the Committee on Rules to bring before the House a proposition in which he is interested but is unwilling to bring before the House the other provisions in which other Members of the House are interested?

It so happens that I agree with him about the provision as to the assistant postmasters, but for a different reason. It is not to protect the Democratic assistant postmasters that I am opposed to the provision taking them out of the civil service, but, if the provision be not adopted, a great many men in the gentleman's party will be protected. Therefore he is opposed to taking these men out of the classified service. I stand on a higher and more patriotic ground. I am a real civil-service I know that a great many of those men are so incompetent that they will not remain long in an administration that insists upon competent men discharging their duties; but I am not attempting to protect incompetent Democrats, and I have no desire to protect any Democrat covered into the classified service who is not required to take the same test any other man would take when placed in the service.

This talk about the rural free-delivery compensation is bun-combe on the part of the gentleman from Wisconsin [Mr. Len-ROOT]. Men are in favor of that provision because they think it is an important matter politically. I do not criticize them for that reason; but, Mr. Chairman, somebody must take some responsibility in this House in standing against the demands of the Government employees for increase of compensation. I believe that the postal employees, on the whole, are sufficiently well paid. I remember the long struggle that took place some years ago to obtain the increase of pay, not for any one par-ticular branch of the service, but for the postal employees generally. Although some of it was done in a Republican House, it required the persistent urging and insistence of the Democrats in the House to secure the classification and adjustment of the pay

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. I will ask for a few minutes more.

The CHAIRMAN. The gentleman from New York [Mr. Fitz-

GERALD] is recognized for five minutes more.

Mr. FITZGERALD. It is not only safe, but there is some politics in it, for the gentleman from Wisconsin to challenge the Committee on Rules to go out and bring in this rule. Think of the gentleman from Wisconsin, in the minority, challenging the Committee on Rules to bring in a rule, when he was one of the early pioneers who portrayed the Committee on Rules and its tyrannical and drastic power as one of the greatest abuses of our whole system.

Mr. TRIBBLE. Will the gentleman explain, before he sits down, why the city carrier should receive more than a rural carrier, who goes out through the rain and the sunshine and

furnishes his own horse and buggy? Mr. FITZGERALD. I could not do that before I sit down,

Mr. TRIBBLE. No; you can not explain it. Nobody can.
Mr. FITZGERALD. To be perfectly frank about these matters, one of the difficulties about adjusting compensation of postal employees is the very markedly different conditions under which they labor. From the information I have received I believe that some adjustment, or readjustment, should be made of the compensation of rural carriers; that there are some places and that there are some routes where the compensation is inadequate; and there are a great many where the men are living in a luxury they never heretofore dreamed of living in. And that is not true alone of the rural carriers; it is true of the city carrier. Letter carriers in cities of 75,000 population and upward—or, rather, in first and second class offices, which frequently are in cities of much smaller population—receive the same compensation. It is a farce to compare the conditions of the carrier in a city like New York or Chicago with the conditions in a city of 100,000 or of 50,000 popucago with the conditions in a city of 100,000 or of 50,000 population. The cost of living is infinitely different. The conditions of life are infinitely different. Where a man gets \$1,200 for service in one of these smaller communities he is amply paid. Contrasted with men in similar walks of life in a few of the larger cities, he is hardly sufficiently paid.

I do not believe, Mr. Chairman, that this is the year for the

Democratic Party to be indulging in wholesale increase of compensation. This provision only meant a difference of \$50 a year to each individual, but it meant \$2,700,000 added to the expense of the Postal Department. Among the pledges made by the Democratic Party in the last campaign, sometimes somebody should remember that one of them was a pledge to con-

duct the Government economically. I hope it will be thought of more and more before the session is ended.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman—

The CHAIRMAN. The gentleman from Illinois [Mr. MANN]

Mr. Chairman, this is very entertaining to me. I remember so well how that side of the House insisted upon

two great reforms of the rules.

We were going to have a provision by which any gentleman could move to discharge a committee from the further consideration of a bill and promptly bring it before the House for a I wonder that some gentleman interested in rural carriers has not found that provision in the rules and made use of it and brought this matter before the House for a vote.

And we were told in the days of Speaker Cannon that the only way in which a matter could be brought before the House was for some humble—they always used the term "humble"—Member of the House to seek out the Speaker's room and, with hat in hand, make a prayerful appeal to the Speaker. We had that all corrected by a new Committee on Rules, and now we learn that while the Speaker's room used to be at least a convenient place to make the convenient place to the convenie venient place to make the appeal, where you might hold your

hat in hand while making the appeal, it is in order now to move up the Avenue—to the other end of the Avenue—leave your hat on the table, and beg permission to ask the Secretary of the President if you may ask the President for the right to bring a

matter before the House. [Applause and laughter.]
What has become of all these needed reforms? Twelve gentlemen in one lump this afternoon received permission to extend their remarks in the RECORD to show how necessary it was to adopt this amendment, and in the time given for debate not a single Member of this House spoke in opposition to the proposition. A man from the outside coming in here would have said, "It is unanimous. Everybody is in favor of it."

[Laughter.]

Everybody is in favor of it in their own districts. But has no one the nerve or the brightness here under the reformed rules to get a vote upon the proposition in the House-a proposition that everybody favors, except one gentleman from New York, Mr. FITZGERALD? [Laughter.] Has he become greater than Cannon, the Speaker? [Renewed laughter.] Is he the one now to whom we all appeal? Everybody in the House in favor of a proposition, the Democratic majority all favoring it with one exception, but without capacity to bring it before the House for a vote! It is either without capacity or else it is ordered not to do so by the President of the United States.

I want to say, Mr. Chairman, that I congratulate the President upon his stand upon the proposition. If I were in his place I would be opposed to the proposition concerning the destruction of the civil service, and if I were in his place and had a subservient majority [laughter on the Republican side] anxious to do a thing, but without the will to do it; afraid that if they forced these appointments they would not get them [renewed laughter]; fearful that if they overrode the President he would not give them the jobs—if, I say, I had such a sub-servient majority I would do what the President has done. I would tell you, "You dare not do it; you must not do it; you will not do it." [Applause and laughter.]

Mr. O'SHAUNESSY. Mr. Chairman and gentlemen of the committee, I do not believe in accepting rumors as facts. I do not believe that any positive proof has been presented to the committee as to the intervention of the President of the United States in the duties of any committee. If he has intervened. he has done so in a good cause. If the Postmaster General of the United States has seen fit to emphasize that efficiency in the service is a greater consideration than the filling of offices by men who are seeking them, then the Postmaster General of the United States, in my opinion, is to be commended and not condemned. [Applause on the Democratic side.]

I take it for granted-and I challenge any opposition to this statement-that the vast majority of the people in this country are more interested in an efficient public service than in filling What kind of patriotism is it that seeks for an office and makes that the sole or principal excuse for voting? Is the follower of a party to be concerned only with the seeking of a Is the voter in this land to forget entirely that petty reward? principle is at stake, and is his whole consideration of party victory to be bounded by the mere consideration that when the victory is won some small, petty reward may come to him or to a friend?

I believe that while there may be merit in the statement made by the distinguished chairman of the committee that has this bill under consideration, to the effect that there are defects in the civil-service law and that there have at times been demotions instead of promotions, it is because human institutions are not No man is impeccable and no man is infallible, and it is for us to correct the mistakes if we can, but we should not

go at it in a bullheaded way.

I think the people of the country are more concerned, for instance, in the passage of this bill, carrying hundreds of millions of dollars, in order that the postal work of the Government may proceed, rather than in a dispute between men here as to who shall occupy public office. [Applause.] And let me say that there may be merit in what the gentleman from Tennessee [Mr. Moon] says; I hope abuses will be corrected. Men have said to me that they have worked here in the departments in Washington; that they have shown great ability and earnestness in the discharge of their duties, and by partisan influence they have been demoted, thus recognizing partisan influence which spoke for those less worthy. Well, I trust that the Democrats in charge of the different departments in Washington will recognize merit, and if injustice has been done, that injustice shall no longer be done, but merit shall be the supreme guide which shall govern them in promoting or demoting men in the service. I take it, however, that subterraneously, be-neath an honest attempt to correct abuses, there is a hungering for office; and I am one who has always been a believer in the

civil-service law and its absolutely honest and just enforcement. I believe that there is no greater power in the world to debauch politics and make political parties ineffective than office mongering. It is the thing that brought about a condition in this Congress back in the years before we had genuine civilservice reform, when men elected by the people were hampered in the discharge of their duties by the constant pestering of men who sought public office. Read the debates.

The CHAIRMAN. The time of the gentleman from Rhode

Island has expired.

Mr. O'SHAUNESSY. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that he may proceed for five minutes. Is there objection? There was no objection.

Mr. O'SHAUNESSY. Read the debates and you will find that Senators and Representatives were longing for the opportunity to lay down this burden that oppressed them, were impatient for the opportunity to do something for the entire people rather than to be concerned alone with a horde of office seekers.

Gentlemen upon this side, we speak about our party being in power. We must remember the fact that power does not give unbridled license to do as we please; and, if we are in power, we must remember that we are a minority party. The Progressives and the Republicans combined would have left us no opportunity to obtain the power that we possess to-day. [Applause on the Republican side.] Now, in any district this great consideration for a job does not engage the time and attention of the voters. What care they who occupies the position of assistant postmaster, whether it be Jones or Brown or Smith, if the man in the place is efficient and able to discharge the duties of his office? No one cares. We should recognize that

In the last Democratic platform it was said that merit and ability should be the standard of appointment and promotion, rather than service rendered to a political party. Promises must not be like pie crust, easily broken. We must remember that a pledge is a pledge and a promise is a promise. I recall just now the words of a Democratic Senator, George Pendleton, a man who, I think, has written his name high upon the scroll of honor, because in conjunction with men in the Republican Party he served the public purpose and the public good by giving to this country the civil-service law. [Applause.] Listen to what he said at the time:

The prolific parent of fraud, corruption, and brutality lies in the general effect of the intrigue, solicitation, and coercion for these offices without stable tenure.

I believe it was a gentleman from Rhode Island, Thomas Allen Jenckes, who came to this House in 1863, who made a comprehensive study of this question of administrative reform and laid the basis for the great work that was accomplished in other days; under the generous influence and aid of such Presidents as Grant, Hayes, and Garfield the reforms contended for by Jenckes found favor, though his bill failed of passage because of the unpreparedness of the public mind. And remember that it was a bullet from the pistol of a disappointed office seeker, Guiteau, that stirred this country to action and made them recognize that the public service should be open to all, and that was true Americanism. [Applause.] That is what gave an impetus to civil-service reform and led to the passage of the Pendleton law. To-day we are a long way removed from the time when the slogan "To the victors belong the spoils" was emblazoned on the Democratic banner.

My friends, let us strengthen that law. Let us not miss the opportunity to keep it inviolate in order that we may keep our

promises to the people. [Applause.] Let us keep back forever the forbidding spectacle of political vassalage. The officeholder who keeps his place through servility to his patron is a slave and without manhood or independence. The Representative whose official nod, dictated by party organization, is responsible for the filling of an office must recognize a weakening of his position as a man and a real representative of all the people.

Mr. MOON. Mr. Chairman, I move that all debate on this amendment be closed in 15 minutes.

The CHAIRMAN. The gentleman from Tennessee moves that all debate on this amendment be closed in 15 minutes.

Mr. BORLAND. What is the amendment? The CHAIRMAN. To strike out the last word.

The motion was agreed to.

Mr. SHERLEY. Mr. Chairman, I can not but feel just a little bit tolerant of the gratification of the Republicans over what they are pleased to term a division of Democrats. There is the old saying that hope long deferred maketh the heart sick, and they have been sick so long that I am willing they should get what little consolation they may by virtue of this debate.

I was somewhat amused by some of the things said on both sides of the House. I have often observed that most of the denunciation of the Executive for legislative interference is indulged in by gentlemen only when the position taken happens to be contrary to their own. Whenever the Executive agrees with a particular Member of the legislative body, why, then the expression of the view of the Executive is a proper performance of his high office, and only when it serves to interfere with such Member's particular program is it subject to severe censure and denunciation. [Applause.]

For my part, I fail to see anything that gives rise to the least excuse for criticizing the action of the Executive. I have opposed and I shall always oppose the putting of legislative riders on appropriation bills by a party that controls the Government.

[Applause.]

I can understand it being done by a party having control of only one branch, where it desires to force a concession from a hostile Executive, but I can not understand any reason or excuse for doing it on the part of a party that has complete control of the Government. And I can not understand it, especially when urged by a chairman of a committee that has legislative jurisdiction as well as appropriating power.

It is not necessary that you shall have a special rule now to make these reforms in the postal laws, because the very committee that brings to this House this appropriation bill has, under the rules of the House, the power to bring in legislative matters amending the postal laws in all the particulars that

may be desired.

Mr. MOON. May I interrupt the gentleman?

Mr. SHERLEY. For a question.

Mr. MOON. Does not the gentleman know that the only opportunity for this legislation is on appropriation bills? That that has been the history of previous postal legislation?

Mr. SHERLEY. That only shows how badly we have acted in the past and how far afield we are from the true position.

Mr. MOON. That is practical politics.

Mr. SHERLEY. There is too much practical politics in the whole proposition. [Applause.]

Mr. MOON. The gentleman knows that you can not get anything through the Senate that is not on an appropriation bill.

Mr. SHERLEY. I am not willing to condemn a Democratic Senate in any such way.

Mr. MOON. You are insinuating that somebody attacks the

President, and now you are insinuating that it is an attack on

Mr. SHERLEY. I am not insinuating anything; I am only stating what occurred on the floor of the House. For my part, I am not willing to sit silent and listen to what I believe to be an unjustifiable attack-criticism, if you like it, as a less offensive word-of the President of the United States. I have not talked with him, and I know only what I have seen in the press as to his views. I do not think that it is a subject for criticism for the Executive of the country to indicate that he does not desire to have put upon a great supply bill a provision that he does not agree to and then be forced to the alternative of either agreeing to such provision or vetoing the supply bill. I do not think we ought to put him in that position, Mr. MOON. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MOON. Does the gentleman think it is a wise policy in view of our constitutional provision for the President to do any more than to perform his duty under the Constitution, as far as Congress is concerned, by sending a message expressing his views on public questions? I do not say that the President has

Mr. SHERLEY. I will answer the gentleman in this way: have never known a President that amounted to anything that did not have some real influence besides simply sending messages in the shape of policies of the party of which he was the leader. [Applause.] I know that the American people have never yet condemned a President because of taking an active part in shaping his party's position. What they condemn, when they have condemned, is the position taken. If that be wrong, he is properly subject to criticism. But is it fair to put up to him the alternative of vetoing a great supply bill or taking some one matter when we under our rules can pass it as a separate

Now, I submit to you another proposition: You come in here with a provision in regard to salaries of employees. It is a very simple and a very easy matter for you to thus increase the salaries of a class of employees. Few men in the consideration of a supply bill stop to think what the total means and where they are going. We ought to have in connection with such matters a consideration of them as separate proposals and not as riders on appropriation bills.

The CHAIRMAN. The time of the gentleman from Kentucky has expired

Mr. Chairman, I am in favor of an honest civil service on merits, especially an honest civil service, and I believe that the country is ready for a change to an honest civil

service. [Applause.]

The defense of this civil service here to-day by Republican Members is only a repetition of history. The Democrats at the close of Cleveland's adminstration made the same defense and here reverse their position. [Applause on the Republican side.] And now, when the tables are turned and the Republicans are retiring from control, to maintain their appointees they are upholding what they then spurned and condemned in the Democrats. [Applause.] The people are growing tired of one political party justifying its crimes by citing the wrongs of another political party. They are weary of political parties making a football of the civil service, and are ready to supplant subterfuge and pretense with an honest, open civil service upon merits.

As long as this civil service is maintained as a controlling system it will be administered as a spoils system, in disregard of merit and efficient service. Administered by a Republican administration, Republicans will be preferred and favored. Administered by a Democratic administration, Democrats will be favored and preferred; and all this, no matter under what administration, will be under the claim of impartial considera-tion upon merits. To maintain this civil service will postpone honest and good-faith civil service, with the spoils system perpetuated under the guise and cloak of merit.

Mr. Chairman, I know not what conditions prevail in other sections of the country, but I do know that we have most peculiar psychological conditions in Indiana. [Laughter.] I do know that we have a most remarkable mental phenomena there. [Laughter.] I do know that we have a most unusual exhibition of the varying powers and capacities of the human mind. explain: We have in Indiana a very intelligent people, both Republicans and Democrats. [Applause.] Children of both Democrats and Republicans go to school together and make the same grades and gain the same promotions and advancements. [Laughter and applause.] Democrats and Republicans attend church and divine worship together and maintain the same moral standard. Democrats and Republicans engage in business side by side and attain the same business and financial success. Democrats and Republicans are equal socially, morally, and intellectually, and in every respect save one—Democrats fall under this civil service to maintain their equality with other citizens of the State. And, as a consequence, less than 10 per cent of the civil-service employees are from the Democrats.

Whenever we question the sincerity and good faith of this sham civil service we are solemnly admonished of the "spoils system." Mr. Chairman, this system is more than the spoils system. It is the spoils system with all the contaminations of deceit, hypocrisy, sham, and false pretense. [Applause.] Under this system the victors not only take the spoils but they seize upon them with the hypocritical claim of rare piety and virtue and the exercise of equal and impartial justice. The man who even upholds this system is chargeable, as an accessory after the fact, with all the crimes of the decalogue against honest and good-faith dealing. He is guilty of subornation of deceit, subornation of hypocrisy, subornation of sham, and subornation of

false pretense.

Mr. Chairman, I do not want to participate in the administration of this civil service. I do not want to take part in its enforcement. I do not want to undertake its justification or defense. I do not want to answer for its discriminations and This civil service is an abomination in the its favoritisms. sight of the Lord, and honesty is not in it. [Applause.] I want a civil service upon merit, with practical examinations to ascertain the true qualifications and fitness to discharge the real duties to be performed. But, above all things, I want an honest, open, and good-faith civil service. I want a civil service in the administration of which you can look every man in the face, tell him the truth, and shame the devil. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. Mr. GRAY. Mr. Chairman, I ask for five minutes additional, Mr. SIMS. Mr. Chairman—

Mr. SIMS. Mr. Chairman— The CHAIRMAN. The gentleman from Indiana asks unanimous consent to proceed for five minutes. Is there objection? Mr. SIMS. Mr. Chairman, I have no objection if I can get the five minutes which has been promised me.

The CHAIRMAN. The time of debate has been limited. Is there objection? [After a pause.] There is none.

Mr. GRAY. I want a civil service under which you can stand on your honor and declare your manhood to the world. I despise the deceit, hypocrisy, sham, and false pretense of this

so-called civil service. I charge that no man can long participate in its administration and either preserve his own respect or retain the respect of his fellow man. No man can be false in one thing and wholly honest in another thing. His falsity will in time permeate his whole general character, undermine his conscience, his moral strength, and his will power to uphold the truth and persevere in the policy to do right. I stand for a merit system, but if the time shall come when I must choose between a sham and dishonest so-called merit system and an honest, open partisan system, I will choose the honest partisan system and preserve my honor and self-respect. Honesty covers a multitude of sins, and I, for one, believe that it is the best policy.

Mr. SIMS. Mr. Chairman, I move to strike out the last two

words.

The CHAIRMAN. The gentleman from Tennessee can be recognized for three minutes, after which time all the debate

will be closed on the paragraph.

Mr. GARRETT of Tennessee. I wish to say to the Chair that the debate will not be closed on the paragraph, but that it will

be closed on the amendment.

Mr. MOON. I thought I made the motion to close it on the

paragraph.

Mr. GARRETT of Tennessee. The particular inquiry was addressed to the gentleman from Tennessee [Mr. Moon] as to what it was, and he said it was to strike out the last word-

Mr. SIMS. Mr. Chairman, I want five minutes, and am willing to wait until I can get it. I move to strike out the last two words.

The CHAIRMAN. The gentleman from Tennessee [Mr.

SIMS] is recognized.

Mr. SIMS. Mr. Chairman, I will be politically honest, at least on the present occasion. [Applause.] I voted for the Bartlett amendment to repeal the Executive order of President Taft placing fourth-class postmasters under the civil service, which was offered in the latter part of the last Congress.

Mr. BARTLETT. I will suggest to the gentleman that I offered that amendment, and it was lost in the Senate.

Mr. SIMS. I voted to repeal it, and it was repealed in this House, but failed in the Senate. When President Wilson came into power he modified that order, and as he modified it I have tried to live up to it as far as I am concerned and I have not winked at it in any respect. I will place in the Record a letter that I received a few days ago from an able circuit judge in my district. It was dated the 10th of January, and on the 13th of January I replied to it before I knew a question of this kind was going to arise. I have written a hundred similar letters. I will ask your attention to it, as it expresses the views which I entertain. The following are the letters:

LEXINGTON, TENN., January 10, 1914.

Hon. T. W. SIMS, Washington, D. C.

Hon. T. W. Sims, Washington, D. C.

Dear Mr. Sims: My kinsman, Mr. J. P. Vandyke, of Sardis, is thinking of undergoing an examination before the Civil Service Commission with a view of making application for appointment as postmaster at Sardis. He is a young man of excellent character and in all respects well qualified for the place, and is a Democrat. He stood two examinations some time ago for position in the Rural Mail Service, and his grade, at least in one of them, was much better than either of the other contestants, but in some mysterious way the place was given to the other or another of the contestants.

I merely refer to this by way of explaining the fact that he now feels a degree of uncertainty and anxiety respecting the matter of making the contest for the post office; or, in other words, Mr. Vandyke felt in respect to the former defeat as if preference had been given to his opponent because of him being a Republican.

Of course, in this instance, he would not have any reason to expect Republican partiality. However, it is a case of a burnt child dreading the fire. I have assured him, and I think correctly, that under the present arrangement no partiality will be shown on account of any political consideration whatever, and that it will be disposed of strictly upon a basis of merit. I wish you to write me something pertaining to the safeguards that are being thrown around such examinations and actions thereon as a protection against political partiality or against other improper influences. I am,

Hon. N. R. BARHAM, Lexington, Tenn.

JANUARY 13, 1914.

Hon. N. R. Barham, Lexington, Tenn.

Dear Judge: I have your letter of 10th with reference to the application of J. P. Vardyke for appointment as postmaster at Sardis, in your county. I note what you say about his having passed a satisfactory examination for rural carrier on previous occasions and was not appointed, although, as I infer, being entitled to it if his merits had only been considered. I must believe naturally, until undisputed facts convince me otherwise, that the civil-service tequirements under the Executive order of President Wilson as to the appointment of fourth-class postmasters will be lived up to in letter and spirit, and the applicants will be appointed upon the ratings made by them in the examination. It is true that there may be administrative or departmental reasons why the highest of the three from which the appointing power must choose should not be appointed, but these reasons ought to, and no doubt will, appear in the report made by the Civil Service Commission or the inspector who visits the locality. Under no circumstances ough these administrative and departmental reasons be arrived at from suggestions made by the Member of Congress in whose district the appointment is to be made. As postmasters are now being appointed under these rules

and regulations no other matter should be considered, because the appointment is practically one for life.

I shall not be consulted and ought not to be consulted as to what the department should do in carrying out its duties as prescribed by its own rules and regulations. As far as I am concerned, I shall be no party to a mere pretense of maintaining and enforcing the merit system, when in fact as between those who may be highest on the eligible list an appointment should be made upon my suggestion in order that a political or personal friend of mine may be appointed upon assumed departmental and administrative reasons which are otherwise not apparent to the appointing power.

If there are no departmental or administrative reasons which in fact require the appointment of one other than the highest of the three on the eligible list, the department must find those reasons without any suggestion or influence of mine.

There is a general impression that the civil-service law was not administered under Republican rule in letter and spirit, and no such suspicion should attach to our Democratic administration, and therefore I shall not do anything to justify such a charge.

If Mr. Vandyke is highest of the three on the eligible list, he ought to be appointed, and certainly will be appointed so far as I am concerned.

Very truly, your friend.

Very truly, your friend,

T. W. SIMS.

Mr. MOON. Mr. Chairman, I move that all debate be closed on this paragraph and section.

The CHAIRMAN. The gentleman from Tennessee [Mr. Moon] moves that all debate be closed on the paragraph. Is

there objection? Mr. TREADWAY. I trust the gentleman will give me an opportunity to offer an amendment to the section.

Mr. MOON. He can offer an amendment to the section. Mr. TREADWAY. I also desire to discuss it.

Mr. MOON. The gentleman can offer the amendment now or at some other time.

Mr. TREADWAY. Mr. Chairman, I offer the amendment

which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

The Clerk read as follows:

Page 26, line 6, insert the following:

"That the following paragraph of section 2 of the act of August 24, 1912, be, and the same is hereby, repealed, to wit:

"That it shall be the duty of the editor, publisher, business manager, or owner of every newspaper, magazine, periodical, or other publication to file with the Postmaster General and the postmaster at the office at which said publication is entered, not later than the 1st day of April and the 1st day of Octuber of each year, on blanks furnished by the Post Office Department, a sworn statement setting forth the names and post-office addresses of the editor and managing editor, publisher, business managers, and owners, and, in addition, the stockholders, if the publication be owned by a corporation; and also the names of known bondholders, mortgagees, or other security holders; and also, in the case of daily newspapers, there shall be included in such statement the average of the number of copies of each issue of such publication sold or distributed to paid subscribers during the preceding six month: Provided, That the provisions of this paragraph shall not apply to religious, fraternal, temperance, and scientific, or other similar publications: Provided further, That it shall not be necessary to include in such statement the names of persons owning less than 1 per cent of the total amount of stock, bonds, mortgages, or other securities. A copy of such sworn statement shall be published in the second issue of such newspaper, magazine, or other publication printed next after the filing of such statement. Any such publication shall be denied the privileges of the mail if it shall fall to comply with the provisions of this paragraph within 10 days after notice by registered letter of such failure."

Mr. MOON. Mr. Chairman, I make a point of order on the

Mr. MOON. Mr. Chairman, I make a point of order on the amendment.

Mr. TREADWAY. I ask the gentleman to reserve the point of order

Mr. MOON. I regret to say to the gentleman that I can not, because it is a subject that will take too long to discuss.

Mr. TREADWAY. I desire to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman strictly on the point of order.

Mr. MANN. Can not the gentleman have five minutes?
Mr. MOON. We want to get through with this paragraph, and this amendment is irrelevant.

Mr. MANN. The gentleman does not occupy the time of the House very often.

Mr. MOON. I will yield five minutes to him, but I am not going to reserve any more points of order, I give notice now.

Mr. TREADWAY. As I understand it, this feature was in-

serted in the Post Office bill two years ago in just the manner that we have been discussing here this afternoon. It was some sort of a rider, as I understand it, not considered by the Post Office Committee, and I claim, Mr. Chairman, it is of such an inquisitorial nature that newspapers should not be subjected to it.

I would like to have it explained to me why any man, because he happens to be the owner of a paper and user of the secondclass mail, should be required to report publicly in that paper under a sworn statement to whom he may owe any money. There is a requirement in this section whereby a man owning a newspaper, if there is a mortgage against his property, must make that fact known to the public. Now, has not that man just as much right to use the columns of the press, has he not as much right to do that kind of business-publishing a news-

paper-as I have to go on with the kind of business that I happen to be engaged in for a livelihood, without making that information public to the world at large? It is a hardship in every sense of the word upon the publisher of a small newspaper, although I judge it was originally intended to affect the publishers of large or metropolitan dailies in an effort to discover whether they were controlled by outside or concealed influences

The advertiser in any paper has every opportunity to find out what the merits of the paper itself may be. There is no newspaper manager who is not willing at any time to show his circulation department sheet to any advertiser. It is an effort, as I see it, to get a little inquisitorial information against a very legitimate line of business, which ought not to be countenanced at all, and which crept into the law because the newspapers wanted to avail themselves, in increasing their circulation and in reaching their subscriptions, of the privileges of the low rates on second-class mail matter.

I claim, Mr. Chairman, that this condition of affairs ought not to be countenanced in the law, and I claim also that this amendment is not out of order and can not be ruled out on a point of order, because it reduces expenses. There is an expense to the Government involved in having the blanks printed upon which the returns are made. I took occasion to look up the cost, and I find there is a matter of nearly \$500 of expense to the Post Office Department in providing these blanks. Consequently, I claim, sir, that it is within the province of the rule whereby legisla-tion is in order if it will reduce expenses. [Applause.]

Mr. Chairman, I ask permission to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Massachusetts [Mr. TREADWAY] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MOON. Mr. Chairman, I ask that the Chair rule on the point of order.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

The Clerk read as follows:

SEC. 2. That hereafter when, during a weighing period, on account of floods or other causes, interruptions in service occur on railroad routes and weights of mail are decreased below the normal, or where there is an omission to take weights, the Postmaster General, for the purpose of readjusting compensation on such railroad routes as are affected thereby, is hereby authorized in his discretion to add to the weights of mails ascertained on such routes during that part of the weighing period when conditions are shown to have been normal, the estimated weights for that part of the weighing period when conditions are shown to have been not normal or where there has been an omission to take weights, based upon the average of weights taken during that part of the weighing period during which conditions are shown to have been normal, the actual weights and the estimated weights to form the basis for the average weight per day upon which to readjust the compensation according to law on such railroad routes for the transportation of the mails, notwithstanding the provision of the act of Congress approved March 3, 1905, requiring that the average weight shall be ascertained by the actual weighing of the mails for such a number of successive working days, not less than 90, as the Postmaster General may direct: Provided further, That readjustments from July 1, 1913, may be made under this provision on routes in the first section affected by the floods in the Ohio Valley and tributary territory, commencing about March 25, 1913.

Mr. BELL of Georgia. Mr. Chairman, I make a point of

Mr. BELL of Georgia. Mr. Chairman, I make a point of order against this section.

The CHAIRMAN. The gentleman from Georgia makes a point of order against the section. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

SEC. 3. That hereafter all railway companies carrying mail shall furnish free transportation on the line of their respective roads to railway mail clerks, including transfer clerks, terminal railway post-office clerks, and clerks detailed to division superintendents' and chief clerks' offices.

Mr. BELL of Georgia. Mr. Chairman, I make a point of

order against the section.

The CHAIRMAN. The gentleman from Georgia makes a point of order against the section.

Mr. MOON. It is already out, Mr. Chairman. The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 4. That the Postmaster General may hereafter make leases for terminal railway post offices for terms not exceeding 10 years.

Mr. MOON. Mr. Chairman, that has already been agreed to by the committee in another part of the bill. I therefore move to strike it out.

The CHAIRMAN. The gentleman from Tennessee [Mr. Moon] moves to strike out the section. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. That for expenses of two delegates to the International Postal Union at Madrid, 1915, to be appointed by the Postmaster General from the Post Office Department, \$5,000.

Mr. BELL of Georgia. Mr. Chairman, I make a point of order against the section.

The CHAIRMAN. The gentleman from Georgia makes a point of order against the section. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

The Clerk read as follows:

Sec. 6. That hereafter any assistant postmaster who may be required by law or by authority or direction of the Postmaster General to execute a bond to the Postmaster General to secure faithful performance of official duty may be appointed by said Postmaster General, who may require such bond, without regard to the provisions of an act of Congress entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, and amendments thereto, or any rule or regulation made in pursuance thereof, and the Postmaster General shall have power to revoke the appointment of any assistant postmaster and appoint his successor at his discretion without regard to the act, amendments, rules, or regulations aforesaid.

Mr. MADDEN, Mr. CALDER, and Mr. LANGLEY, made a

Mr. MADDEN, Mr. CALDER, and Mr. LANGLEY made a point of order against the section.

The CHAIRMAN. A point of order is made against the section. The point of order is sustained.

Mr. DYER. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. RAKER. Mr. Chairman, I make a point of order against the section.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN]

and others have already made a point of order.

Mr. RAKER. Then I make another one. [Laughter.]

The CHAIRMAN. The point of order is sustained.

Mr. WALSH. Mr. Chairman, I desire to offer an amendment. The CHAIRMAN. The gentleman can not offer an amendment now. The section has gone out on a point of order.

Mr. WALSH. Then I will offer it to the next section of the

bill.

The CHAIRMAN. Let the gentleman wait for the reading of the next section.

Mr. MANN. I ask unanimous consent, Mr. Chairman, to dispense with the reading of the next section. It is already in

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent to dispense with the reading of the next section.

Mr. MANN.

Mr. MANN. That is already agreed upon. The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The Clerk will read.

The Clerk read as follows:

The Clerk read as follows:

SEC. 8. That the Postmaster General is hereby authorized, in his discretion, to contract for the construction of and to purchase steel full railway post-office cars and storage mail cars, and to pay not exceeding \$200,000 for the same out of the appropriation for railway post-office cars; and to contract with railroad companies for hauling them and their contents, including mails, equipment, supplies, officers, employees, and railway postal clerks, and for their maintenance, heating, lighting, cleaning, and repairing, upon such routes and between such points as he may deem advisable, and to pay for the same out of the appropriation for inland transportation by railroad routes: Provided, That for the purpose of readjusting compensation for the transportation of the mails upon the routes over which such cars shall be operated from the date on which such operation begins for the remainder of the contract terms the Postmaster General is authorized to weigh the mails transported in such railway post-office and storage mail cars, which shall be verified and stated monthly in such manner as he shall direct, from which returns he shall compute the average daily weights of mails carried in such railway post-office cars and storage mail cars on the routes over which they may be operated, and deduct such average weights per day from the average weights per day upon which the pay for the transportation of the mail on the routes, respectively, was allowed at the last regular readjustment, and readjust the pay on such routes at not exceeding the statutory rates for the reduced average weights of mails per day: Provided further, That the weights of mails, equipment, supplies, or other matter carried in such cars shall not be included in the weights of mails, equipment as a shall be made: Provided further. That the Postmaster General is authorized to return to the mails, where practicable, empty mail bags, supplies, etc., that have theretofore been withdrawn from the mails as provided by law and tra

Mr. TUTTLE. Mr. Chairman, I make a point of order against that paragraph.

The CHAIRMAN. The point of order is sustained.

Mr. WALSH. Mr. Chairman, I desire to offer an amendment. The CHAIRMAN. This paragraph has gone out. The Chair will recognize the gentleman after the reading of the next sec-

The Clerk began the reading of section 9.

Mr. FINLEY. Mr. Chairman, that section is already out.

Mr. MADDEN. I make a point of order against this section of the bill, Mr. Chairman.

Mr. LOBECK. It has not been read yet,

Mr. MOON. Mr. Chairman, a section identical with this was offered, and the Chair ruled it out. I ask unanimous consent to strike this section from the bill.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to strike the section from the bill.

Mr. CAMPBELL. I object to that.

Mr. CURRY. I object,

The Clerk resumed and completed the reading of section 9, as

Sec. 9. That from and after the 1st day of July, 1914, the compensation of rural letter carriers for carrying the mail six days each week on standard routes of 24 miles in length shall be the sum of \$1,150 per annum, to be paid monthly; and on routes exceeding 24 miles in length, the sum of \$22.50 per mile per annum for each mile in excess of 24 miles; and on routes under 24 miles in length, an increase of 10 per cent per mile per annum; on routes carrying the mail three times each week, of the same length, as above, the pay shall be one-half the compensation there provided: Provided, That no carrier's pay shall be increased more than \$75 per annum on account of the passage of this act.

Mr. FITZGERALD. Mr. Chairman, I make a point of order against the paragraph.

Mr. HUGHES of Georgia. I hope the gentleman will withhold that

Mr. FITZGERALD. I will not withhold it. I make it.
The CHAIRMAN. The Chair sustains the point of order.
Mr. CAMPBELL. I move the following in lieu of the section stricken out

Mr. COPLEY. Mr. Chairman, as a member of the committee, I move an amendment in lieu of section 9.

The CHAIRMAN. The gentleman from Kansas has already been recognized to offer an amendment. The gentleman from Illinois will be recognized later.

The Clerk read as follows:

Page 30, line 20, strike out section 9 and insert in lieu thereof the

Mr. MOON. Mr. Chairman, section 9 has already been stricken out.

The CHAIRMAN. The Clerk is simply reading the amendment as it is written.

Mr. CAMPBELL. I move my amendment in lieu of sec-

The CHAIRMAN. The gentleman does not have to say "in lieu of section 9."

Mr. CAMPBELL. I offer my amendment,

The Clerk read as follows:

Page 30, after line 19, insert the following as a new paragraph:

"Sec. 9. That from and after the 1st day of July, 1914, the compensation of rural letter carriers for carrying the mall six days each week on standard routes of 24 miles in length shall be the sum of \$1.250 per annum, to be paid monthly; and on routes exceeding 24 miles in length, the sum of \$25 per mile per annum for each mile in excess of 24 miles; and on routes under 24 miles in length, an increase of 10 per cent per mile per annum; on routes carrying the mail three times each week, of the same length as above, the pay shall be one-half the compensation there provided."

Mr. FITZGERALD. Mr. Chairman, I make a point of order against that amendment.

The CHAIRMAN. The gentleman from New York makes the point of order, and the Chair sustains the point of order.

Mr. COPLEY. Mr. Chairman, I desire to offer an amendment. The CHAIRMAN. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

The Clerk read as follows:

Amend, page 30, line 20, section 9, by striking out all of the section and insert in lieu thereof the following:

"Sec. 9. That from and after the 1st day of July, 1914, the compensation of rural letter carriers for carrying the mail six days each week on standard routes of 24 miles in length shall be the sum of \$1,200 per annum, to be paid monthly; and on routes exceeding 24 miles in length, the sum of \$30 per annum for each mile in excess of 24 miles, such excess pay to be paid monthly; and on routes under 24 miles in length, a decrease of \$30 per mile per annum, such decrease pay to be deducted from the pay each month; on routes carrying the mail three times each week, of the same length as above, the pay shall be one-half of the compensation there provided."

Mr. MOON. Mr. Chairman, section 9 has already been

Mr. MOON. Mr. Chairman, section 9 has already been stricken out.

Mr. COPLEY. I offer it in lieu of that.

Mr. FITZGERALD. I make a point of order against the amendment that it is a change of existing law.

The CHAIRMAN. The Chair sustains the point of order. Mr. CURRY. Mr. Chairman, I appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from California appeals from the decision of the Chair. The question is: Shall the decision of the Chair stand as the judgment of the committee?

The question was taken; and on a division (demanded by Mr. Curry) there were—ayes 126, noes 2.

Mr. SMITH of Idaho. Mr. Chairman, I offer the following amendment in lieu of section 9.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 30, after line 19, insert:
"That each letter carrier in the Rural Free Delivery Service shall receive after July 1, 1914, an allowance equal to 25 per cent of the salary he now receives to be paid each month for providing and maintaining the equipment used by him in transporting the mails in the discharge of his official duties as such carrier."

Mr. FITZGERALD. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The Chair sustains the point of order. Mr. HAWLEY. Mr. Chairman, I offer the following amend-

The Clerk read as follows:

Page 30, after line 19, insert:

"That from and after the 1st day of July, 1914, the compensation of rural letter carriers for carrying the mail six days each week on standard routes of 24 miles in length shall be the sum of \$1,300 per annum, to be paid monthly; and on routes exceeding 24 miles in length, the sum of \$22.50 per mile per annum for each mile in excess of 24 miles; and on routes under 24 miles in length, an increase of 10 per cent per mile per annum; on routes carrying the mail three times each week, of the same length as above, the pay shall be one-half the compensation there provided."

Mr. FITZGERALD. Mr. Chairman, I make a point of order against the amendment.

Mr. HAWLEY. Mr. Chairman, the delivery of mails, whether in the city, on the railroad trains, or on the rural free delivery, is an exacting service, and it has always appeared to me that the compensation paid to the employees in the several branches of the Postal Service was inadequate for the work done. I have offered this amendment for the relief of the carriers in the Rural Service in a very moderate amount, less than should be paid, but an advance over what is now paid. The rural carrier appears from the bill, upon a standard route of 24 miles in length, with a six times per week service, to be paid \$95.83\frac{1}{2} per month for his services in delivering mail to the patrons of his route. But immediately this compensation is burdened with a heavy charge for the transportation of the mail to the addressees, including a proportional part of the permanent investment for equipment and cost of maintenance. Recent legislation, such as the establishment of the parcel post, has added an additional burden without granting, it seems to me, a proportional increase in pay. The carrier must deliver the mails irrespective of weather and road conditions, and if legislation increases the cost, it by so much diminishes his earnings. might appear that the carrier receives nearly \$96 per month for his services, while really he receives that amount for his services, replacement and maintenance of equipment, and so forth.

The result is that the net amount out of which he must provide a living for himself and his family, and provide a reserve for times of need, or age, is but little more than a moiety of that amount. A number of carriers reporting from the various portions of my congressional district, and I think their reports are fairly representative of conditions, report an average invest-ment for horses per carrier of \$257; vehicles drawn by horses, \$121, and harness, and so forth, \$39, making a total average investment of \$417 each. The average cost for horses is \$101, for vehicles \$68, and for harness, and so forth, \$39. This does not take into account one motorcycle at \$200 and one automobile at \$700. They report an average maintenance cost for feed, horseshoeing, and so forth, repairs to equipment and incidentals, and not including interest on investment, depreciation, additions, or proportional cost of replacement of \$353 per year, or practically \$30 per month. Adding to this a monthly proportion of interest and depreciation, and the added cost for delivery in the coming year due to the increased size of parcel-post matter, more than 40 per cent will be taken out of each month's pay for operating expenses, and there will be left as real compensation some \$57.50 per month, on the basis of the present bill, a sum entirely inadequate. The amendment I propose will increase his real pay per month to some \$66—not enough, but a partial relief. In the above computations I have computed very conservatively, and I believe the real compensations is less that the state of the stat tion is less than I have given.

In justice to a hard-worked, efficient, and faithful service, I appeal to the sense of fairness which distinguishes the membership of this House to adopt the proposed amendment.

I offer the amendment in this form that it may be in order. The real remedy would be to make an annual allowance for equipment and its maintenance.

The CHAIRMAN. The point of order is sustained.
Mr. CARAWAY. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD. Is there

There was no objection.

Mr. CARAWAY. Mr. Chairman, in seeking to amend this measure under discussion there is no desire to antagonize this committee or its chairman, who prepared this bill. tionably this section received consideration at their hands when the measure was in preparation. However, in view of the great importance of this branch of the Postal Service, it is but right that special attention be directed to the needs of this vast army of rural carriers and that their just demands receive consideration in the appropriation that seeks to fix their compensation for the service they are to render.

This most important branch of the Postal Service is undoubtedly that branch which seeks to carry the mail to the door of the farmer. No great hardship would be inflicted upon people living in cities or towns if they should be required to go to some designated place in their city or town to receive their mail. But with farmers, many of whom reside from 10 to 12 or even 15 miles from the post office, unless the rural service be ex-tended, they will be deprived of any benefits whatever from this vast appropriation. The requirements of his labors, the remoteness of his home, and in many cases the impassability of the roads makes this his only avenue of contact with the

outside world. Our Government went a long way in an experiment when it established the rural delivery, but results have more than justified the hope and confidence of those who secured the enactment of the law under which this service has been extended to a large number of those residing in rural communities. The great expense attendant upon this service has prevented extension to yet a great part of the people and has made some question the wisdom of extending this service. And upon this ground, and this alone, have been fought all efforts on the part of friends of the rural carriers to give them adequate pay for the service required. All effort to secure for them a living wage has been met with the statement that to grant the increase justly demanded would be to curtail, if not to finally destroy, this branch of the Postal Service.

Without a doubt this presents a serious question, because the revenues derived are so insignificant as compared with the expenses of the service that it is proving a heavy drain upon the postal revenues. This, however, is no fault of the carrier, and no efficient service can be had without a reasonable compensation, and that their service has proven efficient no one questions.

In the bill now under consideration the maximum salary of a rural carrier can not exceed \$1,150, and for this sum he must not only contribute his entire time, but must furnish an equipage consisting of some mode of transportation for himself and the mail, the average cost of which an investigation shows to be about \$450. The cost of maintaining this equipage will range from \$200 to \$300 a year, with a depreciation of about 20 per cent of its first cost.

At a glance it becomes apparent that with this investment and the cost of maintenance and depreciation that the service can not long be maintained at its present high state of efficiency without an increase in the salary of the carrier. It has been said here upon the floor of this House, in answer to an argument of inferior pay for this class of Government employees, that the positions are much sought after. This may be true in some sections of the country where the road conditions are ideal and the route length is not so long and the labor not so arduous, but in other sections I know these conditions do not

As a concrete illustration conditions confronting this class of Government employees in my home town may prove instructive. There are six routes leading from this office: No. 1 is 26½ miles; No. 2 is 27½ miles; No. 3 is 26 miles; No. 4 is 29 miles; No. 5 is 31 miles; and No. 6 is 15½ miles, and the road conditions are bad. During the winter months routes 4 and 5 are almost impassable. The carrier serving route 4 is an intelligent, careful, and energetic man, and with a strong team of two horses the average time required throughout the year to serve his route is about 9 hours and 37½ minutes each day. Many days it requires from 10 to 14 hours. Others are just as bad. It is fair to presume that these are average conditions in which the majority of the carriers engaged in this service labor. The proposed amendment seeks to fix the average wage for

a standard route of 24 miles at \$1,200, and give an additional \$30 for each extra mile or major fraction thereof, with additional annual compensation of not less than \$100 or more than \$200 for maintenance of equipage, for all carriers on routes 20 miles or more in length, the amount being determined by the

Postmaster General in view of the quantity of mail and road conditions under which the service is to be rendered.

The parcel post, recently effective, has greatly increased the burdens of the carrier. When the weight limit shall have been increased, as is now contemplated, to 100 pounds, and the farmers realize the great service that the Government is capable of rendering to them by this means, it becomes apparent that the rural carrier will have to double his equipage, with increased cost for its maintenance and depreciation.

No branch of the service should ever be developed, extended, and perfected at the cost of unfair treatment of the employees. Without question the most exacting labors, the greatest expenditure, and the longest hours required of any of the Government employees are expected from the rural carrier, while at the same time the greatest benefits and largest profits that the Post Office enjoys are reaped from their labors.

By unanimous consent, Mr. SMITH of Idaho, Mr. COPLEY, Mr. JOHNSON of Washington, Mr. LANGLEY, Mr. WATSON, and Mr. HUGHES of Georgia were given leave to extend their re-

marks in the RECORD.

The Clerk read as follows: Sec. 10. That after June 30, 1914, the compensation of postmasters at post offices of the first, second, and third classes shall be annual salaries, graded in even hundreds of dollars, and payable in quarterly installments, and shall be ascertained and fixed by the Postmaster General on the basis of the gross receipts of their respective offices for the calendar year, to take effect at the beginning of the ensuing fiscal year at the rates now prescribed by law.

Mr. BELL of Georgia. Mr. Chairman, I make a point of order against the section.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

SEC. 11. That after June 30, 1914, should the needs of the service require the employment on Sunday of letter carriers in the City Delivery Service and clerks in first and second class post offices, the employees who are required and ordered to perform Sunday work shall be allowed compensatory time for such service on one of the 30 days following the Sunday on which they perform such service.

Mr. BELL of Georgia. Mr. Chairman, I make a point of order against that section.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

The Clerk read as 10110ws:

Sec. 12. That hereafter all sites for Federal buildings to be used exclusively for post-office purposes shall be selected by the Postmaster General, and the equipping and maintenance of such buildings shall be under his direction and control; and all sites for Federal buildings to be used in part for post-office purposes shall be selected jointly by the Postmaster General and the Secretary of the Treasury, who shall be jointly charged with the direction and control of the equipping and maintenance of such buildings.

Mr. BELL of Georgia. Mr. Chairman, I make a point of

order against that section.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

SEC. 13. That hereafter the Postmaster General may establish, under such rules and regulations as he may prescribe, one or more branch offices, nonaccounting offices, or stations of any post office for the transaction of such postal business as may be required for the convenience of the public.

Mr. BELL of Georgia. Mr. Chairman, I make a point of order against that section.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

SEC. 14. That the Postmaster General is hereby authorized to prescribe regulations for the establishment and maintenance of a guaranty fund, to be derived from assessments levied against and collected from officers and employees of the postal service accountable for funds or property, with which to make good losses resulting from the failure of any officer or employee of the postal service to properly discharge his official duties, and for the indemnification of the Government and any person or persons sustaining such loss or losses by payments out of such fund; but nothing herein shall be construed as binding the Government or the Postmaster General to make any such payment or reimbursement.

Mr. BELL of Georgia. Mr. Chairman, I make a point of order against that section.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

SEC. 15. That so much of section 1 of the "Act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes," approved August 24, 1912, which provides that the Post Office Department shall not extend or enlarge its present policy of sending second-class matter by freight trains 's hereby repealed.

Mr. BELL of Georgia. I make a point of order against that

Mr. LENROOT. Mr. Chairman, I would like to suggest that so far as this section is concerned, if adopted it would certainly reduce the expenditures, and therefore is in order.

Mr. MOON. It does not so appear on its face. The CHAIRMAN. It does not appear on its face, and the point of order is sustained.

The Clerk read as follows:

The Clerk read as follows:

SEC. 16. That if any person shall hereafter perform any service for any contractor or subcontractor in carrying the mail, he shall, upon filing in the department his contract for such service and satisfactory evidence of its performance, thereafter have a lien on any money due such contractor or subcontractor for such service to the amount of same; and if such contractor or subcontractor shall fall to pay the party or parties who have performed service as aforesaid the amount due for such service within two months after the expiration of the month in which such service shall have been performed the Postmaster General may cause the amount due to be paid said party or parties and charged to the contractor: Provided, That such payment shall not in any case exceed the rate of pay per annum of the contractor or subcontractor.

Mr. BELL of Georgia. Mr. Chairman, I make a point of order against that section.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

SEC. 17. That temporary mall service rendered necessary by reason of the fallure of any bidder or contractor to perform the service awarded to him may be provided by the Postmaster General without advertisement, on such terms as he may deem reasonable, at the expense of any such failing bidder or contractor, and all laws or parts of laws inconsistent herewith are hereby repealed.

Mr. BELL of Georgia. Mr. Chairman, I make a point of order against that section.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

The Clerk read as follows:

Sec. 18. That whoever shall willfully injure, tear down, or destroy any letter box, pillar box, lock box, lock drawer, or other receptacle established or approved by the Postmaster General for the safe deposit of matter for the mall or for delivery, or any lock or similar device belonging or attached thereto, or any letter box or other receptacle intended or used for the receipt or delivery of mail matter on any rural delivery route, star route, or other mail route, or shall break open the same; or shall willfully injure, deface, or destroy any mail matter deposited in any letter box, pillar box, lock box, lock drawer, or other receptacle established or approved by the Postmaster General for the safe deposit of matter for the mail or for delivery; or shall willfully take or steal such matter from or out of any such letter box, pillar box, lock box, lock drawer, or other receptacle; or shall willfully injure, deface, or destroy any mail matter deposited in any letter box or other receptacle intended or used for the receipt or delivery of mail matter on any rural delivery route, star route, or other mail route, or shall willfully and mallclously assault any letter or mail carrier, knowing him to be such, while engaged on his route in the discharge of his duty as such carrier, or shall willfully aid or assist in any offense defined in this section, shall be fined not more than \$1,000 or imprisoned not more than three years, or both.

Mr. BELL of Georgia. Mr. Chairman, I make a point of

Mr. BELL of Georgia. Mr. Chairman, I make a point of order against that section.

The CHAIRMAN. The point of order is sustained. Mr. BROWNING. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. LONERGAN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to extend his remarks in the Record. Is

there objection? There was no objection.

Mr. WALSH. Mr. Chairman, I offer the following amend-

The Clerk read as follows:

On page 27, at the end of line 21, add the following paragraph:
"Sec. 6. That an examination of all assistant postmasters now in office, for the purpose of ascertaining their qualifications to hold such office, shall be had in accordance with the provisions of an act of Congress entitled 'An act to regulate and improve the civil service of the United States,' approved January 16, 1883, and amendments thereto, and only such assistant postmasters as upon such examination shall demonstrate their efficiency, according to a uniform standard to be fixed by the Civil Service Commission, shall be retained in office, and hereafter all assistant postmasters shall be appointed only after examination, as provided in said act and amendments thereto."

Mr. MANN and Mr. CAMPREUL, made a point of codes.

Mr. MANN and Mr. CAMPBELL made a point of order against the amendment.

The CHAIRMAN. The point of order is sustained.
Mr. MOON. Mr. Chairman, the sections of this bill from 2

on have been stricken out on points of order largely made by We have now completed the bill, members of the committee. and I move that the committee do now rise and the chairman be directed to report the bill to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. MANN. Will the gentleman yield for a request? Mr. MOON. Yes.

Mr. GRIEST. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on this bill.

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. LONERGAN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Without objection, the request of the gentleman will be granted.

There was no objection.

The CHAIRMAN. The gentleman from Tennessee moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Hay, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11338, the Post Office appropriation bill, and had directed him to report the same with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended

Mr. MOON. Mr. Speaker, I move the previous question on the bill and all amendments to its final passage.

The SPEAKER. The gentleman from Tennessee moves the previous question on the bill and all amendments to final pas-

The motion was agreed to.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. DIES. Mr. Speaker, I would like to have a separate vote

on what is known as, I think, the Reilly amendment.

The SPEAKER. The gentleman from Texas demands a separate vote on the Reilly amendment, which the Clerk will report. Is a separate vote demanded on any other amendment? If not, the Chair will put them in gross.

The question was taken, and all the amendments except the

Reilly amendment were agreed to.

The Clerk read as follows:

The Clerk read as follows;

On page 17 strike out lines 1 to 13, inclusive, and insert in lieu thereof the following:

"That hereafter the Postmaster General shall have authority to employ acting employees in place of all employees or substitutes hereinafter mentioned who are injured while on duty, who shall be granted leave of absence with full pay during the period of disability, but not exceeding one year, then at the rate of 50 per cent of the employee's salary for the period of disability exceeding one year, but not exceeding 12 months additional, and the Postmaster General is authorized to pay the sum of \$2,000, which shall be exempt from payment of debts of the deceased, to the legal representatives, for the benefit of wife, children, or dependent relatives of any railway postal clerk, substitute railway postal clerk, supervisory official of the Railway Mail Service, post-office inspector, letter carrier in the City Delivery Service, rural letter carrier, post-office clerk, or special-delivery messenger who shall be killed while on duty or who, being injured while on duty, shall die within one year thereafter as the result of such injury: Provided, That no compensation shall be paid any such employee for any injury occasioned by his own negligence.

"To enable the Postmaster General to carry out the provisions of the above, \$134,500."

Mr. MANN. Mr. Speaker, I ask for a roll call on that.

FORTIFICATIONS APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, pending that I would like, with the permission of the gentleman, to present a privileged report (H. Rept. 189) from the Committee on Appropriations.

Mr. DIES. Did I understand the gentleman from Illinois to

ask for the yeas and nays?

The SPEAKER. The gentleman from Kentucky [Mr. Sherley] presents a privileged report from the Committee on Appropriations, the fortifications appropriation bill.

Mr. BURNETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER.

The gentleman will state it.

Does this give any precedence or take any-Mr. BURNETT. thing away from the agreement this morning made by the Pensions Committee?

The SPEAKER. This has nothing in the world to do with that. Pensions, under the order of this morning, come up tomorrow.

It does not give this bill any precedence over any other bill; the merely presenting of this report does

not give this bill any precedence.

The SPEAKER. Why, it is a privileged report, and a motion to go into the Committee of the Whole House on the state of the Union is a privileged motion, but it does not take precedence over the order of the House made this morning.

Mr. BURNETT. There is no motion here to go into the Com-

mittee of the Whole.

The SPEAKER. The Chair is not speaking of what would happen. We can not pass it without going into the Committee of the Whole.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois reserves all points of order on the bill, and the Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12235) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The SPEAKER. Ordered printed and referred to the Committee of the Whole House on the state of the Union.

POST OFFICE APPROPRIATION BILL.

The SPEAKER. Did the gentleman from Illinois [Mr. Mann] demand the yeas and nays?

Mr. MANN. I demanded the yeas and nays.

The SPEAKER. The gentleman from Illinois demands the yeas and nays on the Reilly amendment. Those in favor of ordering the yeas and nays will rise and stand until they are counted. [After counting.] Forty-six gentlemen have risen in favor of the yeas and nays. The other side will rise and in favor of the year and flays. The other side will like and stand until counted. [After counting.] One hundred and six gentlemen have risen in opposition. Forty-six is sufficient, and the Clerk will call the roll. Those in favor of the Reilly amendment will, as their names are called, answer "yea" and those opposed will answer "nay."

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed a bill of the followin; title, in which the concurrence of the House of Representatives was requested: S. 1983. An act to amend section 3618 of the Revised Statutes

of the United States, relating to the sale of public property.

ADJOURNMENT.

Mr. MOON. Mr. Speaker, I move that the House do now

The motion was agreed to; accordingly (at 6 o'clock and 14 minutes p. m.) the House adjourned until Saturday, January 24, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were

taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting the record of a judgment by the Court of Claims on mandate of the Supreme Court of the United States in cause No. 27196, William Stewart MacLeod, as sole surviving partner of the partnership of MacLeod & Co. v. The United States, in the amount of \$5,578.89 (H. Doc. No. 646); to the Committee on Appropriations and ordered to be printed.

 A letter from the Secretary of the Treasury, transmitting an estimate for urgent deficiency appropriation providing for 15 clerks at \$900 per annum, to be employed in connection with the General Supply Committee during the remainder of the current fiscal year (H. Doc. No. 647); to the Committee on Appro-

priations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting amendments to urgent deficiency bill under the caption "Quarantine stations" (H. Doc. No. 648); to the Committee on Appro-

priations and ordered to be printed.

4. A letter from the Secretary of Labor, transmitting, in compliance with Rule XLI of the House of Representatives and in response to a letter from the chairman of the Committee on Immigration and Naturalization, comment with regard to House bill 102 (H. Doc. No. 652); to the Committee on Immigration and Naturalization and ordered to be printed.

5. A letter from the Secretary of War, transmitting, with a

letter from the Chief of Engineers, report on preliminary examination of Snohomish River, Wash., to the head of navigation (H. Doc. No. 649); to the Committee on Rivers and Harbors

and ordered to be printed, with illustrations.

6. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Yellow River, Fla. (H. Doc. No. 650); to the Committee on Rivers and Harbors and ordered to be printed.

7. A letter from the Secretary of War, transmitting list of leases granted by the Secretary of War during the calendar year 1913 under authority of the act of Congress approved July 28, 1882 (27 Stat. L., 321) (H. Doc. No. 651); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,
Mr. BRODBECK, from the Committee on Merchant Marine
and Fisheries, to which was referred the bill (H. R. 10084) to authorize the changing of the names of the steamships Buckman and Watson, reported the same without amendment, ac- Post Roads.

companied by a report (No. 188), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows

A bill (H. R. 2410) granting an increase of pension to Edgar Duffeld; Committee on Invalid Pensions discharged, and re-

ferred to the Committee on Pensions.

A bill (H. R. 2510) granting a pension to Margaret A. Warren; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2803) granting an increase of pension to Joseph Laughters; Committee on Invalid Pensions discharged, and

referred to the Committee on Pensions.

A bill (H. R. 3044) granting a pension to Luke Condron; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5528) granting a pension to William N. Ruggles; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions

A bill (H. R. 8326) granting a pension to James A. Crowley; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8540) granting an increase of pension to Luther Detwiler; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 10622) granting a pension to Elmer E. Sprague; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8720) authorizing the payment of salary of ensign due J. A. McCreary, of Forestville, Cal.; Committee on Naval Affairs discharged, and referred to the Committee on

A bill (H. R. 11413) granting a pension to Harry Yates; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 10429) granting a pension to Charles J. German; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11437) granting a pension to Minnie A. Cullen; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11455) granting a pension to Alfred J. Osborn; Committee on Invalid Pensions discharged, and referred to the

Committee on Pensions.

A bill (H. R. 11508) granting a pension to George Duryea;
Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11510) for the relief of John T. Watson; Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 11845) granting a pension to John W. Ferris;

Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11849) to correct the military record of William Schroeder; Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 11876) granting a pension to Henry Kehl; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11885) granting an increase of pension to Albert Foraker; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows

By Mr. PAGE of North Carolina: A bill (H. R. 12169) providing for an additional appropriation for a public building in the city of Monroe, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. ANDERSON: A bill (H. R. 12170) to repeal section 457 of the Postal Laws and Regulations of 1913, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. MOTT: A bill (H. R. 12171) for the relief of former

acting assistant surgeons; to the Committee on Invalid Pensions

By Mr. STEENERSON: A bill (H. R. 12172) to authorize the Postmaster General to establish an experimental radio-communication service; to the Committee on the Post Office and By Mr. CANTOR: A bill (H. R. 12173) to provide adequate space for the accommodation of the United States courts and judicial offices in the southern judicial district of the State of New York; to the Committee on the Judiciary.

By Mr. GRIEST: A bill (H. R. 12174) to provide a 1-cent postage rate on local letters and reduce the rate of postage on first-class mail matter; to the Committee on the Post Office and

By Mr. SMITH of Maryland: A bill (H. R. 12175) relating to the District of Columbia as a municipality of the United States, and concerning the expenses thereof; to the Committee on the District of Columbia.

By Mr BELL of Georgia: A bill (H. R. 12176) to construct a suitable building for the use of the United States court at Gainesville, Ga., and for other purposes; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12177) to construct a national highway in

Georgia; to the Committee on Military Affairs. By Mr. LEE of Georgia: A bill (H. R. 12178) to construct a national highway in Georgia; to the Committee on Military Affairs.

By Mr. SHERWOOD: A bill (H. R. 12179) to establish in the War Department and in the Navy Department, respectively, a roll, designated as "the Army and Navy medal of honor honor

roll," and for other purposes; to the Committee on Pensions. By Mr. MAHER: A bill (H. R. 12180) to provide for increase in compensation for mechanics generally known as machinists employed in the Government navy yards, gun factories, torpedo stations, proving grounds, arsenals, and Lighthouse Service;

to the Committee on Naval Affairs.

By Mr. FREAR: A bill (H. R. 12181) authorizing the Secretary of War to deliver to the village of New Richmond, Wis., two condemned bronze or brass cannon; to the Committee on

Military Affairs.

Also, a bill (H. R. 12182) authorizing the Secretary of War to deliver to the village of Ellsworth, Wis., two condemned bronze or brass cannon; to the Committee on Military Affairs.

By Mr. CONNOLLY of Iowa: A bill (H. R. 12183) to enlarge, remodel, and mcdernize the post-office building at Waterloo, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. ROUSE: A bill (II. R. 12184) providing for the appointment of assistant postmasters; to the Committee on the Post Office and Post Roads.

By Mr. KALANIANAOLE: A bill (H. R. 12185) granting a franchise for the construction, maintenance, and operation of a railway system in the districts of North and South Kona, Kau, and North and South Kohala, county of Hawaii, Territory of Hawaii; to the Committee on the Territories,

By Mr. STEPHENS of Nebraska: A bill (H. R. 12186) fixing the salary of letter carriers in the Rural Delivery Service; to the

Committee on the Post Office and Post Roads.

By Mr. SHERLEY: A bill (H. R. 12235) making appropriations for fortifications and other works of defense, for armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. BURNETT: Resolution (H. Res. 386) for the consid-

eration of H. R. 6060; to the Committee on Rules.

By Mr. KEATING: Resolution (H. Res. 387) authorizing the House Committee on Mines and Mining to investigate the conditions in the coal fields of Colorado and in and about the copper mines in Michigan; to the Committee on Rules.

By Mr. WILSON of Florida: Concurrent resolution (H. Con. Res. 31) granting the State of Florida the privilege of placing the statue of John Gorrie in Statuary Hall; to the Committee

on the Library

By Mr. BOWDLE: Joint resolution (H. J. Res. 198) to authorize the Commissioner of Patents to make temporary loans of models, deposited with the Patent Office as exhibits and not as part of the record, to certain educational institutions, in the continental United States; to the Committee on Patents.

By Mr. BUCHANAN of Illinois: Joint resolution (H. J. Res. 199) authorizing the Joint Committee on Printing to have printed 16,000 copies of House Document No. 1477, Sixty-second Congress, third session; to the Committee on Printing.

By Mr. PATTEN of New York: Memorial from the General Assembly of Kentucky, favoring the use of the Bowling Green white stone in the construction of the Lincoln memorial; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 12187) granting a pension to

Matthew Wright; to the Committee on Pensions.

By Mr. BALTZ: A bill (H. R. 12188) granting a pension to Margaretha Hammer; to the Committee on Invalid Pensions.

By Mr. BROWN of West Virginia: A bill (H. R. 12189) granting an honorable discharge to Daniel W. Overlander; to the Committee on Military Affairs.

Also, a bill (H. R. 12190) granting a pension to Bruce Friend;

to the Committee on Pensions,

By Mr. COPLEY: a bill (H. R. 12191) for the relief of Eliza-Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased; to the Committee on Claims.

By Mr. DEITRICK: A bill (H. R. 12192) for the relief of Hiram D. Rogers; to the Committee on War Claims

By Mr. DENT: A bill (H. R. 12193) for the relief of George

McClare; to the Committee on Military Affairs.

By Mr. FAISON: A bill (H. R. 12194) for the relief of the estate of Seth Waters; to the Committee on War Claims

By Mr. HELM: A bill (H. R. 12195) granting an increase of pension to Jesse G. Austin; to the Committee on Pensions.

Also, a bill (H. R. 12196) for the relief of William R. Ballard;

to the Committee on War Claims.

By Mr. HENSLEY: A bill (H. R. 12197) granting an increase of pension to Franklin Cozine; to the Committee on Invalid Pensions.

By Mr. HOWELL: A bill (H. R. 12198) for the relief of Benjamin A. Sanders; to the Committee on Claims. By Mr. JOHNSON of Kentucky: A bill (H. R. 12199) granting an increase of pension to Francis Reynolds; to the Commit-

tee on Invalid Pensions. Also, a bill (H. R. 12200) granting an increase of pension to C. W. Brown; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 12201) granting a pension to John B. A. Richard; to the Committee on Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 12202) granting an increase of pension to Samuel M. Wakley; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 12203) granting an increase of pension to John F. Altman; to the Committee on Invalid Pensions.

By Mr. MAHAN: A bill (H. R. 12204) granting an increase of pension to James E. De Wolf; to the Committee on Invalid Pensions.

By Mr. MORIN: A bill (H. R. 12205) granting an increase of pension to Susanna B. Bragg; to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 12206) granting an increase of pension to Samuel W. Moyes; to the Committee on Pensions. Also, a bill (H. R. 12207) granting an increase of pension to Milo B. Stewart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12208) granting an increase of pension to John E. Peulleton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12209) granting an increase of pension to Harriet D. Lincoln; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12210) granting ar increase of pension to Henry Peoples; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12211) granting at increase of pension to John Hover; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 12212) granting an increase of pension to William H. Phillips; to the Committee on Invalid

By Mr. PORTER: A bill (H. R. 12213) to place the name of Capt. Thomas J. Hamilton on the unlimited retired list of the Army; to the Committee on Military Affairs. Also, a bill (H. R. 12214) to place the name of Charles Watts

on the unlimited retired list of the Army; to the Committee on Military Affairs.

Also, a bill (H. R. 12215) to place the name of Capt. David E. Lyon on the unlimited retired list of the Army; to the Committee on Military Affairs.

By Mr. PARKER: A bill (H. R. 12216) granting an increase of pension to Washington Bentley; to the Committee on Invalid

By Mr. PAYNE: A bill (H. R. 12217) granting an increase of pension to Eleazer Rusco; to the Committee on Invalid Pensions. By Mr. PLATT: A bill (H. R. 12218) granting a pension to Mary C. Robinson; to the Committee on Invalid Pension.

By Mr. PLUMLEY: A bill (H. R. 12219) granting a pension to Elizabeth Chase; to the Committee on Invalid Pensions

Also, a bill (H. R. 12220) granting a pension to Philinda Chaffee Ward Day; to the Committee on Invalid Pensions. By Mr. ROBERTS of Massachusetts: A bill (H. R. 12221)

for the retirement of Henry R. Drake, captain, Philippine Scouts; to the Committee on Military Affairs. By Mr. RUSSELL: A bill (H. R. 12222) for the relief of

Brooksey Crabtree; to the Committee on Claims.

By Mr. SELLS: A bill (H. R. 12223) granting a pension to W. B. Hendricks; to the Committee on Pensions.

Also, a bill (H. R. 12224) granting an increase of pension to Manuel H. Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12225) granting an increase of pension to Hezekiah Woodby; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 12226) granting an increase of pension to Daniel I. Helphry; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 12227) to place the name of Hugh T. Nibert upon the unlimited retired list of the Army;

to the Committee on Military Affairs.

By Mr. TALCOTT of New York: A bill (H. R. 12228) granting a pension to Elsie L. Fleegle; to the Committee on Pensions.

By Mr. TEN EYCK: A bill (H. R. 12229) for the relief of William A. Waliace; to the Committee on Military Affairs.
Also, a bill (H. R. 12230) granting an increase of pension to

Leonard Vandenhouten; to the Committee on Pensions.

By Mr. WHITE: A bill (H. R. 12231) granting an increase of

pension to Henry Lee Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12232) for the relief of Carl J. Lehnhard; to the Committee on Military Affairs.

By Mr. WILLIS: A bill (H. R. 12233) granting a pension to Emma I. Schneider; to the Committee on Pensions.

By Mr. WILSON of Florida: A bill (H. R. 12234) for the relief of Holden Allen Evans; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause I of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of Blufftown; Myron S. Woodworth, of Stanton; and J. A. Shields, of Winfield, all in the State of Missouri, protesting against the suppression by Congress of a publication called "The Menace"; to the Committee on Rules.

Also (by request), petition of the Napper Tandy Club, of Philadelphia, Pa., protesting against an appropriation for celebrating "One hundred years of peace among English-speaking peoples"; to the Committee on Foreign Affairs.

Also (by request), petition of James Kane, of Philadelphia, Pa., protesting against the celebration of "One hundred years of peace among English-speaking peoples"; to the Committee on Foreign Affairs.

By Mr. ADAIR: Petition of citizens of Elwood, Ind., against House bill 9674; to the Committee on the District of Columbia. By Mr. ANSBERRY: Petition of the Order of Railway Conductors and the Brotherhood of Locomotive Firemen and Engi-

neers, protesting against the passage of a workmen's compensa-

tion law; to the Committee on the Judiciary.

By Mr. ASHBROOK: Petitions of the Woman's Christian
Temperance Union, of Doylestown, Ohio, and citizens of Newark, Ohio, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of citizens of Wayne County, Ohio, protesting against House bill 9674; to the Committee on the District of Columbia.

By Mr. BARTHOLDT: Petitions of T. J. Gibson and 13 other citizens of St. Louis, Mo., protesting against legislation to pro-hibit the circulation through the mails of the publication called The Menace; to the Committee on the Post Office and Post

Also, petitions of the Daughters of Liberty and M. E. McBoyds and P. S. Elliott, all of St. Louis, Mo., favoring the passage of the bill restricting immigration; to the Committee on Immigration and Naturalization.

Also, petitions of the Sherman Williams Co. and the Wescott Bros. Tobacco Co., both of St. Louis, Mo., favoring the passage of the Ransdell-Humphrey bill; to the Committee on Rivers and Harbors.

Also, petition of the Socialist Party of Wellstown, Mo., favoring an investigation of the Michigan copper strike; to the Committee on Rules.

By Mr. BRITTEN: Papers to accompany a bill (H. R. 12130) granting an increase of pension to Lucius M. Rood; to the Committee on Invalid Pensions.

Mr. BURKE of Wisconsin: Memorial of the Carpenters and Joiners' Local Union, No. 657, of Sheboygan, Wis., and the Chicago Federation of Labor, favoring an investigation of the trouble in the copper regions of Michigan; to the Committee on Rules.

Also, memorial of the Chilton Branch of the German-American Alliance, of Chilton, Wis., protesting against the passage of House joint resolution 168 and Senate joint resolutions 88 and 50; to the Committee on the Judiclary.

By Mr. BUTLER: Memorials of the Valley Hill Council, No. 59; the Marshallton Council, No. 37; the West Chester Council, No. 45, Daughters of Liberty, and other citizens of Pennsylvania, favoring House bill 6060; to the Committee on Immigration and Naturalization.

Also, memorial of Branch 4, Lace Curtain Operatives, of Pennsylvania, favoring investigation of strike conditions in Michigan; to the Committee on Rules.

By Mr. CARY: Petition of Local No. 922, Brotherhood of Painters, Decorators, and Paperhangers of America, of Milwaukee, Wis., urging an investigation as to the conditions in the copper mines of Michigan; to the Committee on Rules.

Also, petition of the Milwaukee Photo-Engravers' Union, No. 19, of Milwaukee, Wis., urging an investigation as to the conditions in the copper mines of Michigan; to the Committee on Rules.

Also, petition of the Marinette County (Wis.) Branch, German-American Alliance, representing 500 American citizens, protesting against House joint resolution 168 and Senate joint resolutions 88 and 50, or any other similar prohibition measures; to the Committee on the Judiciary.

Also, petition of the Stadtverbund Branch, German-American Alliance of Wisconsin, representing 30,000 American citizens, protesting against House joint resolution 168, and Senate joint resolutions 88 and 50, or any similar prohibition measures; to the Committee on the Judiciary.

Also, petition of the D. A. Central Verein, La Crosse (Wis.) Branch of German-American Alliance of Wisconsin, representing 900 American citizens, protesting again House joint resolution 168, and Senate joint resolutions 88 and 50, or any prohibition measures; to the Committee on the Judiciary.

Also, petition of the Stadtverbund of Racine (Wis.) Branch of the German-American Alliance of Wisconsin, representing 600 American citizens, vigorously protesting against House joint resolution 168 and Senate joint resolutions 88 and 50 or any other similar prohibition measures; to the Committee on the Judiciary.

By Mr. DIFENDERFER: Petition of the Daughters of Liberty, of Ambler, Pa., favoring House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. DOOLITTLE: Petition of citizens of Wamego, Kans., favoring the passage of House bill 8947, relative to free-delivery postal service; to the Committee on the Post Office and Post

By Mr. DYER: Petition of the Sherwin-Williams Co., of St. Louis, Mo., favoring the passage of the Ransdell-Humphreys bill; to the Committee on Rivers and Harbors.

Also, petition of the Mississippi Club, of St. Louis, Mo., favoring the passage of House bill 1873, anti-injunction bill; to the Committee on the Judiciary.

Also, petition of Southwestern Interstate Coal Operators' Association, of Kansas City, Mo., favoring the passage of House bill 3988, relative to purchase of building for mine-rescue station; to the Committee on Mines and Mining.

By Mr. ESTOPINAL: Memorial of the New Orleans (La.) Board of Trade, against seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the New Orleans (La.) Association of Commerce, against seamen's bill; to the Committee on the Merchant Marine and Fisheries

By Mr. FITZGERALD: Memorial of the George Washington Branch of the American Continental League, of Brooklyn, N. Y., protesting against an appropriation for celebrating "One hundred years of peace among English-speaking peoples"; to the Committee on Foreign Affairs.

Also, memorial of the joint board of the Cloak and Skirt Makers' Unions, of New York, protesting against the literacy test in the immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of sundry citizens of New York and the Empire State Council, No. 98, Daughters of Liberty, favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. FORDNEY: Letters and statements of rural carriers, favoring increase of salary for carriers; to the Committee on

the Post Office and Post Roads.

By Mr. FRANCIS: Petition of the German-American Alliance of Martins Ferry, Ohio, against House joint resolution 168; to the Committee on the Judiciary.

By Mr. GALLAGHER: Memorials of Servian citizens of Chicago, Ill., and Chicago Federation of Labor, favoring an investigation of strike conditions in Michigan; to the Committee on Rules

Also, memorials of Samuel Stein & Co, Chicago Branch of National German-American Alliance, and Breen & Kennedy, all of Chicago, Ill., protesting against House joint resolution 168; to the Committee on the Judiciary.

Also, memorial of the Western Wholesale Oil Jobbers' Association, favoring national antidiscrimination law; to the Com-

mittee on the Judiciary.

By Mr. GILMORE: Petition of Herman Mori, favoring an investigation of the copper-mine trouble in Michigan; to the Com-

mittee on Rules.

By Mr. GOOD: Petition of citizens of Marshalltown, Iowa, favoring a two-battleship program; to the Committee on Naval Affairs.

By Mr. GRAHAM of Pennsylvania: Petition of 350 members of Washington Camp, No. 488, Patriotic Order Sons of America, of Philadelphia, Pa., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturaliza-

By Mr. HAMILTON of New York: Papers to accompany a bill (H. R. 10627) granting a pension to James A. S. Cull; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 12149, granting a pension to Mrs. Mary A. (Persons) Taylor; to the Committee on Invalid Pensions.

Also, papers to accompany a bill (H. R. 10622) granting a pension to Elmer A. Sprague; to the Committee on Pensions.

By Mr. JOHNSON of Washington: Petition of citizens of Centralia, Wash., protesting against House bill 9674; to the Committee on the District of Columbia.

By Mr. KALANIANAOLE: Memorial of the board of supervisors of the county of Hawaii, favoring the construction of a railroad in the Hawaiian Islands; to the Committee on Insular

By Mr. KENNEDY of Rhode Island: Memorial of Pridge of Rhode Island Lodge No. 510, Independent Order of B'rith Abraham, against immigration bill; to the Committee on Immigration Naturalization.

By Mr. KIESS of Pennsylvania: Papers to accompany a bill (H. R. 10035) for the relief of Amy A. Dewey; to the Committee on Invalid Pensions.

Also, papers to accompany a bill (H. R. 11860) for the relief of Cora Hawkins; to the Committee on Invalid Pensions.

By Mr. KONOP: Petition of citizens of Marinette, Wis., favoring the Lindquist pure-fabric law; to the Committee on Interstate and Foreign Commerce.

By Mr. LANGHAM: Memorial of the General Assembly of the State of Kentucky relative to the use of Kentucky stone in the erection of the Lincoln memorial building at Washington, D. C.: to the Committee on Public Buildings and Grounds.

Also, memorial of Local Union No. 215, United Mine Workers of America, favoring an investigation of the mining conditions

in Michigan; to the Committee on Rules.

By Mr. LEVY: Petition of the George Washington Branch of the Continental League, of Brooklyn, N. Y., protesting against the appropriation for celebrating "One hundred years of peace among English-speaking peoples"; to the Committee on Foreign

Also, petition of the Maritime Association of the Port of New York, favoring the passage of House bill 3323, for four new revenue cutters; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Pineoleum Co. of New York City, favoring the passage of the Ransdell-Humphreys bill relative to Mississippi River floods; to the Committee on Rivers and Harbors.

Also, petition of the Chicago Federation of Labor, favoring an investigation of the copper-mine trouble in Michigan; to the Committee on Rules.

Also, petition of the New York Post Office Clerks' Association, protesting against the withdrawal of assistant postmasters from under civil service; to the Committee on the Post Office and

By Mr. LINDQUIST: Petitions of the Staatsverband of Michigan, protesting against House joint resolution 168; to the Committee on the Judiciary.

Also, petition of citizens of Ashley, Mich., protesting against

House bill 9674; to the Committee on the District of Columbia.

By Mr. LONERGAN: Petition of the Everett B. Clark Seed
Co., of Milford, Conn., favoring completion of Mississippi levee

system; to the Committee on Rivers and Harbors.

By Mr. MAHAN: Petition of Pride of New London (Conn.) Lodge, No. 466, Independent Order B'rith Abraham, protesting against immigration bill; to the Committee on Immigration and Naturalization.

By Mr. MERRITT: Petitions of sundry business men of Heuvelton and De Kalb Junction, N. Y., favoring the passage of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

Also, petitions of members and officers of Hammond and Morristown Auxiliary of St. Lawrence Presbyterial Society of Home and Foreign Missions, favoring the antipolygamy amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. MOORE: Memorials of the Napper-Tandy Club and Commodore Barry Branch, American Continental League, of Philadelphia, Pa., against appropriation of money for celebration of "One hundred years of peace among English-speaking peoples"; to the Committee on Foreign Affairs.

By Mr. MOTT: Memorial of the General Assembly of the Commonwealth of Kentucky, relative to the use of Kentucky stone in the erection of the Lincoln memorial building at Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, memorial of the Present Day Club of Watertown, N. Y., favoring the passage of House bill 29; to the Committee on Labor.

Also, memorial of the Order of Railroad Conductors and Brotherhood of Railroad Firemen, Enginemen, and Trainmen, protesting against the passage of a workmen's compensation law; to the Committee on the Judiciary.

Also, memorial of the New York State Fruit Growers' Association, protesting against the passage of cold-storage bills; to

the Committee on Agriculture.

Also, memorial of the Post Office Clerks' Association of New York City, favoring the passage of House bill 6609; to the Committee on Claims.

Also, memorials of business men of Oswego, Lafargeville, Phoenix, Adams, Fulton, Pulaski, Oneida, Clayton, Antwerp, Central Square, Chittenango, Canastota, Hannibal, Hamilton, Lebanon, Earlville, Eaton, Erieville, Brownville, Dexter, Sandy Creek, Parish, Mexico, Adams Center, and Lacona, all in the State of New York, favoring House bill 5308; to the Committee on Interstate and Foreign Commerce.

By Mr. MURDOCK: Memorials of Socialists of Newton; Lodge No. 857, Brotherhood of Railroad Trainmen, of Wichita; and Carpenters' Union No. 1647, of Newton, all in the State of Kansas, favoring an investigation of strike conditions in Michigan: to the Committee on Rules.

By Mr. PATTEN of New York: Memorial of the Socialist Party, Lettish Branch, of New York, favoring investigation of strike conditions in Michigan; to the Committee on Rules.

By Mr. REILLY of Connecticut: Memorial of the National Brotherhood of Electrical Workers of Hartford, Conn., favoring investigation of the troubles in the copper regions of Michigan; to the Committee on Rules.

By Mr. ROBERTS of Massachusetts (by request): Petition of citizens of Massachusetts against Sabbath observance bill; to the Committee on the District of Columbia.

By Mr. SABATH: Memorial of independent oil interests favoring the antidiscrimination law; to the Committee on the

Also, memorial of Servian citizens of Chicago, Ill., favoring investigation of strike conditions in Michigan; to the Committee on Rules.

Also, memorial of Polish citizens of Chicago, Ill., against immigration law; to the Committee on Immigration and Naturalization.

By Mr. SCULLY: Memorial of the Atlantic Deeper Waterways Association, favoring the immediate acquisitions by Congress of the Chesapeake & Delaware Canal, and directors of Red Bank (N. J.) Board of Commerce, relative to Federal aid in the protection of property on the coast between Long Branch and Sandy Hook; to the Committee on Rivers and

By Mr. SELDOMRIDGE: Memorial of Denver County (Colo.) Convention of Mining Men, opposing the withdrawal of radiumbearing lands; to the Committee on the Public Lands.

Also, petition of the United Mine Workers of America, favoring an investigation of strike conditions in Colorado; to the Committee on Rules.

Also, petition of Local No. 162, Bartenders' International League of America, Trinidad, Colo., favoring investigation of strike conditions in Colorado; to the Committee on Rules.

By Mr. SMITH of Idaho: Petition of Local Union No. 170, Journeyman Tailors of America, of Boise, Idaho, favoring an investigation of the strike situation in Colorado and Michigan; to the Committee on Rules.

By Mr. SAMUEL W. SMITH: Petition of citizens of Flint, Mich., protesting against the passage of House bill 9674, the Sunday observance bill; to the Committee on the District of Columbia.

Also, petition of citizens of Michigan, favoring the passage of House bill 6060, the Burnett immigration bill; to the Commit-

tee on Immigration and Naturalization.

By Mr. STEPHENS of California: Petition of citizens of Los Angeles, Cal., favoring Kenyon Act; to the Committee on the Judiciary.

Also, petition of Los Angeles (Cal.) Chamber of Commerce, favoring amendments to seamen's bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. TALCOTT of New York (by request): Memorial of joint board of the Cloak and Skirt Makers' Unions, protesting against House bill 6060; to the Committee on Immigration and Naturalization.

Also (by request), memorial of citizens of New York against Senate bill 752; to the Committee on the District of Columbia.

Also, memorial of New York Fruit Growers' Association, against cold storage bills; to the Committee on Interstate and Foreign Commerce.

By Mr. TUTTLE: Petition of the Day of Rest Conference, protesting against amending the act relative to opening of post offices on Sunday; to the Committee on the Post Office and Post Roads.

Also, petition of National Association of Post Office Laborers, of New York City, protesting against more than eight hours a day for work for laborers in the post offices; to the Committee on the Post Office and Post Roads.

Also, memorial of the Printers' Local Union No. 57, of Elizabeth, N. J., and Brotherhood of Painters, Decorators, and Paperhangers of America, favoring a congressional investigation of the trouble in the copper regions of Michigan; to the Committee on Rules.

Also, petition of the patternmakers of the Elizabeth Division, Patternmakers of New Jersey, favoring the passage of the Bartlett-Bacon bills (H. R. 1873); to the Committee on the Judiciary.

Also, petition of the Daughters of Liberty, of the city of Dover, N. J., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of American Association of Foreign Language Newspapers, protesting against the literacy test in the Burnett immigration bill; to the Committee on Immigration and Natural-

By Mr. UNDERHILL: Petition of New York State Fruit Growers' Association, against cold storage bills; to the Committee on Interstate and Foreign Commerce.

By Mr. WATKINS: Petitions of Carpenters Local No. 764 and Central Trades and Labor Council, of Shreveport, La., favoring investigation of strike conditions in Michigan; to the Committee on Rules.

By Mr. YOUNG of North Dakota: Petition of John Maresh, of Valley City, N. Dak., favoring the passage of the national Indian war veterans bill (H. R. 1672); to the Committee on Pensions.

SENATE.

SATURDAY, January 24, 1914.

(Continuation of legislative day of Thursday, January 22, 1914.)

The Senate reassembled at 12 o'clock meridian, on the expira-

The VICE PRESIDENT. Senate bill 48 will be proceeded with.

RAILROADS IN ALASKA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 48) to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment reported from the Committee on Territories as amended.

Mr. SMOOT. Mr. President, there are very few Senators in

the Chamber, and I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Goff	Nelson	Smith, Mich.
Bankhead	Gronna	Newlands	Smoot
Bradley	Hollis	Norris	Stephenson
Brady	James	Overman	Sterling
Brandegee	Johnson	Perkins	Stone
Bristow	Jones	Ransdell	Sutherland
Bryan	Kenyon	Reed	Thompson
Burton	Lea	Robinson	Townsend
Chamberlain	Lodge	Shafroth	Vardaman
Chilton	McCumber	Sheppard	Walsh
Clark, Wyo.	McLean	Shields	Warren
Cummins	Martin, Va.	Simmons	Weeks
Dillingham	Martine, N. J.	Smith, Ga.	Williams
Gallinger	Myers	Smith, Md.	Works

Mr. SHAFROTH. My colleague [Mr. Thomas] is unavoidably absent to-day. He is paired with the Senator from Ohio [Mr. BURTON

Mr. RANSDELL. My colleague [Mr. THORNTON] is unavoid-

ably absent on account of sickness.

Mr. SHEPPARD. I wish to announce the unavoidable absence of my colleague [Mr. CULBERSON] and to state that he is paired with the Senator from Delaware [Mr. DU PONT]. announcement may stand for the day.

Mr. BRYAN. I desire to announce that my colleague [Mr. FLETCHER] is absent. I will let this announcement stand for

The VICE PRESIDENT. Fifty-six Senators have answered

to the roll call. There is a quorum present. Mr. CHAMBERLAIN. Mr. President, I desire to state that

so far as the committee amendments to the first section of the bill are concerned, they have all been offered, modified, and adopted, but I understand that there are amendments to be proposed by other than members of the committee to the first section. It seems to me it might be better to finish the committee amendments to the whole bill and then take up general amendments to it.

Mr. SMOOT. That is the proper way.
Mr. CHAMBERLAIN. I think it is the better way. I hope that Senators who have amendments to propose will adopt that course in reference to the matter.

Mr. NORRIS. It is my understanding that we have finished the committee amendments to section 1. I have no objection, however, if the chairman of the committee prefers, to withhold the amendment I was about to offer to that section until the committee amendments to the bill have been disposed of.

Mr. CHAMBERLAIN. I would prefer to take that course.

I think it would hasten the consideration of the bill.

Mr. NORRIS. Out of deference to the request of the Senator

from Oregon I will not offer my amendment now. I wish to state, however, that I do not desire to be precluded from offering an amendment to the first section of the bill.

The VICE PRESIDENT. It will be open to amendment after

the committee amendments have been disposed of.

Mr. NORRIS. I shall desire to offer the amendment as soon as the committee are through with their amendments.

Mr. SMITH of Georgia. I have two amendments that I wish to suggest to the first section; but I, of course, will defer to the wish of the chairman of the committee and will not present them until a later time.

Mr. CHAMBERLAIN. Then I offer an amendment to the

amendment, which I send to the desk.

The VICE PRESIDENT. The Senator from Oregon offers an amendment to the amendment, which will be stated.

The SECRETARY. On page 9, line 5, after the word "work," insert "all of such engineers and other persons selected from civil life to be, in the location and construction work herein provided for, under the direction and supervision of such engineers of the United States Army."

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. CHAMBERLAIN. I offer the following amendment to the amendment

The VICE PRESIDENT. It will be stated.

The Secretary. On page 9, line 21, after the word "property," insert "including existing railways."

The amendment to the amendment was agreed to.

Mr. CHAMBERLAIN. I desire to offer the following amendment to the amendment.

The VICE PRESIDENT. It will be stated.

The Secretary. On page 11, line 3, after the period, insert: The method of accounting, bookkeeping, and auditing prescribed by the Interstate Commerce Commission for the railroad companies and systems of the United States shall be observed and applied in the con-struction and operation of the railroads herein provided for.

The amendment to the amendment was agreed to.

Mr. CHAMBERLAIN. I offer the following amendment to

The VICE PRESIDENT. The amendment to the amendment will be read.

The SECRETARY. On page 12, line 21, at the end of the line, before the period, insert a colon and the following proviso:

Provided, however, That the total amount authorized by this act to be appropriated or contracted for shall not exceed the sum of \$40,000,000, including any sum in er by this act appropriated.

The VICE PRESIDENT. The question is on agreeing to the

amendment to the amendment.

Mr. BRANDEGEE. Let it be read again, Mr. President.

The Secretary again read the amendment to the amendment. Mr. NORRIS. I will ask the Senator from Oregon to withhold that amendment until after the one I propose shall be voted on, because there would be a slight conflict, I think.

Mr. CHAMBERLAIN. I will be glad to withhold it. I submit the following amendment to the amendment.

The VICE PRESIDENT. It will be read.

The Secretary. On page 13, at the end of the bill, insert a new section, as follows:

new section, as follows:

SEC. S. The jurisdiction of the District Court of Alaska shall extend to any and all controversies which may arise between the United States and any person, association, or corporation growing out of any acts done or threatened or contracts entered into under or pursuant to this act. All causes brought and tried under the provisions of this act shall be tried by the court without a jury. The venue in any case involving such a controversy shall be in the division in which the cause of action arose, if it arose in Alaska. If it arose elsewhere than in Alaska, the venue shall be within the division in which the capital of the Territory. Process in any such case against the United States may be served upon the district attorney assigned to the division in which the action is brought.

Mr. CLARK of Wyoming. Mr. President, I wish to ask a question for information. I understand that the bill now prowides for taking over the present railroads.

Mr. CHAMBERLAIN. Not necessarily.

Mr. CLARK of Wyoming. I know; but it provides that they can be taken over.

Mr. CHAMBERLAIN. Yes. Mr. CLARK of Wyoming. effect this amendment would have upon any condemnation proceedings? Undoubtedly condemnation proceedings are undertaken under some rule of practice that is already laid down. This provision might take it out of that, and might it not place it before the judge alone? I wish to ask if the Senator has considered that phase of it?

Mr. CHAMBERLAIN. The purpose of the amendment is to

give the court there jurisdiction of controversies which arise between people in Alaska and the railroad company, whether growing out of contract or otherwise. It was not the purpose to create any different tribunal for the trial of condemnation proceedings than is now provided by the laws in Alaska. It is barely possible that the amendment might conflict with it. I will state that we have no intention of doing so.

Mr. CLARK of Wyoming. I should like to have it read again, The VICE PRESIDENT. The amendment to the amendment

will be again read.

The Secretary again read the amendment to the amendment. Mr. SUTHERLAND. Mr. President, would the effect of this amendment be to destroy the right of trial by jury, for example, in an ordinary action of trespass brought by the Government against an individual if it grew out of the building of

Mr. CLARK of Wyoming. Or out of the provisions of this bill? Mr. SUTHERLAND. Or out of the provisions of this bill? Mr. CHAMBERLAIN. I am inclined to think it would under

that provision. I will state to the Senator that the committee agreed on the general terms of the amendment, which was pre-pared by the Senator from Montana [Mr. Walsh]. I have not critically examined it; and I should like the Senator from Montana to state his view upon that particular subject. It seems to me the way the amendment is framed that it would have the effect of taking all causes, even condemnation pro-

ceedings, away from a jury.

Mr. SUTHERLAND. What was it that the committee de-

sired to accomplish by an amendment of this character?

Mr. CHAMBERLAIN. There was no provision in the laws of Alaska, so far as we knew, that would enable parties litigant to institute proceedings nor was the jurisdiction fixed in controversies that originated between the Government of the United States and parties who might be dealing with the United States in connection with the road. The purpose of the amendment was to enable people to institute proceedings to determine their rights.

Mr. SUTHERLAND. It would also, as I caught the reading of the amendment, include a case brought by the United States

against a citizen.

Mr. CHAMBERLAIN. The Senator from Montana is here, and I should like him to state his view of the subject. My understanding was that it was the purpose to confer jurisdiction upon the courts of Alaska to determine controversies between citizens of Alaska and those contracting with the Government under the provisions of this proposed act.

Mr. SUTHERLAND. I should like very much to have an explanation of the amendment by the Senator from Montana.

Mr. WALSH. Mr. President, the purpose of this amendment is simply to permit actions to be brought against the Government. It has no proper application at all to actions brought by the Government. The Government may sue in the courts of Alaska without reference to this statute at all in condemnation proceedings or for trespass or otherwise. Of course, the condemnation proceedings are local in their character; they must be brought in Alaska. This does not limit or restrict any juris-diction which now exists; it adds to that jurisdiction by declaring that the jurisdiction of those courts shall extend to controversies, and then contemplates service upon the Government, the purpose being that if in the construction or operation of the railroads a trespass should be committed by the officers of the Government upon the private property of any individual he would not be obliged to come down here to Washington and appeal to Congress for an act giving him compensation for the damages which he had sustained, whatever they might happen to be, but that his right to recover should be tried out in the courts of Alaska at home. It was considered, however, that in such an action as that brought against the Government of the United States a disposition might be evinced by juries to be particularly liberal as to claimants against the Government. Considerations of that character induced Congress to provide in the act which authorized actions to be brought in the circuit court of the United States against the Government on claims founded upon contracts not exceeding in amount \$10,000 to insert therein a provision, the same as is here found, that there should be no right of trial by jury. Of course, the Government of the United States may withhold altogether the right to have itself subjected to suits upon any claim, and having the right to withhold it altogether, it may impose just such conditions as it sees fit. This amendment, it seemed to us, safeguarded the right to have redress from local courts, which is a right that ought to be accorded to anybody who suffers by reason of these acts or who may have contract obligations which are equitable and which ought to be enforced, and at the same time it safeguarded the public interest.

Mr. SUTHERLAND. Mr. President, I quite agree with the Senator from Montana that it is within the power of Congress in extending to the citizen the right to maintain an action against the Government to limit it in any way it pleases. It may require that any such controversy shall be heard before an administrative officer, if it pleases; it may withhold the right of trial by jury, if it pleases. Having a right to withhold the remedy entirely, of course the General Government may condition it as it pleases; but the provision which is now proposed, if I read it understandingly, is very much broader than that which the Senator from Montana states. The language of the

proposed provision is:

The jurisdiction of the district court of Alaska shall extend to any and all controversies which may arise between the United States and any person, association, or corporation growing out of any acts done or threatened, or contracts entered into under or pursuant to this act.

It is quite true that it would not be necessary to have the language as broad as this appears to be, so far as the right of the Government of the United States to maintain an action would be concerned; but it is in terms sufficiently broad to cover that case as well. Of course that case is covered by the law, and to that extent it would be a mere repetition of that which already exists. But the provision continues:

All causes brought and tried under the provisions of this act shall be tried by the court without a jury.

One of the provisions of the act is that extending the jurisdiction of the district court to any and all controversies that may arise between the United States and any person, association, and so on-and this, in its terms, includes actions brought by the United States as well as those brought against the United States.

Mr. WALSH. If there is any obscurity, it would be easily obviated by simply inserting the words "against the United States.

Mr. SUTHERLAND. Yes.

Mr. WALSH. So as to read, "all causes against the United States brought and tried."

Mr. SUTHERLAND. Of course that could be done. not undertaking to criticize what might be done hereafter, but I was undertaking to criticize this particular amendment as it is. If that is done, then, Mr. President, it brings us to the question not of power, but to the question of policy. The effect of the amendment, then, would be to grant a right to a citizen to maintain an action against the United States arising from a contract or an ordinary action of trespass, an ordinary commonlaw action, and yet would deny the right of trial by jury in that sort of a case. Of course we have the power to do that; but I very much doubt the advisability of doing it. I believe in preserving ultimately the right of trial by jury in all controversies of that character, and I see no reason why it should not extend to a case brought by a citizen against the United States, if we give him the right, as well as in cases over which the

courts now have jurisdiction.

Mr. CLARK of Wyoming. Mr. President, it occurred to me, in hearing the amendment read, that it might extend further than the committee thought. I assume that there will be many causes of action that may arise in the courts of Alaska under the provisions of this act. I can conceive of a great many that might arise. By an express sentence standing by itself in the amendment as it has been handed to me is the provi-

sion:

All causes brought and tried under the provisions of this act-

Not "under the provisions of this section," but "under the provisions of this act"

shall be tried by the court without a jury.

That was one of the features that struck my attention when That sentence stands by itself. it was read.

Mr. CHAMBERLAIN. Would not an amendment striking out the word "act," and inserting the word "section" cover

the objection the Senator makes?

Mr. CLARK of Wyoming. It was my purpose simply to call the attention of the committee to it, so that, if they thought it needed remedy, either by way of amendment or otherwise, they

might prepare it.

Mr. WALSH. I think if we insert the words "against the United States," all possibility of doubt about the meaning of

the provision will be removed.

Mr. CLARK of Wyoming. That, perhaps, would be true.

think that would better it very much.

Mr. BORAH. Mr. President, do I understand that the committee proposes to eliminate the provision with reference to denying the right of trial by jury?

Mr. CHAMBERLAIN. No. I will state to the Senator that we propose to limit the cases to those that are brought against

Mr. BORAH. Mr. President, I was detained from the Chamber this morning and only arrived a few moments ago. I do not know whether or not the Senator from Montana [Mr. Walsh] has stated the reason why it was thought necessary to deny a trial by jury, but, on first impression, I would be opposed to denying the right of trial by jury even in this class of cases. I should like to know the views of the Senator as to the necessity of denying the right of trial by jury in this class of cases.

Mr. WALSH. I desire to avow myself now distinctly an unchangeable friend of the system of trial by jury. We are not here, however, as seems to be suggested, denying any right of trial by jury. Everything that we give is so much of a con-cession. There is no right of trial by jury now; there is no right even of suit now. We are making a concession to anyone who may have a just claim against the United States, and in making that concession it is simply a question as to whether we should go so far as to grant the right of a trial by jury or whether we should limit it, as has been the policy in the statutes thus far enacted, granting any right of action against the United States.

You have no right of trial by jury, as a matter of course, in the Court of Claims; you have no right of trial by jury in actions brought in the circuit court of the United States against the United States under the statute authorizing suits in actions founded upon contract to the extent of \$10,000. That has been the policy of the Government thus far, namely, that whenever it did grant the right of action against the United States to so provide that the cause could not be tried by a jury. I hoped to avoid at this time any question of a departure from that established policy of the Government in the framing of this amendment, anticipating that it would give rise to a discussion which I hoped very much to avoid.

Mr. BORAH. Mr. President, of course there can be no controversy with the Senator as to the legal proposition he states, that is, that this is a concession, and that it is simply a question of how far we shall go. We may stop anywhere we wish to Perhaps I would have been more accurate had I said that we were refusing to give a trial by jury in this class of cases. It is not in one sense denying the right, because they have not that right now; but we are giving a right of action,

and then we are withholding the usual manner of trying those classes of actions-to wit, damage cases, and so forth-by a

The Senator from Montana no doubt has observed that, unfortunately, it seems to me, the Supreme Court of the United States has apparently come to regard the right of trial by jury as a question of procedure rather than a fundamental right, Even with reference to common-law cases and those cases in which it is supposed that jury trials are an essential part of the method of securing a right determination of questions, the Supreme Court of the United States in two or three cases has treated the whole proposition as a mere question of procedure and not looked upon it as a question of fundamental right with reference to these matters. Therefore, while you are not denying the right of trial by jury I do not see the wisdom of the policy of withholding the right of trial by jury in this class of cases

Of course, as the Senator has said, it has been the custom of the United States, or, rather, the precedent, to do that; but my observation and my experience have been that it has sometimes resulted in a great deal of hardship and injustice to the citizen, because I do not think he can get that kind of justice and an adequate remedy in court trials with reference to these matters that he can with a jury. If we go so far as to concede the proposition that he should have a right to a trial, I think he should have a right to a trial in the full sense of that term; such a trial as we give him in reference to other matters where damages are involved. While the Senator is entirely correct, of course, as to his legal proposition, yet I do not see the necessity of extending these precedents any further, nor do I see the wisdom of doing so.

Mr. CHAMBERLAIN. Mr. President, in order to remove any doubt in reference to the matter, I request that there be inserted in the proposed amendment, after the word "causes," in the sixth line, the words "against the United States," and after the word "this," in the next line, that the word "act" be stricken out and the word "section" inserted, so that it would limit the causes of action to those against the United States,

as has been suggested.

Mr. SUTHERLAND. How will it read then?
The VICE PRESIDENT. The Secretary will state the amend-

ment to the amendment.

The Secretary. After the word "causes," in line 6, it is proposed to insert the words "against the United States," and in the next line to strike out the word "act" and insert the word section," so that if amended it will read:

"section," so that if amended it will read:

SEC. 8. The jurisdiction of the district court of Alaska shall extend to any and all controversies which may arise between the United States and any person, association, or corporation growing out of any acts done or threatened or contracts entered into under or pursuant to this act. All causes against the United States brought and tried under the provisions of this section shall be tried by the court without a jury.

Mr. BORAH. Mr. President, when that amendment is passed on I want to offer an amendment to strike out the word "without" and insert in lieu thereof the word "before,"

so as to read "tried by the court before a jury.

Mr. REED. Important engagements have compelled me to be absent from the Chamber during the greater portion of the day. A moment ago, as I returned to my seat, I heard the amendment under discussion read in part. Because of my enforced absence I am unfamiliar with the trend of discussion throughout the day and am unacquainted with the context of the amendment. I therefore arise to make an inquiry.

The bill proposes that a railroad shall be constructed in Alaska by the Federal Government and that the Federal Government shall operate the road. If I caught the purport of the amendment, it is that controversies arising out of the construction or operation of the road may be tried in the Federal court, but denies to the parties litigant the right of a trial by jury. In other words, if I understand the amendment, it confers upon any citizen the right to go into a Federal court and sue for an injury to his person or property, but refuses him a jury. In order that I may be certain that I have not misunderstood the amendment I desire to ask the chairman of the committee

if my construction is correct?

Mr. CHAMBERLAIN. I will say to the Senator that that would be the effect of it. The purpose of this amendment has been explained by the Senator from Montana, who prepared the amendment at the request of the committee, and showed that it was conferring a right upon claimants against the United States to institute a proceeding against the Government which they have not now by statute. As he has stated, the amendment has followed previous legislation upon the same subject where the right of action against the United States is conferred.

Mr. BRADY rose.

Mr. REED. Does the Senator wish to ask a question or to

take the floor? I have not concluded.

Mr. BRADY. I was going to ask a question.

The VICE PRESIDENT. Does the Senator from Missouri vield to the Senator from Idaho?

Mr. REED. Yes. Mr. BRADY. In case a citizen owned a piece of property over which this line was run, and it became necessary to con-demn the property in order to secure title under this section, would he have to have that case tried before the court instead

Mr. REED. I take it, from the answer just given by the chairman of the committee, that that would be true. I should have no doubt about the meaning of this section, and should not have been obliged to ask the question I did except that I was not here when the preceding sections were read. Hence

wanted to know that I was right.

Mr. President, I can not give my assent to a proposition of that kind. As long as a Government is engaged in the exercise of a strictly governmental function, of course, it can not be sued except by its own express consent registered in some law.

Many reasons may be advanced justifying the refusal of the Government to permit suits against it for injuries resulting from the exercise of its governmental functions. When, however, a Government goes beyond its purely governmental duties and embarks in a business enterprise for profit, an entirely different question is presented. Under such circumstances either the Government ought to refuse to the claimant the right to any trial whatever and remit him for relief to the legislative department or it should give to him the full benefit of the courts.

I insist that a right to a full trial under the general rules of

law should not be denied.

The doctrine I contend for is not an innovation. Perhaps this is the first time it has been proposed that the Government shall embark in a strictly business enterprise, but for many years cities and other subordinate governmental agencies have engaged in business undertakings. Ordinarily a city can not be sued for anything done of a strictly governmental character, but if the city goes beyond its governmental functions and engages in a business enterprise it can generally be sued the same as an individual or private corporation.

To illustrate, if a city acquires a waterworks plant and engages in the business of selling water to consumers, it can be sued for any injury occasioned by the mismanagement of the plant. In such an instance as I have cited a suit may be brought against the city in the same way and tried in the same manner as it could be against a corporation or individual en-

gaged in the same business.

The rule of law I have referred to has never been regarded as dangerous or unjust. Why should it not be applied to the Government of the United States if the Government sees fit to go into the business of building and operating a railroad system?

I am opposed to this amendment because it proposes to give a person injured a right of action which may be tried before a court and at the same time denies to the claimant the right to a trial by jury. Why should the right to a jury trial be denied? Has it come to this, that the Congress of the United States proposes to lay down the precedent and establish the principle that trial by jury is a thing to be feared?

Is trial by jury so opposed to the proper administration of justice that the Government is not willing to submit its controversies arising out of a business in which it intends to engage to a jury of 12 men? The position can only be justified by the assumption that a jury is incapable of or unwilling to

mete out justice to parties litigant.

Mr. President, I have thought well of this bill, but as highly as I have regarded it if there is written into it a single line impairing the right of trial by jury I shall vote against it. If the amendment proposed is adopted, it will be the first act of a great legislative body in aid of the assassination of the right of trial by jury. I had rather never see a foot of railroad built in the Territory of Alaska, either by a private corporation or by the Government itself, than to have the Congress of the United States solemnly write into the statute books of this country a provision which, in effect, declares that the Government itself refuses to repose confidence in the judgment and fairness of 12 men summoned from the body of the community.

Mr. WALSH. Mr. President—
The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Montana?

Mr. REED. Certainly. Mr. WALSH. Before the Senator goes further, I desire to

the attitude of having taken a step in this matter toward curtailing the right of trial by jury or denying it to anybody. The language of this amendment is taken from the language of the act giving to parties the right to spe the Government of the United States upon claims founded upon contracts amounting to less than \$10,000. The right to sue the Government of the United States was long ago given through the medium of the Court of Claims, and the right of trial by jury was not then given, so the question is presented as to whether a departure should now be made from the fixed policy of the Government with respect to the matter, and not whether this should be a first step in that direction.

For myself, I am quite willing that this clause shall be stricken out, and I shall vote in favor of an amendment to it. I simply do not like to have the committee put in the attitude of now taking the first step toward denying anybody the right

of trial by jury.

Mr. REED. Mr. President, I can not agree with my very good friend, the Senator from Montana, that the precedents he refers to are applicable here. Those precedents cover claims against the Government arising out of the exercise by the Government of its sovereign powers. They do not apply when the Government is engaging in the conduct of a business for profit. The Government may well say to an individual who has a claim against it arising out of the performance of its governmental functions, "You have no right of action; you can not sue the Government in any court, but we will give you the privilege of appearing before some board or tribunal where the facts may be ascertained, and the facts having been thus ascertained for the benefit and enlightenment of Congress, we will then remit you to Congress for your relief."

Such a course by the Government may be entirely proper, because it is being asked to render compensation for injuries arising out of the exercise of the sovereign powers it employs for the protection of the people. If the Government of the United States, in the performance of its governmental duties, sends its Army across the country, and in the course of its march private property is injured, it may be entirely just for the Government to say to the citizen whose property has been injured, "We remit you for relief to a certain tribunal authorized to ascertain the facts and afterwards to Congress for legislative relief." That is one class of cases. They arise They arise out of acts of the Government which it is compelled to perform in the exercise of its duties as a sovereign. But, Mr. President, the class of cases which I have just referred to is entirely dis-tinct from those causes which will confront us if the United States, going beyond its immediate governmental functions, starts into the business of constructing railroads and thereafter operates them in the transportation of goods and passengers, charging for the service rendered a tariff and making money out of the transactions. In the latter case the Government is engaged in a money-making enterprise-a business enterprise-while in the former case it is engaged in the exercise of its governmental powers.

The illustration given by my friend is, therefore, not per-tinent. The fact that the Government has hitherto refused trial by jury as to claims against the government growing out of the exercise by it of its sovereign duties is quite a different thing from the refusal of a trial by jury for cause arising when the Government is engaged in commerce.

If the Government of the United States is to engage in railroading, in the transportation of freight and passengers, in the performance of the multitudinous duties devolving upon a railroad, and in the course of its business as a railroad proprietor injures persons or property and can not safely submit to the arbitrament of 12 jurymen the questions of fact in-volved, then the Government would better not embark in the railroad business.

If this amendment is adopted, those who are anxiously awaiting the hour when they may successfully strike at the inestimable privilege of trial by jury will cite it as conclusive evidence that the Congress of the United States has found it necessary to repudiate that right.

Mr. CLARK of Wyoming. Mr. President, will the Senator

permit a question right along that line?

Mr. REED. Certainly.

Mr. CLARK of Wyoming. If we should write into the act the proposed amendment, would it not be giving a business conducted by the Government a privilege over a like business conducted under corporate management, and thus make a discrimination?

Mr. REED. Certainly.

Mr. REED. Undoubtedly; but while that is a potent circumstance to be considered, it is not, in my judgment, of the say that the committee does not like to be put by the Senator in

Every man in this body knows that for many years there has been a quiet agitation going on for the curtailment or abolition of the right of trial by jury. Magazine and news-paper writers have exhausted the vocabulary of scorn and contempt in describing the alleged ignorance of the unlettered and uneducated juryman. They have paraded before the country the fact that long periods of time have been employed in em-They have commented upon the inefficiency of the juryman. They have persistently held up before us the idea that we can not trust the ordinary citizen in the trial of questions of fact.

I affirm, sir, that when the right of trial by jury is stricken down the last and best bulwark of the liberty of the citizen will have fallen. I insist that 12 men in a jury box will be right more often than the judge of the court. I assert it to be true that the right to have questions of fact tried by 12 men summoned from the body of a community is the most sacred and valuable privilege reserved to us by the Constitution of the United States. It will be a sad day for the Republic when the Congress of the United States declares, as it will in effect declare if this amendment is adopted, "We have not confidence in the intelligence of the ordinary citizen. We will not trust him to try a question of fact. We propose to put questions of fact and questions of law alike in the hands of one man appointed by the President of the United States."

I make no attack upon the courts when I say that 12 men, bringing into the jury box the experience of 12 individual lives and viewing questions of fact from the practical standpoint of practical men, will make less mistakes than any judge who ever ornamented the bench, and this because the judge views questions from the standpoint of a single individual trained to particular profession.

I protest against this amendment. I protest, and will continue to protest as long as I have the ability to speak, against any amendment which strikes at the right of trial by jury in the American Republic. It is a right that was obtained through centuries of battle and struggle. It is a right that is baptized in the best blood of our forefathers. It is a right that is necessarily inherent in any free government. If the Government of the United States can not run a railroad and try its cases before a jury of 12 men, then it had better keep out of the railroad business. But, sir, the Government and the people can safely trust to the courts and the juries of the land.

Mr. CHAMBERLAIN. Mr. President, after a conference

with the members of the Committee on Territories, and after the suggestions which have been made by the Senator from Idaho and the Senator from Missouri, the committee think probably it would be best to leave out the two lines which have been under discussion in the proposed amendment, leaving these cases to be tried by a jury as other cases are tried.

The Senator from Montana [Mr. Walsh] has very plainly shown that it was not the purpose of the committee to deprive litigants of the right of trial by jury, but in this case it was thought best to follow the precedents that have been established by Congress in days gone by, and to limit the right here as other statutes have limited the rights of litigants in cases against the United States Government.

If those two lines are stricken out it will leave the matter in the same situation as other cases pending against the Govern-

Mr. BORAH. What are the two lines to which the Senator

Mr. CHAMBERLAIN. The two lines which read:

All causes against the United States brought and tried under the provisions of this section shall be tried by the court without a jury. Mr. NEWLANDS. Will the Senator designate the page and

Mr. CHAMBERLAIN. This is not in the printed bill. It is committee amendment. It seems to me that would meet the objection of the Senator.

Mr. CLARK of Wyoming. Does the Senator believe that would meet the objection of the Senator from Missouri?

Mr. CHAMBERLAIN. I have not any doubt that it would. It confers a right that a party does not now have. In other words, it gives the right to sue the United States and relegates it to the courts generally, simply establishing the place where the trial shall be had.

Mr. REED. I would suggest to the Senator this language, and I read the whole sentence with the change:

and I read the whole semence with the change:

All causes brought and tried under the provisions of this act shall
be tried in the same manner and subject to the same rules as controversies between citizens.

Mr. CLARK of Wyoming. That would reach it.

Mr. CHAMBERLAIN. I have no objection to that.

Mr. BORAH. I have no objection to that language either;

but it occurs to me we should say, "All causes brought and tried ployment would not apply to Alaska at all.

under the provisions of this act shall be tried the same as similar causes are triable in Federal courts.

Mr. CHAMBERLAIN. That is substantially what the Senator from Missouri has suggested.

Mr. BORAH. Yes; substantially so.

Mr. CHAMBERLAIN. In other words, the committee is perfectly willing to reserve the right of trial by jury while conferring the right of suit or action upon litigants. If the Senator will send to the desk his form of amendment, I think we will probably be able to agree on it.

The VICE PRESIDENT. The modification suggested will be

stated by the Secretary.

The SECRETARY. After the words "shall be tried," strike out the remainder of the sentence and insert "in the same manner and under the same rules as controversies between citizens."

Mr. CLARK of Wyoming. That is right.

Mr. REED. That is satisfactory to me. It is the same language, practically, that I suggested. It is perfectly satisfactory.

Mr. SUTHERLAND. Mr. President, I have no objection to the change in the phraseology of the provision; I think it ought

to be made; but I think the construction of it would be the same whether the language that is now proposed to be inserted

were inserted or the whole clause eliminated.

I think the initial mistake in this legislation is in putting the Government of the United States into the business of running a railroad. Whenever we undertake to do that we ought to face the consequences of it, and we ought to make the Government of the United States responsible for whatever happens in the operation of the railroad precisely the same as if it were operated by an individual or a corporation. But I am sufficiently oldfashioned to believe that the Government of the United States ought not to engage in business any more than business ought to engage in government. I think the Government of the United States ought not to undertake to run railroads any more than railroads should be permitted to undertake to run the Government. I believe the two functions are fundamentally different, and I think they ought to be left as they are now, the Government engaged in the function of governing and leaving its citizens to operate the business concerns of the country. this bill is passed, as it apparently will pass, and the Government of the United States goes into the business of operating a railroad, and an employee of the railroad is injured, the Government of the United States ought to be responsible to that employee precisely to the same extent and precisely in the same manner as a railroad company would be liable to him.

I am not certain whether under the language of this amendment that would be the case. I should like to submit to the Senator from Oregon: We have provided by law that when certain employees of the Government engaged in hazardous enterprises are injured they shall receive certain definite com-I am not certain whether that would apply to the case of Alaska or not, but if it does not then the further inquiry arises, whether or not the various defenses which existed at common law against actions for personal injury, and which have been abolished so far as railroad companies are concerned, would be abolished so far as the Government of the United States is concerned. In other words, if an action be brought against the Government of the United States under this clause for a personal injury, may the Government set up contributory negligence on the part of the employee as an individual might have done at the common law, may it plead the fellow servant's rule, may it defend upon the doctrine of assumption of risk? All those defenses have either been absolutely abolished or curtailed by the legislation which we have enacted with reference to railroad companies, and that ought to be the case with reference to the Government if the Government is engaged in the same business

Mr. SMITH of Georgia. Mr. President—— Mr. SUTHERLAND. I yield to the Senator from Georgia. Mr. SMITH of Georgia. I rise for information. Have we abolished it as to Territories where the business is not interstate?

Mr. SUTHERLAND. It is my recollection that the law applies to Territories.

Mr. SMITH of Georgia. I have given no attention to the question with reference to Territories, and I was not sure.

Mr. SUTHERLAND. I am not entirely sure, but I am stating my best recollection. I think it applies to interstate com-

merce and to railroads engaged—
Mr. CHAMBERLAIN. I have a copy of the act, I will state

Mr. SUTHERLAND. The employers' liability act?
Mr. CHAMBERLAIN. The proposition the Senator suggested as to employees of the Government engaged in hazardous em-

Mr. SUTHERLAND. I was not certain about it.
Mr. CHAMBERLAIN. I will read to the Senator the language of the act, and he will see the act is not broad enough to cover Alaska. It is the act approved May 20, 1908. It provides:

That when, on or after August 1, 1908, any person employed by the United States as an artisan or laborer in any of its manufacturing establishments, arsenals, or navy yards, or in the construction of river and harbor or fortification work, or in hazardous employment on construction work in the reclamation of arid lands or the management and control of the same, or in hazardous employment under the Isthmian Canal Commission, is injured in the course of such employment.

And so forth.

Mr. SUTHERLAND. So apparently it would not extend to

the case of the operation of a railroad in Alaska.

Mr. CHAMBERLAIN. No; the act would have to be amended in order to bring this construction work within the provisions of the law. In reference to the general act to which the Sena-tor referred, approved April 22, 1908, an act relating to the liability of common carriers by railroad to their employees in cer-

Mr. SUTHERLAND. Will the Senator read the first section

Mr. CHAMBERLAIN (reading):

That every common carrier by railroad while engaging in commerce between any of the several States or Territories, or between any of the States and Territories, or between the District of Columbia and any of the States or Territories, or between the District of Columbia or any of the States or Territories and any foreign nation or nations, shall be liable in damages to any person suffering injury while he is employed by such carrier in such commerce.

So I do not think that act would apply.

Mr. SUTHERLAND. Then apparently the act would not apply in the case of Alaska, and that discovery emphasizes what I have been saying. When the Government of the United States engages in operating a railroad, I think common justice demands that it should be subject to precisely the same burdens and the same remedies upon the part of the citizens as a private corporation engaged in that business. In other words, I do not believe the Government of the United States engaging in this business has any right to compel a corporation or a private citizen to be more generous to its or his employees than

the Government is willing to be to its employees.

I believe very firmly in the idea of substituting workmen's compensation for employers' liability, under which fair and reasonable compensation will be provided for every accident, irrespective of negligence. However, if we have not come to the place where we are willing to substitute that, but are going to continue the present employers' liability system with reference to the railroads operating in this country, I think we ought to compel the Government, when it engages in this same kind of business in Alaska, to be subject to precisely the same rules.

Mr. REED. Mr. President-Mr. SUTHERLAND. Evi Mr. SUTHERLAND. Evidently under this provision as framed, taken in connection with the employers' liability law, that would not be the case, and there would be a difference. In the United States a railroad company operating a railroad would not be required to set up the defense of assumption of risk or the defense that the injury resulted from the act of a fellow servant, while in Alaska apparently the Government, engaged in the same business, would be allowed to set up those defenses

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SUTHERLAND. I yield to the Senator. Mr. REED. Before the Senator takes his seat, let me ask him, Is it not true that so far as a workman's compensation act is concerned, when that is passed, if it be passed, the language of the bill could be so shaped as to make it applicable to any railroad the Government should operate the same as an individual?

Mr. SUTHERLAND. Oh, yes; that could be done, but that would not obviate the objection which I am now urging, namely, that under the existing state of law, if we assume that that will continue, there would be a different rule applicable to the Government operating railroads in Alaska than that which would be applicable to private persons operating railroads in the United States.

Mr. REED. Will the Senator permit me to say in his time, since he was about to take his seat—
Mr. SUTHERLAND. No; I have not quite finished. How-

ever, I will yield to the Senator.

Mr. REED. I wish to state that I neglected to say, and I do not want to leave my remarks of a moment ago without saying, that I do not want anything I have said to be taken as an intimation that either the Senator from Montana [Mr. Walsh] or the Senator from Oregon [Mr. CHAMBERLAIN] had any purpose

in offering this amendment of cutting off the right of trial by jury, because I know there are no two men in the Senate who are more thoroughly in sympathy with the maintenance of that right. I ought to have said that in my remarks before, but I say it now.

Mr. SUTHERLAND. Mr. President, I have said what I have

said with reference to this matter for the purpose of indicating that this amendment ought to be drawn with a good deal of

care.

In further reply to what the Senator from Missouri asked me with reference to the workman's compensation bill including the Government, of course such a bill, if it were passed, could be so amended. We have pending a bill that I introduced some time ago which provides in substance the same rules with reference to all employees of the Government, with reference to compensation as that which is proposed in the so-called railroad accident compensation bill. I think that is wise and proper legislation. I think we ought to enact a bill applicable to all the employees of the Government, giving them adequate compensation in all cases of injury.

Mr. CHAMBERLAIN. The Senator does not want to embody

that in this bill?

Mr. SUTHERLAND. No; but I do want something in the bill which will compel the Government of the United States, if it engages in business operations, to assume precisely the same burden in every respect that it compels private citizens

and private corporations to assume.

Mr. WALSH. I think, Mr. President, that everyone will recognize the force, in fact, the unanswerable force, of the suggestions made by the distinguished Senator from Utah [Mr. SUTHERLAND] with respect to this matter; but I do not know any reason why we should burden the pending bill with any provision in relation to it. What he offers obviously should come in the nature of an amendment to the employers' liability act and the act providing for compensation for those injured in the lines of activity indicated in the act to which the Senator from Oregon has referred. It seems to me the whole matter can be better considered whenever such a measure is before us.

Such an amendment will precipitate a discussion as to whether there is any more reason why compensation should be awarded to the employees of the Government on the railroads in Alaska than there is to employees of the Government who might be injured in the Public Printing Office or in a great many other places in which the Government employees are

liable to be injured.

I trust we shall not burden this bill with too many amendments of that character, which would be likely to imperil it, and which will come very much more appropriately in the form of an amendment to other acts.

I am very sure that all of us here will be glad to join with the Senator from Utah in a bill which will so amend those two acts as to extend their provisions, beneficent as they are, to the

case of individuals injured in Alaska.

But, Mr. President, you will understand that the purpose of the amendment under consideration is not simply to meet the case of employees of the Government who shall be injured in the operation of the road. It is intended to provide for the case of anybody who has any just cause of action against the Government arising out of the location, construction, or operation of the road. An action founded upon any kind of tort, trespass upon real estate, diversion of water and blocking of water so that it floods a man's premises, a cause of action arising out of a breach of contract, and everything else which might form the foundation of a just claim against the Government of the United States is to be adjudicated in this manner. It seems to me, Mr. President, that we ought not to tack on here a provision distinctly and specifically applicable to those who may have a particular cause of action. We can safely trust, it seems to me, to Congress to make the appropriate amendment to those two acts in view of this extension in its activities.

I desire to say before taking my seat, Mr. President, and I should not like to be silent in view of the amendment proposed by the Senator from Missouri [Mr. Reed], that it meets my hearty concurrence. I am perfectly willing-in fact, my own view is that it would be a wise thing-to grant the right of trial by jury in actions brought against the Government of the United States under the authority of this statute. In the framing of it, however, the committee did not think it wise to inaugurate a departure from the settled policy of the Government.

Mr. President, I desire to advert to another statute per-mitting suit against the Government of the United States which embodies the principle which has heretofore obtained. statute which denied an Indian or anyone of Indian blood

a right to a tract of land to which he claims a right under a statute of the United States to sue the Government of the United States in the district court likewise prescribes that the action shall be tried by the court without a jury.

I do not believe that we are running any risk in establishing this departure, but I simply desire to have it understood that the committee are not endeavoring to deny to anybody the right of trial by jury. They are not inaugurating any departure which signifies an encroachment upon the right of trial by jury. Everything that is provided for here is in the nature of the granting of an additional right not now accorded to the citizen.

The VICE PRESIDENT. The question is on the amendment as modified to the amendment.

The amendment to the amendment was agreed to.

Mr. CHAMBERLAIN. Mr. President, there is one other amendment that I desire to offer, and I think that will complete the committee amendment, except one which I am withholding at the request of the Senator from Nebraska [Mr. Norris]. I offered an amendment the other day for my good friend the Senator from Wisconsin [Mr. La Follette], who has been detained at home on account of illness. I approve of the amendment, and I send it to the desk and ask to have

The VICE PRESIDENT. The amendment to the amendment will be read.

The Secretary. On page 10, line 12, after the word "desirable" and the semicolon, insert the following:

And the President shall withdraw and withhold from private entry all public lands for at least 1 mile on either side of the right of way of said railroad as located and to withhold such lands from entry until such railroad is completed and ready for operation and further action of Concress

The VICE PRESIDENT. The question is on agreeing to the

amendment to the amendment.

Mr. SMOOT. I should like to have the amendment read again. As I caught the reading of the amendment, it stated at least 1 mile on either side of the right of way.'

The VICE PRESIDENT. The amendment to the amendment

will be again read.

The Secretary again read the amendment to the amendment. I have the amendment now in my hand, and I Mr. SMOOT. notice I was right in my understanding that the amendment gave the President authority to "withdraw and withhold from private entry all public lands for at least 1 mile on either side of the right of way of said railroad." It seems to me that such withdrawal for 1 mile would be sufficient, but under this amendment the President could withdraw all the remainder of the lands in Alaska that are not now withdrawn. I want to call the attention of the members of the committee to that fact and to ask if that was their understanding when they prepared and offered the amendment?

Mr. CHAMBERLAIN. I will say, Mr. President, in fairness to the committee, that I really did not submit this amendment to them. I did not have an opportunity to do so, and I do not know how the committee feel about it. I knew they would express themselves if they disputed it. I took the liberty of doing it myself. From a hasty reading of the amendment, I thought it would limit the withdrawal to 1 mile. As a matter of fact,

I think the land has been withdrawn anyway.

Mr. SMOOT. I think so.

Mr. CHAMBERLAIN. And it is rather a work of supererogation to introduce it, but inasmuch as it is simply blanketing what has already been done, it seemed to me that it could not do any harm.

Mr. SMOOT. I fully agree with the Senator from Oregon in the opinion that the lands are already withdrawn, and therefore the amendment would not affect the situation in any way; but I do feel that it would be improper for the Senate to adopt an amendment of this kind, which is so broad in its terms.

Mr. JONES. Mr. President, let me suggest to the Senator that it seems to me that it goes further than the present situation in that, as I construe this language, if the President should withdraw any land under it, then he is required to keep it withdrawn until Congress otherwise provides. He can not then restore it.

Mr. SMOOT. Absolutely. If the land is once withdrawn, the President can not restore it, nor can it be restored to entry unless by act of Congress. I should like to ask the Senator having the bill in charge if he does not think that the withdrawal ought at least to be restricted to 1 mile?

Mr. CHAMBERLAIN. Yes; I do, Mr. President. Mr. SMOOT. Then, I will ask the Senator if he will not offer such an amendment?

Mr. CHAMBERLAIN. I suggest, then, the elimination of the words "at least."

Mr. POINDEXTER. I should like to make an inquiry of the Senator from Oregon in regard to the amendment, as to the need of it and the purpose of it. Of course, authority should be given to the President to withhold and reserve such land as may be required in connection with the construction of the railroad, but I fail to see any necessity for reserving lands a mile on each side of the entire line. In some places it might be necessary to do that, but in other places there might be no

reason whatever for doing it.

Mr. SMOOT. In that connection I want to say that the President now has authority to withdraw all of the lands of

Alaska if he wishes to do so.

Mr. POINDEXTER. The effect of this amendment upon that authority, of course, as the Senator from Utah knows, is to make it mandatory upon the President to reserve a mile or a 2-mile strip-as I understand, a mile strip-on each side of the railroad tracks.

Mr. SMITH of Georgia. Mr. President—
The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Georgia?

Mr. SMOOT. Yes.

Mr. SMITH of Georgia. I suppose the Senators in charge of the bill will answer your inquiries in a few moments, and I would be very much gratified to hear from them as to what their plan is with regard to this property? Do we wish the adjoining property excluded from settlement? Do we desire to preclude any business for the road when it is finished? I have prepared an amendment on a very different line that I have thought of offering, which I will read simply for information. It is as follows:

That before the President shall begin the construction of the railroad in Alaska he shall take the necessary steps to open up the public domain along the line of said road. Said public domain may be opened up either under existing land laws or, in the discretion of the President, he may direct the leasing of mineral lands or such portion of the mineral lands as he may deem advisable: Provided, however, That the President may, in his discretion, reserve such coal lands from entry or lease, the reservation of which he deems necessary for the use of the United States. United States.

I had dictated it to my secretary more in the nature of thinking upon the subject myself than having a conclusion, but it occurred to me that we would want business on the line of the road, and that at least contemporaneously with the construction of the road something should be done that would encourage the development of business along the line of the road.

Mr. POINDEXTER. Mr. President—
The VICE PRESIDENT. The Senator from Washington.
Mr. SMITH of Georgia. Just one moment further. Of

course I understand there are two views to take of this matter. One would be the view that we would build the road and retain the property, improving the property belonging to the United States, with a view subsequently of selling it, when the road was finished, for higher prices than it would bring now, or of leasing the mines for very much better prices, Mr. POINDEXTER. I think I have the floor.

Mr. SMITH of Georgia. I beg the Senator's pardon. Mr. POINDEXTER. I do not want to interrupt the Senator from Georgia-

Mr. SMOOT. I thought I had the floor.

Mr. POINDEXTER. But I will complete what I had to say in a moment, and I would rather the discussion would not

The VICE PRESIDENT. The opinion of the Chair is that the Senator from Utah [Mr. Smoot] had the floor and had yielded to other Senators.

Mr. SMOOT. I think I have the floor.

Mr. SMITH of Georgia. I thought the Senator from Utah had yielded the floor to me.

Mr. SMOOT. I yielded to the Senator, but I was not through

with my statement.

Mr. POINDEXTER. The Senator from Utah first yielded to

Mr. SMOOT. Now, then, I yield to the Senator from Washington.

Mr. POINDEXTER. I only want to add, largely in accord with what the Senator from Georgia [Mr. SMITH] has said, that it seems to me the object of the Government in regard to the lands adjacent to this railroad not only should be to encourage occupation and settlement but to hasten occupation and settlement. Instead of delaying the advent of population to the part of the Territory that this railroad goes into, every step should be taken to get population there as early as possible. If there were any reason for shutting out settlement upon these strips of land two miles wide along the railroad then this amendment would be perfectly proper and we could very well afford to reserve a strip that wide, if there were any necessity for it—if it were needed in the plan of railroad construction, but it is not needed for that purpose and it could not possibly be needed. Unless some good reason for it shall be given by the committee, which does not occur to me, I shall

be compelled to vote against the amendment.

There seems to be a misapprehension in regard to the policy of reserving lands in Alaska; at any rate, I have noticed some of the Senators who apparently favor this amendment who have denounced forest reserves. My understanding of the forestreserve law, as it is written upon the statute books, is that it encourages settlement upon the lands in the forest reserves. My contention has always been that the difficulty with the forest-reserve policy of the Government was in its administration and not in the terms of the law itself.

I have never been in favor of shutting out the use or occupation of any land, whether in a forest reserve or outside of it, and I am not in favor of adding to the burdens of Alaska what has been denounced so earnestly as an incubus upon its development, by an unnecessary further withdrawal and reservation

Mr. President, I notice that under the agree-Mr. SMOOT. ment, I have not now time to say what I intended to say on this bill, but I will take occasion to do so when I offer my amendment. I should like to say to the Senator from Georgia, however, that I heartly approve of the object of his amend ment; but I doubt very much whether it would be administered properly considering the few words contained in the amendment. I will also say to the Senator that when I speak upon my amendment I will bring to the attention of the Senate legislation now pending either before the Senate or in committee looking to the opening up and development of the resources of Alaska.

Mr. SMITH of Georgia obtained the floor.

Mr. CHAMBERLAIN. I want to say, if the Senator from

Georgia will allow me

Mr. SMITH of Georgia. Just one moment further, and then will take my seat. I want to say, Mr. President, that I approach the consideration of this matter with a very earnest desire, so far as possible, to do what the Senator in charge of this bill wants done, and I want to find a way to vote for all I can that he does want. It is in no spirit of antagonism that I have made the suggestions which have occurred to me, but

rather in a spirit of doubt.

When the Senator from Washington [Mr. POINDEXTER] claimed the floor a few moments ago I was calling attention to two lines of thought that were in my mind, involving the question as to what we expected to do with Alaska. Do we contemplate the construction of railroads in Alaska for the purpose of developing property belonging to the United States which the United States Government intends to keep to make all out of it it can, or are we contemplating opening up a country according to the old system by which people can go there and take up land as rapidly as possible, preferably to find homes, or do we contemplate the union of both purposes? It occurs to me that we ought to have our policy in those regards definitely advanced along with the construction of the railroads.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the

Senator for just a moment?

Mr. SMITH of Georgia. Certainly.
Mr. CHAMBERLAIN. I will say to the Senator that, as has been suggested by the Senator from Utah [Mr. Smoot], there are a number of bills pending before the Senate now, some of which have in view the very purpose suggested by the amendment of the Senator from Georgia. In addition to that, I have in course of preparation, and hope to introduce next week, a general bill having for its object the development of Alaska; so that I think the discussion of the subject matter of the proposed amendment could better go over until that time.

Mr. SMITH of Georgia. Mr. President, I desire to say to the Senator in charge of the bill that I have not determined to offer this amendment. I dictated it rather as an immature expression of a thought that was in my mind. I do feel that we ought, in connection with the construction of any railroad in Alaska, to proceed definitely along a line that provides for the use of that Territory. I understand that the railroads there now are practically bankrupt, due to one of two things-either that there is nothing there to use or that the methods employed by the Government of handling whatever there is to use have not been sufficiently intelligent to furnish opportunity for use. Therefore the construction of a railroad now by the Government would be practically useless, unless, along with it, there is perfected a plan for the use of the agricultural lands and mineral lands, so as to furnish business for the railroad to be constructed.

I have during the progress of this discussion brought myself to the place where I am about willing to vote for one line to go up into Alaska, intelligently selected and properly constructed; but I do not like to leave it entirely free in the shape it is, nor to any kind of selection. I wish the committee had before the Senate a well-prepared plan to build one line from the water to Fairbanks, the best-selected line, splitting Alaska: and I wish also they had a definitely prepared plan to develop the Territory which could be tried out. If it proved a success and the Territory did develop and took care of the road, then afterwards I would be no obstacle in the way of further development

Mr. SMOOT. I will say to the Senator that I have an amend-

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Does the Senator from Georgia yield to the Senator from Utah? Mr. SMITH of Georgia. I am through.

Mr. SMOOT. I have an amendment which I expect to offer to this bill, providing for the building of one main line from tidewater to the interior of Alaska to subserve, in my opinion, the very purpose suggested by the Senator from Georgia.

Mr. WALSH. Mr. President, lest any misapprehension should be entertained concerning my attitude toward this amendment, I desire to say simply that I am in entire accord with the views expressed in relation to it by the Senator from Washington [Mr. Poindexter]. I can see no occasion at all for the incorporation of an amendment of this character in the bill; indeed, I should regard it as a most unfortunate thing if the President were compelled, whether he saw any public reason for it or not, to withdraw from entry this vast tract, a mile on each side of a railroad through Alaska, 450 miles in length. A thousand miles are authorized, in fact, which would make 2,000 square miles of land withdrawn from any kind of entry-bear in mind, any kind of entry at all—so that prospectors could not go within that region a thousand miles long and 2 miles wide and locate a quartz mine or locate a placer bed, and the settler could not establish a farm or a homesteader could not go there and pick out a piece of land. I should regard a policy of that kind as entirely unfortunate.

Mr. POINDEXTER. If the Senator will yield just a mo-

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Washington?

Mr. WALSH. Certainly.

Mr. POINDEXTER. I desire to say that I think there might be occasions, possibly, where portions of that tract should be reserved. There might be some strategic point, a town site, or something of that kind-

Mr. WALSH. Exactly.
Mr. POINDEXTER. Which, under the discretion which the
President has, he could withdraw; but it is an entirely different thing to make it mandatory upon him to shut out not only the miners and prospectors, to whom the Senator from Montana has so pertinently referred, but every man who wanted to take up a homestead and, encouraged by the advent of transportation, build a home there for himself and his family at some point that did not interfere in any way with the railroad and the withdrawal of which involved no public policy.

Mr. WALSH. Mr. President, the observations now made by the Senator from Washington with respect to this matter are very pertinent indeed. I myself can not conceive now of any reason why any of this land should be withdrawn, except for town-site purposes, and the President has now power and authority to withdraw any land necessary for town-site purposes or really necessary for the construction of the road or necessary to be used in connection with the road. Indeed, I feel that if the distinguished Senator from Wisconsin [Mr. LA FOLLETTE], at whose request this amendment has been offered, were here he would recognize the force of the suggestions which have been made with respect to the policy of this amendment.

Possibly he had in mind that coal lands within that area ought not to be subject to private entry; but it is to be borne in mind that all coal lands in Alaska are now withdrawn from entry and no title to any of them can be initiated. We hope, as speedily as we can and as soon as this bill is disposed of, to have considered some measure which will take care of the coal lands when the present embargo upon their appropriation shall

be lifted.

I think I have in mind the idea that was at the bottom of the proposed amendment. It is now quite common in some of the European countries, in laying out a street car line or a railroad or anything of that kind, for the Government to acquire a strip of land upon either side of the property more than adequate for the purpose of the particular public utility, upon the assumption that that land will be very largely increased in value, and by the disposition of it the Government will receive funds perhaps sufficient to pay for the construction of the work.

Everybody will recognize, however, that that principle is not applicable to the construction of a road in a remote region like Alaska, where the lands have no particular value except to the man who goes out and discovers a mine or the man who desires to locate upon a portion of the land as a homestead.

I do not think the principle is applicable there at all, and the amendment would be distinctly harmful. It seems to me the President has full power now to withdraw such lands as ought to be withdrawn, and it might very safely be left in his hands.

to be withdrawn, and it might very safely be left in his hands.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Oregon to the amendment reported by the committee.

The amendment to the amendment was rejected.

Mr. CHAMBERLAIN. I believe that completes the amendments of the committee, with the exception I have noted. I now submit the matter to some of the Senators who have amendments to propose and substitutes to offer.

Mr. NORRIS. I offer the amendment which I send to the

desk.

The PRESIDING OFFICER. The amendment will be stated.

The Secretary. On page 8, just after the amendment previously adopted, it is proposed to insert the following:

riously adopted, it is proposed to insert the following:

The President of the United States is hereby further empowered, authorized, and directed to construct or cause to be constructed not less than 10 nor more than 20 vessels suitable and appropriate for the freight and passenger service between the ports of Alaska and other ports on the eastern and western shores of North America, and the ports on the eastern and western shores of South America, and the ports on the eastern and western shores of South America. Said vessels shall be constructed as near as may be so that they will be suitable for use in aid of the Navy of the United States as a merchant marine. After the same are constructed, the President is hereby authorized, upon such terms as he may deem best, to lease the same to the Panama Railroad Co. For the purpose of building said vessels the President is hereby authorized to raise money, and to expend the same in accordance with the terms provided in this act, not exceeding the amount of \$15.000,000.

If, in the opinion of the Attorney General, the charter of the Panama

If, in the opinion of the Attorney General, the charter of the Panama Railroad Co. would not permit said company to perform the functions herein set forth, then it shall be the duty of the President to take the necessary steps to amend the charter of said company, or, if necessary, to secure a new charter for said company that will be sufficiently broad to permit it to perform the various functions herein set forth.

Mr. NORRIS. Mr. President, I do not at this time intend to take up the time of the Senate in the discussion of this amendment. It was quite fully discussed day before yesterday, and I believe it is generally understood. I only regret that the members of the committee do not see fit to accept it. While I feel that most of them individually are probably in favor of the proposition, it seems to me that, with the Panama Railroad Co. already doing business along this line, and having been in business for 10 years, the amendment ought to appeal to every man who wants to build up a merchant marine or who wants to develop trade between North and South America. It gives to the Panama Railroad Co. power to operate these vessels both on the Atlantic Ocean and on the Pacific Ocean, through the Panama Canal, and to all the ports of South America.

If we want to meet the situation in Alaska completely, we must not only get the coal and other products of Alaska down to her ports but we must meet those products there with vessels that are not already in a combination as completely as the railroads and other things in Alaska are in a monopoly and combination

It seems to me the amendment adds to the very theory of the bill—it will give relief to Alaska, it will give us a merchant marine, and it will develop our trade with South America. As I said, however, I do not care to go into the discussion again,

and, as far as I am concerned, I am ready for a vote.

Mr. CHAMBERLAIN. Mr. President, the Senator correctly states the position of individual members, or at least some of the members of the Committee on Territories, who favor the proposition involved in his amendment; but we felt satisfied that to undertake to attach it to a bill that had for its purpose the construction of a railroad in Alaska would impair its chances of passage, because I know there is much opposition to that view both in the Senate and in the House of Representatives. The matter will be a proper subject of consideration later; and I am sure the Senator will have my support then, as he will have that of some other members of the committee.

Mr. NORRIS. I knew I should have the support of the Senator from Oregon; but I should like to call his attention to the fact that between the introduction of a bill that would provide what this amendment provides and the reaching of the present parliamentary stage, where it could be voted on by the Senate, there are a great many obstacles that are very serious in their nature. The Senator knows the probability is that if we do not improve some opportunity like the present, where it is in order to put the proposal on a bill as an amendment, we may live many a day without seeing an opportunity of getting such a bill in the present parliamentary situation. It seems to me, therefore, that those who favor it ought to support it now.

Mr. President, the amendment will add to the bill. It will make the bill effective. It strengthens a weak point in the bill, which is that while it seeks to develop Alaska and will develop Alaska by the building of railroads, it makes no provision by which, after the products of Alaska have reached her ports, they can be carried to the other ports of the world, particularly of the Pacific coast, without running up against a steamboat combination such as now exists.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska to the amendment reported by the committee. [Putting the question.] The ayes seem to have it.

Mr. CHAMBERLAIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the oll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Goff	Newlands	Smith, Ga.
Bacon	Gronna	Norris	Smoot
Borah	Hitchcock	Overman	Stephenson
Bradley	James	Perkins	Sterling
Bristow	Johnson	Pittman	Stone
Bryan	Jones	Poindexter	Sutherland
Burton	Kenyon	Pomerene	Thompson
Chamberlain	Kern	Ransdell	Vardaman
Chilton	Lane	Reed	Walsh
Clark, Wyo.	Lea	Robinson	Warren
Cummins	Lippitt	Shafroth	Weeks
Dillingham	Martin, Va.	Sheppard	Williams
du Pont	Martine, N. J.	Shields	
Fall	Myers	Shively	
Callinger	Noleon	Simmons	

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. A quorum of the Senate is present.

Mr. GALLINGER. Mr. President, I was unavoidably absent from the Chamber when the amendment of the Senator from Nebraska [Mr. Norris] was submitted for consideration, and I did not have the privilege of hearing it discussed. I now rise to call attention to what I think are very serious defects in the amendment.

I assume the Senator from Nebraska has in mind, in the effort he is making, the possible rehabilitation to some extent of the American merchant marine. For a great many years I gave my most earnest efforts and serious thought to this question, and succeeded in having passed through the Senate on two or three occasions bills that would have been of great benefit to the American merchant marine; but those bills failed to become laws.

More recently a provision was placed in the Underwood tariff bill as it came from the House restoring the ancient custom of preferential duties; but that has been dropped out, or, at any rate, it is not considered possible of enforcement under existing conditions. I suggested at the time that it could not possibly be enforceable because of the commercial treaties we have with some 30 foreign countries.

Mr. President, the provision that the Senator proposes is fatally defective in very many respects, as I shall point out. In the first place, the Senator proposes that the President of the United States shall build or cause to be built not less than 10 nor more than 20 vessels, and there is no restriction whatever as to their tonuage in the amendment. The President may build vessels of 1,000 tons or 2,000 tons or 5,000 tons or 10,000 tons, as suits his purpose. I can see very clearly that vessels might be constructed under this provision that would be utterly useless as either merchant vessels or vessels to be used in time of war.

Another defect is that there is no speed limit required. They can be vessels that will make 5 knots an hour, 10 knots an hour, or 20 knots an hour, according to circumstances, but the speed limit is not specified, as it ought to be.

The material of which they shall be constructed is not specified. They may be wooden vessels, which probably they would not be, but the specification that they shall be steel vessels is very important from my point of view.

Another thing is that these vessels according to this amendment can be built in American shipyards or in shipyards in Germany, or Japan, or Scotland, or in the shipyards of any other country in the world. It seems to me, Mr. President, that if we are to do anything toward reviving our shipbuilding industry and giving employment to American mechanics we ought to require, as every foreign country requires of its merchant vessels, that they shall be built in the shipyards of our own country.

While it is provided that these vessels may be used in aid of the United States as a merchant marine, there is no provision for having them constructed in a manner to make them useful for that purpose.

I say that the amendment is defective in so many important particulars that I feel sure the Senate will hesitate a long

time before engrafting it on this bill.

Mr. President, I have prepared a substitute for the amendment of the Senator from Nebraska, but I will say in this connection that I shall not offer it as a substitute as in Committee of the Whole. I entertain the belief that the Senate will not agree to the amendment offered by the Senator from Nebraska, and if the Senate does not agree to it the matter will be allowed to drop, so far as I am concerned:

The substitute that I have proposed is as follows:

The substitute that I have proposed is as follows:

On page 8, after line 20, add the following:

"The President of the United States is hereby further empowered, authorized, and directed to cause to be constructed not less than 10 nor more than 20 vessels suitable and appropriate for freight and passenger service between foreign ports and the ports of Alaska and also between ports on the eastern and western shores of North America and ports on the eastern and western shores of South America. Said vessels shall be American-built steamships, officered by American. Said vessels shall be constructed after the latest and most approved types, with all the modern improvements and plans for ocean steamers. They shall be divided equally into two classes. The first class shall be steel screw steamships, capable of maintaining a speed of 20 knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than 8,000 tons. The second class shall be steel steamships capable of maintaining a speed of 16 knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than 8,000 tons. The second class shall be constructed with particular reference to prompt and economical conversion into auxiliary naval cruisers, and according to plans and specifications to be submitted by the Secretary of the Navy. They shall be of sufficient strength and stability to carry and sustain the working and operation of at least four effective rifled cannon of a caliber of not less than 6 inches, and shall be of the highest rating known to maritime commerce. Before being accepted for the service herein provided for they shall be thoroughly inspected by a competent naval officer or constructor, detailed for that service, by the Secretary of the Navy, and such officer shall report, in writing to the Secretary of the Navy, and such officer shall report, in writing to the Secretary of the Navy, as suitable for the service required shall be accepted by the President."

Mr. SMITH of Georgia. Mr. President—

Mr. SMITH of Georgia. Mr. President—
The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Georgia?

Mr. GALLINGER. Yes.

Mr. SMITH of Georgia. I did not understand from the Senator from New Hampshire, as he read his amendment, what would be the cost of these vessels?

Mr. GALLINGER. I did not state the cost, Mr. President, but I will say to the Senator that from investigations I made two years ago, beyond a question they will cost at least \$1,000,-000 each, and I think likely more than that amount; certainly, no vessel which can be converted into an auxiliary cruiser and be made available in time of war can be constructed for a less amount.

Mr. SMITH of Georgia. The Senator believes that they

could be constructed for about \$20,000,000.

Mr. GALLINGER. I think it possible that 20 vessels could be constructed for that amount, particularly if they were only of two types, as I have provided, because they would then be standardized and could be built much cheaper than if they

were of different types.

Mr. President, this amendment that I have read follows closely the law of 1891, known as the ocean mail act. It will be remembered that we give a subvention to steamships carrying the mails, provided they are constructed according to plans and specifications of the Secretary of the Navy, and so constructed that they can carry a certain number of cannon effective in war, and that they shall have a speed that will make them really effective in times of war. It is idle for us to construct ships that will make 10 knots an hour to compete with the ships of a foreign country that will make 20 knots. If we are going into this expenditure, we ought to provide every possible precaution, so that the vessels may be of the highest possible type and in every way available for the purpose to which it is proposed to put them.

I will say frankly, Mr. President, that I do not believe in this legislation on the pending bill. I shall vote against the amendment of the Senator from Nebraska; but if it shall pass as in Committee of the Whole, I will then take the liberty of proposing, when the bill reaches the Senate, the substitute which

I have read.

Mr. President, I do not care to detain the Senate further. This is a vital question, one in which I am deeply interested. If we are to do anything along that line on this bill, we ought to do it so that our legislation will result in the greatest possible good to the Government and to the commercial interests

of the people of the country.

Mr. SMITH of Georgia. Mr. President, in connection with the suggestion of the Senator from Nebraska [Mr. Norris] and

desire to read for information an amendment which I have prepared to the first section of the bill.

Amend, on page 8, line 8, by inserting after the word "facilities" the following proviso:
"Provided, however, That the President shall not begin the construction of any railroad or railroads the construction of which, together with the necessary equipment, docks, wharves, and terminal facilities, shall exceed the cost of \$15,000,000."

Mr. President, I wish to say just a few words with reference to this subject. It must be evident from the report of the engineers that \$15,000,000 would construct perhaps the most desirable line from water to Fairbanks. I would vastly prefer that we should build one line and test it out before we undertake so extensive an expenditure and involve our Government in so many possible lines that may or may not prove a success.

I call attention to the proposed amendment at this time on account of the fact that the two Senators have suggested other uses to which the money of the Government might perhaps well be put, just as well, and perhaps better, than by spending \$40,000,000 in Alaska. Twenty vessels would be upon the same line as the development of the road in Alaska, excepting that they would be broader in their use; their service would be more general. They would be more for the welfare of the general public and for the good of all the country than this very large

appropriation to Alaska.

I do not believe I can agree at this time to commit myself to the proposition to build these vessels. I may or may not do so when the measures are before the Senate. I utilize the proposition to call attention to the other important services to which the money can be placed if we have more in the Treasury than we at this time need. I call attention to the general welfare that would be served by these vessels, especially the vessels suggested by the Senator from New Hampshire [Mr. GAL-LINGER], which would ply not alone upon the Pacific, but also touch some of our eastern ports as well as the Pacific. I refer to the amendment offered and the suggested amendment as arguments to sustain my view that \$40,000,000 ought not to be invested in this proposed development in Alaska, but that \$15,000,000 would be enough to build a road from the coast to Fairbanks and touch our coal fields and our copper fields and our gold fields. If we shall show intelligent business judgment in handling these properties and in the management of this road, it will be time enough later on to put more money into the construction of additional roads. If we find that the road is a failure and that this scheme is not a wise one, we will have saved the other \$25,000,000 and will have time and opportunity, I think, to spend it in some other way.

Mr. CHAMBERLAIN. Mr. President, in reference to the proposition for the construction of a line of steamers, the Senator from Georgia is mistaken in assuming that a part of this appropriation of \$40,000,000 is to be used in that connection. I think that was to be an additional appropriation. But I hope the Senate will vote down both these propositions, because I think the proposition to build a line of steamers would so overload the bill that it would practically lead to its defeat. I know the Senator who offered the amendment is friendly to the bill

and to its general purposes.

Now, with reference to the estimate of \$15,000.000 for an appropriation to build a railroad, I do not know where the Senator from Georgia gets his estimate. It is at variance with every estimate that has been made by engineers and with every estimate that has been made by anyone for the purpose of constructing the road. In other words, it would result in the road beginning nowhere and ending nowhere. If the Senator is really in sympathy with the development of Alaska—and he says frankly he does not know whether he is or not; in other words, he does not know whether he is in favor of building a road or not-

Mr. SMFTH of Georgia. Mr. President— Mr. CHAMBERLAIN. He would not insist on reducing the appropriation from \$40,000,000 to \$15,000,000. I hope the Senate will vote down both amendments,

Mr. SMITH of Georgia. I am cordially in sympathy with the development of Alaska. I am not sure that it would be wise for the Government to build one road, but if the bill were limited to one road from the coast to Fairbanks I would vote for it.

Mr. PITTMAN. Mr. President, I wish to explain to the Senator from Georgia some of the troubles the committee had in trying to arrive at this matter as bearing upon the passage of any bill in relation to the subject. The hearings lasted for Friends of the various proposed routes in nearly six weeks. Alaska appeared before the committee and they have friends in the Senate and in the House of Representatives. apparent to the committee that if we recommended any particular route, instead of being a consideration as to whether also of the Senator from New Hampshire [Mr. Gallinger], I Alaska should be developed by a Government-built railroad it

would be a consideration as to which route was the best of the three proposed routes. It was impossible for the committee to succeed in the passage of a bill before Congress by recom-mending any particular route.

As the Senator from Georgia said yesterday, the facts found by the railroad commission—not their conclusion, mind you, but the facts presented to Congress-seem to indicate that one of those roads will be far more serviceable in the development of Alaska than any other. I am satisfied that the President of the United States and those with whom he will very probably consult in adopting a route will come to the same conclusion the Senator from Georgia and other Senators who are familiar with this subject have reached. But, I repeat, from the evidence before the committee and from our experience in this matter I am satisfied, if we select any particular route, that Congress will never pass such bill.

Mr. SMITH of Georgia. If the Senator from Nevada will

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Georgia?

Mr. PITTMAN. I do.

Mr. SMITH of Georgia. Conceding that that is true, and that it would be unwise for us at this time to name the route, would it not be practical for the bill still to provide that there should be only one route rather than to leave it in its present indefinite shape, permitting the President to select the route?

Mr. PITTMAN. I will say to the Senator from Georgia that believe with all this responsibility placed upon the President of the United States, he would very gladly consult any Member of Congress who was interested in this matter, and that, if the consensus of opinion, or, at least, the best opinion was that there should be only one route, he would undoubtedly see that the money was expended on only one route.

Now, let me make this suggestion to the Senator. It has been argued here very forcefully that \$35,000,000 is not sufficient to build the two routes which have been suggested by the railroad commission. I am inclined to believe that that is true. If that is true, then the \$35,000,000 will have to be applied to one Now, take the Senator's proposition of limiting the amount to \$15,000,000.

Mr. SMITH of Georgia. Will the Senator pardon me a

moment'

Mr. PITTMAN. Certainly.

Mr. SMITH of Georgia. If those managing the enterprise complete one route and start another, the \$35,000,000 or the \$40,000,000 not being sufficient to complete both, it will place us in the attitude of being compelled at once to leave the other route only half completed or make another large appropriation to finish it. How would it do to provide that the mone; should not be used to start any route unless the appropriation carried a sufficient sum to finish that route?

Mr. PITTMAN. I see no objection to that at all. I see no objection to it, because I have sufficient confidence in the President to know that he would do that, anyway. If anyone has any doubt about whether he would do that, he may propose the

Now, let me say just one word in regard to the suggested amendment of the Senator, that there shall be only \$15,000,000 appropriated. He has in mind that the best route is the central route; that is, the route from Seward to Fairbanks. The estimate of the railroad commission is that it will take seventeen million and odd dollars to build not from Seward to Fairbanks but from the end of the Alaska & Northern Railroad to Fairbanks. If we purchase the Alaska & Northern Railroad, so as to make it a part of the Government road, or if we parallel it, it will increase the amount to the neighborhood of \$30,000,000, according to the testimony in the printed hearings. Consequently, even if we build the Seward route alone, an appropriation of \$15,000,000 would only be about half enough to construct such route.

Mr. SMITH of Georgia. If the Senator will allow me, I only put in those figures to attract attention to the subject. I did

not mean that it would be finally the proper figure.

To build to the end of the Alaska & Northern over the central route to Fairbanks will cost \$17,000,000, and it may not be sufficient, as the Senator from Mississippi [Mr. WILLIAMS] suggested the other day. If we parallel the Alaska & Northern, it will take at least \$30,000,000 in all to build from Seward over the central route to the Yukon River. As I said before, I do not believe this money will build more than one central trunk line. I think the President will realize that, and I think the Senator from Georgia, with the interest he has manifested in this subject, will be able to consult with the President or those who have charge of this matter and probably convince them as he is trying to convince us now.

On behalf of the committee I want to say that there were many splendid suggestions offered to the committee; there were a good many amendments offered to the committee that contained much good; but from the experience the members have had, and from the discussion they have had with Senators and Members of the House of Representatives, they are satisfied that if you encumber this bill with any such amendments you

are going to defeat it.

Now, take the amendment of the Senator from Nebraska [Mr. Norris]. That met with a great deal of favor in the committee among some. Others were bitterly opposed to it. Some argued that the exception in favor of building Government railroads in Alaska does not exist as to building Government vessels on the Pacific Ocean. The committee is not prepared to debate that question. I do not believe this body is prepared to debate that question. I do not believe the House of Representatives will debate that question. I am satisfied if we tack that amendment on this bill there will be so much doubt aroused in the minds of Members of this body and of the House of Representatives that they will find the only safe course is to vote against the bill.

On behalf of the committee I appeal to the Senator from Nebraska not to press his amendment. I appeal to him to place it in a separate bill and to bring it before this body, because he, as a member of the committee, knows exactly the fight that we had in the committee. I ask the Senate, or at least those Members of the Senate who are in favor of the passage of this bill, to limit it to the plain, simple proposition that the Government shall appropriate \$40,000,000 to build railroads in Alaska—\$35,000,000 for the building of the road and \$5,000,000 for equipment. If you will do that, I believe you will pass this bill. If you do not do that, even if we pass the bill through the Senate, I am informed on good authority that it will very probably never pass the House of Representatives. I know Senators will say, why should we consider them, or why should we consider anyone? I say, in answer to that, this is a practical question, it is a serious question, and we have no right to take chances by encumbering the bill with legislation that may defeat it, when that legislation can be brought before this body for determination in a separate bill. I therefore hope that the amendment will be defeated.

Mr. NORRIS. Mr. President, I want to say in answer to the Senator from Oregon, and also in answer to the chairman of the committee, that their argument that this amendment, if adopted, would defeat the bill, is not, in my judgment, well taken. I know that they will both concede and that they both believe I am as earnestly in favor, in a general way, of this legislation as they are. I would very much prefer to have the bill amended by providing that it should be operated by the Government or the Panama Railroad Co. instead of giving the President the authority to lease it. But, notwithstanding that, I am just as earnestly anxious to have the bill become a law as any member of the Committee on Territories. In answer to their argument, I want them to observe that when the amendment I propose is voted on you will find that every Senator here who is against the bill and will eventually vote against the bill will vote against the amendment. I am not criticizing them. Their position is logical.

I am not finding fault with any Senator because he is opposed to the amendment or because he is opposed to the bill, but I think that is a complete answer to the suggestion that if this amendment is adopted it will mean the defeat of the bill, because if that were true you would find those Members who want to defeat the bill favoring the amendment. But, be that as it may, the same thing might be said about any amendment. I believe myself that this amendment is as important as the balance of the bill. I do not believe that you will meet with success in developing Alaska if you fail to make some provision that will meet the combination of steamships that will carry the products of Alaska as soon as they come to the shore.

The Senator from New Hampshire [Mr. Gallinger] has offered several suggestions as to why this amendment is not a good measure. In my judgment, none of those reasons can properly be urged if the Senator will give full force to the amendment I have suggested. He says, in the first place, that there are no restrictions as to tonnage. That is true; but the amendment gives to the President of the United States authority to build such vessels as in his judgment may be necessary; and then he should take in view the provision of the amendment which says that they shall be constructed of such a tonnage and of such a nature of construction as will make them beneficial as a merchant marine in aid of the Navy in time of war. That gives to the President a large discretion, I will admit, and many arguments could be made that we should not give to the President so great a discretion, but it is no greater than is given in

the bill, and, in my judgment, it is one in the abuse of which there is no danger.

Mr. GALLINGER. I rise to a parliamentary inquiry, Mr. President. I was unavoidably absent, as I stated, when the Senator from Nebraska proposed his amendment. I presume that he discussed its provisions when he presented it.

Mr. NORRIS. No; I did not. The PRESIDING OFFICER. The Senator from Nebraska

occupied the floor only two minutes, according to the record.

Mr. GALLINGER. I was not going to object to the Senator completing his speech anyway.

Mr. NORRIS. I would not take up more than 15 minutes,

of course, altogether; perhaps not that much.

The Senator says that the material is not specified. I think the answer is that it is in the discretion of the President, and he will be able even better than a legislative body to discover just how the vessels ought to be built through the experts that he will have to give him the proper necessary expert advice.

There is no speed limit, the Senator says. I think it would be out of order to have such a thing as a speed limit in the Senate of the United States. But the President would have authority to provide, if the amendment should become a law, just exactly what the speed limit shall be, and whether the vessels shall be built of steel. He has within his discretion any number that he will provide for, with 10 as a minimum and 20 as a maximum. The amendment follows the lines of the bill, giving him the same discretion with regard to those vessels that is given in regard to the railroads. The discretion must be vested somewhere. It seems to me that the objections of the Senator from New Hampshire are fully met.

Mr. President, I realize that those who are opposed to the bill will vote against the amendment. I realize that the friends of the bill are advocating and asking others to vote against the amendment. They fear it will injure the bill. These two ends are working against the middle, as it were. It seems to me, as I have said several times before, that this amendment will strengthen the bill and make it complete. Unless some amendment of this kind is agreed to the bill will not be complete, for the reason that the development of Alaska alone will do it no good unless the products of Alaska can come to the ports of world without meeting monopoly anywhere, not only in Alaska proper but on the ocean after the products are afloat.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Nebraska [Mr. Norris] to the committee amendment as amended. [Putting the question.]

The ayes seem to have it.

Mr. CHAMBERLAIN. On that I ask for the yeas and nays. Mr. BRISTOW. Mr. President, I could not let this opportunity pass without expressing my approval of the spirit of this amendment. Nine years ago when I made a report to the Secretary of War in regard to the operations of the Panama Railroad, I recommended that, unless the steamship monopoly on the Pacific coast was broken up by private enterprise, the Government ought to construct ships and put a steamship line on the Pacific Ocean. That monopoly has existed since, and I believe it practically exists now. I believe that the Panama Railroad Co. should be authorized to establish a steamship line on the Pacific Ocean, to be run in connection with the one it now has on the Atlantic Ocean between New York and Colon. This amendment offers an opportunity for the establishment of such a line, and I shall vote for it.

The Senator from Georgia [Mr. SMITH] yesterday, in referring to the operation of the Panama Railroad, said he believed it had been extravagantly managed and that a private railroad company could have transacted the business better than the Panama Railroad Co. has done. I take it for granted that the Senator from Georgia had not given sufficient study to the question to form an accurate conclusion or he would not

have made such a remark.

I invite the attention of the Senator from Georgia and the attention of the Senate to a comparison of the management of the Panama Railroad since it was acquired by the United States Government with its management before it was acquired by the United States Government, when it was conducted as a private corporation. I invite a comparison of the management of the Panama Railroad with that of the New York & New Haven Railroad, with the 'Frisco, and with the exploitation of the Alton Railroad by the Harriman syndicate. Further, I invite a comparison of its management with the management of the Pennsylvania Railroad or of any other railroad in the United States. The Senator will find that its management has been better, from a business point of view, than has that of any of these privately managed railroads. He will also

find that whenever the Panama Railroad management has departed from what sound business judgment would dictate it has been to satisfy some political exigency that the officers could not avoid and not from the free will and normal attitude of the managers of that road.

There is a great deal of alarm here because it is said the Government is about to go into some kind of business that is not a Government function. I do not want to alarm my ultraconservative friends, but we might as well face the question now frankly and fairly; but unless the management of cor-porations in this country, both industrial and transportation, show a little more consideration for the public welfare the United States Government within the next 10 years will be transacting a great deal more of the private business of the country than it is now transacting. The American people will not be exploited by a lot of selfish men who happen to get control of the stock of a corporation; they will not continue to be exploited in the future as they have been in the past.

I am not here advocating the Government ownership of the railroads of the country and the Government operation of the railroads; I am not yet ready to take that step, because I would prefer that the railroads be controlled by the Government rather than operated by the Government; but the system of operation which has been followed by the Government in the management of the Panama Railroad offers an example to the people of the United States that is food for reflection by

all thoughtful men.

I do not care to cause any undue apprehension by my friends who are so afraid of the Government meddling in private business, but I invite their attention to the fact that the Panama Railroad can be used by the Government of the United States in the construction and operation not only of the railroads in Alaska, but of steamship lines on the Pacific Ocean or elsewhere, in my opinion, to the advantage of the people of the United States.

Mr. GALLINGER. Mr. President-The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from New Hampshire?

Mr. BRISTOW. I do. Mr. GALLINGER. I will ask the Senator if he really believes—and I ask this question merely for information—that a company that was chartered by the State of New York for the purpose of operating a railroad across the Isthmus of Panama can, by a provision in a bill of this kind, be put in charge of a railroad in Alaska and a steamship line across the oceans of the world?

Mr. BRISTOW. I do. Let me follow that out a little, if the Senator please

Mr. GALLINGER. I should like the Senator to do that for my information. I may be very dense in my conception of the matter.

The Senator from New Hampshire is not dense; he is anything but dense. He is as bright a man as there is in this body, and his mind works with great accuracy

and precision and also with rapidity.

The Panama Railroad, it is true, was chartered to construct and operate a line of railroad across the Isthmus of Panama, and also steamship lines. What else is the Panama Railroad Co. doing now? The Panama Railroad Co. is running an icecream factory at Colon that manufactures more than 700 gallons of ice cream a day and sells it; the Panama Railroad Co. is running two hotels on the Isthmus of Panama that are as fine as any hotels in tropical America; the Panama Railroad Co. is running more than 30 eating houses on the Isthmus of Panama, and it furnishes as good a meal and for as little money as can be had in any country on the globe under similar circumstances; the Panama Railroad Co. is running a cold-storage plant; it is running a meat market, and it uses more than 700 quarters of meat a week; it is running retail butcher shops, and in Panama, if the Senator will go there, he can buy a porter-house steak, have it cooked in the Panama Hotel, and get meat of a better quality than he will get in the city of Washington for the same money.

Mr. LIPPITT and Mr. SUTHERLAND addressed the Chair. Mr. BRISTOW. Just a moment. I want to get through with the Panama Railroad.

The Panama Railroad Co, is running a steam laundry which is as good as any laundry in Washington; the Panama Railroad Co. is running between 30 and 40 grocery stores, and it is running them with success; the Panama Railroad Co. is marketing all of the coal that is sold in Panama; it even sells the Panama Canal Commission the coal that it uses in operating its steam

The PRESIDING OFFICER. Does the Senator from Kansas

yield, and to whom?

Mr. BRISTOW. It is also running an ice plant, as has been suggested to me, and a lot of other things; I have not nearly enumerated all of them, and I must decline to yield until I get through answering the question.

The PRESIDING OFFICER. The Senator from Kansas de-

clines to yield.

Mr. BRISTOW. The Panama Railroad Co. is doing all those things; and I say that it is perfectly feasible and proper and sensible for us to authorize it to establish a steamship line from Panama to Alaska and to extend the Panama Railroad into Fairbanks if we want to do so. It can do this to increase the business across the Isthmus of Panama or across the railroad which it has established in Panama and which can take from the coal fields of Alaska

Mr. GALLINGER. Will the Senator permit me there?

Mr. BRISTOW. Just a moment-the coal that it sells to the customers of the world as they pass through the Panama Canal. That would be in perfect harmony with its charter and in perfect harmony with good common business sense. I think now

I have answered the Senator's question.

The PRESIDING OFFICER, Does the Senator from Kansas yield to the Senator from New Hampshire?

Mr. BRISTOW. I do. Mr. GALLINGER. Mr. President, I fail to observe that these various activities of the Panama Railroad Co. on the Isthmus of Panama have anything to do with extending its operations into Alaska. The much abused New York, New Haven & Hartford Railroad Co. and the Boston & Maine Railroad Co. have eating houses all along their lines controlled by the railroad; but that is a little side business; it is not in their charter, though they do it.

My question however, is a serious one—and the Senator answers it in his way very vehemently—and that is, whether we can amend the charter granted to the Panama Railroad Co. by the State of New York so as to extend its activities into Alaska?

Mr. BRISTOW. We do not need to amend it.
Mr. GALLINGER. No, provided they pay no attention to
the charter; but all the same the charter does not give them

authority to operate in Alaska.

Mr. BRISTOW. It is not necessary to amend the charter. Mr. NORRIS. The Senator from New Hampshire was not present when my amendment was read; but he will find that there is in the amendment a provision that, if in the opinion of the Attorney General the things provided for in the amendment can not be done under the charter, the President shall take the necessary steps to have the charter, the President shall take the necessary steps to have the charter amended or a new one granted permitting those things to be done.

Mr. GALLINGER. Does the Senator from Nebraska refer to the charter of the Panama Railroad Co.?

Mr. NORRIS. Yes.

Mr. GALLINGER. Surely, the President could not do that of his own volition. He can do many things, but not that.

Mr. NORRIS. Certainly not; but the Senator does not think for a moment, does he, that there would be any difficulty in getting a charter? We could even authorize it by a law of Congress, if we wanted to do so. If Congress favored this bill, they would certainly take the necessary steps to secure a proper

Mr. GALLINGER. I have observed that there is a great deal of difficulty in doing anything in the Congress of the United States, and I am not quite sure that we could do that

Mr. WORKS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Kansas

yield to the Senator from California?

Mr. BRISTOW. If the Senator will pardon me a moment, I

will close and let him have the floor.

Mr. President, I do not wish it to be understood that I am. in favor of the Government of the United States performing all of these functions here in our own country; I do not think it is necessary. The Panama Railroad Co. has been used to perform these functions in Panama, because it could perform them better than anybody else could do it, and when the Panama Railroad Co. can be used to perform a function and can serve the people of the United States better than a private company can serve them, the Panama Railroad Co. ought to be used. It is a short-sighted policy for those who are afraid of socialism to refuse to take a step which is legitimate and in the public interest because they fear it will be the recognition of a policy to which they are opposed.

The Government Printing Office down here has an element of socialism in it. It is a Government printing office; it prints books and pamphlets for pay.

Mr. GALLINGER. And at a high cost.

Mr. BRISTOW. At a high cost; that is true. If private enterprises can underbid it, they do so. Then there is no fear of the Government monopolizing the printing business of the country because we have a Government Printing Office. would like my conservative friends on both sides of the Chamber-I believe there are a few more of them on this side of the Chamber on this bill than there are on the other side, because the exigency or the stress of argument is a little more forcible on the other side than it is here, from some quarters at least-I hope that Senators will not be afraid to open their minds to a fair and free consideration of the question that we have here, with a view of doing that which will best serve the interests of the country and its people. We have in Panama constructed a canal and operated a railroad; we have a situation up in Alaska which demands that the Government take hold of it, control it, and manage it, and I am in favor of doing it right and constructing the railroad, and I would also construct the ships which are to operate under its supervision.

Mr. WORKS. Mr. President, there has been a good deal of discussion here of the powers and duties of the Panama Railroad Co. and on the question as to whether we can in effect amend the charter of that corporation. How does it become material whether we can or not? As I understand, the Panama Railroad Co. is in effect the United States Government; it is only an instrument through which the Government acts. The Government owns all of its stock. If a corporation, a railroad company, or any other kind of a corporation is necessary in order to enable the Government to carry out any of the purposes of this bill, it is not going to take very long to organize another corporation for that purpose, so that it seems to me we are wasting a good deal of time in discussing the question of the Panama Railroad Co.

Of course, an act of Congress can not amend the charter of a railroad company organized under a State law, and it seems to me equally clear, from what has been said here about the powers of the Panama Railroad Co., that it can not legally and within its powers operate in Alaska; but that, it seems to me, is a matter of no great consequence. We can easily provide the corporation if one is necessary. But why is a corporation necessary at all? Why may not the Government of the United States directly and through its officers do what is necessary to be done in the construction and operation of this railroad without a corporation just as well as with it?

I do not know what it was that moved the United States to purchase the stock of the old Panama Railroad Co. I suppose there was some apparently good reason for it at that time; but I am utterly unable to see why it is necessary that the Government should own a railroad corporation for the urpose of conducting the affairs that are intended to be provided for in this bill.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Nebraska [Mr. Norris] to the amendment reported by the committee as amended.

Mr. NORRIS. Mr. President, I want to submit to the Chair this question: The Chair called for a vote, the vote was taken, and the Chair announced that the "ayes seemed to have it." That has not been questioned as yet, and it seems to me that the only duty the Chair has left is to declare the amendment

carried, unless some Senator takes some other step.

Mr. PITTMAN. I call for the yeas and nays.

The PRESIDING OFFICER. The Chair said that the "ayes seemed to have it," and thereupon the Senator from Oregon [Mr. CHAMBERIAIN] at once called for the yeas and nays.

Mr. CHAMBERLAIN. I will withdraw the request for the present if there be no objection.

The PRESIDING OFFICER. The request is withdrawn.

Mr. BRANDEGEE. What request?

The PRESIDING OFFICER. The request for the year and

Mr. BRANDEGEE. I ask for the yeas and nays. The PRESIDING OFFICER. The Senator from Connecticut asks for the yeas and nays. Is the request seconded?

Mr. CHAMBERLAIN. I think we ought to have a call for a

quorum if that is going to be done, and I suggest the absence

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators anvered to their names:

LILOT OF CHOTA	Tittaino.		
Ashurst	Burton	đu Pont	James
Bacon	Chamberlain	Fall	Jones
Bankhead	Chilton .	Gallinger	Kenyon
Brady	Clark, Wyo.	Goff	Kern
Brandegee	Colt	Gronna	Lane
Bristow	Cummins	Hitchcock	Lea
Bryan	Dillingham	Hollis	Lippitt

Lodge McLean Martine, N. J. Myers Newlands Norris Overman Perkins Pittman

Poindexter Pomerene Ransdell Robinson Root Saulsbury Shafroth Sheppard Shields

Simmons Smith, Ga. Smith, Md. Smith, Mich. Smoot Stephenson Sterling Stone Sutherland

Townsend Vardaman Walsh Warren Weeks Williams

The PRESIDING OFFICER. Sixty-two Senators have an-

swered to their names. A quorum is present.

Mr. BRANDEGEE. Mr. President, this amendment orders the President of the United States to build and put into the commercial trade of this country not less than 10 nor more than 20 steamships adapted to ply between ports of Alaska and ports on the eastern and western shores of North America and ports on the eastern and western shores of South America, upon such terms as he may deem best, to lease the same to the Panama Railroad Co., and to spend not exceeding the amount of \$15,000,000 for this purpose.

I do not think that there has ever been—there certainly has not been to my knowledge—a proposition of that magnitude pending before Congress during my service here which, in my opinion, had so slight a basis of merit and which hung upon such a slender demand. The whole proposition is fraught with dangers and embarrassments. It is in this country an unheard-of thing; it is an attempt to embark the country upon a new field

of Government activity and exploitation.

It is more or less immaterial to me what company the President may lease these boats to after they are built, or whether the Government operates them itself. The Government will have upon its hands \$15,000,000 worth of steamboats out there on the Pacific coast in commercial business, hunting for cargoes to carry, and the deficit, if they incur any deficit, would have to be paid for out of the money of the taxpayers of the country.

I do not know of anybody who is asking for this legislation. I know of no argument or evidence that warrants me in voting for it out of hand simply because it is offered on this floor as an amendment to this bill.

It is admitted that if the President should lease these vessels to the Panama Railroad Co. he would lease them to a company which, under its charter as it stands, issued by the State of New York, would be utterly unauthorized to use them for the purpose for which they are designed. There can be no question whatever that the charter of the Panama Railroad Co. was issued by the State of New York to Mr. Aspinwall and his friends to build a railroad across the Isthmus of Panama, and it would be absolutely ultra vires for that company to attempt to run steamboats between Alaska and South America. Under the wildest stretch of language no court in Christendom, in my opinion, would for a moment sustain the claim that that company had such authority.

Mr. BRISTOW. Mr. President-

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Kansas?

Mr. BRANDEGEE. Certainly.

Mr. BRISTOW. I will inquire of the Senator if that company has not already operated steamship lines from the ports of the United States on the Pacific coast to Central and South

Mr. BRANDEGEE. The company can do anything that is necessary to build the Panama Canal, for which it was chartered. No doubt it has operated boats not only between the termini suggested by the Senator from Kansas, but between New York City and Panama and wherever it was necessary to do anything or procure anything for accomplishing the pur-pose for which the company was chartered; but nobody, in the wildest flight of his imagination, can claim that it is necessary in the construction or operation of either the Panama Railroad or the Panama Canal to build \$15,000,000 worth of steamboats to connect with a railroad that is not yet chartered, to be built through the moraines and glaciers of Alaska Territory, dismembered from continental United States, and up in the neighborhood of the Bering Sea and the North Pole. It is wild and absurd as a legal contention. However, I do not care to waste any more time upon that, because it is self-evident to every lawyer.

It is said by the Senator from Nebraska, in order to heal that perfectly patent defect in the capacity of the company to operate the boats, if the President should lease them to the company, that the Attorney General or the President may go up to the State of New York and appear, with his hat in his hand, in the lobby of the capitol at Albany and beg them so to amend the charter that the United States of America may utilize a New York State corporation to do something that it does not want to do itself.

In my opinion, that would be a shameful spectacle. I do not think the United States of America has fallen to the level where it wants to ask the permission of any State legislature to accomplish any of the functions that all the States of this Union have conferred upon the Central Government. I do not want it to be at the mercy of the States.

Mr. WORKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from California?

Mr. BRANDEGEE. Yes.

Mr. WORKS. Does the Senator from Connecticut think it is necessary for the Government to utilize the Panama Railroad Co. in order to operate these boats or to construct a railroad in

Mr. BRANDEGEE. I do not. I entirely agree with the Senator that it is absolutely unnecessary; and why the make-shift, if that is the proper term by which to describe it, or the artificial arrangement is sought to be made is beyond my comprehension. We do not propose to call upon the Panama Railroad Co., chartered by the State of New York, to go up to Alaska to spend \$40,000,000 in building this railroad for us because it built the Panama Railroad. Why should we call upon the Panama Railroad Co. to go up there and run the steamboats that are proposed to be run in connection with the railroad that the Government is to build and operate?

The whole proposition is, I will not say half baked, because that is not a classical phrase, but not well thought out; and it is not a proposition that any Senator here, if he, as trustee of anybody's estate, had control of \$15,000,000, would invest it in and stand up in a probate court and give an account of his

stewardship. Mr. CUMMINS.

Mr. CUMMINS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Iowa?

Mr. BRANDEGEE. How much time have I left, Mr. Presi-

dent?

The PRESIDING OFFICER. The Senator has seven minutes.
Mr. BRANDEGEE. I yield for a question.
Mr. CUMMINS. I wish simply to ask a question. Does the amendment proposed by the Senator from Nebraska require the President to operate these vessels through the Panama Rail-

Mr. BRANDEGEE. Oh, no. Mr. CUMMINS. Then, assuming that it does not, if the President finds the obstacles which are pointed out very graphically by the Senator from Connecticut-and I think some of them are very substantial-it is not necessary that he shall operate the vessels in that way?

Mr. BRANDEGEE. Oh, not at all. It is entirely optional

with the President.

Mr. CUMMINS. So the Senator from Connecticut is really discussing a rather immaterial and irrelevant incident?

Mr. BRANDEGEE. Yes; I am trying to brush it aside and not waste any more time on it.
Mr. CUMMINS. The real question is whether the Government of the United States wants to acquire and operate 10 or more steamships?

Mr. BRANDEGEE. Yes: that is it.

Mr. CUMMINS. That is the real question?

Mr. BRANDEGEE. Exactly.

Mr. CUMMINS. The Senator from Connecticut has not yet mentioned that.

Mr. BRANDEGEE. I probably shall not have time to mention it if I have but six minutes more, and there are 96 Sena-

tors who each want one of them.

I barely touched upon the question the other day in an off-hand way, and that is what I am doing now, as to the policy of the Government engaging in general commercial business, with some possible freight to be carried for its Navy in the shape of coal. I say that it is not at all demonstrated to me at the present time that we ought to engage in it, now at least. Admitting that if the United States Government owns Alaska as its possession it may be constitutional for it to engage in functions there in which it would not be constitutional for it to engage in a State of the Union, I say the question of policy still

The Senator from Nebraska is quite correct so far as concerns myself, at least, that if I were at liberty to vote upon both propositions, his amendment and the bill itself, I should vote against both. I shall vote against one, and should vote against the other if I were not paired.

Whatever may be the merits of the present building of this railroad, however, I can see no merit in the proposition sprung upon the floor here to affix to it these steamboats to ply to South America. I think we ought to make haste slowly in this matter. If this railroad will not be built for several years, as the chairman of the committee announced on the floor the other day, why not wait and see what the railroad is carrying, and whether ships owned by the citizens of this country offer in sufficient numbers to carry the goods brought down to the coast of Alaska, before having \$15,000,000 worth of steamships built, with nothing to do, waiting to receive some conjectural freight that may be brought down there?

This whole matter is an experiment. If the road is to be built, and what is brought down is not cared for, the Government can easily build very quickly, or buy in the market, all the ships that will be necessary to take care of what ?reight is at first brought down there until the country is exploited.

My main objection, however, at this time to this whole legislation, which I suppose is going to be enacted, is that I do not believe this country has made up its mind what it wants to make the future of Alaska. If Alaska is to be regarded as a Government coal yard and developed as such, owned by the Government forever, not allowing any of its inhabitants to acquire title to any of its lands; if its resources are to be exploited for the Government and the whole Territory is to be regarded as a cold-storage plant and a fuel bunker and a butler's pantry for the Nation, then, of course, the Government has to go in and do all these things. At the next session of Congress, if this bill passes, I expect to see several bills and propositions pending to furnish to the poor people up there, who they say can not build any railroads or do any of these things for themselves as they have been done in other States, heat, light, power, provisions, and all the things that a socialistic government would be expected to furnish to its wards and tenants and lessees and "serfs," if that is the word that will describe the future condition of these glorious people that are to be coddled and taken

care of at the expense of the rest of the United States.

Mr. BORAH. Mr. President, as I said in the opening of the debate, this is only one of the steps we shall have to take in order to make effective that which we are now authorizing; that is to say, the building of this railroad. Before we ever receive any real benefit from the building of the railroad we shall have to go much further than the building of the railroad. I think the proposition the Senator has presented is one of the other steps which we must necessarily take at some time if we follow up the principle embodied in the proposition of building a railroad.

Of course, by the time we get the railroad built and in opera-tion the public sentiment may have changed, and we may not ever take the other steps; but the railroad will either drift back into private hands and the whole matter will come under private control and private operation, or else we shall have to do more than the building of the railroad. The question is whether we

should do it now or do it at some other time.

The chairman of the committee is of the opinion that fastening this amendment upon the bill will kill the bill; that with the amendment it could not pass either this body or the House. Neither the Senator from Nebraska nor myself nor any other Senator friendly to the bill wants to do that; and, so far as I am concerned, I am inclined to accept the view of the chairman of the committee upon those things. Before taking my seat, however, I wish to say, in regard to this matter, that we are entering upon what, to my mind, is a rather exceptional experiment, and nothing could justify it except the conditions which obtain in Alaska. There would be no argument in favor of building a railroad in Alaska if it were not for the fact that Alaska is found in the condition in which it is now found, and therefore the matter is sui generis. It stands alone. When, however, the Senator from Connecticut says we must wait to see whether or not it will be successful, he should bear in mind that it never will be successful-unless, as I say, it drifts back into private hands-unless we go further than the mere building

I should like to know what benefit it will be to those contributory to the natural resources of Alaska or to the people of the Pacific coast to have a jerkwater line of railroad in Alaska that connects it with nowhere and nobody. If we do not complete a system which connects it with the coal bins of the private citizens upon the Pacific coast, we might just as well stay out of Alaska and let private enterprise exploit Alaska, and undertake to control monopolies and combinations as we have undertaken to control monopolies and combinations in the United States proper.

So, whether it is wise to urge this amendment at this time or not, I venture to say that some time or other you will adopt the proposition of the Senator from Nebraska, and you will complete the entire system, as Mr. Lane, the Secretary of the Interior, so well said, of developing a commonwealth and build upon the theory that you are developing a commonwealth, or else you will let this matter drift back into private hands.

While, as I say, I do not wish to do anything which will jeopardize the first step which is taken, I think the only argnment that can be made against it by those who are in favor of the bill is the mere matter of protecting the first step so that it may be taken, and the others forced in time.

Mr. CUMMINS. Mr. President, if there were nothing in this matter save the development of Alaska, I should be in grave doubt concerning the vote I shall cast. I think, however, this amendment is justified and amply warranted by another consideration which, I think, ought to appeal to everyone who believes the Panama Canal is to be beneficial to the American

We already have, I think, 8 or 10 boats plying between Colon and New York. The Panama Canal is about to open. We are about to encourage, by every fair means, commerce between the eastern coast and the western coast of the United States through the Panama Canal. We had hoped the canal would serve as a regulator of transcontinental railway rates. I think-and it is a view I expressed, I believe, a year or more ago—that when the Panama Canal is opened the United States ought to take the boats it already has and do business with them through the Panama Canal, either to the north or to the south of the Pacific terminus of the canal, as the commerce may require. I am confident that the United States could expend the money involved in this amendment in no other way more beneficially to the people of this country than by establishing a line of steamships that would ply from the eastern coast of this country through the canal to the western coast of the United States or to the western coast of South America.

That is not a new subject. It is not a "half-baked" proposition. It is a matter to which the most thoughtful men of the United States have given their most careful consideration and reflection.

While I do not pretend to say that there is anything like unanimity with regard to the enterprise, I believe those who are in favor of the enlargement of the functions of the Government so as to promote the public weifare are in favor of Government ownership and operation of a line of steamships through the Panama Canal, uniting the eastern and western coasts of this country. I intend to vote for the amendment proposed by the Senator from Nebraska largely because I think these additional boats will serve a valuable purpose in the commerce of the country

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Nebraska, upon which the

yeas and nays have been ordered.

Mr. TOWNSEND. May we have the amendment read? The PRESIDING OFFICER. The Secretary will state the amendment.

The Secretary. On page 8 of the printed bill, at the end of section 1, to follow the amendment already agreed to at that point, it is proposed to add the following words:

point, it is proposed to add the following words:

The President of the United States is hereby further empowered, authorized, and directed to construct, or cause to be constructed, not less than 10 nor more than 20 vessels suitable and appropriate for the freight and passenger service between the ports of Alaska and other ports on the eastern and western shores of North America. Said vessels shall be constructed as near as may be so that they will be suitable for use in aid of the Navy of the United States as a merchant marine. After the same are constructed, the President is hereby authorized, upon such terms as he may deem best, to lease the same to the Panama Railroad Co. For the purpose of building said vessels the President is hereby authorized to raise money and to expend the same in accordance with the terms provided in this act, not exceeding the amount of \$15,000,000.

If, in the opinion of the Attorney General, the charter of the Panama Railroad Co. would not permit said company to perform the functions herein set forth, then it shall be the duty of the President to take the necessary steps to amend the charter of said company, or, if necessary, to secure a new charter for said company that will be sufficiently broad to permit it to perform the various functions herein set forth.

Mr. STERLING. Mr. President, I wish to say just a word

Mr. STERLING. Mr. President, I wish to say just a word which may, at least, explain my vote on this proposed amendment.

I may state that my first impression was in favor of the amendment; but as I reflect upon the magnitude of the undertaking in building a railroad to the interior of Alaska, what it involves in the way of power, in the way of discretion on the part of the President, and in the way of the expenditure pro-vided for, I can not help but feel that that is in itself undertaking enough.

So far as this amendment is concerned, I think it might be as well submitted as an entirely independent proposition, the question being whether or not the Government of the United States shall build from 10 to 20 vessels. It is not provided in the amendment that the vessels shall be engaged in plying between the ports of Alaska and ports in the United States. The only condition is that the vessels shall be suitable and appropriate for the freight and passenger service between the ports

of Alaska and other ports on the eastern and western shores of North America and the ports on the eastern and western shores of South America. It does not require, of course, that they shall be employed in that particular service. It provides, further, that they shall be suitable for use in aid of the Navy of the United States and as a merchant marine. So that, so far as the amendment affects the main proposition of constructing a railroad in Alaska, it might be submitted as an entirely different, new, and independent proposition. It has little or no relation to the provisions of the bill.

As stated, we are undertaking a great thing in the building of a railroad in Alaska at a cost of thirty-five to forty million dollars. It is in the nature of an experiment, as we all admit: but it is justified, as we think, for the reason that the resources of Alaska will not be developed and made available to the people of Alaska and to the people of the United States without the building of this railroad. I think that is sufficient justifica-tion for the enterprise, and I would not imperil the passage of the bill by incorporating this amendment in it.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). I am paired for the rest of the day with the senior Senator from Virginia [Mr. MARTIN]; but understanding that he would vote against this amendment if present, I will cast my vote that way. I On the bill I shall not vote.

Mr. CHAMBERLAIN (when his name was called). paired with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence, I transfer that pair to the senior Senator from South Carolina [Mr. TILLMAN] and will vote. I vote "nay."

While I am on my feet I desire to say that the junior Senator from Minnesota [Mr. CLAPP], who is favorable to the bill generally, is paired with the junior Senator from South Carolina

Mr. DU PONT (when his name was called). I have a general pair with the senior Senator from Texas [Mr. Culberson]. As he is not in the Chamber, I withhold my vote. Were I at liberty to vote, I should vote "nay."

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'Gor-MAN]. I transfer that pair to the junior Senator from Maine [Mr. Burleigh] and will vote. I vote "nay."

While I am on my feet I will say that the absence of the junior Senator from Maine [Mr. Burleigh] is in consequence of

Mr. GOFF (when his name was called). I have a pair with the junior Senator from Indiana [Mr. SHIVELY]. If he were present, I should vote "nay." In his absence, I withhold my

Mr. KENYON (when Mr. La Follette's name was called). I am requested to state that the senior Senator from Wisconsin [Mr. La Follette] is detained by illness. He hopes to be present for the final vote on the bill.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. Sher-MAN]. I transfer that pair to the junior Senator from Illinois [Mr. Lewis] and will vote. I vote "nay."

Mr. DILLINGHAM (when Mr. Page's name was called). I desire to announce that my colleague [Mr. Page] is necessarily He stands paired with the junior Senator from Virginia [Mr. SWANSON].

OVERMAN (when the name of Mr. SMITH of South Carolina was called). I am requested to announce that the junfor Senator from South Carolina [Mr. SMITH] is unavoidably detained from attendance here. He has a pair with the

junior Senator from Minnesota [Mr. CLAPP].

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Arkansas [Mr. CLARKE]. Under the arrangement, which I stated yesterday, with the Senator from Mississippi [Mr. WILLIAMS], who is paired with the Senator from Pennsylvania [Mr. Penrose], the Senator from Pennsylvania will stand paired with the Senator from Arkansas, thus permitting both the Senator from Mississippi and myself to vote. I vote "nay."

Mr. SHAFROTH (when Mr. THOMAS'S name was called). I

wish to announce that my colleague, the senior Senator from Colorado [Mr. Thomas] is unavoidably absent to-day, and that

if he were present he would vote "nay.

Mr. RANSDELL (when the name of Mr. THORNTON was called). I wish to announce that my colleague [Mr. Thorn-Ton] is absent on account of sickness. He is paired with the Senator from South Dakota [Mr. Crawford]. If my colleague were present he would vote "nay."

Mr. WARREN (when his name was called). I announce my

pair with the Senator from Florida [Mr. FLETCHER],

The roll call was concluded.

Mr. CHILTON. I announce my pair with the junior Senator from Maryland [Mr. JACKSON]. I transfer that pair to the Senator from Oklahoma [Mr. Owen] and vote. I vote nav.

Mr. BURTON. I am paired with the senior Senator from

Colorado [Mr. THOMAS], and I withhold my vote.

Mr. KERN. I desire to announce that my colleague [Mr. SHIVELY] is unavoidably absent from the Chamber. He is paired with the Senator from West Virginia [Mr. Goff].

Mr. LODGE (after having voted in the negative). I have a general pair with the junior Senator from Georgia [Mr. SMITH]. but as he would vote the same way I have voted, I will allow my vote to stand.

Mr. BACON (after having voted in the negative). If I am correct in my understanding, the Senator from Minnesota [Mr. NELSON] has not voted.

The VICE PRESIDENT. He has not voted.

Mr. BACON. I have a pair with that Senator, but I am assured that he would vote as I have voted, and so I will let my vote stand.

The result was announced-yeas 11, nays 51, as follows:

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Brady Bristow Cummins	Fall Gronna Kenyon	Lane Martine, N. J. Norris	Poindexter Works
	N	AYS-51.	
Ashurst Bacon Brandegee Bankhead Bradley Bryan Chilton Clark, Wyo. Colt Dillingham Gallinger Gore	Hitchcock Hollis James Johnson Jones Kern Lea Lodge McCumber, McLean Myers Newlands Overman	Perkins Pittman Pomerene Ransdell Reed Robinson Root Sanisbury Shafroth Sheppard Shields Simmons Smith, Md.	Smith, Mich. Smoot Stephenson Sterling Stone Sutherland Thompson Townsend Vardaman Walsh Weeks Williams
and the contract of		VOTING-33.	
Borah Burleigh Burton Catron Clapp Clarke, Ark. Crawford Culberson du Pont	Fletcher Goff Hughes Jackson La Follette Lewis Lippitt Martin, Va. Nelson	O'Gorman Oliver Owen Page Penrose Sherman Shively Smith, Ariz. Smith, Ga.	Smith, S. C. Swanson Thomas Thornton Tillman Warren

So Mr. Norris's amendment to the amendment was rejected. Mr. SMOOT. Mr. President, the amendment intended to be proposed by myself is in the form of a substitute, but I do not desire at this time to offer the amendment as a whole. At the conclusion of what I have to say I will offer an amendment to line 5, page 8, which will give the Senate a chance to demonstrate whether they are in favor of a single line of railroad, one main line, or of the authorization given the President in the bill. of building more than one line.

I have always been heartily in favor of the development of Alaska. The only way that it can possibly be developed, in my opinion, is, first, by the construction of a railroad, and, secondly, by the modification of our land laws and a different administra-

tion of the same.

It has been stated several times in this discussion that all the resources of Alaska are bottled up, and that if those resources were open for development it would be the means of bringing about a hasty settlement and development of Alaska.

Mr. President, I believe that to be the case. . I do not want the Senate to get the idea that there has been no action on the part of the members of the Public Lands Committee of the Senate to bring about this desired result. For the last six years the Public Lands Committee of the Senate has had under consideration legislation for the purpose of opening up Alaska. I wish to call attention to the fact that two years ago there was reported from the Public Lands Committee-and at that time I had the honor of being its chairman and reported the bill-a bill authorizing the leasing of coal lands in Alaska. On the 12th of this month I introduced the same bill. It was referred to the Committee on Public Lands of the Senate, and I expect in the very early future to get a report upon the bill. The bill authorizes the leasing of coal lands in Alaska. It provides for a royalty; the royalty is small, as in my opinion it should be. It provides that the royalty shall not be less than 2 per cent and not more than 5 per cent of the value of the coal for sale at the mine on all coal mined.

It also provides that no lease shall be for more than 3,200 acres of land, and that no person, corporation, or association shall be permitted to take or hold any interest as stockholder or otherwise in more than one such lease, and that any such interest held in violation of that provision shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General. It also provides against monopoly, both in mining and in transportation.

We have also on the calendar Senate bill 2511, a bill to provide for agricultural entries on coal lands in Alaska. The object of the bill-

Mr. CLARK of Wyoming. Will the Senator before he passes the point he has been elucidating permit a question?

Mr. SMOOT. Certainly.

Mr. CLARK of Wyoming. Does not the Senator believe that if the coal-land laws which have already been passed, supplementing the original laws, and which were passed with sole reference to the situation in Alaska, had been allowed to have free operation the coal resources of Alaska would have been honestly developed?

Mr. SMOOT. In my opinion, of course, the coal lands of Alaska would have been developed under the Alaskan coal law; but I also desire to say in this connection that more than likely in that development the great bulk of the coal mined in Alaska would have ultimately fallen into the hands

of very few people.

Mr. CLARK of Wyoming. Of course, Mr. President, we hear that now and then—quite frequently, in fact. My own impression has been in regard to the Alaskan coal lands that there was a determination on the part of those in authority in the execution of the laws that none of these lands should be developed by private enterprise, but should be developed upon a leasing system such as that indicated by the Senator in his bill.

Mr. SMOOT. Mr. President, I am quite sure the Senator from Wyoming understands the situation as well as any other Senator in this body, and that under present conditions it is absolutely impossible to pass through Congress a law opening the resources of Alaska for development unless it is surrounded by restrictions such as a lease law or other measures that will prevent the monopolization of those resources both in the products and in the transportation of the products of that country

As I was about to say, the object of Senate bill 2511 is to allow agricultural entries on coal lands. There are millions There are millions of acres of lands withdrawn as coal lands in Alaska the surface of which is as good agricultural land as is to be found in the Territory. Under Senate bill 2511 the entryman is allowed to enter those lands and secure title to the surface of the lands for agricultural purposes, reserving, however, the coal to the Government of the United States.

It seems to me, Mr. President, that it would have been much better for Congress to have enacted laws similar to these before undertaking the building of railroads in Alaska. But I am convinced beyond a doubt that in order to develop that Territory, even with the passage of the laws referred to by me, we

must have a transportation system in Alaska.

I do not believe that the President of the United States ought to be authorized to build railroads anywhere in Alaska, but as there is 99 per cent of the lands in Alaska still in the possession of the United States I believe that there is nothing wrong in the Government building one main line of railroad from tidewater into the interior of Alaska. In my opinion, that road should run from Resurrection Bay or Cordova Bay through the interior of Alaska to Fairbanks. I believe, if that system were adopted, it would develop that great Territory; and if there is to be any further aid to the Territory by the Government, I believe it ought to be appropriations to aid in building roads-wagon roads, if you please. That, in my opinion, would best develop the resources of that great Territory.

The railroad provided for in this bill will be a failure unless there is further legislation by

there is further legislation by Congress. If the Government of the United States built a dozen railroads in Alaska, they would all be a failure unless legislation is passed by Congress providing for the opening up of the resources of Alaska for develop-

ment by the citizens of this country.

I have no doubt in my mind that private parties would build railroads in Alaska if the resources of Alaska could be so developed. In fact, Mr. President, railroad routes were surveyed, the money secured, and the plans approved for building two great lines of railroad, to run from tidewater into the interior of Alaska; and if our land laws had been such, and if it had not become necessary to make the withdrawals to prevent monopoly, there is no doubt that by this time there would have been two main lines of railroad, with their branches and spurs, running from Cordova Bay up to the Yukon River and from Resurrection Bay, passing directly through the center of Alaska, to Fairbanks. If that had been accomplished, instead of having to-day 35,000 white people in Alaska, I believe there would have been a million people in that country.

I do not put so much importance upon the agricultural advantages of Alaska. I do not think that Alaska ever will become a great agricultural country, but she is immensely rich in coal, oil, gold, and copper, and there is no telling how many other of the precious metals. If there are no other resources in Alaska than those just mentioned by me, I predict that Alaska will yet be one of the great, successful, independent,

and prosperous parts of this country.

Mr. President, I shall now offer the amendment referred to by me, and it is this: Strike out, in line 5, page 8, the following words: "such main lines for railroads," and insert the words "a main line of railroad."

So that it will read:

That the President of the United States is hereby authorized and directed to cause to be located a main line of railroad from a point on tidewater-

Strike out "points" and insert "point." The VICE PRESIDENT. The time of the Senator from Utah

has expired. The amendment will be stated.

The Secretary. On page 8, lines 5 and 6, strike out the words "such main lines for railroads" and insert the words "a main line of railroad," and on line 6 strike out the word "points" and in lieu insert the words "a point."

Mr. CHAMBERLAIN. Mr. President, I desire merely to say that if this amendment of the Senator from Utah is adopted it will simply result in shutting the United States either out of the Bering River coal fields or out of the Matanuska, and will practically compel the Government to purchase the Cordova & Northwestern unless we intend to abandon the Matanuska coal field.

Mr. SMOOT. Will the Senator yield just a moment?

Mr. CHAMBERLAIN. Yes.

Mr. SMOOT. In answer to the Senator I will say that I can not see why the Senator makes that statement. The Government of the United States under my amendment, which will be followed by other amendments of a similar character to make the bill conform to this one, if adopted, can build a line of railroad from Resurrection Bay to Fairbanks, if so desired, and not take into consideration the Alaska & Northern It can also build a railroad from Cordova Bay to Fairbanks without ever purchasing or considering the Copper River Railroad, or can purchase either one of these roads and extend them. The only thing is that the amendment provides the Government shall operate and control only one railroad.

Mr. CHAMBERLAIN. I concede that that is true. The Government of the United States can go in independently of the established lines now; but assuming that the Government is confined by this bill to the construction of one main line; assuming that they will not purchase any of the established lines, but go in what is now known as the Copper River route, they can get in by a branch line to the Bering River coal field, but will be shut out from the Matanuska coal field. On the other side, if they do not, then with the Alaska & Northern, from Seward into the interior, they could build parallel with that route, but could not get into the Bering River coal field because permitted to build but one trunk line from any of these points. So, no matter which horn of the dilemma is taken by the Senator, they can not get into those coal fields by one trunk

Mr. POINDEXTER. Mr. President-

Mr. SMOOT. The Senator's bill provides for the building of switches, tracks, and so forth. If the Government of the United States builds a main line from Seward through to Fairbanks, all that would be required by any individual or company would be to build 23 miles from tidewater into the Bering coal field and there would then be competition. There would be competition then between the two great coal fields, which I think is one of the objects we ought to seek for.

The VICE PRESIDENT. Does the Senator from Oregon

yield to the Senator from Washington?

Mr. CHAMBERLAIN. I yield. Mr. POINDEXTER. The Senator from Utah, since I addressed the Chair, has mentioned what I was going to suggest. The Senator from Oregon, I think, states correctly the effect of the amendment proposed by the Senator from Utah, namely, that if the amendment were adopted it would exclude the Government from one or the other of the coal fields. But in the statement of the proposition by the Senator from Oregon he seems to leave out of consideration the fact that the Bering River coal field can be reached without any connection whatever with the Copper River & Northwestern system.

Mr. CHAMBERLAIN. It can be reached by an extension of

the line.

Mr. POINDEXTER. Yes; but it can also be reached from Controller Bay. It is my opinion, from more or less study given to the question, that any operator who reaches the Bering coal field, whether a private corporation or the Government, by that route will command the coal situation in Alaska on account of cheap transportation and the proximity of the coal to a good harbor. The operator who builds 25 miles of railroad over a flat, level river bottom, and can lay the ties on the grass, open up a gravel bed and ballast the road, for less than a million of dollars, as estimated by the engineers, so that it will be sufficient as a coal road, will occupy a strategic point so far as cheap coal in Alaska is concerned.

Mr. CHAMBERLAIN. But I will say that if you build a line from tidewater into the Bering River coal field you stop there because you run into the mountain. You can not build a

trunk line through that field.

Mr. POINDEXTER. But I am speaking especially of coal. If you want to get at coal only, it is necessary only to go to the coal field. Of course, that would not solve the transportation question, but it would solve the coal question.

Mr. CHAMBERLAIN. There is no question about that.

Mr. SMOOT. It would solve the coal question, and not only that but it would bring into active competition both the great coal fields of Alaska, and I think that is what the Government ought to bring about if possible.

Mr. CHAMBERLAIN. I do not think there is any question

but that under the Senator's proposed amendment it would be impossible for the Government to utilize both these coal fields.

Mr. SMOOT. There is no question about that. I agree to that perfectly. But, as I said before, if we develop one coal field and go through Alaska with one line and develop that part of the Territory, it seems to me that that is enough to begin

with, at least.

Mr. CUMMINS. Mr. President, I am in favor of a single main line to be built by the Government from the tidewater into the interior of Alaska; but I hope the Senator from Utab, who also favors that general idea, will not insist upon his amendment, for it would have precisely the effect stated by the Senator from Oregon. I think that we ought to authorize a single main line. I have an amendment, offered some days ago as a substitute for section 1, which provides that limitation, but it also has a provision in it so that if the Government should conclude to take the route from Resurrection Bay, from Seward north, then it can also build a line of railroad which could in no sense be called a line of railroad leading from the east into the interior, from the ocean to the Bering coal field. Anyway, the President will have his option to take either of these routes and still reach both these coal fields; and I am sure that when the Senator from Utah has heard my amendment read, which is printed, he will be inclined to favor it rather than his own, which really interpolates matter that is hard to assimilate in this section as it is now changed. The Senator from Utah would have to change half a dozen other places in the section

Mr. SMOOT. Mr. President, I said, if the Senator from Iowa will permit me, that if the first amendment were withdrawn I should offer the substitute, which will correct all of

the other provisions in the first section.

Mr. CUMMINS. I rose to give the reasons for my position. While I agree with the Senator from Utah with regard to the expediency or the wisdom of limiting the present authority to a single main line, I can not vote for his amendment, because I do want to give the President authority to reach both of these coal fields.

I want to say to the Senator that the amend-Mr. SMOOT. ment which will be offered by myself, if the first amendment is carried, provides that very thing, because the amendment says: And for other Government and public uses, together with such branch lines, etc.

And the branch line to which the Senator refers in his

amendment is provided for in my amendment.

Mr. CUMMINS. No. Mr. President; the Senator from Utah is wrong about that. Suppose the President were to locate the main line beginning at Resurrection Bay and running to Fairbanks, the line from Controller Bay to the Bering coal fields would not be a branch line in any sense of the word, and we would simply be cut out of all rights to reach the Bering coal fields. They would be given over practically, under those circumstances, to the owners of the Copper River & Northwestern Railroad. That would be the effect, though not intended, of

course, by the Senator from Utah.

Mr. SMOOT. In my opinion, Mr. President, they never would be given over to the Copper River Railroad, for the reason that private parties or any corporation can go into Alaska and build a line from Controller Bay up to the Bering coal fields at an expense of something like a million dollars, as the Senator from Washington [Mr. Poindexter] has stated.

It seems to me that any corporation or any private party building a railroad equipped for the purpose of handling coal and capable of delivering coal to tidewater, with an expenditure in a railroad of a million dollars, will have every advantage in the world over the Copper River Railroad Co. or any other company that might build there in any other way.

Mr. CUMMINS. I only mentioned that as an illustration.

Mr. CHAMBERIAIN. Mr. President, I desire to make a point of order.

point of order.

The VICE PRESIDENT. The Senator will state his point of

Mr. CHAMBERLAIN. I make the point of order that the Senator from Utah [Mr. Smoot] is talking beyond his time on this matter

Mr. CUMMINS. The Senator from Utah is talking in my

Mr. SMOOT. I asked the Senator from Iowa to yield to me,

Mr. CUMMINS. I yielded to the Senator from Utah. Mr. CHAMBERLAIN. Then I withdraw my point of order.

Mr. CUMMINS. I have nothing more to say with regard to the amendment offered by the Senator from Utah [Mr. Smoot]. It seems to me that if he is really in favor—and I am sure he is—of a single main line, he will not attempt to fix up this section by the interpolation of a few words in it, but will favor

the amendment which I shall presently propose.

Mr. SMOOT. To show the Senator from Iowa that I am perfectly sincere in this proposition, and that I have no pride of authorship in any way, shape, or form, I am perfectly willing now to withdraw the amendment offered by me and am perfectly willing to vote for the amendment offered by the Senator from Iowa. Mr. President, I withdraw the amendment at this

Mr. CUMMINS. I do not, however, ask the Senator to do nat. I only wanted to point out to him what I thought were the objections to his amendment, which really has the same purpose in view as the one which I have prepared.

Mr. SMOOT. I withdraw the amendment, and shall await with pleasure the amendment to be offered by the Senator from

Iowa and shall be glad to vote for it.

Mr. SUTHERLAND. Mr. President, I propose the amendment which I send to the desk, to come in after the last section of the bill which was adopted as an amendment this morning.

The VICE PRESIDENT. The amendment to the amendment

proposed by the Senator from Utah will be stated.

The SECRETARY. It is proposed to add at the end of section 8 of the bill the following proviso:

Provided, That in actions for the personal injury or death of employees the liability of the Government shall be determined by the rules and subject to the limitations respecting defenses that are provided in the case of common carriers by the act of April 22, 1908, entitled "An act relating to the liability of common carriers by railroads to their employees in certain cases."

Mr. CHAMBERLAIN. Mr. President, for the committee I am perfectly willing to accept that amendment. I think it is a

good amendment

The VICE PRESIDENT. The question is on the amendment to the amendment proposed by the Senator from Utah [Mr. SUTHERLAND].

The amendment to the amendment was agreed to.

Mr. CUMMINS. Mr. President, I now offer a substitute for section 1 of the bill.

The VICE PRESIDENT. The amendment to the amendment proposed by the Senator from Iowa will be stated.

The Secretary. In lieu of the words proposed to be inserted by the committee as section 1 it is proposed to insert the following:

following:

That the President of the United States is hereby authorized and directed to acquire for the United States, by construction, purchase, or condemnation, or partly by construction and partly by purchase or condemnation, a main line of standard-gauge railroad, with all necessary equipment, which main line shall extend from a safe and adequate harbor upon the south shore of Alaska to a point upon the navigable Yukon, Tanana, or Kuskokwim Rivers in the Alaska interior, together with such branches, feeders, sidings, switches, and spurs as he may deem necessary, and to operate the same until otherwise provided by Congress. The general route of said main line shall be designated by the President and filed in the office of the Secretary of the Interior within 60 days after the passage of this act, and the final location shall be determined by him from time to time as may be required in the progress of the work and likewise filed with the Secretary of the Interior. The designation and location within the above limits to be such a designation and location as will, in his judgment, best promote the settlement of Alaska, develop its resources, and provide adequate and suitable transportation for coal for the Army, Navy, and other Government services; of troops, arms, and munitions of war; of the mails; and for other Government and public uses.

The authority above given shall extend to the construction and acquisition in like manner of such adequate docks, wharves, and other terminal facilities as may, in his judgment, be necessary or convenient for the economical and proper use or operation of the railroad so to be constructed and acquired.

If a line of railroad now in existence shall form any part of the main line so to be acquired and operated by the United States, it shall be acquired before any other part of the line is either located or constructed; and if it is not so acquired, the location and construction shall begin at the harbor aforesaid and be carried forward toward the interior so that the United States will at all times be the owner of a continuous line from the ocean terminus.

In addition to the main line hereinbefore authorized the President of the United States is further authorized to locate, construct, and equip, if, in his judgment, it is necessary to provide an adequate supply of coal for the Army, Navy, and other Government services, another line of railroad to a point not more than 30 miles distant from a safe harbor upon the south shore of Alaska, with its necessary equipment, sidings, switches, spurs, and terminal facilities, and to operate the same until otherwise provided by Congress: Provided, however, That in executing the authority granted by this act the President shall not expend nor obligate the United States to expend more than the proceeds of the issue of bonds hereinafter authorized.

Mr. CUMMINS. Mr. President, it is due to the committee that I shall immediately say that it has adopted, in the amendments which were presented yesterday and to-day to section 1, all or the substance of all that the amendment I now propose presents, save one thing, namely, that the bill as it is now be-Senate not only authorizes, but commands, the President of the United States to locate and construct at least two main lines of railroad from tidewater to the interior of Alaska. The amendment which I have just offered by way of a substitute directs the President of the United States to acquire by construction, purchase, or condemnation—and in that respect it is just the same as the bill now stands before us—one line of railroad from the ocean to the interior, to be located by the President. It further provides for an additional line of not more than 30 miles in length. The significance of that provision lies in this, that if the President should select the route from Resurrection Bay north, the Bering coal fields could not be reached by a branch line. Therefore, in that contingency, he is authorized to locate and construct a line of road from the sea to the Bering coal fields; so that, in any event, the Government will be in touch with the fields of the Matanuska and also the Bering coal fields.

It seems to me, radical as I am-and there is no Senator who is more earnest in his desire that the Government shall build a railroad into Alaska, and there is no Senator who feels less reluctant about entering upon this new enterprise than do I; I think it is eminently fit, and I believe it will be eminently successful; I believe it will result in the welfare of all the people, and therefore I am heartily for it—that when we propose to take a step of this kind-it is the first of its character that we have taken as an independent governmental enterprise-we ought to do it with reasonable safety; we ought to confine ourselves within reasonable limits; we ought not to extend the authority that we are now conferring upon the President beyond the necessities of the situation. If our experience under the construction and operation provided for in my substitute is a happy one and is found to work well for the people of the

country, then we can give further authority. Let me now recall to Senators, and especially to the committee, just what is proposed. The commissioners appointed by President Taft went to Alaska. It is plainly evident that they believed that we ought to build two connections—one extending the Copper River and the Northwestern and the other extending the Alaska Northern. The whole distance is computed. and the \$35,611,000 originally named in this bill is just the sum which the commission reported these extensions would cost. I have no doubt that the bill grew out of these recommendations. Secretary Fisher was not in favor of these isolated stretches of railroad to be built in the interior of Alaska, as I gather from what he has said and what he has written; but, notwithstanding that, the general idea was that the interior stretches could be connected with the railroads already built. There is nothing morally wrong about that; but it seems to me to be utterly impracticable and unwise for the Government to own these

The Senate will observe that it has amended, at the suggestion of the chairman of the committee, the bill as originally reported so that now we are to have two lines of road from the sea to the interior. They will cost the full \$40,000,000 and more, in my opinion; but if we limit the construction to a single road into the interior until we can secure more experience, then we will be able to reduce the amount of the bonds authorized in the bill to \$20,000,000 or, at the most, to \$25,000,000.

separated and independent lines of road.

It is 463 miles, as I remember, from Seward to Fairbanks: it is pretty nearly the same distance from Cordova to Fairbanks; and those two lines of road, whether purchased or condemned and extended by construction, will cost all the money that we have here authorized. We ought not to do that just now; we ought to be content with a single line; and I think the cause of Alaska and the ownership and operation of railroads

there by the Government will all be furthered if we take this step with reasonable conservatism. There is a widespread dis-inclination to enter upon the enterprise, anyhow, and when we have overcome that obstacle we ought not to part with congressional authority to the extent of saying to the President, "You must build two lines," If there is any doubt about that construction of the bill before us, I should be glad to hear from those who are responsible for its language. The words are—

That the President of the United States is hereby authorized and directed to cause to be located such main lines for railroads from points on tidewater to the interior.

He can not fulfill the command of this statute without locating and constructing or purchasing at least two railroads from the Gulf of Alaska to the interior of the Territory. Why should we command the President to build two lines? We are giving him vast discretion, and we ought, at least, to give him the option to content himself at the present time with the location and construction of one line; preferably we ought to limit him to the location and construction of one line. I therefore very earnestly hope that the friends of this measure, the people who are really interested in it and who believe, as I believe, that it is a wise exercise of governmental authority, will look with favor upon the amendment which I have proposed.

Mr. JONES. Mr. President, I should like to ask the Senator a question. Does the Senator think that, under the language of the bill as now amended, it would not be complied with if the President built one line through the central part, for in-

Mr. CUMMINS. I think not.

Mr. JONES. A line from tidewater to the Bering fields would be a line to the interior, would it not?

Mr. CUMMINS. I think not.

Mr. JONES. I think it would be.

Mr. CUMMINS. The interior of Alaska, as spoken of here and as generally understood, is not that little coast that lies between the ocean and the first range of mountains,

Mr. JONES. That is not all of it, of course, but that is a part of the interior of Alaska. I believe that that is the idea which the committee had, but we used that general language that the President would be permitted to build to the Bering coal fields and then to the Tanana and the Yukon or the Kuskokwim, which we specifically name.

Mr. CUMMINS. Of course I accept what the Senator says as true, that the committee did not so intend; but there can not be any possible room for difference of opinion about the meaning of the words "interior of Alaska." Every attending circumstance shows what is meant. You are appropriating \$40,000,000, and, in my opinion, you can not spend \$40,000,000 without building two lines to the interior. If what the Senator has stated is the view of the committee, I hope it will be made much clearer than it is now. I think many Senators, anyhow, expect that the President will build two lines of road into the interior, and I certainly believe that this bill requires him to do so.

Mr. WALSH. Mr. President, the objection offered by the Senator from Iowa [Mr. CUMMINS], first in order, is really only a criticism of the language of the bill. He contends that under the language of the bill the President is compelled to construct more than one line. I do not think the bill, as its language is now, is open to any such construction. The language, "main lines," of course, would embrace one line; but it is obviously desirable to remove even any uncertainty in the language. All that the Senator desires to accomplish in that regard could be arrived at by simply inserting the words "line or," so that

the bill will read "such main line or lines."

Mr. CUMMINS. Undoubtedly, Mr. President, that would give the President discretion either to build one or more lines.

Mr. WALSH. In order to remove any just ground for criticism as to the language of the bill, I shall, when I get through with my remarks, ask that it be amended as indicated, so as to be definite in that respect.

Mr. CUMMINS. Very well. Of course the Senator understands that I think the President ought not to have the authority to build more than one line.

Mr. WALSH. Now, Mr. President, touching the matter of substance to which the Senator from Iowa addressed himself, his amendment clearly contemplates the obligation to construct a main line of railroad with its terminus at Resurrection Bay and another line from Controller Bay to the Bering River coal fields. The Senator by his amendment clearly indicates that he desires the first main line to be constructed as the principal main line of railroad, and antagonizes the construction of a main line with its terminus at Cordova, proceeding up the Copper River into the interior, and reaching the inland waterways by that route. In other words, he desires to take away from the President the discretion vested in him by this bill to select the route recommended by the commission which was charged with the inquiry into this very subject, and to substitute another route which the Senator believes from the evidence is prefer-

Mr. President, I have arrived at the same conclusion to which the Senator from Iowa has come, that the more desirable main line is that which has its terminus at Seward, on Resurrection Bay; and if I were required to exercise my judgment with reference to this matter and to make a selection now, I should undoubtedly conform to the view evidently entertained by the Senator from Iowa. I have given this matter some considerable attention; but let me remark, sir, that there has been no inquiry made by any committee of this body, nor has any evidence ever been taken on which we can proceed to a correct judgment as to which of these is the more desirable route to pursue. The committee felt that the scope of its inquiry, under the provisions of this bill, did not require them, indeed did not permit them, to go into an investigation as to which of the two routes was the more desirable. Accordingly, sir, you are asked to determine that important question in this body with-out any evidence at all that ought to guide you in the concluout any evidence at an that ought to guide you in the contri-sion at which you are to arrive, except such as was introduced incidentally to the main question as to whether or not this work should be undertaken at all. Bear in mind that the judgment of the commission is that the Copper River route is the more desirable route by which to reach the interior of Alaska.

Mr. CUMMINS. Mr. President-

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Iowa?

Mr. WALSH. I yield for a question, of course, but not for

discussion, because my time is limited.

Mr. CUMMINS. I only desire to correct a misapprehension. The Senator is quite right with regard to my opinion as to the location of the railroad into the interior, but he is wrong, I think, with regard to the effect of the bill. I think it does give the President the discretion to locate, if he pleases, the line upon the Copper River. All that he will have to do will be to build a branch from the Copper River & Northwestern Road extending over to the Matanuska coal fields, and that branch is shown upon one of the maps reported by the commission to which the Senator refers.

Mr. WALSH. Mr. President, there is no doubt in the world that under the amendment proposed by the Senator from Iowa the President could choose the Copper River route; but, if he did so, he could build no other line except a line from Controller Bay to the Bering coal fields. He could do nothing to

open up the great region of the Susitna Valley, the Kenai Peninsula, or the Kuskokwim Valley.

Mr. CUMMINS. I thought the Senator said that it would preclude the building of a branch line to the Matanuska coal fields.

Mr. WALSH. It would. Mr. CUMMINS. I think the Senator is in error there, because there could be a branch line built from the Copper River & Northwestern Road to the Matanuska coal fields just as easily, except that it is a longer line, as from the Alaska & Northern to

the Matanuska coal fields.

Mr. WALSH. Of course if you run a line up the Copper River, as a physical possibility you can extend a line anywhere from it in the Territory, but no engineer has ever suggested the idea of reaching the Matanuska coal fields from a main line that runs up the Copper River, nor has anybody contended that it would be possible to develop the Susitna Valley, eco-

nomically speaking, by means of any such line as that.

Mr. CUMMINS. The latter, of course, is obviously true, but with respect to the former I am sure the Senator is mistaken, because I have a map before me which shows the proposed line.

Mr. WALSH. However that may be, Mr. President, nobody contemplates the development of the Susitna Valley or the Matanuska coal fields through a main line that is run up the Copper River; neither is such a thing at all feasible, so far as my information goes, as a commercial or economical propo-

Let me suggest to you that one of the principal considerations that ought to have weight in the matter of selecting the terminus is military in character. The matter of military defense is exceedingly important in the selection of the terminus. The commission advanced certain reasons why they preferred the Copper River route to the other. They do not convince me, from the evidence that is before me; but let me advert to what they are.

The report tells us that Resurrection Bay, at Seward, is not at all desirable as a terminus for a route into the interior-a subject that has not had the consideration of this body at all. Concerning Resurrection Bay, they say, at page 103, as follows:

Shores and islands are high and steep, affording protection from gales from all directions, except southeast winds, and seas from this direction are broken by the islands at the entrance. These southeast winds and land winds from the north give trouble to shipping at times.

And they continue, speaking of Resurrection Bay:

The mean range of tide is about 8½ feet. The bay is always free of ice. The principal objection to the bay as a harbor results from the excessive depths of water—from 100 to 200 fathoms. The only really satisfactory anchorage is at Sunny Cove, a small bay in Renard Island, about 14 miles from the town of Seward, and only just inside the entrance to the bay. This cove furnishes an anchorage area of about a half square mile.

Then, in their conclusions, they say:

The commission is of opinion that the routes based on Skagway, Haines, Iliamna Bay, and Valdez are eliminated for the lack of high-grade coal, and those based on Katalla and Controller Bay by the present unsuitable harbor facilities, which would be remedied only by difficult and costly construction.

So it is not at all certain that you could construct proper harbor facilities at Controller Bay to make the Bering River coal available.

With these conditions confronting us, it seems to me it would be the height of folly for this body to undertake to give its adherence to one of these routes. I have invited your attention to what was said in criticism of the anchorage facilities at Res-I have invited your attention urrection Bay. No effort was made to controvert that by any testimony presented to the committee; not because it could not be controverted, for I have been informed that the conditions are no different from those at Seattle, for instance, or Tacoma; that the water is no deeper in Resurrection Bay than it is in those harbors; but we did not go into an inquiry on that subject. There is no evidence at all in the record which will in any way controvert the idea here advanced by the commission that Resurrection Bay is not desirable as a point to which this road should run, by reason of the deficiencies as a harbor.

Therefore, although I am disposed personally to believe that the western route is the more desirable, I feel that, while I have given the matter careful study, I am not possessed now of such information as would enable me to exercise a just

judgment with reference to the matter.

I should like to ask the distinguished Senator from Iowa whether he believes that he is in the possession of sufficient information, considering the military necessities and the character of the harbors themselves, to decide now that one is to be preferred rather than the other?

Mr. CUMMINS. I assume the Senator is asking me that

question for an answer? Mr. WALSH. Certainly.

Mr. CUMMINS. I very frankly say that I am not. I have an impression; the testimony I have read gives me an impression, but I would not act upon it; and this bill confides to the President the discretion that has been desired all the while. I do not at all agree with the Senator from Montana that it takes away from him the discretion to choose between these two routes, but he can not choose both.

Mr. TOWNSEND. Mr. President, I have been deprived of the privilege of listening to the discussion of this bill for the last two or three days, but I have some impressions with refer-

ence to it which I desire to mention briefly.

It has occurred to me that it is generally conceded that this is an experiment. We are first trying to decide whether it is a good thing for the Government to build and operate a railroad. We are going to decide that by this experiment. We are also going to allow the President of the United States the discretion of locating whatever lines we propose to build. It seems to me we have already, by the action of Congress, precluded the possibility of the development of Alaska through any other source than the construction of roads by the Government. Therefore, in this emergency, I am compelled to vote somewhat in the dark; but it occurs to me, in view of the amount of expense to which the Government is to be put, that we ought to go rather slowly.

While I am going to vote for this bill, I should prefer to vote for a bill to give the President permission to build one line. If this is a good thing—and those who advocate it must believe it is a good thing-they would be taking no chances by doing that, because if it develops that it is a good thing it will then be an easy matter to appropriate money for constructing other roads as they are needed. If it is not a good thing, twenty or twenty-five million dollars is about all we ought to put into such an experiment.

I hope some arrangement can be made so that the President can be authorized to construct one road. If he is authorized to

Williams

construct haif a dozen roads, he probably will build only one at once, and he will not build it before the next year. There will be plenty of time to appropriate money for more road building in Alaska after we have started upon this enterprise.

I am not going to offer any amendment, because I have none prepared. I am just discussing the matter from the broad viewpoint of the way a business man would discuss such a

proposition.

If we propose to make this a business enterprise on the part of the Government, we ought to proceed in a businesslike way. Therefore, I hope we may consider it wise to vote to authorize the construction of but one line, knowing, I say, what evidently we all do know, that if it proves good it is a very easy matter to get the rest of the road.

With the program that has been laid out by the Congress, it is worth while for the Senate to stop and consider what it is going to be called upon to appropriate money for. This is not the only thing for which we are going to appropriate millions. If it has come to be an easy thing to vote \$40,000,000 on a sort of a shotgun enterprise-maybe it will win, and maybe it will not-without regarding all the other things that we are going to be called upon to meet, then, it seems to me, we have passed beyond the line of good business.

Therefore, I express my own view upon this matter, namely, that I am going to vote for a railroad in Alaska because I believe through our policies we have practically foreclosed the opportunity of developing Alaska through any other means; and I should like to vote in an intelligent way to begin the matter as moderately as the necessities of the case require.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Iowa to the amendment of the

Mr. CUMMINS. Upon that I ask for the yeas and nays. The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). I am paired with the senior Senator from Virginia [Mr. MARTIN]. If I were at liberty to vote, I should vote "yea."

Mr. CHAMBERLAIN (when his name was called). I have a

general pair with the junior Senator from Pennsylvania [Mr. OLIVER], which I transfer to the senior Senator from South Carolina [Mr. TILLMAN] and will vote. I vote "nay."

Mr. CHII/TON (when his name was called). Making the same announcement that I did upon the former vote, as to my

pair and its transfer, I will vote "nay."

Mr. CHAMBERLAIN (when Mr. CLapp's name was called).

The junior Senator from Minnesota [Mr. CLapp] is paired with the junior Senator from South Carolina [Mr. SMITH].

Mr. OVERMAN (when his name was called). I have a pair with the senior Senator from Illinois [Mr. Sherman], and with-

hold my vote.

Mr. OVERMAN (when the name of Mr. Smith of South Carolina was called). I again announce that the junior Senator from South Carolina [Mr. Smith] is unavoidably detained from the Chamber. He is paired with the junior Senator from Minnesota [Mr. CLAPP].

Mr. SUTHERLAND (when his name was called). Repeating my announcement respecting the disposition of my pair, I will

wote. I vote "yea."

Mr. WARREN (when his name was called). I again announce my pair with the senior Senator from Florida [Mr. FLETCHER !.

The roll call was concluded.

Mr. GALLINGER. I am paired with the junior Senator from New York [Mr. O'GORMAN]. I transfer that pair to the junior Senator from Maine [Mr. Burleigh] and will vote. I vote

Mr. SHAFROTH. I wish to announce that my colleague [Mr. Thomas] is necessarily absent from the Senate to-day. If he were present, he would vote "nay."

Mr. SMOOT. I desire to announce that the senior Senator from Delaware [Mr. DU PONT] is detained from the Senate on business. He is paired with the senior Senator from Texas [Mr. CULBERSON].

Mr. DILLINGHAM. I desire to announce the necessary absence from the Senate of my colleague [Mr. Page], and to say that he is paired with the junior Senator from Virginia [Mr.

Swanson]. I desire this announcement to stand for the day.

Mr. BURTON. I am paired with the senior Senator from Colorado [Mr. Thomas], and in his absence withhold my vote.

If I were at liberty to vote, I should vote "yea."

Mr. WALSH. I am paired with the senior Senator from Rhode Island [Mr. Lippitt], but my pair does not extend to amendments to the bill, and I therefore vote "nay."

Mr. MARTINE of New Jersey. I desire to announce a pair between my colleague [Mr. Hughes] and the junior Senator from New Mexico [Mr. CATRON].

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. Shively]. He is paired with the junior Senator from West Virginia [Mr. Goff].

The result was announced-yeas 24, nays 35, as follows:

YEAS-24. Bacon Bankhead Bradley Brady Clark, Wyo. Cummins Dillingham McCumber Nelson Perkins Poindexter Smoot *
Stephenson
Sterling
Sutherland Fall Gallinger Gronna Root Smith, Mich. Kenyon Lodge NAYS-35 Newlands Shields Bristow Johnson Jones Kern Pittman Simmons Smith, Md. Bryan Chamberlain Chilton Pomerene Ransdell Stone Thompson Vardaman Walsh Ranster Reed Robinson Saulsbury N. J. Shafroth Sheppard NOT VOTING—36. Lane Lea McLean Martine, N. J. Colt Gore Hitchcock Hollis Works Myers Norris
O'Gorman
Oliver
Overman
Owen
Page
Penrose
Sherman
Shively Smith, Ariz. Smith, Ga. Smith, S. C. du Pont Brandegee Burleigh Burton Catron Fletcher Goff Hughes Jackson La Follette Lewis Lippitt Martin, Va. Swanson Thomas Thornton Tillman Warren Clapp Clarke, Ark. Crawford Culberson

So Mr. CUMMINS's amendment to the amendment of the com-

mittee was rejected.

Mr. POINDEXTER obtained the floor.

Mr. WALSH. Will the Senator from Washington yield until
I offer an amendment intended to cover the very matter we have had under consideration?

Mr. POINDEXTER. I yield for a committee amendment. Mr. POINDEXTER. I yield for a committee amendment.

Mr. WALSH. I offer the following amendment: After the word "main," in line 5, page 8, insert the words "line or"; and after the word "from," on line 6, insert the words "a point or."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The Secretary. On page 8, line 5, after the word "main" and before the word "lines," it is proposed to insert the words "line or"; and on line 6, after the word "from," it is proposed to insert the words "a point or"; so that it will read, if amended:

Such main line or lines for railroads from a point or points on tide-

The amendment to the amendment was agreed to.

Mr. POINDEXTER. I offer the amendment which I send to the desk

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to add a new section, to be known as section 9, and to read as follows:

The Secretary. At the end of the bill it is proposed to add a new section, to be known as section 9, and to read as follows:

The President is further empowered, authorized, and directed to cause to be reserved from private appropriation or lease in such tracts and locations as he shall determine one-half of the coal lands and coal deposits in Alaska owned by the United States, including at least, as near as can be estimated, one-half of the high-grade coal (and no coal lands or coal deposits whatsoever in Alaska shall hereafter be disposed of except by lease, as hereinafter provided, and in any public lands hereafter alienated by the United States in Alaska there shall be reserved to the United States title to all coal deposits therein); and he is further authorized, empowered, and directed to cause coal mines to be opened and equipped on the public lands in Alaska so reserved, and to provide for the transportation, distribution, and sale of the products of the same to the Government railroad or railroads, to the United States Army and Navy, and other Government services, and to consumers of coal in Alaska or in the Pacific Coats States.

Any coal lands not reserved as herein provided may be leased by the President to private parties for coal-mining purposes, all leases being subject to the following conditions which shall also apply to the Government mining service, and any lease being revocable upon breach of any such condition.

The minimum wage paid any class of labor employed in mining operations on lands so leased shall be not less than the average wage paid for that class of labor by other employers under equivalent conditions to be determined by the President; the hours of labor of all persons employed shall not exceed 48 per week, save in emergencies wherein life or property is in imminent danger; no person under the ago of 16 years shall be employed; the President; the hours of labor of all persons employed shall not exceed 48 per week, save in emergencies wherein life or property is in imminent dang

any of the lands or deposits leased under the provisions of this act shall be subleased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever so that they form part of or in any way effect an combination or are in an wise controlled by any combination in the form of an unlawful trust, or form the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, or of any holding of such lands by any individual, partnership, association, corporation, or control, in excess of 2,560 acres in the Territory of Alaska, the lease thereof shall be canceled, and said individual, partnership, association, or corporation shall forfeit the right thereafter of obtaining lands under lease under the provisions of this act.

The term "lessee" as used in this act shall refer to any person, firm, or corporation representing a single, independent interest, to whom coal land is leased under the provisions of this act.

Mr. POINDEXTER. Mr. President, it is perfectly evident.

Mr. POINDEXTER. Mr. President, it is perfectly evident, I think, that the enterprise provided for in this bill will soon have to be undertaken by the President; that this bill, in a very short time, will become a law; and that the President, and the agents he may select, will have the responsibility of carrying out an enterprise second only in its magnitude to the Panama Canal.

The first problem with which the administration will be confronted in the execution of this great enterprise will be the transportation to Alaska of vast quantities of material, supmachinery, and employees; so that the first need the administration will have in the execution of the bill about to become a law will be a ship service from some port in the United States, or a number of ports in the United States, to the scene of the construction of this railroad. That matter, however, has been already voted upon by the Senate, and it is unnecessary and useless to discuss it or to submit it further.

Mr. President, it seems to me, looking at this matter from a practical and business standpoint, that the next great need which the Government will have in executing this enterprise will be a supply of fuel, an adequate supply of coal of good quality for the operation of its engines, the running of its steam shovels, and for the operation of its ships if it should, as I believe it will, although it is not incorporated in this bill, establish a line of ships for the operation of its trade. On the very scene of the work there is an ample supply of this coal. A great deal of controversy has occupied the attention of Congress as to its quality. Suffice it to say here that the Geological Survey has reported the quality of the coal to be superior to that of Pocahontas, and that it averages in fixed carbon 78 per cent on 36 analyses of the semibituminous coal of the Bering River field, and that there is an unlimited supply of it.

In order to execute the power conferred by this bill it is perfectly evident that the administration ought to have the authority which will enable it to plan its execution with a view of doing it economically, and in order to enable it to do that there should be passed as a part of the bill itself the clauses which I have submitted here by way of amendment, or other clauses which would give the administration the discretion, at least, of opening these coal mines and using this coal, not only for the execution of its work but for the use of the Navy and the Army of the United States on the Pacific coast, thus enabling the Government to save \$500,000 every year now expended out of the Treasury of the United States for coal which is brought from the Atlantic coast or from Australia. But further and more important than that is this great need that has been discussed at so much length, called the "opening" of Alaska, which should be provided for, not at some time hereafter but as a part of the Government's activities in Alaska under this bill.

Something was said here yesterday of a comparison of the proposed work of the Government in Alaska, and the proposed expenditure of public money under this bill with moneys which have been expended in the control of the floods—the protection of lands from destruction by the Mississippi River. The Senator from Mississippi [Mr. WILLIAMS] undertook to draw a distinc-The Senator tion between the expenditure of money for the Mississippi River and the expenditure of money as proposed under this bill. The inquiry would be still more pertinent should the bill be extended to include the opening of coal mines, as, in my judgment, The Senator from Mississippi said that money was expended upon the Mississippi River under the authority of the Government to control a navigable stream. That is true, but it is known to every one that the millions which have been spent upon the levees of the Mississippi, while spent under that jurisdiction, under that authority, for the controlling of a navigable stream, was not spent for the purpose of improving navigation in the Mississippi River. Money has been spent at the mouth of the Mississippi River in the construction of jetties for the improvement of navigation, but there is plenty of water at all times in the lower Mississippi for navigation, and particularly is there plenty of water there when the Mississippi is in flood—for the control and protection from which these millions have

been expended. That money was expended because it concerned the protection of a great area of the country, including several States, from the destruction of its land and farming equipment by the flood waters of a navigable stream.

It is not the property of the United States in the greater part, as I hear the Senator from Mississippi say. is subject to the control of the United States, but the property which this money was spent to protect was private property.

There is no question about the authority of the Government to open coal mines upon the Government lands in Alaska.

Mr. WILLIAMS. If the Senator will yield to me for just one second, since he has referred to me, I will state that the Mississippi River is the property of the United States. Neither a State nor a county nor a town can enter upon it in the slightest degree without a license from the United States Government. The question there is whether the property of the United States shall be permitted to destroy my property or whether the United States Government shall prevent it from depredating

dpon my property.

Mr. POINDEXTER. It is spent, Mr. President, for the purpose of protecting private property. Control of a public navigable stream is the power, as I said before, under which the Government acts. But the Senator from Mississippi can not escape from the proposition that these millions have been spent for the protection of private property. Everything that is proposed in this bill or in the amendment that I have offered is far more in the interest of the general public and far more of national concern than anything which is accomplished by the levee system on the Mississippi River, great as that is, though I am in favor of a continuation of that work, as we all are.

In the limited time which I have, Mr. President, I wish to add only a few words. I want to say that the assumption which seems to be general that there must needs be spent \$40,000,000 under this bill is an unwarranted assumption. So far as the coal question in Alaska is concerned and so far as transportation is concerned, as it affects the coal question, it can be disposed of under the authority contained in the bill and the amendment which I have just offered for a comparatively small sum of money—I think some \$5,000,000—for the construction of a railroad into the Bering River coal field, with such terminal facilities as may be required for it, and the taking out coal in suffi-cient quantities to supply the naval needs, at least, in the Pacific Ocean. I believe that a general system of transportation which would connect the great navigable Yukon, with its 2,000 miles of navigable water, with the south coast of Alaska can be completed for less than \$20,000,000, one-half of what is authorized by this bill.

I wish to add, Mr. President, that the purposes of the bill are not financial returns for the Government, and that they far transcend in importance to the people any financial losses which the Government might suffer, should it suffer any, through the enterprises proposed by the bill. The opening of the coal mines of that country—not Government monopoly, but Government competition, as a regulator to prevent private monopoly—is a necessary part of the plan to "open up" Alaska in such a way that the entire people and not a single syndicate will get the fruits of opening it up.

The ultimate purpose of this bill, and its greatest purpose, is to free Alaska. It is to make it free. If Alaska should be left to private enterprise, either as to its coal or as to its transportation, it would be developed, but it would not be a free country. It would be as completely tributary to the barons, as they are called, of transportation and of private coal monopoly as any mediæval tenant was ever subject to the rule of his overlord. Industrial and commercial monopoly produces as abject servitude as any military power ever has or ever

possibly could produce.

I have seen, under the conditions which have heretofore prevalled in Alaska—and which this bill and this amendment in another aspect of the case are intended to remedy—the functions of Government used to fasten upon the people, not only that sort of industrial and commercial subjection to which I have referred, but political degradation as well.

The VICE PRESIDENT. The Senator's time has expired. Mr. McLEAN. Mr. President, there may be great merit in the amendment which has just been offered by the Senator from Washington [Mr. POINDEXTER], but if it is adopted I shall have to vote against the bill. We have discussed several amendments which, I think, if adopted would compel me to vote against the bill, and I intend to vote for it if it is not loaded When this gun goes off, I want the charge to go out of the muzzle; I do not want it to blow up. There are dangers connected with such incidents.

Mr. President, I had no intention to discuss this measure, but while I am on my feet I will add that, as a member of the

committee, I voted in favor of this proposition. I am not particularly infatuated with it, neither am I very much afraid of it.

It appeared to me very early in the hearings, and they continued for some time, that we must do something. We have here a Territory as large as England, Germany, France, and Spain combined, very rich in minerals. In climate and in agri-cultural conditions it is not unlike a full third of Russia and all of Norway and Sweden, and with the coal that is there and an electro-hydraulic power that is possibly unsurpassed in any nation or any country, it seemed to me that in the course of time, in 25 years, perhaps 50 years, Alaska might be as good

a spot to live on as almost any other.

We paid \$7.200,000 for Alaska. We would not sell it for a thousand times that sum. We could sell it under the hammer for billions of dollars. But it is ours; it must remain ours. We have locked it up; there is no question about that; and we must unlock it sooner or later; it seems to me the sooner the better to the credit of all concerned. This is the only way that we can unlock it that I have heard of, and I have given the matter some attention.

When this road is built, some intelligent scheme for the development of Alaska must result, as it seems to me, and this is the only possible way. If I understand the temper of the people of this country, they will never consent to the purchase and exploitation of Alaska by a few citizens at their own price.

There have been criticisms suggested which certainly have weight. It is paternalism. There is no difference in principle between the Government ownership of a railroad in Alaska and the Government ownership of a post office in New York. But it is not the difference in principle, it is the difference in results; and that is all the difference in the world. Paternalism is the father of economic liberty, and the creator can destroy the creature at any time he wishes. We can use the Government much as we use water. We can use it to sustain life and produce strength or we can drown ourselves in it. When the majority of the people of this country lose their reason and are intent upon suicide, paternalism will be as handy and effective an instrument as can be used under the circumstances.

But I do not feel like taking counsel of my fears in a matter of this kind. It is an experiment. We have precedents for it; many of them, I think. If Uncle Sam burns his finger, the experiment will not be altogether unprofitable. If it is a success, then all is well that ends well.

The Senator from Georgia [Mr. SMITH] did urge one objection, to the effect that we are giving the President too much discretion. He did not consider it to be an Executive function.

It seems to me, Mr. President, that Congress can not be in worse business than laying out and building railroads. seems to me to be purely an Executive function, and I have no doubt the present Executive will enjoy the digression. Of course, he must depend upon the geologist and the engineer.

I would not consent that the bill should be reported out of

the committee until there was a limitation put upon the mileage and upon the expenditures, but within those limits it seemed to me much wiser to give to the Executive all the discretion that was necessary to choose the best. He will be governed by no other motive; there is no question about that; and his advantage will be much better than any Congress could have under the circumstances, as it seems to me.

So I have considered the matter conscientiously. As I said, I have some misgiving with regard to it, and yet it seems to me that I can not vote to continue the dog-in-the-manger states-manship that has been applied to Alaska. I do not believe it is

I have no sort of fear that the investment will result in money loss to the United States. We own the whole country. It is worth billions of dollars. This is a mere loan, and it appears to me that it is not very courageous to hesitate now to put into that country the only wedge which will ever open it up. We have delayed it altogether too long, and, Mr. President, I fear I am talking too long, but I sincerely hope that the amendment offered by the Senator from Washington [Mr. POINDEXTER] will not be adopted, nor any other of these extreme measures. There may be great merit in it, and I do not say that, as an inde-pendent measure, I might not consider it favorably; but it contains too much. Certainly a measure of that importance ought to be printed, and the Senate ought to have an opportunity to examine and consider it.

Mr. POINDEXTER. I want to say that the amendment has been printed for a long time, both in the Congressional Record and as an amendment, and has been distributed among Senators, not separately, as stated here, but as part of the substitute which I offered.

my attention called to the amendment; but I wish to say with regard to a matter so inclusive, so very important as this, and also the proposed addition of the navigation lines, that it is unwise to press them at the present time. Let us build this railroad; and when that is built, let us hope that we can then intelligently do the rest of the work. I do not believe that we can do so until we have had that experience.

Mr. WILLIAMS. Mr. President, somehow I can not find it in my mind to justify myself in burning my fingers solely to acquire knowledge of how it feels to burn the fingers. It seems to me that, when I see a fire and know it is a fire I have learned enough already not to put my fingers into it. There is no use doing it. It seems to me when the world has acquired the amount of knowledge that it has acquired about State socialism there is no use burning your fingers with State socialism any more. It is not any new thing; it is quite old. About the first experiment upon the American Continent was down about Jamestown, or "Jeemstown," as they used to call it in those days. It was something of that sort.

I rise now for the purpose of saying that I am in favor of the amendment offered by the Senator from Washington [Mr. POINDEXTER]. I am in favor of it because it is the only thing we have seen here that opens up any part of Alaska. It does open up half of it anyhow. The Senator says that one-half of it shall be opened up, although he seems to be awfully afraid of private enterprise, as if it were some chimera, a dire, dark, and destructive agency of hades fire. I am not at all afraid of it. I have seen Great Britain, Canada, Australia, the United States, Cape Colony, and all the balance of the English-speaking world prosper by private enterprise. We have arrived at a state of affairs in the United States when, either under Republican administration or Democratic administration, we have a comparatively highly civilized, well-informed, well-educated, and prosperous people.

The Senator says that if we open up Alaska to private enterprise it will all be monopolized, and all that. The United States has opened up to private enterprise, and it has not yet been monopolized; Canada has opened up to private enterprise, and it has not yet been monopolized; Cape Colony, with the exception of the diamond fields, perhaps, has not yet been monopolized. The most democratic part of the world is New Zealand, and it has not yet been monopolized. Private enter-prise has done tolerably well. Under the guidance of God, whose main instrumentality for the improvement of the world is the common conscience and the common sense of the common

man, it is getting along tolerably well.

But notwithstanding the Senator's political theories, of which I do not approve, I am in favor of his amendment, because his amendment does open up one-half of Alaska at any rate, Moreover, it limits the amount to 2,568 acres, which any coalmining corporation, a person natural or artificial, may acquire. It moreover provides that they shall be worked upon leasings and not in fee simple, and that any reselling of it shall operate as a forfeiture of the grant. It prevents monopolization and at the same time, as I have said, it opens up a fraction of Alaska. It amuses a man now and then to see the Senator from Kansas, the Senator from Iowa, the Senator from Idaho, and the Senator from Mississippi being scared to death about private enterprise, when we not only sold to individuals out there but gave them a certain amount of land and other things, so that they could go along and build up their fortunes as best they might.

That is not all. I notice that the Senator's amendment, in its present shape, leaves out steamships as a part of the things to be built and operated by the United States Government, though in its original form it included those. Thank God for that much relief from State socialism. I think it may be that we can welcome the amendment on account of its self-modification, you might say, or welcome the Senator because of his selfimprovement, from the day he introduced the amendment down to now; but I really think the amendment is an improvement There is a part of the amendment that goes pretty far. I have not the amendment before me, but as I recall it states that you are to fix the minimum of wages and that you are to fix the number of hours of labor, and all that. If you are going into this sort of thing at all, I say fix the minimum of wages and fix the number of hours of labor and let us be consistent. I think the Senator from Washington, while he was about it, was very wise when he undertook to go "plumb to the limit," as the darkies say in Mississippi. Mr. BORAH. I desire to ask the Senator from Mississippi a

which I offered.

Mr. McLEAN. I absolve the Senator from Washington, of course, from any laches on that score. I had not, however, had amendment "opens up half of Alaska." I am asking really for

information, because I do not understand what the Senator has reference to in his expression "opens up half of Alaska."

Mr. WILLIAMS. The amendment says that one-half shall be reserved, and it is all reserved now; so that opens up the other half. [Laughter.] The amendment reads:

The President is further empowered, authorized, and directed to cause to be reserved from private appropriation or lease, in such tracts and locations as he shall determine, one-half of the coal lands and coal deposits in Alaska owned by the United States, including at least, as near as can be estimated, one-half of the high-grade coal.

At present it is all reserved; so that opens up one-half, any-We have got something, then, for which we can be thankful-that is, we people who believe somewhat in private enter-

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Washington to the committee amendment.

Mr. BORAH. I want to ask the Senator from Washington a question before the vote is taken. I do not yet understand what the effect of this statement is, that it opens up one-half of the District of Alaska.

Mr. POINDEXTER. As a matter of fact, it will have the effect of making the entire coal area of Alaska available for development. There is a reservation of one-half the coal land provided for in the amendment, upon which one-half the Government shall open the coal mines. It reserves one-half.

Mr. WILLIAMS. The other half of it is open to allotment

to the extent of 2,568 acres.

Mr. POINDEXTER. The other half may be acquired under terms, which I consider favorable terms, by private individuals, it being contemplated that private individuals can compete with the Government mines, as I believe they can compete, and as they are competing and have been competing for a number of years in New Zealand. The Government railroad will give the same service to the private operators that it gives to itself. In that respect it will be different from the privately owned railroads in the coal fields of the Atlantic coast, which discriminate between operators and favor their own mines over others.

Mr. BORAH. Mr. President—
Mr. POINDEXTER. Just one more word, if the Senator will pardon me. The amendment provides against monopoly by a Government mine as a competitor, which will be far superior to any prohibition of monopoly which can be framed into lan-The law at present prohibits in the plainest terms a railroad in this country from owning a coal mine, but the coal-carrying railroads do own coal mines and operate them and are yet within the law, so we have the paradoxical situation of the railroads violating the law and yet being within it.

Mr. BORAH. One further question, Mr. President. Does the amendment of the Senator make any provision in regard to

leasing the proposed railroad?

POINDEXTER. It does not. There is no reference to the railroad in the amendment which I have offered. It simply deals with the question of coal lands and Government coal

Mr. BORAH. Then it is not the original amendment which the Senator offered?

Mr. POINDEXTER. It is only a portion of the original amendment.

Mr. BORAH. I was quite in favor of the original amendment until I heard the argument of the Senator from Mississippi [Mr. Williams], when I became a little uneasy, knowing how he feels toward this bill.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Washington to the amendment reported by the committee. [Putting the question.] By the sound the "noes" seem to have it.

Mr. POINDEXTER. I ask for the yeas and nays.

The yeas and nays were not ordered.

VICE PRESIDENT. The "noes" have it; and the amendment to the amendment is rejected.

Mr. CHAMBERLAIN. Mr. President, there is one remaining amendment which I thought I had offered. I now desire to offer it for the committee.

The VICE PRESIDENT. It will be stated.

The SECRETARY. On page 8, line 16, after the word "railroads," it is proposed to amend the amendment by inserting "not exceeding in the aggregate one thousand miles."

The VICE PRESIDENT. The amendment to the amendment

is agreed to, without objection.

Mr. SMOOT. I offer an amendment to follow the amendment offered by the committee this morning, on line 5, page 9, of the bill.

The VICE PRESIDENT. The amendment to the committee amendment will be stated.

The Secretary. On page 9, line 5, following the amendment agreed to, after the word "work," it is proposed to insert:

Provided, That any engineer, other than engineers of the United States Army, employed by authority hereby given, and whose salary shall exceed the sum of \$3,000 per annum, shall be appointed by the President, by and with the advice and consent of the Senate.

Mr. SMOOT. Mr. President, in explanation of the amendment, I wish to say that the provisions of the bill as they now stand authorize the President to employ any number of engineers in civil life. There is no restriction as to salary and no restriction as to their number. The amendment I offer simply provides that any engineer, other than the engineers of the United States Army, employed under the authority granted by this bill, and whose salary shall exceed the sum of \$3,000 per annum, shall be appointed by the President, by and with the advice and consent of the Senate. I believe that the Senator having the bill in charge ought to accept that amendment.

Mr. CHAMBERLAIN. I did not hear the amendment, if the

Senator please, my attention being diverted at the time.

Mr. SMOOT. The amendment reads:

That any engineer, other than engineers of the United States Army, employed by authority hereby given, and whose salary shall exceed the sum of \$3.000 per annum, shall be appointed by the President, by and with the advice and consent of the Senate.

Mr. CHAMBERLAIN. Mr. President, I do not think it is well to insert that in the bill. I do not see why we should make a distinction as to one class of engineers to be appointed which does not apply to the others.

Mr. SMOOT. The other class of engineers are engineers of the United States Army. The amendment only applies to engineers in civil life. The bill places no limit whatever upon the power of the President to employ any number; and it does seem to me that, as the bill authorizes the President to employ any number, the least we can do is to provide that the appointments shall be confirmed by the Senate.

Mr. CHAMBERLAIN, Mr. President, I am very anxious to get this bill disposed of, and, if it will hasten action upon the

bill, I am willing to accept the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Utah, to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. POINDEXTER. Mr. President, I call up the amendment of which I gave notice some days ago, and which has been lying on the table since. The amendment has been printed. I now offer it and ask that it be submitted to the Senate. I shall not speak on it, but I should like to have it put to a vote.

The VICE PRESIDENT. Does the Senator desire to have the amendment to the committee amendment read?

Mr. POINDEXTER. I should like to have it printed in the RECORD; I will not ask that it be read.

The VICE PRESIDENT. In the absence of objection, the amendment will be printed in the RECORD.

The amendment to the committee substitute offered by Mr. POINDEXTER is as follows:

Poindexter is as follows:

Strike out all after the enacting clause and insert the following:

"That the President of the United States is hereby empowered, authorized, and directed to construct, acquire, establish, and equip such system of transportation in the Territory of Alaska, including rall and water transportation, on such routes and between such points as in his judgment shall best tend to meet the transportation needs of that Territory and to develop its resources; such system of transportation, however, shall include a well-constructed and thoroughly equipped railroad from some available harbor on the south coast of Alaska to some point on the Yukon or Tanana Rivers from which continuous navigation may be had to the month of the same; and he is further empowered, authorized, and directed to establish such lines of freight and passenger boats as he may determine connecting the ocean terminus of said Alaska transportation system and such other Alaska points as may be available, in his discretion, with the city of Seattle and such other Pacific coast ports as he may determine.

"Sec. 2. That the President is further authorized, empowered, and directed to cause to be opened and equipped on the public lands in Alaska reserved as hereinafter provided such coal mines as may be necessary to comply with the terms of this act, and to provide for the transportation, distribution, and sale of the proceeds of same as provided in this act.

"Sec. 3. That the President is further empowered, authorized, and di-

tion, distribution, and sale of the proceeds of same as provided in this act.

"Sec. 3. That the President is further empowered, authorized, and directed to operate said transportation system, including railroads and boat lines, and all the accessories thereof, and to operate said coal mines and dispose of the product thereof by means of the agencies of the transportation and mining services herein provided.

"Sec. 4. That the President is hereby authorized to appoint and to remove the same at will such agent or agents as in his discretion may be required in the execution of the powers and duties conferred upon him by this act, to fix their compensation, and to confer on them any powers necessary for execution of his duties as herein provided. In all causes of action or special proceedings in law or equity arising from the work, authority, or enterprises herein provided the President may sue or be sued in the name of the Alaska National Utilities, and service therein may be had on any agent of the President engaged therein.

"Sec. 5. That the President shall cause to be reserved from private appropriation or lease in such tracts and locations as he shall determine one-half of the coal lands and coal deposits in Alaska owned by the United States, including at least, as near as can be estimated, one-half of the high-grade coal. No coal lands or coal deposits whatso-

ever in Alaska shall hereafter be disposed of except by lease, as hereinafter provided; and in any public lands hereafter alienated by the United States in Alaska there shall be reserved to the United States title to all coal deposits therein.

"The President is hereby empowered, authorized, and directed to reserve from the public domain in Alaska any lands, easements, rights of way, or other property necessary for the purposes of this act, including any water terminals and any waters for navigation, power, or other uses, together with the lands necessary for utilization thereof; to purchase, construct, or acquire such transportation facilities in Alaska, and to establish such coal-distributing stations there, or in the Pacific ports of the United States, and to acquire property, real or personal, as may be necessary for the purposes of this act; to exercise the power of eminent domain in acquiring property for such use, which use is hereby declared to be a public use, by condemnation in the courts of competent jurisdiction (but any property so obtained by purchase or condemnation shall be paid for on the basis of the actual physical value thereof); and to exercise all the powers granted to railroad companies under and by virtue of the act of Congress entitled 'An act extending the homestead laws and providing for right of way for railroads in the District of Alaska, and for other purposes, approved May 14, 1898.

"The term 'transportation facilities' as useed in this act shall include any or all portions of steam or electric railway lines, together with rolling stock and all equipment; telegraph and telephone lines; express service; canals; wharves, docks, bridges, or other terminal facilities; ocean or river vessels suitable for carrying coal or other freight or passengers, and which may be used as colliers or transports in time of war; and all buildings, plant, and equipment necessary for utilizing such facilities.

"The term 'coal-distributing station' as used in this act shall include any bunkers, elevator

"The term 'coal-distributing' station' as used in this act shall include any bunkers, elevators, stores, or other buildings, plant, or equipment eccessary for the storage, sale, or distribution of coal to consumers."

"Any existing railway connecting with any line of railway constructed under this act shall be operated in connection with the new line as a through route, with through fares and rates upon a reasonable apportionment of revenues and expenses, to be determined by the President.

"Sec. 6. That the President or his agents are hereby authorized, for the purposes of this act, to enter into such contracts and to employ such persons as may be necessary, and, consistently with the provisions of sections 10 and 13 of this act, to fix their duties, powers, and compensations: Provided, That the President shall cause to be formulated suitable regulations, consistent with the civil-service law to govern this act, the Geological Survey, or in any other Government department. "Any the Geological Survey, or in any other Government department." "Any the Geological Survey, or in any other Government department. "Any tools, equipment, or other property belonging to the United States used in constructing the Isthmian Canal, or elsewhere, and no longer needed for such purpose, may be transferred to Alaska and used for the purposes of this act.

"The President shall employ a force of inspectors to insure the execution of his orders, rules, and regulations.

"Sec. 7. That the construction of plants, as distinguished from the operation thereof, shall be conducted under the immediate direction of the President or of his agents, and upon the completion of such portions shall be turned over to, and the operation thereof shall thereafter be conducted by, two services to be known, respectively, as the Alaska transportation service and the Alaska mining service; and the term 'services,' to the transportation and mining service; and the form service and the Alaska mining service; and the form service and the Alaska mining servic

total annual debit account of the appropriate sector and the repeats thereafter.

"Sec. 10. That the President shall fix, and from time to time readjust, the minimum wages and salaries and the maximum prices to be paid or charged by the services. The minimum hourly wage paid any class of labor shall be not less than the average wage paid that class of labor by other employers under conditions equivalent to those prevailing in the respective services; the maximum price charged for any class of transportation shall be not greater than will pay a reasonable net profit on operation and a reasonable interest on the actual physical valuation of the properties involved, the same to be determined by the President; the maximum price charged for coal shall be not greater than will pay a reasonable profit on operations to be determined by the President, transportation, distribution, and rental

value of lands to be included in cost of operation. The President may confer the power of fixing minimum wages and maximum prices upon an agent or agents appointed by him as provided in section 4, but such power shall not be redelegated, and nothing in this act shall be construed as allowing any other person or body to fix said minimum wages or maximum prices.

"If, in either service, in any fiscal year, the total credit account shall exceed the total debit account the difference shall be charged to a dividend fund to be divided between the operatives in and the purchasers of service or products from said service, the share assigned to the operatives to be determined by the President, but not to be less than one-half the dividend fund. The share of the dividend fund assigned to the operatives in any fiscal year shall be distributed among them in such manner that each operative shall receive an amount proportional to the wages or salary previously receivable by him during said year, and the share assigned to the precise of the sums paid by each of them for service or products during said year.

"The operatives in either service for any fiscal year shall comprise all persons who have been employed in said service during any portion of said year, including the chief thereof.

"SEC. 11. That the President may in his discretion require that the mining service shall give preference in the sale of its coal output, so far as practicable, to certain classes of consumers in the following order: First, the transportation service; second, the United States Navy and other Government services; third, schools and other public institutions, including municipalities; fourth, domestic users of coal or ultimate consumers; fifth, bona fide cooperative associations dealing with ultimate consumers; sixth, commercial retailers; seventh, whole-salers; eighth, manufacturers and all other purchasers.

"The term 'cooperative association' as used in this act shall mean any association of ultimate consumers, not organized for commercial pr

by the total number of lessees; but this provision shall not be construed to require the abandonment or reduction of any mining operations whatsoever.

"The coal land leased to any one lessee shall constitute a contiguous tract, having an area or coal content estimated to be sufficient to form an efficient working unit, but shall not include more than 2.560 acres; no lease shall run for more than 50 years; no coal land shall be subleased nor in any way whatsoever used for speculative purposes, and if any of the lands or deposits leased under the provisions of this act shall be subleased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever so that they form part of or in any way effect any combination or are in anywise controlled by any combination in the form of an unlawful trust, or form the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, or of any holding of such lands by any individual, partnership, association, corporation, or corporation shall forfeit the right thereafter of obtaining lands under lease under the provisions of this act.

"The term 'lessee' as used in this act shall refer to any person, firm, or corporation representing a single, independent interest, to whom coal land is leased under the provisions of this act.

"All coal land leased to private parties shall be at such uniform charge per acre per annum as to be sufficient only to render unprofitable the holding of such land without production, said charge to be fixed and from time to time readjusted by the President, and an equivalent charge per acre per annum shall be collected from the mining service, the receipts from all such charges to be paid into the school and road fund of the Territory of Alaska, to be expended under the direction of the legislature.

"Sec. 13. That all enterprises provided for in this act shall be governed by further provisions as stated in this section. The term 'enterprise' as used in t

"The wages or salaries of all persons employed in any enterprise provided for in this act shall be paid at intervals not greater than two

weeks.

"No person under the age of 16 years shall be employed for any purpose whatsoever in any enterprise herein provided for.

"The relation of the mining service to the transportation service as a shipper shall be identical with that of any other shipper; and the relation of the transportation service to the mining service as a purchaser of coal shall be, except as to the preference given in section 11, identical with that of any other purchaser.

"Sec. 14. That the President shall make all necessary rules and regulations—

"To insure the safety of operatives employed in the enterprises pro-

regulations—
"To insure the safety of operatives employed in the enterprises provided for in this act.
"To insure the safety of passengers in the transportation service.
"To provide for detailed reports upon all accidents or occupational diseases occurring in any enterprise.
"To provide for just and reasonable compensation to all operatives in any enterprise, or to their dependents, who may be injured or killed or who may contract any occupational disease in the course of their work.

"To provide a system of insurance of operatives employed in all enterprises under this act in cases of sickness, injury, or death, and for this purpose the employees of all lessees, or of all enterprises taken together, may be included in any single system of insurance.

"To provide for an adequate system of sanitation, housing, and general living conditions for the operatives engaged in any enterprise under

"To prevent unnecessary waste of coal in mining by the mining service or by any lessee.

"To prevent any adulteration whatsoever of coal sold by the mining

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"To prevent any adulteration whatsoever of coal sold by the mining service or any lessee.

"To provide for suitable and just fines to be imposed upon either service or any lessee as penalties for specific breaches of rules or conditions of lesse.

"To provide for the sale of any surplus water or electric power giving preference to ultimate consumers or municipalities) developed in connection with the operations of either service.

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"To previde for the sale of any surplus water or electric power figure and coal at the lowest price consistent with the maintenance of the welfare of all operatives at a high level, the stimulation of efficient service, and the maximum and at the same time most economical utilization of the fuel and other natural resources of Alaska.

"The President, in performing his duties under this act, may consult with and consider suggestions from any coal-land lessee, any advisory board, association, or body representing the citizens of any community in Alaska, the operatives in either service, or of any lessee or any other assemblage of persons affected by the aforesald rules, regulations, or policies.

"Sec. 15. That the President of the United States, or the Secretary of the Treasury upon the order of the Fresident, is hereby authorized to borrow, on the credit of the United States, from time to time, as the proceeds may be required to defray expenditures authorized by this activity and the provision of the United States, are those of the president

The VICE PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Washington to the amendment reported by the committee.

The amendment to the amendment was rejected.

Mr. BORAH. Mr. President, I suppose we are nearing the close of the consideration of the bill. Has the committee any further amendments to offer?

Mr. CHAMBERLAIN. I think the committee has no further amendment, I will say to the Senator.

Mr. BORAH. Mr. President, I offered an amendment a few days ago, to which I spoke briefly, with reference to adding to this bill an appropriation for the purpose of completing the reclamation work. Since offering that amendment I have had a number of consultations with the chairman of the committee which has in charge this bill. He and his associates feel very earnestly that if that amendment is put upon the bill it will kill it. In the first place, I do not suppose that the amendment would likely carry with that statement of the chairman before the Senate, and therefore to offer it would be a vain thing.

In the second place, of course I have no desire to destroy the bill. I want, however, in withdrawing the amendment to say that, according to the report of the Secretary of the Interior, the immediate necessity for this appropriation is quite as great as the necessity for which we are endeavoring to provide in this bill. While I shall not urge the amendment, I want to read a single paragraph from the report of the Secretary of the Interior in order that the committee which has charge of this matter and before which a bill similar in terms to the amendment is pending may understand the great importance of hasten-

ing the bill to the Senate floor in order to avoid the necessity of some Senator making a motion to discharge the committee if it does not do so. The Secretary of the Interior, discussing this particular question, says:

this particular question, says:

One reason stands out demanding the promptest possible action in this matter. Reservoir sites are few and becoming fewer each succeeding year. Those that may be had are rising steadily in value. So valuable, indeed, have some sites become since the institution of the Reclamation Service that projected enterprises are not now regarded as feasible, for the dependent lands which it was intended to irrigate can not make a return sufficient to pay the increased cost. And let this not be forgotten, that stored water means more than fields of alfalfa, generous orchards, and the homes of hearty husbandmen; it means power for industries, light and heat for town and farm. These two—irrigation and hydroelectric power—are companions. One does not think of the one without suggesting the other. And the magic worked by each is rivaled by its mate. Electricity is coal and kerosene which need no railroad to transport them. The significance of these irrigation reservoirs from this point of view is but beginning to be appreciated and will grow greater as the country becomes more thickly populated and factories come to supplement the farms.

So, Mr. President, while I shall not embarrass the pending

So, Mr. President, while I shall not embarrass the pending bill, I hope that we may have from the committee a report upon

this measure very shortly.

Mr. SMOOT. Mr. President, on page 11, line 23, I move to strike out "\$40,000,000" and insert "\$35,000,000."

I notice that the House bill provides \$35,000,000—the amount of my amendment. With one line, 450 miles long, from tide-water to Fairbanks, at \$50,000 a mile, which is \$6,000 more than the engineers' estimate of the cost of building a mile of road, with equipment, would amount to \$22,500,000. Now, grant that a line is built from tidewater to Fairbanks, and then allow 50 per cent more than the amount needed for the line be so built; that would amount to \$11,250,000, or a that may total of \$33,750,000. Therefore I do not believe it is necessary to provide more than \$35,000,000, and I offer that amendment.

Mr. SMITH of Georgia. I should like very much to see the \$40,000,000 stricken out and \$25,000,000 put in its place. I think

that is ample to build one of these lines.

Mr. SMOOT. There is no doubt of it.

Mr. SMITH of Georgia. Under the most liberal estimate, it would certainly cover one of the lines from tidewater to Fairbanks; and I think it would be a serious mistake for the Government to involve itself in undertaking to build more than one. I think the advocates of the measure make a mistake in asking that more than one be attempted. My own judgment is that we are hardly ready to attempt any of it; but if, as seems probable, we are going to attempt something, we certainly ought to limit it to one and provide funds to build that one.

I shall not vote for the amendment of the Senator from Utah, because I have intended to offer an amendment to strike out the \$40,000,000 and reduce it to \$25,000,000.

Mr. SMOOT. Mr. President, if the Senator desires to offer his amendment first, I would just as soon withdraw my amendment first, I would just as soon withdraw my amendment first, I would just as soon withdraw my amendment first in the senator desires to offer his amendment first, I would just as soon withdraw my amendment first in the senator for the Senator from ment. Then, if his amendment is carried, all well and good; but if not, I shall offer the amendment.

Mr. SMITH of Georgia. Then I move to strike out "\$40,000,000" and substitute "\$25,000,000" on page 11.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The Secretary. On page 11, line 23, it is proposed to strike it "\$40,000,000" and in lieu thereof to insert "\$25,000,000."

Mr. SMITH of Georgia. I wish to say just one word about this amendment. I wish to appeal to the Senators in charge of the bill to accept the amendment. If we reduce the sum to \$25,000,000, we need not make this provision about bonds. I do not like to see the bonds issued. I do not like to add to the bonded indebtedness of the Government for an improvement of this kind. I do not like the provision of a million dollars to print the bonds and to prepare them. I do not think it looks well for the Senate to pass a bill with such a provision.

In view of the speeches that have been made, in view of the discussion which has been presented to the Senate by the advocates of the measure, \$25,000,000 is certainly all that they need to build from any point they may select on tidewater to Fairbanks to connect up the coal fields, to connect up the gold mines, to connect up the copper mines, and to connect up the agricultural lands. Let us not turn anybody loose, unrestrained, to experiment without limit in this section, which is still to a considerable extent unknown. Let us try one road and see how it does. Let us work out our experiments on that one. Let us, when we build the second, avoid the errors we make on the first. Let us treat it as business men would treat their own affairs. They certainly would not involve any great company, even with resources of millions of dollars, in the experiment of going almost wildly into unnumbered lines.

Mr. CLARK of Wyoming. Mr. President, will the Senator from Georgia yield for a question?

Mr. SMITH of Georgia. Certainly.

Mr. CLARK of Wyoming. The Senator suggests that if we make this amount only \$25,000,000 we may be relieved from the necessity of issuing bonds. Do I understand the Senator means that, if this amendment should be agreed to, \$25,000,000 should be taken from the current revenues of the Government, as required?

Mr. SMITH of Georgia. I am not sure about that. confident that \$15,000,000 could be. That was the first figure I had in mind, and that was embodied in the amendment which I had prepared tentatively and which I did not press because information furnished me by the Senator from Nevada [Mr. PITTMAN] that \$15,000,000 would not build one of the lines. He showed me that I was in error; that the figures I had gathered applied only to a line starting at a point where it was proposed to construct and did not include the unpurchased road below that point to a connection with the bay on the right; so I did not introduce that amendment.

Even if we are obliged to issue bonds for it, I urge that we to stop with one line. Otherwise what may we do? We will build one line, perhaps, for \$25,000,000, and we will start one or two more-certainly one more-and we can not build it with the balance of the appropriation; and the problem will be back here in a short time for us to put up \$15,000,000 or \$20,000,000 to build the other line.

We have not perfected our plan of opening these lands. We have not perfected a plan to furnish even one railroad with business to justify its operation. Let us at least go sufficiently

slow to stop with one line.

Mr. CHAMBERLAIN. Mr. President, I do not think the Senator from Georgia was here when that matter was fully discussed in the Senate and-the Senate amended the bill so as to leave the matter of line or lines to the President of the United States. The bill has been amended so as to leave it in the discretion of the President to have either one or two lines, as he may see fit, and by quite a large majority the Senate voted down the proposition to have one line.

Mr. SMITH of Michigan. Mr. President, is not the maximum

still a thousand miles?

still a thousand miles?

Mr. CHAMBERLAIN. Yes.

Mr. SMITH of Michigan. That has not been limited.

Mr. CHAMBERLAIN. It has been limited.

Mr. SMITH of Michigan. The maximum amount of railroad that could be built under the bill, if it should become a law, would be a thousand miles, would it not?

Mr. CHAMBERLAIN. Yes.

Mr. SMITH of Michigan. And it is figured that it would cost \$40,000 a mile. I do not exactly understand how you can applied that the propage and have it very offective. Of course the

qualify that language and have it very effective. Of course, the President may not build more than one at a time, but he may complete the whole thousand miles under the bill.

Mr. CHAMBERLAIN. I have not any idea that the President of the United States will act otherwise than as a prudent, careful business man, a trustee of the \$40,000,000 fund for the

people of the United States.

Mr. SMITH of Michigan. Mr. President-

Mr. CHAMBERLAIN. I have only a few minutes, and I do not propose

Mr. SMITH of Michigan. I have not taken much time, and I wanted some information from the Senator. I do not wish to be put in the attitude of doubting either the wisdom or the judgment or the patriotism of the President, but I sometimes question the wisdom of the Senate in lodging such tremendous discretionary power with any single officer of the Government.

Mr. CHAMBERLAIN. I will say that I have before me the

Panama Canal Act. There never was a measure passed by the Congress of the United States that vested more power in a Government official than that act vested in the President of the United States, and there never has been a suggestion by his bitterest enemies that President Taft at any time did other than his whole duty to the American people. I have the same confidence in the President of the United States now, and I would not be afraid to intrust this task to him with all the powers that are conferred upon him under this bill.

With reference to cutting this appropriation down to \$25,000,-000, I say the Senator who suggests that is unfair to the committee that had the bill in charge. I might ask the Senator if he has read all the testimony submitted before the committee? The committee sat from day to day for months at a time and

listened to testimony.

Mr. SMITH of Georgia. I think the Senator is unjust in suggesting that I am unfair to the committee. I do not see in what way I am unfair. I certainly do not mean to be unfair to the committee. I certainly have no thought of being unfair to

Mr. CHAMBERLAIN. Possibly the Senator is not unfair to the committee. If he thinks I have done him an injustice, I will withdraw that statement.

Mr. SMITH of Georgia. I am sure I do. Mr. CHAMBERLAIN. But, Mr. President, I know the Senator from Georgia is not friendly to this bill. He has intimated that more than once in the course of the discussion.

I say the committee had this measure under consideration and listened to witnesses both for and against it, men interested in the development of Alaska and men opposed to the development of Alaska, from the standpoint of the committee. They have considered the testimony from every standpoint and have reported a bill here and have suggested to the Senate that \$40,000,000 is the amount that ought to be appropriated.

I say that \$40,000,000 is the amount that ought to be appropriated in this bill, and that we ought not to be governed by the amount appropriated by the House. They have appropriated \$35,000,000, I understand, and it has been recommended by the Democratic caucus that \$35,000,000 be appropriated.

If you want to emasculate this bill, if you want to pass a

bill that holds out a hope to those people and yet does not in fact give them the relief they ought to have, and a bill that will not develop Alaska as the people of this country believe it ought to be developed, then, I say, reduce the amount to \$25,000,000 or to \$15,000,000 or to any other amount to which these gentlemen who are not friendly to the bill want to limit If, on the other hand, you want to do what the bill purports to do-develop Alaska for the benefit of the whole people of this country and the benefit of the people of Alaska as wellthen, I say, the amount that ought to be appropriated is \$40,000,000, and I hope the Senate will vote down the proposition to reduce the appropriation.

If the House passes a bill appropriating \$25,000,000 and modifies this measure in any particular which restricts or limits the power of the President, it is bound to go into conference, and there the amount can be adjusted by the conferees

of the House and the Senate.

Mr. GRONNA. Mr. President, I have refrained from saying one word on this bill, but I wish to say that I shall support the amendment proposed by the Senator from Georgia. I think the Record will show that by my vote I am friendly to this particular legislation; but the Senator from Oregon is mistaken when he says it is absolutely necessary to appropriate the full amount of \$40,000,000 at one time.

It is not a question whether or not we trust the President. We all have confidence in the President of the United States; but in this bill we direct the President of the United States to issue bonds for the amount of \$40,000,000, and as soon as those bonds have been issued there will be an accumulation of interest and an expenditure of money which ultimately the people of the United States must pay. Twenty-five million dollars will build 500 miles of railroad at the rate of \$50,000 per mile. That is a greater mileage than is proposed to be built,

As much as I am in favor of amending it, I shall vote for the bill on its final passage. I shall, however, vote to reduce the amount to be appropriated from \$40,000,000 to \$25,000,000.

While I am on my feet I wish to say that I happened to be

a member of the Committee on Public Lands of the House some six years ago; and I wish to say to those who have questioned whether or not there would be any tonnage to be carried over this railroad that the testimony before that committee-and I have the record of it before me now-that there is estimated to be in the two coal fields of Matanuska and Bering River 6,000,000,000 tons of good coal with a fixed carbon content of from 78 to 84 per cent.

In my judgment there is no question but that Alaska contains great coal fields, and they ought to be opened up. This bill will not do it, but I believe ultimately supplementary legisla-tion will be offered and passed that will open up that country.

So far as agricultural resources are concerned. I do not believe it is necessary to open up Alaska for the purpose of going into the industry of agriculture. I do not believe any man who intends to make his living on the farm would go into Alaska to develop a farm there simply for the purpose of raising agricultural products.

This bill has been characterized as a socialistic measure. do not believe I have ever been accused of being a Socialist, because I believe in individual effort. I believe in the competitive system. I am of the opinion, however, that any man who had good standing in the Socialist Party would vote against this bill. We are beginning with Government ownership in a country where there is only a bare possibility of making a success; but we need not fool ourselves with the idea that we are going to teach and discourage the American people, or at

least those who believe in Government ownership, who are

Ashurst Borah

Bristow

Bankhead Burleigh

Burton

du Pont

pressing their claims and their demands for Government ownership, by making this experiment in a country where there is the least possibility of making it a success.

I should have liked to see the amendment offered by the Senator from Iowa [Mr. CUMMINS] incorporated in the bill. There are other amendments that I should have liked to see incorporated in it.

So far as concerns the claim that the measure is socialistic, there is nothing in that argument. I do not believe any man fears any of the provisions of this bill. We are not going into competition with private interests to any very great extent, as I understand the provisions of the bill.

Mr. STONE. Mr. President, a parliamentary inquiry. I should like to know whether, under the rules, Senators rising to address themselves to the various amendments are absolutely required to speak 15 minutes? [Laughter.]

The VICE PRESIDENT. That has been the understanding of the Chair.

Mr. STONE. That they have to speak 15 minutes?

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Georgia [Mr. SMITH] to the amendment of the committee.

Mr. SMITH of Georgia. On that I call for the year and nays. The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I transfer my pair with the junior Senator from Pennsylvania [Mr. OLIVER] to the Senator from South Carolina [Mr. TILLMAN]. and vote "nay."

Mr. CHILTON (when his name was called). I make the same announcement as on the former vote as to my pair and its transfer. I vote "nay."

Mr. GALLINGER (when his name was called). Once more announcing the transfer of my pair to the junior Senator from Maine [Mr. Burleigh], I vote "yea."

Mr. OVERMAN (when his name was called). nounce my pair with the senior Senator from Illinois [Mr. SHERMAN] and withhold my vote.

Mr. KERN (when Mr. Smively's name was called). I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY] and to state that he is paired with the junior Senator from West Virginia [Mr. Goff].

Mr. SUTHERLAND (when his name was called). I again

make the same announcement respecting the disposition of my

pair that I made on the former vote. I vote "yea."

Mr. TOWNSEND (when his name was called). I have a pair with the Senator from Alabama [Mr. BANKHEAD] and withhold my vote.

Mr. WARREN (when his name was called). I announce my pair with the Senator from Florida [Mr. FLETCHER].

The roll call was concluded.

Mr. BRANDEGEE (after having voted in the affirmative) I voted inadvertently. I am paired with the senior Senator from Virginia [Mr. Martin]. Not knowing how he would vote

on this question, I withdraw my vote.

Mr. OVERMAN. I was requested to announce that the Senator from South Carolina [Mr. SMITH] is paired with the Sena-tor from Minnesota [Mr. CLAPP]. I will let that announcement stand for the day.

Mr. MARTINE of New Jersey. I desire to announce a pair between my colleague [Mr. Hughes] and the Senator from New Mexico [Mr. Catron]. I do not know how either Senator would vote on this amendment if present and not paired.

Mr. SHEPPARD. I wish to announce a pair between the senior Senator from Texas [Mr. Culberson] and the Senator from Delaware [Mr. Du Pont]. I will let this announcement stand for the day.

Mr. SHAFROTH. I wish to announce the absence of my colleague [Mr. Thomas] necessarily from the Senate, and to state that if he were present, he would vote "nay." He is paired with the Senator from Ohio [Mr. BURTON].

Mr. BRANDEGEE (after having voted in the affirmative). am informed that I can transfer my pair. I therefore transfer my pair with the Senator from Virginia [Mr. Martin] to the senior Senator from Rhode Island [Mr. Lippitt], and will let my vote stand.

The result was announced—yeas 23, nays 39, as follows:

YEAS-23.

Dillingham Bacon Bradley Brady Brandegee Clark, Wyo. Gallinger Gronna Kenyon Lodge McCumber Cummins

Nelson Perkins Poindexter Root Shields Smith. Ga.

Smith, Mich. Stephenson Sutherland Weeks Williams

NAYS-39.

Newlands Norris Pittman Hollis James Johnson Bryan Chamberlain Chilton Colt Fall Jones Kern Lane Lea McLean Martine, N. J. Hitchcock

Pomerene Ransdell Reed Robinson Saulsbury Shafroth Sheppard

Simmons Smith, Ariz. Smith, Md. Sterling Stone Thompson Vardaman Works

NOT VOTING-33.

Fletcher Goff Hughes Oliver Overman Owen Catron Clapp Clarke, Ark. Crawford Culberson Jackson La Follette Lewis Lipp:tt Martin, Va. Page Penrose Sherman Shively Smith, S. C. Smoot O'Gorman

Thomas Thornton Tillman Townsend Warren

So the amendment of Mr. SMITH of Georgia to the amendment was rejected.

Mr. SMOOT. I now renew my motion to strike out "\$40,000,000" and insert "\$35,000,000."

The VICE PRESIDENT. The amendment to the amendment

will be stated.

The Secretary. On page 11, line 23, strike out "\$40,000,000" and in lieu insert "\$35,000,000."

The amendment to the amendment was rejected.

Mr. HITCHCOCK. I offer an amendment to the amendment, which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The Secretary. On page 8, line 13, after the word "necessary," insert the following proviso:

Provided. That the price to be paid in case of purchase shall in no case exceed the actual physical value of the railroad property based on cost of reproduction less depreciation.

Mr. HITCHCOCK. Mr. President, there are two existing railroads that may be purchased under the terms of the bill, or which may be taken by condemnation. It has seemed to me wise, and other members of the committee with whom I have discussed it have agreed with me, that in case the property is purchased instead of being taken by condemnation, a limit such as I have proposed here should be provided. We understand that both these properties are bankrupt, and if they are purchased under a private arrangement, there should be a limit to the physical valuation of the properties, less any depreciation.

The VICE PRESIDENT. The question is on the amendment

proposed by the Senator from Nebraska to the amendment.

Mr. WALSH. I should like to look at the amendment to the amendment before the vote is taken.

Mr. STONE. Let it be read. We all want to hear it. Mr. WALSH. It reads as follows:

Provided. That the price to be paid in case of purchase shall in no case exceed the actual physical value of the railroad property based on cost of reproduction less depreciation.

I have no objection to it.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Nebraska to the amendment.

The amendment to the amendment was agreed to.

Mr. HITCHCOCK. On page 12, line 25, I move to insert
the word "lease" before the word "sale." This provision is
to the effect that a certain portion of the proceeds of the earnings of the railroad and a certain portion of the proceeds from the sale or disposal of the lands in Alaska shall go into a fund for the redemption of the railway bonds. In voting for this bill it is my purpose that the property of the people shall remain the property of the people and shall not be sold. I purpose, if the bill becomes a law, to introduce, if no one else does, a provision that the public lands in Alaska, particularly the coal lands, shall be leased by the Government to companies or individuals who shall operate them. I therefore want to provide that a part of the proceeds of the leases in such case shall go into this fund.

Mr. CHAMBERLAIN. I have consulted a number of the members of the committee, and I have no objection to the amendment to the amendment.

Mr. HITCHCOCK. There is no objection to it, I understand. The VICE PRESIDENT. The amendment to the amendment will be stated.

The Secretary. On page 12, line 25, before the word "sale," insert the word "lease" and a comma.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading and

was read the third time.

The VICE PRESIDENT, The question is, Shall the bill

Mr. MARTINE of New Jersey. I ask for a roll call on the passage of the bill.

Mr. STONE and others. Oh, no.

Mr. McCUMBER. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded

to call the roll.

Mr. BACON (when Mr. BANKHEAD's name was called). was requested by the Senator from Alabama [Mr. BANKHEAD] to announce that he is paired with the Senator from Michigan [Mr. TOWNSEND].

Mr. BRANDEGEE (when his name was called). announce my pair with the senior Senator from Virginia [Mr. MARTIN]. I understand that if he were present he would vote "yea." If I were at liberty to vote, I would vote "nay," but under the circumstances I withhold my vote.

Mr. SMITH of Michigan (when Mr. Burton's name was alled). I have been requested to announce that the Senator from Ohio [Mr. Burron] is unavoidably detained from the Senator ate and that he is paired with the senior Senator from Colorado [Mr. Thomas]. If the Senator from Ohio were present, he would vote "nay."

Mr. CHAMBERLAIN (when his name was called). a general pair with the junior Senator from Pennsylvania [Mr. OLIVER], which I transfer to the senior Senator from South Carolina [Mr. TILLMAN] and vote "yea."

While I am on my feet I desire to state that the Senator from Minnesota [Mr. CLAPP] is unavoidably absent, and that he is paired with the Senator from South Carolina [Mr. SMTH]. The Senator from Minnesota asked me further to announce that if he were present he would vote for the bill.

Mr. CHILTON (when his name was called). I again repeat the announcement of my pair and its transfer, and I vote '

Mr. STERLING (when Mr. Crawford's name was called). I announce the unavoidable absence of my colleague [Mr. Crawford], and will state that on this vote he is paired with the senior Senator from Louisiana [Mr. THORNTON]. colleague were present and at liberty to vote, he would vote "yea.

Mr. SMOOT (when Mr. DU PONT's name was called). I desire to announce that the senior Senator from Delaware [Mr. DU PONT] has a general pair with the senior Senator from Texas [Mr. Culberson]. If the Senator from Delaware were present, he would vote "nay," and the senior Senator from Texas would

vote "yea.

Mr. GALLINGER (when his name was called). Again transferring my pair with the junior Senator from New York [Mr. O'GORMAN] to the junior Senator from Maine [Mr. BURLEIGH],

Mr. KENYON (when Mr. LA FOLLETTE'S name was called). desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is detained from the Chamber by illness. He had expected to be present to-day, but owing to the inclemency of the weather he could not come. He would vote yea" if present.

Mr. OVERMAN (when his name was called). I again announce my pair with the senior Senator from Illinois [Mr.

Mr. KERN (when Mr. Shively's name was called). I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY]. He is paired with the junior Senator from West Virginia [Mr. Goff].

Mr. OVERMAN (when the name of Mr. SMITH of South Carolina was called). I was requested by the Senator from South Carolina [Mr. SMITH] to state that he is unavoidably absent and

that he is paired with the Senator from Minnesota [Mr. CLAPP]. Mr. SUTHERLAND (when his name was called). the same announcement with reference to the disposition of my pair with the Senator from Arkansas [Mr. CLARKE] as before and vote. I vote "nay."

Mr. SHAFROTH (when Mr. THOMAS's name was called). wish to announce the unavoidable absence of my colleague [Mr. THOMAS] and to state that he is paired with the Senator from Ohio [Mr. Burron]. If my colleague were present, he would vote "yea."

Mr. RANSDELL (when Mr. Thornton's name was called). I desire to announce the absence of my colleague [Mr. Thorn-Ton on account of sickness. He is paired with the Senator from South Dakota [Mr. Chawford]. If my colleague were present, he would vote "nay."

Mr. TOWNSEND (when his name was called). I have a pair

present and were permitted to vote, he would vote "nay," and I

would vote "yea."

Mr. WALSH (when his name was called). I am paired on the final vote on the bill with the senior Senator from Rhode Island [Mr. Lippitt]. I will transfer that pair to the junior Senator from Illinois [Mr. Lewis] and vote. I vote "yea."

Mr. WARREN (when his name was called). I announce my pair with the senior Senator from Florida [Mr. FLETCHER]. therefore withhold my vote.

The roll call was concluded.

Mr. MARTINE of New Jersey. I desire to announce a pair existing between my colleague [Mr. Hughes] and the Senator from New Mexico [Mr. CATRON].

Mr. GORE. I desire to announce that my colleague [Mr. Owen] is necessarily absent from the Senate. If present, he

would vote "yea."

Mr. BACON. I do not know whether the announcement has been made, but I think it proper to announce that the Senator from South Carolina [Mr. TILMAN] is absent on account of ckness. I do not know how he would vote if present.

Mr. CHAMBERLAIN. I am informed that the Senator from

South Carolina would vote for the bill, if present.

The result was announced—yeas 46, nays 16, as follows:

	1.13	20.	
Ashurst Borah Brady Bristow Bryan Chamberlain Chilton Colt Cummins Fall Gore Gronna	Hitchcock Hollis James Johnsen Jones Kenyon Kern Lane Lea McLean Martine, N. J. Myers	Newlands Norris Perkins Pittman Poindexter Pomerene Ransdell Reed Robinson Saulsbury Shafroth Sheppard	Simmons Smith, Ariz. Smith, Md. Smoot Sterling Stone Thompson Vardaman Walsh Works
	NA	YS-16.	
Bacon Bradley Clark, Wyo. Dillingham	Gallinger Lodge McCumber Nelson	Root Shields Smith, Ga. Smith, Mich.	Stephenson Sutherland Weeks Williams
	NOT V	OTING-33.	
Bankhead Brandegee Burleigh Burton Catron Clapp Clarke, Ark. Crawford Culberson	du Pout Fletcher Goff Hughes Jackson La Follette Lewis Lippitt Martin, Va.	O'Gorman Oliver Overman Owen Page Penrose Sherman Shively Smith, S. C.	Swanson Thomas Thernton Tillman Townsend Warren
Cla Alea Lill	man manad		

So the bill was passed.

MESSAGE FROM THE HOUSE,

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 11338) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were there-upon signed by the Vice President:

S. 541. An act granting to the Emigration Canon Railroad Co., a corporation of the State of Utah, permission in so far as the United States is concerned to occupy for a right of way for its railroad track a certain piece of land now included in the Mount Olivet Cemetery; and

H. R. 3638. An act providing for the issuance of patent to Joe

PETITIONS AND MEMORIALS.

Mr. SMITH of Michigan presented a petition of the International Association of Machinists, of Muskegon, Mich., praying for the construction annually of two new battleships, which was referred to the Committee on Naval Affairs.

He also presented memorials of sundry citizens of Charlotte, Chase, and Paw Paw, all in the State of Michigan, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented a memorial of sundry citizens of Paw Paw, Mich., remonstrating against the enactment of legislation to prohibit work on buildings on Sunday in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. PERKINS presented a memorial of the Home Industry League of California, remonstrating against compelling the with the Senator from Alabama [Mr. Bankhead]. If he were | Southern Pacific Railroad to dispose of the lines of the Central Pacific Railroad, which was referred to the Committee on Inter-

He also presented a memorial of the Merchants and Manufacturers' Association of Central California, remonstrating against the enactment of legislation to make lawful certain agreements between employees and laborers and persons engaged in agriculture or horticulture, and to limit the issuing of injunctions in certain cases, and for other purposes, which was referred to the

Committee on the Judiciary.

He also presented a petition of Abraham Council, No. 2, Junior Order United American Mechanics, of San Francisco, Cal., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigra-

He also presented a memorial of sundry citizens of Calistoga, Cal., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District

He also presented resolutions adopted by the congregations of the First Baptist Church of Corning, of the Presbyterian Church of St. Helena, and of the North Congregational Church of Berkeley, all in the State of California, favoring the suspension for one year of the naval program of the great powers, which were referred to the Committee on Naval Affairs.

He also presented a petition of the Federated Trades Council, of Eureka, Cal., praying for the enactment of legislation to make lawful certain agreements between employees and laborers, and persons engaged in agriculture and horticulture, and to limit the issuing of injunctions in certain cases, and for other purposes, which was referred to the Committee on the Judiciary.
Mr. SMITH of Maryland presented a petition of Our Flag

Council, Daughters of Liberty, of Baltimore, Md., and a petition of Susquehanna Council No. 8, Daughters of Liberty, of Port Deposit, Md., praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. JACKSON presented a petition of sundry citizens of Baltimore, Md., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of alcoholic beverages, which was referred to the Committee on the Judiciary.

Mr. WEEKS presented resolutions adopted by the Central Labor Union, of Framingham, Mass., favoring the enactment of legislation providing for the development of the Territory of Alaska, which were referred to the Committee on Territories.

He also presented resolutions adopted by the Socialist Club of Springfield, Mass., favoring an investigation into the mining conditions in the copper district of Michigan, which were referred to the Committee on Education and Labor.

ferred to the Committee on Education and Labor.

He also presentel resolutions adopted by the Trades and Labor Council of Lowell, Mass., favoring the passage of the so-called seamen's bill, and also for the adoption of the so-called two-battleship program, which were ordered to lie on the table. He also presented memorials of Cambridge Lodge, No. 198, Independent Order of B'rith Abraham, of Cambridge; of Odessa Lodge, No. 194, Independent Order of B'rith Abraham, of Boston; and of Sanders Lodge, No. 588, Independent Order of B'rith Abraham, of Leominster, all in the State of Massachusetts, remonstrating against the enactment of legislation to further restrict immigration, which were referred to the Committher restrict immigration, which were referred to the Committee on Immigration.

Mr. SMOOT presented memorials of sundry citizens of Ogden, Utah, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. BRANDEGEE presented memorials of sundry citizens of Mansfield and Mansfield Center, in the State of Connecticut, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of Middletown, Rockfall, and Durham, all in the State of Connecticut, praying for the enactment of legislation favoring the establishment of national cooperative banks, which were referred to the Com-

mational cooperative banks, which were referred to the committee on Banking and Currency.

He also presented memorials of Independent Lodge, No. 309, Independent Order B'rith Abraham, of Norwich; of Tiphereth Zion Lodge, No. 199, Independent Order B'rith Abraham, of Ansonia; and of Independent Order B'rith Abraham Lodge, No. 152, of Meriden, all in the State of Connecticut; remonstrating against the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. GRONNA presented a petition of sundry citizens of Belden, N. Dak., praying that an investigation be made into the conditions existing in the copper country of Michigan, which was referred to the Committee on Education and Labor.

He also presented a petition of the Commercial Club of Enderlin, N. Dak., praying for the enactment of legislation providing for free mail delivery in towns and villages with a population of 1,000 or more, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Ellendale, N. Dak., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 173), accompanied by a bill (S. 4167) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of other wars than the Civil War, and certain widows and dependent relatives of such soldiers and sailors, the bill being a substitute for the following Senate bills, heretofore referred to that committee:

S. 80. Isabella S. Snyder.

S. 80. Isabella S. Snyder.
S. 159. Louis E. Brusher.
S. 285. Charles L. Stevens.
S. 404. Thomas W. Michael.
S. 425. John H. Broadwell.
S. 772. William S. Curtis.
S. 919. Agnes E. Brown.

S. 996. Oscar C. Shull.

S. 1000. Schuyler C. Pool. S. 1048. Jennie E. Howell. S. 1066. George V. Shaffer.

S. 1135. Mary Meade Sands. S. 1239. Maria Howell.

S. 1386. Barbara B. Haws.

S. 1648. Mary A. Connolly. S. 1695. Edward G. Goodbub. S. 1837. George W. Robinson,

S. 1877. Isabella Workman, S. 2007. James E. Embury.

S. 2290. John Doughty.

S. 2326. Kate Sloan.

S. 2412. Fred L. Bush, S. 2412. Fred L. Bush, S. 2487. Paul L. Bahr, S. 2608. Mary C. Whitson, S. 2627. Otto Weber,

S. 2634. A. Fannie Prevatt.
S. 3627. Mary E. Perry.
S. 3079. Frank J. King.
S. 3473. Helen M. Gleed.
S. 4011. Albina M, Williams,

Mr. SHIVELY submitted a report (No. 174), accompanied by a bill (S. 4168) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, the bill being a substitute for the following Senate bills heretofore re-

ferred, to that committee:

S. 183. Caroline Adams.

S. 183, Caroline Adams.
S. 184, Mary Hammack.
S. 187, Alfred Lewis,
S. 208, Minnie A. Thornhill,
S. 258, Mary U. Hull.
S. 347, Cora H. Griswold.
S. 348, Albert L. Church.
S. 367, Franklin Ball.
S. 499, Danial P. Billington.

Daniel R. Billington. S. 428. Margaret M. Cady.

Mahala M. Clark.

S. 526.

S. 527. Jerome P. Patten.

Sarah A. Wess. George W. Shuck. S. 547.

563. Ida Florence Baylor.

S. 565. Alexander Patterson. 569. Bella E. Timmens.

S. 618. John Finegan.

S. 625. James M. Wells.

S. 635. Ann E. McGrew.

S. 642. John J. Byrne.

8. 705. Lucy Lowry. 8. 706. Mary E. Murphy. 8. 733. Jacob C. Yorty. 8. 734. Ada Hess.

S. 815. Angella L. Shaw.

S. 838. Barney L. Bull.

S. 847. Sarah A. Higby. S. 853. Lucy M. Martin. S. 948. Henry M. Tillinghast. S. 986. Benjamin F. Havens. S. 1018. Frances F. Godewn. S. 1030. Norman P. Wood. S. 1093. Lydia A. Tinstman. S. 1157. George A. Marks. S. 1182. Elizabeth Chapman. S. 1191. Mahala E. Warmoth. S. 1237. Elizabeth Garland. S. 1286. Andrew F. O'Neill. 8. 1292. Holland Myers. S. 1335. Julia A. B. Andrews. S. 1336. John W. Ferguson. S. 1337. Daniel Dickey. S. 1338. Henrietta B. B. Hayman, S. 1340: Edgar S. McDonald. S. 1564. George O. Colby. S. 1580. Terence O'Dowd. S. 1582. Sarah M. Stone. S. 1667. David B. Ormiston. S. 1675. James Jameson. S. 1676. John Eagan. S. 1686. Lucie A. Hicks. S. 1717. Andrew Reese. S. 1731. Martin Parker. S. 1737. William W. Pinkerton. S. 1749. Cyrus Reiley Pennell. S. 1756. James M. Carpenter. S. 1764. Andrew P. Duff. S. 1765. Harvey H. Carr. S. 1809. Nancy J. Sandusky. S. 1845. Irvine Carman. S. 1856. Thomas F. Gardner, S. 1876. Harriet C. Spoor. S. 1973. Aniceto Abeytia. S. 1999. Thomas H. Crapo. S. 2005. Charles Newton Eddy. S. 2093. John F. Bennett. S. 2184. George Winding. S. 2189. Gen. Taylor Garrison, S. 2211. William Axe. S. 2236, Gilbert A. Irons. S. 2259, Amelia H. Sawyer. S. 2291. Peter Callacy. S. 2390. Laura E. Peavey. S. 2399. Asa S. Hugill. S. 2403. Sallie E. Patrick. S. 2463. William H. Gregory. S. 2534. John Graffam. S. 2554. Caroline M. Wallace. S. 2578. John How. S. 2579. John J. Porter. S. 2615. William A. Custer. S. 2709. Benjamin McKimmy. S. 2735. Cremora J. Huffman. S. 2737. William Jackson. S. 2766. Rebecca Harris. S. 2766. Repecca Harris.
S. 2787. Elinor F. Rodenbough.
S. 2848. William A. Rhoades,
S. 2897. Sarah M. Pond.
S. 2916. Mary A. V. Sanger,
S. 3005. Eva E. White.
S. 3051. David N. Landers,
S. 3060. Mary C. Jackson,
S. 3114. John W. Lively,
S. 3129. William Wilson S. 3129. William Wilson. S. 3139. John Thompson. S. 3185. Abby T. McCarthy. S. 3193. John O. Ackerson. S. 3292. Anne E. Milliken, S. 3350. Lucy B. Hickox. S. 3352. Caroline M. Ulio. S. 3421. Vincent Knapp. S. 3531. Hiram Kibbey. S. 3580. David Armstrong. S. 3688. Henry T. Peck. S. 3694. Maurice C. Stafford. S. 3856. Lucinda Holmes. S. 3915. Catharine Holbrook.

SENATOR FROM MARYLAND.

B. 3970. Nettie Jackson.

Mr. BRADLEY. Some days ago I obtained permission of the Senate to file a minority report on the credentials of Hon. "be so construed as to affect the election or term of any Senator chosen before it becomes valid as a part of the Constitution."

BLAIR LEE as a Senator from the State of Maryland. I now file the views of the minority and ask that they may be printed in the RECORD, and also printed as a Senate report.

The VICE PRESIDENT. There being no objection, the views

of the minority will be received and printed as requested.

The views (S. Rept. No. 160, pt. 3) submitted by Mr. Bradley

are as follows:

[Senate Report No. 160, part 3, Sixty-third Congress, second session.] CREDENTIALS OF BLAIR LEE AS SENATOR FROM MARYLAND,

CREDENTIALS OF BLAIR LEE AS SENATOR FROM MARYLAND.

Mr. Bradley, from the Committe on Privileges and Elections, submitted the following minority report, to accompany Senate resolution 247:

I am unable to agree with the majority report, but agree with the minority report except in so far as it concedes by implication or otherwise that the election and term, or any part of the term, of a Senator elected or chosen before the seventeenth amendment became valid as part of the Constitution and enforceable by the enactment of the necessary legislation therein required is governed by the amendment.

The intent and meaning of that amendment must be determined from its language and not from supposition. The people expressed their intention through their representatives who ratified that amendment. To say they did not know what they desired, or, if they did, that they did not know how to express it is a reflection upon their intelligence. The Senate, it is true, is the sole judge of the qualification and election of its Members, but in rendering judgment should act strictly within the law and not exercise arbitrary power.

The proposal and adoption of the seventeenth amendment grew out of a desire of a majority of the people to correct what they believed a great evil. In the discussion of the manner in which this evil should be corrected, both oral and written (preceding and following the proposal of the amendment), the rights of senators elected under the old system or the filling of vacancies in their offices was never aliuded to. The people merely intended to inaugurate a new system, to wit, te elect Senators in the future, after the terms of those in office had expired, by popular vote. The amendment was a complete revolution in the system of electing Senators, as well as in supplying vacancies, and clearly and explicitly states its object.

Relow is set forth, in parallel columns, the Constitution as it existed before and since the adoption of the amendment, and the amendment:

ARTICLE I.

ABTICLE I.

SEC. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof for six years, and each Senator shall have one vote. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year; and if vacancies happen by resignation or otherwise during the recess of the legislature of any State, the executive thereof may make temporary appointments (until the next meeting of the legislature, which shall then fill such vacancies.

SEC. 4. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

It appears, in the first place, and

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years, and each Senator shall have one vote. Electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as a part of the Constitution.

It appears, in the first place, under the amendment, that each State shall be entitled to two Senators, who shall be elected by the people thereof for six years.

It will be noted that these Senators are elected for the full period of six years.

In the next place, it provides that—

"when vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies, etc."

Senate, the executive authority of such State shall issue writs of election to fill such vacancies, etc."

Now, we inquire what vacancies are referred to? Evidently vacancies in the representation provided for in the terms of Senators elected by the people. This we must assume, because the vacancies can refer only to Senators so elected and specified in the previous pertion of the amendment. To say that the amendment refers to vacancies in the terms of Senators elected by the legislature, when it has no reference to Senators so elected and does not even mention them up to this point, is an unjustifiable interpretation. In other words, such a construction does violence to the purpose of the amendment. A specific way for filling vacancies in the terms of Senators elected by the people is provided, to wit, the governor may appoint when empowered to do so and shall issue writs of election when the vacancies shall be filled by the vote of the people as directed by the elegislature. The Senator having been chosen by the people, a vacancy in his office is to be filled by the people.

Under the old rule a Senator was elected by the legislature and after temporary appointment by the governor during the recess of the legislature his successor was chosen by the legislature in the same way in which he was elected.

It seems that this is the only construction authorized, without taking into consideration the after provision of the amendment; but in order to make the meaning of the amendment even planer, it is declared that it shall not—

If the intention was to supply vacancies in the offices of previously elected Senators, why insert this saving clause? But we are told that this was done lest it might be supposed that the old Senators were removed. Surely no such contingency could be apprehended, for they had been elected for a fixed term, and the express purpose of the amendment was to elect and not to remove Senators. A construction that all the old Senators were removed by the amendment would have been ridiculous, for its necessary result would be to eliminate the entire Senate. The framers were men of extraordinary intelligence and never for a moment apprehended that such an interpretation would be contended for by any man of sound mind, or if contended for, would be sustained.

We can not for a moment think that the saving clause was inserted to prevent an interpretation so ridiculous; nor, on the other hand, can we assume that the saving clause was mere surplusage, inserted without purpose. It seems perfectly plain that the purpose of that clause was to place beyond all dispute any contention concerning the election or terms of Senators chosen before the amendment became valid and enforceable. In other words, the saving clause means exactly what it says.

When the circumstances existing at the time of the proposal of this amendment are taken into consideration, the intention of the framers of the instrument is made even plainer if possible. They knew that it was not certain that the amendment would be adopted, although it was confidently believed that it would be. They knew that the time when it would be adopted was exceedingly uncertain, as it would require a considerable period for three-fourths of the States to act. They knew that the legislatures convened in some of the States annually, in some biennially, in some triennially, and in some quadrennially. This would necessarily affect not only the time consumed in ratifying the amendment, but also the election of Senators under the same and the necessary time consumed in legislation an

proper.

We must assume that these contingencies were taken into consideration, and the further reasonable certainty that vacancies would occur in the offices of some of the Senators during that period; hence the intention was to prevent any conflict between the Constitution and the amendment, and to prevent any hiatus in the representation of

the amendment, and to prevent any hiatus in the representation of any State.

The amendment itself was not self-executing, because while the governor is given the right to appoint he can only do so when empowered by act of the legislature; and while he is given the right to issue the writ of election, it follows from the amendment that the election can not be held until provided for by the legislature, and then held as the legislature may direct. It was not intended that the amendment should be retrospective; on the contrary, it was prospective. Indeed, the principle of law is universal that all statutes and constitutions shall be construed prospectively unless an intention to the contrary is so plainly expressed as to render such construction impossible.

The amendment had no application to the past; it was aimed entirely at the future. While intended to confer power on the people to elect their Senators by popular election, as directed by the legislature, the object of the saving clause was to prevent any conflict between the old law and the new, as well as any interregnum in the representation of Senators elected or chosen under the old rule.

A specious attempt to escape this construction is made by the contention that the word "affect," as used, has a limited meaning, referring only to the lengthening or shortening of the term. The lexicographers and synonymists, however, do not give any reason for such an interpretation; on the contrary, they give every reason for such an interpretation; on the contrary, they give every reason for such an interpretation; on the contrary, they give every reason for an entirely different construction. In other words, they give the plain, everyday meaning to the word as it is understood, not only by the people but by the courts.

Webster's Luabridged Dictionary says that the meaning of the word

meaning to the word as it is the courts.

Webster's Unabridged Dictionary says that the meaning of the word "affect" is "to act upon, to produce an effect or change." He gives as synonyms of the word, "influence, operate or act on, concern, move, as synonyms impair."

as synonyms of the word, "influence, operate or act on, concern, move, overcome, impair."

Soulé, in his work on synonyms, gives the synonyms of the word "affect" as "influence on, act upon, work upon, concern."

In Home Building Loan Association v. Nolan (21 Mont., 205) the meaning of the word was held to be "operate on, act upon, or concern."

In the case of Ryan v. Carter (93 U. S. S. C., 78) the Supreme Court of the United States construed the word "affect" as having been used in the sease of acting injuriously upon persons and things. Such interpretation, 'said the court, "accords with the reason and manifest intention of the proviso, unsettles no confirmed title, and secures to the inhabitants the protection that Congress thought proper to afford."

In Baird v. St. Louis Hospital (116 Mo., 419) the court held that the word "affect" meant that the statute should not be so construed as to "prejudice or injuriously affect such rights."

In Connift v. City (4 E. D. Smith, 430) the New York court held that the meaning of the word "affect" was "to act upon or produce a change."

the meaning of the word "affect" was "to act upon or produce a change."

In Clark v. Riddle (101 Iowa, 270) the court held that the meaning of the word "affect" was "to act upon or change."

In Holland v. Dickerson (41 Iowa) it was held that the use of the word "affect" was to prevent any change of preexisting rights.

At page 1159 of the Encyclopedia of Law and Procedure the general rule is laid down that the word "affect" means "to have effect upon, to influence; but often used in the sense of acting injuriously upon persons and things, and sometimes in the sense of vary."

According to these definitions, this amendment means that the election or term of any Senator chosen before the same became valid as a part of the Constitution, shall not be acted upon, affected, concerned, enlarged, changed, prejudiced, or injuriously affected, impaired, worked upon, varied, aimed at, influenced, or operated upon.

The word "term" has a fixed and legal meaning, being purely impersonal. If the object of the seventeenth amendment was to affect the old Senators in any part of their term, the word "tenure" would have been used. We can not for a moment think that the framers of the amendment did not know the difference between the meaning of the two words. When the amendment says that the "election or term"

shall not be affected, it speaks of the term as one consecutive period, and it follows that if the term can not be affected, no part of it can be, for the word "term" embraces all its parts, and is not susceptible of partition. Not only so, the amendment after declaring that "it shall not be construed so as to affect the election or term of any Senator," adds the significant word "chosen." This word refers equally to an election and an appointment, and was used to cover the case of an appointed Senator, for he remains in office until his successor is elected by the legislature meeting after the appointment.

It may be that under the amendment an election for the regular term may be provided by the Congress, as the amendment does not specifically say that it can not be done, though in my judgment the implication is by no meanstitution, as it stood prior to the amendment specifically say that it can not be done, though in my judgment the implication is by no meanstitution, as it stood prior to the amendment specifically say that it can not be done, though in my judgment the implication is by no meanstitution, as it stood prior to the amendment, but it is perfectly plain that the Congress can not provide for a special election to ill a vacancy in the office of a Senator elected by the people. The people having changed the method of selecting a Senator, may not object to legislation by Congress affecting a general election. But they evidently determined to prevent Congress from legislating as to the manner of supplying vacancies; hence the amendment specifically provides that in case of vacancy (alluding to terms of Senators elected by the people) the legislature of any State may empower the governor to make temporary appointments until the people fill the vacancy by election as the legislature may direct. The legislature alone may direct the time, place, and manner of the election, and Congress has no power to direct it. A special agents which present sits legislation for the regular election of congress to provid

of the legislature and that body, after it convenes, can elect for the remainder of the term.

Evidently the governors of the various States so construed the amendment, or they would have called special sessions of the legislatures to enforce its provisions.

The fact that under this view the fallure of any State to adopt proper regulations would leave the amendment ineffective is attributable entirely to the fallure of the framers to make it specific and self-executing. This is unfortunate, but nevertheless true, and we are confronted by a condition, not a theory.

That vacancies may be filled in different ways and at different times during the same period results from the election of Senators every two years, and hence vacancies may occur at different times, some in places of Senators elected under the old and some under the new rules, until the terms of all Senators under the old rule have expired.

If it be true that Congress can legislate, then such legislation should be adopted; but if the States alone can act, they must legislate to put the amendment in force. Meanwhile, the old rule will apply, for it can not be supposed for a moment that until proper legislation is enacted the wheels of government shall be clogged or remain motionless.

(See Cooley's Const., 7 ed., pp. 98–100, 119; 8 Cyc., pp. 752 (and footnote), 753, 759, 760 (and footnote 10), 761 (and footnote 16), 762–763 (and note 33), and the many authorities cited at each page; Ex Parte State of Alabama, 52 Ala., 231; Brown v. Seay, 86 Ala., 124; State v. Gardner, 3 S. Dak., 553; Black v. Ada County (Idaho), 44 Pac. R., 734.)

The rule laid down generally in the foregoing authorities, that if a State fails to provide legislation to make enforceable a constitutional

124; State v. Gardner, 3 S. Dak., 553; Black v. Ada County (Idaho), 44 Pac. R., 734.)

The rule laid down generally in the foregoing authorities, that if a State fails to provide legislation to make enforceable a constitutional provision not self-executing there is no remedy, may not apply in this instance should it appear that the State had purposely failed and refused to do its duty, because the Semate in such case might refuse admission to a Senator elected or chosen under the old rule for a regular term accruing after the amendment became valid or the filling of a vacancy in such term.

The State of Maryland can not be punished by depriving it of its equal suffrage in the Senate because Congress failed to make the proposed amendment self-executing.

It was argued before the committee that the governor might call a special election when there was no law authorizing it, and the person chosen at such election would be recognized. To sustain this contention the case of Hoge, who was elected Representative in Congress under such circumstances from Pennsylvania and was admitted, and later cases in which similar action was had, were cited, as also McCrary on Elections. In each of the cases mentioned a Member of the lower House of Congress was elected, but at the time there was a State statute providing for the general election of Representatives in Congress, and in Pennsylvania the special election was held at the time fixed therein. It must be borne in mind that this case is distinguished from them in that there is not a State statute, specific or otherwise, authorizing the election of a United States Senator in Maryland. The theory upon which the decisions cited was reached was that, there being a statute authorizing and fixing the manner of bolding regular elections, which could be held under the terms of the general law.

Those cases have no bearing on the question in issue here. Especially is this true not only because there is no statute authorizing or regulating the election of a Senator, but because the amendment points out plainly how the elections for Senator are to be provided for, and no law has been passed conforming thereto. To hold that such a procedure could be pursued in the election of a United States Senator as was pursued in the election of a Representative in the lower House in the cases mentioned would be an open and flagrant disregard of the fundamental law, and would enable the governor, who is only an executive officer, to legislate.

W. O. Bradley.

W. O. BRADLEY.

SENATOR FROM ALABAMA.

Mr. BRADLEY. I also obtained permission of the Senate to submit the views of the minority on the credentials of Hon. FRANK P. GLASS as a Senator from the State of Alabama. now submit the views and ask that they be printed in the Rec-

ORD, and also as a Senate report.

The VICE PRESIDENT. Without objection, it is so ordered.

The views (S. Rept. No. 164, pt. 2) submitted by Mr. Bradley are as follows:

[Senate Report No. 164, part 2, Sixty-third Congress, second session.] CREDENTIALS OF HON. FRANK P. GLASS.

CREDENTIALS OF HON. FRANK P. GLASS.

Mr. Bradley (for himself and Mr. Clapp), from the Committee on Privileges and Elections, submitted the following minority report, to accompany Senate resolution 249:

I can not agree with the majority of the committee.

No one of the majority has a more sincere desire to comply with the will of the people than I; but we disagree as to what the will of the people is. This must be determined from the language contained in the seventeenth amendment, adopted by their constituted agents, and not from supposition of what the people desire. To say that the people did not know what they desired or, if they did, that they did not know how to express it, is a reflection upon their intelligence.

The Senate is the judge of the qualification and election of its Members. However, in determining their qualification and election it does not exercise arbitrary power, but acts strictly within the law.

The proposal and adoption of the seventeenth amendment grew out of a desire of a majority of the people to correct what they believed a great evil. In the discussion of the manner in which this evil should be corrected, both oral and written (preceding and following the proposal of the amendment), the rights of Senators elected under the old system or the filling of vacancies in their offices was never alluded to. The people merely intended to inaugurate a new system, to wit, to elect Senators in the future, after the terms of those in office had expired, by popular vote. The amendment was a complete revolution in the system of electing Senators, as well as in supplying vacancies, and clearly and explicitly states its object.

I will now set forth, in parallel columns, the Constitution as it existed before and since the adoption of the amendment, and the amendment:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years, and each Senator shall have one vote. Electors in each State shall have the qualification requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as a part of the Constitution.

ARTICLE I.

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SEC. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof for six years, and each Senator shall have one vote. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the state year; and if vacancies happen by resignation or otherwise during the recess of the legislature of any State, the executive thereof may make temporary appointments (until the next meeting of the legislature, which shall then fill such vacancies).

SEC. 4. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

It appears, in the first place, under the state of the state with the first place.

It appears, in the first place, under the amendment, that each State shall be entitled to two Senators, who shall be elected by the people thereof for six years.

It will be noted that these Senators are elected for the full period of six years.

It will be noted that these Senators are elected for the full period of six years.

In the next place, it provides that when vacancies happen in the representation of any State in the Senate, the executive authority of such State may appoint, and shall issue writs of election to fill such vacancies, as empowered or directed by the legislature.

Now, we inquire what vacancies are referred to? Evidently vacancies in the representation provided for in the terms of Senators elected by the people. This we must assume because the vacancies can refer only to Senators elected and specified in the previous portion of the amendment. To say that the amendment refers to vacancies in the terms of Senators elected by the legislature, when it has no reference to Senators so elected and does not even mention them up to this point, is an unjustifiable interpretation. In other words, such a construction does violence to the purpose of the amendment. A specific way for illing vacancies in the terms of Senators elected by the people is provided, to wit, the governor shall issue a writ of election, may appoint when empowered so to do by the legislature, and the vacancies shall be filled by the vote of the people as directed by the legislature. The Senator having been chosen by the people, a vacancy in his office is to be filled by the people.

Under the old rule a Senator was elected by the legislature and, after temporary appointment by the governor in case of vacancy during a recess of the legislature, his successor was chosen by the legislature in the same manner in which he was elected.

It seems that this is the only construction authorized, without taking into consideration the afterprovision of the amendment; but in order to make the meaning of the amendment even plainer it declared in that provision that it shall not "be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

If the intention was to supply vacancies in the offices of previously elected Senators, why insert this saving clause? But we are told that this was done lest it might be supposed that the old Senators were removed. Surely no such contingency could be apprehended, for they had been elected for a fixed term, and the express purpose of the amendment was to elect, not to remove, Senators. A construction that all the old Senators were removed by the amendment would have been ridiculous, for its necessary result would be to eliminate the entire Senate. The framers were men of extraordinary intelligence and never for a moment apprehended that such an interpretation would be contended for by any man of sound mind; or, if contended for, would be sustained.

We can not for a moment think that the saving clause was inserted to prevent an interpretation so ridiculous; nor, on the other hand, can we assume that the saving clause was mere surplusage, inserted to prevent an interpretation so ridiculous; nor, on the other hand, can we assume that the saving clause was mere surplusage, inserted to prevent an interpretation, the intention of the framers of the instrument is made even plainer, if possible. They knew that the what it says.

When the circumstances existing at the time of the proposal of this amendment are taken into consideration, the intention of the framers of the instrument is made even plainer, if possi

that it could not be deprived of its right for any length of time by constitutional amendment, and that such an amendment would itself be unconstitutional. Hence the saving clause was eminently wise and proper.

We must assume that these contingencies were taken into consideration, and the further reasonable certainty that vacancies would occur in the offices of some of the Senators during that period; hence their intention was to prevent any conflict between the Constitution and the amendment, and to avoid any hiatus in the representation of any State. The amendment itself was not self-executing, because while the governor is given the right to appoint, he can only do so when empowered by act of the legislature; and while he is given the right to issue a writ of election, it follows from the amendment that the election can not be held until provided for by the legislature, and held as the legislature may direct. It was not intended that the amendment should be retrospective; on the contrary, it was prospective. Indeed, the principle of law is universal that all statutes and constitutions shall be construed prospectively unless an intention to the contrary is so plainly expressed as to render such construction impossible.

The amendment had no application to the past; it dealt alone with the future. While intended to confer power on the people to elect their Senators by popular vote, as directed by the legislature, the object of the saving clause was to prevent any conflict between the old law and the new, as well as any interregnum in the representation of Senators elected or chosen under the old rule.

A specious attempt to escape this construction is made by the contention that the word "affect," as used, has a limited meaning, referring only to the lengthening or shortening of the term. This can not be correct, because both the Constitution and the amendment fix the term at six years. The lexicographers and synonymists, however, do not give any reason for such an interpretation; on the contrary, they were s

In Baird v. St. Louis Hospital (116 Mo., 419) the court held that the word "affect" meant that the statute should not be so construed as to "prejudice or injuriously affect such rights."

In Connift v. City (4 E. D. Smith, 430) the New York court held that the meaning of the word "affect" was "to act upon or produce a change."

In Clark v. Riddle (101 Iowa, 270) the court held that the meaning of the word "affect" was "to act upon or change."

In Holland v. Dickerson (41 Iowa) it was held that the use of the word "affect" was to prevent any change of preexisting rights.

At page 1159 of the Encyclopedia of Law and Procedure the general rule is laid down that the word "affect" means "to have effect upon, to influence; but often used in the sense of acting injuriously upon persons and things, and sometimes in the sense of 'vary."

According to these definitions, this amendment means that the election or term of any Senator chosen before the same becomes valid as a part of the Constitution shall not be acted upon, affected, concerned, enlarged, changed, prejudiced or injuriously affected, impaired, worked upon, varied, aimed at, influenced, or operated upon.

The word "term" has a fixed legal meaning, being purely impersonal. If the object of the seventeenth amendment was to affect the old Senators in any part of their term, the word "term" would have been used. We can not for a moment suppose that the framers of the amendment did not know the difference between the meaning of the two words. When the amendment says that the "election or term" shall not be affected, it speaks of the term as one consecutive period, and it follows that if the term can not be affected, no part of it can be affected, for he word "term" embraces all its parts. It is not susceptible of partition.

It is argued that an election of a Senator by the people is already provided for by statute in Alabama, and hence the governor may issue a writ of election thereunder. Even if this were true, no power exists to order an election by the people in case of vacancy in the term of any Senator elected or chosen before the amendment became valid as a part of the Constitution, because such terms are governed entirely by the old constitutional rule and are expressly excepted from the operation of the amendment.

But in point of fact, the statement that an election to fill a vacancy in the term of any Senator, under the old rule or the amendment, is authorized by the statute of Alabama is incorrect. It is true that section 322, volume 1, Alabama Code, after naming the various State officers who are to be elected at the general election, provides for "such officers who are to be elected by the people." That is the first section in the article regulating elections, and the title of the section applies to all officers who are observed the proper of the section is as much a part of

that statute does not justify an appointment for the residue of the term, it would make it effectual until the legislature fills the vacancy by election as authorized by the Constitution before the amendment went into effect.

As already shown, section 332 specifically applies to general elections and section 333 fixes the time of holding the same. Special elections are provided for in section 439, which covers the offices named in the other sections, and in the last subdivision provides "and in such other cases as are or may be provided by the law of Alabama having reference to the class of offices named and not to a Senator unless he is to be classed as a State officer. However, it is argued that as the amendment requires the governor to issue a writ of election and authorizes an election by the people to fill a vacancy in the office of a Senator as directed by the legislature, that such an election can be held under the subdivisions of the section named because the amendment authorizes it.

Unfortunately for this contention, in 1909—many years after the section contained in the Alabama Code was adopted, which was in 1875, and several years before the amendment was ratified, and before any law had been enacted increasing the scope of the special election law in Alabama, which has never been done up to this time in Alabama—a law was passed in Alabama requiring the governor to fill all vacancies by appointment when no way was provided by law for filling them. At that time there was no way provided by law for filling a vacancy in the office of a United States Senator, by the amendment or otherwise; and hence the act of 1909 repealed the subdivision of section 439, and here is no law now in force in Alabama allowing special elections "in cases which may be provided by law," it being both the right and duty of the governor to fill vacancies not provided for, if a Senator is estimated to the subdivision of section 439, and there is no law now in force in Alabama allowing special elections with the amendment as the

in case of vacancy under the amendment; and yet it has as much power to do that as to provide for special elections.

The State legislature alone can authorize the governor to appoint, and it alone can direct the time, place, and manner of holding the election to supply vacancies. It would be useless for the governor to appoint a Senator temporarily, for this he could not legally do until authorized by the legislature. It would be equally useless for him to issue a writ of election until the legislature had directed the time, place, and manner of holding such election. In both instances the legislature alone can put the amendment in force.

The obvious purport of the amendment is that the States shall be given time to provide necessary legislation to make it effective. This plainly appears in the third paragraph, and no other interpretation can be given without destroying the meaning of the words employed and doing violence to the plain principles of justice.

The construction that the provisions of the Constitution existing before the amendment became valid as a part of the Constitution, and capable of enforcement by legislation, should govern the terms of Senators (and vacancies therein) elected under it prevents all friction and uncertainty as well as any histus in representation, because under its provisions the governor can appoint during a recess of the legislature and that body, after it convenes, can elect for the remainder of the term.

Evidently the governors of the various States so construed the

Senators (and vacancies therein) elected under it prevents all friction and uncertainty as well as any biatus in representation, because under its provisions the governor can appoint during a recess of the feature of the term.

Evidently the governors of the various States so construed the amendment, or they would have called special sessions of the legislature to enforce its provisions.

The fact that under this view the failure of any State to adopt proper regulations would leave the amendment ineffective is attributable entirely to the failure of the framers to make it specific and self-executing. This is unfortunate, but nevertheless true, and we are confronted by a condition, not a theory.

That vacancies may be filled in different ways and at different times during the same period results from the election of Senators every two years and hence vacancies may occur at different times, some in gleeted under the new side, until the terms of all Senators under the old rule have expired.

If it be true that Congress can legislate to any extent, such legislation should be adopted; but if the States alone can act, either in whole or part, as Congress can not, they must legislate to put the amendment in force. Meanwhile the old rule will apply, for it can not be supposed for a moment that until proper legislation is enacted that wheels of government shall be clogged or remain motionless. (See Cooley's Const., 7 ed., pp. 98, 100, 119; 8 Cyc., pp. 752 (and 752-763), 750 (and footnote 10), 761 (and footnote 16), 722-763, 763 (and footnote 10), 761 (and footnote 16), 762-763, 763 (and footnote 10), 763 (and footnote 16), 763 (and foot

Senator CLAPP obtained permission from the Senate to sign this report, but is absent, and, as this is the last day on which it can be filed, his signature is not attached.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KERN:

bill (S. 4156) granting a pension to Edgar L. Thompson with accompanying papers); to the Committee on Pensions. By Mr. SIMMONS:

A bill (S. 4157) granting a pension to Robert B. Courts (with accompanying papers); to the Committee on Pensions.

By Mr. JACKSON:

A bill (S. 4158) to reduce the fire limit required by the act approved March 4, 1913, in respect to the proposed Federal building at Salisbury, Md.; to the Committee on Public Buildings and Grounds.

By Mr. SWANSON:

A bill (8. 4159) to acquire, by purchase, condemnation, or otherwise, additional land for the post office, courthouse, and customhouse in the city of Richmond, Va.; to the Committee on Public Buildings and Grounds.

By Mr. STONE: A bill (S. 4161) to prohibit the importation and entry of goods, wares, and merchandise made in whole or in part by convict, pauper, or detained labor, or made in whole or in part from materials which have been made in whole or in part or in any manner manipulated by convict or prison labor; to the Committee on Manufactures.

By Mr. JONES:

A bill (S. 4162) granting a pension to Charles H. Eyerman;

By Mr. RANSDELL:
A bill (S. 4163) for the relief of I. C. Johnson, jr.; to the Committee on Naval Affairs.
By Mr. ROBINSON:

A bill (S. 4164) to make more efficient Indian administration, and for other purposes; to the Committee on Indian Affairs.

By Mr. LEA: A bill (S. 4165) for the relief of the estate of John S. Claybrooke, deceased; to the Committee on Claims. By Mr. GRONNA:

A bill (S. 4166) to amend an act entitled "An act to provide for an enlarged homestead"; to the Committee on Public Lands. By Mr. STERLING (for Mr. Crawford):

bill (S. 4169) granting a pension to Vernon D. Bennett (with accompanying papers);

A bill (S. 4170) granting a pension to Dudley L. Chase (with accompanying papers); and
A bill (S. 4171) granting a pension to John C. January; to

the Committee on Pensions.

INTERSTATE TRADE COMMISSION.

Mr. NEWLANDS. I introduce a bill to create an interstate trade commission, to define its powers and duties, and for other purposes. I ask that the bill may be printed in the RECORD and that it be referred to the Committee on Interstate Com-

The bill (S. 4160) to create an interstate trade commission, to define its powers and duties, and for other purposes, was read twice by its title and referred to the Committee on Interstate Commerce, as follows:

to define its powers and duties, and for other purposes, was read twice by its title and referred to the Committee on Interstate Commerce, as follows:

A bill (S. 4160) to create an interstate trade commission, to define its powers and duties, and for other purposes.

Be it enacted, etc., That a commission is hereby created and established, to be known as the interstate trade commission, which shall be composed of five members, not more than three of whom shall be members of the same political party, and the said interstate trade commission is referred to hereinafter as "the commission."

Sec. 2. That on the taking effect of this act the Bureau of Corporations shall cease to exist, and is hereby transferred to and merged in and becomes a part of the commission; and all officers and employees of the Bureau of Corporations shall hereafter be the officers and employees of the commission, and with the transfer there shall pass to the possession of the commission shall hereafter exercise all the powers and perform all the duties heretofore conferred or imposed upon the said bureau.

All appropriations heretofore made for the support and maintenance of the bureau shall stand as appropriations to be expended by the commission in the exercise of the power and in the performance of the duties which the law, prior to the passage of this act, conferred or imposed upon said bureau. And the person who at that time shall be the Commissioner of Corporations shall become a member of the commission and the chairman thereof for the term of seven years. The other four commissioners, and a fifth commissioner upon the retirement or expiration of the seven-year term of the former Commissioner of the commissioner of the Senate. The term of the commissioner shall be seven years; Provided, That the term of the commissioner of this act and be as follows: One for a term of the commissioner of Corporations, shall be appointed for a term of seven years. Upon the retirement from the commission, from whatsoever cause, of the person who at th

SEC. 3. That all corporations engaged in commerce among the several States or with foreign nations, excepting common carriers, whether required by general rules and regulations for regular information or information specially asked in special instances, shall, from time to time, furnish to the commission such information, statements, and records of their organization, business, financial condition, conduct, management, and relation to other companies, at such time, to such degree and extent, and in such form, as may be prescribed by the commission. The commission, at all reasonable times, or its duly authorized agent or agents, shall have complete access to all records, accounts, minutes, books, and papers of such corporations, including the records of any of their executive or other committees. Failure or neglect on the part of any corporations subject to this act to comply with the terms of this section within such time after written demand shall have been made upon such corporation by the commission requiring such compliance as shall be fixed by the commission shall be subject to a fine of not more than \$1,000 for every day of such failure or neglect.

SEC. 4. That the information so obtained shall be public records, and the commission shall, from time to time, make public such information in such form and to such extent as it may deem necessary.

SEC. 5. That the district courts of the United States, upon the application of the commission alleging a failure to comply with any order of the commission of the furnishing of information, shall have jurisdiction to issue a writ or writs of mandamus or other order enforcing such order of the commission and to punish the disobedience thereof as in other cases of contempt of court.

SEC. 6. That for the purposes of this act the commission shall have the power to require by subpæna the attendance and testimony of witnesses and the production of all books, papers, contracts, agreements, documents, or other things of every kind and nature whatsoever relating to any mat

claim that any such testimony or evidence may tend to incriminate the person giving such evidence shall not excuse such witness from testifying.

Witnesses whose testimony is taken under the provisions of this act shall severally be entitled to the same fees as are paid for like service in the courts of the United States.

No person shall be excused from attending and testifying or from producing books, papers, documents, or other things before the commission, or in obedience to the subpena of the commission, whether such subpena be signed or issued by one or more of the commissioners, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may testify under oath or produce evidence, documentary or otherwise, before said commission in obedience to a subpena issued by it in a proceeding instituted other than upon his own initiative: *Provided*, That no person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying. The purpose of this provision is to give immunity only to natural persons who, under oath, testify in response to a subpena of the commission in an inquiry instituted by the commission.

Sec. 7. That any person willfully making or furnishing to said commission any statement, return, or record required by this act, when knowing such statement, return, or record to be false in any material particular, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Sec. 8. That the commission is hereby given authority, upon com-

particular, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

SEC. 8. That the commission is hereby given authority, upon complaint made to it in such manner as it may by general or specific regulations provide, or on its own initiative, to institute and conduct an investigation to determine whether or not any corporation subject to the provisions of this act was organized or has established such relations with other individuals or corporations or is conducting its business in whole or in part in violation of the provisions of the act approved July 2, 1890, entitled "An act to protect trade and commerce from unlawful restraints and monopolies," or any existing or future amendments thereof, or any of said provisions. If the commission shall find any such violation, the matter shall be submitted by it to the Attorney General, to the end that the said violation be proceeded against, prosecuted, and terminated in accordance with the provisions of said act of July 2, 1890, and the amendments thereof or supplemental thereto as aforesaid.

SEC. 9. That the commission shall, at any time, upon the request of the Attorney General or any corporation affected, investigate any corporation subject to the provisions of this act, with all the powers of investigation heretofore bestowed on the commission, for the purpose of ascertaining whether there has been in the conduct of said corporation or is in the organization of such corporation or its relations to other corporations or individuals a violation of said act of July 2, 1890, and the amendments thereof as aforesaid, and in case the commission shall find such violation it shall make a finding, fully stating the same and prescribing the acts, transactions, and readjustments necessary in order that said corporation may thereafter comply with the terms of said act and the amendments thereof as aforesaid, and shall transmit a copy of the said finding as aforesaid to the Attorney General, as

the litigation, at its discretion, refer to the commission any aspect of the litigation or any proposed decree, whereupon the commission shall investigate the question or questions referred to it with all the powers of investigation hereinbefore bestowed on the commission and shall report its findings to the court, with a copy of the evidence upon which said findings or recommendations are based. Said evidence, findings, and recommendations shall be public records, as provided in section 4 hereof.

Sec. 11. That the said commission shall, on or before the 1st day of January of each year, make a report, which shall be transmitted to Congress. This report shall contain such information and data collected by the commission as it may deem of value in the determination of questions connected with the regulation of commerce, together with such recommendations with reference to additional legislation relating thereto as the commission may deem necessary.

Sec. 12. That, with the exception of the secretary and assistant secretary and one clerk to each of the commissioners, and such special agents as may be employed from time to time, all employees of the commission shall be a part of the classified civil service, and shall enter the service under such rules and regulations as may be prescribed by the commission shall also have the power to rent suitable rooms for the conduct of its work, paying therefor such rent as may be provided for by appropriation.

Sec. 13. That nothing contained in this act shall be construed to prevent or interfere with the Attorney General in enforcing, according to the provisions thereof, the said act of July 2, 1890, and the amendments thereof as aforesaid, nor to amend or modify otherwise the provisions of said act and the amendments thereof.

Mr. NEWLANDS. In connection with the bill, I submit a statement explanatory thereof, which I ask may be printed in the Record and referred to the Committee on Interstate Com-

There being no objection, the statement was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

THE CLAYTON-NEWLANDS BILLS.

Representative CLAYTON this afternoon gave to the press the full text of the tentative bill as agreed upon by a subcommittee of the Judiciary Committee of the House (Messrs. Clayton, CARLIN, and FLOYD of Arkansas) and the majority members of the Senate Committee on Interstate Commerce, and said:

"The bill will be introduced at the same time by Representa-tive Clayton and Senator Newlands. The bill is modeled after the lines of what is commonly known as the Newlands bill, which was introduced in the Senate some months ago by Senator Newlands, and involves the fundamental idea that a trade commission shall be created, consisting of five members, with full inquisitorial powers into the operation and organization of all corporations engaged in interstate commerce, other than common carriers. It provides for a commission of five members, makes the Commissioner of Corporations chairman of the board, and transfers all the existing powers of that bureau to the commission. Its relation to the Attorney General's office and to the courts is advisory. Its principal and most important duty, besides conducting investigations, will be to aid the courts, when requested, in the formation of decrees of dissolution, and with this end in view it empowers the courts to refer any part of pending litigation to the commission, including the proposed decree, for information and advice."

Senator Newlands, being interviewed, said:

"The trade-commission bill and several other bills limiting the debatable ground of the Sherman Act have been the subject of laborious consideration by a subcommittee of the Judiciary Committee of the House (consisting of Mr. Clayron, chairman, and Messrs, Carlin and Floyp of Arkansas) during the helidays and before. The majority members of the Interthe holidays and before. The majority members of the Inter-state Commerce Committee of the Senate have been brought into

consultation with them of late.
"The trade-commission bill preserves the essential features of the bill which I have been urging for some time, but contains amendments and additions of value and is, in my judgment, an improvement upon the bill as it was considered and improved by the Interstate Commerce Committee of the Senate during the last Congress. As a whole, I should say that the trade-commission bill ought to be satisfactory to members of all parties, for it is distinctively progressive, and we have en-deavored to frame it in harmony with the President's views, presented in an admirable message, which has received the approval of the entire country, regardless of party. While these bills represent at present the best thought of the participants in the shaping of this legislation, they are presented simply as tentative measures, upon which the judgment of the proper committees of the House and Senate and of the country is invoked."

ANNA DIGGS.

Mr. STONE submitted the following resolution (S. Res. 253), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Anna Diggs, widow of the late John

H. Diggs, a mail carrier in the Senate post office, out of the miscellaneous-items fund of the Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death; said sum to be considered as including funeral expenses and all other allowances.

LOUISVILLE & NASHVILLE RAILROAD.

Mr. LEA. I submit a resolution, which I ask may be read and referred to the Committee to Audit and Control the Con-

tingent Expenses of the Senate.

The resolution (S. Res. 254) was read and referred to the Committee to Audit and Control the Contingent Expenses of

the Senate, as follows:

whereas under Senate resolution 153 the Interstate Commerce Commission was instructed and directed to investigate and report certain facts regarding the methods and practices of the Louisville & Nashville Rallroad, and the ownership of certain subsidiary railroad companies by the Louisville & Nashville Railroad; and Whereas the investigation instituted by the Interstate Commerce Commission pursuant to said resolution has in some of its phases been suspended on account of the refusal of H. L. Stone, general counsel of the Louisville & Nashville Railroad, to permit the examiners acting under the authority of the Interstate Commerce Commission to have access to certain files and records, as has been communicated to the Senate by Hon. E. E. Clark, chairman of the Interstate Commerce Commission: Therefore be it

Resolved, That a special committee, consisting of five Senators, be, and the same is hereby, created for the purpose of assisting the Interstate Commerce Commission in said investigation, and that said committee be, and hereby is, authorized to subpena and examine witnesses, to hear testimony, require the production of papers, documents, and records that may be perlinent to the investigation, and to this end the said committee be, and is hereby, authorized to employ such legal and clerical assistance as may be necessary.

Mr. LEA. I ask that a statement from the Interstate Com-

Mr. LEA. I ask that a statement from the Interstate Commerce Commission may be printed in the Record.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement referred to is as follows:

INTERSTATE COMMERCE COMMISSION, Washington, January 21, 1914.

Hon. Luke Lea, United States Senate, Washington.

Hon. Luke Lea.

United States Senate, Washington.

Dear Sir: Referring to the telegraphic correspondence between the commission and Mr. Stone, of the Louisville & Nashville Rallroad relative to his refusal to accord our examiners access to certain files of the Louisville & Nashville and to our conversation of to-day on that subject, I think it proper to say—

We think that in this matter Mr. Stone is acting as a recognized authority for the Louisville & Nashville Railroad. In transmitting this correspondence to the Senate we had in mind that the only means open to us to secure access to these files when same is so positively refused by the custodian thereof, who is also the representative of the carrier, was through the courts, and probably by mandamus proceedings. No one could foretell how long such court proceedings would continue, and if the conclusion of the investigation directed by the Senate had to await determination of such litigation it might and probably would be unreasonably delayed. We thought that the Senate doubtless had power through independent action of a Senate committee or through cooperation of such committee with the commission to secure access to these records by a more direct route if such action were deemed advisable by the Senate.

We deem it proper also to say that in a previous instance other officers of the Louisville & Nashville Railroad refused our examiners access to certain of the records, and our examiners were referred to Mr. Stone as the one who would determine the attitude and policy of the company. After some little time had been consumed in controversy and correspondence Mr. Stone advised us that the records in question might then be examined by our representatives.

It seemed and now seems to us that the fact that Mr. Stone was acting with authority on behalf of the Louisville & Nashville was evidenced by the text of his telegram, copy of which was transmitted to the Senate, in which he requested that if we brought the matter to the Senate, in which he requested that if w

E. E. CLARK, Chairman,

Interstate Commerce Commission,

Washington, January 22, 1914.

Dear Mr. Chairman: The attached letter of June 29 from Examiner
Brown to Mr. Lutz, chief examiner of accounts, was written in connection with an investigation that we were then making of the pass
records of the Louisville & Nashville Railroad Co. It there appears
that Examiner Brown was refused access to certain records of the
company because "of the attitude of Col. Stone," then and now its
general counsel. Moreover, verbal reports made to me by the examiner
shortly afterwards indicated that he was referred to Col. Stone by
the chief clerk to Mr. W. L. Mapother, after repeated requests for
certain files had been refused. Upon being advised of this situation, I
at once took the matter up by wire with Col. Stone, asserting the right
of the commission, without limitation, to examine all the records of
the Louisville & Nashville Railroad Co. The summer intervened, and
the matter was not brought again to my attention until October. I
wrote Col. Stone on October 21, and his reply of December 9 is hereto
attached. There is no real basis for the supposition that in the meantime the files in question had been stripped, beyond the belief by the
examiners then in the office of the Louisville & Nashville that this
process was going on while they were there. In the meantime the files in question had been stripped, beyond the belief by the
examiners then in the office of the Louisville & Nashville that this
process was going on while they were there. In the meantime the files in question had been stripped, beyond the belief by the
examiners then in the office of the Louisville & Nashville Railroad Co.

Sincerely, yours,

James S. Harlan, Commissioner.

Hon. Edgar E. Clark, Chairman Interstate Commerce Commission.

Interstate Commerce Commission, Division of Carriers' Accounts, Washington, D. C., July 6, 1912.

DIVISION OF CARRIERS' ACCOUNTS,

Washington, D. C., July 6, 1912.

Mr. Charles A. Lutz,

Chief Examiner of Accounts,

Interstate Commerce Commission, Washington, D. C.

Dear Sir: I inclose herewith copy of letter received from Mr. W. L.

Mapother, first vice president Louisville & Nashville Railroad, the contents of which is self-explanatory.

The question of files has remained in abeyance owing to the subject being a matter of communication between the commission and the legal department of the Louisville & Nashville Railroad.

Request was made of chief clerk of the law department for access to trip passes, stubs, and correspondence relating thereto, and that gentleman advised me of the attitude of Col. Stone in the matter; that is, that we should be furnished with such correspondence and passes as relate to interstate journeys. He also advises that the stub books would be placed in our possession, containing both intra and inter state records of passes issued. I informed the gentleman, in view of the fact that the matter was a subject of correspondence between the commission and the legal department of the Louisville & Nashville Railroad, that no request at this time would be made for any intrastate correspondence. This action is taken in order that our requests may not embarrass the commission in its present communications with the officials of the Louisville & Nashville Railroad.

It was suggested to you while here that when the work was drawing to a close it might be advisable to attempt to browse in the files of the traffic department, and as this plan had your approval it was my purpose to assign one of our representatives to this task after personally taking the matter up with the traffic officials, but in view of the attitude of the officials of this company in respect to the files it is not my purpose at the present writing to carry this proposed plan into effect until our position is definitely determined through the correspondence which it is understood is now going on between the commission and the

D. E. BROWN, Examiner.

LOUISVILLE & NASHVILLE RAILROAD CO., FIRST VICE PRESIDENT'S OFFICE, Louisville, Ky., June 26, 1912.

Mr. D. E. Brown, Examiner, Interstate Commerce Commission, Hotel Hermitage, City.

Dear Sir: I am in receipt of your favor of the 25th instant relative to certain correspondence files relating to the issuance of annual and term passes by this office.

The files in question relate exclusively to the issuance of intrastate passes. By my direction your examiners were politely advised that we did not consider the examination of the correspondence within the scope of your examiners' authority, and delivery of the files was, therefore, declined. I respectfully adhere to such decision.

I think you must admit that we have promptly and cheerfully surrendered to your examiners every office record within the scope of their authority, and it will be our purpose to so continue.

Yours, truly, .

W. L. Mapother.

W. L. MAPOTHER, First Vice President.

Louisville & Nashville Railroad Co., Louisville, Ky., December 3, 1912.

My Dean Mr. Harlan: Please refer again to your letter of October 21 last and to my letter of November 9 relating to the subject of our telegraphic correspondence during last summer concerning the inspection by the examiners of the commission of certain files of this company.

I have very carefully considered your suggestions to the effect that under the broad general powers claimed by the commission, wholly independent of the powers covered by section 20 of the act, an inquiry set on foot by the commission would render available for information to it all the files of the company touching the subject of the inquiry. The particular files with which our correspondence dealt were those which pertained exclusively and separately to the issuance of free intrastate transportation.

I regret very much that I can not agree with your view of the state of the law in regard to the powers of the Government, and I feel constrained to adhere to my own views expressed rather fully last summer.

summer.

Nevertheless, on purely practical grounds—to use your own words—and without waiving any rights of the company, we are now willing that the examiners of the commission shall have full and free access to the files in question, the investigations to be limited to those beginning the 1st day of January, 1908, as you have heretofore suggested, and extending down to the present time, and instructions will be given to our officials in accordance with the foregoing conclusion.

I trust that this outcome of the matter will be satisfactory to you. Yours, very truly,

H. L. Stone, General Counsel.

Hon. James S. Harlan, Interstate Commerce Commissioner, Washington, D. C.

HOUSE BILL REFERRED.

H. R. 11338. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes, was read twice by its title and referred to the Committee on Post Offices and Post Roads.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened, and (at 6 o'clock and 40 minutes p. m., Saturday, January 24, 1914) the Senate adjourned until Monday, January 26, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 24 1914. RECEIVERS OF PUBLIC MONEYS.

John W. Cloyd, of Wray, Colo., to be receiver of public moneys at Sterling, Colo., vice Charles B. Timberlake.

George I. Smith, of Portland, Oreg., to be receiver of public moneys at Portland, Oreg., vice John C. Ardrey, term expired.

R. R. Turner, of Grants Pass, Oreg., to be receiver of public moneys at Roseburg, Oreg., vice George W. Riddle, term expired. pired.

John V. Killian, of Eminence, Kans., to be receiver of public moneys at Dodge City, Kans., vice Lewis J. Pettijohn, whose term will expire March 22, 1914.

APPRAISER OF MERCHANDISE.

Joseph Pelcinski, of Cleveland, Ohio, to be appraiser of merchandise at Cleveland, in the district of Ohio, in place of Herbert J. Grant, superseded.

UNITED STATES ATTORNEYS.

Wilson Shedric Hill, of Greenwood, Miss., to be United States attorney for the northern district of Mississippi, vice Lester G. Fant, appointed by the court.

Thomas A. Flynn, of Flagstaff, Ariz., to be United States attorney for the district of Arizona, vice Joseph E. Morrison, resigned.

UNITED STATES MARSHAL.

Robert C. Ford, of Middleboro, Ky., to be United States marshal for the eastern district of Kentucky, vice Asbury B. Patrick, whose term will expire January 25, 1914.

REGISTER OF LAND OFFICE.

Robert R. Wilson, of New Ulysses, Kans., to be register of the land office at Dodge City, Kans., vice Henry F. Millikan, whose term will expire February 24, 1914.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

First Lieut. La Vergne L. Gregg, Infantry, unassigned, to be captain from January 18, 1914, vice Capt. Henry F. McFeely, Twelfth Infantry, retired from active service January 17, 1914. Second Lieut. Patrick J. Morrissey, Twenty-fifth Infantry, to be first lieutenant from January 18, 1914, vice First Lieut. Fraderic C. Test. Transparence of Infantry, detached from his Frederic C. Test, Twenty-second Infantry, detached from his proper command on that date.

APPOINTMENT IN THE NAVY.

ASSISTANT SURGEON.

William W. Wikersham, a citizen of Pennsylvania, to be an assistant surgeon in the Medical Reserve Corps of the Navy, from the 14th day of January, 1914.

POSTMASTERS.

ALABAMA.

L. Estelle Manley to be postmaster at Ashford, Ala. Office became presidential October 1, 1913.

ARKANSAS.

Samuel W. Deener to be postmaster at Batesville, Ark., in place of H. C. Wade. Incumbent's commission expires January 25, 1914.

L. N. Douglas to be postmaster at Trumann, Ark. Office be-

came presidential January 1, 1914.

Ethel Leeper to be postmaster at Lockesburg, Ark. Office became presidential January 1, 1914.

George H. Rule, jr., to be postmaster at Lonoke, Ark., in place of Arthur C. Curtis, resigned. William T. Stahl to be postmaster at Siloam Springs, Ark., in

place of Mattie Vanhooser, resigned.

W. W. Ward to be postmaster at Eudora, Ark., in place of

J. G. Irwin, resigned.

ARIZONA.

J. M. Byrns to be postmaster at Warren, Ariz. Office became presidential July 1, 1913.

J. W. Hawks to be postmaster at Glendale, Ariz. Office became presidential January 1, 1914.

CALIFORNIA.

T. E. Awbrey to be postmaster at Exeter, Cal., in place of Horace Davis. Incumbent's commission expired December 13, 1913.

Hugh L. Bishop to be postmaster at Kingsburg, Cal., in place of Salmon H. Loomis. Incumbent's commission expires January

28, 1914.

Minnie R. Crist to be postmaster at Dunsmuir, Cal., in place of W. T. Tuckwell. Incumbent's commission expires January 26, 1914.

Audley McCausland to be postmaster at Ripon, Cal., in place of James S. Moulton, removed.

E. A. McDaniel to be postmaster at Los Molinos, Cal. Office

became presidential January 1, 1914.

J. M. McMahon to be postmaster at Lodi, Cal., in place of S. Clark, jr. Incumbent's commission expired December 21, 1913.

George Marken to be postmaster at Arcata, Cal., in place of

Frank A. Smith, resigned.

J. T. Neely to be postmaster at Orosi, Cal. Office became

presidential January 1, 1914.

Lillie May Peery to be postmaster at Corcoran, Cal., in place of L. P. Mitchell. Incumbent's commission expires January 24, 1914.

O. M. Schwatka to be postmaster at Yreka, Cal., in place of Robert J. Nixon. Incumbent's commission expires January 24, 1914.

L. T. Stephenson to be postmaster at Big Creek, Cal. Office became presidential January 1, 1914.

COLORADO.

Homer F. Bedford to be postmaster at Platteville, Colo., in place of Siegfried Salmon. Incumbent's commission expires January 24, 1914.

Marion R. McCauley to be postmaster at La Junta, Colo., in place of Richard G. Dalton. Incumbent's commission expired

January 19, 1914.

Charles F. McMullen to be postmaster at Brush, Colo., in place of William Knearl. Incumbent's commission expired January 19, 1914.
Oscar N. Marihugh to be postmaster at Idaho Springs, Colo., in place of John Trathen, deceased.

Thomas J. Sandford to be postmaster at Manitou, Colo., in place of Homer H. Grafton. Incumbent's commission expired

January 19, 1914.

Hiram W. Smith to be postmaster at Glenwood Springs, Colo., in place of Olie Thorson. Incumbent's commission expires Feb-

ruary 4, 1914. J. B. Traxler to be postmaster at Lamar, Colo., in place of Edward M. Mears. Incumbent's commission expired January 6, 1914.

Robert C. Walker to be postmaster at Grand Junction, Colo., in place of Edwin Price. Incumbent's commission expired January 19, 1914.

CONNECTICUT.

E. Franklin Byron to be postmaster at Sharon, Conn., in place of Willard Baker. Incumbent's commission expired Jan-

Edward C. Cox to be postmaster at Wallingford, Conn., in place of Charles S. Hall. Incumbent's commission expired

January 17, 1914.

Adelbert W. Crane to be postmaster at South Glastonbury, onn., in place of Adelbert W. Crane. Incumbent's commis-Conn., in place of Adelbert

sion expired January 17, 1914.

Albert L. Lamb to be postmaster at West Hartford, Conn., in place of Frank M. Buckland, removed.

Edward P. McGowan to be postmaster at Watertown, Conn., in place of Bennett C. Atwood. Incumbent's commission expired January 24, 1014 pires January 24, 1914.

Albert H. McMahon to be postmaster at New Milford, Conn.,

in place of George H. Jackson. Incumbent's commission ex-

pired January 17, 1914.

George B. Moroney to be postmaster at Collinsville, Conn., in place of George P. Edwards, resigned.

Daniel J. Teevan to be postmaster at Shelton, Conn., in place of William Holmes. Incumbent's commission expired July 26,

Philip Troup to be postmaster at New Haven, Conn., in place of James A. Howarth. Incumbent's commission expires February 4, 1914.

Sarah E. Douglas to be postmaster at Lake Butler, Fla., in place of Thomas C. Fletcher, resigned.

James L. Love to be postmaster at Delray, Fla. Office be-

came presidential January 1, 1914.

Luther E. McCall to be postmaster at High Springs, Fla., in place of John C. Le Count. Incumbent's commission expired January 17, 1914.

Robert F. Rogers to be postmaster at Ocala, Fla., in place of Frank J. Huter. Incumbent's commission expires January 24,

GEORGIA.

James S. Alsobrook to be postmaster at Rossville, Ga., in place of Charles R. Jones. Incumbent's commission expires January 24, 1914.

Afley M. Cherry to be postmaster at Donalsonville, Ga., in place of Stephen D. Cherry, deceased.

O. E. Cox to be postmaster at Camilla, Ga., in place of Lena rimberry. Incumbent's commission expired January 11, 1914. Brimberry.

Iva Lee Duckworth to be postmaster at Union City, Ga., in place of Willie O. Goodson. Incumbent's commission expires

January 28, 1914.

Bedford McK. Harlan to be postmaster at Calhoun, Ga., in place of Forrest L. Dyar. Incumbent's commission expired December 13, 1913.

Abner I. Head to be postmaster at Tallapoosa, Ga., in place of Thomas W. Kimball. Incumbent's commission expired De-

cember 20, 1913.

J. B. Rountree to be postmaster at Boston, Ga., in place of

Fred Feltham, resigned.
Willie A. Sheats to be postmaster at Monroe, Ga., in place of Willie A. Sheats. Incumbent's commission expired January 12, 1914.

John T. Stilwell to be postmaster at Montezuma, Ga., in place of John T. Stilwell. Incumbent's commission expires

January 24, 1914.

Samuel H. Timmerman to be postmaster at Plains, Ga.

Office became presidential January 1, 1914.

IDAHO.

Roy B. Herndon to be postmaster at Salmon, Idaho, in place of Phillip Rand. Incumbent's commission expired January 20, 1914.

Thomas Jaycox to be postmaster at Jerome, Idaho, in place of Nadine Napton. Incumbent's commission expired January

James W. Pearson to be postmaster at Hailey, Idaho, in place of Joseph W. Fuld. Incumbent's commission expired January 10, 1914.

Lorenzo Y. Rigby to be postmaster at Rexburg, Idaho, in place of William W. Stephens. Incumbent's commission expired January 10, 1914.

Charles S. Barker to be postmaster at Oswego, Ill. Office became presidential January 1, 1914.

E. D. Beird to be postmaster at Bluffs, Ill. Office became presidential January 1, 1914.

Leo J. Byrne to be postmaster at Rossville, Ill., in place of Joseph H. Braden. Incumbent's commission expired January

12, 1914.

James M. Dace to be postmaster at Odin, Ill., in place of

Henry P. Hurd, resigned.

Adam A. Funk to be postmaster at St. Joseph, Ill., in place of

U. G. Richardson, removed.

William H. J. Hoeft to be postmaster at Geneseo, Ill., in place of Frank H. Greene. Incumbent's commission expires January

John A. Lentz to be postmaster at Blue Island, Ill., in place of Fred C. Kile, removed.

F. A. McGowan to be postmaster at Manhattan, Ill. Office became presidential January 1, 1914.

Walter C. Shoupe to be postmaster at Carlyle, Ill., in place of Samuel W. Baird, removed.

William H. Stolte to be postmaster at Chicago Heights, Ill., in place of John Mackler, resigned.

William Whalen to be postmaster at Franklin, Ill. Office became presidential January 1, 1914.

Glenn P. Wyatt to be postmaster at Wyanet, Ill., in place of Mary E. Hall, resigned.

INDIANA.

Joseph A. Beane to be postmaster at Goshen, Ind., in place of Martin V. Starr. Incumbent's commission expires February 15,

Robert H. Bible to be postmaster at Waynetown, Ind. Office became presidential January 1, 1914.

John W. Brand to be postmaster at Columbia City, Ind., in place of John W. Baker. Incumbent's commission expired January 20, 1914.

Joseph T. Dilley to be postmaster at Mitchell, Ind., in place

of James Edwards. Incumbent's commission expired January 20, 1914.

Charles A. Durrenberger to be postmaster at Bedford, Ind., in place of Sherman L. Keach. Incumbent's commission ex-

pired January 20, 1914. Jacob Eifler to be postmaster at Boonville, Ind., in place of John F. Richardson. Incumbent's commission expired January 20, 1914.

Ernest F. Griffith to be postmaster at Vevay, Ind., in place of Thomas E. Kincaid. Incumbent's commission expired January 13, 1914.

John A. Herzog to be postmaster at Mishawaka, Ind., in place of W. E. Butterworth. Incumbent's commission expired January 20, 1914.

Edward E. High to be postmaster at Williamsport, Ind., in place of Elmer E. McKenzie. Incumbent's commission expired January 20, 1914.

Orlando R. Jenkins to be postmaster at Osgood, Ind., in place

of Albert F. Shaw removed.

James J. Littrell to be postmaster at Elkhart, Ind., in place of Charles N. Eisenbeiss. Incumbent's commission expires February 15, 1914.

William E. Livengood to be postmaster at French Lick, Ind. in place of William W. Cave. Incumbent's commission expired

January 13, 1914.

Richard M. Robinson to be postmaster at Vincennes, Ind., in place of John W. Emison. Incumbent's commission expired January 20, 1914.

George P. Schwin to be postmaster at Covington, Ind., in place

of Fletcher W. Boyd. Incumbent's commission expired January 20, 1914.

B. W. Shafer to be postmaster at Jonesboro, Ind., in place of Fremont M. Neal. Incumbent's commission expired January 20, 1914.

W. H. Shultz to be postmaster at Middlebury, Ind. Office be-

came presidential January 1, 1914.

Frank S. Vawter to be postmaster at Tipton, Ind., in place of Marion W. Kinder. Incumbent's commission expires January

William O. Wilson to be postmaster at Mount Vernon, Ind., in place of L. B. Holleman, resigned.

IOWA.

Fred W. Buls to be postmaster at Tripoli, Iowa, in place of Samuel P. Hale. Incumbent's commission expired January 20, 1914.

Benjamin Delaney to be postmaster at Marcus, Iowa, in place of James Rae. Incumbent's commission expired January 20, 1914.

Daniel Fitzpatrick to be postmaster at Moville, Iowa, in place of Charles E. Anderson. Incumbent's commission expired December 20, 1913.

Harry J. Hoeger to be postmaster at Waverly, Iowa, in place of William H. Tyrrell. Incumbent's commission expires Janu-

ary 26, 1914. George W. Jones to be postmaster at Radcliffe, Iowa, in place of Frank E. Drake. Incumbent's commission expires January

26, 1914. Joseph M. Kelly to be postmaster at Early, Iowa, in place of Myron E. Foster. Incumbent's commission expired January

20, 1914. John L. McAlpine to be postmaster at Belmond, Iowa, in place of Walter C. Ramsay. Incumbent's commission expired Janu-

ary 12, 1914. Adolph Meyer to be postmaster at Hampton, Iowa, in place of Thomas W. Purcell. Incumbent's commission expired Janu-

Royal G. Mitchell to be postmaster at Manly, Iowa. Office

became presidential January 1, 1914. Robert C. Plummer to be postmaster at Forest City, Iowa, in

place of B. B. Hopkins, deceased. R. C. Smith to be postmaster at Burt, Iowa, in place of R. S.

Sherwood, resigned.

Henry H. Stevenson to be postmaster at Shellrock, Iowa, in place of Charles E. Witt. Incumbent's commission expired January 10, 1914. Harry R. Wilson to be postmaster at Colo, Iowa. Office

became presidential October 1, 1913.

KANSAS.

William T. Hayes to be postmaster at Almena, Kans., in place of Jennie R. Reed, resigned.

John L. Koebele to be postmaster at Burns, Kans. Office became presidential January 1, 1914.

George W. Lank to be postmaster at Solomon, Kans., in place of W. A. Hopkins, resigned.

Walter R. Long to be postmaster at Kingman, Kans., in place of Frank Harlow. Incumbent's commission expires January 26, 1914.

S. P. Reser to be postmaster at Hartford, Kans., in place of James E. Evans. Incumbent's commission expired December 13, 1913.

Columbus E. Roughton to be postmaster at Jetmore, Kans., in place of James C. Wilson. Incumbent's commission expired January 31, 1910.

D. O. States to be postmaster at Buffalo, Kans., in place of Alvin M. Blankenbeker. Incumbent's commission expires January 26, 1914.

Minnie P. Weyer to be postmaster at Centralia, Kans., in place of Thomas M. Durland. Incumbent's commission expires January 26, 1914.

KENTUCKY.

W. G. Dorman to be postmaster at Corinth, Ky. Office became presidential January 1, 1914.

Ben J. Purdy to be postmaster at Bioomfield, Ky., in place of McDowell Oldham. Incumbent's commission expired January 19, 1914.

Frank C. Sloan to be postmaster at Burnside, Ky., in place of James L. Grissom. Incumbent's commission expires January 24, 1914.

S. D. Thompson to be postmaster at Owingsville, Ky. Office

became presidential January 1, 1914. C. Y. White to be postmaster at Cave City, Ky., in place of W. A. Huggins, removed.

LOUISIANA.

Paul J. Gardere to be postmaster at Slidell, La., in place of

U. G. Neuhauser, resigned.

Cora Sharpless to be postmaster at De Ridder, La., in place of Cora Sharpless. Incumbent's commission expired January 12, 1914.

William P. Willett, to be postmaster at Pollock, La., in place of William P. Willett. Incumbent's commission expired January 20, 1914.

John H. Womack to be postmaster at Kentwood, La., in place L. B. Ligon. Incumbent's commission expired February 9, 1913.

MAINE.

Frederick E. Mathews to be postmaster at Warren, Me., in place of William L. Lawry. Incumbent's commission expired December 13, 1913.

Howard E. Perkins to be postmaster at Sanford, Me., in place

of Newton H. Fogg, resigned.

Frederick W. Plaisted to be postmaster at Augusta, Me., in place of John V. Lane. Incumbent's commission expired January 17, 1914.

John S. Williams to be postmaster at Guilford, Me., in place of Marcellus L. Hussey. Incumbent's commission expires January 24, 1914.

MARYLAND.

Oliver H. P. Clark to be postmaster at Silver Spring, Md. Office became presidential October 1, 1912.

James S. Price to be postmaster at Snow Hill, Md., in place of Asbury C. Riley. Incumbent's commission expired January 11, 1913.

David O. Pound to be postmaster at Smithsburg, Md., in place of Lancelot Jacques. Incumbent's commission expired January

Robert L. Runkles to be postmaster at Mount Airy, Md., in place of Walter B. Rudy. Incumbent's commission expires January 28, 1914.

J. Howell Taylor to be postmaster at Medford, Md. Office became presidential October 1, 1913.

Joseph Metras to be postmaster at Southbridge, Mass., in place of Robert A. Beckwith. Incumbent's commission expired January 24, 1914.

Michael W. Hynes to be postmaster at Wayland, Mass. Office became presidential July 1, 1912.

Richard M. Raymond to be postmaster at Framingham, Mass., in place of Frank H. Falls, resigned.

MICHIGAN.

C. D. Aldrich to be postmaster at East Lansing, Mich., in place of B. L. Rosencrans. Incumbent's commission expired December 13, 1913.

George H. Anklam to be postmaster at Pidgeon, Mich., in place of Albert Kleinschmidt. Incumbent's commission expires January 25, 1914.

Martin M. Bies to be postmaster at Palatka, Mich. Office became presidential October 1, 1913.

John Brogan to be postmaster at Stockbridge, Mich., in place of James C. Hines, Incumbent's commission expired January 12, 1914.

Mark Burlingame to be postmaster at Bangor, Mich., in place of George E. Adams. Incumbent's commission expires January

John Butler to be postmaster at Sand Lake, Mich., in place of Frank E. Shattuck, removed.

Harvey J. Campbell to be postmaster at Benton Harbor, Mich.,

in place of Charles K. Farmer, Incumbent's commission expired December 21, 1913.

Floyd A. Chapin to be postmaster at Fenton, Mich., in place of Lawson E. Becker, resigned.

Martin Croker to be postmaster at Mount Clemens, Mich., in place of Frank E. Nellis. Incumbent's commission expired January 11, 1914.

Sylvester Doremus to be postmaster at Lake City, Mich., in

place of Ezra S. Hall, resigned.

George Cutler to be postmaster at Luther, Mich. Office be-

came presidential January 1, 1914.

Michael Doherty to be postmaster at Escanaba, Mich., in place of Henry W. Coburn. Incumbent's commission expired December 21, 1913.

Thomas J. Dundon to be postmaster at Ishpeming, Mich., in place of James Clancey. Incumbent's commission expires Feb-

ruary 25, 1914.

Lloyd C. Feighner to be postmaster at Litchfield, Mich., in place of Thomas H. Warwick. Incumbent's commission expires February 25, 1914.

Francis O. Gaffney to be postmaster at Cadillac, Mich., in place of Wallace J. Smith. Incumbent's commission expired December 13, 1913.

Albert A. Howard to be postmaster at Watervliet, Mich., in place of Clarence M. Becraft. Incumbent's commission expired December 21, 1913.

Elmer E. Hymers to be postmaster at Pontiac, Mich., in place of George A. Brown. Incumbent's commission expires February 7, 1914.

William J. Irwin to be postmaster at Republic, Mich., in place of Eric Ericson. Incumbent's commission expired December 21, 1913.

H. J. Klee to be postmaster at Rogers, Mich. Office became

presidential October 1, 1913.

John A. Jackson to be postmaster at Clare, Mich., in place of Kirkbride. Incumbent's commission expires Jan-Samuel C. uary 25, 1914.

Robert D. Jenkinson to be postmaster at Vicksburg, Mich., in place of Charles Brown. Incumbent's commission expires February 25, 1914.

Charles E. Johnston to be postmaster at Merrill, Mich., in place of James H. Hudson. Incumbent's commission expired December 21, 1913.

Clinton Joseph to be postmaster at Quincy, Mich., in place of Henry A. Graves. Incumbent's commission expires January 25,

D. L. Kingsbury to be postmaster at Cassopolis, Mich., in place of James G. Hayden. Incumbent's commission expires January 25, 1914.

A. Le Roy Locke, to be postmaster at Bronson, Mich., in place of Joseph E. Watson. Incumbent's commission expires January 25, 1914.

Christopher Lowney to be postmaster at Calumet, Mich., in

place of C. J. Wickstrom, removed.

Hugh McLaughlin to be postmaster at Iron Mountain, Mich., in place of Alfred Cruse. Incumbent's commission expired December 21, 1913.

Malcolm McPhee to be postmaster at Newberry, Mich., in place of Ross Leighton. Incumbent's commission expired December 21, 1913.

A. H. Meeker to be postmaster at Sparta, Mich., in place of Shelby C. Field. Incumbent's commission expired December 21, 1913.

W. T. Menge to be postmaster at L'Anse, Mich. Office became presidential October 1, 1913.

Otto L. Mertz to be postmaster at Gladstone, Mich., in place of Hugh B. Laing. Incumbent's commission expires February 4, 1914.

Neil Mills to be postmaster at Armada, Mich., in place of Charles H. Castle. Incumbent's commission expired December 20, 1913.

A. W. Peterson to be postmaster at Ironwood, Mich., in place of Calvin E. Houk. Incumbent's commission expired December 21, 1913.

A. M. Miller to be postmaster at Bay City, Mich., in place of George L. Luşk. Incumbent's commission expired December 13, 1913.

Le Roy Palmer to be postmaster at Coldwater, Mich., in place of Benjamin B. Gorman. Incumbent's commission expired December 21, 1913.

Edward F. Riley to be postmaster at Mendon, Mich., in place of Glover E. Laird. Incumbent's commission expires February 25, 1914.

Herbert A. Samford to be postmaster at Mount Pleasant, Mich., in place of John W. Hance. Incumbent's commission expires January 25, 1914.

Edwin Shellhern to be postmaster at Lake Odessa, Mich., in place of Otis Miner. Incumbent's commission expired December 16, 1913.

Walter W. Simons to be postmaster at Coleman, Mich., in place of David R. Menerey, resigned.

Herman G. Spring to be postmaster at Unionville, Mich., in place of Oscar D. Hill. Incumbent's commission expired December 13, 1913.

Henry C. Stevenson to be postmaster at South Lyon, Mich.

Office became presidential January 1, 1914.

D. D. Stewart to be postmaster at Munising, Mich., in place of John O'Donnell. Incumbent's commission expires February

7, 1914.

H. J. Tibbits to be postmaster at Ravenna, Mich., in place of the commission expired December. Owen N. Harrison. Incumbent's commission expired December 13, 1913,

Peter Trudell, jr., to be postmaster at Negaunee, Mich., in place of Thomas Connors. Incumbent's commission expired

January 12, 1914. Levi S. Vaughan to be postmaster at Saranac, Mich., in place

of L. C. Hunter, resigned.

Freeman Ware to be postmaster at White Pigeon, Mich., in

place of John J. Davis, resigned.

Charles B. Wilmot to be postmaster at Gladwin, Mich., in place of Isaac Foster. Incumbent's commission expires February 4, 1914.

John S. Wittliff to be postmaster at Port Huron, Mich., in place of Burton D. Cady. Incumbent's commission expired August 4, 1913.

MINNESOTA.

Gerrit F. Akin to be postmaster at Farmington, Minn., in place of Hamilton H. Judson. Incumbent's commission expires

January 24, 1914.

A. T. Archer to be postmaster at Kerkhoven, Minn., in place of Theodore Oachs. Incumbent's commission expires January

28, 1914.

Frank F. Clifford to be postmaster at West Concord, Minn., in place of Hiram W. Severns. Incumbent's commission expired

January 11, 1914.
W. J. Heaney to be postmaster at Olivia, Minn., in place of Henry H. Neuenburg. Incumbent's commission expires January 28, 1914.

M. W. Keeley to be postmaster at Janesville, Minn., in place

of John A. Henry, removed.

John L. King to be postmaster at Jackson, Minn., in place of Alexander Fiddes. Incumbent's commission expires January 24,

Peter P. Maurin to be postmaster at Celd Spring, Minn. Office became presidential January 1, 1914.

Herman R. Meisch to be postmaster at Argyle, Minn., in place

of Brayton S. Buckingham. Incumbent's commission expires January 24, 1914.

William Mueller to be postmaster at Springfield, Minn., in place of John Schmelz. Incumbent's commission expired January 12, 1914.

Elmer A. Orth to be postmaster at North St. Paul, Minn., in place of G. A. Earhuff, deceased.

Harry P. Phillips to be postmaster at Mahnomen, Minn., in place of Sigurd B. Olson. Incumbent's commission expires January 26, 1914.

James Sammon to be postmaster at Graceville, Minn., in place of Josie Forde. Incumbent's commission expired January 12,

J. H. Towey to be postmaster at Stewartville, Minn., in place of I. P. Hodge, removed,

Elliott A. Upson to be postmaster at Lake Crystal, Minn., in place of C. P. Christensen. Incumbent's commission expired

January 6, 1914. F. W. Watkins to be postmaster at Clinton, Minn., in place of Albert H. Sturges. Incumbent's commission expired January 11,

1914.

MISSISSIPPI.

James G. Cammack to be postmaster at Rolling Fork, Miss., in place of James G. Cammack. Incumbent's commission expired January 10, 1914.

Corinne Kendall Dampeer to be postmaster at Crystal Springs, Miss., in place of Clara E. Mortimer. Incumbent's commission

expires February 15, 1914.

James L. Donald to be postmaster at Tutwiler, Miss. Office

became presidential January 1, 1914. Emma Morris to be postmaster at Ittabena, Miss., in place of Emma Morris. Incumbent's commission expired January 20,

Henry H. Sikes to be postmaster at Starkville, Miss., in place of Fred H. Powers. Incumbent's commission expires January 28, 1914,

Edward W. Walton to be postmaster at Booneville, Miss., in place of George L. Holley, resigned.

Thomas M. Bresnehen to be postmaster at Brookfield, Mo., in place of George W. Martin, removed.

Frank L. Church to be postmaster at Stockton, Mo. Office

became presidential January 1, 1914.

William A. DeLissa to be postmaster at Liberal, Mo., in place of William O. Keffer. Incumbent's commission expired January 10, 1914.

Phil Donnelly to be postmaster at Lebanon, Mo., in place of Frank I. Swett. Incumbent's commission expires January 24, 1914.

B. E. Flynn to be postmaster at Potosi, Mo., in place of Blewett Smith. Incumbent's commission expired January 10, 1914.

Joseph Harper to be postmaster at Nevada, Mo., in place of Oliver W. Neff. Incumbent's commission expired January 13, 1914.

J. J. A. Hilgert to be postmaster at Kimmswick, Mo., in place of Gustave A. Wenom. Incumbent's commission expired January 10, 1914.

L. W. Mitchell to be postmaster at Bevier, Mo., in place of Thomas Francis. Incumbent's commission expired January 19,

Alexander C. Monroe to be postmaster at Hopkins, Mo., in place of William L. Moorhead. Incumbent's commission expires February 4, 1914.

John L. Walker to be postmaster at Mountain View, Mo., in place of James R. Duncan. Incumbent's commission expires

January 24, 1914. L. S. Worman to be postmaster at Sheldon, Mo., in place of A. Z. Peck. Incumbent's commission expired January 12, 1914.

MONTANA.

John J. Cameron to be postmaster at Hilger, Mont. Office became presidential January 1, 1914.

George M. Daugherty to be postmaster at Baker, Mont., in

place of Robert Pearce, deceased.

C. Henry Lanius to be postmaster at Harlowton, Mont., in place of Benjamin Urner, resigned.

J. E. Swindlehurst to be postmaster at Livingston, Mont., in place of Charles A. Burg. Incumbent's commission expires January 31, 1914.

NEBRASKA.

A. Berry to be postmaster at Wayne, Nebr., in place of William H. McNeal. Incumbents' commission expires January

John Boyer to be postmaster at Humphrey, Nebr., in place of Henry Gietzen. Incumbent's commission expires January 31, 1914.

Hiram B. Cameron to be postmaster at Herman, Nebr., in place of John C. Bailey. Incumbent's commission expires January 31, 1914.

S. S. Farrens to be postmaster at Decatur, Nebr., in place of James H. Chapin. Incumbent's commission expires January 31, 1914.

Clinton Fry to be postmaster at Winside, Nebr., in place of Frank S. Tracy. Incumbent's commission expires January 31,

W. S. Gray to be postmaster at Silver Creek, Nebr., in place of Newton L. Squier. Incumbent's commission expires January 31, 1914,

Charles J. Hultberg to be postmaster at Lyons, Nebr., in place of Timothy B. Calnon. Incumbent's commission expires January 31, 1914.

Clyde L. McCord to be postmaster at Tilden, Nebr., in place of Charles H. Snider. Incumbent's commission expires January

J. B. McDonald to be postmaster at Pierce, Nebr., in place of Alfred L. Brande. Incumbent's commission expires January

Harrison D. West to be postmaster at Crofton, Nebr., place of Charles Ruden. Incumbent's commission expires January 31, 1914.

NEW HAMPSHIRE.

Harry W. Bailey to be postmaster at Lancaster, N. H., in place of Fielding Smith. Incumbent's commission expired January 10, 1914.

John W. Drew to be postmaster at Colebrook, N. H., in place of Ira A. Ramsay. Incumbent's commission expired January

Napoleon J. Dyer to be postmaster at Laconia, N. H., in place of Julian F. Trash. Incumbent's commission expires January 24, 1914. Russell G. Graves to be postmaster at Walpole, N. H., in

place of Carleton E. Sparhauk. Incumbent's commission expired January 17, 1914.

James R. Kill Kelley to be postmaster at Wilton, N. H., in place of Harry E. Hutchinson. Incumbent's commission expired January 10, 1914.

James F. Leonard to be postmaster at Woodsville, N. H., in place of Fred P. Dearth. Incumbent's commission expired January 6, 1914.

Charles A. Morse to be postmaster at New Market, N. H., in place of William H. Small. Incumbent's commission expired

January 17, 1914.

George E. Noyes to be postmaster at Gorham, N. H., in place of John C. Richardson. Incumbent's commission expired January 17, 1914.

Patrick J. Smyth to be postmaster at Berlin, N. H., in place of Alfred E. Bean. Incumbent's commission expired January 17, 1914.

NEW JERSEY.

George L. Kirchgasner to be postmaster at Rahway, N. J., in place of Henry B. Rollinson. Incumbent's commission expires January 24, 1914.

Watson Rinehart to be postmaster at Glen Gardner, N. J., in place of John H. Nunn. Incumbent's commission expires January 28, 1914.

Thomas L. Slocum to be postmaster at Long Branch, N. J., in place of Anthony T. Woolley. Incumbent's commission expires January 24, 1914.

NEW MEXICO.

Martin Q. Hardin to be postmaster at Lordsburg, N. Mex., in place of Don H. Kedzie, removed.

P. J. Reynolds to be postmaster at Fort Bayard, N. Mex., in place of Robert S. Fisher. Incumbent's commission expires January 28, 1914.

NEW YORK.

Joseph L. Durney to be postmaster at Huntington Station, N. Y.. in place of Hattie A. Pettit, resigned.

Frank T. Kelly to be postmaster at Central Islip, N. Y., in place of George H. Hubbs. Incumbent's commission expires January 31, 1914.

M. M. Kelly to be postmaster at Sodus, N. Y., in place of Henry W. Shaver. Incumbent's commission expired December 20, 1913.

Edward A, Lemmler to be postmaster at Angola, N. Y., in place of Charles N. Wood. Incumbent's commission expired

January 11, 1913.

John W. Lynahan to be postmaster at Corning, N. Y., in place of Harry H. Pratt. Incumbent's commission expired December 21, 1913.

J. Edward Lyon to be postmaster at Naples, N. Y., in place of Frank W. James. Incumbent's commission expires January 25, 1914

Claude T. Metcalf to be postmaster at Wolcott, N. Y., in place

of A. C. Brink, resigned.
William E. Mills to be postmaster at Rose Hill, N. Y., in place of William E. Mills. Incumbent's commission expired December 20, 1913.

Otis Montrose to be postmaster at Cold Spring, N. Y., in place of John Smythe. Incumbent's commission expired January 18, 1913.

place of Mary R. Newlands. Incumbent's commission expired January 11, 1914.

A. C. Senecal to be postmaster at Plattsburg, N. Y., in place of William B. Mooers. Incumbent's commission expired December 21, 1913.

Orin A. Skutt to be postmaster at North Rose, N. Y. Office became presidential January 1, 1914.

Charles H. Tighe to be postmaster at Avon, N. Y., in place of Charles H. Sackett. Incumbent's commission expired December 20, 1913.

NORTH CAROLINA.

Gaither G. Blackwelder to be postmaster at China Grove, N. C.

Office became presidential January 1, 1914.

William G. Bradshaw to be postmaster at High Point, N. C., in place of W. P. Ragan. Incumbent's commission expired January 11, 1914.

F. C. Gillam to be postmaster at Kannapolis, N. C. Office became presidential January 1, 1914.

P. H. Linville to be postmaster at Walnut Cove, N. C. Office became presidential January 1, 1914.

J. M. McCracken to be postmaster at Graham, N. C., in place of Heenan Hughes. Incumbent's commission expired January 11, 1914.

A. Elmo Powell to be postmaster at Whiteville, N. C., in place of James D. Maultsby. Incumbent's commission expires January 31, 1914.

H. Russell to be postmaster at Laurinburg, N. C., in place of William H. Cox. Incumbent's commission expired December 17, 1911.

James W. Smith to be postmaster at Norwood, N. C. Office

became presidential January 1, 1914.

E. C. Winchester to be postmaster at Monroe, N. C., in place of Walter R. Love. Incumbent's commission expired December

NORTH DAKOTA.

Anna Carmody to be postmaster at Hillsboro, N. Dak., in place of Thomas S. Farr. Incumbent's commission expires January 28, 1914.

O. T. House to be postmaster at Napoleon, N. Dak., in place of George Laney. Incumbent's commission expires January

31, 1914.

OHIO.

Richard M. Allison to be postmaster at Cambridge, Ohio, in place of Alpheus L. Stevens. Incumbent's commission expires January 24, 1914.

P. D. Amstutz to be postmaster at Pandora, Ohio. Office be-

came presidential January 1, 1914.

Charles J. Betz to be postmaster at Baltimore, Ohio. Office

became presidential January 1, 1914.

Thomas H. Code to be postmaster at Mentor, Ohio, in place of Franklin H. Smith. Incumbent's commission expires January 24, 1914.

Henry N. Dyson to be postmaster at Hiram, Ohio, in place of G. Woodward. Incumbent's commission expires January

24, 1914.

Samuel Eichenbaum to be postmaster at Corning, Ohio, in place of David B. Wilson. Incumbent's commission expired

December 20, 1913.

William J. Evans to be postmaster at New Berlin, Ohio, in place of Frank Schiltz. Incumbent's commission expires Jan-

uary 24, 1914.

William R. Foster to be postmaster at Perry, Ohio, in place of Glenn H. Salkeld. Incumbent's commission expires January 24, 1914.

John M. Francis to be postmaster at Cadiz, Ohio, in place of Rupert R. Beetham. Incumbent's commission expires January

Frank N. Henry to be postmaster at Atwater, Ohio, in place of George W. Heiser. Incumbent's commission expires January 24, 1914.

Cyrenius C. Hughs to be postmaster at Utica, Ohio, in place of Hugh C. Bell. Incumbent's commission expires January 24, 1914.

Harry C. Lieurance to be postmaster at Jamestown, Ohio, in

place of Lester A. Smith, resigned.

Jacob M. Ridenour to be postmaster at Junction City, Ohio, in place of Horace A. Haine. Incumbent's commission expires January 24, 1914.

Freda M. Smith to be postmaster at Lowellville, Ohio, in place of Betsey Erskine. Incumbent's commission expired December 20, 1913.

OKLAHOMA.

Ida H. Cuibertson to be postmaster at Kiowa, Okla., in place of Spencer E. Rowley. Incumbent's commission expired December 20, 1913.

N. L. Lunsford, jr., to be postmaster at Cleveland, Okla., in place of John C. Morphis. Incumbent's commission expires

January 25, 1914.

J. A. McLaughlin to be postmaster at Chandler, Okla., in place of Harry B. Cilstrap. Incumbent's commission expires January 26, 1914.

Jesse W. Phillips to be postmaster at Atoka, Okla., in place of David C. Blossom, deceased.

R. I. Temple to be postmaster at Watonga, Okla., in place of Elva U. Ferguson. Incumbent's commission expires January 25, 1914.

OREGON.

V. P. Fiske to be postmaster at Dallas, Oreg., in place of Chester G. Coad. Incumbent's commission expired December 20, 1913.

William J. Hayner to be postmaster at Sutherlin, Oreg. Office became presidential January 19, 1914.

Charles H. Morris to be postmaster at Arlington, Oreg., place of Arthur Wheelhouse. Incumbent's commission expired December 21, 1913.

P. W. Todd to be postmaster at Tillimeek, Oreg., in place of Walter F. Baker. Incumbert's commission expired December 21, 1913.

PENNSYLVANIA.

Asher K. Anders to be postmaster at Doylestown, Pa., in place of E. Wesley Keeler. Incumbent's commission expires

January 28, 1914.

David M. Brown to be postmaster at Ment Alto, Pa., in place of Corwin W. Elden. Incumbent's commission expired Janu-

ary 12, 1914.

John R. Bucher to be postmaster at Columbia, Pa., in place

of John S. Wilson, removed.

William A. Christman to be postmaster at Womelsdorf, Pa., in place of Wallace W. Oberly. Incumbent's commission expires January 24, 1914.

Thomas F. Curry to be postmaster at Expedit, Pa., in place

of W. C. Shiffer, resigned.

Claude E. Desch to be postmaster at Macungie, Pa. Office became presidential January 1, 1914.

John Dzurik to be postmaster at Glenlyon, Pa. Office became

presidential October 1, 1913. Harry J. Harwi to be postmaster at Hellertown, Pa., in place of Franklin Sutton. Incumbent's commission expired January

19, 1914. J. F. Lauffer to be postmaster at Export, Pa., in place of

Oliver E. Mayhew. Incumbent's commission expired December 20, 1913.

Isaac Lowe to be postmaster at Starjunction, Pa., in place of Samuel C. Graham. Incumbent's commission expired December 17, 1912.

Hugh McKenna to be postmaster at Hazleton, Pa., in place of

W. D. Gerlach, resigned.

F. M. Newingham to be postmaster at Apollo, Pa., in place of C. F. Hageman, resigned. Frederick O. Schreiner to be postmaster at Johnsonburg, Pa.,

in place of William S. Gleason. Incumbent's commission expired January 12, 1913.

Emma M. Schrock to be postmaster at Garrett, Pa. Office became presidential January 1, 1914.

B. B. Stewart to be postmaster at Rimersburg, Pa., in place of H. B. Summerville. Incumbent's commission expired January 19, 1914.

SOUTH CAROLINA.

Ella Z. McCravey to be postmaster at Liberty, S. C. Office became presidential January 1, 1914.

George B. McMaster to be postmaster at Winnsboro, S. C., in place of Preston Rion. Incumbent's commission expires January 25, 1914.

SOUTH DAKOTA.

E. W. Babb to be postmaster at Wakonda, S. Dak. Office became presidential October 1, 1913.

Thomas McAllen to be postmaster at Bristol, S. Dak., in place of Barney Elias. Incumbent's commission expired Janu-

ary 10, 1914.

George W. Turley to be postmaster at Willow Lake, S. Dak., in place of Fannie Cromack. Incumbent's commission expired January 10, 1914.

TENNESSEE.

Y. Q. Caldwell to be postmaster at Paris, Tenn., in place of Daniel M. Nobles. Incumbent's commission expires February 21, 1914.

R. C. Loyd to be postmaster at Lewisburg, Tenn., in place of A. V. McLane, resigned.

W. A. Hamby to be postmaster at Crossville, Tenn., in place of Ulysses S. Rose. Incumbent's commission expired December 21, 1913.

Hiram M. Moore to be postmaster at Portland, Tenn. Office became presidential January 1, 1914.

James M. Schrborough to be postmaster at Dover, Tenn. Office became presidential January 1, 1914.

TEXAS.

J. H. Cates to be postmaster at Decatur, Tex., in place of Thomas L. Ball, resigned.

L. B. Duffel to be postmaster at Estelline, Tex., in place of Robert E. Tackitt. Incumbent's commission expired December 16, 1913.

Thomas W. Ewing to be postmaster at Chapel Hill, Tex.

Office became presidential January 1, 1914.

A. G. Hubbard to be postmaster at Paris, Tex., in place of James L. Dickerson. Incumbent's commission expires February 1914.
 Tobe Morris to be postmaster at New Boston, Tex., in place of T. A. Fuller, deceased.

Henry A. B. Müller to be postmaster at Brenham, Tex., in place of William E. Dwyer, resigned.

James E. Nix to be postmaster at Sunset, Tex. Office became presidential January 1, 1914.

J. B. Rector to be postmaster at Buckholts, Tex. Office became presidential January 1, 1914.

John D. Redditt to be postmaster at Center, Tex., in place of

N. Browning, removed.

W. E. Sholar to be postmaster at Humble, Tex., in place of W. E. Sholar. Incumbent's commission expired December 16,

W. E. Thies to be postmaster at Granger, Tex., in place of Council, resigned.

J. B. Walker to be postmaster at Tahoka, Tex., in place

of Jack Alley, resigned.

Emma L. Willke to be postmaster at Boerne, Tex., in place of Gerald W. Calrow. Incumbent's commission expired December 20, 1913.

Harry C. Word to be postmaster at Alice, Tex., in place of Parker. Incumbent's commission expired December Joseph 16, 1913.

UTAH.

Samuel W. Hendricks to be postmaster at Richmond, Utah. Office became presidential January 1, 1914.

VERMONT.

Sanford E. Emery to be postmaster at Proctorsville, Vt. Office became presidential July 1, 1913.

James McGovern to be postmaster at North Bennington, Vt., in place of Heman I. Spafford. Incumbent's commission expired May 19, 1912.

VIRGINIA.

A. B. Buchanan to be postmaster at Tazewell, Va., in place

of W. C. Pendleton, resigned. C. N. Otey to be postmaster at Wytheville, Va., in place of J. L. Gleaves, deceased.

Bert Russell to be postmaster at Damascus, Va. Office became presidential October 1, 1912.

WASHINGTON.

Jasper J. Cameron to be postmaster at Harrington, Wash., in place of J. P. Rosebaugh. Incumbent's commission expired January 19, 1914.

D. I. Carpenter to be postmaster at Granite Falls, Wash., in place of Edward R. Turner. Incumbent's commission expires

January 24, 1914.

John H. Chilberg to be postmaster at La Conner, Wash., in place of John P. McGlinn. Incumbent's commission expired January 17, 1914.

May Fleming to be postmaster at Monroe, Wash., in place of R. H. Stapleton. Incumbent's commission expired January 19, 1914.

WEST VIRGINIA.

Joseph N. Alderson to be postmaster at Alderson, W. Va., in place of George E. Bare. Incumbent's commission expires January 24, 1914.

Karl G. Davis to be postmaster at Wallace, W. Va. Office

became presidential January 1, 1914.

Charles G. Ogden to be postmaster at Salem, W. Va., in place of Columbus W. Law. Incumbent's commission expired January 10, 1914.

WISCONSIN.

Nicholas H. Berigan to be postmaster at Foxlake, Wis., place of D. J. Hotchkiss. Incumbent's commission expired December 21, 1913.

M. J. Elstad to be postmaster at Mattoon, Wis., in place of A. Kasson. Incumbent's commission expired December 14, 1912

W. W. Lauson to be postmaster at New Holstein, Wis., in place of William Milhaupt. Incumbent's commission expired January 12, 1914.

Albert Liebl to be postmaster at Luxembourg, Wis., in place of Albert Liebl. Incumbent's commission expired January 13,

Thomas H. Ryan to be postmaster at Wausau, Wis., in place of A. W. Trevitt. Incumbent's commission expires February 16, 1914.

Harry P. Walker to be postmaster at Plainfield, Wis., in place of R. J. Coon. Incumbent's commission expired January 12, 1914.

WYOMING.

John H. Cameron to be postmaster at Evanston, Wyo., in place of William Pugh. Incumbent's commission expired Jannary 19, 1914.

Guy J. Gay to be postmaster at Thermopolis, Wyo., in place of Frank F. Tuttle, resigned.

Nellie Gilbert to be postmaster at Riverton, Wyo. Office became presidential January 1, 1914.

Walter L. Larsh to be postmaster at Cheyenne, Wyo., in place of George W. Hoyt. Incumbent's commission expires February 2, 1914.

John McNamara to be postmaster at Kemmerer, Wyo., in

place of Frank L. Palmer, resigned.

Charles P. Wassung to be postmaster at Rock Springs, Wyo., in place of Joseph Iredale. Incumbent's commission expires January 25, 1914.

WITHDRAWAL.

Executive nomination withdrawn January 24, 1914. Richard C. Reed to be assistant paymaster in the Navy.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 24, 1914. POSTMASTERS.

MARYLAND.

James S. Price, Snow Hill.

TENNESSEE.

R. G. Loyd, Lewisburg.

VIRGINIA.

Bert Russell, Damascus.

HOUSE OF REPRESENTATIVES.

SATURDAY, January 24, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the fol-

lowing prayer:

Our hearts go out in gratitude to Thee, our Father in heaven, for the wonderful transitions which have been going on and are to-day affecting the minds and hearts of men under the benign influence of humanitarianism, born of the Christ spirit. Imperialism is giving way to the broader views of democracy in the social and economical fields of endeavor, and we most fervently pray that the toilers, the so-called laboring classes, may be lifted to their rightful place in the hearts of men, that they may share equally with capital in the productions of their toil. Hasten the day when capital and labor shall be united in the bonds of brotherhood, each for all and all for each. To this end deliver us from the alarmist, the agitator, the demagogue, that the broad-minded, warm-hearted humanitarian may do his work and bring about the nobler, grander conditions when strife shall cease and harmony prevail, that brother may live with brother in love and peace.

To-day, our Father in heaven, marks an event in the history of this House. A man known for his uprightness, his integrity, his Christian character, has been taken away after serving this House for 58 years, always at his post, always strong to do his work, and now passed on to a glor ous reward. Bless those who knew and loved Capt. John T. Chancey. Be with his family and comfort them, and help us so to live that when the time comes we shall pass on to a more glorious existence under the benign influences of the Christian thought and religion, through

Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

ALASKA.

Mr. HOUSTON. Mr. Speaker, I desire to ask leave to extend my remarks by printing in the Record a letter addressed to me as chairman of the Committee on the Territories by Rev. S. H. Young, a Presbyterian minister, who has had charge of missions

in Alaska for many years.

The SPEAKER. The gentleman from Tennessee [Mr. Hous-TON] asks unanimous consent to extend his remarks in the RECORD by printing a letter addressed to him as chairman of the Committee on the Territories. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Following is the letter referred to:

DECEMBER 22, 1913.

Hon. W. C. Houston,

Chairman Committee on Territories, Washington, D. C.

Six: In accordance with your request I hereby forward you a statement concerning the climate, products, farming lands, resources, population, etc., of Alaska, the results of my observation during my more than 35 years of residence in and correspondence with the Territory.

I went to Alaska in the spring of 1878, remained continuously in southeastern Alaska until 1888, during which time, as a missionary and explorer, I visited all parts of the Alexandrian Archipelago, traveling by canoe among those islands upward of 15,000 miles.

After an interval of nine years spent in the States, I returned to Alaska in 1897, at the time of the first great stampede into the Klondike region. For the past 16 years I have been following all the movements of the miners and prospectors into all parts of interior and southern Alaska. I have wintered at Dawson, Fairbanks, Nome, Teller, Council, Cordova, and Skagway during those 16 years, and have traveled extensively by boat and on foot in the summer and with my dog sled and on snowshoes during the winter. In each place where I have lived I have considered the climate and soll in a practical way by raising various crops in my gardens and fields and by visiting the farms and gardens in each place.

First, as regards the climate of interior Alaska. I spent three years at Fairbanks, on the Tanana. I do not recall any other years of my life in which I enjoyed the climate and surrounding conditions as much as those years spent in the Tanana. During that time the coldest weather I experienced at Fairbanks was 63° below zero, in the winter of 1905-6. The other two winters the extreme cold was 55° and 53° below zero, respectively. This extreme cold weather lasted in each case but a very short time, and during that time the air was so still, pure, and light that very little discomfort was experienced. My wife and I were out calling on our parisiners during the coldest weather of each year and did not suffer from cold. The children in each case but a very short time, and during that time the air was so still, pure, and light that very little discomfort was experienced. My wife and I were out calling on our parisiners during the coldest weather of each year and did not suffer from cold. The children in the schools at Fairbanks lost no time from their lessons on

"The summer no sweeter was ever, The sunshiny woods all athrill."

"The summer no sweeter was ever,
The sunshiny woods all athrill."

The snow disappears before a warm flood of sunshine early in the latter part of April, and ordinarily there are four and a half to five months without frost. During this time there is almost unbroken sunshine. All vegetation, and especially planted crops, come on with a surprising rapidity. The fact that from the middle of May to the middle of August we have unbroken daylight and almost unbroken sunshine, with a temperature ranging as high as 92 to 93 degrees, explains the abundance and perfection of the crops of the Tanana Valley. I have successfully raised and ripened in my own garden and fields there wheat, oats, barley, potatoes, turnips, rutabagas, tomatoes, peas, radishes, lettuce, carrots, and other vegetables also. I have gathered in abundance, growing wild, red and black currants, cranberries, both low and high bush; red raspberries, strawberries, blueberries of many varieties, salmon berries, moss berries, etc. Most varieties of flowers can be grown successfully in the gardens of Fairbanks; a profusion of wild flowers of infinite variety and great beauty is found in all parts of the great Territory.

Chickens, cattle, horses, and sheep are successfully raised and bred in that region. The farmers about Fairbanks have been uniformly successfull raising the crops I have mentioned, and also timothy and blue grass. A good quality of redtop grass grows wild and is often harvested and fed to the cattle and horses. Clover has been successfully raised, but has not the endurance of other grasses.

The time at Fairbanks was too short to test the matter of apples and other fruit trees, but I have eaten good apples grown by the experiment station near Fairbanks. Strawberries, tame currants, and gooseberries have been grown with great success in that region.

The climate of the Tanana Valley, allowing the warm breezes from the Japan current to sweep up the Kuskoquim and across the Tanana Valley and the lower Yukon. Although Fairbanks is a little far

there is from four to ave houris every year without frost, allowing the time for crops to mature and ripen.

The climate of the Kuskokwim Valley is more moist than that of the Tanana, especially down in that region foward Bering Sea. The upper valley of the Kuskokwim is, however, a beautiful region, with low, rolling hills, black soil, abundant vegetation—a great game region. The climate here is much drier and warmer in the summer than the lower Kuskokwim.

Kuskokwim.

The Susitna Valley, while not so large in extent as either the Tanana or the Kuskokwim, is perhaps the best climate of all. The warm breezes from the main branch of the Japan Current sweep up the valley, and its mean climate is not so cold by from 20° to 30° as that of the Tanana Valley. Many farms have been located in the country around the head of Cooks inlet. Stock can winter there comfortably without much shelter, and all the crops grown in the Northern States can be matured there.

As to the minerals of interior Aleske, the ground is not not follow.

matured there.

As to the minerals of interior Alaska, the ground is not yet fully prospected for placer mines, and new strikes of gold are being made every year, while the quartz mining done, although yet in its infancy, has demonstrated the great value of the gold-quartz leads in many places. The coal regions of the Tanana, the Matanuska, and Bering River are of great extent and very rich, while copper abounds in many places, as well as tin, antimony, quicksliver, lead, silver, and iron.

The population (white) of interior Alaska will compare well in intelligence, morals, physical strength, and character with any other population elsewhere. The people are contented and love the land of their adoption, and it has become a proverb in central Alaska that if any one

of the people who have lived there for some years goes "outside," he must come back. For my part, I know of no land under the san where I would rather live, work, and die than interior Alaska.

S. HALL YOUNG,
Superintendent Presbyterian Mission in Alaska.

POST OFFICE APPROPRIATION BILL.

Mr. HUMPHREY of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the Record a letter I have received from one of the rural carriers in my district, showing the cost of carrying the mails over that route.

The SPEAKER. The gentleman from Washington [Mr. Hum-

PHREY] asks unanimous consent to extend his remarks by printing in the Congressional Record a letter from a letter carrier,

stating the cost of the service. Is there objection?

Mr. BARNHART. Mr. Speaker, reserving the right to object, I apprehend that every Member on the floor of this House has similar letters on his desk this morning. I have several of them. I apprehend that that is a matter of such general infor-mation to Members of Congress, because we have been duly advised, that I am constrained to object.

The SPEAKER. The gentleman from Indiana objects. When the House adjourned last evening the previous question had been ordered on the Post Office appropriation bill (H. R. 11338), and ordered on the Post Office appropriation bill (H. R. 11338), and likewise the yeas and nays had been ordered on the Reilly amendment. The Clerk will call the roll on the Reilly amendment. Those in favor of it will answer "yea" when their names are called; those opposed will answer "nay."

The question was taken; and there were—yeas 323, nays 17, answered "present" 2, not voting 91, as follows:

Howard

YEAS-323.

Abercrombie Adair Deitrick Detrick
Dent
Dershem
Dickinson
Difenderfer
Dillon
Dixon
Donovan
Donovan Adair Adamson Aiken Allen Anderson Ansberry Anthony Ashbrook Donovan
Dooling
Doolittle
Doremus
Driscoll
Dunn
Dyer
Eagan
Edmonds Ashbrook Aswell Austin Bailey Baker Baltz Barkley Barnhart Bartholdt Bartlett Edwards Esch Estopinal Bathrick Evans Fairchild Beakes Bell, Cal. Bell, Ga. Faison Falconer Farr Fergusson Ferris Bell, Ga.
Blackmon
Booher
Borland
Bowdle
Britten
Brockson
Broussard
Brown, N. Y.
Brown, W. Va.
Browne, Wis.
Brumbaugh
Bryan
Buchanan, Ill. Fess Fields Fields
Finley
Fitzgerald
Flood, Va.
Floyd, Ark.
Fordney
Foster
Fowler
Francis Buchanan, Ill. Francis Frear French Gard Gardner Bulkley Bulkley Burgess Burke, Wis, Burnett Butler Byrnes, S. C. Byrns, Tenn. Calder Campbell Garrett, Tenn. Gerry Gilmore Glass Cander, Miss. Goeke Good Gordon Gorman Graham, III. Cantor Cantrill Caraway Carr Gray Green, Iowa Greene, Mass. Greene, Vt. Carter Casey Chandler, N. Y. Church Gregg Griest Griffin Church
Clancy
Clark, Fla.
Clayton
Coady
Collier
Connelly, Kans.
Connolly, Iowa.
Conry
Cooper Gudger Hamilton, Mich. Hamilion, Hamilion Hammond Hardwick Hardy Harrison Conry
Cooper
Copley
Covington
Cox
Cramton
Crosser
Cullop Haugen Hawley Hay Hayden Hayes Helgesen Curry Davenport Davis Decker

Howard Howell Hughes, Ga. Hughes, W. Va. Hulings Hull Johnson, Utah Johnson, Wash. Kahn Keating Kelley, Mich. Kelly, Pa. Kennedy, Fa. Kennedy, Fa. Kennedy, R. I. Kettner Kiess, Pa. Kinkald, Nebr. Kinkad, N. J. Kirkpatrick Knowland, J. R. Konop Kreider Lafferty La Follette Langham Langley Lazaro Lee, Ga. Lenroot Lee, Pa.
Lenroot
Lesher
Lever
Levy
Lewis, Md.
Lindbergh
Lindquist
Lloyd
Lobeck
Logge Logue Logue
Lonergan
McAndrews
McCoy
McDermott
McGillicuddy
McGuire, Okla.
McKellar
McKenzle
McLaughlin
MacDonald
Madden
Maguire, Nebr. Madden Maguire, Nebr. Maher Manahan Mann Mapes Miller Mitchell Montague Moon Moore Morgan, La. Morgan, Okla. Morin Moss, Ind. Moss, W. Va. Mott Murdock Hensley Hinds Holland Houston

Murray, Mass.

Murray, Okia, Neeley, Kans, Neely, W. Va, Nelson Norton O'Hair Hull O'Hair Humphrey, Wash. O'Ghdeld Humphreys, Miss. O'Shaunessy Igoe Padgett Paige, Mass. Johnson, Utah Johnson, Wash. Kahn Parker Patten, N. Y. Parker Patten, N. Y. Patton, Pa. Payne Peters, Mass. Peterson Phelan Platt Plumley Porter Post Pou Powers Prouty Rainey Raker Rauch Rayburn Reed Reilly, Conn. Reilly, Wis. Riordan Roberts, Mass. Rogers Rothermel Rouse Rucker Rupley Russell Sabath Scott Seldomridge Shackleford Sherley Sherwood Shreve Sims Sinnott Slayden Sloan Small Small
Smith, Idaho
Smith, J. M. C.
Smith, Md.
Smith, Minn.
Smith, N. Y.
Smith, Saml. W.
Stafford
Stedman
Steenerson
Stephens, Cal.
Stephens, Nebr.
Stephens, Tex,
Stevens, Minn.
Stevens, N. H.
Stone
Stout
Sumners Sumners Sutherland

Murray, Okla.

Taggart Tayenner Taylor, Ark, Temple Ten Eyck Thacher Thomas Thompson, Okla.

Cline

Thomson, Ill. Towner Treadway Tribble Tuttle Underhill Underwood Walker

Walsh Watkins Watson Weaver Whitacre White Williams

Willis Wilson, Fla. Winslow Woodruff Woods Young, N. Dak. Young, Tex.

NAYS-17.

Elder Garner Garrett, Tex. Borchers Buchanan, Tex. Claypool Gillett Helm

George Gittins

Godwin, N. C.

Morrison Page, N. C. Quin Smith, Tex. Stephens, Miss.

Vaughan Witherspoon

ANSWERED "PRESENT "-2.

Doughton Scully

NOT VOTING-91. Gallagher

Ainey Alexander Avis Barchfeld Beall, Tex. Bremner Brodbeck Browning Bruckner Burke, Pa, Burke, S. Dak. Callaway Carlaway Carew Carlin Cary Crisp Curley Dale Danforth Donohoe Dupré FitzHenry

Goldfogle Goodwin, Ark. Goulden Graham, Pa. Graham, Pa.
Guernsey
Hamilt
Hamilton, N. Y.
Hart
Heflin
Helvering
Henry
Hill
Linebangh Hill Hinebaugh Hobson Hexworth Johnson, Ky. Johnson, S. C.

Kent Key, Ohio Kinder Kitchin Korbly L'Engle Lewis, Pa. Lieb Linthicum Linthicum
Loft
McClellan
Mahan
Martin
Merritt
Metz
Mondell
Nolan, J. I.
O'Brien
Oglesby
O'Leary
Ragsdale
Richardson
Roberts, Nev

Saunders Saunders
Sells
Sharp
Sisson
Slemp
Sparkman
Stanley
Stringer
Switzer Stringer
Switzer
Talbott, Md.
Taicott, N. Y.
Taylor, Ala.
Taylor, Colo.
Taylor, N. Y.
Townsend
Vare
Volstead
Wallin Wallin Walters Webb Wilson, N. Y. Wingo

So the amendment was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. METZ with Mr. WALLIN.

Mr. Scully with Mr. Browning.

Until further notice:

Mr. WINGO with Mr. BARCHFELD.

Mr. Dale with Mr. Martin. Mr. FitzHenry with Mr. Roberts of Nevada.

Mr. Webb with Mr. Volstead. Mr. Clancy with Mr. Hamilton of New York. Mr. CRISP with Mr. HINDS (transferable).

Mr. Talbott of Maryland with Mr. MERRITT. Mr. McClellan with Mr. SWITZER.

Mr. ALEXANDER with Mr. BURKE of Pennsylvania.

Mr. CARLIN with Mr. AINEY.

Mr. Dupré with Mr. Avis. Mr. Goodwin of Arkansas with Mr. Burke of South Dakota.

Mr. GOLDFOGLE with Mr. CARY.

Mr. Godwin of North Carolina with Mr. Danforth.

Mr. HEFLIN with Mr. GUERNSEY.

Mr. O'BRIEN with Mr. HINEBAUGH.

Mr. SHARP with Mr. KEISTER.

Mr. Sisson with Mr. Mondell

Mr. SPARKMAN with Mr. J. I. NOLAN. Mr. TALCOTT of New York with Mr. SELLS.

Mr. Townsend with Mr. Slemp. Mr. Donohoe with Mr. Vare.

Mr. Wilson of New York with Mr. Walters.
Mr. Lieb with Mr. Lewis of Pennsylvania.
Mr. SCULLY. Mr. Speaker, did the gentleman from New

Jersey, Mr. Browning, vote?

The SPEAKER. He did not.

Mr. SCULLY. I have a general pair with the gentleman.

I voted "aye," but I wish to withdraw my vote and to be recorded "present."

The result of the vote was announced as above recorded.

The SPEAKER. The amendment is agreed to. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time,

and was accordingly read the third time and passed.

On motion of Mr. Moon, a motion to reconsider the last vote

was laid on the table.

LEAVE TO EXTEND REMARKS.

Mr. HULINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. On this bill?

Mr. HULINGS. Yes

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD on this bill. Is there objection?

There was no objection.

COST OF PRINTING THE CONGRESSIONAL RECORD.

Mr. BARNHART. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Indiana [Mr. BARN-HART] asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. BARNHART. Mr. Speaker, I want to take about five minutes of the time of the House this morning to present very briefly for your own consideration the question of the constantly growing abuse of miscellaneous printing in the Cox-GRESSIONAL RECORD. I have taken some pains to ascertain a few figures that will very much interest every Member of this

House who is interested in sensible and consistent economy.

I have here a statement showing the cost of one copy of the entire issue of the daily Congressional Record and Index for various sessions of Congress, including the Sixtieth, Sixty-first, Sixty-second, and the special session of the Sixty-third. A good many of you will be amazed when I tell you that the total cost of printing the Congressional Record for the first session of the Sixtieth Congress was \$271,966.14, or \$10,000 for each copy of the RECORD which was allotted to you as Members and for each of the others that were issued to the Senators and to the several departments of the Government besides. In the last special session of Cougress the average cost to each Member per copy of the Congressional Record which you received was \$7,082. The average cost of each copy of the Congressional Record by sessions in the Sixtieth, Sixty-first, Sixty-second, and the first or special session of the Sixty-third was \$8,437 for each copy. Each gentleman has had 60 copies allotted to him, which makes a total of \$50,622 that it has cost the people of the United States to furnish each Member with his allotted copies of the CONGRESSIONAL RECORD. Now, I want to appeal to you, gentlemen; I firmly believe every Member of this House will agree with me that we are really running mad in this matter of filling the Congressional Record, at the expense of the public, with all sorts of communications that are sent to us to be printed to the advantage of a very few. I do not like to object to requests of Members to print, and can not be here and the other members of the Printing Committee can not be here all the time

Will the gentleman yield for a question?

Mr. BARNHART. I will.

Mr. HARDY. I understood the gentleman to say that the total cost of printing the Congressional Record for the Sixtleth Congress was two hundred and some thousand dollars.

Mr. BARNHART. The cost of printing the Congressional Record for the first session of the Sixtieth Congress was

Mr. HARDY. And then I understood the gentleman to say that the cost to each Member was something over \$50,000.

Mr. BARNHART. I say that the average cost for each copy that was issued was \$10,000.

SEVERAL MEMBERS. Oh, no.

Mr. HARDY. For each daily issue?

Mr. BARNHART. Yes; and you each had 60 copies. Mr. HARDY. I understood the gentleman to say that the average cost incurred for each Member was something near \$60,000.

Mr. BARNHART. The average cost to each Member for each copy for that session was \$10,000.

Mr. MANN. The gentleman had better revise his figures.

Mr. HARDY. It seems to me that the gentleman's figures

are sadly mixed in some way.

Mr. BARNHART. I will give you these figures for the first session of the Sixtieth Congress, and if you want to write them

down you can figure them out.

Mr. HARDY. What I want is to have you repeat that sentence where you said it cost about \$60,000 for each Member.

Mr. ROBERTS of Massachusetts. Will the gentleman yield for a question?

Mr. BARNHART. I will. Mr. ROBERTS of Massachusetts. I understood the gentleman to say that the total cost of printing the RECORD for the

first session of the Sixtieth Congress was \$275,000.

Mr. BARNHART. I said that the total cost of printing the Record for the first session of the Sixtieth Congress was

Mr. ROBERTS of Massachusetts. That is the total cost of all the RECORDS printed in that session?

Mr. BARNHART. Yes,

Mr. ROBERTS of Massachusetts. How can the gentleman figure out, then, that the RECORD furnished each Member cost \$60,000?

Mr. BARNHART. I did not say that; I said each copy of the

CONGRESSIONAL RECORD COST \$10,000.

Mr. ROBERTS of Massachusetts. If the total cost was \$271, 000 and we had 393 Members in the House alone, \$10,000 a copy for each Member would make the cost of the RECORD run up into the millions, whereas the gentleman says it is only \$271,000. As I figure it, the total cost for each Member is about \$10.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. BARNHART. I will.

Mr. MANN. I want to ask the gentleman, In that session where the total cost was \$272,000, how many days was the Rec-

ORD printed; how many numbers were issued?

Mr. BARNHART. There were 27,172 copies issued.

Mr. MANN. How many days was the Record printed? Mr. BARNHART. I do not have the number of days

Mr. MANN. Evidently the gentleman has confused the num-

ber of days with the number of copies.

Mr. BARNHART. Mr. Speaker, I readily see that in the punctuation of these figures the compiler has made an error. Nevertheless, Mr. Speaker——
Mr. SIMS. Will the gentleman yield?
Mr. BARNHART. I will.

Mr. SIMS. The price that is charged by the Government Printing Office per copy is supposed to cover all the cost of printing the Record, does it not?
Mr. BARNHART. Yes.

Mr. SIMS. If the gentleman will calculate the cost by the price charged per copy, he will see that it is impossible to reach the figures presented by himself.

Mr. BARNHART. I admit that; it was a clerical mistake in

punctuation by a very competent official.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. BARNHART. Certainly. Mr. KELLEY of Michigan. If the gentleman will divide the sum he has mentioned by the number of days in the session, his answer will be practically correct—\$10,000 an issue.

answer will be practically correct—\$10,000 an issue.

Mr. BARNHART. I will say, as I have already said, that the punctuation by the compiler is misleading. Nevertheless, the average cost of each session serial copy is \$8.43.

The SPEAKER. The time of the gentleman from Indiana has

expired.

Mr. SLAYDEN. Mr. Speaker, the gentleman is aiming at a real reform, and I ask unanimous consent that he be permitted to conclude his remarks...

Mr. MANN. Mr. Speaker, I have no objection to a reasonable time, but under that request he might take up the whole

afternoon.

Mr. BARNHART. Say 5 minutes, Mr. MANN. Make it 10 minutes.

The SPEAKER. The gentleman from Illinois [Mr. Mann] and the gentleman from Texas [Mr. SLAYDEN] ask unanimous consent that the time of the gentleman be extended 10 minutes. Is there objection?

There was no objection.

Mr. BARTLETT. Will the gentleman yield? Mr. BARNHART. With pleasure.

Mr. MANN. The gentleman had better extend his remarks in

the Record and get it right. [Laughter.]
Mr. BARTLETT. The subscription price for the Record is
\$8 for a long session and \$3 for a short session. The Government furnishes the RECORD to the public at cost. Is not that

Mr. BARNHART. That is the fixed price, but it is not really the cost, because, as I set forth, the cost for all of this time is \$271,000 for the session. I want further to say that anyone who examines the figures, whatever the price per copy, will see that it totals nearly \$300,000 for a session; and that this is an enormous sum we must all admit. Now, a large part of this cost is due, as I said in the beginning, to Members asking unanimous consent to insert all sorts of lengthy communications, newspaper clippings, and so forth, in the Congressional RECORD, which very few people take time to read.
Mr. FINLEY. Will the gentleman yield?
Mr. BARNHART. With pleasure.

Mr. FINLEY. I want to ask my friend, chairman of the Committee on Printing, if it is not a fact that the average cost of each copy, of a single copy of the RECORD, is about 5½ cents?

Mr. BARNHART. No; it is about 8½ cents.

Mr. FINLEY. Does that include sending it through the mails from the Government Printing Office?

Mr. BARNHART. That is the price given me by an attaché of the Government Printing Office, and I of course presume that it is correct.

Mr. FINLEY. Then the cost of the RECORD would be the number of single copies received by each Member of Congress in

a session, multiplied by 8½ cents?

Mr. BARNHART. I do not understand.

Mr. FINLEY. If we have the number of single copies at Si cents

Mr. BARNHART. If you multiply that by 60, you would have the price per day per Member.

Mr. LANGLEY. Mr. Chairman, will the gentleman yield?

The SPEAKER. To whom does the gentleman yield?

Mr. BARNHART. Mr. Speaker, I am yielding to the gentle-

man from South Carolina.

Mr. FINLEY. Then the total number of copies received in a day, during the session or term of Congress, multiplied by S₂ cents, would be the cost for the Congressional Record going to each Member of Congress. There is no doubt about that. I want to ask this further question: That does not include all of the cost to the Government for the printing and distribution of this Congressional Record. The Record goes through the mail?

Mr. BARNHART. Oh, yes; it is franked through.

Mr. FINLEY. And whatever the cost per pound for sending the RECORD through the mail must be added to this sum?

Mr. BARNHART. Certainly. I was just coming to that. I

now yield to the gentleman from Kentucky.

Mr. LANGLEY. Mr. Speaker, I did not quite understand all the gentleman has said, owing to the confusion on the floor. Is he objecting to the insertion of extraneous matter in the RECORD?

Mr. BARNHART. Yes and no-depending on what may be considered extraneous matter. I believe that any articles and statements that directly pertain to the public welfare or the subject under consideration should be admitted to the Congres-SIONAL RECORD.

Mr. LANGLEY. As I remember it, in the Sixty-second Congress, with the gentleman's consent, I asked and obtained unanimous consent that his eulogy on a dog be inserted in the RECORD. [Laughter.]

Mr. BARNHART. Yes; I remember that.

Mr. LANGLEY. Does the gentleman regard that as extraneous matter?

Mr. BARNHART. I do; but inasmuch as I was new on my job then and it was my dog, and he was dead, I did not have the

heart to object.

eart to object. [Laughter.]
Mr. LANGLEY. I had forgotten whether it was the gentleman's dog or somebody else's dog, or whether the dog was dead or living [laughter], but I regarded it as a splendid piece of English and as embodying a noble sentiment, and I thought it would improve the RECORD. That was why I made the request.

Mr. SIMS. Mr. Chairman, will the gentleman yield?

Mr. BARNHART. Yes.

Mr. SIMS. I ask for information. Is not the subscription price for the RECORD \$8 for the long session and \$4 for the short session

Mr. BARNHART. That is the fixed, running price.

Mr. SIMS. That is, \$12 for the two sessions?

Mr. BARNHART. Yes.
Mr. SIMS. Each Member having 60 copies, 12 times 60 would be \$720, if the Member got them all, but the fact is that we get only one copy each, and the rest are sent to our constituents at their urgent request. It used to be, as far as my experience has gone, when I first came to Congress, and the Republicans were in power, that nobody seemed to want the Record, but since the Democrats came in and we are preaching civic righteousness, everybody wants it. I send out my whole quota on pressing requests, and to say that each Member gets this number is liable to mislead the public.

Mr. BARNHART. My experience was, before I was a Mem-

ber of this body, that when the Congressional Record came to my newspaper office for years and years—and it was the experience of other newspaper offices, as I very well know—before the days when we had steam heat and electric lights, and so forth, we used the Congressional Record without opening them for kindling fires and window props.

Mr. MANN. That is the case with newspapers generally, is it not?

Mr. TOWNER. Will the gentleman yield?

Mr. BARNHART. Certainly.

Mr. TOWNER. Could the gentleman furnish the House a statement in an extension of his remarks with regard to the amount and cost of the extraneous matter that is printed in the RECORD? I think that would be very valuable, and we ought to really know what the House is doing with regard to it. I agree with the gentleman that we ought not to continue this, if it is entailing any considerable expense.

Mr. BARNHART. I will make an effort to secure that information, and put it in in connection with my remarks, but I am not sure it can be estimated.

Mr. SIMS. Mr. Chairman, I want to say that the libraries of schools throughout the country are sending for these Congres-SIONAL RECORDS. I think I said that it cost \$12 per annum, or left that inference, on subscription. Twelve dollars would be the cost for two years, or \$310 a year for the whole 60 copies that each Member has the right to send out.

Mr. BARNHART. Well, hardly. It averages per serial copy each \$8.43 per session, which, multiplied by 60 copies which we are allotted makes about \$505.80 cost per each Member of

the House per session.

Mr. MOORE. Will the gentleman yield?

Mr. BARNHART. Oh, no; I am talking about the session.

Mr. SIMS. I said \$8 for the long session and \$4 for the short session. There is only one long and one short session in any one Congress, and I used the word per annum when I meant Congress.

Mr. BARNHART. The gentleman figuring on what the RECORD sells for does not show all the expense, because, as I have set forth here, the average has been 81 cents per copy.

Mr. SIMS. It is the selling price, and we pay what it costs. The Public Printer sells the RECORD for that price.

Mr. BARNHART. The gentleman from Tennessee is mis-

taken in saying the selling price is what it costs.

Mr. SIMS. No; I did not say that; I do not know what it costs, but that is the selling price, and I take it for granted it is not sold for less than it costs.

Mr. BARNHART. I think I am prepared to show by these figures we are doing that very thing-we are selling at the average price of 6 cents and the average cost has been 8.43

Mr. SIMS. Well, I do not see why we should sell the RECORD

to individuals for less than it cost.

Mr. BARNHART. Because the custom has been fixed, and that is why I am saying the abuse is growing all the time. That price was doubtless fixed at a time when the Congres-SIONAL RECORD was not filled with all sorts of unnecessary matter, but it has grown in volume and in weight and the expense of franking it and the expense of printing and the expense of paper has increased until we have advanced from 6 cents per copy

per day to S¹/₂ cents per copy.

Mr. SIMS. I have no doubt of it, but I did not want it to go out that each man sent out \$60,000 worth of Records each

Mr. BARNHART. I will correct that error in punctuation.
Mr. ASHBROOK. I would like to ask the gentleman two simple questions. Can the gentleman tell me what it cost to print the Congressional Record the first session of the Sixtythird Congress?

Mr. BARNHART. I can.

Mr. ASHBROOK. Please give it.

Mr. BARNHART. That is the special session?

Mr. ASHBROOK. Yes.

BARNHART. Two hundred and eight thousand nine hundred and fifty-three dollars and eighty-two cents.

Mr. ASHBROOK. Now, please tell me how many copies were printed?

Mr. BARNHART. Twenty-nine thousand five hundred and

ASHBROOK. I will figure out the balance myself. [Laughter.]

The SPEAKER. The time of the gentleman has again expired.

Mr. MANN. Mr. Speaker, I would ask that the gentleman have two minutes more.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman have two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. I understood the gentleman in colloquy with

the gentleman from Tennessee to give the cost where persons desired to subscribe for the RECORD. I notice an advertisement in the RECORD under date of January 13, this month, and there are similar advertisements in recent Records, providing that the daily Record for the first session of the Sixty-third Congress will be furnished by mail to subscribers free of postage for \$1.50 a month, payable in advance. Does not the gentleman think that is a rather belated advertisement to be appearing in the Record now; not an advertisement of what the Record will cost now, but what it will cost in advance for a session which has long since expired? Should not they bring the cost up to date?

Mr. BARNHART. I think so; and if I were the editor of

the Congressional Record I should see to it-

Mr. MANN. The gentleman is.

Mr. BARNHART. No; I am not editor of the Congressional RECORD.

Will the gentleman yield for a question?

Mr. BARNHART. I will.

Mr. MOORE. Assuming that the Congressional Record would cost \$10 per issue daily per annum-

Mr. BARNHART. Yes.

Mr. MOORE. Does not the gentleman think it would be well

Mr. BARNHART. Well, I doubt it in its present form, because it is so voluminous very few people can take time to read it sufficiently to gather from it what they really ought to know.

Mr. MOORE. Would it not actually be a good thing for the country if it were distributed free to the average young American, so he could obtain accurate information as to the proceedings of the Congress?

Mr. BARNHART. I will say in reply to that yes and no. If the Congressional Record carried the actual proceedings of the Congress, yes. If it carried all sorts of publications, including miscellaneous observations, newspaper clippings, magazine articles, and personal opinion and personal glory communications covering as much as 59 pages, as it has in the past, I would say no, because the public would not, for it could not, read it.

The SPEAKER. The time of the gentleman from Indiana has again expired.

ORDER OF BUSINESS.

The SPEAKER. The Chair wishes to announce the program for a few days. There has been a squabble going on here between the Appropriations Committee and the Committee on Rules as to which should have the right of way. The Chair is going to settle it in this way: As soon as this pension matter is out of the way, he is going to recognize the gentleman from Kentucky [Mr. Sherley] to move to go into the Committee of the Whole House on the state of the Union for the consideration of the fortifications appropriation bill. Then, before he recognizes anybody else to make that motion as to any other appropriation bill, he is going to recognize the chairman of the Committee on Rules.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to the following Members:

Mr. McClellan, for five days, on account of death of a

Mr. TALCOTT of New York, for three days, on account of imortant business

Mr. BRUCKNER, for three or four days, on account of important

WITHDRAWAL OF PAPERS.

Mr. Greene of Massachusetts, by unanimous consent, granted leave to withdraw from the files of the House, without leaving copies, papers in the case of Darius E. White, H. R. 22398, Sixty-second Congress, no adverse report having been made thereon.

THE LATE JOHN T. CHANCEY.

Mr. AUSTIN. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Tennessee asks unanimous consent for the present consideration of a resolution which the Clerk will report,

The Clerk read as follows:

House resolution 388.

Resolved. That the House has heard with profound sorrow of the death of John T. Chancey, an employee of the House for nearly 58

Resolved, That as a mark of respect to his memory the Speaker appoint a committee of seven Members to attend the funeral services.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none, The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER. The Chair will announce the committee

ORDER OF BUSINESS.

Mr. HARDWICK. I want to say, Mr. Speaker, in connection with the statement the Speaker has just made, that the immigration bill, reported under special rule from the Committee on Rules, will probably be before the House early next week, immediately following the fortifications appropriation bill.

Mr. MANN. Is the gentleman able to say, for the informa-tion of the House, whether Monday next will likely be devoted

to District business?

Mr. SHEPLEY. I will say to the gentleman that I understand from the chairman of the District Committee that he has several bills that will probably take most of that day, and that he will insist on the day being set apart for District matters

Mr. HARDWICK. I will say that the immigration bill will be reached late on Tuesday or early Thursday morning. I wanted the Members to know that, so that they may be here to vote. It will be up about the middle of next week under a special rule.

Mr. MOORE. It will not come up to-day?

Mr. HARDWICK. Not until about the middle of next week. The SPEAKER. The pension bill comes first, and, as stated by the Chair, the fortifications bill comes next, of course excepting on Monday, Wednesday, or Friday.

Mr. CAMPBELL. May I ask the gentleman from Georgia [Mr. HARDWICK] when he expects to call up the resolution, or when he expects the resolution will be called up, making an investigation of the strike situation in Colorado and Michigan?

Mr. HARDWICK. I will answer the gentleman, so far as my information goes, that I think the gentleman from Illinois [Mr. Foster] will report that resolution from the committee, so as to get it in about the same time that this other resolution I referred to is considered.

Mr. CAMPBELL. It will not be called up until some time

about the middle of next week?

Mr. HARDWICK. That is my estimate. Mr. BURNETT. I want to ask if this fortifications bill should be gotten through some time Tuesday

Mr. HARDWICK. Then we could get up this matter that

PRIVATE PENSION BILLS.

Mr. RUSSELL. Mr. Speaker, I desire to call up the bill H. R. 11269, on the Private Calendar.

Mr. MANN. You have to go into Committee of the Whole

Mr. RUSSELL. I was going to ask unanimous consent to consider the bill in the House as in Committee of the Whole.

Mr. MANN. It is a bad practice, and I think it will take longer than by having it first considered in Committee of the

Mr. RUSSELL. Let us try it that way. Mr. Speaker, I desire to ask unanimous consent to consider this bill in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Missouri [Mr. Rus-SELL] asks unanimous consent that this bill be considered in the

House as in Committee of the Whole. Is there objection?

Mr. DIES. Mr. Speaker, reserving the right to object, I would like to discuss this bill for about 30 minutes. I do not want to object to its consideration in the House as in Committee of the Whole if I can reach some sort of an agreement whereby I can secure the 30 minutes I desire.

Mr. RUSSELL. Mr. Speaker, I understand that the gentle-man from Georgia [Mr. TRIBBLE] also desires a short time in

which to speak. I would ask him how much time he desires?

Mr. TRIBBLE. Twenty-five minutes.

Mr. RUSSELL. Then, Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole, and that 30 minutes be allowed in debate to the gentleman from Texas [Mr. Dies] and 25 minutes to the gen-

tleman from Georgia [Mr. TRIBBLE].

The SPEAKER. The gentleman from Missonri [Mr. Rus-SELL | asks unanimous consent to consider this bill in the House as in Committee of the Whole, and he couples with that the request that the gentleman from Texas [Mr. Dies] shall have 30 minutes and the gentleman from Georgia [Mr. TRIBBLE] 25

minutes. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker. I would like to ask the gentleman from Missouri box many pendented by dispose of dispose of the contract to dispose of the contract of the sion bills are on the calendar that he expects to dispose of to-day?

Mr. RUSSELL. There are two House bills and three Senate bills.

Mr. MANN. The gentleman realizes, I think, that he would make greater progress by going into Committee of the Whole on this bill. I think the gentleman will save time by considering the bill in Committee of the Whole rather than by consid-

mr. RUSSELL. I am led to believe that this method will involve less debate. On the other bills, I think, there will be no objection and no requests for general debate. That being true, I

think this would expedite the matter.

Mr. MANN. I am quite willing, so far as I am concerned, that the gentleman shall restrict the time to closing debate in Committee of the Whole, but I do not think it is good practice

to pass these bills without first considering them in committee.

Mr. RUSSELL. But we can only consider the bill in the
House as in Committee of the Whole by unanimous consent. I think that if anybody else wants to be heard he will be able to

speak under the five-minute rule.

Mr. MANN. I shall not object as to this bill, but I doubt the

propriety of considering it in that way.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. Russell]? [After a pause.] -The

Chair hears none.

Mr. RUSSELL. Mr. Speaker, I ask that the first reading of the bill be dispensed with.

The SPEAKER. The Clerk will first report the bill by title, to begin with. It has not been reported.

The Clerk read the bill by title, as follows.

A bill (H. R. 11269) granting pensions and increase of pensions to certain soldiers and sallors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to dispense with the first reading of the bill.

The SPEAKER. The gentleman from Missouri [Mr. Rus-SELL] asks unanimous consent to dispense with the first reading of the bill. Is there objection? [After a pause.] The Chair

Mr. RUSSELL. Mr. Speaker, is the gentleman from Texas [Mr. Dies] now ready to take his 30 minutes of time?

Mr. DIES. Yes.

The SPEAKER. The gentleman from Texas [Mr. Dies] is recognized for 30 minutes.

Mr. DIES. Mr. Speaker, it is my idea that I will not take up anything like 30 minutes of your time. I think I can say what I have to say in less than 30 minutes.

I want to preface my remarks by saying this, that this short speech that I am going to make is not so much addressed to the question of pensions as it is to the question of the manner in which pensions of this kind afford relief to the old soldiers of the Union. The question as to whether you will pension the soldiers is settled and past and gone, and it is the opinion of all parts of the country and all classes of men that a just and equitable pension system for the old soldiers should be con-

stantly upon the statute books,

But I want to talk to you about what you have been talking about to some of the balance of us in the last few days. I want to talk to you about the spoils system. Do I make myself clear? The spoils system, as applied to assistant postmasters and fourth-class postmasters, is that you do not give a job according to the merit of the applicant, but according to the amount of political influence the applicant can bring to bear. Do I make myself clear? That is the spoils system, as applied to giving jobs to those who want to work for the Government of the United States.

You say you do not wish to apply the spoils system to a fourth-class postmaster, to an assistant postmaster, or to other employees of the Government. I ask you, do you think it is fair to apply this spoils system to the old soldiers who fought so nobly to preserve the Union? If my information is correct, we have several hundred thousand names on the pension roll-810,000, I am told. I believe there are 184 who are provided for in this bill. Then there are some 809,800 who are not embraced in the provisions of this bill. The objection I have, and always have had, to private pension bills is that it is a species of favoritism. Out of more than 800,000 pensioners you take 180 or 130, or whatever number are included in the private bill, and you give them an increase. Now, let us see. You not only discriminate against the 809,000 whom you leave out of this bill, but you practice discrimination against persons within this bill.

Let us see. If you will turn to the report, on page 24, you will find the report on H. R. 4951, William A. Yantis, as follows:

H. R. 4951. William A. Yantis, aged 78 years, served as a musician in band, First Regiment Kentucky Infantry, from October 8, 1861, to March 5, 1862 (4 months and 28 days); post office Paragould, Green County, Ark. He is now a pensioner under the act of May 11, 1912, at \$21 per month for age and length of service; was formerly pensioned under the act of February 6, 1907, at \$20 per month, and under the act of June 27, 1890, at \$12 per month, for total inability to earn a support by manual labor. His claim under the general law was rejected September 9, 1897, on the ground he was unable to show by satisfactory testimony that alleged disease of kidneys and rheumatism were contracted in service. His claim for total disability under act of May 11, 1912, was rejected April 12, 1913, on the ground of his inability to demonstrate that his present physical condition was due to his military service. Medical testimony filed in this action shows the applicant in a helpless condition by reason of old age and loss of vision; that his income consists of rent of store room at \$20 per month, which is supplemented by the sworn statement of the telaimant, that he has lost his eyesight, and that he owns a small cotage and one brick storeroom, 15 feet wide by 40 feet long, of the value of \$1,500, and his annual income from all sources is \$140.

From the fact this man is well advanced in years and is blind, it is believed his pension should be increased to \$50 per month, and such action is recommended.

Will the gentleman permit an interrup-Mr. ANSBERRY.

Mr. DIES. Not for the present. I am going to yield liberally in a few moments, but I want to compare this case with another one

Mr. ANSBERRY. I want to ask you if the case you refer to is that of William A. Yantis, H. R. 4951.?

Mr. DIES. Yes. The next case, on page 26, is H. R. 5029, James W. Barnes. He is 78 years old, the same age as the other one, and he served 4 months and 15 days. The other man served 4 months and 28 days. Barnes is now getting a pension of \$21 per month.

Dr. U. S. Ammerman testifies that claimant is entirely helpless with general paralysis.

Other testimony goes to show that claimant has no property and no income but his pension.

An increase to \$30 per month is recommended.

Now, here are two paralytics. One of them served 4 months and 28 days, and the other served 4 months and 15 days. They are both hopeless invalids from paralysis. So far as the record shows, one was a musician and served in the Army as such, and the other was a private soldier and did service in the Army as such. One of them gets an increase to \$50, and the other gets an increase to \$30 in this bill.

Mr. BARTLETT. And the one who gets \$50 has some income,

and the one who gets \$30 does not appear to have any.

Mr. DIES. The one who gets the increase to \$50 has a cottage and a store from which he get an income of \$240 a year. Now, if there is such discrimination between two of the favorites among the 184 in this bill who are selected out of 810,000, what must be the discrimination as against the 809,000 who are left out entirely?

My contention has been to make a general law and apply it to all the old soldiers alike. Why do you pick out William Yantis, who served 4 months and 28 days, and give him \$50 a month because he is a hopeless invalid, when you leave thousands upon thousands of other hopeless invalids, who are in a worse condition physically and financially than William Yantis, who are drawing \$20 and \$21 per month? Take the case at

H. R. 6271. Hiram Lyons, aged 69 years, served as a private in Company K, Ninth Regiment West Virginia Volunteer Infantry, from March 9, 1862, to July 21, 1865 (3 years, 4 months. and 13 days), and is now a pensioner under the act of May 11, 1912, at \$19 per month.

month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month, for rheumatism, disease of eyes, and general debility.

He was formerly pensioned under the act of July 14, 1862, at \$2 per month for gunshot wound of neck. Address, Letart, W. Va.

Board of surgeons, August 17, 1904, found disease of eyes, rheumatism, lumbago, and injury to right hand. Dr. W. A. Adams testifies that the applicant has asthma, chronic gastritis, gunshot wound of neck, is almost blind, in a helpless condition, and requires some one to nurse him all the time.

The claimant is poor and his income is his pension.

An increase to \$36 per month is recommended.

Read in connection with that the case at page 35 of Peter Dowdle:

H.R. 6504. Peter Dowdle, aged 64 years, served as a private in Company F, One hundred and eighty-fourth Regiment New York Infantry, from August 23, 1864, to June 29, 1865 (10 months and 7 days). Post-office address, Syracuse, N. Y.

Peter Dowdle is increased to \$40 per month.

You will see that one is increased to \$40 a month and the other to \$36 a month. One is 69 years old and the other is 64 years old, and the 64-year-old man gets the biggest pension. One served 3 years and 4 months, the other served 10 months and 7 days, and the greatest increase is given to the man who served the shortest length of time.

Turn to pages 49 and 50 and you will find a man 72 years old who served 2 years and 9 months and his pension is increased to \$40. On the same page William Thornburg, 74 years old, has his pension increased to \$50 per month. He served 4 months and 8 days. In other words, the man who served 2 years and 9 months gets \$40 a month, and the man who served 4 months and 8 days gets \$50. In the case of the man who only gets \$40, the testimony in this case shows that he is blind and compelled to feel his way along the streets. He is blind, he served nearly 3 years in the war, he has no income but his pension, and you give him \$40 a month; and to the man who

served only a few months and a few days you give \$50 a month.

The gentleman from New York [Mr. PAYNE], when the Sherwood pension bill was under consideration, suggested that if you wanted to remove the evils of the pension system and relieve certain distressing cases, you ought to enact into law the rules of the Pension Committee and let the Pension Commissioner take the money and relieve these indigent old men whose cases

appeal to our sense of humanity. Suppose you did; suppose you took the case of every man who served a certain length of time, was of a certain age, and had lost the God-given power of vision, and gave him \$50 a month. But, instead of that, you leave thousands and countless thousands of old Federal soldiers. as tried and true as William Yantis was, as dependent as William Yantis, who served longer in defense of the country than William Yantis did—countless thousands who are not in this bill, and what must they say of you who picked out William Yantis and left that great number in the same condition that he was, and entitled to receive relief from the Gov-

Of course I understand my brethren are unconscious of the effect that this discrimination is likely to have upon the minds of the old soldiers who are left out. I believe, my brethren, if you knew how the old soldiers felt about it you would hasten to make a general law rather than to hold these old heroes up who are looking for justice at the hands of the Government. I am afraid the fact is that when you single out 184 and give them an increase, the other 809,000 are more or less calculated to be your political friends in the hope that

they may draw a lucky prize in the next lottery.

Another thing I want to say is that what I am saying is in a spirit of friendliness to my colleagues in Congress. A moment ago we voted to give the city carriers accident and life insurance at the expense of the people. We voted to give the rural carriers accident and life insurance at the expense of the taxpayers of this Nation. Why should not you give the old soldier life insurance and accident insurance as well as the politicians and job holders in the country?

Here is an old man who is getting \$20 a month, who faced the leaden hail at Gettysburg and Chancellorsville, who served and saved the Republic. He is helpless and dependent. Why do you tax his pitiful \$20 a month to provide life and accident insurance for the city mail clerk who gets \$1,200 a year, or the

rural carrier who gets \$1,100 a year?

The rural carrier, and I speak of him because he is a political influence in my district that is potential and I am his friend upon all fair measures, but when my conscience tells me it is not right to tax the patrons to whom he delivers the mail in order to give him a gratuity out of the Treasury of this Government, I hope I am ready to quit Congress when I vote to tax the man who pays his salary in order to give him accident and life insurance.

Think of it! I know why you vote to give this gratuity to these carriers. It is because the carriers have got their eyes on you, and the old farmer who pays the tax for the salary of the carrier is not looking at you. I wish some man would challenge me before an intelligent audience anywhere in this land on the question of insuring the lives of the carriers and the clerks at the peoples' expense. I would like to ask the old farmer or the old laborer who is auxious to have just that kind of a job that the carriers have got, who is auxious to have his son secure that kind of employment because it pays from two to four times as much as the farmer can make—I would like to ask him if he wants his taxes increased, if he wants the added burden put upon him in order that we may give these mail clerks life and accident insurance at the public expense.

You know this thing of voting appropriations to make fair weather with those whose lips inclose the public teat could be carried far enough, that the man upon whose back the saddle is pinching would rise and smite his oppressor. Why give a pension to an officeholder, a man who gets a salary twice as large as he could get, probably, in private employment? Take the rural carriers; they want the jobs, and they are the best-paid men in their communities. They make twice and five times as much as the farmer to whom they deliver mail. tell me that this farmer ought to be taxed to pay his insurance. Who pays the farmer's insurance? If he starts to town on a load of hay and falls off and kills himself, are you willing to tax the Government to pay his helpless children and wife? he is sowing wheat in the spring and he falls off and the disk disembowles him and kills him and leaves his family and children in want, are you willing to tax the Government, are you willing to tax the rural carriers and the other taxpayers of the country to pay a pension to his helpless ones? If not. then I ask you to stop taxing the farmer to pay a pension or a gratuity of any kind to the fortunate brother who succeeded in getting the job.
Mr. CALLAWAY.

Mr. Chairman, will the gentleman yield?

Mr. DIES. Certainly.
Mr. CALLAWAY. Does the gentleman not think if the farmer was as well organized as the rural carrier is that this Congress would pay him just the same as they pay the rural carrier?

Mr. DIES. If the farmer was as well organized as the rural carriers are and had his eye on this Congress, like the rural carrier, by the eternal gods we would move out and turn this Hall into a farmers' union meeting place in 15 minutes. We would give him the clock and the flags over the Speaker's chair and the picture of George Washington and a pension to the fourth generation. But we are taxing them to-day to give a gratuity to carriers, because the carriers have their eyes on us, and the old farmer plowing with his mule in the field is depending on you to be true to your trust and to protect his interests. The only remedy I know is that he will have to quit trusting you.

Mr. CALLAWAY. Mr. Speaker, will the genleman yield?

Mr. DIES. Certainly.

Mr. CALLAWAY. Does the gentleman not think that when this road bill gets through the farmer is liable to wake up, be-

cause he is getting his hand in?

Mr. DIES. If the old farmer ever does succeed in getting a little piece of Government road through his district, you will have to have a road plank in your platform as long as the Appian Way to beat the fellow who promises most in the shape of appropriations.

Mr. TAGGART. Mr. Speaker, will the gentleman yield? Mr. DIES. How much more time have I, Mr. Speaker?

The SPEAKER pro tempore (Mr. McGillicuppy). Seven

I yield only for a moment.

Mr. TAGGART. I suppose his occasional 2-cent stamp is what you have reference to as the heavy tax that is placed

Oh, the farmer's 2-cent stamp! Yes; he probably pays as much as the gentleman does on the hats and shoes and coats and clothes that he wears.

Mr. TAGGART. He does not now.

There is no tax on the clothes, eh? Then he pays out on his tobacco and his snuff and his food and clothing the same as the gentleman does; and you want to tax it out of him to give it to his more fortunate brother who has succeeded in getting a job, but when we sought to lift this burden from this old farmer, when we asked you to spare him this new load of taxation for the benefit of the office-holding class, the favored one, we got 17 votes! Where were the friends of the old farmer then? When you get back home you will bleed and die for him; you will tell him how much you have struggled and how your heart has beat with undying affection for the poor, bent form of the farmer, who works a whole year and makes a hundred dollars. You will not tell him that you taxed his hundred dollars to fatten the \$1,200 clerk that got the job to be paid out of his taxes.

Mr. QUIN. Mr. Speaker, will the gentleman yield?

Mr. DIES.

Mr. QUIN. Did the gentleman know that they have two or three bills before the Committee on Military Affairs to put all these old Federal officers, 15,000 of them, on a pension roll-to do away with the pension they get and give them the salaries they drew at the close of the war?

Mr. DIES. Why not? Why not? The people who pay the taxes are not looking. They are farming; they are in the bowels of the earth digging coal; they are attending to their daily occupations. Why not give it to the old officeholders and the old soldiers and the young carriers and the young clerks?

Give it to anybody who is looking at you and take it from everybody who is attending to their own business and not looking at you. We got a lonesome 17

Mr. KELLEY of Michigan. Will the gentleman yield? Mr. DIES. I can not yield for the moment, but I will pres-I do not know how long I will stay here as a Member of Congress. I do not know whether after I get away from here any of my kin will ever sit in this Chamber, but if they should in the distant years to come, when every laborer in this country, like every laborer in Europe, has got a soldier or pensioner on his back and is fleeing to some other land to get away from militarism and pension paying, I hope, in turning over from militarism and pension paying, I nope, in turning over the musty pages of the Congressional Record, he will find the names of Borchers, Buchanan of Texas, Claypool, Cline, Dies, Elder, Garner, Garrett of Texas, Gillett, Helm, Morri-son, Page of North Carolina, Quin, Smith of Texas, Steven. of Minnesota, Vaughan, and Witherspoon. It is a lonesome and ragged remnant, and when the old farmer and his friends hereafter in times to come shall totter along with a pensioner on his back and a soldier astride his neck, I want him to read the roll of the ragged remnant of his friends who voted not to take from his scanty earnings to give to the more plentifully paid officeholders. Now I yield to my friend.

Mr. KELLEY of Michigan. I took it from the first part of

the gentleman's speech that he was complaining because there

were not more pensions in this bill. [Laughter.] I take it from the latter part of his speech that he does not want any. Which horn of the dilemma really does the gentleman take

Mr. DIES. If my friend had been as astute as he is assiduous in voting pensions he would have known that my objection to these 184 is that they are no more worthy of favor than the other 809,000 who fought with equal valor to preserve the Union, but they have only succeeded in getting in this list of 184 because some Congressman favors their "il.

Mr. KELLEY of Michigan. Then the gentleman favors put-

ting the others in. Do I understand so? Mr. DIES. No.

Mr. KELLEY of Michigan. Of course not.

Mr. DIES. Oh, no.

Mr. KELLEY of Michigan. The gentleman just takes these

Mr. MOORE. Mr. Chairman, will the gentleman yield? The SPEAKER pro tempore. Does the gentleman yield to the gentleman from Pennsylvania?

Mr. DIES. With pleasure.

Mr. MOORE. The gentleman assumes the farmer pays these pensions by a tax imposed upon the farmer.

Mr. DIES. They pay their part. Certainly.

Mr. MOORE. Would not the gentleman be good enough to

say some kind words about the mill workers and the mine workers, who stand in the same position?

Mr. DIES. Not having found the name of the gentleman from Pennsylvania in these seventeen, I did not suppose the gentleman cared what happened to the mill and mine workers. [Laughter and applause.] If the gentleman will join me in protesting against taxing the farmers of my district to pay the pensions to officeholders in this country, I will join the gentleman in protesting against taxing the men in the gentleman's district who are working in the mills and digging coal out of the bowels of the earth at a low wage, while the gentleman is here voting to increase their burdens by giving life and accident insurance to certain employees of the Government.

Mr. MOORE. Will the gentleman join in protecting the mill

workers!

Mr. DIES. Well, myself and 16 brethren are hardly large enough army to protect anybody at this juncture of the

Mr. KELLEY of Michigan. Thank the Lord.

Mr. DIES. Yes; praise the Lord; and I am sorry the 90,000 whom you placed upon the pension roll yesterday will be reaching their hands to 410.000 other civil-service employees and saying: "Come over on the sunny side of life; we know there is plenty of room for everybody; get a pension and be happy. Just write a few letters to your Congressman. Scare him up a little and he will vote you a pension."

Mr. RUSSELL. Mr. Speaker, under the order made by unanimous consent, 25 minutes was granted to the gentleman from

Georgia [Mr. Tribble].

Mr. Tribble. Mr. Speaker, in part the Committee on Pensions has kept faith with the Members in their agreement after the passage of the Sherwood bill. But this bill indicates that the committee is not going to keep faith with its agreement. Of course, they are not bound by the statements they made, but

we expect them to keep faith.

Now, Mr. Speaker, I propose to take up a few of the first cases that appear in this bill. I am not going to undertake to go through the bill, but will take up just a few of the first. I

would like to ask the chairman a few questions.

Mr. RUSSELL. If I can answer the gentleman, I will do so.

Mr. TRIBBLE. I would like to know how many special pensions there were in the Sixty-first Congress.

Mr. RUSSELL. There were 9.649. Mr. TRIBBLE. Now, in the Sixty-second Congress, after the fight on special pensions, in which I took a part, how many special pension bills got through?

Mr. RUSSELL. There were 6,350.

Mr. TRIBBLE. In the Sixty-second Congress? Mr. RUSSELL. In the Sixty-second Congress

Mr. TRIBBLE. What is the prospect as to the Sixty-third

Mr. RUSSELL. Well, the chairman of the committee has said to me that he did not believe the committee would ask the Congress to pass over 2,500 cases. Of course, I can not say that. Gen. Sherwood made the statement to me that there was a reduction all the time. Since the Sherwood bill has passed there is no such demand for them or no such necessity for them.

Mr. TRIBBLE. The committee stated it would not bring bills in this House increasing pensions unless the pensioner

needed a nurse; unless the pensioner was in such a condition that the attention of a nurse was demanded they would not increase these pensions.

Now, let us take up the first case here. It shows that they have increased the pension to \$40 a month, when there is not one scintilla of evidence showing where this party needed a

We will take up the third case. They have increased this pension, and I desire to call your especial attention to it. Here is an increase where a party has property worth \$1,200. She is not a war widow. This party came before this Congress in 1890 and before the Pension Bureau and asked for a pension for eight children. To show the unreasonableness of the demands of these pensioners, I mention this. And yet this committee, in the face of the demand, in face of the fact that she is not a war widow and that she is not entitled to recover under the laws of the United States, not entitled under the Sherwood bill or any other law or precedent, increases her pension.

I will take up the case H. R. 1080. You pension the child of a soldier who is 32 years of age. This child was born to this soldier when the soldier was 54 years of age. I have frequently stated in this House that the United States Government certainly discharges its full duty when it pensions the soldiers and the widows of soldiers. Are we to be burdened now and eternally with the children and the grandchildren of the soldiers? I admit that this child, as he is called in this report, who is 32 years of age, is in a needy condition, as shown by the record; but, Mr. Chairman, the Government is not an eleemosynary institution in which to support these children of soldiers who are dependent and poor and can not support them-selves by giving them pensions. If the Government is to support them let us provide institutions in which to place them and all other dependent and helpless citizens, and not burden all the people of the United States to pension them because they are poor or in a helpless condition. It is the duty of the States and of the communities in which they live to take care of them.

Mr. Chairman, I turn over to the case H. R. 1457. Here is another case where the party is not a war widow, where the party is simply pensioned because she is in a needy condition. I could go on through this report and expose all these cases, but I call attention to the first ones appearing, in order that I may show this House that the committee has not kept faith

I turn to page 61 and find that this committe has increased the pension of a negro soldier from \$20 to \$40 a month. There is no evidence here that that man needs a nurse. Where are the war widows in this bill who are receiving \$12 a month? What will they say when they see this negro soldier is to receive \$40 a month, when they, the widows who went through the horrors of the Civil War, stayed at home and fought the battle at home when their husbands were gone, are getting only \$12 a month?

I simply call attention to these things, Mr. Chairman, in order to show the drift of this committee and in order that it may

Mr. Chairman, the pension burden is not the only burden the eople of the United States have to bear-not by any means. There is another burden that is growing, and growing rapidly; and if anything could be more unjust than some pension burdens are it is the Army and Navy burdens. Over 70 per cent of the taxes of the United States go to war, embracing the Navy and the Army and pensions. I desire to call the attention of this House to the way some of it is going.

Recently Capt. Potts was taken out of the naval service by the plucking board. Capt. Potts was aid to the Secretary—a

very responsible position. In every step of his career his record is perfect. He was in line of promotion to rear admiral. The Secretary decided that he needed more sea service. The plucking board, in order to get rid of him and promote hundreds of others in line, took him out of the service and retired him to private life on a salary of \$4,125, which the Government must pay him all his life, he giving nothing in return for this great salary.

Now, is there a man on the floor of this House who will rise in his place and tell me that Capt. Potts is not capable of filling some useful position in the Navy? Will anybody tell me that Capt. Potts would not have been a useful officer if he had been allowed to go up as he should have been allowed to go on in the service? Instead of keeping him in the service, he now renders no service to the people who pay his salary to do noth-

ing for the remainder of his life.

Mr. BRYAN. If the gentleman will permit me, I will say that, from my knowledge of the work of Capt. Potts, he is an excellent officer, and there are many places that he could fill

to great advantage. I know it in connection with his construc-

tion work in the navy yard. He is a very able officer.

Mr. TRIBBLE. He was in line for promotion to rear admiral. The Secretary decided to require a new more months of experience on sea before giving him this rank. He passed his examination and lacked only sea service. The plucking board retired him—took him out of the service into private life. The Government now pays him a salary of \$4,125 per annum. The position he held is now filled by another officer drawing a salary of over \$5,000. Granting for the sake of argument that Capt. Potts should not have been promoted, then why not retain him where he was giving such eminent satisfaction

or give him some other position he could fill?

Are not the rights of the taxpayers to be considered? Does the Navy Department think taxes grow on trees? Any commercial business house doing business in this manner would promptly become bankrupt.

Let me call your attention to this fact, that the same plucking board that retired Capt. Potts also retired Capt. Chambers on a salary of \$4,125. Listen: He is 45 years old, and one of the very best aviators. He had charge of the aviation station of the Government, and the Government is not only entitled to his expert knowledge, but needs him very badly for this position. Still he is plucked to satisfy the demands of the plucking board. He is retired and another officer is promoted and takes the salary of \$5,000.

I repeat, Mr. Speaker, are the people not to be considered by the department? I am not through with this plucking board yet. will never get through with it on the floor of this House until it is abolished. I call attention to another man that the plucking board recently plucked—Commander Norton. Norton was relieved on a salary of \$4,000 per annum. He was relieved, gentlemen, because he was of small stature-too small to be a commander. Therefore he is plucked by the retirement board, and the people of the country are burdened with another salary during his natural life, and a new officer is appointed to fill his place in the torpedo station at a salary of \$5,000. Why not leave him at that torpedo station? He was the best man in the United States for it. I challenge the department to produce another man in the United States who would fill that position as well as Capt. Norton.

Mr. SLOAN. Mr. Speaker, will the gentleman yield? Mr. TRIBBLE. Yes. Mr. SLOAN. Is there any particular significance in the selection for plucking of those two particularly named officers that the gentleman complains about?

Mr. TRIBBLE. I can not answer that question. I am simply stating facts.

Now I will take up the fourth man whom they plucked cently. I want to be fair with this House, and I want to be fair with the Navy, and, above all, I want to be fair with the taxpayers of the country and with the people of my district. The next man is Capt. Stone. He was retired at a salary of \$3,000. The voice of calumny never touched his honorable and efficient record from the beginning of it until the present time. His record at the Navy Department is flawless; and yet he is retired to private life in the middle of his career, to make place for the promotion of some one else. I challenge the Navy Department to show that he is not eminently qualified to remain in charge of the Naval Militia or in some other position in the Navy. Indeed, I challenge the Navy Department to produce Navy. Indeed, I charleage the Navy Department to produce another man who is more capable of taking charge of the Naval Militia than Commander Stone, retired.

Mr. HENSLEY. Is the gentleman from Georgia in a position

to state how much money is being paid by the Federal Government to retired naval officers residing here in Washington?

Mr. TRIBBLE. I wish the gentleman would state it if he can.

Mr. WITHERSPOON. Three million dollars.

Mr. HENSLEY. And we are paying something over \$1,000,000 to retired rear admirals here in Washington. Does the gentleman realize that?

Mr. TRIBBLE. The gentleman from Mississippi, Judge Witherspoon, says over \$3,000,000 is being paid to retired officers residing in and near Washington. He is correct, because he is well informed on the Navy and one man in this House who always votes right. May his tribe increase.

These officers are capable and competent men. taken from the service to make places for others, and no man can come upon the floor of this House and defend the plucking board's action in retiring them. Then, why let this condition continue? I have introduced here year after year a bill to abolish the plucking board. I have never had a hearing before the Naval Committee, much less a favorable report. Last year

I called attention to the fact-and I renew the statement here to-day-that the plucking board retired a man by the name of Lieut. Walker, who was 29 years of age. If he lives his three score years and ten he will be on the pay roll of the United States Government 40 years at a salary of \$3,000 per annum. I challenged the Navy Department then, and I challenge them again, to come on the floor of this House through their mouthpiece and tell this House what was the matter with Lieut.

I submit to all fair-minded men if this is just treatment to the man who toils for his bread to have to contribute to this Forty years rendering no service, yet drawing officer's Words are not strong enough to properly denounce such

Mr. HOWARD. What about Lieut. Commander Burt, of

Georgia, who was plucked?

Mr. TRIBBLE. I will yield to the gentleman to state.
Mr. HOWARD. A more outrageous case is not on the record. Lieut. Commander Charles P. Burt, of Georgia, was wrongfully charged by certain parties with owing some debts that he had not paid. After he was dismissed for the nonpayment of debts that were presumed to be due and President Taft had signed the order dismissing him from the service, he found out that he had signed this order upon misrepresentation of the facts; that Lieut. Commander Burt did not owe any debts, and he rescinded his order and reinstated Mr. Burt in the service. But the swivel-chair admiralty was after Burt, so when the pluck-ing board met less than five months after the President of the United States had put Mr. Burt back into the service, the plucking board plucked him for no other reason under the sun than that he had appealed to the President of the United States to right a wrong that had been done him. There was not a more competent officer in the Navy in his rank than Mr. Burt. There was no blemish on his record, and a finer physical specimen is hardly to be found in the American Navy, or a more competent and capable naval officer than Lieut. Commander Burt. He is to-day 34 years old, and this Government in the course of probably 30 years will pay him in the neighborhood of \$90,000 or \$100,000. There is one of the outrages of your plucking board.

Mr. HENSLEY. I should like to ask the gentleman from Georgia whether he can state about what expense the Government is put to to educate a young man and start him off in

Mr. TRIBBLE. Yes; I can answer that. It costs the United States Government \$18,000 to educate an officer at the Naval

Mr. HENSLEY. Something beyond that. Mr. TRIBBLE. I contend that after a man is educated by the Government the Government is entitled to his services. This is an enormous amount to invest in a young man and then discharge him, and that has been done in the case of hundreds of officers, some of them young men under 30 years of age, men of intelligence and ability, anxious to serve their Government, retired from the service by the plucking board for no other purpose than to promote other officers.

In further answer to the gentleman from Missouri [Mr. HENSLEY] I say that this system of paying \$18,000 to educate a man to come into the service, thus securing the very best education the world affords, and then giving him a salary of \$3,000 or \$4,000 a year, and then taking him out of the service without cause and continuing his pay for life, is not only preposterous but it is outrageous on the taxpayers of this country.

Now, Mr. Chairman, I contend that the people who pay the taxes should receive the benefits from the Government as well as the men who serve in the Army and the Navy. Let us spend some of the money for the farmer. We have reached the stage in this country, and every man on the floor of the House knows it, when we must do something for the farmer. One of the things we should do for him is to give him better roads. I hold in my hand a bill I recently introduced, which carries the same amount we passed at the last session, \$20,000,000 a year, for rural post roads. That sounds like a large amount of money, but, gentlemen, how does it sound by the side of \$185,000,000 for pensions 50 years after the war, \$145,000,000 appropriated for the Navy, and \$100,-000,000 for the Army? Yet we are doing nothing for the roads of the farmer and complaining that \$20,000,000 a year for the construction of roads for all of the United States is too much.

I provide in this bill that the pro rata part of each State shall be turned over to the governor of the State, and the governor in turn shall deliver the pro rata part to the counties or subdivisions of the State, with the direction that it shall be spent on the public roads, on the rural post roads, the States

having complete control of the fund, thus preventing the Federal authorities from entering the States to construct roads.

Mr. HAMLIN. Will the gentleman yield?

Mr. TRIBBLE. I will.

Mr. HAMLIN. In making your figures I think it would be perhaps fairer to say that out of the appropriations last year there were \$355,000,000, in round numbers, appropriated for the military arm of the Government.

Mr. TRIBBLE. I thank the gentleman.
Mr. HAMLIN. And that does not include pensions.
Mr. TRIBBLE. My bill removes the objection to Federal supervision of roads and maintains the State rights principles. Each county will receive the fund, and the officials of such county will see that the money is properly applied on the rural post roads. I insert part of the bill:

That such payments shall be made to the governors of the respective States by the Treasurer of United States upon warrants drawn upon him by the Secretary of Agriculture. The governor of the respective State shall pay to the respective counties or subdivisions of the State the amount which each county or subdivision is entitled to receive, as shown by the governor's report approved by the Secretary of Agriculture: Provided, That all funds received by the States under the provisions of this act shall be applied to the construction and improvement of rural post roads.

Mr. SIAVDENN L. Treasure like to call the governors if he

Mr. SLAYDEN. I would like to ask the gentleman if he has introduced any bill or taken any practical steps toward curing the evils in the Navy Department that he has spoken of?

Mr. TRIBBLE. Yes; each Congress I have introduced a bill trying to abolish the plucking board. That is one of the evils, and I have, in my service on the Naval Committee, contested every appropriation that has been brought on the floor of this House that I thought was unjust and unfair.

Mr. SLAYDEN. If a limit was put upon the amount of money appropriated to pay the salaries of retired officers, does not the gentleman think that that would interfere with the

activities of the plucking board?

Mr. TRIBBLE. Yes; I think it would put an end to the plucking board.

The SPEAKER pro tempore. The time of the gentleman

from Georgia has expired.

Mr. KELLEY of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

Mr. RUSSELL. If the gentleman will pardon me. will he not allow us to begin the reading of the bill and make his speech under the five-minute rule?

Mr. KELLEY of Michigan. I do not want to make two five-

minute speeches.

Mr. RUSSELL. I am not going to object to the request of the gentleman, but I thought we might expedite the passage of the bill by proceeding in that way.

The SPEAKER pro tempore. The gentleman from Michigan

asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. KELLEY of Michigan. Mr. Chairman, I had no intention of discussing these pension bills now before the House, but am prompted to make a few observations by the apparently hostile attitude of the gentleman from Texas [Mr. Dies] and the gentleman from Georgia [Mr. Tribble]. I take it, Mr. Speaker, that it is the settled policy of this Government that we should take care of the soldiers of the Republic, their widows, and their orphans. No other policy would be worthy of the char-acter of the American people. And we should not do this grudgingly, but from the heart, out of an abundance with which we have been blessed as has no other country in all the history

Acting in harmony with this settled policy, a policy that has been approved by the wisdom and patriotism of all sections of the country, a committee of the House has looked into these cases, found them worthy and deserving, and recommended relief. The gentleman from Texas [Mr. Dies] and the gentleman from Georgia [Mr. TRIBBLE] oppose this action not so much in words as in spirit, and in doing so, Mr. Chairman, I am persuaded that they are speaking out of the tomb of a day and a generation that has passed. It seems to me that at a time when even those who contended in battle are meeting in friendly reunion on historic fields, we of the new generation should likewise catch the step in the triumphant march toward a perfect understanding among the several States of the Union. In this connection I could wish for the gentleman from Georgia [Mr. Tribble] no greater fortune than that he may somehow catch the spirit of a famous son of his own home city, Henry W. Grady, orator, scholar, patriot, and seer, a new apostle of "liberty and union." As far back as 28 or 30 years ago this brilliant son of Georgia made a speech in the metropolis of the Nation which electrified the country and touched the heart of the North. With a courage and directness which carried no

possibility of misunderstanding and with eloquence unsurpassed since the days of Webster and Calhoun, he brought a message to his countrymen, as I took it then and believe it now, straight from the heart of the South. His eloquent words spoken at that time are to this day memorized by the school children in my section as the highest form of patriotic expression.

I remember, among other things, he first paid this affectionate

tribute to the memory of his soldier father:

In my native town of Athens is a monument that crowns its central hill—a plain white shaft. Deep cut into its shining side is a name dear to me above the names of men—that of a brave and simple man who died in brave and simple faith. Not for all the glories of New England, from Plymouth Rock all the way, would I exchange the heritage he left me in his soldier's death.

Then came this eloquent message to the whole country:

But, sir, speaking from the shadow of that memory which I honor as I do nothing else on earth, I say that the cause in which he suffered and for which he gave his life was adjudged by a higher and a fuller wisdom than his or mine, and I am glad that the Omniscient God held the balance of battle in his Almighty hand, and that human slavery was swept forever from American soil and the American Union saved from the wreck of war.

[Applause.]

Mr. Chairman, I commend this sentiment uttered by a great man born in his home city of Athens, to the gentleman from Georgia [Mr. TRIBBLE] and the gentleman from Texas [Mr. Dies]. It does seem to me that the time has now come when all of us ought to catch the spirit of those magic words to the end that the States of this Union may go forward together throughout the centuries that are to come, hand in hand, under one glorious flag, toward one common destiny. [Applause.]

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

The Clerk read as follows:

H. R. 11269. Granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of William S. Nash, late of Company D, Eleventh Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

Mr. QUIN. Mr. Speaker, I move to strike out the last word. We are now considering another raid on the Treasury of this No longer ago than this morning this House voted to country. put 100,000 of the civil-service employees of this Government under gratuities, under the list of pap suckers of this Government, and we have now before us a private pension bill that is increasing the list of pensioners of this Government. You have them from every corner. We have before the Military Affairs Committee at this time three bills, one of which asks for about \$7,000.000 a year, another about \$15,000,000, and another about \$21,000,000, taking all of the officers of the Federal Army and giving them the amount of salaries they were drawing when the war closed, about 15,000 of them in all. That is just one list. What are we coming to? I want to say that it is time for this House to wake up. The people of this country want to know what we are doing with their money. You already have about one-tenth of the men of the United States drawing pensions from this Government. You have more than 1,000,000 people to-day with their hands in the pockets of the other 90,000,000 of people. I want to say that the citizenship of this country when pay day comes want to know where our Congressmen have been and what they have been doing with the people's money. Do you know that some-body must pay these bills? Do you know, my friends, that \$385,000,000 a year is already given out of the pockets of the people into the pockets of the pensioners, and still you come here and you say, "Let us take more of the people's money and give it to somebody else to live on," simply because he is an em-ployee of the Government, simply because he has a good job that nobody can take away from him. I believe, my friends, in paying every man what his services are worth, but I can not vote away the people's money in raising pensions and in pensioning civil-service employees of the Government.

Take the very first man on the list of pensions here. He has the diarrhea. Where is there any evidence that he got the diarrhea in the Army? Perhaps he got scared in 1865 when these old rebels were shooting at him, and he has never gotten well yet. Are you going to give every man because he has the diarrhea \$40 a month the remainder of his life? I want to say this pension business was never intended to give a gratuity. was intended to protect the man who was wounded and disabled in actual service of his country, but the way it is now every man who served in the War of 1861 to 1865 is a pensioner on the list of this Government, and here is Congress that will sit down and vote, and only 17 men had the courage to vote for the man who makes the wealth of this country.

man in the mine, for the man in the workshop, the man that helps defray all the expenses we are heaping upon them through

these gratuities.

Thank God I am one of the 17 that voted to protect the people who work for a living. I voted for the good of the people who toil in the sun. I voted for the men who have to pay the taxes of this Government. I will vote to give the rural carriers increased pay to defray the horse and team expenses, but I will never vote to give him accident and life insurance and a pension out of the pockets of the hard-working farmers of this country. My mail carriers are all fine citizens, and would never ask me to vote them a special privilege over the people to whom they deliver the mail. The rural carriers are my friends, and not one of them ever suggested such a thing to me. They do not want us to cast a wrong vote in their favor.

I want to say we have in this Republic 400,000 men who are now knocking at the door, men who are able-bodied, men and women who are earning good salaries from this Government, and who are asking at your hands that you retire them on pensions. What will the country come to, what will the American people think if this Democratic Party—

Mr. CLINE. Will the gentleman permit a question?
Mr. QUIN. I will.
Mr. CLINE. I would like to ask the gentleman whether he is opposed to granting pensions by special act?

Mr. QUIN. I am; I do not believe any man ought to come in the back door when he can not get in the front door.

Mr. CLINE. Is the gentleman opposed to granting pensions under any conditions whatever?

Mr. QUIN. No, sir. You have a general act that gives every man who was disabled in the war a pension, and under that

The SPEAKER pro tempere. The time of the gentleman has

expired.

Mr. QUIN. Mr. Speaker, I ask unanimous consent for five

minutes more

The SPEAKER pro tempore. The gentleman from Mississippi asks unanimous consent that his time be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. THOMAS. May I ask the gentleman a question?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. QUIN. I do. Mr. THOMAS.

A day or two ago I received a letter from Gen. Shelnutt, adjutant general of the United Confederate Veterans, in which he stated that they wanted a pension for Confederate soldiers. I will vote for such a bill. Will the gentle man from Mississippi vote for a bill to pension Confederate soldiers?

Mr. QUIN. I do not believe that a true Confederate soldier of this country would ever expect the Federal Government to pension him. [Applause.] I am in favor of the States of this

Nation where these Confederates live paying them a pension.

Mr. THOMAS. The gentleman believes the adjutant general
of the United Confederate Veterans is a true Confederate soldier?

Mr. QUIN. I do think he was one. Mr. THOMAS. The gentleman has not answered my question.

Will he vote for such a bill?

Mr. QUIN. For the Federal Government pensioning Confederate soldiers?

Mr. THOMAS. Yes, sir; that is what I said.
Mr. QUIN. Certainly I would not. I would not trample under foot the Constitution of this Republic and the oath I took. I believe in being honest. I would resign my seat in Congress before I would be false to the Constitution and my oath of office. [Applause.]

Mr. CLINE. Will the gentleman yield?

Mr. QUIN. I will.

Mr. CLINE. I desire to ask the gentleman if he does not know in his own State of Mississippi there is a Confederate organization now circulating literature asking Congress to pension Confederate soldiers?

Mr. QUIN. I do not know anything about that; but I do not care if every soldier in my State signed a petition, I could not vote for it. I do not believe that we ought to be false to the ideals of this great Government. I do not believe, sir, that the people of this country are going to stand for this raid upon the Treasury. I do not believe they will stand for the graft, that the manhood of this country shall be burdened and hump-backed by these pensions that are being granted daily.

Will the gentleman yield for a question. Mr. CAMPBELL.

Mr. QUIN. I do.

Mr. CAMPBELL. It is stated in the letter referred to by the gentleman from Kentucky [Mr. Thomas] that 95 per cent of Mr. CAMPBELL. Only 17 men on this floor voted for the old farmer, for the the Confederate veterans are in favor of the bill introduced by

Mr. Edwards, of Georgia, providing for a pension of \$30 a month for Confederate veterans. Would the gentleman vote against 95 per cent of the men, 95 per cent of the Confederate

veterans in his State?

Mr. QUIN. I will vote against 100 per cent on that proposition [applause], because I am against this system, and especially am I against the fair name of the Confederate soldier being tarnished by the corruption of Federal pensions. upon the pensions granted in this measure as the worst barnacle the people of this country have to bear. Let every State where it has its soldiers pension them-and I believe every Southern State is pensioning its soldiers. I want to say that my own father and his brothers were in that war. went and fought for their country. I want to say to you that in the very county in which I was reared two regiments were raised that went to fight for their country. But when everybody else puts his hand into the Treasury and takes it out by the bushel I am not surprised that some are petitioning Congress to give a pension to the Confederate soldiers. I am not at all surprised at that. I am not at all surprised that these 400,000 servants of the Government drawing good salaries should ask Congress to pension them: I am not at all surprised at that fact, and I want to say to the gentleman that all of the people in America, these 8,000,000 men who are farmers, men who know how to put gears on the backs of mules and horses, men who know how to tie hamestrings, men who know how to take hold of plow handles and go and plow all the day long, plow as long as they can see before they quit, men who then go to the house, feed their stock, go to bed early and get up before daylight in the morning. These are the men to whom Congress will be responsible. These hard-working men who constitute the backbone of this country are the men I think about when I vote in this House. They are the men who pay these pensions. not expect to be kept in office by a lot of people who have their hands down in the pockets of all of the other people. never vote for the Government to grant any special privileges to any citizen or class of citizens over the rest of the people. propose to vote here just as I would for my own private busi-I know what a dollar is worth.

Mr. THOMAS. Mr. Speaker-

The SPEAKER pro tempore. Does the gentleman from Mississippi yield to the gentleman from Kentucky?

Mr. QUIN. I do.

Mr. THOMAS. I wish to ask the gentleman from Mississippi if it is not a fact that the State of Mississippi pensions Confederate soldiers?

Mr. QUIN. It does; and I am proud of it. We give them a moderate monthly pension where they were good soldiers, and where they make the proper showing. Mississippi even built a home for her Confederate soldiers who are helpless, and now maintains it in respectable style for the poor, deserving old

Mr. THOMAS. Then what is the difference in principle between the State pensioning them and the Federal Government

pensioning them!

Mr. QUIN. My friend, there is a big lot of difference. I love the Confederate soldier as dearly as I love the memory of my own father. I can never get my consent to be a demagogue. My conception of the Confederacy is that those gentlemen who went out and fought in that war for their homes, fought for the principles they believed right, were declared to be in insur-rection against the Government. The United States Govern-ment was fighting to maintain this Union. The soldiers who fought to overthrow this Union and to establish the Confederacy were not fighting for the Federal Government. And I will say, my friend, that the man in Congress who would vote to pension them by the Government of the United States to-day does not have a proper conception of the Constitution and his official [Applause.]

Mr. BARTLETT. Mr. Speaker, I move to strike out the last two words, and I ask permission to be heard for about 10 minutes.

The SPEAKER pro tempore. The gentleman from Georgia

is recognized.

Mr. BARTLETT. Mr. Speaker, I have not often intruded on the House on pension day. I do not propose to discuss this I enjoyed very much the speech of my friend from Michigan [Mr. Kelley], and his quotation from the great speech of Henry W. Grady, whom I knew well and with whom I was associated at college, when he was a senio, and I was a sopho-And I reecho the sentiment contained in that most magnificent speech from my former college mate and friend.

So far as I am concerned, Mr. Speaker, I am the son of a Confederate officer who devoted four years of his life to the defense of the Confederacy and its cause, one year of which was spent in the hardships and rigors of prison life. I have

been here by the vote of my constituents 19 years consecutively, and will have served, on the 4th of March next year, 20 consecutive years. I have seen this pension roll grow and growand grow. I have seen these special bills increase and multiply. I have not voted for these increases. I have always, when the contest came, voted for meritorious pension bills; but I did not feel it to be my duty when these pension bills were up seeking to give to the Federal soldiers what the Government was disposed to give as a compensation to raise my voice against them or to engage in any concerted action against their passage. I did resist and did vote against the Sherwood bill and the other bills which proposed to give the service pensions because I believed that pension should be given to those who received injury and suffered disability by reason of the service. But my opinion could not prevail. I do not believe it to be my duty to stand here and to resist by any sort of way that may delay the passage of these measures which these gentlemen represent, and which both Democratic and Republican constituencies in the North and the East feel it their duty to present and have passed and which will pass whether I oppose them

I am not ashamed, Mr. Speaker, that I have on some of these occasions endeavored to defeat these pension bills. I am satisfied with the calm and dignified and conscientious discharge of

my duty in this particular by the votes I have cast.

But I did not rise, Mr. Speaker, to say anything particularly in reference to pensions, nor would I have said anything at all but for the speech made by my friend from Texas [Mr. DIES] and by my friend from Mississippi [Mr. Quin] who has just taken his seat. I voted for the Reilly amendment to the Post Office appropriation bill, and I am not ashamed that I voted for it, and thereby provided that the people employed in the service of the Government as railway postal clerks, as rural free-delivery carriers, and mail clerks should, if they were injured in that service, be paid by giving them a certain part of their salary while they were unable to work; and if they were killed in the service, the Government should give a year's compensation to those dependent upon them, as I now recollect. We have taken advanced steps, both in the way of compensating those employed in transportation, manufacturing, and other business and those employed by the Government. We pay those who are employed in building the Panama Canal when injured and provide, in some measure, for those dependent upon them. Besides, the Democratic Party, at its convention at Baltimore, in its platform adopted there, declared-

We also recommend the extension to all classes of civil-service employees the benefits of the employers' liability law.

And in casting this vote I but carried out the demands of my

party and the platform upon which I was elected.

We pay those engaged in the Life-Saving Service who are injured, and, for one, I am not afraid to go to my districtmainly an agricultural district—and look my farmer friend in the face and tell him how I voted; and I have too much respect for him to call him, on this floor or elsewhere, an "Old Reuben."
The farmer in my district has got beyond the stage, if he ever occupied it at all, where anybody can refer to him as "Old Reuben"—the ignorant, unlearned farmer. [Applause.] My farmer friends in my district in Georgia resent the idea of any-one calling them unlettered, ignorant "Old Reubens." They are educated; they are intelligent citizens, and they can not be fooled by any such cheap claptrap demagoguery as we have had exhibited to-day on the floor of this House. [Applause and laughter.

The SPEAKER pro tempore. The time of the gentleman

from Georgia has expired.

Mr. BARTLETT. Mr. Speaker, I would like to proceed for five minutes more.

The SPEAKER pro tempore. The gentleman from Georgia [Mr. Bartlett] asks unanimous consent to be allowed to proceed for five minutes more. Is there objection?

There was no objection.

Mr. BARTLETT. I will look my farmer friends in the face and say, "Yes; I voted to pay compensation to a railroad clerk when he is injured in the performance of his duty.' nine cases out of ten he is the son of a farmer. I know that most of the postal clerks in the service in Georgia came from Those who are engaged in that service in my district won their places by civil-service examinations and faithful service. I will look my farmer friends in the face and say l did vote that the father or mother or wife and dependent children of the boy who by his energy and his education and ability secured a position under this Government in our Railway Mail Service, and who served it faithfully, and goes down to death or is injured shall be relieved by a generous Government. His parents shall not be left penniless and his helpless children

shall not be left fatherless, but the Government will see to it that for at least 12 months his people are taken care of, just as it takes care of men who built the Panama Canal and just as it takes care of those who serve it in the Life-Saving Service, and just as it takes care, in a measure, of the people who fight the battles of the country. I can go to the farmers of my district and say: "If your boy, who is a rural free delivery carrier now, carrying the mail in the heat of summer or in the storms of winter, shall contract disease or be injured on the road, there is something before him, so that his wife and little ones, if he has any family, or his old mother or his old father, whose idol he was, shall not be left penniless, but the Government shall see to it that those dependent upon him shall be cared for, unless other provision is made." The farmers of the sixth district of Georgia can not be deceived by any such cheap claptrap demagogy, I am sure. [Applause.]

The SPEAKER pro tempore. The time of the gentleman

from Georgia has expired.

Mr. DONOVAN. Mr. Speaker, I rise to a parliamentary in-

The SPEAKER pro tempore. The gentleman will state it. Mr. DONOVAN. If this bill is not finished to-day, will it continue to be the unfinished business to-morrow, or does it expire with to-day's session?

Mr. THOMAS. To-morrow is Sunday.

Mr. DONOVAN. Or the next day? The point I make is that all this talk takes away so much time from the consideration of the bill, so that the bill may not pass to-day. Does the time set apart for the consideration of this bill expire with to-day?

The SPEAKER pro tempore. The Chair understands it will

expire to-day

Mr. BARTLETT. Oh, no; it goes over until the next pension

day, two weeks from now.

Mr. LANGLEY. Mr. Speaker, ever since I have been a Member of this body I have tried to do what I could to advance the interests of the soldiers of the country and to get them a rate of pension sufficient to keep them from want, and I believe that the best way to do that to-day is to expedite the passage of these bills as much as possible. I only wish many more cases were included than are. At some future time I hope to be able to get the attention of the House for a brief time while I shall undertake to answer some of the utterances that I have heard here to-day and at previous sessions; but not now, for our old soldiers are dying while we talk and these bills wait for action. Let us pass them and talk afterwards. Therefore, Mr. Speaker, I shall not take any time now. We of the committee are anxious to get this bill through to-day, and so are all friends of the soldier. [Applause and cries of "Read!" "Read!"]

Mr. TAGGART. Mr. Speaker, I beg the indulgence of the

House while I say a word in reference to my vote on the Reilly

amendment.

Mr. DONOVAN. Mr. Speaker, I rise to a point of order. The SPEAKER pro tempore. The gentleman will state it.

Mr. DONOVAN. I rise to the point of order that the gentleman is not going to speak on the measure that is before us, but on the Reilly amendment, and therefore he is out of order. I do that because I want to proceed with the particular matter that is before us.

The SPEAKER pro tempore. The Chair can not tell what the

gentleman is going to say.

Mr. LANGLEY. Mr. Speaker, the gentleman from Kansas [Mr. TAGGART] is out of order according to his opening statement.

Mr. TAGGART. I have not proceeded very far with my state-

The SPEAKER pro tempore. The Chair was unable to hear

what the gentleman said.

Mr. LANGLEY. Speaking to the point of order of the gentleman from Connecticut [Mr. Donovan], Mr. Speaker, the gentleman from Kansas [Mr. TAGGART] stated that his purpose in asking recognition was to explain his vote on the Reilly amendment.

The SPEAKER pro tempore. If that is true, the Chair

thinks the gentleman is out of order.

Mr. TAGGART. I suggest that the gentleman from Kentucky [Mr. Langley] is out of order. He did not rise to a point of order.

The SPEAKER pro tempore. The point of order made by the gentleman from Connecticut [Mr. Donovan] is sustained if the Chair is correctly informed as to what the gentleman from Kansas stated.

Mr. GARRETT of Texas. Mr. Speaker, a parliamentary in-

quiry. Is not this general debate?

Mr. TAGGART. I beg leave to say here and now that I have been recognized by the Speaker, and in my part of the

country people are sometimes capable of changing their minds. [Laughter and applause.] If I proceed with this discussion and talk about anything else except pensions I shall be perfectly willing to be ruled out of order.

These trifling pension bills are in the nature of farewell offerings, not to politicians, not to those who are whole and well, but to the halt, the lame, the blind, the aged, the dependent. In many cases proof must be brought before the committee that an attendant is necessary. Proof must be brought that these people are not only destitute but that they

are unable to help themselves.

I would not say a word about this pension matter if I had not received a very touching letter from the magnificent and newly built city of Atlanta, on behalf of the United Confederate Veterans. Some people love these veterans for the pensioners that they have made, but we in the western country love them because they represent the remnant of as gallant a band of men as ever carried arms in the history of the world. [Applause.] In Kansas, the home of the Union soldier, our hats are off to the men who fought gallantly in the field, and we have no bitterness or resentment to express. We have nothing but pain to give expression to when we hear harsh words from young men who were not born when those men faced each other 50 years ago. Our hats should be off to the dead and the dying. Taps are sounded every day for the gallant men of both those armies, and I do not think it behooves us here to quibble about trifles that are offered to the aged and the helpless. I can not vote for a bill to pension Confederate veterans.

If I sat in the Legislature of the good State of Texas, great as it is, an empire in itself, the wealth of it beyond all calcula-tion, I would do what the gallant adjutant of the North Georgia Brigade has asked me to do here. I would vote a pension of \$30 a month out of the treasury of Texas for every man that wore the gray under the colors of Texas in the War of the Rebellion. We should not quibble about these things. We should not take up the time of the House with these things. I have seen a pension bill here carrying a few names that cost more money to pass it than it gave to the helpless people who were the beneficiaries of it. It took two whole legislative days of the Congress of the United States to debate it. Will some statistician tell me, for I have not time to figure it up, how much one of our days costs the people of this country? I begin to despair of the mathematicians of the House, after certain observations that were made on the floor of this House to-day. [Laughter.] I suppose no one will aid me in this important matter; but I have seen these bills take up more time than the appropriation was worth, and every one of the bills was finally passed by an overwhelming majority. Now, I voted for the Reilly amendment to the Post Office appropriation bill, for the reason that I believe a man who stands in a mail car is rendering just as brave and just as important a service to this Government as a man who charges a battery. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has

expired.

Mr. TAGGART. I ask unanimous consent to proceed for three minutes

Mr. DONOVAN. I am going to object.

Mr. RUSSELL. I do not object; but I want to ask my friend question.

Mr. DONOVAN. I have objected.

Mr. RUSSELL. I know my friend is friendly to these bills. We have five bills on this calendar. If we consume this afternoon in debate, it means that these bills will be defeated.

Mr. MANN Let us pass the bills.

Mr. TAGGART. In answer to the gentleman's suggestion, let me make one observation, and then I am through.

Mr. RUSSELL. Some one has objected. I have not objected. Mr. MANN. The gentleman from Kansas, if he talked for a

week, could not stop at a better place. [Applause.]
The SPEAKER pro tempore. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

The name of Celestia Watkins, former widow of William Keifer, late of Company H, Eleventh Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

Mr. JOHNSON of South Carolina. Mr. Speaker, I offer an amendment, to come in after the word "month," in line 16,

page 3.

The SPEAKER pro tempore. The gentleman from South Carolina offers an amendment, which the Clerk will report.

Page 3, to follow line 16, insert the following:

The name of William H. Franks, late of Company I, First Regiment United States Cavalry, and pay him a pension at the rate of \$12 per month."

Mr. JOHNSON of South Carolina. Mr. Speaker, this old gentleman enlisted in 1855 in a Cavalry regiment in the United States Army. He served five years on the frontier. His serv-ice carried him through the Territories of Wyoming and Utah and all that section of the country. He was engaged in keeping down Indian insurrections.

Mr. RUSSELL. Will the gentleman yield? Mr. JOHNSON of South Carolina. I will.

Mr. RUSSELL. Was he a soldier? Mr. JOHNSON of South Carolina. He was in the Army of the United States five years.

Mr. RUSSELL. He was not a soldier in the Civil War?

Mr. JOHNSON of South Carolina. No.

Mr. RUSSELL. Allow me to suggest to my friend that the committee that has reported this bill has no jurisdiction of a pension claim of that sort.

Mr. JOHNSON of South Carolina. I understand that; but

this House has.

Mr. RUSSELL. Certainly; but the gentleman ought not to take a bill, an omnibus bill, reported by one committee that has no jurisdiction of the item that he presents. This matter would be in order on the omnibus bill that may be presented by the other pension committee.

Mr. JOHNSON of South Carolina. It is in order here, there

is no doubt about that,

Mr. RUSSELL. The gentleman from South Carolina is too good a parliamentarian not to know that this is not in order on

Mr. JOHNSON of South Carolina. Now, gentlemen, I was proceeding to tell this man's story. I understand that the bill will not go to the Committee on Invalid Pensions that re-ported this particular bill, but the House of Representatives has a right to put this man's name on the pension roll. As I stated, in 1855 he offered his services to his country, and for five years he risked his life on the frontier in the Rocky Mountain States. Now, he is more than fourscore years of age; he is going down into the valley of the shadow of death, and only yesterday I had a letter from a good man, who is not related to him by blood or by marriage, asking me to secure his pension, and if I did not do it in a short time it would not be necessary to do it at all. I can not go before the Committee on Pensions and prove that his service, rendered more than 50 years ago, is the cause of his present feeble condition and of his poverty, but you know and I know that that service is in a

measure responsible, for every draft drawn on nature must some day be paid, and paid with interest. Now, gentlemen, you can take advantage of a technicality if you like. You vote \$185,000,000 a year for pensions. You have not official proof as to these facts that I have stated, but down in your hearts you know that the statement I have made is I ask that this old man, in consideration of a long and faithful service, shall be placed on the pension roll at \$12 a

month. He will not live long to enjoy the \$12, but we ought at least to build a monument to him.

The SPEAKER. The time of the gentleman has expired.
Mr. RUSSELL. Mr. Speaker, as indicated by the question I asked the gentleman from South Carolina, I want to state that this item which he offers as an amendment to this bill I have no doubt is meritorious, but it has never been submitted to this committee, and if it had been the committee would have had no jurisdiction of it. Now, I hope the House will not put an item of that sort upon this bill.

The SPEAKER. The question is on the amendment offered

by the gentleman from South Carolina.

The question was taken; and on a division (demanded by Mr. Johnson of South Carolina) there were 23 ayes and 45 noes.

So the amendment was lost.

The Clerk completed the reading of the bill.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. Russell, a motion to reconsider the vote

whereby the bill was passed was laid on the table.

Mr. RUSSELL. Mr. Speaker, I call up the bill S. 832, an act granting pensions and increase of pensions to certain soldiers and sailors of the civil war, and certain widows and dependent relatives of such soldiers and sailors, and I ask unanimous consent that the bill be considered in the House as in

Committee of the Whole.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the bill be considered in the House as in

Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of James N. Culton, late of Company D, Third Regiment, and first lleutenant Company D, Seventh Regiment, Kentucky Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Hiram Lay, late of Company B, National Guards East Tennessee, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William L, Brown, late of Company A, First Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Emanuel Sandusky, late of Company C, Thirtieth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Harvey Key, late of Company F, Sixth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of William F, Niederriter, late of Company A, Ninetyeighth Regiment Fenneylvania Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The name of Mary J, Swift, widow of Thomas W, Swift, jr., late acting ensign, United States Navy, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The following committee amendments were read:

The following committee amendments were read:

On page 2, line 10, strike out the figures "40" and insert the figures "30," so that it will read "\$30 per month."

In page 2, strike out libes 12 to 15, which read as follows:

"The name of Harvey Key, late of Company F, Sixth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving."

The committee amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. Russell, a motion to reconsider the vote whereby the bill was passed was laid on the table.

COMMITTEE TO ATTEND FUNERAL OF THE LATE JOHN T. CHANCEY.

The SPEAKER appointed as members to attend the funeral of the late John T. Chancey Mr. Austin, Mr. Talbott of Maryland, Mr. PAYNE, Mr. JONES, Mr. BARTHOLDT, Mr. LLOYD, and Mr. BURKE of Wisconsin.

PENSIONS.

Mr. RUSSELL. Mr. Speaker, I call up the bill S. 833, granting pensions and increase of pensions to certain soldiers and sailors of the Civil: War, and certain widows and dependent relatives of such soldiers and sailors, and ask unanimous consent that it be considered in the House as in Committee of the

The SPEAKER. The gentleman from Missouri calls up the bill S. 833, and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection. The SPEAKER. The Clerk will read the bill.

The Clerk proceeded to read the bill.

During the reading of the bill the following committee amendments were severally reported and severally agreed to:

Page 2, strike out all of lines 7 to 10, inclusive, being the name of Charles Hatfield.

Page 2, strike out lines 19 to 22, inclusive, being the name of George W. Crosley.

3, strike out lines 3 to 6, inclusive, being the name of Martha

Page 3, strike out lines 3 to 6, inclusive, being the name of Martha A. Shute.

Page 5, strike out lines 1 to 4, inclusive, being the name of John V. G. Price.

Page 5, strike out lines 13 to 20, inclusive, being the names of James L. Stroup and Brazil Van Deusen.

Page 6, strike out lines 1 to 4, inclusive, being the name of William Harper.

Page 6, line 21, strike out "\$30" and insert "\$24."

Page 7, strike out lines 17 to 24, inclusive, being the names of Henry M. Lavo and John D. Kirkpatrick.

Page 8, strike out lines 5 to 8, inclusive, being the name of Francis M. Oldridge.

Page 9, strike out lines 1 to 20, inclusive, being the names of Young Dougherty, William Worthington, George W. Wines, James W. Wachob, and David G 8. Gochanaur.

Page 10, strike out lines 14 to 17, inclusive, being the name of Brazilia B. Jones.

Page 11, line 6, strike out "\$20" and insert "\$12."

Page 16, strike out lines 16 to 21, inclusive, being the name of Mary R. Kendall.

Page 17, strike out lines 1 to 8, inclusive, being the names of Mary F. Nichols and Marthe J. Straver.

Page 17, strike out lines 1 to 8, inclusive, being the names of Mary Nichols and Martha J. Strayer. F.

The Clerk read as follows:

The name of Otis Crawford, late of Company A, Ninth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

Mr. MANN. Mr. Speaker, I move to strike out the last ord. These amendments which we have been agreeing to are mostly to strike out provisions which, I suppose, grant a pension to soldiers who have died.

I have noticed that when the vote was taken on the amendments viva vocé in the House certain distinguished gentlemen from Texas who object to paying pensions to live soldiers have voted against striking out the provisions in the bill which, if left as they are, would provide for the payment of pensions to dead soldiers. For myself I prefer to pay the pension to the man while he is living, rather than to vote, as my friends from Texas have, to pay pensions to men who have died, who can not receive the benefit of it, while voting against the pay-

ment of pensions to live soldiers.

Mr. DONOVAN. Mr. Speaker, I would like to ask the gentleman from Illinois a question. He has referred to certain gentlemen from Texas. Texas covers a considerable territory and a great many Members, and it is not very clear to whom the gentleman refers.

Mr. MANN. Mr. Speaker, Texas not only covers considerable territory, but the Members from Texas are considerable and

cover a great deal of territory also.

I also notice, Mr. Speaker, that this is a Senate bill, which passed the Senate about six months ago, on July 11, 1913. There are 118 items in the bill for different soldiers or widows. As showing the rapidity with which these pensioners pass away, I think it is proper to call attention to the fact that 21 of these beneficiaries, as I understand it, have died since the bill passed the Senate six months ago, which is at quite a rapid rate, and would make more than one-third in the course of a year's time. People who complain about these bills ought to remember that in the main the beneficiaries are very old and decrepit persons and the pension which they are granted does not last very long.

Mr. Speaker, will the gentleman yield? Mr. COX.

Mr. MANN. Yes.
Mr. COX. In reading the report of the Commissioner of Pensions the other day I observed that upward of 39,000 died

last year.

Mr. MANN. But a very much larger proportion die that are carried in these special pension bills than on the general pension rolls, because it is only those who, as a rule, are very far gone with disease or decrepitude who receive the benefit of

these special pensions.

Mr. LANGLEY. I will say to my friend from Illinois that the beneficiaries in two private bills of mine favorably passed by the committee this session have died before the bills could be reached by the House. I have been trying to hunt out the most urgent cases in my district and give preference to them. As a rule, all these cases are those in which speedy action is required if relief comes to them in time. I wish we could get

through more of such bills.

Mr. DIES. Mr. Speaker, I move to strike out the last word. Mr. Speaker, I am not complaining of those gentlemen who express some little harshness about my attitude on these private pension bills, and if they should conclude their criticism of my attitude in time and have any spare time left over I would be glad if they would turn to page 49 and tell me why Lafayette Piatt, age 72, who served 2 years and 9 months in the war, and whom the medical evidence shows to be blind, and who is compelled to feel his way along the street, should only receive \$40 a month, while on the same page William Thornburg, age 74, who served only 4 months and 8 days, should receive \$50 a month? Here is a man who served 2 years and 9 months, and who gets \$40 a month, and the other man served 4 months and 8 days, and he gets \$50 a month. When I was addressing the House a moment ago I did not know why that was. Some gentleman suggests to me that it probably is due to the fact that this old soldier served so long for his country that he wore himself out and now he can not go around for campaign purposes, whereas the one who only served four months is much more active in that direction.

Mr. ADAIR. Will the gentleman yield?

I will.

Mr. ADAIR. I do not remember these exact cases, but I imagine that if the gentleman got the papers in the case he would find that in one instance it is shown that the soldier who gets \$50 requires the attendance and care of another person all the time and has no property or income with which to hire a nurse, while the man who is totally blind and is allowed \$40 does not require the attention and care of a nurse, or is not totally blind, but is able to get about.

Mr. DIES. Unfortunately, the man who only gets \$40 is said by the committee to require an attendant with him all the time. As I said to you this afternoon, you are making fish of one and fowl of another, and I object to that. Now, I am awfully sorry anybody falls out with me because I take up a little time of the House.

Mr. RUSSELL. Will the gentleman yield? Mr. DIES. In a moment. Gentlemen complained a moment ago that I took up time, valuable time, of the House when we were here anxious and ready to pass these appropriation bills. Well, are not you doing it fast enough, and have not you done it fast enough? You have a general appropriation law, paying pensions at the rate of \$180,000,000 a year-

Mr. RUSSELL. Less than that this year.

Mr. DIES. You are passing these private bills every two weeks, a long list, and because I wanted 30 minutes to show that you give a man who only served four months \$50 and a man who served nearly three years \$40, you tell me I ought not to take up the time of the House. Let us pass them and get through with it quickly; let us give everybody a pension right away, you say, and when I stand up and call attention to discrepancies and inequalities you can not say enough mean things about me. I almost feel ashamed of myself to get in the way of this legislation, to stop the mill from grinding out pensions so rapidly. No; you say let us pass them on through the mill; let us grind them out; we want to appropriate the money; we want to increase the pension roll, it is not big enough. Now, I yield to the gentleman from Missouri.

Mr. RUSSELL. I desire to say to the gentleman there are a number of things that affect the amount of the pension that is recommended by the committee. One of them is the length of service, but length of service does not always indicate which is entitled to the most pension. Oftentimes the testimony shows that one man is entitled to higher pay by reason of injuries received in the service, and he is given greater consideration, and sometimes it is true that a man introduces a bill and asks for only \$40 a month, and it is written up by the examiner who is sent there by the Pension Bureau, and he sends it to the committee with a recommendation for \$40 asked for by the claimant. Of course, the committee does not, as a rule, go through the papers to find some reason to increase his pension beyond what he asks for.

Mr. LANGLEY. You do not give the soldier, in other words,

more than his Member of Congress asks for.

Mr. DIES. I would like to ask the chairman how this would be: Instead of giving to William Thornberg, 74 years old, who served four months and eight days, \$50, why do you not give to everybody who served four months and eight days \$50? Do you not know that there are tens of thousands who are over 70 years of age who served more than four months and eight days and who are getting less?

Mr. RUSSELL. One reason we do not give more to some

soldiers in this country is because they are well to do and do

not need it.

Mr. ANSBERRY. Mr. Speaker, I move to strike out the last three words. While the gentleman was talking I read the report on these two bills. The man having the long service, according to the testimony filed in this case, "knows no one except by sound of their voice, results of cataracts of both eyes, whereas in the other case the medical testimony establishes beyond a question that the man is totally blind.

Mr. DIES. Mr. Speaker—
The SPEAKER. Does the gentleman from Ohio [Mr. Ans-BERRY] yield to the gentleman from Texas? Mr. ANSBERRY. I yield.

Mr. DIES. The gentleman read:

The claimant is compelled to find his way along the street with cane, and knows no one except by the sound of their voice, results of cataracts of both eves.

But fails to read further:

Lay testimony filed in the case shows that the claimant is blind.

Mr. ANSBERRY. I intended to read the balance. The testimony of the layman was that this man was blind and ought to have an attendant, whereas in the other case the medical testimony establishes beyond peradventure not only that the man was totally blind but that he had always had an attendant; merely a suggestion on the one side that he should have an attendant, and that of a man who had to feel his way along the street with a cane, and could not recognize anybody, except by the sound of the voice. The gentleman fails to distinguish between the lay testimony in a case of this kind, which only goes to show, not that the man is totally blind but that the man can not distinguish another on the street, except by the sound of his voice, and medical testimony that a man was totally blind and actually had to have the attendance of another per-That is the difference in those two cases.

Mr. MANN. Will the gentleman yield for a question? Mr. ANSBERRY. I will be glad to do so.

Mr. MANN. Did the gentleman catch the point of view of the gentleman from Texas? He is not complaining that \$50 pension for the one is too great, but that the \$40 pension of the other is too little. The gentleman from Texas a while ago even voted against striking out a pension for a dead soldier.

Mr. ANSBERRY. In order to prove what the gentleman from Illinois says is true, if the gentleman from Texas will offer a motion to equalize these pensions by raising the one from \$40 to \$50, and if the \$40 man is the one he sympathizes with, I shall be glad to vote and speak in behalf of it.

The Clerk read as follows:

The name of Sarah Ann Kelly, widow of William Kelly, late of Com-ny I, Ninety-first Regiment Illinois Volunteer Infantry, and pay her pension at the rate of \$20 per month in lieu of that she is now

Mr. Speaker

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. DIES To move to strike out the last word.

Mr. DONOVAN. I would like to inquire, Mr. Speaker, from what section he is striking out the last word?

Mr. DIES. I will refer my friend to the Clerk.

The SPEAKER. The time of the gentleman is running.

Mr. DIES. Mr. Speaker, I sympathize with my friend from Ohio, who thinks it takes a doctor to tell whether a fellow is blind or not. I never knew before that a layman could not tell a blind man about as well as a doctor could. The testimony in this case shows a man has to have an attendant and feel his way along the street, and the lay testimony says he is blind.

Mr. ANSBERRY. Will the gentleman permit an interruption?

Mr. DIES. Yes.

Mr. ANSBERRY. I want to read the testimony filed in the case with the committee. It says:

Lay testimony filed in this case shows that the claimant is blind, and that he should have an attendant with him-

Not that he has an attendant, but that he should have an attendant with him.

Mr. DIES. That is just it. An ordinary Congressman or an ordinary being could not tell a blind man if he met him in the road, but it takes a doctor, in my friend's estimation, to tell whether a man is blind or not.

Now, my friend from Illinois [Mr. MANN] complains of my attitude. I do not know just what he does want me to do, but I think he wants me to make a motion to raise them all to \$50 a month

In lieu of that, I suggest to my friend from Illinois that, instead of taking 184 who are favored in this bill and giving them \$40 or \$50 a month and leaving some 800,000 or 900,000 at \$20 and \$21 per month, he take them all up and treat them all alike.

If a man who is getting \$50 is getting what is right, then the man who is getting only \$20 is not getting what is right; and if a man who is getting more than \$20 is getting more than he ought to have, then bring him down to what he ought to get. On the other hand, if a man who is getting \$20 a month is getting too little, you should bring up the amount to what will meet the needs of justice. These gentlemen know what it is. They know that they are making fish of one man in these pension bills and flesh of another. They are singling out certain men and say, "Because that man is blind we will give certain men and say, "Because that man is blind we will give him \$50 a month." Why not say that every old soldier in this Republic who is blind shall have \$50 a month?

Mr. ANSBERRY. Mr. Speaker, will the gentleman yield for

an interruption? Mr. DIES. Yes.

Mr. ANSBERRY. The gentleman is mistaken in what he says, Decause the Congress have already said by enactment that every old soldier who is blind and who incurred his blindness in his service in the Army shall get \$100 a month.

Mr. DIES. If that is so, why do you have a bill here to give them only \$50? All that I contend for is equal treatment to all of them. Let there be a standard fixed under the general law, and if you give a man \$50 a month because he is blind, then let the question be a question of blindness.

Mr. ANSBERRY. Mr. Speaker, will the gentleman yield

for another interruption.

Mr. DIES.

ANSBERRY. I desire to say that anyone who is familiar with the rules of this committee and with the pension laws of the land knows that those who get \$50 a month by special law do so not because they received their blindness as the result of injuries due to service origin, but because they served in the war and became blind afterwards and are in straitened circumstances, and because it is the policy of the Government of the United States—and a very proper policy, in my judgment—that no man who ever fought for the flag should be permitted to go hungry or be sent to the poorhouse or be without a roof over his head. [Applause.]

Mr. DIES. Very well. Why would it not be easy to say that man who is blind should have \$50 a month? You pick out a blind man now receiving \$12 a month and give him \$50 a month, and to another blind soldier you give only \$20 a month.

The SPEAKER. The time of the gentleman from Texas has

expired.

Mr. MOSS of West Virginia. Mr. Speaker, I move to strike out the last two words.

The SPEAKER. The gentleman from West Virginia [Mr. Moss] moves to strike out the last two words.

Mr. MOSS of West Virginia. Mr. Speaker, so often has the charge been made in this House that the granting of pensions to soldiers who have fought for their country's honor and preservation is an unjustifiable extravagance and is a species of graft which should be suppressed that I feel it is proper on this occasion for me to present to this House the reason; why we believe that such aspersions are wicked and unjust, and that, in truth and in fact, the pension system of this country is builded upon sound economic principles, gratitude, and justice.

I know full well that perhaps in no other public position is a public officer so tempted to act for political effect as in the House of Representatives of the United States. A Member of that House is subjected to a strenuous campaign every two years, and he realizes that offtimes his constituents may not have the time to deliberate upon his votes and actions in the House until he is again thrown into the maelstrom of a campaign. And so it is that the temptation is constantly before him to do that which he thinks for the moment will be pleasing to his constituents.

But those who have held public positions acceptably have long since resolved that the only safe and the only right rule upon which to act is that of one's deliberate judgment and sense of right regardless of consequences, and I can truthfully say that since I have been a Member of this House I have been pleased to find that, speaking generally, that rule has been adopted by the Members of this House, and that while sometimes the clash of party spirit and the desire for party advantage may cause some of its Members to forget for the moment these lofty ideals of duty, yet, with few exceptions, if any, the Members of this House conscientiously devote themselves to the public weal, and while in many cases their judgment is wrong and their views are partisan, neither taint of corruption nor cowardice of spirit dominates their actions.

And so it is, Mr. Speaker, that when the gentleman from Texas, who is a worthy representative of the Democratic Party, and other gentlemen on that side, not only scoff at the soundness and justice of our pension system, but also question the motives of those who differ from them, I am sure they are misled by the passing passion of the hour, rather than influenced by deliberate, nonpartisan judgment. Be it said to their credit, and also to the credit of many others of their party, that their opposition to pensions has been consistent and continuous, and that upon the records of this House can be found ample evidence of the fact that they and other prominent members of their party have not only talked but have also voted against rewarding the old soldiers of this Republic for its salvation.

And in support of this it may not be amiss to point out the fact that, although during the last presidential campaign it was heralded abroad that the Democratic Party had suddenly changed its coat, abandoned the policy of opposition to pensions, which it had pursued for 40 years before, and had suddenly espoused the cause of the old soldier, yet, there in plain letters, on pages Nos. 284 and 285 of the Congressional Record of December 12, 1911, the uncontradicted and uncontradictable evidence stands forth in living light to show that of the 93 votes cast against the original Sherwood bill in the House, all but 6 of those objecting votes were cast by Democrats, and the large majority of those present and not voting on the measure were members of the same political party.

And the RECORD also shows, on page 6242, May 10, 1912, that even on the conference bill, which materially reduced the pensions provided in the Sherwood bill, and which finally became the law, every single vote of the 57 cast against that bill was cast by a Democrat, and that the large majority of those present and not voting belonged to that same Democratic Party, while every Republican voting in the House supported that measure, which is now the law of the land. It is only fair to say, Mr. Speaker, that there are some Democrats who differ from their objecting brethren-

Mr. ANSBERRY. Mr. Speaker, will the gentleman yield? The SPEAKER. Does the gentleman from West Virginia yield to the gentleman from Ohio?

Mr. MOSS of West Virginia. I do.

Mr. ANSBERRY. Does the gentleman from West Virginia know that the Republican Party had a majority in this House and had centrol of every branch of the Federal Government for 16 years prior to the passage of the Sherwood bill, and during all that time refused to pass such legislation?

Mr. MOSS of West Virginia. Yes; the Republican Party had control of the Government and took good care of the old soldiers during all that time. [Applause on the Republican

Mr. ANSBERRY. But you did not give them as much

Mr. MOSS of West Virginia. No; but on your side you say the only reason why you did that was to outbid the Republican

Mr. ANSBERRY. I do not say that.

Mr. MOSS of West Virginia. But the gentleman from Texas Mr. DIES] did. Is he not a Democrat?

[Mr. Dies] did.

Mr. ANSBERRY. I do not know what he is, and I do not care, but in the main he votes with the Democrats. But on the matter of pension legislation the gentleman from West Virginia knows that the gentleman from Texas does not speak for the Democratic Party. But for the Democratic Party we would not have had this legislation placed on the statute books.

Mr. MOSS of West Virginia. The gentleman from Texas claims to be a Democrat, and I am only accepting his claim.

Mr. DIES. Mr. Speaker, will the gentleman yield for a ques-

Mr. MOSS of West Virginia. Yes; but I must ask for a little time if the gentleman interrupts me.

I hope the gentleman will get it. Mr. MOSS of West Virginia. Very well.

Mr. DIES. Does not the gentleman know that the Sherwood bill is Democratic legislation? If he does not know and his constituents who read this bill do not know that this is Democratic legislation, then I think they ought to be put on the pension roll for mental paralysis. [Laughter and applause.]
The SPEAKER. The time of the gentleman from West

Virginia has expired.

Mr. MOSS of West Virginia. Mr. Speaker, I ask unanimous consent that I be permitted to proceed for five minutes.

The SPEAKER. The gentleman from West Virginia [Mr. Moss] asks unanimous consent to proceed for five minutes.

Mr. DONOVAN. Mr. Speaker, reserving the right to ob-

Mr. SHERLEY. Mr. Speaker, I ask for the regular order. Objection should either be made or not.

The SPEAKER. Is there objection?

Mr. DONOVAN. I want to reserve the right to object, Mr.

The SPEAKER. Did the gentleman from Connecticut ob-

Mr. DONOVAN. I have reserved the right to object. The SPEAKER. The Chair understands, but the gentleman from Kentucky [Mr. Sherley] demands the regular order.
Mr. DONOVAN. That is an objection of itself, is it not?

Is there objection? The SPEAKER.

I reserve the right to object. Mr. DONOVAN.

The SPEAKER. The gentleman can not reserve the right to object when the regular order is demanded.

The demand for the regular order is an Mr. DONOVAN. objection when he insists upon it.

The SPEAKER. Of course.

Mr. DONOVAN. Then, I do not have anything to say about it. The SPEAKER. The Chair will put the question. Is there

objection? The Chair hears none.

Mr. MOSS of West Virginia. Those men conscientiously be-lieve that it is right to give to these old men in their declining years some slight compensation for the sacrifice which they made and the hardships which they endured for the sake of their country, and to bestow upon the widows and orphans of those who have crossed to the other shore some slight remuneration for the loss of the shelter and support afforded by the husband and father. And upon the Committee on Invalid Pensions, on which I have the honor to serve, there are some valiant champions of the cause of the veterans whom it is a pleasure to know and to respect,

Mr. DONOVAN. Mr. Speaker, will the gentleman yield? The SPEAKER. Does the gentleman from West Virginia

yield?

Mr. MOSS of West Virginia. No; I do not.

Mr. DONOVAN. Your minute has expired.

Mr. MOSS of West Virginia. I demand order, Mr. Speaker. Mr. Speaker, in pointing out the fact that the Republican Party has consistently for 50 years been the real friend of the old soldier, by deed as well as by words, and that the Democratic Party for almost the entire period has just as consistently, speaking of it as a whole, been opposed to those measures which afforded relief to the old soldier, I do not wish to be understood as desiring to inject partisanship into this question. [Cries of "Oh, no!" on the Democratic side.] I would not have mentioned this subject at all did I not believe it to be right to put upon the record of this House the correct statement of facts in regard to the claim so frequently and freely | preservation has been accomplished.

made during the last campaign-that the old soldiers of this country should support the Democratic Party because of its professed friendship for them. My Democratic friend from Texas [Mr. Dies] some weeks ago and again to-day, in this House, proclaimed in emphatic tones, in effect, that everybody knew that it was only a question of bidding for political support, and that the fact was that in the last campaign the Demo-

cratic Party simply outbid the Republican Party.

Mr. Speaker, I consider this a reflection which should not go unchallenged against the manhood of the old soldiers of this country. Let me say to him that if he believes that these old men, who are now watching the setting of the sun, have so far lost their sense of honor, their idea of patriotism, and their grasp of governmental problems that they offer themselves and their votes to the highest bidder, then the gentleman has a most perverted idea of their sterling character and their lofty patri-And, proceeding on his theory, the gentleman will be sadly disappointed to find that when these old soldiers realize the reason, so frankly stated by the gentleman, for the partial support of pension measures in the last Congress by a portion of the Democratic Party, they will register by their votes in the coming campaigns a strong and solemn protest against this serious reflection upon their citizenship, which may perhaps cause the more reticent and conservative of our Democratic friends, who have not spoken what they felt, to regret that their more verbose and enthusiastic brethren have given vent to their

The SPEAKER. The time of the gentleman has expired, Mr. MOSS of West Virginia. I ask unanimous consent for five minutes more

Mr. ANSBERRY. I object.

The SPEAKER. Objection is made. The Clerk will read.

The Clerk read the following committee amendment:

In line 22, page 19, strike out \$24 and insert \$20.

Mr. MOSS of West Virginia. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, before I leave my friend from Texas in the background, I wish to repudiate the idea advanced by him that the American soldier enlists for the money there is in it. I am willing to concede that there may be some venturesome spirits scattered throughout the Nation who are willing to sell their lives for a mere pittance, and who enlist in the United States Army and Navy for the compensation which they will receive thereby. This class is a decided exception, and I firmly assert that the great body of brave men who, from the foundation of this Government to this present time, especially in time of war, have enlisted in the service of this country have been prompted by the highest motives of patriotism and the highest ideals of manhood.

Referring particularly to the soldiers of the Civil War, on both sides of that great conflict, it seems to me apparent to any reasonable mind that those men who enlisted on one side or the other could have had no mercenary motive in sacrificing their business, leaving their families, enduring untold hardships, and risking their lives. On the contrary, they were willing to fight for the principles which they thought were right, and even though some of them might have been possessed of mercenary inclinations, surely the small compensation which they would receive could not have tempted even those of that class. No, Mr. Speaker, I appeal to the gentlemen on the other side who hold these views to strive to rise to a higher appreciation of the services of these intrepid soldiers of the past, of the hardships which they endured, of the sacrifices which they made, and the lofty motives which inspired their service to this Nation.

Mr. GARRETT of Texas. Will the gentleman yield? Mr. MOSS of West Virginia. I decline to yield.

Mr. Speaker, I stated in the beginning of my remarks that the pension system of this country was founded on sound economic principles. Just as with an individual, so with a nation, it does not pay to be niggardly nor unjust nor ungrateful in awarding compensation for services rendered. In the world of business this has been proven many times, and the captain of industry of the present day, whatever he may have been in the past, is the man who considers, appreciates, and rewards the faithful service of his employees. Industrial statistics clearly show that the employer who gives the most consideration to the welfare and fair remuneration of his employees obtains from them the best and the most work. And this same principle holds good in every line of life, that where the service is voluntarily and cheerfully rendered it is most satisfactory. And so we contend that it is real economy for this great Government to establish as one of its cardinal principles the proposition that the man who helps to preserve it will not be ignored after that

Mr. Speaker, war is a cruel and inhuman monster, and I hope to God we will see the day when it will be crushed and destroyed, and in its place we will have an international court of justice to adjudicate the rights and equities of nations, according to the enlightened views of civilization, and will not have to resort to the barbarous practice of war, where even victory, in most cases, does not prove the righteousness of the cause. But, to be practical, we must face the fact that in this day of vast armaments and continued preparation, with questions pending which involve constant danger of resort to arms, it is folly for any nation to be unprepared for an emergency, and I submit that to be prepared it must have at its beck and call not only the Regular Army and Navy, but also that great body of citizenship which constitutes the bone and sinew of any nation, and which, with the proper conception of a beneficent Government, will voluntarily offer itself for its country's welfare. It is not a mercenary question, though it can not be denied that the receipt of a Government pension is often practically needed, and the money, therefore, itself actually appre-clated. But before and above this consideration is the appreciative conception of the attitude of a great Government which remembers in a substantial way the inestimable services of its citizens. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. MOSS of West Virginia. I ask five minutes more, and

The SPEAKER. The gentleman asks unanimous consent for five minutes more. Is there objection?

Mr. ANSBERRY. I object. Let the gentleman print his remarks in the RECORD.

The SPEAKER. If there be no objection, the pro forma amendment will be considered as withdrawn. The question is on agreeing to the amendment.

The amendment was agreed to. The Clerk read as follows:

The Clerk read as follows:

The name of Mary E. Dow, widow of Western W. Dow, late of Company I., Thirty-first Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: Provided, That in the event of the death of Walter W. Dow, helpless and dependent child of said Western W. Dow, the additional pension herein granted shall cease and determine: And provided further, That in the event of the death of Mary E. Dow, the name of the said Walter W. Dow shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of death of said Mary E. Dow.

Mr. DIES. Mr. Speaker, I move to strike out the last word. I realize the fact that much of the criticism against me from the Republican side of the House that I am not acting with the Democratic Party in this pension matter is well taken. I realize, as does my friend from West Virginia [Mr. Moss] that the Democratic Party has gone further in this matter than it ought to have gone. I realize, as may be inferred from what he says, that the Democratic Party passed the Sherwood pension bill; that, as the gentleman from New York [Mr. PAYNE], the leader on the Republican side, said, went too far on this line. I realize the force of that criticism. I know that my party is responsible for the Sherwood bill and for this tremendous load of pension legislation that has been fixed upon the taxpayers of the country. We can not escape responsibility, because, when the Sherwood pension bill passed, if every Republican when the Sherwood pension bill passed, it every kepublican in the House had kept silent and not voted, the Democrats would have passed the bill. The gentleman's deductions are correct. I am not in sympathy with my party upon this pension legislation. I do believe, with the gentleman from New York [Mr. Payne], the leader on the Republican side, that we have gone too far, and I believe, as Mr. Dalzell, then chairman of the great Rules Committee, another leader of the Republican Party, said, that we were going too far in the Sherwood bill. Party, said, that we were going too far in the Sherwood Dill.

I do not agree with my friend from West Virginia [Mr. Moss]
that it ought to be a partisan matter, and I know, as he in
his secret heart knows, that it is not a partisan matter; because,
when you get a pension bill before this House, it is just a question between Democrats and Republicans as to who can vote the loudest for it and give them the most.

My friend from West Virginia ought to know, speaking the truth about it, that the one pension bill that caused the greatest leap in the pension expenditures, that gave the old soldiers more than they asked for, that gave them what the gentleman from New York said was a prodigality, was passed by Demo-cratic votes, and that if every Republican had walked out into the cloakroom or into the corridors of the House it would still have passed by Democratic votes. Oh, what a pity it is that men want to make the old soldier vote a political asset. am a better friend of the old soldier than the man who wants to drag the roll of honor into the politics of his district. I honor the brave old men who faced Lee, Jackson, and Johnson,

and I honor them too much to make the matter of pensions a

partisan matter in this Congress.

My friend ought to know, and gentlemen all about me ought to know, that there is some limit beyond which we ought not to go. Mr. PAYNE, the leader of the Republican Party, said that that limit was the Sherwood bill. All I ask you now is to stop. The Sherwood bill has brought the total up to \$180,000,000. Quit making politics out of it, and let us reverence the old battle-scarred heroes who served the country and stop telling them that the Democratic Party, or either party, has not given them liberal pensions. I am a friend of the old soldier. I do not agree with my party, but I agree with the leaders of the gentleman's party when they say we have gone far enough already, and too far, in this pension business.

Mr. MOSS of West Virginia. Mr. Speaker, I move to strike

out the last two words. I would not object to the gentleman from Texas opposing pensions, because he has always opposed pensions, but I do object to his opposing pensions and then getting up in the House and claiming that he is a friend of the

Mr. Speaker, I stated in the beginning that this pension system was based on sound economic principles.

Mr. ANSBERRY. Will the gentleman permit an interrup-

Mr. MOSS of West Virginia. No: I can not do it, for I have not the time. Mr. Speaker, it has been stated upon this floor that a pension is a mere gift or charity. Perhaps this view is responsible for the inability of some gentlemen on the other side of this House to properly appreciate our obligation to the soldier.

Mr. ANSBERRY. Mr. Speaker, 'I make the point of order that the gentleman is not speaking to the amendment to strike out the last two words. He is delaying action on the bill; in other words, filibustering,

Mr. MOSS of West Virginia. Mr. Speaker, I presume that if the gentleman from Texas was accorded that privilege The SPEAKER. It is not a question of who was accorded a privilege. No objection was made in the time of the gentleman from Texas. Under the five-minute rule the gentleman must confine himself to the subject matter of the bill.

Mr. MANN. Mr. Speaker, I ask that the gentleman's time be extended five minutes. I hope the gentlemen who have had a good deal of time on that side of the House will accord us the same amount of time on this.

Mr. ANSBERRY. But the gentleman from West Virginia is filibustering against the bill.

Mr. MANN. That is all nonsense. He has not had as much time as has the gentleman from Ohio.

The SPEAKER. The gentleman from Illinois asks that the time of the gentleman from West Virginia be extended five minutes. Is there objection?

Mr. ANSBERRY. I object. Mr. LANGLEY. Mr. Speaker, the gentleman from West Virginia had the floor.

Mr. ANSBERRY. But he was not proceeding in order. The SPEAKER. The Chair ruled that under the five-minute debate, unless permission was otherwise granted, the gentleman must stick to the text.

Mr. LANGLEY. But his time had not expired. The Chair merely directed him to proceed in order, and he has not said a word since to show whether he is sticking to the subject or not; but the Clerk was proceeding to read, as if the gentleman from West Virginia had lost the floor.

Mr. MANN. The gentleman is entitled in the House, where we are proceeding in the House as in Committee of the Whole, to some courtesy from the House; and if that side of the House does not wish to grant that courtesy, we will take our rights. The gentleman from Ohio has used more time than the gentleman from West Virginia.

The SPEAKER. The time of the gentleman from West Virginia has not expired; he has two minutes more; and he will proceed to talk about the subject before the House.

Mr. MANN. The subject before the House, Mr. Speaker, is striking out the last two words.

Mr. LANGLEY. How can he obey the direction of the Chair

"stick to his text," when he has a text like that?
The SPEAKER. The Chair is not going into a school of

Mr. MANN. The gentleman from West Virginia will get all

the time he wants.

Mr. MOSS of West Virginia. Mr. Speaker, I am going to conform to the ruling of the Chair and sit down, but I will get up again.

The SPEAKER. Both pro forma amendments are withdrawn, and the Clerk will read the amendment.

The Clerk read as follows:

Committee amendment: strike out the following:
"The name of Jacob H. Gabbard, late of Company A, Forty-seventh
Regiment Kentucky Volunteer Infantry, and pay him a pension at the
rate of \$30 per month in lieu of that he is now receiving."

Mr. MOSS of West Virginia. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, it has been stated upon this floor that a pension is a mere gift or charity

Mr. ANSBERRY. Mr. Speaker, I rise to a point of order. It is evident that the gentleman is not speaking to the pro forma amendment; he is reading from a prepared speech.

Mr. MOSS of West Virginia. How is it evident?

Mr. LANGLEY. The prepared speech may be material. Mr. TOWNER. Mr. Speaker, upon the point of order, if the Chair will permit, I think it is everywhere understood that when a motion is made to strike out the last word, and the merits of the bill are discussed, the gentleman discussing it is within the rules, and certainly that is what the gentleman from West Virginia means, else there would be no rights whatever. I take it the rule does not mean that a gentleman shall confine himself to a discussion of the very motion of striking out the last word. No one has ever spoken to that proposition in this House.

The SPEAKER. The gentleman is mistaken about that. The Chair has seen Members who have taken the floor confined to speaking to that amendment. The Chair never thought there was very much wisdom in that arrangement, but surely the gentleman has to speak about the bill if anybody raises the point of order.

Mr. TOWNER. My suggestion to the Speaker is that the gentleman is discussing the bill and the merits of the bill.

The SPEAKER. But he was not when he was talking the last time. He was discussing philosophical politics.

Mr. MOSS of West Virginia. Mr. Speaker, I admit that I do not always please everybody in the House, but certainly I am discussing this bill.

The SPEAKER. Let the gentleman proceed with the next sentence and we will see.

Mr. MOSS of West Virginia. Mr. Speaker, it has been stated upon this floor that a pension is a mere gift or charity. Perhaps this view is responsible for the inability of some gentlemen on the other side of the House to properly appreciate our obligation to the soldier.

Mr. HUGHES of West Virginia. That certainly comes within

the rule, Mr. Speaker.

Mr. MANN. Mr. Speaker, I hope that as long as points of order are being made the Speaker will, under the rules of the

House, protect the gentleman against interruptions.

The SPEAKER. The Chair is endeavoring to protect the

gentleman under the rules, and he will state that no gentleman has the right to sit in his seat and raise the point of order or inject any remarks into the speech of some one else. Of course Members forget that, for they understand it as well as the Chair does. The gentleman will proceed,

Mr. MOSS of West Virginia. Mr. Speaker, I admit that some

of my remarks will not be liked upon the other side.

The SPEAKER. That is not discussing the bill.

Mr. MOSS of West Virginia. No; but I just said that as a preface to my discussion of the bill. To repeat, Mr. Speaker, it has been stated upon this for that a pension is a mere gift or charity. Perhaps this view is responsible for the inability of some gentlemen on the other side of this House to properly appreciate our obligation to the soldier. I repudiate this definition of "pension." The men who fought to preserve this Union ask no charity from any source. They only ask that, as they sacrificed all for their country, in turn their country shall devote a reasonable portion of its vast revenues to save them or their widows and orphans from the pangs of poverty,

Mr. Speaker, ingratitude is among the worst of human sins. We can forgive the man who steals our property, conscious as we are of the frailty of human nature when avarice grasps it

in its hand of iron.

Mr. ANSBERRY. Mr. Speaker, I feel compelled to make the point of order. The gentleman is not speaking to his amendment.

Mr. MOSS of West Virginia. Mr. Speaker, I desire to be heard upon the point of order.

The Chair will hear the gentleman. The SPEAKER.

Mr. MOSS of West Virginia. Mr. Speaker, I submit that when I am making an argument upon this bill it is perfectly proper to call attention to the fact that there are various kinds of sins, and that ingratitude is one of them, and that for this

Government not to grant liberal pensions to the old soldiers would be one of the worst forms of ingratitude. I submit that is an argument on the bill.

The SPEAKER. The Chair thinks that is proper and overrules the point of order. The gentleman will continue.

Mr. MOSS of West Virginia. We can understand, and in a
measure forgive him who in the heat of passion strikes down
his fellow man and robs him of his life. But, to my mind, it
is very hard to forgive him who in cold blood and after mature reflection will strike the hand that feeds him or will deliberately fail to bestow upon his benefactor a favor which is easily within his power. And this applies to nations as well as to individuals, and that nation which violates its obligations to its citizens and fails to show its appreciation of their efforts in its behalf is doomed sooner or later to fall from its high estate.

The SPEAKER. The time of the gentleman from West Vir-

ginia has expired.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for five minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. MOSS of West Virginia. Mr. Speaker, one might believe, from the protests that are made by some gentlemen in this House against the granting of pensions, that this is the only nation on the face of the globe which pays pensions to its sol-The fact is, as anyone who has investigated the subject will attest, that every civilized nation on the globe in some manner bestows upon its soldiers who have rendered faithful service upon the field of battle and have been injured or who have served in the army or navy of their country for a certain number of years some token of its appreciation. It is true that our own country has been more liberal than most of the other nations of the world in the matter of pensions, but what else should we expect? Do we not claim and do we not feel that in this Nation of ours is embodied all that is best of freedom, of justice, and of prosperity? Do we not claim and feel that here the individual citizen, however humble he may be, is accorded his full measure of these benefits? And therefore does it not necessarily follow that more is expected of this great Government in the matter of pensions than would be expected of a Government not possessed of these fruitful blessings?

Mr. Speaker, I want these men to have what is their just due, and no more. If there be fraud in any of their claims, then let that fraud be ferreted out and the man who resorts to it be denied what he asks, and in addition be punished for violation of the law. The fact that there may be occasional frauds perpetrated upon the Government by unworthy persons seeking pensions is no reason why there should be created a prejudice against the great body of old soldiers in this country who are honestly entitled to pensions and who are merely asking that to which they are entitled. Criticism has been made upon the floor of this House upon special-bill legislation. I admit that it must be guarded with a watchful eye, and that it could easily be carried to extremes, but there are undoubtedly many instances where the applicant can not technically conform to the requirements of the general pension law, although he may be as justly entitled to a pension as some other man who can comply with those regulations. It is that class of men that this House should relieve, and I feel that I voice the sentiment of our committee when I say that no unworthy applicant will receive a favorable recommendation from that committee.

Mr. Speaker, not only the war, but the pangs of war, have passed away. When in recent years the cry of suffering Cuba was at last heard by this great Government and the bugle call was sounded to summon our patriots on behalf of human rights, out upon the field of battle there marched the grandest army that ever trod the soil, for it was an army not from the North alone, but from the South, from the East, and from the West, an army of united Americans, and side by side and shoulder to shoulder the boys from the South and the boys from the North stood ready to defend their Nation's flag and honor. And if after that war there remained aught of bitterness or hate between the two great sections of this country, then it was indeed effaced when in recent months at Gettysburg the field of greatest carnage was transformed into a bower of brotherhood and sectional unity.

Mr. Speaker, as we look back through the vista of years in the light of this new era we can all truthfully acclaim that those brave and valiant warriors on both sides of the conflict fought for the principles which they believed to be right and that that great conflict terminated in the way that was best for us all. It was indeed an awful war-a war of brother against brother, a war of father against son, a war which drank deep of the best blood of America—and yet out of the bloodshed and horror, out of the devastation and desolation, there came heroism, magnanimity, and brotherly love unsurpassed in the

annals of history.

I appeal to those on the other side to drive from their hearts all of bitterness and prejudice on this question and unite with the true friends of the old soldier, who preserved this great, majestic Nation, of which we are all so proud, in paying to him in his declining years not a bounty, not a charity, but a just debt of a grateful nation.

The SPEAKER. The question is on agreeing to the amend-

ment.

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: "Page 22, strike out lines 17 to 21, inclusive, being the name of Emily J. Walton."

The SPEAKER. The question is on agreeing to the amend-

The amendment was agreed to.

The Clerk concluded the reading of the bill.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. Russell, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. RUSSELL. Mr. Speaker, I desire to call up the bill, S. 834, on the Private Calendar.

The SPEAKER pro tempore (Mr. Murray of Oklahoma). The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 834) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House.

The SPEAKER pro tempore. Is there objection? [After a pause. | The Chair hears none.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none. The bill will be read for amendment.

The Clerk read the bill.

During the reading of the bill the following committee amendments were severally reported and severally agreed to:

ments were severally reported and severally agreed to:

Page 2, amend by striking out lines 21 to 24, inclusive, being the name of Mary J. Bates.

Page 3, amend by striking out lines 5 to 8, inclusive, being the name of Cordelia R. Brags.

Page 3, amend by striking out lines 17 to 20, inclusive, being the name of Mary E. Harris.

Page 10, amend by striking out lines 1 to 4, inclusive, being the name of Solomon Riddell.

Page 11, amend by striking out lines 18 to 20, inclusive, being the name of Benjamin Wentworth.

Page 12, amend by striking out lines 1 to 4, inclusive, being the name of George W. Vincent

Page 13, amend by striking out lines 24 and 25, and page 14, lines 1 and 2, being the name of Emily C. Thompson.

Page 14, amend by striking out lines 3 to 6, inclusive, being the name of Emelia Branner.

Page 15, amend by striking out lines 3 to 6, inclusive, being the name of Nathaniel J. Smith.

The bill as amended was ordered to be read a third time was

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. Russell, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. RUSSELL. Mr. Speaker, I beg to call up the bill H. R. 12045, on the Private Calendar.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk lead as follows:

A bill (H. R. 12045) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent that the bill be considered in the House as in Committee of the Whole House. Is there objection? [After a pause.] The Chair hears none.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none. The Clerk will read the bill for amendment.

The Clerk read the bill.

The SPEAKER pro tempore. On page 18, line 17, the "e" is left out of the word "event."

Mr. MANN. Insert it by unanimous consent.
Mr. RUSSELL. I will ask to amend by inserting it.
The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. Russell, a motion to reconsider the vote by which the bill was passed was laid on the table.

JOHN GORRIE.

Mr. WILSON of Florida. Mr. Speaker, I ask unanimous consent for the present consideration of House concurrent resolution No. 31, granting leave to the State of Florida to place a

The SPEAKER. The gentleman from Florida will send it up and let the Clerk read it.

The Clerk read as follows:

House concurrent resolution 31.

Resolved by the House of Representatives (the Senate concurring), That the State of Florida be, and is hereby, granted the privilege of placing in Statuary Hall of the Capitol the status of John Gorrie, now deceased, who was a citizen of Florida, illustrious for distinguished civic services.

The SPEAKER. Is there objection to the present consideration of this resolution? [After a pause.] The Chair hears

The question was taken, and the concurrent resolution was agreed to.

FORTIFICATIONS APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union to consider the bill H. R. 12235, the fortifications bill; and pending that motion, I ask unanimous consent that general debate be limited to four hours, two hours of which time to be controlled by myself and two hours by the gentleman from New York [Mr. CALDER].

The SPEAKER. The gentleman from Kentucky [Mr. Sher-

LEY] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12235, the fortifications bill; and pending that he asks unanimous consent that general debate be limited to four hours, one half to be controlled by himself and the other half by the gentleman from New York [Mr. CALDER]. Is there objection to the request? [After a pause.] The Chair hears

The question is on the motion that the House resolve itself into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union-for the consideration of the bill H. R. 12235, with Mr. Cullop in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 12235) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Kentucky asks unani-

mous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection. Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Cullor, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12235, the fortifications appropriation bill, and had come to no resolution thereon.

ADJOURNMENT.

Mr. SHERLEY. Mr. Speaker, I move that the House do now

The motion was agreed to; accordingly (at 4 o'clock and 39 minutes p. m.) the House adjourned until Monday, January 26, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury relative to the recommendation for an appropriation, in amount, \$250,000, for a new site for the post office at Dallas, Tex. (H. Doc. No. 654); to the Committee on Appropriations, and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting a detailed statement of expenses incurred during the period June 30 to December 1, 1913, by officers and employees of the Government on account of attendance at any meeting or convention of members of societies or associations (H. Doc. No. 655); to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CARAWAY, from the Committee on the District of Columbia, to which was referred the bill (S. 234) to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose, and to assess a tax against the person maintaining said nuisance and against the building and owner thereof, reported the same without amendment, accompanied by a report (No. 190), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 12099) granting a pension to James Garbett; Committee on Invalid Pensions discharged, and referred to the

Committee on Pensions.

A bill (H. R. 11359) extending the provisions of the act of March 3, 1891 (26 Stat. L., p. 851), to the claim of the estate of Montford T. Johnson, deceased; Committee on Claims discharged, and referred to the Committee on Indian Affairs

A bill (H. R. 11951) granting a pension to Eliza A. Keech; Committee on Pensions discharged, and referred to the Com-

mittee on Invalid Pensions.

A bill (H. R. 5425) granting an increase of pension to Miller Stocking: Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 4814) granting a pension to Minnie Nordyke; Committee on Invalid Pensions discharged, and referred to the

Committee on Pensions.

A bill (H. R. 5427) granting an increase of pension to Daniel W. Spring; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memo-

Under clause 3 of Rule AXII, only, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GREEN of Iowa: A bill (H. R. 12236) to amend the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies"; to the

Committee on the Judiciary.

By Mr. LONERGAN: A bill (H. R. 12237) authorizing preliminary examination and survey to be made for canal con-necting the cities of Middletown and Bristol, Conn.; to the Committee on Rivers and Harbors.

By Mr. GREEN of Iowa: A bill (H. R. 12238) providing for the loan of certain condemned brass or bronze cannon; to the

Committee on Military Affairs,

By Mr. WILLIS: A bill (H. R. 12239) authorizing the erection of a post-office building at Urbana, Ohio; to the Committee

on Public Buildings and Grounds.

By Mr. PALMER (by request): A bill (H. R. 12240) to provide a commission to secure plans and designs for a memorial bridge to the memory of William Penn; to the Committee on

By Mr. NEELY of West Virginia: A bill (H. R. 12241) providing for the appointment of a board for the purpose of selecting a suitable site for a naval armor plant in the Ohio Valley, in or near the city of Wheeling, in the county of Ohio and State of West Virginia, and to submit a report of the cost and availability of said plant; to the Committee on Naval Affairs.

By Mr. REILLY of Connecticut: A bill (H. R. 12242) to authorize a survey at Tuxis Island, near Madison, Conn.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 12243) to authorize a survey of Morris Cove, New Haven Harbor, Conn.; to the Committee on Rivers

and Harbors.

By Mr. STEPHENS of California: A bill (H. R. 12244) to acquire a site and for the erection and completion thereon of a public building in the city of Venice, Cal.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Idaho: A bill (H. R. 12245) to prohibit the

sale or gift of intoxicating liquors to minors and Indians within the admiralty and maritime jurisdiction of the United States;

by Mr. MONDELL: A bill (H. R. 12246) to provide for the leasing of oil and gas lands, and for other purposes; to the Committee on the Public Lands.

By Mr. GILLETT (by request): A bill (H. R. 12247) to create an International Board of Education and a fund for international or world education; to the Committee on Education.

By Mr. KIRKPATRICK: A bill (H. R. 12248) for the erec-

tion of a Federal building at Eldon, Iowa; to the Committee

on Public Buildings and Grounds.

By Mr. EVANS: A bill (H. R. 12249) to extend the provisions of the act of June 25, 1910, authorizing assignment of reclamation homestead entries, and of the act of August 9. 1912, authorizing the issuance of patents on reclamation of homestead entries to lands in Flathead project, Montana; to the Committee on Irrigation of Arid Lands.

By Mr. COX: A bill (H. R. 12250) to provide that the United States shall, in certain cases, aid the States and the civil subdivisions thereof in the construction and maintenance of rural

post roads; to the Committee on Roads.

By Mr. STEVENS of Minnesota: £ bill (H. R. 12251) to regulate the issuance of stocks, bonds, and other securities by common carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 12252) to amend the acts to regulate commerce, to enlarge the Interstate Commerce Commission, create divisions thereof and a Bureau of Transportation in the Department of Labor, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. COPLEY: A bill (H. R. 12286) granting an increase in pay to rural letter carriers; to the Committee on the Post

Office and Post Roads.

By Mr. GILLETT: Joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 201) proposing an amendment to the Constitution of the United States; to the Committee

on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions

were introduced and severally referred as follows:
By Mr. AUSTIN: A bill (H. R. 12253) granting a pension to Henry B. Owsley; to the Committee on Pensions.

By Mr. BRITTEN: A bill (H. R. 12254) granting an increase of pension to Thomas Allen French; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 12255) granting an increase of pension to James C. Vance; to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 12256) granting an increase of pension to Frederick Kepford; to the Committee on Invalid

Also, a bill (H. R. 12257) granting an increase of pension to Annabella M. Masterson; to the Committee on Invalid Pen-

By Mr. COPLEY: A bill (H. R. 12258) to reimburse the James H. Furman Co. for excess duties paid on certain pinkstick matches which were erroneously classified and on which the importer failed to protect his rights by protest; to the Committee on Claims

By Mr. CULLOP: A bill (H. R. 12259) granting an increase of pension to Margaret Hodges; to the Committee on Invalid

Also, a bill (H. R. 12260) granting an increase of pension to

Nancy J. Steward; to the Committee on Invalid Pensions. By Mr. CURRY: A bill (H. R. 12261) granting a pension to

James Gould; to the Committee on Pensions.

By Mr. DONOVAN: A bill (H. R. 12262) granting an increase of pension to Mary A. Bond; to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 12263) granting a pension to Ida E. Gibbs: to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 12264) granting an increase of pension to Rufus Martin; to the Committee on Invalid Pen-

By Mr. FOWLER: A bill (H. R. 12265) granting an increase of pansion to Joseph G. Lanham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12266) granting an increase of pension to Sabra Williams; to the Committee on Invalid Pensions.

By Mr. HART: A bill (H. R. 12267) admitting Nicola Clampo to citizenship; to the Committee on Immigration and Naturali-

By Mr. LANGHAM: A bill (H. R. 12268) granting an increase of pension to John Murphy; to the Committee on Invalid Pensions.

By Mr. LINDBERGH: A bill (H. H. 12269) granting a pension to Abbie A. Thompson; to the Committee no Invalid Pen-

By Mr. McGILLICUDDY: A bill (H. R. 12270) to remove the charge of desertion from the military record of Michael Harrington, alias Michael Gillespie; to the Committee on Military Affairs.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 12271) granting an increase of pension to Isaac N. Potter; to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 12272) granting an increase of pension to James Arbuckle; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia; A bill (H. R. 12273) granting an increase of pension to John A. Baker; to the Committee on Invalid Pensions.

By Mr. O'HAIR: A bill (H. R. 12274) to remove the charge of desertion from the military record of Clifton McCallister; to the Committee on Military Affairs.

By Mr. OLDFIELD: A bill (H. R. 12275) for the relief of the heirs of John E. Stewart, deceased; to the Committee on War Claims.

By Mr. PALMER: A bill (H. R. 12276) granting an increase of pension to Simeon Flory; to the Committee on Invalid Pen-

Also, a bill (H. R. 12277) granting a pension to Milton Miller;

to the Committee on Pensions.

By Mr. PETERS of Maine: A bill (H. R. 12278) granting an increase of pension to Reynold D. W. Campbell; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 12279) for the relief of Green Fitzgerald; to the Committee on War Claims.

Also, a bill (H. R. 12280) for the relief of the heirs of Samuel Shadoan, deceased; to the Committee on War Claims.

By Mr. RICHARDSON: A bill (H. R. 12281) granting an increase of pension to Robert L. Chick; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 12282) granting an increase of pension to Mary J. Hamilton; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 12283) granting an increase of pension to Edward McClellan; to the Committee on Pensions.

Also, a bill (H. R. 12284) granting an increase of pension to Margaret Wilcox; to the Committee on Invalid Pensions.

By Mr. WALSH: A bill (H. R. 12285) granting a pension to William F. Dilts; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Ancient Order of Hibernians of Kings County, N. Y., protesting against the peace celebration; to the Committee on Foreign Affairs.

BREMNER: Petition of Branch No. 3. Socialist Party of Passaic, Passaic, N. J., favoring a congressional investigation of the strike situation in Michigan, as well as in other parts of the United States; to the Committee on Rules.

Also, petition of Branch No. 2, Socialist Party of Passaic,

Passaic, N. J., favoring a congressional investigation of the strike situation in Michigan; to the Committee on Rules.

By Mr. BRITTEN: Memorial of delegate committee of the Socialist Party of Cook County, Ill., protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. BAKER: Petitions of citizens of Port Norris, N. J., favoring the passage of House bill 8947, relative to extension of Free Delivery Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. CARY: Petition of the German-American Alliance of Wausau, Wis., representing 581 American citizens, protesting against House joint resolution 168 and Senate joint resolutions 88 and 50 or any other prohibition measures; to the Committee on the Judiciary.

Also, petition of the German-American Alliance, of Mayville, Wis., representing 283 American citizens, protesting against House joint resolution 168 and Senate joint resolutions 88 and 50, or any other prohibition measures; to the Committee on the

Also, petition of the Railway Equipment Painters, No. 392, of Milwaukee, Wis., urging an investigation as to the conditions in the copper mines of Michigan; to the Committee on Rules.

Also, petition of the German-American Alliance, of Watertown, Wis., representing 635 American citizens, protesting against House joint resolution 168 and Senate joint resolutions 88 and 50, or any other prohibition measures; to the Committee on the Judiciary.

Also, petition of the German-American Alliance, of Athens, Wis., representing 112 American citizens, protesting against House joint resolution 168 and Senate joint resolutions 88 and 50, or any other prohibition measures; to the Committee on the Judiciary,

Also, petition of the German-American Alliance, of Monroe, Wis., representing 500 American citizens, protesting against House joint resolution 168 and Senate joint resolutions 88 and 50, or any other prohibition measures; to the Committee on the

By Mr. CARY: Petition of students of the Rand School of Social Science, of New York City, favoring an investigation of strike conditions in Michigan; to the Committee on Rules.

Also, petition of the Andrew Jackson Branch, No. 2, American Continental League, of New York City, and the George Washington Branch of the American Continental League, of Brooklyn, N. Y., protesting against appropriation of money for celebration of "One hundred years of peace among English-speaking people"; to the Committee on Foreign Affairs.

By Mr. CURRY: Petition of sundry citizens of the State of California, relative to the passage of House bill 9674; to the

Committee on the District of Columbia.

By Mr. DALE: Petition of National League of Commission Merchants of the United States, favoring 1-cent letter postage;

to the Committee on the Post Office and Post Roads.

Also, petition of Utica (N. Y.) Association of Credit Men, favoring the passage of bill for flood control; to the Committee on Rivers and Harbors.

By Mr. DYER: Petition of United Confederate Veterans at Atlanta, Ga., relative to pensions for Confederate veterans; to the Committee on Invalid Pensions.

By Mr. EAGAN: Petitions of the Patrolmen Benevolent Association, Board of Education, Court Castle Point, No. 54, F. of A., and the Teachers' Mutual Aid Association, all of Hoboken, N. J., favoring increased compensation for letter carriers, on account of parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of Union Hill Typographical Union, No. 110. favoring an investigation of copper-mine strike in Michigan; to the Committee on Rules.

ESCH: Petitions of German-American Alliance, of Athens, Wis. (112 citizens), and of Watertown, Wis. (635 citizens), protesting against the passage of House joint resolution 168 and Senate joint resolutions 50 and 88, prohibition measures; to the Committee on the Judiciary.

Also, memorial of the Order of Railway Conductors and Brotherhood of Locomotive Firemen and Enginemen, protesting against the passage of a workmen's compensation law; to the Committee on the Judiciary.

By Mr. GALLAGHER: Petition of Westinghouse, Church & Co., of Chicago, Ill., favoring a uniform advance of 5 per cent in freight rates; to the Committee on Interstate and Foreign Commerce.

Also, petition of Alice Hamilton, of Chicago, Ill., favoring the passage of the Peters bill (H. R. 29); to the Committe on Labor.

Also, petition of E. G. Starr, of Chicago, Ill., favoring the passage of the eight-hour bill for women in the District of Columbia; to the Committee on Labor.

By Mr. GILLETT: Petition of citizens of the United States,

favoring an act of Congress for an international board of education and a fund for world education; to the Committee on Education.

Also, memorial of the Northampton and Springfield (Mass.) Socialist Clubs, favoring an investigation of the copper-mine trouble in Michigan; to the Committee on Rules.

By Mr. GRAHAM of Pennsylvania: Petition of United Confederate Veterans, favoring pensions for Confederate veterans and widows of veterans; to the Committee on Invalid Pensions.

Also, petition of sundry citizens of the State of Pennsylvania, favoring a two-battleship program; to the Committee on Naval

By Mr. HAWLEY: Petitions of the Scandinavian Socialist Club, of Mansfield, and Local Coquilli of Socialist Party, favoring an investigation of the copper-mine strike in Michigan; to the Committee on Rules.

By Mr. HAYES: Petitions of General Teamsters' Union No. 287, of San Jose; Carpenters and Joiners of America Union No. 1062, Santa Barbara; and Local Lathers' Union No. 278, San Mateo, Cal., favoring the passage of the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of Santa Cruz, Cal., protesting against the passage of the Sabbath observance bill (H. R. 9674); to the Committee on the District of Columbia.

By Mr. HENRY: Petitions of sundry citizens of Waco, Tex protesting against the passage of the Sabbath observance bill (H. R. 9674); to the Committee on the District of Columbia.

By Mr. KEY of Ohio: Petition of citizens of Ohio favoring the Lindquist pure fabric bill; to the Committee on Interstate and Foreign Commerce.

By Mr. LEVY: Petition of the New York State Fruit Grow-Association, protesting against the passage of House bill 9266, relative to cold storage; to the Committee on Interstate and Foreign Commerce.

By Mr. LONERGAN: Petition of the United Anglers' League, of Brooklyn, N. Y., favoring the passage of House bill 7019; to the Committee on the Merchant Marine and Fisheries.

By Mr. MOTT: Memorial of National Camp, Patriotic Order Sons of America, favoring the passage of the Burnett immigra-

tion bill; to the Committee on Immigration and Naturalization.
Also, memorial of Utica (N. Y.) Association of Credit Men,
favoring the passage of a bill for flood control; to the Committee on Rivers and Harbors.

Also, memorial of the National League of Commission Merchants of the United States, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, memorial of officers and members of the Stone Street Presbyterian Auxiliary of St. Lawrence Presbyterian Society of Home and Foreign Missions, favoring the antipolygamy amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, petition of members of the Massachusetts Association of Sealers of Weights and Measures, favoring the passage of a bill to fix the standards of weights and measures; to the Com-

mittee on Coinage, Weights, and Measures.

Also, memorial of the Seventh-day Adventists Church of Cleveland, Ohio, protesting against the Sabbath observance bill

(H. R. 9674); to the Committee on the District of Columbia. By Mr. NELSON: Petition of O. A. Stolen and other citizens of Mount Horeb, Wis., protesting against the passage of the McKellar cold-storage bill (H. R. 9987); to the Committee on Interstate and Foreign Commerce.

By Mr. O'BRIEN: Petition of the New York State Council of the Junior Order of the United Mechanics, favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. PAIGE of Massachusetts: Petitions of the Christian Endeavor Society of the Rollstone Congregational Church, of Fitchburg, Mass., and Lodge 750, International Association of Machinists, of Athol, Mass., favoring immigration bill; to the Committee on Immigration and Naturalization.

Also, petitions of Sanders Lodge, No. 588, Independent Order of B'rith Abraham, of Leominster, Mass., and Raivaaja Publishing Co., of Fitchburg, Mass., against the immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Lodge 750, International Association of Machinists, of Athol, Mass., favoring investigation of strike conditions in Michigan; to the Committee on Rules.

By Mr. PALMER: Petition of citizens of Lansford, Pa., protesting against the passage of the literacy test in the immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of the Irish-American Club of Wilkes-Barre, Fa., protesting against the "One hundred years' peace" celebration; to the Committee on Foreign Affairs.

Also, petition of citizens of Easton, Pa., favoring the two-bat-

tleship program; to the Committee on Naval Affairs.

By Mr. PATTEN of New York; Petition of the New York
State Fruit Growers' Association, of Penn Yan, N. Y., protesting
against the passage of House bill 9266, to limit the cold-storage period; to the Committee on Interstate and Foreign Commerce.

Also, petition of the National League of Commission Merchants of the United States, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. REILLY of Connecticut: Petitions of Guilford Equal Franchise League, K. Rosalie Leguigney, Mary E. Redfield, Mrs. D. R. Hawley, and the Waterbury Equal Franchise League, all of the State of Connecticut, favoring the passage of the Kenyon "red-light" bill; to the Committee on the District of Columbia.

By Mr. SCULLY: Petition of United Anglers' League of New York, relative to wild cod in the waters around New York; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Daughters of Liberty of Lake Side, N. J., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. TAVENNER: Memorial of the Socialist Party of Monmouth, Ill., and Local No. 370, Journeymen Tailors' Union, of Moline, Ill., favoring an investigation of the copper-mine trouble in Michigan; to the Committee on Rules.

By Mr. WILLIS: Paper to accompany a bill (H. R. 12233) granting a pension to Emma I. Schneider; to the Committee

on Pensions.

By Mr. YOUNG of North Dakota: Petition of citizens of Gackle, N. Dak., protesting against the passage of the Sabbath observance bill (H. R. 9674); to the Committee on the District of Columbia.

SENATE.

Monday, January 26, 1914.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek Thy favor and blessing upon us, enabling us to do faithfully and well the work that has been committed to our hands this new legislative day. We pray Thee to help us to make room for the larger plans of God and for the divine purposes in all the progress of this great Nation. We pray not for oneness of opinion, but that we may keep the unity of the Spirit in the bond of peace and have our blessed fellowship in our larger perceptions of patriotism and in our love for our great land.

Help us this day to discharge these duties faithfully and For Christ's sake. Amen.

The Journal of the proceedings of the legislative day of Thursday, January 22, 1914, was read and approved.

ST. LOUIS & SAN FRANCISCO RAILROAD (S. DOC. NO. 373).

The VICE PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission transmitting, in response to resolutions of June 10 and July 2, 1913, reports relative to the investigation of the purchase by the St. Louis & San Francisco Railroad of the Chicago & Eastern Illinois Railroad and the subsequent receivership of both of the companies, and the purchase by the St. Louis & San Francisco Railroad Co. of the St. Louis, Brownsville & Mexico Railroad, which, with the accompanying paper, was referred to the Committee on Interstate Commerce and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS

The VICE PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion and opinion filed by the court in the cause of the Jefferson Lime Co. v. United States (S. Doc. No. 375), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

He also laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions filed by the court in the following causes:

The cause of the wardens and vestry of St. Peter's Episcopal Church, Rome, Ga., v. The United States (S. Doc. No. 374); and The cause of W. M. Watts, administrator of the estate of Marilda F. Sims, deceased, v. The United States (S. Doc. No.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 234) to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof.

The message also announced that the House had passed the following bills with amendments, in which it requested the concurrence of the Senate:

S. 832. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 833. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 834. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the

H. R. 12045. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said

H. R. 11269. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said

The message also announced that the House had passed a concurrent resolution (No. 31) granting to the State of Florida the privilege of placing in Statuary Hall of the Capitol the statue of John Gorrie, now deceased, who was a citizen of Florida, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a cablegram in the nature of a petition from the speaker of the House of Delegates of Porto Rico, praying for the adoption of an amendment to the tariff law striking out the provision relative to sugar on the free list, which was referred to the Committee on Finance.

He also presented resolutions adopted by the Western Gar-ment Manufacturers' Association, favoring the enactment of legislation relative to interstate commerce in convict-made goods, which were referred to the Committee on Interstate Commerce.

He also presented memorials of Commodore Barry Branch, American Continental League, of Philadelphia, Pa.; of the Napper Tandy Club, American Continental League, of Philadelphia, Pa.; of the William Orr Club, American Continental League, of Philadelphia, Pa.; of George Washington Branch, American Continental League, of Seattle, Wash.; of Henry Clay Branch, American Continental League, of Philadelphia, Pa.; and of Charles Carroll Branch, American Continental League, of Philadelphia, Pa., remonstrating against an appropriation by Congress for the celebration of the so-called 100 years of peace among English-speaking peoples, which were referred to the Committee on For-

He also presented a petition of the City Business Club, of Philadelphia, Pa., praying for the enactment of legislation giving the Government complete and full control of all radium lands in the United States, which was referred to the Committee on Public Lands.

He also presented petitions of the Central Labor Union of Manchester, N. H.; of the Bay, Saginaw, Flint, and Genesee County locals of the Socialist Party, of Michigan; and of the Socialist Party, Lettish Branch, of New York, praying for an investigation into the conditions existing in the mining districts of Michigan, which were referred to the Committee on Education and Labor.

He also presented a memorial of the Turnverein of Joliet, Ill., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a petition of the Pennsylvania Schoolmasters' Club, of Pittsburgh, Pa., praying for the enactment of legislation providing for a wise censorship of all moving pictures exhibited in the United States, which was referred to the Committee on Education and Labor.

He also presented a petition of the Board of Supervisors of the County of Hawaii, Territory of Hawaii, praying for the enactment of legislation authorizing the construction of a railroad through the districts of Kona, Kau, and Kohala, in that Territory, which was referred to the Committee on Pacific Islands and Porto Rico.

Mr. FLETCHER presented a petition of sundry citizens of Jacksonville, Fla., praying that an appropriation be made for the construction of two new battleships, which was referred to the Committee on Naval Affairs.

He also presented resolutions adopted by the Atlantic Deeper Waterways Association at its sixth annual convention, held at Jacksonville, Fla., November 20, 1913, favoring the adoption of the report made by the Government engineers relative to an intracoastal chain of waterways from Long Island to St. Johns

River, Fla., which were referred to the Committee on Commerce.

Mr. MYERS presented a petition of sundry citizens of Hamilton, Mont., praying for the enactment of legislation compelling

the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Joplin, Mont., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary

Mr. HITCHCOCK presented a memorial of the Nebraska Manufacturers' Association, remonstrating against the enact-ment of legislation to make lawful certain agreements between employees and laborers, and persons engaged in agriculture or horticulture, and to limit the issuing of injunctions in certain cases, and for other purposes, which was referred to the Com-

mittee on the Judiciary.

Mr. KERN. I present a telegram from the president of the Indiana Corn Growers' Association, which I ask may be read.

There being no objection, the telegram was read and ordered to lie on the table, as follows:

LA FAYETTE, IND., January 17, 1914.

Senator John W. Kenn,

Senate, Washington, D. C.:

Indiana Corn Growers' Association favors passage of Lever agricultural-extension bill. Agricultural conditions in Indiana call for wider and more complete dissemination of information from agricultural colleges and United States Department of Agriculture. Hope you will give this your best consideration.

JAMES KLINE, President.

Mr. KERN. I present a telegram from the president of the Indiana Live Stock Breeders' Association, which I ask may be read.

There being no objection, the telegram was read and ordered to lie on the table, as follows:

LA FAYETTE, IND., January 17, 1914.

Senator John W. Kern,

Senate, Washington, D. C.:

Lever agricultural-extension bill considered in annual meeting of the Indiana Live Stock Breeders' Association. Passage of this bill is urged. Indiana agriculture needs support and assistance from both the agricultural experiment station and National Department of Agriculture. Your most favorable consideration is asked for this bill.

Manuel Department of Agriculture. MAURICE DOUGLAS, President.

Mr. KERN. I present a communication from the strike defense committee of the Western Federation of Miners, accompanied by numerous affidavits relative to the conditions in the upper peninsula of Michigan, the copper-mining region, which I desire to have referred, as other communications on the subject have been referred, to the Committee on Education and Labor.

The VICE PRESIDENT. That action will be taken.

Mr. KERN presented a petition of sundry citizens of Jeffer-sonville, Ind., praying for the enactment of legislation granting relief to persons who served in the United States military telegraph corps during the Civil War, which was referred to the Committee on Pensions.

Mr. WEEKS presented resolutions adopted by the Board of Trade of Onset, Mass., favoring an appropriation for the improvement of navigation in Buzzards Bay and the vicinity thereof, in the State of Massachusetts, which were referred to the Committee on Commerce.

Mr. WALSH presented petitions of Socialist Local of Conrad, of Local Union No. 1727, United Mine Workers of America, of Bearcreek; of Pressmen's Union, No. 9, of Helena; and of the Trades and Labor Council of Miles City, all in the State of Montana, praying for an investigation into the conditions existing in the mining districts of Michigan, which were referred to the Commttee on Education and Labor.

Mr. BURTON presented a petition of sundry citizens of Zanesville, Ohio, praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented a memorial of B'nai Israel Lodge, No. 406, of Columbus, Ohio, remonstrating against the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Hamilton County, Ohio, praying for the adoption of the amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee

on the Judiciary. Mr. OLIVER presented memorials of Patrick Henry Branch, American Continental League, of Philadelphia, Pa.; of the County Cork Men's Patriotic and Beneficial Association, of Philadelphia, Pa.; and of the Thomas F. Burke Club, of Philadelphia, Pa., remonstrating against an appropriation by Congress for the celebration of the so-called 100 years of peace among English-speaking peoples, which were referred to the Committee on Foreign Relations.

He also presented a memorial of the Federation of Catholic Societies of Blair County, Pa., and a memorial of the Volks Verein of St. Mary's Congregation, of Altoona, Pa., remonstrating against the adoption of the proposed literacy-test clause in the immigration bill, which were referred to the Committee on Immigration.

He also presented resolutions of the Board of Trade of Philadelphia, Pa., favoring the enactment of legislation authorizing the employment of additional consulting architects sufficient to relieve the present congested condition of the Supervising Architect's Office, Treasury Department, which were referred to the Committee on Public Buildings and Grounds.

He also presented a memorial of the Board of Trade of Phila-delphia, Pa., remonstrating against the enactment of legislation to further prohibit unfair competition and monopolies, as provided in the bills to create an interstate trade commission, to prohibit and prevent unfair competition, and to protect commerce against monopolies, which was referred to the Committee on Interstate Commerce.

Mr. GRONNA presented a petition of the Socialist Local of Jarvis, N. Dak., and a petition of the Socialist Local of Center, N. Dak., praying for an investigation into the conditions existing in the mining districts of Michigan, which were referred to the

Committee on Education and Labor.

Mr. JONES presented resolutions adopted by the Snoqualmie Valley Commercial Club, of North Bend, Wash., favoring the enactment of legislation for the relief of settlers on the Northern Pacific Railroad, which were referred to the Committee on Pub-

He also presented resolutions adopted by the congregation of the First Presbyterian Church of Bellingham, Wash., favoring the ratification of arbitration treaties with England and other countries, and also the suspension for one year of the naval programs of the nations, which were referred to the Committee on Foreign Relations.

Mr. LODGE presented the petition of Alfred Young and 24 other citizens of Worcester, Mass., praying that an appropriation be made for the construction of two new battleships, which

was referred to the Committee on Naval Affairs.

He also presented a memorial of Mount Zion Lodge, Independent Order of B'rith Abraham, of Boston, Mass., and a memorial of Worcester Lodge, Independent Order of B'rith Abraham, of Worcester, Mass., remonstrating against the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented the petition of W. D. Stark and 22 other citizens, of Worcester, Mass., praying for the enactment of legislation to further restrict immigration, which was referred

to the Committee on Immigration.

Mr. McLEAN presented a petition of the Central Labor Union, of Meriden, Conn., praying for an investigation into the conditions existing in the mining districts of Michigan, which was referred to the Committee on Education and Labor.

Mr. BRISTOW presented petitions of sundry citizens of Sharon, Clay Center, and Tonganoxie, all in the State of Kansas, praying for an investigation into conditions existing in the mining districts of Michigan, which were referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Kansas City, Kans., praying for the enactment of legislation authorizing a readjustment of the salaries of the employees of the Bureau of Animal Industry, Department of Agriculture, which was referred to the Committee on Agriculture and Forestry

He also presented a petition of sundry citizens of Bunker Hill, Kans., praying for the establishment of a permanent arbitra-tion court, to be held in Washington, D. C., which was referred

to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Columbus, Kans., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES.

Mr. SMITH of Georgia, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts sup-plementary thereto, and the United States Department of Agriculture, reported it with amendments and submitted a report (No. 175) thereon.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (S. 3023) relating to the duties of registers of United States land offices and the publication in newspapers

of official land-office notices, reported it with amendments and submitted a report (No. 178) thereon.

Mr. SIMMONS, from the Committee on Commerce, to which was referred the joint resolution (S. J. Res. 94) to authorize the Secretary of Commerce to investigate the condition of trade in China, for the purpose of determining the desirability of establishing there a permanent exposition of the products of the United States of America, reported it without amendment and submitted a report (No. 179) thereon.

Mr. CIMMONS. I ask that the Committee on Commerce be

discharged from the further consideration of Senate bill 2883, a bill to authorize and more specifically define the laws authorizing and granting permission to use and occupy Government lands, and for other purposes, and that it be referred to the Committee on Public Lands. I think it is clearly an erroneous

reference.

The VICE PRESIDENT. Without objection, that action will be taken.

Mr. PERKINS, from the Committee on Commerce, to which was referred the bill (S. 789) to authorize aids to navigation and other works in the Lighthouse Service, and for other purposes, reported it with amendments and submitted a report (No. 180) thereon.

He also, from the same committee, to which were referred the following bills, reported them each with an amendment and

submitted reports thereon:

A bill (S. 790) to authorize the improvement of Santa Barbara Light Station, Cal., including a fog signal and a keeper's dwelling (Rept. No. 181); and

A bill (S. 791) to provide for improvements at the Santa

Cruz Light Station, Cal. (Rept. No. 182).

Mr. NELSON, from the Committee on Commerce, to which was referred the bill (S. 2425) to authorize the Roanoke River Development Co. to construct and maintain a dam across the Roanoke River, in Mecklenburg County, in the State of Virginia, approximately 20 miles below the town of Clarksville, in said State, reported it with amendment and submitted a report (No. 183) thereon.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (S. 3583) to authorize the changing of the names of the steamships Buckman and Watson, reported it without amendment and submitted a report (No. 176) thereon.

He also, from the same committee, to which was referred the joint resolution (S. J. Res. 86) authorizing the Secretary of War to detail two Engineer officers to cooperate with engineers of the Interior Department or the States of Oregon and Washington in investigating The Dalles (Oreg.) power project, reported it with amendments and submitted a report (No. 177) thereon.

He also, from the same committee, to which was referred the bill (S. 1801) providing for an increase of salary of the United States collector of customs for the district of Maine and New Hampshire, asked to be discharged from its further consideration and that it be referred to the Committee on Finance,

which was agreed to.

He also, from the same committee, to which was referred the bill (8. 3085) to amend section 20 of chapter 1 of the act entitled "An act to regulate commerce," approved February 4, 1887, and as heretofore amended, by fixing the limitation within which actions may be brought on bills of lading, asked to be discharged from its further consideration and that it be referred to the Committee on the Judiciary, which was agreed to.

BRIDGES IN PORTO RICO.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 4145) to authorize the Government of Porto Rico to construct bridges across the Arecibo River near the city of Arecibo, P. R., and I ask for its immediate consideration. The passage of the bill has been requested by the War Department.

Mr. SMOOT. Is the bill reported unanimously from the com-

mittee?

Mr. SHEPPARD. It is reported unanimously. The VICE PRESIDENT. The bill will be read. The Secretary read the bill, as follows:

Be it enacted, etc., That the Government of Porto Rico be, and is hereby, authorized to construct, maintain, and operate two bridges and approaches thereto across the Arceibo River near the city of Arecibo, P. R. in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed

Mr. SHEPPARD. I ask to have inserted in the RECORD a brief letter from the Secretary of War asking for the passage of the bill. The letter is addressed to Senator Clarke of Arkansas, chairman of the Committee on Commerce.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT, Washington, January 19, 1914.

Hon. James P. Clarke, Chairman Committee on Commerce, United States Senate.

Chairman Committee on Commerce, United States Senate.

DEAR SENATOR: I transmit herewith draft of a bill authorizing the Government of Porto Rico to construct two bridges across the Arecibo River, in that island. These bridges are essential to the proper development of the public highways under construction in the Island, and I would appreciate it if you would take such action in connection therewith as would insure the bill being enacted into law at the present session of Congress.

With best wishes, I remain,

Very truly,

LINDLEY M. GARRISON,

Recretary of War.

LINDLEY M. GARRISON, Secretary of War.

RECLAMATION OF SWAMP AND OVERFLOWED LANDS.

Mr. SHEPPARD. From the Committee on Commerce I report back and ask that the committee be discharged from the further consideration of the bill (S. 2831) to establish a drainage fund and to provide for the reclamation of swamp and overflowed lands in the United States and that it be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. Without objection, that action will

be taken.

Mr. BURTON. On what theory is the bill to be referred to

that committee'

Mr. SHEPPARD. The Committee on Commerce decided that, in their opinion, this action should be taken on the ground that there is a drainage bureau in the Department of Agriculture and on the further ground that the Department of Agriculture is giving considerable attention to the subject of drainage.

Mr. BURTON. Is the bill in any way connected with naviga-

tion or other public work?

Mr. SHEPPARD. I do not believe that it relates to naviga-

tion, I will say to the Senator.

Mr. BURTON. Was there action taken by the Committee on

Commerce in regard to it?

Mr. SHEPPARD. Action was taken by the committee, as stated by me, and the committee authorized me to make this I have not made a careful study of the bill as yet.

Mr. BURTON. I desire to state that the whole matter of drainage irrigation, as well as navigation-indeed the whole subject of the control and utilization of waters-ought to be considered as one great problem, and I do not like to see one phase of it referred to one committee and another phase to another. Just what does the bill propose? Mr. SHEPPARD. I am not thoroughly familiar with every

phase of the bill.

Mr. BURTON. I ask, before the change of reference is made,

that the request may go over for a day.

The VICE PRESIDENT. The question is, Shall the bill be referred to the Committee on Agriculture and Forestry?

Mr. BURTON. I ask that the proposition be deferred for a

day.

Mr. SHEPPARD. I ask that the bill be referred back to the Committee on Commerce for further consideration.

The VICE PRESIDENT. The Senator from Texas may withdraw the request

Mr. SHEPPARD. I withdraw the request for a change of reference

Mr. JONES. I should like to ask the Senator from Texas whether the Committee on Commerce considered the question whether the bill should not go to the Committee on Conservation of National Resources?

Mr. SHEPPARD. I will state that the bill was considered very briefly in the committee, and for that reason I withdraw

the request for a change of reference.

Mr. JONES. I hope the question of a reference to the Committee on Conservation of National Resources will be considered in connection with the further consideration of the bill by the Committee on Commerce.

The VICE PRESIDENT. The Senator from Texas withdraws the bill for the present.

THOMAS R. FAHERTY.

Mr. KENYON. Mr. President, some time ago I introduced a bill (S. 235) for the relief of the widow of Thomas R. Faherty, which was referred to the Committee on Interocennic Canals. The chairman of the committee, the Senator from New York [Mr. O'GORMAN], suggests that the Committee on Interoceanic

Canals be discharged from the further consideration of the bill, and that it be referred to the Committee on Claims. I think that course is probably correct, and if it is the proper procedure I ask that the Committee on Interoceanic Canals be discharged from the further consideration of the bill, and that it be referred to the Committee on Claims.

The VICE PRESIDENT. Without objection, the committee

will be discharged and the bill will be referred to the Committee

on Claims.

GOODS MADE BY CONVICT LABOR.

Mr. SIMMONS. I desire to lodge a motion-I will not ask action upon it, because the Senator from Missouri [Mr. Stone], who is interested, is not present-to discharge the Committee on Manufactures from the further consideration of Senate bill 4161. a bill to prohibit the importation and entry of goods, wares, and merchandise made in whole or in part by convict, pauper, or detained labor, or made in whole or in part from materials which have been made in whole or in part or in any manner manipulated by convict or prison labor, and I wish also to enter a motion that the bill be referred to the Committee on Finance. will not ask for action upon the motion until the Senator from Missouri is in his seat, in so far as he introduced the bill.

Mr. ROOT. May I ask that the title of the bill be stated at

the desk?

Mr. SIMMONS. If the Senator will pardon me, the Senator from Georgia [Mr. Bacon] suggests that the Senator from Missouri will be absent for some weeks, and, in view of that. I will ask for action on the motion at once, because probably the bill ought to be considered before his return.

Mr. BACON. I do not wish to be held entirely responsible for that course. I simply know that the Senator from Missouri informed me that he intended on account of his health to go South, and I presume that he has already gone; I do not know.

Mr. SIMMONS. I will withdraw the motion and make some inquiry before renewing it. It may be that the Senator from Missouri will return soon.

Mr. ROOT. May I ask that the title of the bill be read?

The Secretary. A bill (S. 4161) to prohibit the importation and entry of goods, wares, and merchandise made in whole or in part by convict, pauper, or detained labor, or made in whole or in part from materials which have been made in whole or in part or in any manner manipulated by convict or prison labor.

THE COMMITTEE ON INTERSTATE COMMERCE.

Mr. SHAFROTH. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably Senate resolution No. 248, authorizing the Committee on Interstate Commerce, or any subcommittee thereof, to employ a stenographer, send for books and papers, administer oaths, and so forth, submitted by the Senator from Nevada [Mr. New-LANDS] on the 20th instant, and I ask unanimous consent for the present consideration of the resolution. I will state, Mr. President, that the resolution is in the usual form of resolutions which have been passed by the Senate authorizing other committees to make similar investigations.

The VICE PRESIDENT. Is there objection to the present

consideration of the resolution.

There being no objection, the Senate proceeded to consider the resolution, which was agreed to, as follows:

the resolution, which was agreed to, as follows:

Resolved, That the Committee on Interstate Commerce, or any subcommittee thereof, be, and the same is hereby, authorized during the Sixty-third Congress to send for books and papers, to administer oaths, and to employ, if necessary, a stenographer, at a price not to exceed \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before the said committee, or under investigation or examination thereby; that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate; the expenses thereof to be paid out of the contingent fund of the Senate; and that such committee or subcommittee thereof may sit during the sessions of the Senate or during the vacation of the Senate at any place in the United States.

HATTIE A. KRUEGER AND LIZZIE KRUEGER.

Mr. SHAFROTH. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, with an amendment, Senate resolution No. 237, to pay Hattie A. and Lizzie Krueger, sisters of Paul A. Krueger, a sum equal six months' salary, submitted by the Senator from Arizona [Mr. SMITH] December 22, 1913. I ask unanimous consent for the present consideration of the resolution.

The VICE PRESIDENT. The amendment will be stated.

The amendment of the Committee on Contingent Expenses was, in line 4, before the word "sisters," insert "jointly," so as to make the resolution read:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, out of the contingent fund of the Senate, to Hattie A. Krueger and Lizzie Krueger, jointly, sisters of I'aul A. Krueger, late a cierk to the Committee on Irrigation and Reclamation of Arid Lands of the United States Senate, a sum equal to six months'

salary at the rate he was receiving by law at the time of his death, the said sum to be considered as including funeral expenses and all other allowances.

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 4172) releasing the claim of the United States Government to that portion of land, being a fractional block, bounded on the north and east by Bayou Cadet, on the west by Cevallos Street, and on the south by Intendencia Street, in the

old city of Pensacola, Fla.; and
A bill (S. 4173) releasing the claim of the United States Government to lot No. 306 in the old city of Pensacola, Fla.; to the

Committee on Public Lands.

By Mr. ROOT: A bill (S. 4174) to approve of the celebration of the one hundredth anniversary of the treaty of Ghent; to the Committee on Foreign Relations.

By Mr. SMITH of Georgia:

A bill (S. 4175) authorizing the Secretary of State to invite other nations of the world to participate in the drainage congress to be held at Savannah, Ga., in 1914, and to appropriate \$10,000 to help defray the expenses thereof; to the Committee on Foreign Relations.

By Mr. WALSH: A bill (S. 4176) granting an increase of pension to Lydia

Richardson:

A bill (S. 4177) granting a pension to John Johnson, No. 2; A bill (S. 4178) granting a pension to Christina Mitchell; and A bill (S. 4179) granting a pension to Eddy J. Workman (with accompanying papers); to the Committee on Pensions. By Mr. MYERS:

A bill (S. 4180) to validate title to certain town sites in the State of Montana; to the Committee on Public Lands.

By Mr. LODGE: A bill (S. 4181) to establish a library post; to the Committee on Post Offices and Post Roads.

By Mr. BURTON:

A bill (S. 4182) to authorize the installation of mail chutes in the public building at Cleveland, Ohio, and to appropriate money therefor; to the Committee on Public Buildings and

Grounds.

A bill (S. 4183) granting an increase of pension to Heloise Gano; to the Committee on Pensions.

By Mr. FALL:

A bill (S. 4184) to provide compensation for the owners of property injured or destroyed by overflow caused by the Government works at Lake McMillan, a part of the Carlsbad project in New Mexico; to the Committee on Irrigation and Reclamation of Arid Lands

A bill (S. 4185) to create the Rio Grande National Park in

New Mexico;

A bill (S. 4186) to amend section 11 of an act entitled "An act to enable the people of New Mexico to form a constitution and State government," approved June 20, 1910;

A bill (S. 4187) creating the Mescalero National Park in New Mexico and providing for the allotment of certain lands in severally, to the Mescalero Apache Indiana.

Mexico and providing for the allotment of certain lands in severalty to the Mescalero Apache Indians; and
A bill (S. 4188) to amend chapter 35 of the Statutes of the United Statess of America, passed at the third session of the Sixty-first Congress, approved February 3, 1911; to the Committee on Public Lands.
A bill (S. 4189) for the relief of Machinist Alfonso M. Skinner, United States Navy, retired (with accompanying papers); to the Committee on Naval Affairs.
A bill (S. 4190) for the relief of Capt. H. C. Smith, to the

A bill (S. 4190) for the relief of Capt. H. C. Smith; to the

Committee on Claims.

A bill (S. 4191) granting a pension to Marina A. de Lucero (with accompanying papers);

A bill (S. 4192) granting an increase of pension to Norris H.

Herbert (with accompanying papers);
A bill (S. 4193) granting an increase of pension to Sarah
Jane Palmer (with accompanying papers);

A bill (S. 4194) granting an increase of pension to William D.

Jones (with accompanying papers); and
A bill (S. 4195) granting an increase of pension to Elizabeth
H. Smith (with accompanying papers); to the Committee on

By Mr. BANKHEAD:
A bill (S. 4196) to provide for the appointment of a commission to make full inquiry, examination, and investigation into the subject of the construction and maintenance of public roads and lower mouth of the canal and the Aucilla River and thence to

the participation of the Government of the United States therein; to the Committee on Post Offices and Post Roads.

A bill (S. 4197) for the relief of Rittenhouse Moore; to the Committee on Claims.

By Mr. BORAH:

A bill (S. 4198) granting a pension to Edward Flannery (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A bill (S. 4199) to place the name of David E. Lunsford upon the officers' retired list; to the Committee on Military Affairs.

A bill (S. 4200) for the relief of Caroline M. Killough; and

A bill (S. 4201) for the relief of Nellie Harrington; to the Committee on Claims.

A bill (S. 4202) granting an increase of pension to Frederika

L. M. Christman; to the Committee on Pensions.

By Mr. McLEAN;

A bill (S. 4203) granting an increase of pension to Elizabeth

M. Leonard (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:
A bill (8, 4204) to regulate the retirement of certain veterans of the Cival War; to the Committee on Military Affairs.

A bill (S. 4205) granting an increase of pension to Charity C.

Smith; to the Committee on Pensions.

By Mr. BACON:

A bill (S. 4206) to establish an experiment station in southern Georgia to standardize the grades of table sirup made from sugar cane and to study the use and value of the by-products of sugar cane; to the Committee on Agriculture and Forestry.

By Mr. SIMMONS:
A bill (S. 4207) granting a pension to Maggie Norment; to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 4208) authorizing the Secretary of War to donate to the city of McPherson, Kans., two cannon or fieldpieces; to the Committee on Military Affairs.

A bill (S. 4209) granting an increase of pension to James W.

Dunbar (with accompanying papers); and A bill (S. 4210) granting a pension to Mary E. Wallace (with

accompanying papers); to the Committee on Pensions.

A bill (S. 4211) granting an increase of pension to Oliver M. Mahan (with accompanying papers); to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 4212) granting an increase of pension to John B. Haley, sr. (with accompanying papers); to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 4213) to provide for a survey and estimate of cost of a deep-water channel in the Hudson River, N. Y., between the city of Hudson and the dam at Troy; to the Committee on Com-

A bill (S. 4214) for the relief of Fred R. Payne; to the Com-

mittee on Naval Affairs.

A bill (S. 4215) for the relief of Carl Anderson; to the Committee on Claims.

COOPERATIVE AGRICULTURAL EXTENSION WORK.

Mr. CLARK of Wyoming submitted an amendment intended to be proposed by him to the bill (S. 3091) to provide for co-operative agricultural extension work between the agricultural operative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture, which was ordered to lie on the table and be printed.

Mr. JONES submitted an amendment intended to be proposed by him to the bill (H. R. 7951) to provide for cooperative agri-

cultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture, which was ordered to

lie on the table and be printed.

AMENDMENT TO AGRICULTURAL APPROPRIATION BILL.

Mr. BRADY submitted an amendment proposing to appropriate \$30,000 for constructing through the Targhee National Forest, Idaho, from Warm River to Yellowstone, a wagon road as an extension of the highway from Boise, Idaho, to the Yellowstone National Park, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

AMENDMENTS TO RIVER AND HARBOR BILL.

Mr. FLETCHER submitted an amendment providing for a survey of Wacissa River from its source to and through the the Gulf in the State of Florida, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be

He also submitted an amendment providing for a survey from the St. Johns River for a waterway connecting the Kissimmee River in the State of Florida, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed,

OMNIBUS CLAIMS BILL.

Mr. O'GORMAN submitted an amendment intended to be proposed by him to the omnibus claims bill, which was ordered to be printed and, with the accompanying papers, referred to the Committee on Claims.

STATUE OF JOHN GORRIE.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 31) of the House of Representatives, which was read and referred to the Committee on the Library:

Resolved by the House of Representatives (the Senate concurring), That the State of Florida be, and is hereby, granted the privilege of placing in Statuary Hall of the Capitol the statue of John Gorrie, now deceased, who was a citizen of Florida, illustrious for distinguished civic services.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 12045. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldlers and sailors of war; and

H. R. 11269. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

THE TELEGRAPH AND TELEPHONE AS ADJUNCTS TO POSTAL SERVICE.

The VICE PRESIDENT. The Chair lays before the Senate a resolution, coming over from a previous day, which will be read.

The Secretary read the resolution (S. Res. 250) submitted by Mr. Norris on the 21st instant, as follows:

Resolved, That the Committee on Post Offices and Post Roads be discharged from further consideration of Senate resolution 242, directing the Postmaster General to send to the Senate certain information relative to governmental ownership and control of the telegraph and telephone facilities.

Mr. BANKHEAD. Mr. President, the resolution referred to, requesting the Postmaster General to transmit certain papers to the Senate, reached the Committee on Post Offices and Post Roads on the 16th of the present month. The resolution was offered by the Senator from Nebraska [Mr. Norris]. It was passed by the Senate, reconsidered, and then referred to the committee. I assured the Senator from Nebraska, as did other members of the Post Office Committee, that there would be no unnecessary delay in reporting the resolution to the

Immediately after the resolution had been referred to the Committee on Post Offices and Post Roads a meeting of the committee was called, for the purpose of considering the reso-After considerable effort a quorum of the committee was secured, but it was found that the resolution, having been referred that morning, had not reached the committee, and it did not reach the committee, through the ordinary channels, Therefore the committee did not feel auuntil the next day. thorized to report the resolution, not being in possession of it. Two other meetings of the committee have been called, but we have been unable to secure a quorum.

This resolution, Mr. President, had only been with the committee seven days when the Senator from Nebraska introduced his resolution to discharge the committee from its consideration. It seems to me and to the committee, Mr. President, that the Senator from Nebraska has exercised more diligence in this matter than the importance of the resolution requires. The committee will report this resolution at the very first opportunity; the very first day that we can get a quorum we will consider and report it. A meeting of the committee has been called for to-morrow. Every member of the committee has been urgently requested to be present. If we can then get a quorum, and I have no doubt we will, this resolution will be considered. For myself, Mr. President—and I feel sure that I voice the

opinion of several members of the committee-under the circumstances I have related the committee could not do otherwise than consider the adoption of the pending resolution and the withdrawal of the previous resolution from the consideration of the committee as a reflection upon the committee. I think the committee would be justified in regarding it as a vote of lack of confidence. If there was a great emergency, we might be able to take a different view of it; but the passage of this resolution does not mean war or peace. The telephone and tele-graph companies are making no effort to escape the jurisdiction of the United States, so far as I know. We will be able to get these papers as soon as we can consider and the Senat- can pass the resolution.

I very much hope the Senate will not adopt the pending resolution taking from the control and jurisdiction of the committee the previous resolution submitted by the Senator from Nebraska, unless there is some emergency for such action.

Mr. NORRIS. Mr. President, this resolution was introduced by me on the 12th day of January. That was the first day we reconvened after the Christmas holidays. In order that the Senate may know just what the resolution is I want it read in now. It is as follows:

Resolved, That the Postmaster General be, and he is hereby, directed to send to the Senate the results of the investigation he has been making regarding Government ownership and control of means of communication, with a view to the acquisition by the Government of the telegraph and telephone facilities, to be operated as an adjunct to the Postal Service, and that in connection therewith he send to the Senate all of the data and information that has been acquired by means of such investigation, together with a copy of all reports that have been made thereon by any committee or persons appointed by him for the purpose of making such investigation.

Mr. President, I introduced that resolution because I had learned that the Postmaster General had made such an investigation. I was desirous of getting the information, and I was very anxious to get it within a few days for reasons that were more or less personal to me. I am not stating that now as something that ought to be sufficient to cause the Senate to act, but I thought I was justified in introducing it, because in the last annual report made by the Postmaster General, on page 16, among other statements regarding the ownership of telegraph and telephone lines, he used this language:

Since June last the department has been conducting a careful investigation to determine the desirability and practicability of extending the Government ownership and control of means of communication, with a view to the acquisition by the Government of the telegraph and telephone facilities, to be operated as an adjunct to the Postal Service. The Postmaster General is now engaged in reviewing the data collected and later, if desired, will submit same to the appropriate committees of Congress for their consideration.

When I introduced that resolution, Mr. President, I asked for its immediate consideration. The request was granted, and the resolution was adopted; but later, on the same day, the Senator from Georgia [Mr. BACON] had a motion entered on the record to reconsider. On the next day, January 13, the resolution came up-and it came up after I had had a consultation with the chairman of the committee-and when I called it up I used this language, as shown in the RECORD, on page 1621:

this language, as shown in the Record, on page 1621:

Mr. Norris. Yesterday the Senate passed a resolution introduced by me calling upon the Postmaster General for certain information. After it had been passed the Senator from Georgia [Mr. Bacon] entered a motion to reconsider, which I understand is now pending. I have had some consultation, particularly with the junior Senator from Mississippi [Mr. Vardaman] and also with the chairman of the committee, and, as far as I am concerned, from the statements which have been made to me by both those Senators that the matter will be reported out perhaps to-day, being informed by the chairman of the committee that the Committee on Post Offices and Post Roads meets at 2 o'clock and it is the intention to report the resolution out to-day if possible, and if not to-day as soon as it can possibly be done, with that understanding I have no objection myself to having the resolution reconsidered and referred to that committee.

The remarks just read were made by me about two minutes

The remarks just read were made by me about two minutes after 2 o'clock. The unfinished business had just been laid before the Senate, and I asked the Senator from Oregon [Mr. CHAMBERLAIN], who had charge of the Alaskan bill, to yie'd for the purpose of making the request. The conversation I had had with the Senator from Alabama occurred not five minutes before, so that the time for the meeting of the committee had already arrived when that action was taken by the Senate, and I presume within five minutes after that action was taken the committee was in session. I understand that it was practically a physical impossibility for the Secretary or other employee whose business it is to make the record and then convey the resolution officially to the committee and get the signature of the clerk to perform that duty within the time mentioned, and it did not officially reach the committee until the next day.

As I understood, however, and it seemed to me it was a fair understanding-I may be in error about it-every member of the committee, at least those who were present, and I presume most of them were and knew what action had been taken, knew that when the committee were in session they would not have physical possession of the bill, but they would know the action of the Senate. It was only a matter of form, only a resolution calling for information, such as goes through the Senate almost every day without any opposition or objection, something that is adopted almost as a rule when it is requested by any Senator. I had an idea that the report would immediately come

back and the resolution would be passed the same day; and I thought I was justified in thinking so from what the chairman had said-and I call attention again to what I said in my remarks-that they were to meet at 2 o'clock. I was followed by the Senator from Mississippi, who said practically the same thing, and then that action was taken.

I wish to assure the Senator from Alabama that I had not at that time, and have not now any idea or intention of casting any reflection upon the committee; but it did seem to me that a resolution simply calling for information from the Postmaster General-information that he says over his own signature he has in his possession and is ready to communicate to the committees of Congress—ought to have been passed almost as a matter of form. When the committee met, as I understand, an objection was made there that it could not be considered, for the reason that the resolution was not officially before the committee.

That, however, was on the 13th day of January. The resolution is still in the possession of the committee, and is still in their custody. I know that every day or two, when some formal matter is to be reported out of a committee, if some Senator is interested in it, it is a common thing to have the Clerk, or even a member of the committee, poll the committee here on the floor and get a report.

It strikes me that in asking for this information, and in taking the course that I have taken, I have not trespassed upon anybody's rights, nor have I done anything that was censurable. I am sure I had no intention of doing so. I was assured, as I stated, that the matter would be reported very quickly, in a day or two, if not immediately. It seemed to me that when I had waited over a week after that, and nothing was done by the committee, and I could get no assurance from the chairman that there would be a meeting at any particular time, I was justified in taking the course I did.

Since the statement made by the chairman of the committee on the floor just now I am perfecty willing to withdraw the resolution, on the statement he has made, upon the theory that the resolution will be reported back when the committee meets to-morrow.

The VICE PRESIDENT. The resolution is withdrawn. Morning business is closed.

PROPOSED APPOINTING COMMISSION.

Mr. WORKS. Mr. President, in pursuance of the notice given by me on the 19th instant, I ask the Chair to lay Senate bill 2679 before the Senate.

The VICE PRESIDENT laid before the Senate the bill (S. 2679) providing for a commission to recommend appointments to office, and for other purposes.

Mr. WORKS. Mr. President, I have introduced a bill to provide for a commission to receive and act upon all applications and recommendations for appointment to Federal offices and to select and recommend to the President the best-qualified applicants for such appointments, and forbidding Members of Congress to recommend or aid in securing the appointment of any applicant for office.

The bill provides, in substance-

1. For the appointment by the President, at the beginning of his term, of a commission of three persons, to be known as the appointing commission, to serve during the term of the President appointing them, and no longer.

2. That it shall be the duty of the commission to receive and consider all applications and recommendations for appointments to Federal offices not controlled by the civil-service laws and regulations and to recommend to the President for appointment the person most competent and best fitted to hold the office to be

3. That in determining the question of fitness and capacity each candidate shall be considered on his merits and no appointment shall be recommended as a reward for or because of political service or activity for any party of any candidate

4. That the President may either appoint or reject, or the Senate confirm or refuse to confirm, the person so recommended, and in case of rejection by either, another of the applicants shall be recommended until the President and Senate are satisfied and the appointment made and confirmed.

5. That no member of the Cabinet, Senator, Member of the House of Representatives, or any other person holding an office under the National Government shall advise or recommend any person to said commission for appointment to office, nor shall any person apply to, ask, or solicit any such official for aid or assistance of any kind to secure the appointment of himself or anyone else to any office.

6. Fixing the qualifications of the commissioners.

7. That every officer appointed as provided in the act shall be entitled to serve the full term for which he is appointed, unless removed for cause affecting his qualifications and fitness for the office, and that the question of his qualifications shall first be submitted to and passed upon by said commission, and if the charges are not sustained by the commission he shall not be removed.

8. No officer shall be removed before the expiration of the term for which he was appointed for political reasons only.

9. That the act shall not apply to the offices of the secretaries, clerks, or assistants of the President, the offices of the Secretaries commonly known as Cabinet officers, or their assistants, the clerks or assistants of Senators, or employees of the White House, the Senate, or the House of Representatives.

10. That the commission may hold hearings as to the fitness or competency of any applicant to be appointed to office or the sufficiency of the charges against any officer sought to be removed.

 Fixing the salaries of the commissioners.
 Making an appropriation for salaries and expenses of the commission.

13. Providing a penalty for violation of the act.

Mr. President, this bill is intended to relieve the President and Members of Congress, as fully as may be done under the Constitution, from the onerous and unnecessary burdens of recommending and appointing the thousands of officers throughout the country, to secure the appointment of better and more competent men and women to office, and to relieve the public service as far as possible from the odium of the present pernicious system of patronage. The time taken up by the President and Members of Congress in filling places under the present system that could be devoted to useful public service is enormous. It takes up the valuable time of the President that could and should be devoted to more important public affairs of high concern, taxes his energies, and causes him untold worries and much dissatisfaction, because it is impossible for him to give much dissatisfaction, because it is impossible for film to give the time necessary to satisfy himself of the qualifications of applicants for appointments; it consumes the time of Members of Congress and other public officials and interferes in many ways with the proper administration of public affairs.

On December 21, 1910, the following resolution was adopted

by the Senate:

Resolved, That the President of the United States is hereby requested to furnish to the Senate for its use, if he does not deem it incompatible with the public interest, the following information, with departmental classifications of the same:

First. The total number of appointments which are made by the President upon nomination to and confirmation by the Senate.

Second. The total number of appointments which are made by the President, but which do not require nomination to and confirmation by the Senate.

the Senate.

Third. The total number of officers and employees of the Government subject to civil-service regulations, specifying classification and number

of postmasters.

Fourth. The total number of officers and employees subject to removal by the President without action on the part of Congress.

Fifth. Total number of officers and employees of the United States Government, exclusive of enlisted men and officers of the Army and Navy.

The President, in compliance with this resolution, sent, by message, the information called for. He gave:

262, 608

If we deduct from this the appointments made under the civil service, 262,608, we have, to be passed upon and appointed by

the President or some one else, 148,714.

The message to which I have referred shows that of these 10,839 are appointed by the President, and for them and their service to the country, good or bad, he must be held directly responsible. This report was made nearly three years ago. The number of such officers has steadily increased. For example, the number of postmasters to be appointed by the President has increased since then by 453. Perhaps the increase in other departments has not been so great, but it has been considerable. I have not attempted to trace all of them down, as it was not necessary to the purpose I have in view. It is fair to say that at the present time, including vacancles required to be filled, the President is called upon to fill close to 15.000 places. For many of the places there are a number of applicants whose claims he is bound to deal with, and recommendations of the different candidates by the thousand, come in and have to be considered. It should be remembered that this covers only the civil offices. It does not include the appointments made in the Army and Navy. In the last five years the average number of appointments in the Army, including premotions, all of which require consideration and careful discrimination, has been 982 each year, and in the Navy the average is about 600 a year. Just think, Mr. President, what a burden this imposes on the President, who, as Chief Magistrate of a great Nation, must deal daily with problems of the highest consequence, affecting our relations with foreign countries as well as our internal affairs. It is an injustice to the President and interferes seriously with his higher duties. He can not be relieved entirely of this immense burden without amending the Constitution, but the bill I have offere. will relieve him of a great part of the drudgery of selecting public officials and to a great extent from the care and responsibility of considering the applications and recommendations of the army of applicants and their friends, and will save an immense amount of his time for more important public business

But, Mr. President, this great burden does not rest upon the President alone. It is not his time only that is wasted by the importunities of the multitude of people scrambling for office and place. Members of Congress are victims mostly-I hope and believe, unwilling victims-of the constant striving for appointments to office. Senators are besieged day and night at their offices, in the marble room of the Senate when we are in session, and often at their homes, by the army of office seekers and their friends or enemies. Their mail is loaded down day after day with applications and recommendations for appointment to office and protests against individuals seeking place. The consideration of these things is no part of the duty of a It is an unwarranted imposition upon him and a waste of his time that should be devoted to the performance of his legitimate official duties. The duty of a Senator in this respect commences when an appointment is made by the President and comes before the Senate for confirmation, and not before. The office seekers are not so much to blame for this condition of things as the pernicious system of patronage that has grown to such enormous proportions. In the past Members of Congress, and especially Senators, have not regarded the participation, on their part, in appointments to office as an imposition. On the contrary, they have too often regarded it as a right and a privilege. It was looked upon by some, at least, as a means of promoting their own political interest. It has in past years enabled Senators to build up in their States powerful political machines through which they secured their continuance in office and reaped other benefits for themselves and their friends. They secured the presidential appointments in their States and then dictated the subordinate appointments by the officers they had chosen. These appointees, high and low, felt themselves under obligation to the Senator, served his interests, and became a part of his political machine. Some Senators claimed the appointments in their States as their own and demanded the appointment of the men recommended by them as a right belonging to their office. The claim was un-The duty and responsibility of appointments rested upon the President. No Senator had the right to dictate or coerce appointments. But it had become a part of the unwritten law of politics that a Senator should control certain appointments, and by some it was claimed as an established right. It was unfortunate for the Senate. It was a misfortune for Senators. It had a tendency to lower the dignity of the Senate and impair its usefulness as a part of the legislative department of the Government. It made a Senator a trader, a sort of speculator, in political offices that lessened the dignity and legitimate importance of his great office.

Mr. President, I think Senators feel quite differently about it now. I think, I hope, every Member of this body would like to be rid of the burden of patronage in all its forms. The day of great personal political machines, as we used to have them, has The people are feeling less and less the restraints of party affiliations or obligations as well as personal obligations to successful candidates for office. It is a fortunate thing, a Slavish partisanship destroys individual independence and freedom of conscience. This evil of building up great political machines, thereby controlling not only nominaelections, and appointments to office but legislation, was one of the things that brought the Republican Party into disrepute and final defeat. Its unfortunate experience should be a warning to the Democratic Party. More and more the people are thinking and acting for themselves and will no longer be ruled, directed, or coerced by a party or a political machine against their own conscience and judgment.

But, sir, I am not presenting this as a political or party I am anxious to do what I can to relieve the public service and officials of the Government of a system of patronage that can not be defended on any principle of right or justice. I

but Members of this body can, out of their own personal experience, supply many others. Senators have complained of it as oppressive and unjust to themselves and have expressed their earnest desire to be rid of it. The bill I have offered will give them the opportunity to free themselves from this great and unwarranted burden and leave it to the appointing power, where it belongs justly and as a matter of law.

Besides the mere matter of injustice imposed upon public officials by the system, it is demoralizing to the public service and brings upon Congress public criticism and reproach. of this is deserved, but much of it is unmerited. One of the criticisms, and the one most frequently made, is that the power of patronage is used by the President, now and in the past, to influence and coerce action by Members of Congress. I apprehend no Member of this body believes that the present incumbent of that great office; or any of his predecessors, ever used that power directly to control individual Members of Congress or influence legislation; but it will be conceded on all hands, I think, that the very fact that Members of Congress are held responsible, under this system, for the Federal appointments made in their States, and that they must secure them through the good will of the President, does have its effect on the conduct of Members of Congress, especially upon political questions and matters not involving vital or fundamental principles. To make it worse, it is generally understood that the power of the President to dispense patronage is used with powerful effect to mold and fashion and finally pass legislation of vital consequence to the country. The extent to which Members of Congress have seemed to value the Federal patronage of their States and the reliance placed by office seekers on their Congressman's ability, under the present patronage system, to secure them what they want, gives color to this estimate of the power of patronage and the use that is made of it.

At the present time few, if any, of the Members of this body place any value on patronage as it is controlled under the present system. It has come to be regarded as an unnecessary burden, that does not belong to their office, and as detrimental rather than beneficial to them as Senators or as candidates for reelection. Then why should we continue a system that is wrong in principle, hurtful to the public service, and of no benefit to anyone? The bill I am considering has no political significance. It is not offered as affecting one political party more than another. It is intended to correct in some measure a system of patronage that is wrong in principle, detrimental to the public service and to any party that practices or supports it, in or out of power. The bill is not partisan. It provides for the appointment of a new commission whenever a new President assumes office. He may—and he would be expected—to appoint a commission composed wholly of members of his own party, who will do just as he would do-appoint public officials from his party. The intention is to make the commission an aid to the President by taking off his hands the enormous and distasteful duty of dealing with the thousands of applicants for office and considering their applications and recommendations by requiring the commission to make a selection from their number and to recommend him to the President for appointment. Certainly the President, when left to a free choice of the commission from his own party, without restrictions, can select men in whom he has confidence and to whom he will be more than glad to commit this duty, so onerous to him.

The present Chief Magistrate has felt the necessity of some such help. At the beginning of his term of service he undertook to transfer this labor, as far as possible and practicable, to the heads of the departments. They were his appointees, and he was perfectly willing to confer this duty upon them, as he should be willing to transfer it to a commission appointed by him for that purpose.

The attempt to turn over this duty, with its labors and its responsibilities, to Cabinet officers was to a very great extent a failure as a means of protecting the President and an injustice to members of his Cabinet. It was a duty that did not belong to their offices. They were, and always are, in these later days, crowded with more important business, that they were and are compelled to neglect to meet the demands of the persistent and ceaseless stream of office seekers. It has been reported, and is probably true, that members of the Cabinet. were compelled to flee their offices to escape the office seekers and their friends and secrete themselves in some unknown place where they could perform unmolested some of the legitimate duties of their offices; besides it was reported that Senators were not satisfied to deal with heads of the departments in representing the claims of their constituent: to office. They were apparently jealous of their right to appeal to the President. can only, in this connection, point out a few of its evil effects, in behalf of their friends. Under the present system, as a matter of custom, and probably as a matter of law as it now stands, they had a right to go to the President with their claims and their demands, and they did. The President could not escape it, and his life has been made miserable in consequence of it. It is cruel, almost barbaric. It should not be tolerated. Mr. President, the clause in the bill forbidding Members of

Mr. President, the clause in the bill forbidding Members of the Cabinet and of Congress and other public officials to participate in this office-seeking scramble, that comes near to a national scandal, is for the protection and benefit as well as for the good of the service. I should think every one of them, from the President down, would accept these provisions with sincere satisfaction and a sense of relief and gratification. Will they? I do not know. Politics is a queer thing, and some politicians have some, to me, queer notions on this subject. They resent any effort to curtail what seems to them to be some of their political power. But I think most Senators have come to realize that the privilege of controlling appointments is a weakness and not a source of political power.

I think some Senators who are candidates for reelection are feeling this just now. Where they have made one friend by recommending and securing his appointment they have often made a half dozen or more political enemies who wanted the job and did not get it. They are probably opposing his reelection to a man because he did not satisfy their consuming desire to hold public office. If this had been a part of his official duty it would be different. In that case he would perform his duty and take the consequences. But it is no part of a Senator's duty to help anybody to secure an office. In fact, it is inconsistent with his duty to act upon all nominations for office coming from the President, which, of course, he should do impartially and without bias. This, in the nature of things, is most difficult to do when one has, by his own persuasion, under a claim of right, procured the nomination to be sent in.

Mr. President, in framing this bill I have excepted from its provisions certain appointees of the President, Cabinet officers, and Members of the Senate and House of Representatives. This was done because, manifestly, such officers should be left free to select their own personal aids and assistants for whose conduct they are directly responsible and who should be personally agreeable and satisfactory to them. But I can not refrain from commenting, briefly, upon the manner of making appointments in the Senate, which I submit should, in justice to the Senate itself and in furtherance of the best interests of the public service, be entirely abolished. The same is true of the House, no doubt, but I need not deal with that question.

The Senate now has employees subject to the patronage allowed to Senators whose combined pay roll foots up about \$300,000; probably more. The total pay roll of the Senate, not including the salaries of the Vice President and Senators, according to figures I have obtained from the report of the Secretary of the Senate, foots up \$855,123.82. These are startling figures. It looks like an enormous sum of money to expend in salaries to the employees of this body. I am not prepared to say what it should cost. This large expenditure may be necessary to the efficient conduct of the business of the Senate and the care of the property it has in charge, but the amount is large enough to challenge attention, and, it may be, call for reformation and economy. The appointment of these employees, except the few elected by the Senate, belong of right to the Secretary and Sergeant at Arms of the Senate, and they are theoretically, and should be in reality, responsible for their conduct. Senators should have nothing to do with these appointments. The Senate has chosen the two chief officers, who should appoint their subordinates, and no individual Senator and no committee should be allowed to control or interfere with such appointments. If the officer charged with the duty of making the appointments violates his duty by appointing unfit men, or otherwise, he should be dealt with by the Senate, to whom he is responsible. As it is, all right and all responsibility is taken from him and, in effect, parceled out to individual Senators. At the present time each Democratic Senator is given patronage in the sum of \$3,700. That is to say, he may appoint subordinate employees of the Senate whose combined compensation will amount to that sum. This does not include his clerks and messengers, whom he selects and should be allowed to select, and for whom he is not charged. Whether any greater amount is allowed any Senator in practice at the present time or not I do

The matter of senatorial patronage, as applied to employees of the Senate. is a great mystery. I venture to say that very few Members of this body fully understand it or know how it is actually applied in the case of individual Senators. The figures I am now giving may be questioned. They may not be entirely correct. But I am doing the best I can to so present the facts as to show the necessity for a change of the system in the pub-

lic interest. The exact figures are not very material. It is the principle involved that counts. I think they will not be found to be materially wrong. This custom and manner of choosing employees of the Senate has been in existence for many years. I do not know how long. It is hoary with age. No political party more than another can now be held responsible for it. But all parties in power, now and hereafter, should be held strictly to account for its continuance. The Democratic Party, now in power, would do itself great credit by abolishing the system. It would have done itself greater honor and credit by doing so before the appointments of the present employees of the Senate were made.

Mr. President, why should a United States Senator appoint a man to run an elevator, or a clerk or page, or the man who sweeps the floors of the Capitol, or any other of the numerous employees in and about the Senate wing of the Capitol and the Senate Office Building? There can be but one reason for it, and that is to secure places for his political friends who have served him or his party and as a reward for their political services. That is to say, the officer whose duty it is to appoint these employees must surrender his right and duty to make choice of them to the dictation of Senators who desire to fill the places with their political friends, presumably as a reward for party services, for which they are allowed \$3,700 each of the public The dominant party now has 50 Members of this body. moneys. Each one of them is allowed patronage to the amount of \$3,700. This means that \$185,000 of the public moneys is given over by the prevailing custom to Democratic Senators as a fund for the employment of their political friends in the subordinate places in the Senate.

There is one vacant seat in the Senate, which will undoubtedly be filled by a Democrat, which will increase the gross amount of patronage as it is farmed out under the system to \$188.700. When the Republicans were in power the same system prevailed, but under the last Republican administration each Senator was allowed \$4,000 of patronage, or thereabouts. So on the face of the record it seems that our friends on the other side of the Chamber are entitled to credit for reducing the amount by \$300 to each Senator. It is not very much, but it is something. It makes no difference under this system whether the Senate actually needs that many employees or not. Under it Senators have a right to their appointment at Government expense, whether they are needed or not. No one can doubt that such a system results in the appointment of an unnecessary number of employees. I have no doubt myself but that the Secretary and Sergeant at Arms could carry on the work of the Senate with half the number of employees we now have if only the necessary number were appointed and they were competent and effi-cient men. This state of things grew out of a condition of poli-tics that I hope this country has abandoned forever. The system of patronage that has come down to us from earlier times should also be abandoned. It would be an excellent thing and bear some evidence to the country that we are progressing along right lines if the Committee on Rules would take the necessary steps to put an end to this method of appointing the employees of the Senate. I feel sure Senators will gladly carry out any effort that may be made to that end. It would relieve them of much unpleasantness in dealing with patronage from which they derive no benefit and render the service of the Senate more efficient and less expensive. The best and most practical way to accomplish this result would be to place these employees under the civil-service rules. There is no reason that I can conceive of why the civil-service laws should not include the employees of the Senate and House of Representatives. commend this course to the Democratic Party now in control of Congress

Returning to the bill I have offered—which, as I have said, does not reach the question of the appointment of Senate employees, the bill may need some amendments. I do not claim perfection for it and have no pride in its form, but the principle it involves and the remedy it seeks to apply to a condition that grows worse as the country grows larger will appeal strongly to Members of this body. It is a bill that is intended to remedy an existing evil, and as such should receive earnest and friendly consideration.

Mr. ASHURST. Mr. President, I have read with much interest the bill upon which the Senator from California [Mr. Works] has just spoken, and I congratulate him upon his able and patriotic speech on the subject. I trust he will not let the matter rest, as I feel quite sure he will not, by simply delivering his speech, but that he will appear before the committee and urge the passage of the bill. It probably should have some amendments to the effect that the commission should have full power and authority to go to the various States and have hear

ings there. I am very glad the Senator has submitted his views upon this abuse, which has become so flagrant and so obvious.

REMEDIES FOR HOG CHOLERA.

Mr. POMERENE obtained the floor.

Mr. KENYON. Mr. President, I think the subject which the Senator from Oh'o is about to discuss is so important that it deserves a larger attendance of the Senate than there is at present. I therefore call for a quorum.

The VICE PRESIDENT. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Ashurst Bacon Brady Bryan Burton Chamberlain Chilton Fall Goff Hitchcock Hollis	Jones Kenyon Kern Lane Martin, Va. Martine, N. J. Myers Nelson Newlands Norris Overman	Pittman Poindexter Pomerene Ransdell Reed Robinson Saulsbury Shafroth Sheppard Sherman Simmons	Smoot Stephenson Sterling Thompson Townsend Vardaman Walsh Warren Williams Works
Hollis James Johnson	Overman Page Perkins	Simmons Smith, Ga. Smith, S. C.	

Mr. BRYAN. I desire to announce that my colleague [Mr. FLETCHER] is absent on business of the Senate.

Mr. RANSDELL. I wish to announce that my colleague [Mr. THORNTON] is absent from the Senate on account of sickness, and that he is paired with the Senator from Connecticut [Mr.

The PRESIDING OFFICER (Mr. Johnson in the chair). Forty-nine Senators having answered to their names, a quorum

of the Senate is present.

Mr. POMERENE. Mr. President, on November 17, 1913, I introduced a bill, known as Senate bill 3439, providing for an appropriation of \$500,000 for the purpose of aiding in the fight against the ravages of hog cholera in this country. Prior to that, and without my knowledge, on October 27, the junior Senator from Iowa [Mr. Kenyon] had introduced a similar bill providing for an expenditure of \$1,000,000, about \$700,000 of which was to be used for this same purpose

I do not believe that Senators are familiar with the extent of this disease throughout the entire country. It prevails in every corn-producing State to a greater or less degree. It has become a public menace not only to the farmers themselves, but as it affects the food supply of this country. During the year 1912, according to the Yearbook of the National Department of Agriculture, there were in the United States 65,410,000 hogs; and I have a statement here showing their distribution throughout the several States of the Union. I ask that this statement may be incorporated in my remarks without reading.

The PRESIDING OFFICER. Without objection, it is so

ordered.

The statement referred to is as follows: NUMBER OF SWINE IN THE UNITED STATES.

A study of the statistics given in the Yearbook of the National Department of Agriculture for 1912 credits the individual States of the Union with a total of 65,410,000 swine, distributed as follows:

THEOUS
Missouri
Nebraska
Indiana
Ohio
Kansas
Texas
Georgia
Wisconsin
Arkansas
Kentucky
Minnesota
Louisiana
Mississippi
Tennessee
Alabama
North Carolina
Oklahoma
Michigan
Pennsylvania
South Dakota
Florida
Virginia
California
South Carolina
New York
West Virginia
North Dakota
Maryland
Oregon.
Washington
Idaho
Colorado
New Jersey
Montana
Massachusetts
Vermont
Maine
Utah

59, 000
53, 000
50, 000
50, 000
43, 000
30, 000
22, 000
16, 000

Total_ _ 65, 410, 000

Mr. POMERENE. During the year 1913 the number of swine dropped to 61,178,000, a loss of 4,232,000 hogs. This loss has been largely attributed to the general prevalence of hog cholera throughout the hog-producing regions of the country.

This disease has prevailed in this country for many years. In my own State of Ohio the first known case occurred. I be-There are 88 counties in the State, and hog cholera prevails in all of those counties, except perhaps in a few of the counties along the Ohio River. The loss has been tremendous, not only in our own State, but in every State where hogs are raised.

During December a report was made to the United States Live Stock Sanitary Association at Chicago by a committee, which had theretofore been appointed for the purpose of investigating this subject, consisting of Dr. Paul Fisher, State veterinarian of Ohio, as chairman; Dr. A. T. Peters, of Illinois, secretary; Dr. W. H. Dalrymple, of Louisiana; Dr. Marion Dorset, of Washington; and Dr. A. T. Kinsley, of Missouri. They proceeded to make a very careful investigation as to the extent to which the disease prevailed and the methods which were adopted for the purpose of controlling it, and this report was a result of that investigation. According to the results which they obtained by correspondence with the authorities of the several States, they estimated the total loss during the year to the farmers of this country as amounting to \$55,000,000. In the State of Iowa the loss was estimated at \$15,606,000; in the State of Illinois at \$4,530,800; in Missouri at \$10,222,200; in Minnesota at \$1,080,750; in Nebraska at \$4,000,000; in Indiana at \$3,634,800; in Georgia at \$770,000; in Kansas at \$5,430,800; in the State of Ohio at \$3,670,900; in Alabama at \$1,188,120; in Tennessee at \$2,787,500; in Arkansas at \$614,640; in Michigan at \$1,418,000; in Pennsylvania at \$252,500; in North Dakota at \$100,280; in Keutucky at \$2,326,000; in Florida at \$518,000; in California at \$376,300; and in South Carolina at \$478,650. In other States there were large losses, but they were not so extensive.

Reports were made from 26 States in the Union.

This disease has been practically decimating the herds for years. In the year 1897 Dr. D. E. Salmon, then Chief of the United States Bureau of Animal Industry, said in his report

The losses from hog cholera have, however, been tremendous, being placed by some as high as \$100,000,000 a year, an estimate which does not appear exaggerated in the light of the careful inquiries in the State of Iowa, from which it was concluded that this one State lost from \$12,000,000 to \$15,000,000 worth of swine in a single year.

With an increasing population and with a decreasing number of swine, we can understand in part the increased cost of the meat supply of this country. In estimating the loss at \$50,000,000, we find that it is the equivalent of a net income of 4 per cent per annum on a total investment of \$1,250,000,000.

If this were a matter which affected only one class of citizens, there might be some room, perhaps, for questioning the propriety of an appropriation by the Federal Government, unless it was general throughout the country. The disease exists to such an extent that it is impossible for any one locality or any one State or any of several States to control it. To do so there must be concerted and continuous action upon the part of the local and the State authorities, as well as the Federal Government.

Efforts covering a number of years were made by the veterinary profession to discover a remedy. There is now known to the profession a remedy which is commonly called the Dorset-Niles method of treatment of the disease, and its efficacy is almost universally recognized. It consists of the inoculation of the hog by what is known as the serum-alone treatment, or by the simultaneous treatment, which is a combined treatment of serum and virus-the virus from a diseased hog.

The farmers of the country have been very greatly imposed upon by manufacturers who have been selling a "fake" serum which is either dangerous in itself or which does not have the degree of potency which it is necessary to have in order to combat the disease. About a year ago the Congress of the United States sought to correct this by requiring a license from the Agricultural Department of the United States to all manufacturers of serum which is used in interstate commerce.

Many of the States of the Union have taken up this matter

vigorously. In my own State of Ohio the legislature has in-

vested \$100,000 in building and equipping a laboratory for the purpose of manufacturing the serum. The State of Iowa has invested \$48,000 in a similar laboratory. The States of Illinois, Kansas, Nebraska, Indiana, and a number of other States have laboratories, and up to date probably about \$300,000 has been invested in laboratories for the purpose of producing this serum.

One authority makes the statement that in order to get the proper results not only must care be taken in the manufacture of the serum, but extreme care must be exercised in administering the serum or the serum-virus treatment, as it is sometimes called; and if the greatest of care is not exercised, sometimes an entire herd may be infected by the virus which is used in inoculating the hogs in a given herd.

Mr. WORKS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from California? Mr. POMERENE. I yield.

Mr. WORKS. Does the Senator mean to say that the State laboratories that have been established are for the purpose of manufacturing the particular kind of serum he has mentioned? Mr. POMERENE. So far as my information goes, all of the laboratories are manufacturing this kind of serum.

Mr. WORKS. Then, if it is understood that an effective remedy has been discovered and is actually being manufactured by the different States, what is the Senator's reason for thinking

that the Government should participate in the effort?

Mr. POMERENE. The reason is the extent to which the disease prevails. It is contagious; it is infectious. In my own State, as I said a moment ago, it exists in nearly all of the 88 counties. It is impossible for one State to combat the disease. More than that, it is necessary that there should be Federal aid, not only in furnishing the serum but also in teaching the farmers and the veterinarians of the country how to administer it.

As the Senator's question went to the matter of the necessity of the Federal Government interfering, I wish to add that the president of the agricultural commission of the State of Ohio, Hon. A. P. Sandles, advised me not more than 30 days ago they had in their office more than 1,000 applications for aid from as many farmers throughout the State, and the State is without the means to provide this remedy, as the disease exists so generally throughout the State. I may say that last year the Legislature of Ohio appropriated \$20,000 to be expended in the one county of Fayette, Ohio, which is one of the great hog-producing counties of the State. In order to combat the disease it is not only necessary to use the treatment, but we must adopt the necessary quarantine methods and regulations for the purpose of disinfecting the premises where the diseased hogs may be kept.

Mr. KENYON. Mr. President—
The PRESIDING OFFICER. Does the Senator from Ohio

yield to the Senator from Iowa?

Mr. POMERENE. I yield to the Senator from Iowa.
Mr. KENYON, May I just offer a suggestion in answer to
the Senator from California? The Senator from Ohio is familiar with the fact that Government experts are stationed at these plants in the State of Ohio supported and carried on by the State. The Government has its experts there assisting in the work of producing the proper serum, and the Government cooperates with the State in that way,

Mr. WORKS. My inquiry was directed to the Senator from Ohio because of his statement that an effective remedy had been already discovered. If it were necessary to make investigations in order to discover a remedy, that might be an entirely different thing; but if this remedy has been discovered, and it is only a matter of manufacturing it, and the States are doing that now, I question whether it is a wise thing for the National Government to make appropriations for that purpose. Of course there may be other reasons.

Mr. POMERENE. Oh, yes; there are other reasons which I expect to go into. While the veterinary profession recognize this as a perfect cure, the methods of providing the serum and the methods of keeping it and transporting it and administering it may be greatly improved upon. It seems to me we must have some concerted effort throughout the entire country to combat the disease, otherwise we are not going to be able to check it or to rid the country of it. This will appear from a consideration of the manner in which it may be spread.

For instance, if a farmer has a herd that is infected, and a neighbor, possibly through curiosity or possibly for the pur-pose of aiding the farmer who has the diseased hogs, goes to the pen or the field where they are confined and tramps through the dirt, he may carry the germs of the disease to his own farm and infect his own herd. Again, it is known that if the hogs feed near a stream and drink from it, the germs of the disease may be carried down and infect other hogs that feed and drink from the same stream. The disease may be carried from one pen to another by pigeons which may feed where there are diseased hogs and fly to another pen. It may be carried by the dust that is blown from the pen where the diseased hogs are confined to a neighboring pen. It may be carried by the buzzards that feed upon the carrion of the dead animals. In these ways it is spread throughout the entire country.

Mr. BRADY. Mr. President—
The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. POMERENE. I yield to the Senator from Idaho.

Mr. BRADY. It seems to me the statement the Senator from Ohio has just made answers very effectively the question propounded by the Senator from California as to the necessity of cooperation between the States and the National Government. I am convinced that it will be impossible to eradicate this disease unless we have the hearty cooperation of the States with the National Government, and I hope the Senator during his

remarks will emphasize that point.

Mr. POMERENE. The Senator is perfectly right in his conclusion, and the disease is spread in other ways. Farmers will take their prize swine to county fairs for exhibition purposes. They there come in contact with hogs from infected herds, and in that way the disease is spread. Again, it is spread by taking the manure from the pen and spreading it over a field where hogs may be permitted to graze. The large interstate transportation companies take it from one county to another and from one State to another. Men who haul their hogs to market in wagons or take them from stockyards to their homes may spread the disease. To my way of thinking, it is one of the most serious problems that can engage the attention of the lawmakers and the law administrators of this country.

Mr. BURTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to his colleague?

Mr. POMERENE. Yes; I yield to my colleague.

Mr. BURTON. I will say also, as an argument for a Federal appropriation, that, whatever may have been the original idea in regard to the matter, the precedent is now well established that anything that injures agriculture is a matter of national concern. The agricultural appropriation bills abound in provisions, say, for the extermination of the boll weevil, the gypsy moth, and insects and pests which injure animals and fruit trees as well. The last appropriation bill contained a great

variety of appropriations of this nature.

Mr. POMERENE. The Senator is correct. I have before me a partial list of appropriations which have been made. On the subject of the boll weevil, there was an appropriation in 1905 of subject of the bold weeval, there was an appropriation in 1808 of \$250,000; in 1906, of \$190,000; in 1907, of \$190,000; in 1910, of \$251,005; in 1912 of \$350,000; for the fiscal year 1913, \$332,960; and for the fiscal year 1914, \$375,000; making in all, on this one subject, \$2,354, 015, to say nothing about the appropriations for the Entomolog-

ical Bureau.

We have made similar appropriations for the purpose of checking the spread of cattle diseases. For instance, take the checking the spread of cathe diseases. For instance, take the subject of controlling the ravages of the cathe tick. In 1908 we made an appropriation of \$150,000; in 1909, \$250,000; in 1910, \$250,000; in 1911, \$250,000; in 1912, \$250,000; in 1913, \$250,000; and for the fiscal year 1914, \$325,000.

Mr. BRADY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio

yield to the Senator from Idaho?

Mr. POMERENE. I yield to the Senator.
Mr. BRADY. I should like to ask the Senator at this time whether or not he knows or has any information as to the number of cattle that have died from diseases of different

Mr. POMERENE. I have no such information at hand.

Mr. BRADY. As a matter of fact, is not the loss of hogs from cholera very much greater than the loss of all other kinds of stock combined?

Mr. POMERENE. That is my judgment about it, from my general reading upon the subject.

Mr. BRISTOW. Mr. President——
The PRESIDING OFFICER. Does the Senator from Ohlo yield to the Senator from Kansas?

Mr. POMERENE. I yield to the Senator.
Mr. BRISTOW. The Senator seems to have given very careful study to this subject, and I should like to inquire if he has heard it reported that in a good many cases this method of treatment has perpetuated the cholera from year to year, so that every animal, all of the young stock on the farm, has to be vaccinated or it will be subject to the cholera? It is said that it makes it a perpetual disease unless every animal on the farm is vaccinated in this way.

Mr. POMERENE. Mr. President, I have not heard that a proper vaccination perpetuates the disease. I think that is not in accordance with the facts. The disease has been spread by reason of the fact that many improper serums have been placed upon the market, and also because of the fact that in the administration of the remedy the proper methods have not been used, or the serum or virus has been administered by unskilled and untrained hands.

Mr. BRISTOW. One of the largest hog raisers in my State told me about two weeks ago, in a conversation I had with him, that he believed this method of treatment would result in a perpetuation of the disease, so that it would become necessary for every pig to be vaccinated or he would catch the disease, and that it would have to be one of the regular processes in order to be effective. I was interested in the statement of this gentleman, because he has been one of the board of regents of our State agricultural college, and is very familiar with the

method of treatment.

Mr. POMERENE. Mr. President, I should not pretend to discuss this subject from a scientific standpoint; but even in this day and generation there are men, physicians and others, who protest against vaccination as a preventive of smallpox. They are in the minority, however. I have talked with a number of expert veterinarians, as well as with the men in charge of this bureau of the Department of Agriculture, and I know that they are all very enthusiastic about the merits of the remedy to which I have referred.

If it were true that this remedy were not perfected, when we remember that for 40 years it is estimated that the annual loss has been \$50,000,000, and during the last year the loss has been \$60,000,000, and that it is spreading all over this country, it seems to me that if the remedy we now have is not a proper or sufficient remedy the appropriation of \$1,000,000 for the purpose of perfecting this remedy, or for the purpose of dis-covering or attempting to discover another remedy which will cure this disease would be justified.

Mr. BRISTOW and Mr. WORKS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Ohio yield, and to whom?

Mr. POMERENE. I yield first to the Senator from Kansas. Mr. BRISTOW. I do not want the Senator from Ohio to understand that I am combating his theory at all. I simply made the inquiry because this gentleman had brought up the

subject with me. Mr. POMERENE. I did not understand that the Senator was combating my views or that he was opposed to the appropria-

Mr. BRISTOW. The same gentleman who made this statement to me said that he had instituted the practice of vaccinating every pig that came upon his farm, and he has thousands He has a regular system; it is one of the departments of his work to give this attention; and he estimates the cost that occurs from this process and takes it into consideration as one of the incidents of expense in connection with his farming processes, which are very large.

Mr. POMERENE. It would seem to me to be quite apparent from the Senator's statement that his informant would rather trust the remedy than to do without the remedy. Otherwise with his large herd he would not be inoculating all his hogs.

yield now to the Senator from California.

Mr. WORKS. I understand the Senator from Ohio to say that the death rate increased by 10,000,000 the last year.

Mr. POMERENE. I gave that as an estimate, which-Mr. WORKS. How long has this supposed effective remedy been in use:

Mr. POMERENE. For a number of years past; I can not

Mr. WORKS. The argument in favor of the remedy or its effectiveness does not seem to be very strong, in view of the

Mr. POMERENE. The Senator will bear in mind that it may be an effective remedy, but it may not be known to the public. It may be that the farmers do not know how to protect their swine against the disease. It is true that there are not sufficient skilled veterinarians to administer the remedy when they

have the remedy at their command.

Mr. WORKS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Ohio yield further to the Senator from California?

Mr. POMERENE. I yield to the Senator.

Mr. WORKS. Is it the idea of the Senator from Ohio that this fund is to be used for the purpose of educating veterinary

Mr. POMERENE. My thought about it is that this remedy shall be placed at the disposal of the Agricultural Department, and, under the phraseology of the proposed measure, the Agricultural Department would be authorized not only to investigate the subject further, to provide for the manufacture of serum, and to aid the State in its manufacture, but to send out a force of men throughout the country to aid the veterinarians in the administration of the remedy and in teaching farmers and stock raisers generally how to care for their herds.

Mr. REED. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Missouri?

Mr. POMERENE. I do. Mr. REED. I should like to inquire if the Senator from California does not think it is quite as justifiable to appropriate a little money to prevent a disease that descroys the hogs of the country as it is to tax the people of the country on the oranges and lemons raised in California for the benefit of that

Mr. WORKS. Mr. President, I have not said it was not proper to appropriate money for the purpose indicated by the Senator from Missouri. I was trying to ascertain whether or not we are likely to expend it for a remedy which is effective for the purposes intended. My attention was directed to it be-cause of the statement of the Senator from Ohio that the disease is rapidly increasing, notwithstanding the use of this effective remedy. My friend from Missouri has had the tarin on oranges and lemons upon his mind for so long he can hardly My friend from Missouri has had the tariff on dismiss it. It has nothing to do with this question.

Mr. KENYON. Mr. President—

Mr. POMERENE. I yield to the Senator from Iowa.
Mr. KENYON. I merely wish to suggest to the Senator from California that we appropriated last year \$75,000 for this work, and that it was absolutely insufficient. More calls were made on the Government for experts than they could furnish, because

of lack of funds.

Mr. POMERENE. Mr. President, I do not care to occupy more of the time of the Senate, except to say that it is a recognized fact that cold weather checks this disease, and \$5 expended now would result in more benefit than \$25 expended. when the hot weather sets in. It is going to take the Agricul-tural Department considerable time to prepare for this campaign, and the earlier this appropriation is made the more effective will be their efforts. If this is to be delayed until the regular appropriation bill shall be introduced and passed, we will be losing very valuable time. I feel that the importance of the subject to the farming community and to the meat-consuming public is such that we are justified in asking the committee to take this matter up at once, with a view to reporting very early a measure to the Senate.

While I stated a moment ago that the bill I introduced provided for an appropriation of \$500,000, I prepared and presented it for that amount, because I thought that would be sufficient. The more I have investigated the subject the more confident I am that if there is any criticism to be made of the proposed appropriation it is because it is too small, and I

hope Congress will increase the amount to \$1,000,000.

A few days ago the junior Senator from Iowa [Mr. KENYON] was kind enough to stop off in my State, and he and I had the privilege of addressing an audience upon this subject, composed of nearly 4,000 farmers gathered from every county in the State. The people of Ohio, as well as of all other hog-producing States, are insistent that Congress shall grant them some relief. and I know of no way in which we can spend a million dollars more profitably and with better results to the country than by making this appropriation, so that the Federal Agricultural Department can act in conjunction with similar departments in all the States of the Union.

I ask to have printed as a part of my remarks, without reading, a letter received by me from Hon. A. P. Sandles, president of the agricultural commission of Ohio, together with resolutions adopted at the State agricultural meeting on January 15, 1914.

I also desire to have printed, as an appendix to my remarks. a copy of a report made by the committee on hog-cholera legislation to the convention of the United States Live Stock Sanitary Association, held at Chicago on December 2, 3, and 4. I should also like to have it printed as a public document for the information of the Senate.

Mr. SMOOT. Mr. President, I have no objection to its being printed either in the RECORD or as a public document, but I

do not think it is necessary to print it in both ways

Mr. POMERENE. I am very anxious to have this information before the Senators, and any way in which I can best get it before them will satisfy me.

Mr. SMOOT. I think printing it in the RECORD would get it before Senators better than printing it as a public document.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the matter will be printed in the RECORD. The VICE FACTOR of the matter will be proceed and the matter will be proceed to is as follows:

The matter referred to is as follows:

STATE OF OHIO,

THE AGRICULTURAL COMMISSION,

Columbus, January 22, 1914.

Columbus, January 22, 1914.

Hon. Atlee Pomerene,
United States Senate, Washington, D. C.

My Dear Senator: I inclose herewith copy of resolutions adopted at the Ohio State agricultural meeting January 15, 1914, at which, as you know, nearly 4,000 farmers, bankers, rallroad men, and manufacturers were present and unanimously voted for this resolution.

The Ohio Legislature, now in extra session, will adopt a resolution memorializing Congress to make a generous appropriation. Farmers' institutes and many other organizations in Ohio are adopting vigorous resolutions in support of this movement.

Thanks.

Respectfully,

A. P. Sandles, President.

UNITED STATES LIVE STOCK SANITARY ASSOCIATION.

(Chicago, Dec. 2, 3, and 4, 1913.) REPORT OF THE COMMITTEE ON HOG-CHOLERA LEGISLATION.

Committee: Dr. Paul Fischer, Ohio, chairman; Dr. A. T. Peters, Illinois, secretary; Dr. W. H. Dalrymple, Louislana; Dr. Marion Dorset, Washington, D. C.; Dr. A. T. Kinsley, Missouri, The Committee on hog-cholera legislation submits the following report:

NUMBER OF SWINE IN THE UNITED STATES.

A study of the statistics given in the Yearbook of the National Department of Agriculture for 1912 credits the individual States of the Union with a total of 65,410,000 swine, distributed as follows:

10W8	9, 689, 000
Illinois	4, 640, 000
Missouri	
Nebraska	4, 267, 000
To die and	
Indiana	4, 031, 000
Ohio	
Kansas	2, 808, 000
Texas	2, 544, 000
Georgia	
Wisconsin	2, 051, 000
Arkansas	
Kentucky	1, 724, 000
Minnesota	1, 702, 000
Louisiana	
Mississippi	1, 577, 000
Tennessee	1, 574, 000
Alabama	1, 533, 000
North Carolina	1, 450, 000
Oklahoma	
Michigan	1, 382, 000
Bicligati	1, 002, 000
Pennsylvania	
South Dakota	
Florida	
Virginia	
California	830, 000
South Carolina	797, 000
New York	777,000
Wast Virginia	363, 000
West Virginia North Dakota	359, 000
North Dasota	309, 000
Maryland	
Oregon.	
Washington	
Idaho	
Colorado	211,000
New Jersey	165, 000
Montana	143,000
Massachusetts	
Vermont	111,000
Maine	
Utah	79,000
Delaware	59,000
DelawareNew Hampshire	53,000
Connecticut	50,000
New Mexico	
Wyoming	43, 000
Nevada	
Arizona	20, 000
Distriction of	22,000
Rhode Island	16,000

VALUE OF SWINE IN THE UNITED STATES.

FARM VALUE AND PORK VALUE.

These 65,000,000 swine have an estimated farm value of \$523,328,000, or over half of \$1,000,000,000. For some reason the number of swine in 1913 dropped to 61,178,000, while their value increased to \$603,-

109,000, or, in other words, there was a decrease in number to the extent of over 4,000,000 head and an increase in value of nearly \$89,000,000. The value of these 65,000,000 swine when made into pork, or finished product, is at least twice this sum, or, in round numbers, \$1,200,000,000.

LOSS FROM HOG CHOLERA.

Information furnished the committee by the officials in charge of the control of animal diseases in various States in response to a letter of inquiry shows that the approximate loss from hog cholera from the 26 States which reported exceeds \$55,000,000, itemized as follows:

Hon Amrun Dosensum	States which reported exceeds \$55,000,000, hemized as follows:
Hon, Atlee Pomerene, United States Senate, Washington, D. C.	Iowa, 15 per cent, valued at \$15,696,000
	Missouri, 30 per cent, valued at
MY DEAR SENATOR: I inclose herewith copy of resolutions adopted	Kansas, 20 per cent, valued at 5, 430, 800
at the Ohio State agricultural meeting January 15, 1914, at which,	Illinois, 10 per cent, valued at 4, 530, 800
as you know, nearly 4,000 farmers, bankers, railroad men, and manu-	Nebrasira 10 non cont volund at
facturers were present and unanimously voted for this resolution.	Ohio, 10 per cent, valued at 3, 670, 909
The Ohio Legislature, now in extra session, will adopt a resolution	Ohio, 10 per cent, valued at 3, 670, 909 Indiana, 30 per cent, valued at 3, 634, 800
memorializing Congress to make a generous appropriation. Farmers'	Tennessee, 25 per cent, valued at 2, 787, 500
institutes and many other organizations in Ohio are adopting vigorous	Kentucky, 20 per cent, valued at 2, 326, 000
resolutions in support of this movement. The newspapers, without ex-	Michigan, 10 per cent, valued at1,418,000
ception, are giving strong support.	Alabama, 12 per cent, valued at 1, 188, 120
Thanks.	Minnesota, 5 per cent, valued at 1,080, 750
Respectfully, A. P. Sandles, President.	Georgia, 5 per cent, valued at 770, 250
	Arkansas, 6 per cent, valued at 614, 640
Resolutions adopted at the annual State agricultural meeting, Columbus,	Florida, 10 per cent, valued at 518,000
Ohio, January 15, 1914.	South Carolina, 5 to 10 per cent (7h per cent), valued at 478, 650
	California, 5 per cent, valued at 376, 300
Whereas the disease hog cholera among swine in the United States	Pennsylvania, 2 per cent, valued at 282,500
causes enormous losses that affect practically every citizen; and	North Dakota, 2 per cent, valued at 100, 280
Whereas these losses have been shown to be preventable and that sys-	New York, 1 per cent, valued at 95, 890
tematic enforcement of sanitary measures and the timely application	Maine, 3 per cent, valued at 65, 150
of serum have been demonstrated to be successful preventatives of	Delaware, 10 per cent, valued at 65,000
this plague; and	Idaho, 25 per cent (5,000 hogs), valued at 60,000
Whereas State and Federal aid alone will ever result in satisfactory	Montana, 2 per cent, valued at 36, 420
control of this national problem:	Vermont, 1 per cent, valued at 6,525
Resolved, That it is the sense of this organization that liberal appro-	Wyoming, to per cent, valued at 225
priations by Congress and specific legislation providing for the organ-	
fixed and systematized control or eradication of hog cholera in the	THE PREVALENCE AND DISTRIBUTION OF HOG CHOLERA.
United States be requested; and	The area reported infected for each State and the percentage of
Resolved, That copies of this resolution be transmitted to all Mem-	Infection for the given areas are tabulated below:
bers of Congress.	
	Area infected. Per cent.

	arrow melocrome	Per cent.
Iowa, entire S	tate	15
Illinois, 25 per	cent of area	15
Missouri, entir	e State	30
Minnesota, 17	counties	45
Nebraska, prac	ctically entire State	
Indiana, entire	State except two counties	30
Georgia, south	half	20
Lansas, smail	areas	A STATE OF THE PARTY OF THE PAR
Ohio, entire St	ate except some hill counties	15
Alabama, entir	e State	25
Tennessee, one	-third of State	5
Arkansas, one-	fourth of State	4
DEICHIERER, OHC-	nan or orangement	
l'ennsylvania,	entire State except four counties	
North Dakota,	one-fourth of State	5
Mentucky, enti	re State	5
Florida, entire	State	15
California, one	-fourth of countles	
South Carolina	, one-half of State	
New York, wi	despread	
Delaware, one-	fourth of State	1
Wyoming, 800	square miles	50
Texas, small	areas	
Idaho, two ce	nters	5
Utah, general.		

In studying conditions that existed in previous decades and covering a period of about 40 years, the committee finds that the losses from hog cholera have very probably averaged over \$50,000,000 annually during these decades.

In 1897, Dr. D. E. Salmon, then chief of the United States Bureau of Animal Industry, states in the annual report of that bureau, "The losses (from hog cholera) have, however, been tremendous, being placed by some as high as \$100,000,000 a year, an estimate which does not appear exaggerated, in the light of the careful inquiries in the State of Iowa, from which it was concluded that this one State lost from \$12,000,000 to \$15,000,000 worth of swine in a single year."

FINANCIAL LOSS TREMENDOUS.

Since this loss is a regular annual occurrence, its meaning can best be brought home to us by looking upon it as the lost interest on a permanent investment. It would require an investment of \$1,250,000,000 at 4 per cent to yield \$50,000,000; and since this loss has been going on for at least 40 years, the total loss has already exceeded \$2,000,000,000, or, with compound interest, to more than twice the hypothetical investment of \$1,250,000,000 referred to. Measured in the value of the finish product (pork) these figures would practically be doubled. The money involved in these losses would build a transcontinental railroad, at \$10,000 a mile, through the United States every year, or it would support on a million dollar a year income basis a great university and agricultural experiment station for each State of the Union and half a dozen extra universities for such States as needed them.

With these figures before us and the problem of the high cost of living staring us constantly in the face, how many questions are of greater economic importance than that of the control of hog cholera for the prevention of these enormous losses?

PRESENT EFFORTS TO CONTROL HOG CHOLERA.

let us see what is being done toward eliminating this drain on

65, 410, 000

Now, let us see what is being done toward eliminating this drain on our national economy.

The value of Dorset-Niles antihog cholera serum has now been practically universally conceded. It was therefore believed that a knowledge of the extent to which the different States gave financial support to official hog cholera serum institutes would be of value to the committee in the way of suggesting possible remedial measures.

Inquiries made to obtain this information were sent out in June, but by November 1 only 33 States had responded, and some of these gave only incomplete answers to questions. However, the larger and more important pork-producing States practically all replied, as follows:

SERUM LABORATORIES IN THE UNITED STATES.

(1) Money invested in scrum laborator	
Iowa	\$48, 000, 00
Tennessee	10, 000. 00
South Carolina	1,000.00
Georgia	6, 000. 00
Florida	15, 000. 00
Missouri	5, 000, 00
California	
Michigan	*2, 000, 00
Indiana	25, 000, 00
Kansas	5, 000. 00
Nebraska	2, 000. 00
Kentucky	15, 000. 00
Minnesota	
Pennsylvania	3, 000. 00
Illinois	30, 000. 00
Alabama	8, 000, 00
Louisiana	
Arkansas	1, 000. 00
Ohio	

Total 299,000.00

(2) Quarters in agricultural college or experiment station buildings: New York, quarters in veterinary college buildings; North Dakota, quarters in agricultural college buildings; Texas, quarters in agricultural college buildings; Maryland, quarters in agricultural college buildings; Maryland, quarters in agricultural college buildings.

(3) No serum laboratory: Montana, Rhode Island, New Hampshire, Connecticut, Maine, Massachusetts, Wyoming, Oregon, Vermont, Idaho, Virginia, West Virginia, North Carolina, Wisconsin, South Dakota, and Mississippi.

(4) No reply to inquiry: Utah, New Mexico—few hogs in New Mexico, only information received—Delaware, New Jersey, Colorado, Arizona, Nevada, Washington, and Oklahoma.

Summarizing these replies the committee finds that 22 States have provided serum laboratories of greater or less pretentiousness (usually less) at a total expense of \$299,000.

LARGEST LABORATORIES.

LARGEST LABORATORIES.

The cost of the laboratories of the States of Ohio, Iowa, Indiana, and Illinois aggregates \$205,000, while the cost of the laboratories in the other 18 States together is about \$100,000. In some of these latter no special laboratories were provided, but already existing quarters or veterinary laboratories of agricultural experiment stations and colleges were utilized for the purpose.

were utilized for the purpose.

SUPPORT OF SERUM LABORATORIES INADEQUATE.

The amount expended for salaries and running expenses of these institutions is practically nothing except in Ohio, Illinois, and Missouri. In the latter two States about \$30,000 was appropriated last year for the manufacture and distribution of free serum. In all of the other States the serum is sold at an estimated cost price of production, which on an average ranges from 30 to 40 cents per protective dose for a 50-pound shoat. The money obtained in this way in most of the States is used for operating the plant, but in a few States it is deposited in the general treasury and can not again be used for hog-cholera work until the next convening legislature reappropriates it for that specific purpose. The efficiency of an already woefully inadequate plant is thus still further reduced. It is almost needless to state that most of these laboratories are not by any means properly manned nor equipped.

PRESENT HOG-CHOLERA LEGISLATION.

To obtain information regarding existing legislation and the enforce-

To obtain information regarding existing legislation and the enforcement of regulations for the control of hog cholera in the different States at this time the following questions were incorporated in one of the circular letters of inquiry referred to, viz:

What sanitary regulations have been made in your State as to—

(a) Interstate shipments of swine?

(b) Intrastate shipments of swine?

(c) Disinfection of public stockyards, vehicles of transportation, wagons, cars. etc.?

(b) Intrastate shipments of swine?
(c) Disinfection of public stockyards, vehicles of transportation, wagons, cars, etc.?
(d) Quarantining of infected farms and premises?
(e) Disposal of carcasses of cholera-infected swine?
The replies are tabulated below:
(A) REGULATIONS IN REGARD TO INTERSTATE SHIPMENTS OF SWINE.
Lowa, health certificate; also immunization with serum or serum simultaneous for show animals.
Illinois, none.
Missouri, health certificate and serum.
Minnesota, health certificate, cleaning and disinfection of cars.
Georgia, none.
Kansas, health certificate for breeding animals.
Ohio, hogs from public stockyards—slaughter only.
Alabama, health certificate.
Tennessee, hogs from public stockyards—slaughter only.
Arkansas, health certificate and serum.
Michigan, none.
Pennsylvania, health certificate.
North Dakota, health certificate and serum.
Kentucky, health certificate
South Carolina, health certificate.
Now York, inspection.
Maine, quarantine 90 days.
Idaho, health certificate and serum immunization required for all swine.
Montana, health certificate and serum.

Montana, health certificate and serum in swine.

Montana, health certificate and serum.
Delaware, none.
Vermont, none.
Wyoming, health certificate.
Texas, serum immunization required.
Utah, health certificate, 15 days' quan quarantine, serum treatment all

Utah, health certificate, for-rine.
Maryland, health certificate.
Massachusetts, none.
Mississippi, health certificate.
Nebraska, health certificate.
Nevada, none.
New Hampshire, none.
New Jersey, none.

New Mexico, none.
North Carolina, health certificate.
Oklahoma, health certificate and serum.
Rhode Island, none.
South Dakota, health certificate.
Virginia, health certificate, but only from locations where no infection has existed for six months.
Washington, health certificate.
West Virginia, none.
Wisconsin, health certificate and serum immunization for all swine.
Arizona, health certificate, two weeks' quarantine.
Colorado, health certificate.
Connecticut, none.
District of Columbia, none.
Louisiana, health certificate.
Since the replies to question (a) were very incomplete, they were supplemented from "State sanitary requirements" (1913), issued by the United States Bureau of Animal Industry.

(B) REGULATIONS IN REGARD TO INTRASTATE SHIPMENTS OF SWINE.

(B) REGULATIONS IN REGARD TO INTRASTATE SHIPMENTS OF SWINE.

(B) REGULATIONS IN REGARD TO INTRASTATE SHIPMENTS OF SWINE.

Iowa, none.
Illinois, restricted.
Missouri, none.
Minnesota, forbidden.
Indiana, cars used cleaned and disinfected.
Georgia, none.
Kansas, ship under quarantine unless vaccinated.
Ohio, restricted.
Alabama, none.
Tennessee, none.
Arkansas, none.
Michigan, prohibited from large stockyards.
Pennsylvania, restricted.
North Dakota, none.
Kentucky, restricted.
Florida, none.
California, none.
South Carolina, none.
New York, none.
Maine, none of healthy herds. Movement of infected hogs prohibited, Idaho, none permitted of infected hogs.
Montana, none.
Delaware, restricted.
Vermont, none of healthy hogs.
Wyoming, none from noninfected areas.
Texas, see regulations.

C) REGULATIONS IN REGARD TO DISINFECTION OF PUBLIC STOCKYARDS, VEHICLES OF TRANSPORTATION, WAGONS, CARS, ETC.

(C) REGULATIONS IN REGARD TO DISINFECTION OF PUBLIC STOCKYARDS, VEHICLES OF TRANSPORTATION, WAGONS, CARS, ETC.

VEHICLES OF TRANSPORTATION, WAGONS, CARS, ETC.

IOWA, none.
Illinois, feeble progress.
Missouri, none.
Minnesota, none.
Indiana, weekly disinfection of stockyards and disinfection of wagons.
Georgia, none.
Kansas, disinfection when inspector deems necessary.
Ohio, none except in Fayette County; rigidly enforced.
Alabama, law; but not enforced.
Tennessee, none.
Arkansas, none.
Michigan, none.
Michigan, none.
Michigan, none.
Pennsylvania, must be disinfected.
North Dakota, required where infection exists.
Kentucky, none.
Florida, none.
California, required where infection exists.
South Carolina, none.
New York, none.
Maine, none.
Montana, disinfection of infected premises.
Delaware, none.
Vermont, disinfection of infected premises.
Wyoming, disinfection where infection exists.
Texas, none.
Idaho, none.
Utah, none.
D) REGULATIONS IN REGARD TO QUARANTINING OF INFECTED FARMS AND

(D) REGULATIONS IN REGARD TO QUARANTINING OF INFECTED FARMS AND PREMISES.

D) REGULATIONS IN REGARD TO QUARANTINING OF INFIPEMISES.

Iowa, none.
Illinois, none.
Missouri, none.
Minnesota, quarantine premises.
Indiana, quarantine premises.
Georgia, none.
Kansas, none.
Chio, none except in Fayette County.
Alabama, none
Tennessee, aone.
Arkansas, premises quarantined.
Michigan, attempt at quarantine.
Pennsylvania, strict quarantine of premises.
North Dakota, quarantine premises.
Kentucky, none.
Florida, none.
California, quarantine of infected premises.
South Carolina, attempt at quarantine of premises.
Montana, quarantine of infected premises.
Womina, quarantine of infected premises.
Vermont, quarantine of infected premises.
Wyoming, quarantine of infected premises.
Texas, none.
Idaho,
Utah,

E) REGULATIONS IN REGARD TO DISPOSAL OF CARCAS

(E) REGULATIONS IN REGARD TO DISPOSAL OF CARCASSES OF CHOLERA-INFECTED SWINE.

Iowa, bury or cremate.
Illinois, cremate.
Missouri, cremate.
Minnesota, bury or cremate.
Indiana, bury or cremate.

Georgia, no law.
Kansas, bury.
Ohio, bury or cremate.
Alabama, bury or cremate.
Tennessee, cremate.
Arkansas, cremate.
Michigan, bury or cremate.
Pennsylvania, bury or cremate.
North Dakota, bury or cremate.
Kontheke.

Michigan, bury or cremate,
Pennsylvania, bury or cremate,
North Dakota, bury or cremate,
Kentucky,
California, cremate.
Florida, no law.
South Carolina, bury or cremate.
Montana, bury or cremate.
Delaware, bury.
Vermont, bury or cremate.
Wyoming, bury or cremate.
Texas, no law.
Idaho, bury.
Utah, bury or cremate.
To the question "Are the sanitary laws and regulations of your State enforced entirely or in part?" the following replies were received:
Iowa, as fully as possible.
Illinois, as fully as possible.
Missouri, practically neglected.
Minnesota, to the best of ability.
Indiana, fairly well enforced.
Georgia, in part enforced.
Kansas, enforced.
Ohio, best efforts to enforce—rigid in Fayette County.
Alabama, in part enforced.
Tennessee, only in part.
Michigan, only in part.
Michigan, only in part.
Pennsylvania, fully enforced.
North Dakota, partly enforced.
North Dakota, partly enforced.
California, entirely enforced.
South Carolina, partly enforced.
Montana, enforced.
Montana, enforced.
Montana, enforced.
Delaware, in part only.
Vermont, enforced.
Texas, enforced.
Summarizing these replies we find that among 48 States and the Dissummarizing these replies we find that among 48 States and the Dissummarizing these replies we find that among 48 States and the Dissummarizing these replies we find that among 48 States and the Dissummarizing these replies we find that among 48 States and the Dissummarizing these replies we find that among 48 States and the Dissummarizing these replies we find that among 48 States and the Dissummarizing these replies we find that among 48 States and the Dissummarizing these replies we find that among 48 States and the Dissummarizing these replies we find that among 48 States and the Dissummarizing these replies we find that among 48 States and the Dissummarizing these replies we find that among 48 States and the Dissummarizing these

Summarizing these replies we find that among 48 States and the District of Columbia, 33 States have laws requiring some sort of inspection before swine can be brought into the State. Twelve States, Arkansas, Idaho, Iowa, Kentucky, Missouri, Montana, North Dakota, Oregon, Texas, Utah, Wisconsin, and Wyoming, require health certificates showing that swine for exhibition or breeding purposes (unless coming from free territory) have been treated with Dorset-McBride-Niles scrum, and four of these States, Idaho, Texas, Utah, and Wisconsin, have the same requirement for all other imported swine.

ELEVEN MILLION SWINE ABSOLUTELY UNFROTECTED BY STATE LAWS.

ELEVEN MILLION SWINE ABSOLUTELY UNPROTECTED BY STATE LAWS.

Most of the remaining 33 States require mere "health certificates" or affidavits. Fifteen States, among them six States—Georgia, with 1,783,684 swine; Illinois, with 4,031,000; Ohio, with 3,299,000; Michigan, with 1,245,000; Florida, with 800,000; and West Virginia, with 356,000 swine—have no requirements whatever.

Here we have a total of 11,614,684 swine in six States that have absolutely no provisions in their laws to protect the health of these animals by restricting the shipment of diseased animals from other States.

THIRTEEN STATES HAVE INTRASTATE REGULATIONS.

A study of replies to question (b) shows that among the 33 States that require health certificates for animals shipped into the State only 13 have regulations restricting the intrastate movement of infected swine. Only 26 States, however, replied to this inquiry.

ONLY EIGHT STATES DISINFECT.

The replies to question (c), received from 27 States, show that only 9 have laws or regulations providing for the disinfection of public stockyards, vehicles of transportation, wagons, cars, etc. Alabama has a law, but does not enforce it.

ONLY 12 STATES QUARANTINE INFECTED PREMISES.

Among 25 States heard from, 12 have regulations requiring the quarantine of infected premises.

TWENTY-ONE STATES BURY OR CREMATE CHOLERA CARCASSES.

Replies to question (e) show that 21 out of 25 States have laws requiring burlal or cremating of carcasses of cholera-infected swine. Four of these States have no requirements of this nature, not even on paper.

ONLY NINE STATES PRETEND TO ENFORCE HOG-CHOLERA LAWS.

The replies of 26 States to the question "Are the sanitary laws and regulations of your State enforced entirely or in part?" show that in 9 States these laws are enforced; 2 States as fully as possable; 1 State to the best of ability; 1 State best efforts to enforce are made; 1 State they are fairly well enforced; 10 States partly enforced; 1 State not enforced at all; 1 State practically neglected.

These replies speak for themselves, and the silence of the remaining 22 States does not admit of a very favorable interpretation.

The Hog-Cholera proclem is neglected, conditions

The Hog-Cholera problem is neglected:

To those of us who are at all familiar with the actual conditions that exist throughout the United States in live-stock sanitary matters it is evident that the hog-cholera problem, as far as the observance of sanitary regulations is concerned, is a sadly neglected one.

Unless it is on account of the enormity of the problem of hog-cholera control, or possibly because of our very familiarity with its ravages, it is difficult to understand why this disease, above all other animal plagues, is so entirely neglected in most States, and not given due attention by any single one.

THE SOLUTION OF THE PROBLEM.

There is no question but that the enforcement of proper sanitary regulations, such as control of shipments of diseased and exposed animals, disinfection of railway cars, stockyards, etc, the quarantine and dis-

infection of infected premises, and the proper disposal of infected offal and of the carcasses of diseased swine will do much toward preventing the ravages of hog cholera.

Experiments made with the mere separation of healthy animals from the diseased, as indicated by clinical appearance and bodily temperature, and healthy animals removed to clean quarters, have shown conclusively that many animals can be saved by this simple procedure.

While we have in the Dorset-Niles serum treatment an effective preventive of hog cholera, and, in the very early stages of infection with the disease, a practical cure, production or manufacture of serum and virus used in this treatment should be fostered and encouraged and their use should be regulated.

The committee is of the opinion that wise legislation providing for practical regulations for traffic control in swine, and the enforcement of special sanitary measures on public highways and on public and private premises, the regulations of the production and use of hog-cholera serum, provision for its well-planned and systematic use, the exposure of worthless proprietary nostrums which are sold as curee, and the inauguration by the live-stock sanitary authorities of the country of a campaign of education in live-stock sanitation is the true solution to the problem of saving the annual waste of from fifty to one hundred million dollars which this country suffers from the ravages of hog cholera.

The committee recommends legislation authorizing or empowering the proper state authority to make a of several to a present the proper state propers.

The committee recommends legislation authorizing or empowering the proper State authority to make and enforce the regulations suggested in the following outline, or such parts thereof as are necessary for the protection of local (State) interests and with due regard to the interests of the Nation.

HOG CHOLERA LEGISLATION.

OUTLINE.

A. Providing for quarantine and shipping regulations.

1. The shipment or movement, interstate, of swine affected with cholera to be prohibited.

2. Exposed swine to be shipped under permit and placarded.

3. The movement of cholera-infected swine over the public highways of the State to be prohibited.

4. Provision for moving exposed swine under permit in approved manner.

3. The movement of cholera-infected swine over the public highways of the State to be prohibited.

4. Provision for moving exposed swine under permit in approved manner.

5. Carcasses of animals and particularly of swine that have died of cholera to be burned within 24 hours after death, or under special permit be disposed of otherwise.

6. The shipment by rail of swine for purposes other than immediate slaughter to be permitted only through special pens and unloading chutes, or through portable chutes directly into wagons. If unloaded in regular loading pens to be moved under permit in approved manner.

7. Public stockyards to be under close supervision and cleaned and disinfected at intervals determined by the proper State authorities.

8. Railway cars for the transportation of swine other than such as are intended for immediate slaughter to be cleaned, washed, and disinfected before swine are loaded.

9. All cars in which diseased swine are found or in which exposed swine were shipped for immediate slaughter to be cleaned, washed, and disinfected within 24 hours after unloading, or cars to be held until the presence or absence of diseases has been determined.

10. All cars or vehicles of transportation carrying cholera-exposed swine to be placarded in a conspicuous manner "Cholera-exposed swine for immediate slaughter."

11. Owners of swine and persons in charge, including attending veterinarians, to report without delay to State authorities all outbreaks of cholera among swine.

12. Live-stock sanitary authorities to quarantine all infected herds and premises, but may permit shipment of exposed swine for immediate slaughter as above provided.

13. Infected premises to be quarantined not less than 60 days after last traces of disease have disappeared and premises have been cleaned and disinfected.

14. Infected premises to be cleaned and disinfected under supervision prescribed by live-stock sanitary authorities to be given power to provide in a practicable manner against the dangerous pollution of streams w

B. Providing for the production, distribution, and administration of hog-cholera scrum and regulations of the sale of proprietary remedies for hog cholera.

I. PRODUCTION.

(a) Location of buildings.
(b) Construction of buildings.
(c) Arrangement of plant.
(d) Operation.

(a) Location of buildings.

19. Location to be such that surroundings will not interfere with sanitary production and that their operation will not contaminate surrounding areas.

(b) Construction of buildings.

20. The construction of buildings to be of material that will permit of daily cleaning and disinfection, stone, brick, tile, and concrete being especially recommended.

(c) Arrangement of plant.

21. The arrangement and equipment of buildings to be such as to insure the production of a pure and uncontaminated product.

22. Swine to be kept in separate buildings located a sufficient distance from the building containing the bleeding (either virus or serum) and hyperimmunizing rooms and in which swine are to be placed for the latter purpose only.

23. The serum-bleeding room, the virus-bleeding room, and the hyperimmunizing room to be separate and distinct rooms.

24. The preparation of serum and the preparation of virus from the whole blood to be operations conducted in separate and distinct rooms without direct communication with each other or with the foregoing not larger than an opening which will permit the transfer of receptacles containing the freshly drawn blood, and to be used for no other purpose.

25. Separate washing and sterilizing rooms to be provided. 26. The prepared serum and virus to be stored in properly cooled

rooms.

27. Swine kept for virus production and the testing of serum to be properly isolated so as to reduce to a minimum the danger of spreading infection. Separate and distinct feed rooms to be provided for such animals.

28. Mortuary, crematory, abattoir, and desiccating or rendering plant operated for utilizing the waste products of the establishment to be located so as to prevent contamination from this source.

29. Necessary dressing and toilet rooms, properly equipped and located, to be provided. Also bottling and packing rooms.

30. Prevision for the sanitary disposal of all manure, offal, and debris.

(d) Operation.

(d) Operation.

31. The operation of serum plants to be under the direct supervision of a competent veterinarian or other professional man whose training and experience has fitted him for this work.

32. Prohibition of the sale of serum and virus produced from animals affected with any contagious disease other than hog cholera and of any contaminated serum or virus.

33. Provision requiring full and complete records of all steps in the manufacture and test of serum or virus.

34. The label on the container of serum or virus to show the true name of the product, the name or number of the manufacturer, the date of preparation, or the date after which the manufacturer no longer guarantees the product, and a serial number to identify the product with the records of the establishment.

II. DISTRIBUTION AND ADMINISTRATION.

35. Virus in connection with serum, or virus alone, to be administered by specially licensed persons only and under State supervision.

III. REGULATION OF THE SALE OF PROPRIETARY REMEDIES FOR HOG CHOLERA.

36. Providing for the disclosure of the nature of advertised proprletary remedies and investigation of their merits by the live-stock sanitary authorities of a State, and publication of results of such inves-

tigation.

37. Providing for the enforcement of the law suggested in the foregoing, and regulations made under authority of the same by the proper authorities charged with the control of animal diseases.

38. Providing adequate penalty for violation of the provisions of such laws or of regulations made under authority of the same.

39. Specifying methods to be followed in prosecutions of violations.

40. Appropriation of necessary funds to administer the law.

Mr. KENYON. Mr. President, I do not want to take very much time, and what I say is somewhat supplemental to what the Senator from Ohio [Mr. POMERENE] has said. But at the same time, I do not want to offer any apology for taking a little of the time of the Senate in presenting the case of the American farmer on this subject.

I read an article in an Ohio paper a few days ago stating that Senators Pomerene and Kenyon would introduce their bill "to abolish hog cholera in the United States Senate on next Thursday." I never knew just what was the matter I never knew just what was the matter

with the Senate; the paper, I judge, is wrong.

The Washington Times had an editorial on this subject that is very good. I wish to make it a part of my remarks, and am going to ask to have it read by the Secretary at the desk. It states the whole thing, I think, in a nutshell, although the figures as to the appropriation are wrong.

The PRESIDING OFFICER (Mr. VARDAMAN in the chair) Without objection, the Secretary will read as requested.

The Secretary read as follows:

[Washington Times, Jan. 17, 1914.] JUST PLAIN COMMON SENSE.

JUST PLAIN COMMON SENSE.

Out in Ohio they are starting a sort of national campaign for the extinction of hog cholera, and they want the cooperation of Congress and the State legislatures. Of course, there will never be so much appeal to the imagination in such a commonplace proceeding as there would in something less specific or practical; but it would be a fine thing if some such simple, common-sense things could be taken up and put into execution.

We are worrying about the increasing cost decreasing supplies of meat. No wonder. Hog cholera alone takes enough meat every year to account for the whole annual discrepancy. But that is not all it does. It is not even the worst it does.

The farmer who raised a drove of hogs right up close to the finishing and marketing point, putting his year's corn crop into them, and who then, late in the fall, when he has plans matured for spending the money they are going to bring in, sees them die on his hands, is losing something more than that drove of hogs.

He loses confidence in the hog-raising industry.

It takes more persistence and pertinactivy than most men possess to turn right around after a calamity like that and raise another drove of hogs. The man who suffers from the visitation of cholera is very likely not to have left even the basis on which to begin producing a new herd; he is pretty certain, in any case, not to retain much enthusiasm about doing it.

Therefore it is common experience that the farmer who this year loses 50 hogs will probably in the next two or three years produce 200 fewer hogs than he would but for this present loss. That is to say, if hog cholera takes \$100,000,000 worth of hogs a year, as some of the

statisticians say, it prevents the raising of two or three times that much more. And that means the difference between adequate and inadequate meat supplies for the country.

The fact is that if hog cholera could be abolished by an executive decree, the United States would in two years be restored to its old place as the greatest meat-exporting country in the world. To-day our exports are practically wiped out.

Senator Kenyox some time ago introduced a bill to appropriate \$5,000,000 for the conduct of the Agricultural Department's campaign to eradicate hog cholera. It should be understood that eradication is no chimera. Remedies have been developed, methods devised, that in time, backed by enough money and authority would well-nigh exterminate the germs of the disease. But there can be no general results without those two things—money and rigorous authority.

Probably the world has got wise and liberal enough by this time to assure that such a measure as this would not be defeated with the sneering suggestion that it was "giving the farmer a few more millions." It is not more than nominally a service to the farmer. The farmer can do a lot of other things aside from raising hogs. Just at present, with corn worth around 70 cents, it is hard enough to keep the farmer convinced that it is worth while to turn the corn into meat. It takes a good deal less work and risk to haul the corn to town and sell it. What the country needs is means to keep the farmer in the mind of raising bogs, and the thing that would encourage him more than anything else would be the assurance that his chance of loss by cholera was going to be reduced year by year.

An appropriation for the stamping out of cholera would be an appropriation to do the most practical work possible in the direction of increasing the national meat supply.

Mr. KENYON. I think possibly that that editorial states the interesting heteretes they are the proper interested in

Mr. KENYON. I think possibly that that editorial states the situation better than I can, but I am so intensely interested in this question and it so affects my State that I wish to present

a few facts in relation to it.

The question of the high cost of living is one that is interesting everybody and to which the people are giving a very deep study. While it may not seem to comport with the dignity of this body to discuss hog cholera, yet the losses from hog cholera have been so appalling in this country that it has become a subject which must attract the attention of the National Congress. It has gone beyond all State lines and becomes a national problem, and it is an important problem to the great industry of agriculture, which produced last year farm products exceeding \$6,000,000,000 in value.

This proposition also is a great economic proposition. It goes to the question of the cost of living. It goes to the question of something to eat for the people, and that is just as important as any Alaskan railway or any Mexican question or any tariff

or currency question.

As suggested by the Senator from Ohio [Mr. Pomerene], I do not believe that Members of Congress appreciate what a tremendous loss there has been in this country due to hog cholera. We have a great interest in the farmers of this country, especially at election times, but if we have that devoted interest to the farmer we have a chance in helping him now to show what that interest really is.

Prof. Kennedy, of the agricultural college at Ames, in my State, made a statement relating to the loss of hogs from cholera during the year 1912 which is rather astounding.

The national hog-cholera loss last year was 900,000,000 or 1,000,000,000 pounds of meat. This was 10 pounds per capita. Iowa's loss was 150,000,000 pounds, or 62 pounds per person, and was more this year.

He further stated that-

Iowa's loss this year would be \$20,000,000. * * * It is a great feature in the high cost of living, and I am for liberal Federal aid in the elimination of hog cholera.

On yesterday I received a letter from Prof. Kennedy in which he placed the loss for the year 1913 as rather high. He says he sent out letters to every bank cashier in towns of 10,000, and in relation to it he received 1,120 replies.

By actual count-

He says-

Dallas County-

One of the counties in our State-

this year lost about 20,000 head, or about 16\(\frac{2}{3}\) per cent. The data which we gathered would indicate about 17 per cent loss, so you can see that our reports are fairly accurate. I think it is putting it very low to say that the farmers of Iowa, during 1913, lost at least \$30,000,000 through hog cholera.

I think that is too high, but he estimates three sources of

One is the direct loss from the hogs which die-

Which in this country would amount to 10 pounds of meat for every man, woman, and child-

Second, the direct loss from the marketing of pigs in a half-fat condition, thus sold at a sacrifice; third, the indirect loss to the cattle feeder, who loses a considerable amount of his feed by not having the hogs to follow his cattle.

I am going to discuss that in a moment as one of the matters entering vitally into the cause of the high cost of living, shall ask permission to make this letter a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter referred to is as follows:

AMES, IOWA, January 19, 1914.

Senator W. S. KENYON, Washington, D. C.

Senator W. S. Kenyon, Washington, D. C.

Dear Senator Kenyon: Under separate cover I am sending you a hog-cholera report for the year 1913. This data was collected by the agricultural extension department in order that we might ascertain so far as possible the loss from hog cholera during the year 1913, also to have a comparison of 1913 with 1912. In order to get this data I sent out letters to every bank cashier in towns of 10,000 and under, asking them three questions: First, what was the percentage of hogs which died from hog cholera in their vicinity during the year 1913; second, what percentage of the hogs were marketed early—say, weighing between 50 and 150 pounds—due to the hog-cholera scare; third, how the loss compared with that of 1912.

We have received 1,120 replies, representing every county in Iowa. I have the data tabulated in the report which I am sending you. I believe that the number of hogs stated in the different counties is too low. For instance, in Dallas County the report shows 93,852 head. A farm-to-farm canvass made by our department for the United States Department of Agriculture in connection with this hog-cholera work there this year showed that there were 120,000 head of hogs in Dallas County. By actual count Dallas County this year lost about 20,000 head, or about 16\(^2\) per cent. The data which we gathered would indicate about 17 per cent loss, so you can see that our reports are fairly accurate. I think it is putting it very low to say that the farmers of lowa during 1913 lost at least \$30,000,000 through hog cholera.

There are three sources of loss. One is the direct loss from the hogs which die: second, the direct loss from the marketing of pigs in a half-fat condition, thus sold at a sacrifice; third, the indirect loss to the cattle feeder who loses a considerable amount of his feed by not having the hogs to follow his cattle.

I assure you that this is an important subject in Iowa. In my judgment you can do our people a great deal of good by having a law passed demanding F

Mr. KENYON. In going over the records of hog losses in this country, and after consultation with the Bureau of Animal Industry on the subject, I learn that practically 90 per cent of all losses of swine that occur each year are due to a disease known as "hog cholera," and if this be the case, as it undoubtedly is, the loss is appalling, and it is certainly time for doubtedly is, the loss is apparing, and it is contained us to provide some means for the eradication of the disease, if such a thing is possible. I do not know just what is best. We can only judge of that by the experts of the Agricultural Department and the farmers, but I am in favor of a large appropriation being placed at the disposal of the Department of Agriculture for them to use in such way as they deem fit.

We have placed \$40,000,000 practically in the hands of the President of the United States to build railroads in Alaska. This proposition is far more important than any railroad in Alaska, and the losses of one year, if saved, would build three times the amount of railroad we are going to construct in

Alaska

So we can likewise have confidence in the Secretary of Agriculture to use this money wisely and to accomplish the purposes intended

Hog cholera made its first appearance in this country in the State of Ohio, brought in by the importation from some for-eign countries of blooded stock, and as Ohio has that unpleasant distinction, it now has the better distinction of being the State that has appropriated more to help solve this problem than any other State in the Union, having appropriated \$100,000 for a serum plant—more money than the Government has appro-

priated in the last 10 years on this question.

This disease has gradually extended throughout the country until now there is scarcely a State in the Union free from its ravages. Transportation lines have unwittingly and unknowingly helped to carry this disease by the fact that cars were not properly cleaned and fumigated. If no method is found to check this disease the farmers will cease to raise hogs, as a farmer will not run the risk of having the herd which represents his time and represents his crop absolutely wiped away in a week or ten days by this scourge. If the farmer does that, the cost of living is going up to a point where even our Democratic friends can not explain it.

I have prepared a map showing the losses in the various States from hog cholera in the year 1912. It shows the money expended by the various States in fighting the disease, the number of swine raised in those various States, and the recom-mendation of those various States as to the governmental ap-propriation. I want to call the attention of the Senate to just a few of the statements. This is not a northern matter entirely.

I have had letters from experts from the State of Georgia that the question is becoming a live one in the State of Georgia. During the year 1913 the State of Georgia lost 165 out of every thousand hogs. In the year previous the loss was 90 out of every thousand. So the loss in Georgia in one year's time increased nearly 100 per cent.

In the State of Florida in 1913 the loss was 170 out of every thousand. The previous year the loss was 100 out of every

thousand, an increase of 70 per cent in the State of Florida. In the State of Alabama in 1913 the loss was 110 out of every thousand. In the previous year the loss was 65 out of every thousand, showing an increase of nearly 100 per cent in the State of Alabama.

In the State of Louisiana in 1913 the loss was 110 out of every thousand. In the previous year it was 100.

In the State of Arkansas in 1913 the loss was 160 out of

every thousand. In the previous year 140.

Mississippi lost 154 out of every thousand in 1913. In the previous year in Mississippi the loss was 75 to a thousand, an increase in loss of over 100 per cent.

Taking the States of the Far West as indicated on the

Mr. OVERMAN. Has the Senator the statistics for North Carolina?

Mr. KENYON. I have the statistics here for North Carolina. For the year ending January 1, 1913, North Carolina lost 69,687 hogs, to the value of \$536,589. Colorado in 1913 lost 100 out of each thousand. The loss of the previous year in Colorado was 20 out of each thousand, being an increase of 500 per cent in the State of Colorado.

Mr. BRADY. Mr. President—
The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. KENYON. I do.

Mr. BRADY. Has the Senator any information as to the loss in 1913?

Mr. KENYON. I have it for my own State and I have statistics as to the year ending March 31, 1913. I have no figures later than that.

Mr. BRADY. I notice that the loss to Idaho in 1912, according to the figures on the map, was something over 7,000. The loss probably was several times as great the past year.

Mr. KENYON. I am satisfied that is true.

Mr. BRADY. I wondered whether the Senator has the exact

Mr. KENYON. I have not, but judging from the increase in our own State the loss in Idaho must have increased that much.

The State of Indiana in 1912 lost 150 out of each thousand; Illinois, 140 out of each thousand; Nebraska, 110: Kansas, 120; Missouri, 175 out of each thousand, nearly one-fifth of all the swine within the borders of that State. The loss in Missouri has been more in proportion, slightly so, to the number of swine than in any other State for the year 1912, but the Government is making experiments now in Missouri, Indiana, and Iowa. Iowa lost 160 out of each thousand. The previous year the loss was 80, which showed an increase of 100 per cent.

I desire to have inserted in the RECORD this statement of the condition of hogs April 1, and the estimated loss during the year ending March 31, 1913, from which I have just read. is the latest, I will say to the Senator from Idaho, I have. These figures were obtained from the crop reports for 1913, and I wish to make them a part of my remarks

The PRESIDING OFFICER. If there is no objection, it will be so ordered.

The matter referred to is as follows:

Condition of hogs Apr. 1 and estimated losses during the year ending Mar. 31, 1913, with comparisons.

	L	osses fro	m dise	ase.	Cond	ition A	pr. 1.	
State and division.	1913	19121	10- year aver- age.1	Number.	1913	1912	10- year aver- age.	Breei- ing sows.
Maine New Hampshire Vermont Massachusetts Rhode Island Connecticut New York New Jersey Pennsylvania	Pr. ct. 28 25 19 40 25 30 30 40 43	Pr. ct. 15 20 39 35 18 48 29 40 37	Pr. ct. 14 17 20 22 21 26 22 28 29	2,828 1,300 2,033 4,600 350 1,740 22,830 6,400 48,590	Pr. ct. 97 95 99 95 97 97 98 97 96	Pr.ct. 98 98 99 96 97 98 96 95 93	Pr.ct. 98 98 99 98 98 98 99 98 97 96	Pr. ct. 95 93 98 94 93 97 95 96 25
North Atlantic.	36.3	33.7	25.0	90, 671	96.8	94.9	97.2	95.1
Delaware. Maryland Virginia West Virginia North Carolina South Carolina Georgia Florida	50 90 48 73 58 75 165 170	80 75 40 41 44 60 90 100	47 37 45 32 60 60 66 79	2,900 30,150 40,128 25,988 77,430 57,375 311,520 149,260	92 94 95 94 94 90 92 92	92 91 92 94 94 90 90 90	94 95 95 95 94 94 94 93	97 94 98 100 98 97 91 91
South Atlantic	107.7	68.8	57.5	694, 751	92.8	91.6	94.2	94.

Losses per 1,000 head.

Condition of hogs Apr. 1 and estimated losses during the year ending

	L	osses fro	m dise	ase.	Condi	ition A	pr. 1.	(FELLOUIS
State and division.	1913	1912	10- year aver- age.	Number.	1913	1912	10- year aver- age.	Breed- ing sows.
OhioIndiana Illinois Michigan Wisconsin	Pr. ct. 86 150 140 40 28	Pr. ct. 70 125 215 40 28	Pr. ct. 46 68 71 31 24	292,314 556,350 604,100 52,520 56,840	Pr. ct. 94 89 91 94 96	Pr. ct. 90 88 85 95 97	Pr.ct. 95 94 95 96 96	Pr. ct. 100 95 108 96 99
North Central east Missis- sippi River	105.8	118.9	55.6	1, 562, 124	92.1	89.4	95.0	100. 2
Minnesota. Iowa Missouri North Dakota South Dakota Nebraska Kansas	55 160 175 20 38 110 120	30 80 160 15 38 60 132	30 54 74 17 54 63 50	98,610 1,395,200 715,225 7,320 44,878 417,780 313,320	96 89 84 98 95 93 91	97 91 82 98 96 94 84	97 96 93 98 96 96 96 94	105 95 101 105 107 101 119
North Central west Missis- sippi River	133.0	90.9	56.5	2, 987, 333	90.0	89.8	95.3	101.2
Kentucky Tennessee Alabama Louisiana Texas Oklahoma Arkansas Mississippi	95 99 110 110 45 81 160 154	70 70 65 100 34 145 140 75	60 59 60 91 37 64 92 62	155, 610 148, 005 160, 160 155, 320 112, 185 107, 325 244, 640 228, 228	90 89 92 88 94 88 87 91	89 90 92 84 90 79 84 90	93 94 94 91 95 92 90 94	94 90 93 95 105 120 95 90
South Central	102.2	83.5	60.4	1,311,473	90.2	87.5	93.2	97.3
Montana Wyoming Colorado New Mexico Arizona Utah Nevada Idaho Washington Oregon California	100 27 13 24 21 37	19 12 20 16 12 16 24 14 22 16 25	20 18 21 19 28 20 22 17 18 17 37	3,060 615 20,500 1,404 299 1,944 672 8,621 5,676 8,040 41,100	97 100 94 97 98 99 98 99 98 96 98 97	98 99 98 95 99 98 97 99 98 99 97	98 99 98 95 95 98 98 98 98 98 98	110 107 100 104 105 100 101 113 106 107 97
Far Western	42.4	20.6	25.8	91,931	97.0	97.8	97.6	102.4
United States	110.1	89.2	54.9	6,738,283	91.4	89.9	94.8	99.1

Loss by cholera in 1912, \$60,000,000.

Mr. KENYON. I want also to place in the Record a table showing the estimated number, the average price, and the total value of swine in the United States January 1, 1913, with comparisons; also a table showing the estimated loss there given for the same year. I will not take the time to read these figures, but I should like to have the table printed.

The PRESIDING OFFICER. Without objection, the request will be granted.

will be granted.

The tables referred to are as follows:

Estimated number, average price, and total value of swine in the United States Jan. 1, 1913, with comparisons.

		umber Jan. 1, Average price per head 1913. Jan. 1.					Aver- age	
State and division.	Per cent.1	Total.	1913	1912	10-year aver- age.	Total value Jan. 1, 1913.	when mar- ket- ed. ²	
Maine	. 100 . 98 . 96 . 98 . 90 . 97 . 98 . 97 . 99 . 98,3	101,000 52,000 107,000 115,000 14,000 58,000 761,000 1,130,000	\$12.90 12.70 12.20 13.00 14.50 14.00 12.60 12.50	\$11,50 10.50 10.00 11.30 12.00 11.60 10.20 11.30 10.00	\$10.10 10.40 9.10 10.80 11.40 11.70 9.70 11.10 9.30	\$1,303,000 660,000 1,305,000 1,495,000 203,000 812,000 9,589,000 2,080,000 14,125,000	9.0 9.0 9.8 9.8 9.5 9.0 10.0	
Maryland Virginia West Virginia North Carolina South Carolina Georgia Florida	98 97 95 98 95 96 90 92	58,000 335,000 836,000 356,000 1,335,000 765,000 1,888,000 878,000	11. 20 9. 80 7. 00 9. 00 7. 70 8. 50 7. 10 5. 90	7.20 8.00 6.30 6.70 7.40 8.00 6.70 5.20	8.30 7.70 5.70 6.50 5.90 6.40 5.90 3.90	31,572,000 650,000 3,283,000 5,852,000 3,204,000 10,280,000 6,502,000 13,405,000 5,180,000	10.0 10.0 11.0 11.6 11.6 12.5 12.0 13.0	
South Atlantic	. 93.5	6, 451, 000	7.50	6.80	5.95	48, 356, 000	11.8	

Compared with Jan. 1, 1912.

2 Months.

Estimated number, average price, and total value of swine in the United States Jan. 1, 1913, with comparisons—Continued.

Encho de Minario	Nun	iber Jan. 1, 1913.	Average	price p Jan. 1.	er head		Average age
	Per cent.	Total.	1913	1912	10-year aver- age.	Total value Jan. 1, 1913.	when mar- ket- ed.
Ohio Indiana Illinois Michigan Wisconsin	95 92 93 95 99	3,399,000 3,709,000 4,315,000 1,313,000 2,030,000	\$10.80 9.80 10.50 10.80 11.60	\$8.20 7.70 8,80 8.50 9.00	\$7.80 7.40 8.20 8.20 8.80	\$35, 709, 000 36, 348, 000 45, 308, 000 14, 180, 000 23, 548, 000	9.5 9.6 10.0 9.0 9.1
North Central east of Mississippi River	94.2	14, 766, 000	10.57	8.52	8.00	156, 093, 000	9.6
Minnesota	90 91 102 107	1,702,000 8,720,000 4,087,000 366,000 1,181,000 3,798,000 2,611,000	12.70 12.00 8.50 13.70 11.00 11.40 10.40	10.40 9.80 7.00 10.50 8.90 8.80 7.90	8, 80 8, 60 6, 30 8, 90 8, 50 8, 10 7, 60	21,615,000 104,640,000 34,740,000 5,014,000 12,991,000 43,297,000 27,154,000	10.0 10.7 10.7 10.7 10.5 11.0
North Central, west of Missis- sippi River	92	22, 465, 000	11.10	8. 90	7.99	249, 451, 000	10.7
Kentucky Tennessee Alabama Mississippi Louisiana Texas Oklahoma Arkansas	95 94 86	1,638,000 1,495,000 1,456,000 1,482,000 1,412,000 2,493,000 1,325,000 1,529,000	7.10 7.40 6.80 6.90 7.00 8.40 8.90 6.70	5. 40 6. 10 6. 50 6. 50 5. 80 6. 30 5. 50 5. 40	5. 40 5. 50 5. 20 5. 10 5. 10 5. 60 6. 10 4. 30	11,630,000 11,063,000 9,901,000 10,226,000 9,884,000 20,941,000 11,792,000 10,244,000	10.5 12.0 13.0 13.0 15.0 12.6 12.0 14.0
South Central	93.4	12,830,000	7.46	5.95	5.35	95, 681, 000	12.7
Montana. Wyoming Colorado. New Mexico. Arizona. Utah. Nevada Idaho. Washington. Oregon.	95 97 103 103 102 105 110 105	153,000 41,000 205,000 52,000 23,000 81,000 32,000 233,000 258,000 268,000	11.90 11.00 11.00 9.60 11.50 11.00 11.00 11.30 9.50	9.90 8.60 8.00 8.20 10.50 9.00 10.50 8.00 9.50 8.50	9.60 8.80 8.10 7.30 8.10 8.20 8.70 7.60 8.50 7.00	1, 821, 000 451, 000 2, 255, 000 499, 000 264, 000 891, 000 352, 000 2, 400, 000 2, 915, 000 2, 546, 000	11.0 12.0 11.5 11.4 11.5 10.5 10.5 11.7
California	99	822,000	9. 20	8.30	7.20	7, 562, 000	13.6
	-	2,168,000	10.13	8.60	7.64	21,956,000	12.0
United States	93.5	61, 178, 000	9.86	8.00	7.28	603, 109, 000	11.0

Estimated number of hogs lost from cholera—Average price per head Jan. 1, 1913—Total monetary loss to each State.

State and division,	Estimated loss of hogs from cholera for year end- ing Jan. 1, 1913.	Average prices per head Jan. 1, 1913.	Monetary loss to each State.
Maine New Hampshire Vernont Massachusetts Rhode Island Connecticut New York New York New Jersey Pennsylvania	2,545 1,170 1,829 4,140 315 1,566 20,547 5,760 43,731	\$12.90 12.70 12.20 13.00 14.50 14.00 12.60 13.00 12.50	\$32, 830 14, 859 22, 313 53, 820 4, 567 21, 924 258, 892 74, 880 546, 637
North Atlantic	81, 403		1,030,722
Delaware. Maryland. Virginia. West Virginia. North Carolina. South Carolina Georgia. Florida.	2, 610 27, 135 36, 115 23, 389 69, 687 51, 637 280, 368 134, 334	11. 20 9. 80 7. 00 9. 00 7. 70 8. 50 7. 10 5. 90	29, 232 265, 923 252, 805 210, 501 536, 589 438, 914 1, 990, 612 792, 570
South Atlantie	625, 275		4, 517, 146
Ohio Indiana Illinois Michigan Wisconsin	263, 082 500, 715 543, 690 47, 268 51, 156	10.80 9.80 10.50 10.80 11.60	2, 841, 285 4, 907, 007 5, 708, 745 510, 494 593, 409
North Central east of Mississippi River	1, 405, 911		14,560,940
Minnesota Iowa Missouri North Dakota South Dakota Nebraska Kansas	84, 249 1, 255, 680 643, 702 6, 588 40, 390 37, 600 281, 988	12.70 12.00 8.50 13.70 11.00 11.40 10.40	1,069,962 15,068,160 5,471,467 90,255 444,290 428,640 2,932,675
North Central, west of Mississippi River	2, 350, 197		25, 505, 449

Estimated number of hogs lost from cholera—Average price per head Jan. 1, 1913—Total monetary loss to each State—Continued.

State and division.	Estimated loss of hogs from cholera for year end- ing Jan. 1, 1913.	Average prices per head Jan. 1, 1913.	Monetary loss to each State.
Kentucky. Tennessee. Alabama. Mississippi Louisiana Texas Oklahoma. Arkansas.	140, 049 133, 204 144, 144 205, 405 139, 788 100, 966 96, 592 220, 176	\$7. 10 7. 40 6. 80 6. 90 7. 00 8. 40 8. 90 6. 70	*\$994,347 985,709 980,179 1,417,294 678,516 848,114 859,668 1,475,179
South Central	1, 180, 324		8,539,006
Montana W yoming Colorado New Mexico Arizona Utah Nevada Idaho Washington Oregon California Far Western	553 18,450 1,263 269 1,749 604 7,758	11. 90 11. 00 11. 00 9. 60 11. 50 11. 00 11. 00 10. 30 9. 50 9. 20	32, 772 6, 083 202, 950 12, 124 3, 093 19, 239 6, 644 79, 907 57, 720 68, 742 340, 303
Total for United States	5, 730, 844		54, 982, 825

Mr. KENYON. Those who have examined the map will notice that the great losses have been in what are known as the corn-producing States. Iowa has more hogs than any State in the Union-double the amount. Iowa, Illinois, Missouri, Indiana, and Ohio have been the chief losers, though Kansas has also been a very heavy loser.

I wish to quote from the report of the committee of the United States Live Stock Sanitary Association on hog-cholera legislation. This report was submitted to the association December 2, 1913, and I read as follows:

cember 2, 1913, and I read as follows:

In studying the conditions that existed in previous decades, and covering a period of about 40 years, the committee finds that the losses from hog cholera have very probably averaged over \$50,000,000 annually during these decades.

In 1897 Dr. D. E. Salmon, then Chief of the United States Bureau of Animal Industry, states in the annual report of that bureau: "The losses (from hog cholera) have, however, been tremendous, being placed by some as high as \$100,000,000 a year, an estimate which does not appear exagerated in the light of the careful inquiries in the State of Iowa, from which it was concluded that this one State lost from \$12,000,000 to \$15,000,000 worth of swine in a single year."

FINANCIAL LOSS TREMENDOUS.

Since this loss is a regular annual occurrence, its meaning can best

Since this loss is a regular annual occurrence, its meaning can best be brought to us by looking upon it as the lost interest on a permanent investment. It would require an investment of \$1,250,000,000, at 4 per cent, to yield \$50,000,000, and since this loss has been going on for at least 40 years, the total loss has already exceeded \$2,000,000,000, or, with compound interest, to more than twice the hypothetical investment of \$1,250,000,000 referred to. Measured in the value of the finished product (pork), these figures would practically be doubled.

The money involved in these losses would build a transcontinental railroad—

This is a report of this committee-

at \$10,000 a mile, through the United States every year, or it would support, on a million-dollar-a-year-income basis, a great university and agricultural experiment station for each State in the Union, and haif a dozen extra universities for such States as need them.

With these figures before us—

Says this report-

and the problem of the high cost of living staring us constantly in the face, how many questions are of greater economic importance than that of the control of hog cholera for the prevention of these enormous losses?

Now, mind you, the statement of Dr. D. E. Salmon, dates back to the year 1897, and this great loss has been going on ever since that time, and I am credibly informed that the loss in Iowa for the year 1913 will be something like \$20,000,000, and that our neighboring State of Missouri will suffer a loss of something like \$10,000,000 for the same year.

I have heretofore stated that Prof. Kennedy estimated the loss in our State for 1913 at \$30,000,000.

Mr. WARREN. What date was that? Mr. KENYON. This report is December 2, 1913.

Mr. WARREN. How far back does it go? Mr. KENYON. It goes back some years.

Indiana, Illinois, Ohio, are also great sufferers, but, as is shown by the map, the balance of the States of the Union have also suffered very materially. It is safe to assume that the losses from hog cholera during the year 1913 have been close to

agricultural classes, but into the serious problem of the cost of living, that Congress would be willing to do everything in its power to help eradicate this disease. There should be cooperation between the States and the Federal Government. I want to put into the Record the figures showing the amount of money expended by the United States Department of Agriculture in the study of hog-cholera cures and also the amounts that have been expended for the eradication of the boll weevil.

The American hog has not had his day in Congress, but the enemies of boll weevil have had theirs. The prevention of the devastation of the boll weevil has been looked after as best we could. It is now time to pay some attention to the American hog. I desire to insert in the RECORD a statement of the moneys expended by the United States Department of Agriculture in the study of hog cholera. Prior to 1887 the expenditures were not classified in detail, but I will put them in as best I can. The statement which I desire to be made a part of the Record, without reading, shows that sums amounting to about \$229,418.39 have been expended by the bureau from 1899 to 1913, inclusive; \$89,564.32 was expended during the 10-year period from 1904 to 1913, indicating an average expenditure on hog cholera for the last 10 years of \$8,956.43 per year. I ask that this statement be inserted in the RECORD without reading.

The PRESIDING OFFICER. If there be no objection, it

will be so ordered. The Chair hears none.
The statement referred to is as follows:

1887	Not segregated.
1888	Not segregated.
1889	
1890	5, 543, 68
1891	
1892	6, 916, 38
1893	
1894	
1895	
1896	Not segregated.
1897	Not segregated.
1898	17, 123, 54
1899	
1900	
1901	14, 333, 39
1902	9, 751, 26
1903	8, 411, 32
1904	8, 345, 12
1905	5, 920, 20
1906	4, 597, 63
1907	
1908	10, 061, 00
1909	
1910	
1911	12, 219, 40
1912	12, 005, 60
1913	

Mr. KENYON. That is what the Government has done per year in the last 10 years to assist in blotting out the ravages of hog cholera. That is an insignificant sum. On the other hand, Congress has appropriated year after year hundreds of thousands of dollars to purchase garden seed for free distribu-tion by Members of Congress. The seed purchased for this purpose have cost this Government many more hundreds of thousands of dollars, and if the money that has been spent in garden seed had been spent for the eradication of hog cholera we would not have had the situation which to-day exists. So I am merely pleading for less "pork barrel" and more pork meat.

Mr. JONES. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa

yield to the Senator from Washington?

Mr. KENYON. Yes.

Mr. JONES. Can the Senator from Iowa give us any idea as what has actually been accomplished?

Mr. KENYON. I am going to try to do so.
Mr. JONES. Will the Senator further on state what has been spent by each State?

Mr. KENYON. Yes. Mr. JONES. Very well.

Mr. JONES. Very well.

Mr. KENYON. I will say to the Senator that the map hanging on the wall of the Chamber shows the amount the States have expended at serum plants and for the building of such

Mr. JONES. But it does not show what has been expended on experiments and investigations to determine what ought to

Mr. KENYON. No. The legislatures have appropriated certain sums that have been used for experiments in different

Mr. JONES. Has the Senator any information which would enable him to tell us how much the States have actually expended?

Mr. KENYON. Yes. For the eradication of the boll weevil \$100,000,000. It would seem where such great economic waste Mr. KENYON. Yes. For the eradication of the boll weevil was going on that entered not only into the prosperity of our the Government has spent in the last 10 years \$2,133,951.80,

while it has spent \$89,564.32 for the suppression of hog cholera. In addition to that vast amount expended for the eradication of the boll weevil, Congress has made specific appropriations during the years from 1905 to 1908. I am not criticizing those appropriations in any way; they went for a good purpose; I would have voted for them had I been here; but I merely desire to call the attention of the Senate to the small appropriation in comparison which has been made available in the hogcholera fight.

The Department of Agriculture claims that in the year 1912, I think it was, the boll weevil caused a loss to the cotton crop in this country of about \$20,000,000, and a conservative estimate of the loss during the last 10 years would perhaps be \$200,000,000.

The purpose which the Senator from Ohio and myself have in mind in presenting these matters to the Senate is because the matter is now being discussed before the Committee on Agriculture, and we thought possibly we might have as large an attendance in the Senate as before the committee, and that, in any event, we would get these matters into the Record for thought. I want to assure the Senate-

Mr. WORKS. Mr. President-

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from California?

Mr. KENYON. I do. Mr. WORKS. So far as I have been able to see, the one important thing which should appeal to the Senate in dealing with this matter has not been touched by either the Senator from Ohio or the Senator from Iowa.

Mr. KENYON. I am not through; just give me an oppor-

The PRESIDING OFFICER. Does the Senator from Iowa yield further to the Senator from California?

Mr. KENYON. Certainly.
Mr. WORKS. I shall certainly give the Senator all the time he desires, so far as I am individually concerned; but there has been a great deal of money expended by the Government, according to the statement of the Senator from Iowa, and I should like to have the Senator show, if he can, what beneficial results have followed from the use of this serum. According to a statement of the Senator from Ohio [Mr. POMERENE], the loss of hogs has increased immensely during the four years that the serum has been in use. I do not know whether the Senator from Iowa has any figures or data that would cover that phase of the case.

Mr. KENYON. I have exactly; I have a mass of data that I hesitate about using. I was going to put them into my remarks, but I hesitate about taking up the time of the Senate to do so. I wish, however, to say to the Senator that there is not any question of doubt in my mind that there are two sides to the proposition of the serum treatment. In our State we have lost thousands of dollars by bad serum. This serum business, like every other business, offers a fine field for the grafters; they have gone into it, and they have manufactured bad serum. We have had many losses from such serums.

I am not taking the position at all that the serum treatment is absolutely and certainly a remedy, and I am not aligning myself on the side of the serum treatment nor against it. I say there is so much discussion, so much uncertainty about the serum treatment that that in itself is an argument in favor of a large appropriation which the Secretary of Agriculture may use in further investigating the serum treatment and its results; and I expect to put into the Record some of the figures of Dr. Stange, of my State, who has charge of the plant at Ames, showing the actual result of the use of the serum that is manufactured there as to various herds. I also am going to place in the RECORD some letters denouncing the serum treatment in unmeasured terms, and contending that, if Congress or the Secretary of Agriculture would absolutely stop all shipments of serum, it would be better, and that the disease would be sooner eradicated. That is one of the uncertainties of this problem. I am, however, coming to the matters the Senator suggests in a few moments. I am glad if there is any question involved here that excites any interest at all.

The other proposition that I laid down in commencing is the economic one in the movement, that this not only affects the agricultural classes of this country, who are entitled to consideration, but it affects the question of the high cost of living; and it is not only in the actual loss of the meat that the cost of living is affected, but this enters into the question of the production of beef cattle. We often hear the question asked, "Why has the beef production in the agricultural States of the Middle West fallen off so much during recent years?" One of the prime reasons, in my judgment, is this very thing—the ravages of hog cholera.

A man who is a practical farmer, as I am, knows that the cattle industry and the profits therein are dependent to some extent upon the raising of hogs. The hogs follow the cattle; they eat from the cattle; they are practically no expense. hogs are the profit of the farmer in cattle raising. If the farmer is to have a profit from his cattle, it is absolutely necessary for him to have hogs to follow with the cattle. With the great devastation of the herds by cholera, it would not be profitable for the farmer to engage in the stock-raising business; or, at least, a great many farmers would feel that they could not longer run this risk, as they have been doing, and hence many of them are selling their crops instead of feeding them to cattle.

There have personally come to my attention instances where farmers have lost their entire herds of hogs, amounting in some instances to three or four bundred head. The farmers were feeding those swine along with their cattle, expecting to come out even on the cattle and to make some profit on the hogs; but with those losses going on, the farmer would become a bankrupt if he continued in the cattle-raising business. There would be thousands of farmers who would engage in stock raising if they could be reasonably assured that they would not lose their swine from this plague.

Now, what can Congress do? I realize that that is a very debatable question. It is the theory of those who are proposing liberal appropriations that there must be cooperation between the States and the Federal Government in eradicating the plague. There is another step that must be taken. The complaint has been made of the shipment of quack serums into the various States, which have been used by the farmers to the destruction of their herds, and it is estimated that the farmers in my State have spent hundreds of thousands of dollars within the year for fake serums. That has been the experience of other States. I hold in my hand a little article from Fargo, N. Dak., which is as follows:

STUNG BY FAKE CHOLERA CURE—FARMERS OF NORTH DAKOTA ARE VICTIMS AND LOSE HOGS VALUED AT \$500,000.

FARGO, N. DAK., December 30.

Farmers of North Dakota have paid more than \$20,000 for fake serums advertised as preventives of hog cholera, according to the State food commissioner, Prof. D. F. Ladd, of the State agricultural college, Prof. Ladd estimated the loss to farmers through the death of animals from hog cholera in the last four months at more than \$500,000.

The rules of the Department of Agriculture with relation to this matter were not effective until July 1, 1913. I am inclined to think that if the rules of the Department of Agriculture were strictly enforced and they could adopt a rule under the act that has been passed providing for an inspection of every particle of serum before it is shipped in interstate commerce, it would meet the question to some extent; but money is needed for that very inspection. If the rules of the Department of Agriculture will not bring about the desired result with relation to fake serums, then we must have a law to prevent the shipment of these serums in interstate commerce until there has been a governmental inspection or a State inspection. I shall shortly introduce a bill covering this. The serum treatment has been a free field for the grafter, and there is no doubt that the farmers have been deceived and robbed by fake serums. The serum treatment can not be successful if the serums are bad, and some way must be devised to carry out rigidly the rules of the Agricultural Department with reference to these serums, and the farmer must be protected against the faker and the grafter in the serum business. I do not mean to advocate the serum treatment, but, as suggested before, I do say that the confusion concerning it is an argument in favor of a liberal appropriation, so that the Department of Agriculture may pursue its investigations along this line. I am anxious to get at the facts.

Dr. Dorset, Chief of the Biochemical Division of the Bureau of Animal Industry, is the discoverer or inventor of hog-cholera serum. He has been assisted in this work by Dr. Chas. M. McBryde and W. B. Niles, and others have undoubtedly contributed thereto.

Dr. Dorset defines hog cholera as follows:

Hog cholera is a very contagious, highly fatal disease peculiar to swine, which causes the death of from forty to sixty millions of dollars worth of hogs annually. Hog cholera has no relation to any other disease of man or animals. It is caused by a minute germ that exists in the blood and body fluids of hogs sick of the disease.

I am not going into the question of germs or other medical terms with relation to hog cholera, further than to say that the germ of hog cholera is classed with the "invisible microorganisms," and in this respect it resembles those which bring about a number of other diseases of animals and men, notably yellow fever, contagious pleuropneumonia, South African horse sickness, and foot-and-mouth disease. Anything which tends to lower the health of the animal may be regarded as a predisposing cause, such as improper feeding, insanitary condition of hog lots, damp or cold sleeping places, filthy watering and

food troughs.

The above conditions can not produce hog cholera, but they can aid to a considerable extent, owing to the unhealthy condition of the hogs. However, it is necessary for a hog to contract one of the germs of cholera before it can be affected. The sick hog is the most dangerous factor in the distribution of this disease. There are many ways in which the disease can be carried to well herds. Dogs frequently carry the germ; in fact, this is a very common way; again, it can be carried by the turkey buzzard; also, by the common crow. I know of several instances where this bird had partaken of a meal from hogs which had died from the cholera, then carried the disease in this way into well herds on some other farm, where they chanced to light. I am also informed by reliable farmers that the disease can be carried downstream from herds which are affected above. I know of one instance where a whole herd was wiped out in this way. The disease can also be brought onto the farm by the purchase of new stock for breeding purposes. I recall such an instance, where practically the entire herd was lost from such exposure.

Of course, Mr. President, there is a great deal in the proposition that must rest with the farmer himself. Sanitary conditions, methods of feeding, and quarantine are matters that he should be instructed in through the agents sent out by the Department of Agriculture in their demonstration work.

After hog cholera has been prevalent on a farm, the premises should be thoroughly fumigated in order to guard against new herds becoming affected by reason of being placed in such pens and hog houses. A person can not be too careful in cleaning up his premises after the disease has once been stamped out, for, if great care is not exercised, it will again appear. Of course, the germ will die out in time, but it is impossible to give a stated period, as it varies in different sections of the country. I understand that hard, freezing weather will kill the germ, but it is not advisable to place hogs in pens previously occupied by sick hogs until three or four months after the disease has disappeared.

The majority of cases of cholera make their appearance in the early summer and fall. In Iowa it started in very early in the summer last year, and I think this has been true for several years past, so far as Iowa and other Middle Western States are concerned. It has been shown that the loss from hog cholera has been as high as 100 per cent in some herds, while perhaps the average will run from 60 to 80 per cent. In some instances the hog is worthless after having been affected with this disease, for the reason that he has become stunted. It is not best to place hogs recently recovered from hog cholera with a well herd, for in all probability the herd will become affected. Sick hogs should be kept from the well herd for sev-eral months, unless the well herd has had the serum treatment, which, it is claimed, will prevent the spread of the disease in the herd.

I am indebted for many of the facts with relation to hog cholera to Farmers' Bulletin No. 379, of the Department of Agriculture, which is a valuable bulletin for the farmer.

I ask permission to insert at this point, without reading, a number of extracts from that bulletin which may be of interest to the farmers who may read my remarks.

The PRESIDING OFFICER. If there is no objection, the

request will be granted.

The matter referred to is as follows:

PREDISPOSING CAUSES.

While the specific cause of hog cholera is the minute microorganism or germ just referred to, there are many factors which may render a herd more susceptible to the disease. In general, anything which tends to lower the health of the animals may be regarded as a predisposing cause. Among such predisposing factors there may be mentioned improper feeding, an insanitary condition of the hog lots, damp or cold sleeping places, and dirty drinking and feeding troughs. Of course insanitary surroundings and poor feed can not in themselves produce hog cholera, but they lower the vitality of hogs to such an extent that they become comparatively easy victims of any disease-producing germs to which they are exposed.

WAYS IN WHICH THE HOG-CHOLERA GERM REACHES A HERD.

WAYS IN WHICH THE HOG-CHOLERA GERM REACHES A HERD.

Although the conditions just mentioned undoubtedly exert considerable influence upon the relative resisting powers of hogs to hog cholera, the disease can be started in a herd only by introducing the germ which causes it. This germ is always present in the bodies of sick hogs, and is thrown off from them in large numbers in the feces and urine, thus contaminating the yards or pens in which sick hogs are kept. The most dangerous factor in spreading hog cholera is therefore the sick hog, but any agency which: ight serve to carry a particle of dirt from infected yards may be the means of starting an outbreak of the disease.

Aside from the danger of introducing infection through the hogs themselves it must be remembered that the germ of the disease, which as already stated is infinitesimally small, may be transported in a minute particle of dirt on the feet of attendants or neighbors who have previously visited farms where hog cholera exists. It may also be carried in this way by dogs and by crows and other birds. It has been claimed, and considerable proof has been brought to show it, that the disease may be carried downstream from herds which are

affected above. It is therefore well to avoid placing hogs so that they will have access to streams which pass through other farms. As diseased hogs are frequently transported by rail, it is quite possible for infection to be introduced into a farm by litter dropped from cars in transit, especially if hogs on the farm have access to the tracks.

After hog cholera has visited a farm, the lots, hog houses, feeding troughs, and implements used for cleaning have naturally become contaminated with the germs of the disease, and if new stock is placed in such yards soon after these were occupied by sick hogs the new hogs are very likely to contract the disease, but if such yards are left unoccupied the germs will die out after a while. Unfortunately, it is not possible to tell with certainty just how long a time is required for these germs to die out, this uncertainty being due to the fact that conditions on different farms vary widely, and also because the weather conditions, which have an important influence upon the vitality of the hog-cholera germ, vary from time to time and in different sections of the country. In view of this uncertainty it is safest to wait as long as possible before placing new hogs in lots that have been infected. Such premises should not be restocked sooner than three months after the last hog has been removed. Before restocking, the premises should be cleaned and thoroughly disinfected in the manner described under the heading "General preventive measures."

APPEARANCE OF A HOG AFTER DEATH FROM HOG CHOLERA.

In regard to the examination of hog carcasses on the farm, it may be well to state that while hog cholera is not communicable to man there is always danger of the hog being infected with other diseases, such as tuberculosis and anthrax, which are highly dangerous to man, and for this reason care should be exercised in examining carcasses of sick hogs, so as to avoid a cut or scratch on the hands, which might serve as a point for the inoculation of disease.

SICKNESS CAUSED BY IMPROPER FEEDING.

Although hogs are frequently made sick by improper feeding, there is rarely any cause for mistaking such illness for hog cholera, the only trouble of this character which is likely to give rise to confusion being in the case of swill-fed hogs. Dr. V. A. Moore has reported a disease among swill-fed hogs which closely resembled hog cholera and which was directly traceable to the presence of powdered scaps in the slops. Some of these scaps contain a large amount of alkali, and when mixed with the garbage used for feeding hogs will bring about lesions in the internal organs which are very similar to those seen in hog cholera. In most cases it will probably not be difficult to distinguish such a disease from hog cholera, especially if the mode of feeding be considered. If the illness is due to the presence of alkali in the swill, a change of food should result in a prompt improvement in the condition of the animals. If this does not occur, then, of course, hog cholera or some other germ disease should be at once suspected.

Mr. KENYON. Mr. President, the Department of Agriculture took up the study of hog cholera in 1878 more in an experimental way than anything else, but that information is now obsolete in view of the discoveries of recent years. The department, however, has had a very small amount of money to use. In 1878 there was an appropriation of \$10,000 for investigating diseases of swine and also contagious diseases of domestic animals. This appropriation was renewed from year to year, and some scientists investigated the disease, but with little good result. Laboratories during the period from 1878 to 1885 were established in the department and the Bureau of Animal Industry was organized. The early work consisted, for the most austry was organized. The early work consisted, for the most part, in a study of the distribution, classification, and mode of transmission of swine diseases, supplemented by laboratory investigations looking to the cause of the disease. The result of these investigations led to the suggestion of quarantine and disinfection as a preventive. While these examinations and experiments were as to domestic animals in general, in the year 1885, after an exhaustive investigation, announcement was made by the department that one of the great causes of loss among swine was a contagious disease known as hog cholera, caused by a motile bacterium, which was named the hog-cholera bacillus. The Bureau of Animal Industry then commenced a long series of investigations, which had for their object the development of a method of treatment of hog cholera. These investigations were based on the theory that hog-cholera bacillus was the cause of the disease, therefore that microorganism was used for the production of vaccines and serums.

However, after much study it was found that this experiment was a failure, although at different times it was thought that cure for this disease had been discovered; but after exhaustive experiments where horses and other animals were inoculated with hog-cholera bacillus in order to secure a serum for the treatment of hogs with cholera it was discovered that the serum taken from these animals would not effect a cure, although for a time the department was very much encouraged, but after a field demonstration covering a period of some four years they came to the conclusion that the serum would not answer the purpose for which it was intended.

The failure of these tests to cure hog cholera, and the further fact that hogs recovering from this disease were always immune thereafter, led the bureau to believe that perhaps, after all, they did not fully understand the cause of the disease. that time they came to the conclusion that in all probability the hog cholera bacillus was not the only factor which caused this disease, so the department decided to make further experiments. In the year 1903 there was discovered a fatal disease of swine in the State of Iowa which could not apparently be

distinguished from hog cholera. This disease was caused by an invisible microorganism, which the experts of the department claimed existed in the blood and fluids of sick hogs. It was further discovered that this germ was so minute that it could not be found by the highest powers of the microscope to be had at that time.

When this disease was first discovered in the State of Iowa, upon careful investigation it was found that this invisible microorganism was identified with all outbreaks of hog cholera, and the department came to the conclusion that the failure of all their earlier attempts to secure an effective serum was due to the fact that they had failed to take this invisible microorganism into account. The department spent considerable time after the discovery of this disease in trying to arrive at the true cause of hog cholera, and the relationship of hog-cholera bacillus to hog cholera, as well as to the extent of this new disease found in the State of Iowa and its relation to hog cholera. The bureau carried on exhaustive investigations and considered the disease in all its phases. These experiments were considered of vast importance, and the conclusions, in brief, are as follows:

1. Hog cholera is caused by an invisible microorganism which exists in the blood and other body fluids of sick hogs.

2. The so-called "hog-cholera bacillus" is not the cause of hog cholera, and at the most is merely an accessory factor in the disease.

3. Hogs that recover from hog cholera are thereafter immune. Hogs that recover from artificial infection with the invisible virus are rendered immune against the natural disease, whereas infection with the hog-cholera bacillus does not confer immunity against hog cholera.

The bureau deemed the above investigation of the utmost importance, for it opened the way for the production of effi-cient methods for the treatment of the disease, and it had also shown where the department had failed in their earlier attempts to control the disease.

The investigations and experiments carried on by the bureau and the conclusions reached relative to the treatment of hog cholera have been confirmed by experts in this disease in foreign

countries where hog cholera exists.

During the year 1905 the bureau started experiments with the view of using the hogs themselves as a source of protective serum, and toward the close of the year it was demonstrated to the entire satisfaction of the bureau that hogs could be protected from hog cholera by the following method:

A hog which is immune against hog cholera, either naturally or as a result of an attack of the disease, is injected with large amounts of blood taken from a pig sick of hog cholera. This injection when properly performed does no material harm to the immune. Within a week or 10 days blood is drawn from the immune hog, and this blood after defiberation is used to protect susceptible pigs.

It was not possible to make many tests during the year 1905, but they were carried on during the year 1906 and proved to the entire satisfaction of the department that they had discovered a remedy that would prevent hog cholera. It was deemed important that this discovery should be protected by a United States patent, for the method had been discovered in the Government laboratories, and this would insure its use to all citizens of this country under certain restrictions laid down by the department. Therefore application was made and patent granted by the United States for the manufacture of this serum to the Government or to any of its citizens without the payment of any royalty thereon.

The following facts were brought out by these experiments:

The following facts were brought out by these experiments:

1. When hogs immune against hog cholera are injected with suitable amounts of blood taken from hogs sick of hog cholera the blood serum of the immune acquires the power to protect nonimmune hogs against an otherwise fatal exposure to the disease. This process of producing serum is known as "hyperimmunization."

2. The serum from hyperimmunization."

2. The serum from hyperimmunized hogs may be used to protect susceptible hogs in one of two ways: (a) The serum alone is injected. This confers an immunity lasting for three weeks to two months. (b) The serum is injected simultaneously with a minute amount of blood taken from a hog sick of hog cholera. This is known as the "simultaneous method," and it produces an immunity which lasts for many months, if not for life.

3. The serum is essentially a preventive. It does not cure hogs already visibly sick, but it may be used successfully as a cure if administered in the very early stages of the disease.

The Government confined their experiments to hogs kept at

The Government confined their experiments to hogs kept at different experimental stations up until the year 1907, at which time they concluded these experiments had reached such a satisfactory stage that it was deemed advisable to try field experiments; so they selected several hundred head of hogs on different farms throughout central Iowa for this test, and the following method was used in carrying on this work:

Class 1. Healthy herds treated for the purpose of protection against hog cholera which existed on near-by farms. In each herd a certain number of hogs were not treated, but left to serve as controls. In most of the herds in this class the disease did not appear in either the treated hogs or the controls. In a few of these herds, however, hog cholera appeared some weeks after vaccination among the controls, the average loss being 68 per cent of the untreated controls, while of the treated hogs in the same herd associating with the sick control animals none died

class 2. Herds which had been exposed to disease through the entrance of a sick hog from a neighboring diseased herd, but at the time

of treatment were apparently well. In these exposed herds 4 per cent of the treated hogs died, while more than 89 per cent of the untreated control animals succumbed.

Class 3, Herds in which hog cholera existed at the time of treatment. In these herds the effort was made to treat only those herds where disease had not progressed very far, as past experience had shown that the serum was essentially a protective agent rather than a cure. As a general rule, this third class of herds contained comparatively few visibly sick hogs, but yet a sufficient number to show clearly that hog cholera was present, this being confirmed by post-mortem examination in each case. In these sick herds 13 per cent of those that received the serum were lost, whereas of the untreated control animals 75 per cent died. The success of these practical tests, following the uniformly good results obtained in the previous experimental work, was sufficient to show that in this new serum the department possessed a substance which could be utilized to reduce, if not ultimately to entirely eliminate, losses from hog cholera.

After these experiments had been carried on for some time.

After these experiments had been carried on for some time, the department sent a notice of the same to the different States, and requested that they send a representative to investigate the work being carried on in the State of Iowa, and also that they might become acquainted with the methods used in the manufacture and application of the serum. Some twenty-odd States took advantage of this invitation and sent representatives to investigate the work being carried on. This was during the year 1908. Since then the department has continued its experiments relative to reducing the cost of this serum, and now have succeeded in producing an effective serum that can be had for a cost of from 15 to 40 cents per treatment of each hog.

I desire to insert here, as a part of my remarks, a statement of the Bureau of Animal Industry as to the methods of produc-

ing hog-cholera serum.

The PRESIDING OFFICER. If there is no objection, it will be so ordered.

The matter referred to is as follows:

The matter referred to is as follows:

A vigorous immune hog—that is, one which has recovered from an attack of hog cholera or one which has been exposed to the disease without contracting it—is treated with a large quantity of blood from a hog sick of hog cholera. After a week or two blood is drawn from the immune by cutting off the end of the tail. After standing, the blood clot is removed and the serum or fluid portion of the blood is mixed with a weak solution of carbolic acid and filled into sterilized bottles. We have in this fluid portion of the immune's blood the serum which will protect hogs from hog cholera. This serum is used in either one of two ways, namely, (1) the serum inoculation and (2) the simultaneous inoculation.

These two methods of treatment are carried out as follows:

Serum inoculation.—The hogs which are to be protected are injected on the inside of the hind leg with a suitable dose of the serum alone. This injection will serve to protect hogs from hog cholera for several weeks, and in some cases for a longer time. But if the hog is not exposed to hog cholera within a few weeks after this treatment, the immunity which is conferred by the serum will gradually lessen in degree and the hog may again become susceptible. If, however, the hog is exposed to hog cholera within a short time after the injection of the serum, the immunity becomes, so far as experiments have shown, of permanent and lifelong duration.

Simultaneous inoculation.—In this form of vaccination the same serum is used as is employed when the serum alone is used, but in addition to the serum there is injected on the opposite side of the body, in the same manner as the serum, a very small amount of blood taken from a hog sick of the cholera. This simultaneous injection of serum and virulent blood confers upon the injected pig a permanent and lasting immunity, and is therefore to be recommended in cases of well herds which may not be exposed for some months after the treatment.

Mr. KENYON. The department has been handicapp

Mr. KENYON. The department has been handicapped in its work in the past years for the want of proper funds to carry on this work. Congress, however, last year made an appropriation of \$75,000 for the continuation of this work, but it was not sufficient, and the funds were exhausted early in the fall, so far as Iowa was concerned. I realize the fact that the department was handicapped for the want of sufficient serum to carry on the work, and for the further reason, as has been suggested by the Senator from Ohio, that the appropriation was not available until the first day of July, 1913. At this time the bureau is in a position, if it can secure a liberal appropriation, to fight this plague, and to successfully combat the disease, but it will be necessary to have a good portion of this money made available for immediate use, in order that the bureau may become properly organized.

I ask permission to insert as a part of my remarks a letter from President Pearson, of our State Agricultural College, emphasizing the fact that a dollar early in the year is better than three or four dollars later in the summer, when the disease of hog cholera is in full force.

The PRESIDING OFFICER. If there is no objection, the letter may be inserted in the RECORD.

The letter referred to will be found in the appendix to Mr. KENYON'S remarks.

Mr. KENYON. The bureau carried on experiments in the following States during the year 1913 and is continuing the same at this time, namely, in Nebraska, Indiana, Missouri, and Iowa. The department has no full reports available relative to the work carried on in the counties of the States named, such as Dallas County, Iowa, Pettis County, Mo., and Montgomery County, Ind., and at present is unable to give a very definite statement. The department, however, is able to ascertain at

this time that the losses from hog cholera in these counties have been distinctly less than in either of the two years immediately

That brings up the question which the Senator from California [Mr. Works] suggested, that with this effective serum, as it has been termed by him, the losses have continually increased. Even if the serum were perfectly effective, it might not be strange that the losses should have increased, because it has been absolutely impossible in Ohio or in Iowa or in other States to manufacture this serum in sufficient quantities to meet the demand. I was at the Iowa Agricultural College some two months ago, and at that time they told me that they were 13 weeks behind, and I think in the State of Ohio they are about a thousand orders behind all the time; so that they can only treat certain numbers; and the disease is increasing simply because of the lack of the serum, granting that the serum is the best treatment and that it can do the work.

Mr. JONES. Mr. President-

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Washington?

Mr. KENYON. I do.

Mr. JONES. Has the Senator any information as to what it would cost to install a plant by which the United States Government could furnish sufficient serum to take care of the situation throughout the country?

Mr. KENYON. No; I have not. I assume that it would cost a great deal of money. I am not advocating that; but I do

Mr. STERLING. Mr. President—
The PRESIDING OFFICER. Does the Senator from Iowa

yield to the Senator from South Dakota?

Mr. KENYON. In just a moment. I do feel, however, that those engaged in the commercial business of manufacturing and shipping serum should be under governmental inspection.

Mr. JONES. It seems to me that that is certainly true, or else the Government should produce the serum and itself send

it out, or the States.

Mr. KENYON. I think the States can produce serum under cooperation with the Government.

Mr. STERLING. Mr. President, will the Senator allow me to

ask him a question?

The PRESIDING OFFICER. Does the Senator from Iowa vield to the Senator from South Dakota?

Mr. KENYON. I do.
Mr. STERLING. The Senator may have already made the statement, but if so, I did not hear it, as to how long this serum treatment has been going on. For what length of time has there been such treatment?

Mr. KENYON. Dr. Dorset's patent was granted, I think, some five or six years ago. I can not be absolutely accurate as to that; but I would give it as my estimate that it has

been in use for some five or six years, though not in anywise to the extent that it has been used in the last two or three The general use of this serum, I think, has been con-

years. fined, say, to the last three years.

Mr. STERLING. Ought not this serum treatment for that length of time to have demonstrated whether or not it is a suc-

cessful method of treatment?

Mr. KENYON. Well, as was suggested by the Senator from Ohio, there are still people who do not believe in vaccination for smallpox. There are those who are not yet satisfied as to its efficacy. The reports I have from the Iowa Agricultural College show that the treatment has been successful; but, on the other hand, the letters which I have from Dr. Lowry, of Ottumwa, Iowa, and others are to the effect that most of the hog-cholera cases are due to the serum.

Mr. CUMMINS. Mr. President-

The PRESIDING OFFICER. Does the Senator from Iowa yield to his colleague?

Mr. KENYON. I do. Mr. CUMMINS. I think, if my colleague would describe, in a general way, how the serum is produced, Senators would have a better idea of the difficulties which attend its manufacture and the expense incident to it. It is not easy to establish a plant for the production of this medicine, nor is it inexpensive to operate one.

Mr. KENYON. I am very glad my colleague has made that suggestion. I have been hurrying along, because I did not feel there was, on the part of the Senate, much interest in the subject.

Mr. SMITH of South Carolina. Mr. President—
The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. KENYON. I do.

Mr. SMITH of South Carolina. The question as to the efficacy of this treatment was raised a moment ago, when the Senator from South Dakota [Mr. STERLING] asked whether this treatment had proved a success. Some time ago I happened to be present at an interstate meeting which was attended by the former Secretary of Agriculture, Mr. Wilson, when that very question was asked. He replied that where the serum used was prepared according to the formula recommended by the Department of Agriculture, and used as recommended by the department, it had proved a uniform success.

Mr. KENYON. I think very few instances can be found where it has not been a success where that kind of serum has

been used

Mr. SMITH of South Carolina. I thought force might be added to the argument made by the Senator who now has the floor by calling attention to that statement, coming, as it does, from perhaps the highest possible authority, because probably more of this serum has been used under his supervision than under the supervision of any other man. Secretary Wilson made that unqualified statement.

Mr. KENYON. I think that is true; and he was really a

practical farmer.

In reply to the suggestion of my colleague [Mr. Cummins]and that may answer other suggestions as to why this serum has not worked out better—I will say that the difficulties he suggests are true. The manufacture of hog-cholera serum is a very difficult and a very expensive proposition. In the first place, there must be an immune hog—I know this does not appeal to my friend from California, but I am going to go through with it anyhow; that is, a hog that has been through hog cholera or that has been vaccinated and is immune. They take a cholera-infected hog and inject into the immune hog, by a very interesting process, through a vein in the ear, the blood of the cholera-infected hog, sometimes to the amount of a quart. Then the immune hog, with the cholera-infected blood within him, is kept for ten days or two weeks. Then commences the process of cutting off portions of his tail—which he never seems to enjoy-and the blood drops down into a sterilized bottle. That is the serum.

Mr. WORKS. I have not, I will say to the Senator, very much favored the serum treatment for man or beast.

Mr. KEALL in my statement. WORKS. Mr. President-Mr. KENYON. Then I was not so very much out of the way

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from California?

Mr. KENYON. I do.

The Senator from Iowa seems to intimate that Mr. WORKS. I am an unbeliever and not subject to conviction. That is a I am very much interested in what the Senator from Iowa is saying. I think this is a very interesting question and a important one, and I am looking for light on the subject.

Mr. KENYON. I did not mean in any way to insinuate that the Senator was not looking for light, but I felt confident that he did not believe in the serum treatment, as a great many

other people do not.

Mr. WARREN. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. KENYON. I do.

Mr. WARREN. As I understand, this serum is used largely as a preventive?

Mr. KENYON. Yes

Mr. WARREN. To prevent the disease rather than to cure it?

Mr. KENYON. Yes

Mr. WARREN. Perhaps the Senator will give us further in-

formation on that point.

Mr. KENYON. I have some figures on that. After the hog is sick, if he is only slightly sick, the serum is sometimes used, but after the disease has obtained a virulent form it is not used alone, but the virus is used, viz, the double or simultaneous treatment.

Mr. CLARK of Wyoming. Mr. President-

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. KENYON. I do. He has rather a quizzical look on his face, and I think I will yield.

Mr. CLARK of Wyoming. My question is called forth by the to me unknown method of extracting or procuring hog-cholera serum. I can imagine that a large part of the expense attendant upon the operation would be the purchase of the hogs from which this serum could be obtained.

Mr. KENYON, Yes. Mr. CLARK of Wyoming. How much of the serum can be obtained from one hog? I suppose it quits when the tail is exhausted?

Mr. KENYON. It depends upon the size.

Mr. CLARK of Wyoming. It depends upon the size of the tail, does it not?

Mr. KENYON. Oh, no; there is more to this than a mere It is a very interesting tale, of course. [Laughter.]

Mr. CUMMINS. Mr. President-

The PRESIDING OFFICER. Does the Senator from Iowa yield to his colleague?

Mr. KENYON. I do.

Mr. CUMMINS. I wish my colleague would give the Senate some idea of the number of hogs that our own agricultural college has been compelled to secure in order to make this serum. Mr. KENYON. I can not do it accurately. Can the Senator

do so?

Mr. CUMMINS. The number is very large, is it not? Mr. KENYON. Oh, yes; it is a very large number.

Mr. CUMMINS. I have not the number precisely in my mind, but it is a very large number, and the matter is attended with a great deal of expense.

Mr. KENYON. I would not attempt to say how many there

were, but I know there were a great many.

Some who have used the serum treatment are so confident about it that they are selling hogs with a guaranty against cholera. I have seen a number of advertisements of that kind.

I desire now to give some of the practical results of this treatment. I had not intended to do it, but if it will excite a

little interest, I am glad to do so.

The Government experimented in Pettis County, Mo., Montgomery County, Ill., and Dallas County, Iowa. They experimented on the healthy hogs with the two treatments, the serum alone and the double or simultaneous treatment, which is different from the serum treatment only in that the actual blood of the diseased hog is also injected into the hog under treatment as well as the serum. That is a very dangerous thing, of course, and can be done only by experts. Their figures were as follows:

In Pettis County, Mo., the number of healthy hogs experimented on with serum alone was 3,825. Of those 6 died, probably the natural result. In Montgomery County 943 were experimented on, of which 33 died. In Dalias County none were experimented on. The average loss was eight-tenths of 1 per cent. With the double treatment, in Pettis County they experimented on 500, and there were no losses; in Montgomery County, 3.711, with 36 losses; in Dallas County, 2,760, with no losses. Out of a total of 6,971 there were 36 losses, or five-tenths of 1 per cent.

As to diseased herds, they experimented with serum alone in Pettis County on 3.801 hogs, of which 597 died. That was even after the hogs were diseased, but not, I take it, to a very extended degree. In Montgomery County they experimented on 2,797, of which 610 died. In Dallas County they experimented on 4,959, of which 1,693 died. Out of 11,557 diseased hogs 2.910 died with the serum treatment alone, and with the deuble treatment, out of 7.026 hogs experimented on at the Missouri. Indiana, and Iowa stations, there were 204 lost—less than 2.8 per cent.

Dr. Charles H. Stange, in charge of the State Biological Laboratory at Ames. Iowa, sent me a statement as to their treatment, showing, first, the number treated with serum alone, the well and the sick, and then the number given the simul-

taneous treatment.

The total number of hogs treated in healthy herds was 1,887: the total number of hogs lost was 44. The total number of hogs treated in diseased herds was 3,680; the total number of hogs lost was 758, of which 986 were sick when they were treated, or a loss of 161 per cent, while the general run of loss in herds where hog cholera entered has been from 60 to 85 per cent. So the practical result of this treatment in our part of the country has been to reduce the loss from 60 to 85 per cent down to 161 per cent, even where the hogs were sick when treated, and to 25 per cent where the hogs were treated before becoming sick.

I desire permission to insert in the RECORD at this point the returns of the experiments at Ames, and also the returns of the experiments by the Government in Ohio, Indiana, Missouri,

The PRESIDING OFFICER. If there is no objection, permission is granted.

The matter referred to is as follows:

Healthy hogs. [Government experiments.] (1) SERUM ALONE,

	Hogs.	Died.
Pettis County Montgomery County Dallas County	3,825 943	6 33
Total	4,768	39

Per cent loss, 0.8.

Healthy hogs-Continued. (1) SIMULTANEOUS.

	Hogs.	Died.
Pettis County Montgomery County Dallas County	500 3,711 2,760	36
Total	6,971	36

Per cent loss, 0.5.

Diseased herds.

Pettis County	3,801 2,797	597
Montgomery County	2,797 4,959	610 1,693
Total	11,557	2,91)

Per cent loss, 25.

(2) SIMULTANEOUS.

Pettis County		41 16)
Total	7,026	204

Per cent loss, 2.8.

[Experiments made at Ames, Iowa.]

	Healthy herd.		Sick herd.			
Treatment.	Number treated.	Number died.	Number treated.	Number died.	Number sick,	
Serum alone	28	0	80	67	60	
Do	25	0	110	15	12	
Do	36	1	106	60	60	
Do	12	ô	32	8	4	
Do			6	6	4	
Do			18	0	18	
Do		0000000000	35	17	3	
Do			53	30	10	
Do			133	0	1	
Do			46	30	44	
Do			97	50	15	
Po			150	75	30	
Do			108	15	16	
Do			63	7	33	
Do			73	25	73	
Do			93	43	87	
Do	********	********	61	6	50	
Do		**********	50	0	- 00	
			120	18	20	
Do		********	340	20	105	
Do			154	40		
Do		********	104	40	30	
Total	101	1	1,928	532	681	

Stant Roma	Health	y herd.	D	Number		
Treatment.	Number treated.	Number died.	Number treated.	Number died.	Number sick.	died before treating,
Serum simultaneous	177. 60. 100 1 52. 166. 199 148. 118. 122. 43 43 46. 40 40 40 23 244 55. 101. 145. 568 15. 68. 15. 88 13. 57.	4 4 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	555 775 444 733 855 1444 200 822 100 112 116 40 110 60 54 110 124 78 52 45 52 45 15 150 8	14 40 0 1 2 1 3 5 0 26 0 0 2 4 4 5 5 5 5 0 17 8 2 4 0 0 0 0 0 1 0 0 0 0 0 0 0 0 0 0 0 0 0	144 33100 1013339910055 520040 22335533666 1221004415510000000000000000000000000000	6 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
Total Total serum alone	1,786 101	43 1	1,752 1,928	236 532	305 681	51
Grand total	1,887	44	3,680	758	983	51

Total number of hogs treated, healthy herds, 1,887
Total number of hogs lost, healthy herds, 44: 2\frac{1}{2}\frac{1}{2}\text{ per cent lost after treatment.}
Total number of hogs lost in diseased herds, 3,889.
Total number of hogs lost in diseased herds, 788: 16\frac{1}{2}\text{ per cent lost after treatment.}
Total number of hogs sick when treatment was applied, 936.

Mr. KENYON. At this time there are 20 or 30 States engaged in the distribution of hog-cholera serum to farmers, and their reports are not available. I have shown on this map the different States and the amounts they have expended in serum plants. I wish to insert in the RECORD, without reading, a list of the States having serum laboratories and a list of the States which purchase serum for distribution but do not manufacture it.

The PRESIDING OFFICER. If there is no objection, it will be so ordered.

The matter referred to is as follows:

States.	Money invested in serum laboratory.	Sum suggested by local officials as amount that could be spent with profit.
California	\$16,000 2,000	\$20,000 50,000
Minnesota	5,000	
Kansas	5,000 48,000	1,000,000
IowaMissouri	5,000	350,000
Arkansas	1,000	
Illinois	30,000	
Michigan	2,000	10,000
Indiana	25,000 100,000	100,000 200,000
Ohio	3,000	200,000
Pennsylvania	15,000	
Tennessee	10,000	100,000
Alabama	2,000	
Georgia	6,000	25,000
South Carolina	1,000	100,000
Florida	15,000	25,000
Louisiana	2,000	10,000
Montana		15,000
Oregon		10,000
New York		25,000
Delaware		15,000

The following States have small investments for the manufacture or distribution of hog-cholera serum: Delaware, a very small sum from funds of live stock sanitary board, amount not known; Maryland, \$5,000; Mississippi, \$5,000; New York, no definite amount, meager fund available from college appropriation; North Carolina, \$1,500; North Dakota, \$3,000; Oklahoma, \$3,750; Wisconsin, initial appropriation, \$600; South Dakota, amount not known.

The following States do not manufacture, but purchase serum for distribution Maine, amount not known; Vermont, no definite amount; Virginia, \$3,000 to begin, subsequent fund derived from sale of serum.

Mr. KENYON. The Bureau of Animal Industry has recently been advised that the State of Missouri has increased her appropriation for the manufacture of hog-cholera serum to \$50,000 and that the State of Idaho has appropriated the sum of \$5,000 for the manufacture of serum in that State.

The figures given as to the investments in the various States show that they are awake to the conditions and are doing what they can to thwart this disease. It is probable that the various States can manufacture the serum necessary.

If the States can take care of the manufacture of the serum. and the Federal Government can cooperate in sending out men to instruct in the use of the serum, to instruct as to sanitary conditions, quarantine, and the general treatment of hog cholera, and if the regulations in relation to the manufacture and shipment of serum are enforced, it would seem that this cooperation of the State and Federal Governments can blot out the

I have suggested before that the question is frequently propounded, whether the serum treatment is good for anything. I have had letters from farmers stating that their herds had been lost through the use of "fake" serums, and I know of such cases. I submit some letters showing the use of the serum in various States and the good results coming therefrom; also letters showing the bad results therefrom.

Mr. WORKS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from California?

Mr. KENYON. I do.

Mr. WORKS. Is this serum included? Mr. KENYON. What serum does the Senator mean? Mr. WORKS. I refer to the serum that has been spoken of here as recommended by the Agriculture Department as being

Mr. KENYON. No.

Mr. WORKS. I wondered whether or not that was included.
Mr. KENYON. No; that is not included. This serum is
manufactured in different places and is shipped in interstate
commerce. The bad and "fake" serum treatment is, of course,

the wrong thing, and the farmer must be certain that the treatment is right before he uses it. I feel that this should be covered in some way by Government inspection. It is, of course, fatal to inoculate a herd with bad serum. You might as well vaccinate a human being with bad virus.

I ask permission to insert at this point some letters from farmers and veterinary surgeons against the serum treatment, as it is only my purpose to present all sides of this question, and the discussion raging around the serum treatment is indicative of the necessity of further experiments and more work. I also wish to insert some newspaper clippings on the subject.

The PRESIDING OFFICER. If there is no objection, the

request will be granted.

Mr. KENYON. Upon reflection, I will ask later to have these inserted.

The following extract is from a letter written by the professor of veterinary science at the Kansas Agricultural College, who is in charge of hog-cholera serum production in the State of Kansas:

I estimate that the average dose has been in the neighborhood of 30 cubic centimeters per hog, which gives as a result approximately 275,000 head of hogs vaccinated by the simultaneous method and 275,000 vaccinated with the serum alone. I estimate that, under the conditions and the general infection of this State, a conservative estimate of the number of hogs saved through the vaccination would be at least half the number vaccinated, or 275,000. This is certainly a conservative estimate.

That would be a saving to Kansas of over \$2,000,000. The State veterinarian of Ohio writes as follows:

The State Veterinarian of Onio Writes as follows:

It is my opinion that at least 50 per cent of the animals in infected herds were saved by the serum, and I believe, further, that this is a very low estimate. Taking this as a basis, then, we have the following: Of the total number of swine treated to date (313,000) 72 per cent, or 225,360 swine, were in infected herds. It is reasonable to assume that at least two-thirds of these would have died from the effects of disease had they not been treated with serum. In other words, there would have been a loss of 150,240 swine, with an average value of at least \$10, or \$1,502,400. This does not take into account the healthy herds which were treated, nor does it take into account the extra value of the large per cent of pure-bred or registered herds.

The following is an extract from the report of the agricultural experiment station of the Agricultural College of California:

A conservative estimate of the number of hogs saved by the antihogcholera serum is 30,000 head. The cost of the serum to farmers, in
addition to that distributed free as provided by law, has been about
\$33,000. Estimating the average value of a hog in California at \$9.20,
the protection provided these 30,000 hogs has meant a saving to the
ranchers of at least \$240,000. This does not include the profits resulting from the breeding and profitable feeding of the hogs saved.

If in all cases the serum had been used as the station recommends—
that is, before the disease has gained entrance to the herds—then 99
per cent of all hogs owned by these farmers would probably have lived,
instead of only 50 per cent of the untreated hogs and 91.3 per cent
of the treated; that is, about \$350,000 would have been saved in addition to the \$240,000 mentioned above.

As a representative from a great agricultural State—the

As a representative from a great agricultural State-the greatest in the Union-I have been anxious not to raise hypercritical objections relative to various kinds of treatments, but rather to help provide the Agricultural Department with a large enough appropriation for them to carry on their experiments with relation to treatment of this disease that is dissipating the herds of hogs of the farmers of my State. I am doing so without advocating any particular kind of treatment. but merely desirous to have Congress furnish the sinews of war for a fight against this element in the high cost of living. The Bureau of Animal Industry, with a large appropriation, can extend the operations now being carried on in Dallas County, Iowa, Pettis County, Mo., and Montgomery County, Ind., as well as their experiments in Nebraska, to other counties in these States, and can also carry the work to other States in the Union where this disease is creating such havoc among swine. Further, the Bureau of Animal Industry and the agents sent out can cooperate with the State agricultural colleges of the different States and with the county agricultural agents located throughout the country. These agents are under the control of the department, and in direct touch with them. In the experiments in Dallas County, in our State, they were hampered for lack of funds.

I received a letter last year from a member of the legislature of our State, living in Dallas County, who is greatly interested in this proposition, pleading that I secure more money for their experiments. They were then in the midst of their experiments. I took up the matter with the Secretary of Agriculture, and in reply he wrote as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., October 31, 1913.

Hon. W. S. KENYON, United States Scnate.

DEAR SENATOR KENYON: Replying to your letter of October 27, 1913, regarding the hog choiera demonstration work being carried out in Dallas County, Iowa, it is not possible to set aside additional funds

for use in Dallas County during the present fiscal year. The department has already expended for the work in Dallas County a very considerable proportion of the fund appropriated by the last Congress for hog cholera demonstration work. We can not allot additional funds for the lowa experiment without detriment to the work in other States. With the enset of cold weather I believe that hog cholera will be much less prevalent and additional funds at this season of the year would be of little avail. It may be that if Congress decides to continue this work during the next fiscal year the department will need some additional funds to be available in the spring of 1914, as it is essential for success to begin the eradication work early in the year.

Very sincerely,

D. F. Houston, Secretary.

D. F. HOUSTON, Secretary.

As has been said by the distinguished Senator from Ohio, this money is needed soon, as it is essential for success to begin the eradication work early in the year. The experiments in Dallas County could not be carried out as was desired, and as should have been done in order to attain the best results, because of the lack of a few thousand dollars.

I desire to place in the RECORD some suggestions from the Department of Agriculture as to treatment of hog cholera.

The PRESIDING OFFICER. If there is no objection, leave

The matter referred to is as follows:

Prevention and treatment of hog cholera. GENERAL PREVENTIVE MEASURES.

All that is necessary to prevent hog cholera.

GENERAL PREVENTIVE MEASURES.

All that is necessary to prevent hog cholera is to keep the germ of the disease away from the herd. It has been shown that in the vast majority of cases this germ is transported mechanically, in the bodies of sick hogs and on the feet of men or animals, including birds. It thus follows that the chances of an outbreak of hog cholera will be greatly lessened, if not completely avoided, if a herd is protected from these carriers of the infection. The enforcement of a complete quarantine is, however, not practicable under average farm conditions, and the best that can be hoped for is the lessening of the opportunity for infection by placing the herd on a part of the farm that will be the least accessible to men or animals from other farms. Hog lots should never be located near public roads if this can be avoided. All newly purchased stock should be kept separate from the main herd for at least 30 days.

In addition to protecting the herd by methods of quarantine, careful attention should be given to the general health of the herd. The hogs should be provided with clean, dry sleeping places and the lots and feeding troughs should be kept clean. It is well occasionally to scatter slaked lime about the lots and to wash and disinfect the troughs. Probably the best disinfectant for this purpose is the compound solution of cresol (U. S. P.), which can be prepared at any drug store. One part of this should be mixed with 30 parts of water and the troughs with water.

After an outbreak of hog cholera the yards and pens should be thoroughly cleaned, all dead hogs should be burned or burled deep with quicklime, the litter should be collected and burned, and lime scattered freely over the ground. The sheds and hog houses should be washed thoroughly with the solution of cresol, as above described, before new stock is brought on the place. Feeding troughs that have been used by sick pigs should be burned if made of wood, but if this is not practicable t

	Pounds
Wood charcoal	
Sulphur	
Sodium chlorid	
Sodium bicarbonate	
Sodium hyposulphite	
Sodium sulphateAntimony)	

PREVENTION BY INOCULATION.

Careful and persistent attention to general preventive measures, such as quarantine, disinfection, proper feeding, etc., on the part of farmers generally would no doubt result in a material reduction in the yearly losses from hog cholera, and the importance of observing these precautions can not be overestimated. However, as it is regarded as impracticable to enforce a general and completely effective quarantine, the Bureau of Animal Industry has endeavored for a number of years to find a medicine or serum which could be used for preventing hog cholera or for curing hogs sick of that disease. It is a well-known fact that hogs which have recovered from hog cholera are thereafter immune against that disease. The experiments of the Bureau of Animal Industry resulted in the discovery that when such immunes are injected with blood from a sick hog the immune is not made sick, but as a result of this injection its blood acquires the power to protect other hogs from hog cholera. The details of the early experiments which served to establish this fact are given in Bureau of Animal Industry Bulletin 102, which can be obtained only from Superintendent of Documents.

Government Printing Office, Washington, D. C.; price, 15 cents. Since that bulletin was issued a great deal of additional work has been carried out, and it has been established beyond question that the early observations were correct and that it is entirely possible to protect hogs if they are treated with serum from a properly treated immune

hogs if they are treated with serum from a properly treated infimulae hog.

The method of producing this serum is briefly as follows:

A vigorous immune hog—that is, one which has recovered from an attack of hog cholera or one which has been exposed to the disease without contracting it—is treated with a large quantity of blood from a hog sick of hog cholera. After a week or two blood is drawn from the immune by cutting off the end of the tail. After standing, the blood clot is removed and the serum or fluid portion of the blood is mixed with a weak solution of carbolic acid and filled into sterilized bottles. We have in this fluid portion of the immune's blood the serum which will protect hogs from hog cholera. This serum is used in either one of two ways, namely, (1) the serum inoculation, and (2) the simultaneous inoculation. These two methods of treatment are carried out as follows:

The hogs which are to be protected are injected on the inside of the hind leg with a suitable dose of the serum alone. This injection will serve to protect hogs from hog cholera for several weeks and, in some cases, for a longer time. But if the hog is not exposed to hog cholera within a few weeks after this treatment, the immunity which is conferred by the serum will gradually lessen in degree and the hog may again become susceptible. If, however, the hog is exposed to hog cholera within a short time after the injection of the serum, the immunity becomes, so far as experiments have shown, of permanent and lifelong duration.

From what has been said it will be seen that the injection of the serum alone is especially to be recommended in cases where there is immediate danger of exposure, especially when valuable hogs are carried to fairs and in herds where the disease has already broken out but has not progressed very far. In herds of this character all of the well animals may be treated, and even in the case of slightly sick animals much good may be accomplished by the serum injection.

SIMULTANEOUS INOCULATION.

In this form of vaccination the same serum is used as is employed when the serum alone is used, but in addition to the serum there is injected on the opposite side of the body, in the same manner as the serum, a very small amount of blood taken from a hog sick of hog cholera. This simultaneous injection of serum and virulent blood confers upon the injected pig a permanent and lasting immunity, and is therefore to be recommended in cases of well herds which may not be exposed for some months after the treatment.

SAFETY OF THE METHODS.

Properly prepared serum when used alone, without the employment of blood from a sick hog, is entirely harmless and incapable of giving rise to an attack of hog cholera. Nor does this injection interfere in any way with the growth of the treated hogs.

The simultaneous inoculation, involving as it does the use of a disease-producing virus, requires much mone care when employed than does the serum-alone inoculation, for, if through careless preparation or from any other cause the serum should be weaker than is required, injury to the vaccinated hog might result. This danger, which is extremely slight when carefully tested serum is used, is met with in practically all processes which are now employed for producing a permanent and lasting protection against infectious diseases, and although it would be very desirable to eliminate even this slight element of danger, we can hardly expect to do this without at the same time sacrificing to some extent the high degree of immunity and the prolonged protection which follows the simultaneous method in its present form.

Practically, in deciding which method to use one must be governed largely by the length of immunity which is required. If this is meded for only a few weeks, or if the treatment can be reseated at short intervals, as in the case of exceptionally valuable pure-bred hogs, where the increased cost would not be objected to, the serum alone may be used. In other cases the simultaneous method is recommended. In either process of vaccination it is considered highly desirable for the treatment to be applied by competent veterinarians who have had special training in this class of work, and only such skilled men should employ the simultaneous process. After treatment by the simultaneous method to be herd should be immediately re-treated with the serum alone. When properly performed, the simultaneous inoculation does not seem to injure the hog or to interfere with its growth in any way, and if the precautions indicated above are taken it is regarded as safe enough fo

PRACTICAL TESTS OF BOTH METHODS.

PRACTICAL TESTS OF BOTH METHODS.

As before stated, the serum has been tested by the Bureau of Animal Industry in an extended manner on farms under practical conditions, both the serum inoculation and the simultaneous inoculation being employed at different times. In these practical experiments a number of hogs were generally left untreated, so that we might be sure that the herd actually had hog cholera and also be able to determine better the action of the serum. In these tests approximately 2,000 hogs, located on 47 separate farms, were treated. Some of the herds treated were apparently perfectly well at the time, but were in a neighborhood where hog cholera was prevalent. In other cases the disease was just beginning, as indicated by the sickness of one or two animals. In others the disease had progressed to a considerable extent, a number of the animals in the herd being sick at the time of treatment; and in still another class of herds the hogs had been exposed to disease by contact with sick animals, but had not developed symptoms of illness at the time of treatment. The tests were carried out under farm conditions, and aside from the serum injections no attempt was made to save the treated hogs. Upon summarizing the results at the end of the season it was found that more than 85 per cent of the treated hogs had been saved in herds that were sick at the time of treatment, while of the hogs left untreated in the same herds only 25 per cent survived; more than 95 per cent of the treated animals were saved in the herds which had been exposed at the time of treatment, while of the hogs in the same herds only 11 per cent survived; of the treated hogs in the lease herds only 15 per cent of the untreated hogs in the same herds only 15 per cent of the untreated hogs in the same herds only 15 per cent of the untreated hogs in the same herds only 15 per cent survived; of the treated hogs in the same herds only 15 per cent of the untreated hogs in the same herds only 15 per cent of the untreated hogs in the same he

While in practice the serum may not always give as good results as these, there can be no doubt that if used properly and in the early period of an outbreak of hog cholera it will effect a very large saving.

CONCLUSION.

these, there can be no doubt that if used properly and in the early period of an outbreak of hog cholera it will effect a very large saving.

CONCLUSION.

Since these results were obtained the department has brought this method of preventing hog cholera to the attention of the various State experiment stations and live-stock sanitary boards throughout the country and has proposed to them that they take up this work and prepare a serum for the benefit of hog raisers, as the preparation of serum by the Federal Government on a large enough scale to supply the needs of the entire country seemed to be impracticable. As a result of this, a number of the States have taken up the work, and in practically all cases where a thorough test has been made they have confirmed the results obtained by the department with this method. We therefore feel cafe in saying that this process will prevent log cholera, provided due care is given to the preparation of the serum and to its application.

The serum preparation is of such a nature that it should not be undertaken by farmers themselves, but should be under the control of trained men who have had experience in bacteriology and who are also thoroughly familiar with the diseases which affect hogs. For these reasons no attempt he-been made in this paper to describe the details of the serum production.

At the present time it is impossible to state definitely just what the cost of this serum should be. This will undoubtedly vary in different localities, depending upon local conditions, such as the price of hogs, the cost of feed, and similar minor considerations; but it has been estimated, and this estimate has been confirmed by at least one of the States now conducting this work, that the serum production this estimate will be materially reduced.

Finally, it should be remembered that this serum is to be used especially as a preventive, and that little success can be expected in herds which are badly affected with hog cholera. An early application is essential, and in the States w

Mr. KENYON. The Senator from Ohio [Mr. Pomerene], as he has said, has introduced a bill to appropriate \$500,000 for this work. I introduced a bill, very early in the session, to appropriate \$750,000 for it. Possibly \$500,000 is as much as could be expected from Congress in these times of economy. We have introduced these bills now, without waiting for the Agricultural appropriation bill, because of the very thing the Senator from Ohio has so well suggested and I have so feebly suggested-that a dollar expended in the spring will be more effective than three or four dollars expended in July, and whatever is done should be done speedily.

It would seem rather a "penny

penny-wise and pound-foolish" policy to refuse this appropriation on the ground that we must economize, and consequently permit the agricultural interests of the country to suffer. As the distinguished Senator from Ohio has suggested, we long ago reached the point in this country where the people regarded anything that detrimentally affected the agricultural interests of the country as affecting the entire people. We must be a great agricultural people or we shall not be a great people at all.

I have suggested before—and I know it is a somewhat delicate subject—that the money spent in sending out garden seeds for the last four years would have been sufficient to eradicate hog cholera in this country. It would seem more important to get rid of this scourge than it is to send out a few seeds that never were known to grow, anyhow, and are, in fact, merely political seeds, designed to reap a harvest of votes. I am glad the present Secretary of Agriculture has recommended practically the

abolition of the free-seed practice.

Mr. JONES. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Washington?

Mr. KENYON. Certainly. Mr. JONES. I will suggest to the Senator that the present Secretary of Agriculture is not the first Secretary of Agriculture who has actually recommended it.

Mr. KENYON. The other Secretaries did not seem to have so much power as the present one; but now, if it shall be made a party matter, to be determined in caucus, I suppose we may get rid of the practice.

I shall be very much surprised if the present Mr. JONES. Secretary has the power the Senator thinks he has in another body that we do not dare mention here. I do not think there will be any difficulty in this body, so far as that is concerned.

Mr. KENYON. To the credit of this body be it said that they voted to strike the appropriation out of the last appropriation

Mr. JONES. Yes; and I think we were given some assurance here, were we not, when the bill was brought in in conference, that the matter was to be taken up rather so iously at this ses sion? That is my recollection. At all events, I hope that will be done

Mr. KENYON. As seriously as any free-seed matter can be taken up.

If we must practice economy, I want to appeal to our Democratic friends-and I believe in economy as much as they donot to practice it on this matter. We might practice it to some extent on the franking privilege; we might practice it by not printing so many things in the RECORD; we might get along with a few less public buildings and vote this money for a real purpose that is for the benefit of the entire Nation-to everyone who is compelled to buy and eat meat.

I hope the bill of the Senator from Ohio or some bill like it will be passed. I have to pride of opinion at all in the bill I have introduced. I shall be glad to see his bill passed. We of our State are anxious for results. I shall cordially cooperate in any movement that will furnish liberal funds to the Government, so that it may cooperate with the States in fighting

this plague.

It is not merely a question of the Northern States. If it were, I am sure our southern friends would help us; but they are suffering likewise. We have never hesitated to vote large sums of money where there was a great public necessity. As I have said, millions have been spent in eradicating the boll weevil and the Texas tick. In times of distress from overflow of water we have always been generous in voting liberal appropriations. Those were more or less the South's calamities. This is partly their calamity, and to a larger extent our calamity in the North, but it is really a calamity of the American people.

The American hog has been described as the mortgage raiser, which is true. He has been compelled to go out of that business for the last few years and has been hurried to his reward entirely too fast. We are only asking now that Congress help to restore him to the proud position he once occupied-that of the mortgage raiser of the American farm and the prosperity

producer of the American farmer.

Mr. SMOOT. Before the Senator finishes I should like to ask him a question, with his permission.

Mr. KENYON. Certainly.
Mr. SMOOT. I have before me the bill introduced by the Senator from Ohio [Mr. POMERENE], calling for an appropriation of \$500,000 for the purpose of providing and administering remedies for hog cholera. Does the Senator believe the bill ought to provide for administering remedies for hog cholera or that it ought to provide simply the remedy itself?

Mr. KENYON. If we could provide a remedy, I should like

to see it done. That is a great question.
Mr. SMOOT. That is what the approp

Mr. SMOOT. That is what the appropriation is asked for. Mr. KENYON. I think what the Senator from Ohio has in mind is the sending out of agents for demonstration work, as has been done by the Government, to instruct the farmer as to the treatment, and to instruct the State veterinarians, so that

they may properly use the serum, and matters of that kind.

Mr. SMOOT. The bill specifically provides for administering the remedies. I thought that was rather uncalled for, because if the Government furnished the serum to each of the States the State itself, through its agencies, could administer the

remedy.

Mr. KENYON. That is true, if the State officers are properly instructed by those who are familiar with the work. I will say to the Senator that in Dallas County they secured their serum from the State agricultural college. They could not secure enough of it, although finally the State agricultural college gave them the preference. The Government's special agents were there demonstrating among the farmers. They went right around among the farmers, where there were 20,000 sick hogs, showing how the serum should be used and instructing the farmers That was the work the Government did there. It had general charge. That is what is intended-merely to bring about cooperation, the Government doing part of the work, the State doing its part, and the farmer doing his part.

Mr. WARREN. Mr. President—
The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. KENYON. I do. Mr. WARREN. I assume the idea of the Senator from Iowa in his measure is to carry this appropriation into effect some-thing like the appropriation for the destruction of the boll weevil has been carried into effect and executed. That is, the Government sends out demonstrators, not only to assist in the demonstration of the remedy for the boll weevil, but to instruct the planter as to the season, how to plant the crop, and how to raise it. While I am not engaged in the cotton business, I understand that has been very effective.

Mr. KENYON. In other words, to make farm demonstra-

Mr. WARREN. As I understand from the evidence that was given last year in regard to hog cholera before the Committee on Agriculture and Forestry, the remedy is a very expensive one, and must be most carefully administered; but it seems that the care of the herd, the burning of the bodies of the hogs that die, and all that, is something of which the farmers generally are ignorant, and in which they need some instruc-tion. I assume that is what is intended by this bill, and I think the object is a worthy one.

Mr. POMERENE. Mr. President—
The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Ohio?
Mr. KENYON. I do.
Mr. POMERENE. The primary object of the bill is to get Federal aid for the purpose of eradicating this disease. I take it that if the appropriation can be used in whotever way the It that if the appropriation can be used in whatever way the Agricultural Department may deem most efficacious, under any restraints that Congress in its wisdom may see fit to impose, there will not be any difficulty in determining the method in which it should be done. I think the Federal authorities should act in conjunction with the State authorities, and I have no

doubt they will do so.

Mr. VARDAMAN. I wish to ask the Senator from Ohio, with the permission of the Senator from Iowa, whether an appropriation ever has been made before for purposes of this

character?

Mr. POMERENE. Yes; last year \$40,000 was appropriated in an appropriation bill. The Senator from Iowa and myself tried to have the amount increased to \$100,000, and the Senate voted the increase, but in conference it was reduced to \$75,000.

Mr. VARDAMAN. That was to be expended under the direc-

tion of the Agricultural Department?

Mr. POMERENE. It was to be expended, as I now remember,

under the direction of the Agricultural Department.

Mr. BURTON. I have the provision before me, Mr. Presi-It is on page 5 of the agricultural appropriation bill. After the general appropriation for inspection, quarantine work, and so forth, it says:

Provided, That of this sum not less than \$75,000 shall be set aside for demonstrating the best method of preventing and eradicating hog

So the appropriation was not less than \$75,000 out of a total

appropriation of \$654,000.

Mr. SMOOT. I will suggest to the Senator that I believe the wording of the proviso in the agricultural appropriation bill is very much better and more comprehensive than the wording of this bill. I think that covers the situation exactly.

Mr. VARDAMAN. The Senator is not after wording. He

wants money

Mr. KENYON. Mr. President, I have taken more time than I intended. I have a great mass of details that I have not gone into, some of which I should like to put in the Record and some not. I ask permission, as an appendix to my remarks, to insert some of this matter. I shall not insert a great deal of it, but I should like to insert such as may seem proper.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and permission is granted.

The matter referred to is as follows:

APPENDIX.

AMES, IOWA, December 19, 1913.

APPENDIX.

Ames, Iowa, December 19, 1913.

Senator William S. Kenyon,

United States Senate, Washington, D. C.

Dear Senator Kenyon: I have your kind letter of December 15 and am sorry that I have been unable to get any more reports on herds vaccinated with our own serum. I believe, however, that those that are inclosed will give you a representative list, and I would not anticipate much change in the average if the list were larger. I desire to say also that these figures are not selected in any way, but all of the reports on the use of our own serum which we have been able to receive thus far have been included.

You will notice that the loss in the healthy herds treated by the combined serum and virus method was close to 2 per cent, and if two herds were excluded, in which the administration was not strictly according to our directions, the percentage of loss after treatment would be very much less. To my mind these two columns of figures speak volumes in favor of the treatment and also emphasize the importance of careful supervision of this work in the field. You will notice also that the results of the serum alone and the serum-and-virus method in diseased herds show a loss following the use of the serum-virus method which is much smaller than by the serum alone method.

I am taking the liberty to inclose a report made by Dr. Dorset, in Chicago, in regard to the work that is being done in the States of

Indiana, Missouri, and Iowa. No doubt Dr. Dorset could give you additional valuable information.

Again referring to the inclosed table, I wish to call attention to the fact that only 16½ per cent, including sick hogs, were lost in diseased herds following application of the treatment. I believe that it is safe to estimate that without the treatment the losses in these same herds would have amounted to at least between 80 and 90 per cent, as the disease has been very virulent this year.

You may be interested to know that I am making arrangements with the State agricultural department to gather figures in regard to the prevalence of hog cholera in the State this year and the number of animals lost. I am sorry that we do not have these figures available at the present time. In addition to this, the college here is making a canvass of the losses in this State, and will see that a copy giving the results of this canvass is sent you at an early date.

If I can be of further assistance to you, I wish you would not hesitate to write me.

Very truly, yours,

C. H. Stange.

[United States Department of Agriculture, Bureau of Animal Industry.]
REGULATIONS GOVERNING THE PEEPARATION, SALE, BARTER. EXCHANGE,
SHIPMENT, AND IMPORTATION OF VIRUSES, SERUMS, TOXINS, AND
ANALOGOUS PRODUCTS INTENDED FOR USE IN THE TREATMENT OF
DOMESTIC ANIMALS, EFFECTIVE JULY 1, 1913.

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., May 31, 1913.

Under authority of the set of Congress approved March 4, 1913, en-

Washington, D. C., May 31, 1913.

Under authority of the act of Congress approved March 4, 1913, entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1914" (37 Stat. 832), the following regulations are hereby issued for the purpose of enforcing the provisions of said act governing the preparation, sale, barter, exchange, shipment, and importation of viruses, scrums, toxins, and analogous products intended for use in the treatment of domestic animals. These regulations, which for the purpose of identification are designated as B. A. I. Order 196, shall become and be effective on and after July 1, 1913.

D. F. HOUSTON, Secretary of Agriculture.

REGULATION 1.

For the purpose of these regulations viruses, serums, toxins, and analogous products shall include all viruses, serums, toxins, and analogous products intended for use in the treatment of domestic animals. Among such analogous products are antitoxins, vaccines, tuberculins, malleins, microorganisms, killed microorganisms, and products of microorganisms.

REGULATION 2.

No person, firm, or corporation shall prepare, sell, barter, or exchange in the District of Columbia or in any Territory of the United States or in any place under the jurisdiction of the United States, or ship or deliver for shipment from one State or Territory or the District of Columbia to any other State or Territory or the District of Columbia any virus, serum, toxin, or analogous product manufactured within the United States unless and until the said virus, serum, toxin, or analogous product shall have been prepared at an establishment holding an unsuspended and unrevoked license issued by the Secretary of Agriculture.

REGULATION 3.

Each establishment in the United States at which any virus, serum, toxin, or analogous product is prepared shall make application in writing to the Secretary of Agriculture for a license. When one proprietor conducts more than one establishment a separate application shall be made for a license for each establishment. Blank forms of application will be furnished upon request addressed to the Bureau of Animal Industry, Washington, D. C.

REGULATION 4.

REGULATION 4.

SECTION 1. A license will not be issued unless the condition of the establishment and the methods of preparation are such as reasonably to insure that the product will accomplish the objects for which it is intended, and that such product is not worthless, contaminated. dangerous, or harmful.

SEC. 2. A license will be issued only after inspection of the establishment by a duly authorized officer, agent, or employee of the Bureau of Animal Industry has shown that the condition and equipment of the establishment and the methods of preparation are in conformity with these regulations.

REGULATION 5.

REGULATION 5.

SECTION 1. Each license shall terminate at the end of the calendar year during which it is issued.

SEC. 2. A license shall be reissued only after inspection of the establishment by a duly authorized officer, agent, or employee of the Bureau of Anmial Industry.

SEC. 3. A license will not be issued for the preparation of any virus, serum, toxin, or analogous product if advertised so as to mislead or deceive the purchaser or if the package or container in which the same is intended to be sold, bartered, exchanged, or shipped bears or contains any statement, design, or device which is false or misleading in any particular. particular.

REGULATION 6.

Licenses shall be in the following form:

United States Veterinary License No. -.

WASHINGTON, D. C., -

This is to certify that, pursuant to the terms of the act of Congress approved March 4, 1913 (37 Stat., 832), governing the preparation, sale, barter, exchange, shipment, and importation of viruses, serums, toxins, and analogous products intended for use in the treatment of domestic animals,

Street, city or town of

Street, city or town of

Street, city or town of

Ouring the calendar year 19

This license is subject to suspension or revocation if the licensee violates or fails to comply with any provision of said act approved March 4, 1913, or of the regulations made thereunder.

[L. S.]

Secretary of Agriculture,

Countersigned:

Chief Bureau of Animal Industry.

REGULATION 7.

Section 1. Each separate container of virus, serum, toxin, or analogous product prepared, sold, bartered, exchanged, shipped, or delivered for shipment shall bear the true name of the product and the license number assigned by the department, in the following manner: "U. S. Veterinary License No. —," or an abbreviation thereof authorized by the Bureau of Animal Industry.

Sec. 2. Each separate container of virus, serum, toxin, or analogous product shall bear a serial number affixed by the licensee for identification of the product with the records of preparation thereof. Each container shall also bear the "return date."

REGULATION 8.

A license will be suspended or revoked (1) if it appears that the construction of the establishment licensed is defective, or if the establishment is improperly conducted; (2) if the methods of preparation are faulty, or if the products contain impurities or lack potency; (3) if the products are advertised or inbeled so as to mislead or deceive the purchaser in any particular; (4) if the license is used to facilitate or effect the preparation, sals, barter, exchange, or shipment of any worthless, contaminated, dangerous, or harmful virus, serum, toxin, or analogous product; or (5) if the licensee violates or falls to comply with any provision of said act approved March 4, 1913, or of the regulations made thereunder.

REGULATION 9.

Section 1. Each importer of any virus, serum, toxin, or analogous product shall make application in writing to the Secretary of Agriculture for a permit. The application shall specify the port or ports of entry at which the imported articles will be cleared through the customs. Blank forms of application will be furnished upon request addressed to the Bureau of Animal Industry, Washington, D. C.

Sec. 2. Each application for a permit shall be accompanied by the affidavit of the actual manufacturer, produced before an American consular officer, stating that the virus, serum, toxin, or analogous product mentioned therein is not worthless, contaminated, dangerous, or harmful; whether the product was derived from animals; and if so derived, that such animals have not been exposed to any infectious or contagious disease, except as may be essential in the preparation of the product and as specified in the affidavit.

Sec. 3. Each application for a permit shall be accompanied by the written consent of the actual manufacturer that properly accredited officers, agents, and employees of the Department of Agriculture shall have the privilege of inspecting, without previous notification, all parts of the establishment at which such virus, serum, toxin, or analogous product is prepared, and all processes of preparation of such products, at such times as may be demanded by the aforesaid officers, agents, or employees.

Sec. 4. Each permit shall terminate at the end of the calendar year during which it is issued.

REGULATION 10.

Permits shall be in the following form:

United States Veterinary Permit No.

WASHINGTON, D. C., -

Washington, D. C., ——, 19—, sproved March 4, 1913 (37 Stat., 832), governing the preparation, sale, barter, exchange, shipment, and importation of viruses, serums, toxins, and analogous products intended for use in the treatment of domestic animals. —, of —, State of —, is hereby authorized, so far as the jurisdiction of the Department of Agriculture is concerned, to import —, manufactured by —, of —, into the United States through the port of — during the calendar year 19—. This permit is subject to suspension or revocation if the permittee violates or falls to comply with any provision of the said act approved March 4, 1913, or of the regulations made thereunder.

[L. S.]

Secretary of Agriculture.

Chief Bureau of Animal Industry.

The Bureau of Animal Industry shall give prompt notice of the issue of each permit to collectors of customs at the ports of entry named therein.

Section 1. Each separate container of virus, serum, toxin, or analogous product imported shall bear the true name of the product and the permit number assigned by the department, in the following manner: "U. S. Veterinary Fermit No. —," or an abbreviation thereof authorized by the Bureau of Animal Industry.

Sec. 2. Each separate container of virus, serum, toxin, or analogous product imported shall bear a serial number affixed by the manufacturer for indentification of the product, with the records of preparation thereof. Each container shall also bear the "return date,"

Sec. 3. A permit will not be issued for the importation of any virus, serum, toxin, or analogous product if advertised so as to mislead or deceive the purchaser or if the package or container in which the same is intended to be sold, bartered, exchanged, shipped, or imported bears or contains any statement, design, or device which is false or misleading in any particular.

REGULATION 12.

Permits will be suspended or revoked (1) if it appears that the construction of the establishment in which the products are prepared is defective or if the establishment is improperly conducted; (2) if the methods of preparation are faulty or if the products contain impurities or lack potency; (3) if the products are advertised or labeled so as to mislead or deceive the purchaser in any particular; (4) if the permit is used to facilitate or effect the importation of any worthless, contaminated, dangerous, or harmful virus, serum, toxin, or analogous product; or (5) if the permittee violates or fails to comply with any provision of said act approved March 4, 1913, or of the regulations made thereunder.

REGULATION 13.

Any officer, agent, or employes of the Department of Agriculture, duly authorized for the purpose, shall be permitted to enter any establishment licensed under these regulations at any hour during the daytime or nightime, and such duly authorized officer, agent, or employee shall be permitted to inspect, without previous notification, the entire premises of the establishment, including all compartments and buildings, and all equipment, such as chemicals, instruments, apparatus, etc., as well as the methods used in the preparation, handling, and distribution of virus, serum, toxin, or analogous product.

REGULATION 14.

No grinding or mixing machinery, molds, instruments, tables, or other apparatus which come in contact with virulent or attenuated microorganisms or toxins shall be used in the preparation of other forms of biological products.

REGULATION 15.

All equipment, containers, machinery, instruments, and other apparatus used in the preparation of viruses, serums, toxins, or analogous products shall be thoroughly sterilized before use by live steam at a temperature of at least 120 degrees Centigrade for not less than half an hour or exposed to dry heat of at least 160 degrees Centigrade for at least one hour. If for any reason such sterilization can not be applied, then a process known to be equally efficacious in destroying microorganisms and their spores may be substituted.

REGULATION 16.

Permanent detailed records of the methods of preparation of viruses, serums, toxins, and analogous products, including sources of bacterial cultures or viruses used, virulence of such cultures or viruses, methods of testing the purity and potency of the product, together with the methods of preservation, shall be kept by each licensed establishment.

REGULATION 17.

REGULATION 17.

Sec. 1. The stables or other premises used for experiment animals in the production or testing of viruses, serums, toxins, or analogous products shall be properly ventilated and lighted, appropriately drained and guttered, and kept in good sanitary condition. Animals infected with or exposed to any infectious, contagious, or communicable disease shall be properly segregated, and all instruments, containers, and other apparatus shall be thoroughly cleaned and sterilized before use. Establishments shall be so located as to avoid the spread of disease, and suitable arrangements shall be made for the disposal of all refuse. of disease, all refuse. SEC. 2. Viruses, Sec. handled,

SEC. 2. Viruses, serums, toxins, and analogous products shall be prepared, handled, and distributed with due sanitary precautions.

REGULATION 18.

When the preparation of viruses, serums, toxins, and analogous products has been completed, said products shall be stored in a cold chamber or refrigerator for preservation until such time as they are removed from the premises. All dealers in the District of Columbia or any Territory or any place under the jurisdiction of the United States shall keep such products under refrigeration until sold or otherwise disposed of.

REGULATION 19.

SECTION 1. Samples of viruses, serums, toxins, and analogous products shall be collected by authorized officers, agents, or employees of the Department of Agriculture.

SEC. 2. Samples may be purchased in the open market, and the marks, brands, or tags upon the package or wrapper thereof shall be noted. The collector shall note the names of the vendor and the agent of the vendor who made the sale, together with the date of purchase. The collector shall purchase representative samples.

SEC. 3. All samples or parts of samples shall be sealed by the collector and marked with identifying marks.

REGULATION 20.

The immunity unit for measuring the strength of tetanus antitoxin shall be 10 times the least quantity of antitetanic serum necessary to save the life of a 350-gram guinea pig for 96 hours against the official test dose of the standard toxin furnished by the Hygienic Laboratory of the United States Public Health Service.

The number of immunity units recommended for the prevention of tetanus in a horse shall be at least 500 units.

REGULATION 21.

Section I. Licenses or permits may be suspended or revoked after opportunity for hearing has been granted to the licensee or importer at times and places designated by the Secretary of Agriculture. All hearings shall be private and confined to questions of fact. The parties interested may appear in person or by attorney, and may submit oral or written evidence on the questions of fact involved.

Sec. 2. If, after opportunity for hearing has been granted, it appears that a licensee or permittee has violated or failed to comply with any provision of said act approved March 4, 1913, or of the regulations made thereunder, the license or permit may be suspended or revoked.

LAW UNDER WHICH THE FOREGOING REGULATIONS ARE MADE.

LAW UNDER WHICH THE FOREGOING REGULATIONS ARE MADE,

[Extract from "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1914," approved Mar. 4, 1913 (37 Stat., 832).]

Agriculture for the fiscal year ending June 30, 1914," approved Mar. 4, 1913 (37 Stat., 832).]

That from and after July 1, 1913, it shall be unlawful for any person, firm, or corporation to prepare, sell, barter, or exchange in the District of Columbia, or in the Territories, or in any place under the jurisdiction of the United States, or to ship or deliver for shipment from one State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, any worthless, contaminated, dangerous, or harmful virus, serum, toxin, or analogous product intended for use in the treatment of domestic animals, and no person, firm, or corporation shall prepare, sell, barter, exchange, or ship as aforesaid any virus, serum, toxin, or analogous product manufactured within the United States and intended for use in the treatment of domestic animals, unless and until the said virus, serum, toxin, or analogous product shall have been prepared, under and in compliance with regulations prescribed by the Secretary of Agriculture, at an establishment holding an unsuspended and unrevoked license issued by the Secretary of Agriculture as herelnafter authorized. That the importation into the United States, without a permit from the Secretary of Agriculture, of any virus, serum, toxin, or analogous product for use in the treatment of domestic animals, and the importation of any worthless, contaminated, dangerous, or harmful virus, serum, toxin, or analogous product for use in the treatment of domestic animals, are hereby prohibited. The Secretary of Agriculture is nereby authorized to cause the Bureau of Animal Industry to examine and inspect all viruses, serums, toxins, and analogous products, for use in the treatment of domestic animals, are hereby prohibited. The Secretary of Agriculture soch viruses, serums, toxins, and analogous products are worthless, contaminated, dangerous, or harmful, and if it shall appear that any such virus, serum, toxin, or analogous product, for use in the treatment of domes

from time to time such rules and regulations as may be necessary to prevent the preparation, sale, barter, exchange, or shipment as aforesaid of any worthless, contaminated, dangerous, or harmful virus, serum, toxin, or analogous product for use in the treatment of domestic animals, and to issue, suspend, and revoke licenses for the maintenance of establishments for the preparation of viruses, serums, toxins, and analogous products, for use in the treatment of domestic animals, intended for sale, barter, exchange, or shipment as aforesaid. The Secretary of Agriculture is hereby authorized to issue permits for the importation into the United States of viruses, serums, toxins, and analogous products, for use in the treatment of domestic animals, which are not worthless, contaminated, dangerous, or harmful. All licenses issued under authority of this act to establishments where such viruses, serums, toxins, or analogous products are prepared for sale, barter, exchange, or shipment as aforesaid, shall be issued on condition that the licensee shall permit the inspection of such establishments and of such products and their preparation; and the Secretary of Agriculture may suspend or revoke any permit or license issued under authority of this act, after opportunity for hearing has been granted the licensee or importer, when the Secretary of Agriculture is satisfied that such license or permit is being used to facilitate or effect the preparation, sale, barter, exchange, or shipment as aforesaid, or the importation into the United States of any worthless, contaminated, dangerous, or harmful virus, serum, toxin, or analogous product for use in the treatment of domestic animals. That any officer, agent, or employee of the Department of Agriculture duly nuthorized by the Secretary of Agriculture for the purpose may be not described for sale, barter, exchange, or shipment as aforesaid. That any person, firm, or corporation who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and sha

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., December 16, 1913.

Washington, D. C., December 10, 1813.

Hon. W. S. Kenyon,
United States Senate.

Dear Senator Kenyon: I beg to acknowledge receipt of your letter of December 6, 1913, in which you suggest the preparation by some of the experts in the department of a pamphlet of instructions to farmers relating to hog cholera.

It is believed that good results will be accomplished by issuing a separate publication dealing especially with methods of preventing the spread of hog cholera, and we have had in mind for some time the issuance of a pamphlet of this nature. The work of preparing the pamphlet will be begun immediately, and it is expected that it will be ready for distribution in the course of a month or so.

We now have a Farmers' Bulletin which deals with the subject of hog cholera in a popular way, a copy of which I am inclosing herewith. Very truly, yours,

B. T. Galloway,
Acting Secretary.

B. T. GALLOWAY, Acting Secretary.

FIRST NATIONAL BANK, Davenport, Iowa, October 28, 1913.

FIRST NATIONAL BANK, Davemport, Iowa, October 28, 1913.

Hon. William S. Kenyon, United States Scrate, Washington, D. C.

My Dear Senator. We are very much pleased to learn that you are going to press consideration of the question of Federal cooperation in the stamping out of hog cholera. The losses from this disease in this section have been very great this fall, and yet they would have been vastly greater but for the serum we were able to obtain. When serum could be had the herds were saved in large part. Our greatest trouble was not obtaining the serum. The details of this are more fully set forth in the inclosed memorandum prepared by G. R. Bliss, our county agriculturist. Our Scott County organization recently issued the inclosed bulletin on this subject, and I am sure you will be interested in the good that was done with the serum treatment.

I thank you for what you say regarding my testimony before the Banking and Currency Committee. This appears in part 27 of the printed bearings, and the amendments suggested at that time have been practically unanimously approved by the "country" national banks in Iowa.

With kindest regards, we are,
Very truly, yours,

A. F. Dawson, President.

DAVENPORT, IOWA, October 27, 1913.

Hon. A. F. DAWSON, Davenport, Iowa.

Davenport, Iowa, October 27, 1913.

Hon A. F. Dawson, Davenport, Iowa.

Dear Mr. Dawson: I was much interested in the letter which you showed me from Senator Kennon to the effect that he will introduce a bill calling for an appropriation of \$1,000,000 to fight hog cholera. We have been seriously handicapped here all season by our inability to secure reliable serum. On several occasions I have had men with sick herds waiting on me as long as four or five days at a time, and I know positively many herds which could have been saved had we had good serum to give them when their owners first applied for it.

The whole problem of the treatment of pigs for cholera is an uncertain one and will be more or less unsatisfactory as long as we have to depend on private concerns for the supply of serum, due to the fact that the temptation to put it on the market even though a little weak and get the money from it is likely to prove stronger than human nature on the average can stand.

We have a good law in this State at the present time in regard to the strength and cleanliness of serum, but it is nearly impossible to enforce this law and convict firms guilty of selling weak serum because it is so difficult to prove that the serum was weak at the time it was sent from the factory. Another provision of the law, which is an excellent one, requires that serum be sent directly to the farmer who is going to have his hogs treated, who will pay for it at the express office when he takes it away. This law prevents overcharging to a large extent on the part of the veterinarian and takes the handling of the serum entirely out of his hands. This provision, however, it has been impossible to enforce this season because of the fact that an order put in for serum one day with any of our private firms would simply mean a telegram stating that it could not be sent at any time within three or four weeks. Hence it was absolutely necessary, in order to treat sick hogs when they should be treated, for a veterinarian to have a supply of serum on

upon his demand the hog-cholera problem will very largely be solved. We will not have these bad results to record and it will then be comparatively easy to convince men of the value of the serum treatment.

While the State of Iowa, through the serum laboratory, has done excellent work this season and put out a large amount of serum, it has been utterly unable to cope with the situation, and the amount of serum put out has been absolutely insignificant as compared with the amount needed in the State. To my knowledge there has been no time since the serum laboratory was established that one could secure serum within three to four weeks after ordering.

I wish to express myself as very strongly in favor of this bill which Senator Kennon proposes to introduce. I think it is deplorable that the State of Iowa has not taken more vigorous action in the past to prevent the enormous losses which have been sustained. Each year during the past three these losses have aggregated millions of dollars, and could have been very largely prevented if we had been able to secure an adequate supply of reliable serum.

Sincerely, yours,

G. R. Bliss,

G. R. Bliss,
Agent United States Department of Agriculture
and County Agriculturist.

BETTER FARMS—BETTER CROPS—BETTER HOMES—SCOTT COUNTY FARM IMPROVEMENT LEAGUE—UNITED STATES DEPARTMENT OF AGRICULTURE, IOWA STATE COLLEGE, AND SCOTT COUNTY FARM IMPROVEMENT LEAGUE COOPERATING—G. R. BLISS, COUNTY AGRICULTURIST.

Report on serum for hog cholera.

THE SERUM TREATMENT WILL SAVE YOUR HOGS-WE OFFER THREE LINES OF PROOF.

THE SERUM TREATMENT WILL SAVE YOUR HOGS—WE OFFER THREE LINES OF PROOF.

First. The United States Department of Agriculture and practically every State in the Union has declared its value by the appropriations of Congress and the State legislatures, and by the bulletins of the various State agricultural and experiment stations.

Second. We have kept close watch on nearly 200 herds treated this season, the majority of which have been saved. Notwithstanding reports to the contrary, results in general have been good, and we can take the farmer who doubts to herd after herd where the cholera has been checked with little loss.

Third. We have placed well pigs which never had cholera but were given the double treatment in herds where cholera was raging and left them for several weeks without one of them becoming sick.

Last fall one such pig was placed in the sick herd of Charles Kruse. On January 1 three such pigs were taken from the Iowana Farms and placed in the herds of J. T. Hansen, Walter Koch, and Rudolph Koch. About August 1 three such pigs were taken from the farm of C. W. Lau and placed in the herds of William Murray, Carl Schaefer, and Henry Herman. About September 1 one such pig was taken from the herd of Lewis Sticher and placed in that of William Haines.

We have tested the serum treatment from every standpoint and found it to be the only sure preventive of the hog cholera.

We want to emphasize the following points:

1. Practically all the contagious disease among hogs in Scott County is hog cholera in some of its forms, varying from the acute or quick form to the chronic or slow form.

2. No cure for hog cholera has ever been found, and there is only one positive preventive—the serum treatment.

3. Some farmers may think they know how to keep hog cholera from their premises for years by certain methods of feeding, breeding, disinfecting, or sanitation, but we have seen dozens of such men finally overtaken by the disease. There is not any medicine or precaution of any kind, except the serum treatment, w

Losses in herds where hog-cholera specifics were used.

Name.	Address.	Number in herd.	
P. W. Coates. Wm. Groth August Schroeder Carl Martens. Chas. Borchers.	R. R. No. 2, Walcott	25	5
	R. R. No. 1, Walcott	40	15
	R. R. No. 1, Walcott	44	3
	R. R. No. 1, Walcott	108	10
	R. R. No. 5, Davenport	42	3

Many other so-called hog-cholera remedies have been tried, with results equally disappointing.

4. Hog cholera is no joke. The man who thinks he can let the disease run its course and save most of his hogs is generally doomed to disappointment. Natural and inherited immunity is all that will save him. He who saves over 15 per cent is fortunate above the average.

What cholera does when allowed to run its course. I Nearly all of these herds were fed some commercial feed or tonic I

Name.	Address.	Number in herd.	Number lost.
William Murray Otto Gruenhagen A. E. Dannatt Frank Gillmor J. H. Heuck John Zimmerman B. T. Seaman Louis Wunder Claus Arp Carl Thodt John Underwood Andrew Smaltz William Haines Ed. Suebberkrebbe Albert Stoltenberg. John Unge.	R. R. No. 1, Walcott. Princeton. R. R. No. 7, Davenport. R. R. No. 1, Dixon. do R. R. No. 1, Walcott. Princeton do do R. R. No. 1, Walcott. R. R. No. 1, Walcott. R. R. No. 2, Walcott.	70 58 76 80 124 90 95 80 80	84 60 12: 13: 66 55 77 70 44: 86 86 60 60 20:
Total ³		1,413	1,201

f From immune sows. ² Mule foot hogs. a 85 per cent loss. 5. In most cases a man does not realize how sick his pigs are at first and neglects treating them until it is too late.

6. The success of the serum treatment depends upon the following factors: Strength and cleanliness of the serum, amount of disease in the herd, amount of natural immunity present, coolness of the weather, cleanliness of the premises, kinds of feed given, etc.

The three most important factors which determine life or death are all variable and almost impossible to control. They are the strength of the serum, the deadliness of the cholera germ, and the amount of natural or inherited immunity present.

7. A pig sick with cholera needs clean quarters, no dust, plenty of cool, clean water, fresh slop or milk, good pasture (clover or alifalfa is best), and no corn.

8. The symptoms of chronic cholera are as follows: Loss of appetite, conshing, hard breathing, constipation, and disposition to lie in sheds in the early stages. As the disease progresses the curl leaves the tail, the ears droop, the animal gets thin and weak, staggering as it walks, the eyeball is bloodshot and the eyelids often gummed up so that the pig acts as though blind. Sometimes the head is held to one side. In the last stages the bowels are very loose and the excrement green and watery. green and watery.

used when choiera is in the neighborhood. If one is reasonably sure that he has reliable serum, either the double or simultaneous method should be adopted. The former is safer if one isn't sure of his serum as there is always a danger of a loss from the simultaneous method. I. F. Gillmor lost 20 per cent by this method.

The three most important factors which determine life or death are il variable and almost impossible to control. They are the strength of the serum, the deadliness of the choiers germ, and the amount of atural or inherited immunity present.

7. A pig sick with choiera needs clean quarters, no dust, plenty of cool, clean water, fresh glop or milk, good pasture (clover or alfalfa s best), and no corn.

8. The symptoms of chronic choiera are as follows: Loss of appetite, coughing, hard breathing, constipation, and disposition to lie in the darily stages. As the disease progresses the curl leaves he tail, the ears droop, the animal gets thin and weak, staggering as twaks, the cychall is bloodshot and the eyelids often gummed up so that the pig acts as though blind. Sometimes the head is held to one ide. In the last stages the bowels are very loose and the excrement reen and watery.

Seelum in well herds.

The following 40 per cent by this method.

This will undoubtedly be the chief method used in the future in combating hog cholera. It gives immunity for life except when used on sucking pigs. When used on pigs which have been wenned for about a week it is much less expensive than where the pigs are nearly grown. The following 40 well-known farmers of Scott County have used in the future in combating hog cholera. It gives immunity for life except when used on sucking pigs. When used on pigs which have been wenned for about a week it is much less expensive than where the pigs are nearly grown. The following 40 well-known farmers of Scott County have used in the combating hog cholera. It gives immunity for life except when used on sucking pigs. When used on pigs which have been wenned for about a week it is much less expensive than where the pigs are nearly grown. The following 40 well-known farmers of Scott County have used on pigs which have been wenned for about a week it is much less expensive than where the pigs are nearly grown. The following 40 well-known farmers of Scott County have used on pigs which have exp

Slightly affected herds-single treatment given.

Name.	Address.	Number treated.	Number lost.	Serum used.	Veterinarian
dolph Arp	R. R. No. 3, Walcott	40	0	Kansas State	Hell.
enry Arp	R. R. No. 1, Dixon	84	1	Kansas City	Hasenmiller.
hannes Blake	R. R. No. 1, Walcott	54	3	Mulford's	Thompson.
Illiam Fahrenkrog	do		1	Missouri Valley	Hasenmiller.
s. Friedericks	R. R. No. 1, Dixon	29 80	6	Kansas City	Do.
nry Goettsch	R. R. No. 5, Davenport	65	55	Red Cross.	Hollingsworth
ris. Grell	R. R. No. 1, Dixon	43	2	Kansas City	Hasenmiller.
s Herring	New Liberty	18	0	Kansas State	Hell.
itz Hinrichs	R. R. No. 5, Davenport		16	Red Cross	Hollingsworth
nry Johannsen	R. R. No. 1, Walcott	37	4	Mulford's	Hell.
rman Krebs.	Durant	25	n n	Kansas State	Do.
urv Kreiter	R. R. No. 4, Davenport	50	2	Kansas City.	Hasenmiller.
bert Kroeger	R. R. No. 1, Dixon	70	4	Greeder's	Do.
rman Kroeger	Princeton	144	0	Stock yards and American.	Barber.
rman Lamp	R. R. No. 5, Davenport		13	Red Cross	Hollingsworth
s. Rasmus Larson	R. R. No. 7, Davenport.	- 22	1	Stock yards, Kansas City	Thompson.
n McKnight	Princeton	50	0	do	Barber.
J. Meinert	R. R. No. 1, Walcott		10	Red Cross	Hollingsworth
Mover	do	90	10	do	Do.
T. Mever	do	20	10	do	Do.
	Stockton	22	11		Du.
n Meyer	R. R. No. I, Dixon	20	11	Iowa State	Thompson.
ter Nissen	Stockton	145	27	Stock yards and Kansas State	Hell.
iter Petersen	New Liberty.	57	1	Stock yards and Kansas State	
o Ruehberg	do do	18	0	Kansas State	Do.
lliam Schumacher	R. R. No. 1, Walcott	97	_0	Mulford's	Do.
ter Thomsen	Princeton.	111	•0	Stock yards, Kansas City	Barber.
annes Wulf.	Stockton	111		Kansas State	Hell.
		44	1	American	
an Wuestenberg	Donahue	24	1	American	Hasenmiller.

Mr. Blake's herd was not sufficiently infected to hold its immunity. Several are now sick and 3 have died. They have been treated again.

Herds quite sick-Single treatment given. SHOULD HAVE BEEN TREATED 3 OR 4 DAYS SOONER.

Name.	Address,	Number treated.	Number lost.	Number not treated.	Number lost.	Serum used.	Veterinaria
R. Bowley	R. R. No. 1, Le Claire	80	28	2	1	Greeder's	Hell.
erd Paustian	R. R. No. 4, Davenport	108	28	0	0	Stock Yards, Kansas City	Hasenmiller.
as, Borchers	R. R. No. 5, Davenport	16	0	42	39	Red Cross	Hollingsworth.
bert Burgmann	R. R. No. 2, Davenport	103	4	0	0	Stock Yards, Kansas City	Thompson.
m. Claussen	R. R. No. 2, Davenport	130	30?	10		Greeder's	Hell.
A. Fletcher	Princeton	90	5?			Greeder's and American	Do.
ins Gimm	Stockton	19	5	1		Kansas State	Do.
H. Hartmann	Princeton	42	7	1		Stock Yards, Kansas City	Fulton.
nry Holst	New Liberty	14	1			Kansas State	Hell.
pis Klahn	Stockton	48	8	75	70	do	Do.
L. Kroeger	R. R. No. 5, Davenport	25	15	36	34	Red Cross	Hollingsworth
n. Lillis	R. R. No. 7, Davenport	46	4	Lancing Co.	La company	Stock Yards	Thompson,
tz Meinert	Eldridge	33	10	25		Stock Yards, Kansas City	Hasenmiller.
n Meyer	R. R. No. 1, Davenport	16	7	11	11	Red Cross	Hollingsworth
ank Meyer	R. R. No. 1, Dixon	34	8			Kansas City	Hasenmiller,
er Meyer	R. R. No. I. Walcott	29	8	21	17	do	Schroeder.
bert Oldenburg.	R. R. No. 5, Davenport	34	15?	8	-	Iown State	Do.
w Peitscher	Princeton.	74	45	3 2 5 7 Vice	*********	Stock Yards, Kansas City	Fulton.
eo. Pickron.	New Liberty	45	15	50	50	Kansas State	Hell.
Delan	R. R. No. 3, Walcott	165	75	60	60	Stock Yards, Kansas City	Do.
to Prien		83	10	00	00	Stock Lards, Kanisas City	
o. Quinn	R. R. No. 1, Eldridge			********	********	Kansas City	Hasenmiller.
dolph Reins	Stockton	25	5	*********	********	Kansas State	Hell.
I. Robertson	Long Grove	78	10	22	18	Stock Yards, Kansas City	Hasenmiller.
n. Roehlk	R. R. No. 1 Walcott	141	11	12	11	do	Hell.
ert Roehlk	do	66	5	6	1	do	Do.
Schaefer	R. R. No. 7, Davenport	32	13	10	8	Stock Yards	Thompson.
n. Schaefer	R. R. No. 1, Davenport	71	26	26	7	Mulford's	Do.
nry Schmidt	R. R. No. 1, Dixon	95	1	21	10	American	Hell.
o Schmidt	Dixon	103	15	32	31	Stock Yards, Kansas City	Do.
nekloth Bros	R. R. No. 1, Eldridge	121	94	1	1	Mulford's	Hasenmiller.
n. Schnoor	Donahue	60	3	1	1	Missouri Valley	De.
nry Schult	R. R. No. 1, Dixon	107	18	4	2	Interstate	Hell.
rman Wiese	Stockton	23	4	S	Samuel S	Kansas State	Do.
go Wiese	R. R. No. 5, Davenport	55	30			Red Cross	Hollingsworth
dolph Wiese	do	54	25	13	13	Stock Yards, Kansas City	Thompson.

In addition to those mentioned above, Frank Friedrichs, Barney Gasseling, Rudolph Golinghorst, Hans Kuehl, W. E. Paul, James Porter, Louis Steinbeck, and several others have used serum on quite sick herds, but the results have not been reported.

Herds very sick-Single treatment given. SHOULD HAVE BEEN TREATED 10 DAYS SOONER.

Name.	Address.	Number treated.	Number lost.	Number not treated.	Number lost.	Serum used.	Veterinariar
fictor Blyart	R. R. No. 1, Dixon	55 23	30 23	127	126	Stock yards, Kansas City	
. E. Dannatt		15	15	127	120	do	Fulton.
illiam Dubois.		106	91		21	Huber's	Barber.
eorge Frauen			47	21 8		Mulford's	Hell.
tto Gruenhagen	R. R. No. 7, Davenport	18	17	60 73	60	Stock yards, Kansas City	Hasenmiller.
rank Gilimor	R. R. No. 1, Dixon	65	59	73	73	do	Do.
rl Hamann		46	12	60	56	Greeder's	Hell.
l. Helble	Princeton	40	26			Stock yards, Kansas City	Fulton.
1. Horst	R. R. No. 5, Davenport	40	39	60 71	60	do	Thompson.
	dodo	22	14	45	70	do	Hell. Schroeder.
illiam Lilienthal	Sunbury	16	13	25	93	North Western	Hell.
illiam Moelier	R. R. No. 1. Dixon	16 58	14	2	2	Red Cross.	Do.
Peckenschneider	R. R. No. 3, Walcott	59	27			Greeder's	Do.
to Prien	do	165	75	60	60	Stock yards, Kansas City	Do.
neo. Schroeder	R. R. No. 1, Walcott	31	16	60	48	Mulford's	Do.
G. Wessel	Long Grove	77	25	8	2	Interstate	Hasenmiller.
enry Tank	R. R. No. 7, Davenport	17	9			Stock yards, Kansas City	Thompson.

In addition to those mentioned above, A. P. Arp, Dougherty Bros., Lewis Frauen, Ed. Grell, Fred Koberg, Henry Wartens, William Stutzel, and several others have treated very sick herds, but no definite reports have yet been received.

Note.—In all the above tables the name Hasenmiller refers to the firm of Hasenmiller & Schroeder, of Eldridge.

AMES, IOWA, November 25, 1913.

Hon. WILLIAM S. KENYON, Washington, D. C.

My Dear Sermano Kenyon, D. C.

My Dear Sermano Kenyon: I returned to Ames yesterday after an official absence in the East. It was my great misfortune to be away from Ames when you called here, and to fail to find you in Washington before your return there. I am glad that you came to Ames, and hope you saw everything you were interested in, and I will be very glad to have you make any comments, suggestions, or criticisms to me of conditions as you found them.

I was very nicely entertained by your Mr. Rankin and want to express my appreciation of his kindness.

I wish I could have talked with you about the proposed legislation in the interest of hog-cholera eradication. It seems to me that if the United States Government is going into the business of producing hog-cholera serum, a very large amount of money will need to be provided. I am wondering if, with proper supervision, such as has been provided during the last year or so, and with enlargement of efforts in the States in the interest of serum manufacture, it will be necessary for the Government to undertake this phase of the work further than to give it a temporary impetus.

But I have no doubt as to the advisability of such demonstration or eradication work as is being done in Dallas County and in selected counties in two or three other States. I believe the Government can afford to spend a large amount of money in showing the practicability of keeping a considerable area free from the disease. The mistake should not be made, however, as was done last year, of holding the new appropriations until July 1. The money ought to become available early in the spring before the disease begins to spread. One dollar then is worth several later. While the manufacture of serum is very important, I am inclined to think that, with the limited amount of money the Government may spend along this line, the demonstration and eradication work is of greater importance, provided the Government makes serum for its own work or can arrange to buy it from State or private plants. private plants. Very truly, yours,

R. A. PEARSON, President.

CLARION, IOWA, November 5, 1918.

CLARION, IOWA, November 5, 1918.

Senator W. S. Kenyon,

Washington, D. C.

Dear Senator: I take this opportunity of expressing my appreciation to you for the bill you introduced, which will give aid to the farmers of the country in combating hog cholera. This bill will provide ample funds for the employment of county men to take the initiative in combating this dreaded disease.

I began the work as county agent in Wright County June 1. Since then I have devoted my entire time to the treatment of hog cholera and the educational work necessary to acquaint the farmers with facts concerning serum treatment. As a result of the work done in this county, we have in the neighborhood of 20,000 hogs that have been successfully immunized against cholera. Had reliable, tested serum been available at all times, we could have saved at least 10,000 more hogs.

The farmers of Wright County have supported this movement. Had I been able to enlist the services of four other men, there would have been pienty of work for all combating hog cholera. I have had the cooperation of five graduate veterinarians, which has helped greatly in taking care of the urgent demands for assistance.

The farmers of this county are financing this proposition without Government aid. I believe we have an application on file at Washington, D. C., for financial aid, which we are promised will be given as soon as funds are available.

I am sending you, under separate cover, a circular published by our department. This circular gives an outline of the different lines of work we are promoting.

Thanking you very much for the thoughtful effort you are putting forth for our great State of Iowa, I am,

Yours, very truly,

L. O. Wise,

Wright County Adviser.

L. O. WISE, Wright County Adviser.

COLLEGE OF AGRICULTURE AND MECHANIC ARTS, Ames, Iowa, October 31, 1913.

Hon. W. S. Kenyon,

Washington, D. C.

My Dear Senator: Won't you kindly send me copy of your so-called hog-cholera bill, which I have seen mentioned several times in the papers?

Probably you know that the work against hog cholera is making good progress in Dallas County. Chief hindrance seems to be that the Federal people do not have enough serum. We have now offered to assist them by giving preference to requests for serum from Dallas County when approved by the Federal representative. But we are obliged to charge a small price for this serum, as we have no provision for free distribution. Our new plant is making an excellent start, and the serum already sent out has done great good. We are increasing the output.

Very truly, yours,

R. A. Pearson, President.

R. A. PEARSON, President.

NOVEMBER 24, 1913.

Hon. W. S. KENYON, Washington, D. C.

Hon, W. S. Kenyon,

Washington, D. C.

Dear Sir: Knowing that you are deeply interested in the hog-cholera situation, as it stands now, and that you are trying to help the Government to solve the problem of combating this disease, and that you contemplate asking Congress to make a large appropriation to help in this matter, I am taking the liberty to address you upon this subject, hoping that you will pardon me for making this intrusion upon your time and that you will consider my suggestions given in a spirit of homesty and for the purpose, if possible, to help you get at facts. I send you, under separate cover, a little booklet containing a history of hog sickness back for half a century, a description of things I have seen and learned in my research against hog sickness. Please do me the kindness to note carefully facts which I have set forth in this little work I have spent my own time and money when making these investigations, and not the money of any State or Government. I have done this in the interest of science and for the good of my profession. I know, Senator, that the diagnosis, as made of this disease by the staff of the Bureau of Animal Industry, is not correct, neither is their remedy, and seven years of work on this line of attack has proven it is all wrong; and I am prepared to show that the vaccination of hogs with this serum treatment has killed thousands of well hogs on farms where no sickness or losses had occurred before. My little booklet will explain all this. I say, my booklet sells for Si.50. It makes no difference to me whether I sell a copy or not, and I am giving away hundreds of them; but I had it copyrighted, and in doing so I had to put a sale price upon it. Its object is to explain to hog raisers as to the cause and prevention of hog sickness. Now, in conclusion, Senator, let me say thousands of people, not in our own State alone but in other States, are watching with great interest if you make the move on this matter in the right direction. And I think you ought to proceed car

E. F. LOWRY, V. S.

DECEMBER 17, 1913.

Hon. W. S. KENYON, Washington, D. C.

Dear Senator: Pardon me for again intruding upon your valuable time. I know that you are a very busy man, but I am so thoroughly aroused over the situation as to the hog sickness in our own and in other neghboring States that I can not refrain from writing you again. Since I last wrote you and sent you my little booklet I have not been idle as to studying the conditions, more especially here in our own State. I have written to and received letters from reliable parties in nearly half the counties in our State, and I find the conditions appalling

in the sections where most serum has been used. There the losses have been greatest, and I, as well as other veterinarians and large numbers of hog raisers, are thoroughly convinced that the indiscriminate use of bad serum in the hands of young recently graduated veterinarians, who have settled in our State in the last two years, has been the means of spreading the disease into districts not before affected. Thus thousands of hogs have been made sick and disease has spread and multiplied until there is not a county in this State free from disease and death.

There are not a server been received and began to sieken.

who have settled in our State in the last two years, has been the means of spreading the disease into districts not before affected. Thus thousands of hors have been made sick and disease has spread and multiplied until there is not a county in this State free from disease and death.

Thousands of well hags have been vaccinated and began to sicken and die immediately. This is no tide talk, Stenator. I have the names af this kind, and I know it is true. In my own county one man had 180 well hogs vaccinated and in 12 days 140 of them were dead. A neighbor had 79 well ones treated the same way and lost all but 12 in 14 days. This is only part of this kind of loss in this county. Around Keota hundreds have been killed the same way and lost all but 12 in 14 days. This is only part of this kind of loss in this county. Around Keota hundreds have been killed the same way. In Dallas County a man near Grimes had 160 well hogs vaccinates by a man called or using up the time previous. All but 5 died in a short time. In Mills County a man had nearly 300 treated. Nearly all of them died, and he has brought suit against the veterinary who treated them and the firm from whom he obtained the serum. The case is now pending in the district count of Mills County. The same thing occurred in Muscatine County it is estimated that over \$500 no township in Muscatine County it is estimated that over \$500 no township in Muscatine County it is estimated that over \$500 no township in Muscatine County it is estimated that over \$500 no township in Muscatine County it is estimated that over \$500 no township in Muscatine County it is estimated that over \$500 no township in Muscatine County it is estimated that over \$500 no township in Muscatine County it is estimated that over \$500 no township in Muscatine County it is estimated that over \$500 no township it. Muscatine County it is estimated that over \$500 no township it. Muscatine County it is estimated that over \$500 no township in Muscatine County it is now had not be not considered to the

HAVE FAITH IN SERUM—WRIGHT COUNTY FARMERS WHO LOST MANY HOGS IN EPIDEMIC NOT DISCOURAGED—BELIEVE POOR VACCINE RESPONSIBLE FOR INFOADS—EXERCISE OF HERDS FOUND TO BE VALUABLE PREVENT-TIVE—OLD DAYS AND NEW IN RURAL EDUCATION ILLUSTRATED—SPLENDID FARMERS' CREAMERY AT CLARION—WILSON'S RURAL OBSERVATIONS.

[Special to Times-Republican.]

CLARION, January 13.

CLARION, January 13.

Of the four hundred or so farmers living on the six rural mail routes from this town, the names of those who escaped a visitation of hog cholera last summer and fall might be enumerated on the fingers of two hands. Practically every hog raiser had his experience with the disease. One man well posted on the matter estimates that one-fourth the usual supply at this time of year is left as the result of disease and close selling brought about because of it. In the neighboring town of Woolstock, it is said, a buyer collected a carload for shipment, but instead of going to a packing plant every animal of the load found its way into the pork barrel of a local farmer. Nearly everyone who was able to get serum vaccinated his hogs. Nearly everyone who vaccinated believes in the efficacy of the remedy, even though he lost most or all of his hogs, and it is a fact that the losses of hogs thus treated in the early part of the season were heavy. Fallure of the treatment to save the animals is generally attributed to inexperience in the work and to untested serum. Late season work done by a trained man and with tested serum produced almost universally favorable results, and many who lost large numbers of their animals this year declare they will administer the double treatment to the next crop at weaning time, confident that immunity will result.

It will not do, however, to state positively that it was vaccination that saved the hogs in every case. Several who did employ the method at all were able to save a greater or smaller part of their herds. One of these, who found sickness in his yard, "vaccinated" the three

or four afflicted porkers with an ax, and proceeded to doctor the remaining ones with a remedy that he had heard was good, viz, red pepper. He fed up an even dollar's worth of the flery stuff, and up to last week he had not a sick hog on his place, a carload of the thriftiest kind of fellows being in his feed yards. Another man lost only one hog of a herd numbering about 90. A breeder of pure-bred hogs in another locality adopted a plan of his own. He made it a part of his chores to get out in the morning and "exercise" his hogs—ran them all over the pasture. At the same time he fenced off part of his cornfield and turned the hogs into it. He has just held a hog sale on his farm. Said one man: "I believe hog cholera might be prevented by keeping the stock in fresh yards and pastures, changing them every year or so." One thing is certain; there has been a lot of thinking on this subject of hog disease this year in this part of the country, and if next year's crop is lost it will not be because of carelessness or out-of-date methods on the part of the farmer.

COMPEL USE OF SERUM—COL. FRENCH, OF DAVENPORT, ADVOCATES COM-PULSORY INOCULATION OF HOGS—WANTS STATE TO EQUIP LABORATORY TO COST \$250,000—SWINE BREEDERS, HE SAYS, SHOULD BE COMPELLED TO INOCULATE EVERY PIG WHEN OLD ENOUGH—BELIEVES DISEASE COULD THUS BE ERADICATED—OWNS HERD OF 1,000 AND NONE ARE LOST.

DAVENPORT, November 8.

Farmers and veterinary surgeons who have studied the ravages of hog cholera in lowa the past year estimate that the total loss will not be less than \$15,000,000 and some place it as high as \$25,000,000.

Col. George W. French, of Davenport, proprietor of the lowana stock farm, urges a compulsory system of inoculation, which he thinks will in a few years banish the disease from the State. He has 1,000 hogs, valued at \$30,000, all of which have been inoculated with serum and not one has died from the disease. He wants the legislature to appropriate \$250,000 for the purpose of establishing a serum factory large enough to produce sufficient serum to supply all the farmers of Iowa.

COMPULSORY INOCULATION.

He would then have the legislature pass a law making it compulsory upon farmers to inoculate every hog in the State, following this up by inoculating every pig as soon as it is old enough. In three or four generations of hogs, he thinks, the disease would be stamped out.

There has been much criticism of the last legislature because of the small amount appropriated to establish the serum factory at Ames. This plant produces hardly enough serum to treat the hogs of one county, to say nothing of the rest of the State.

KILL HOGS ONLY TO SAVE.

Despite the fact that 30 hogs are being sacrificed weekly at the Minnesota Agricultural College in Minneapolis to produce serum that other hogs may be made immune from cholera, which is still prevalent in western and southwestern counties of Minnesota, H. Preston Hoskins, assistant veterinarian, in charge of the serum department at the university farm, believes the loss to Minnesota farmers this year will be \$5,000,000. He declared a large amount of the money would be spent for worthless medicines.

Enough serum can be obtained from one hog to inoculate 500 weighing 100 pounds each. In getting the serum hogs immune from cholera are used. Animals that have recovered from the disease or have been given the serum-virus treatment may be taken for the purpose.

These are rendered hyperimmune by being treated with virus made from other hogs. The blood of the hyperimmune animal has been found to contain a large amount of the substance that protects animals from attacks of cholera. From this blood the serum is made and sent to hog owners in all parts of the State to protect exposed herds.

LATE START MARS HOG-CHOLERA TESTS, BUT GOVERNMENT EXPERIMENTS AT ADEL SHOW VALUE OF WORK—DEMAND IS GROWING—FARMERS TAKING MORE INTEREST AND ARE AIDING EXPERTS.

(By Edgar Markham, staff correspondent.)

ADEL, IOWA, October 14.

ADEL, IOWA, October 14.

The first year's results in the Government experiment to determine whether hog cholera can be controlled will not be what was anticlpated. But they will show that fully 80 per cent of the hogs of diseased herds can be saved if given the serum treatment. They also will show that few hogs are killed by the simultaneous treatment, which is the one given to prevent the disease.

The reason that the results of the experiment will not be entirely satisfactory is that the disease got ahead of the Government field corps which is working under the direction of Dr. O. B. Hess. The appropriation made by Congress was not available until July 1. By that date hog cholera was prevalent in many communities.

CHOLERA HAD GOOD START.

CHOLERA HAD GOOD START.

CHOLERA HAD GOOD START.

When it was announced the experiment was to be made it was said that only the preventive treatment would be given. The purpose was to demonstrate that cholera can be controlled by the use of virus and serum, not that it can be cured by the use of serum. But so many hogs were infected that it was found necessary to help save the sick ones.

Dr. James I. Gibson, State veterinarian, was in Dallas County to-day in conference with Dr. Hess. He is cooperating with the Government in the experiment. It is his duty to watch the sanitary end of the work. Quarantine regulations prevail on every farm where it is known that cholera exists or where the simultaneous treatment has been given.

"I am well satisfied with the results that are being obtained," Dr. Gibson said after spending a day in the field. "Dr. Hess and his assistants are doing their best to get the most out of the experiment. They certainly are doing a great thing for the farmers."

FARMERS ARE COOPERATING.

FARMERS ARE COOPERATING.

Ralph E. Joy, who is secretary of the county organization, reported to Dr. Gibson that the farmers are cooperating with the Government. There are a few stubborn ones who oppose the use of serum, but not

"As an illustration of the interest the farmers are taking in the experiment, I might say that I am called over the telephone all hours of the day and night to send out field men to administer the serum," he said. "All I do is to try to gather data from the farmers that will help in the experiment. Letters have been sent to every farmer in the county."

Close to 8,000 hogs have been treated by the Government field men.

Close to 8,000 hogs have been treated by the Government field men. A majority of these were found to be diseased. From the reports pre-

pared between 15 and 20 per cent of the diseased hogs have died. Few of the others succumb to the treatment.

REQUIRES BUT LITTLE TIME.

The field men have been in idleness half of the time. Recently near Dawson 457 hogs were treated in eight hours. The experts can administer serum to a hog a minute if they have the help needed.

At the home of W. H. Hathaway, 3 miles north of Redfield, 97 hogs were given the treatment in less than two hours. Twenty more were treated at the George Mullins farm, which is near by. All this was done after 3 o'clock.

Dr. Hess uses three assistants. The farmers are expected to furnish enough help to catch, hold, and prepare the hogs for treatment. Seven men are needed.

men are needed.

One of Dr. Hess's assistants takes the temperature of the hog.

If it is below 104 degrees, the simultaneous treatment is given.

Above that mark the hog is considered sick. He needs no virus. If the disease has not made too much progress the serum will cure him. TEMPERATURE DETERMINES AMOUNT.

From the temperature of the hog Dr. Hess determines the amount of serum to be administered. The size of the animal also plays a big part in determining this. One assistant prepares the serum and virus for injection. The third assistant keeps the records. If the temperature of a hog is found to be more than 106 degrees he is marked. This is done so that Dr. Hess may know whether many of those in the late stages of the disease are cured.

An idea of the work Dr. Hess has before him can be gained when it is known that he this afternoon refused to promise a farmer he could get to his herd in time to do any good. M. T. Pairdekooper, who lives near Hathaway, reported sickness in a herd of 150 head.

MUCH WORK AHEAD.

"I might promise you, but I won't because I know I can not keep it," Dr. Hess said. He called attention to herds aggregating 2,000 head in which there is sickness.

Dr. Hess advises the farmers to hire their hogs treated rather than to wait for the Government men The expense is about \$1 each. The Government makes no charge. Some of the farmers hesitate because one or two incompetent veterinarians have administered the treatment in the county.

At their conference Dr. Gibson and Dr. Hess were unable to reach a conclusion as to what causes the disease to spread as rapidly as it does. Pairdekooper declared that no cholera had existed on his farm since he has lived there—for five years. Not a strange hog has been on the place during the summer. Two weeks ago, however, he drove a carload of hogs to market. Diseased hogs had been put in the stockyards. Dr. Hess said that Pairdekooper may have carried germs home on his clothes.

Three farmers got cholera in their herds by hauling hegs to a shipping place where cholera was prevalent. The wagons and horses carried the germs to the swine pens, Dr. Hess said.

Dr. Hess and Dr. Gibson are sure that by getting an early start in the spring they will be able to control hog cholera in Dallas County next summer. But they don't want to wait until they are put on the defensive before they start fighting.

OFFICIALS TRY TO QUARANTINE SWINE—TOUR OF DALLAS COUNTY UNDER-TAKEN BY GIBSON AND FEDERAL EXPERT.

PEPRY, IOWA, October 24.

PERRY, IOWA, October 24.

Drastic mesures to prevent the spread of hog cholera were adopted yesterday when several State officials started a tour of the county to place in quarantine every herd of hogs exposed to cholera.

Dr. James I. Gibson, State veterinarian; Dr. J. W. Bauman, of Bloomfield, member of the State animal health board; Dr. Hess, a Government expert in charge of the work in this county; and Henry Brady, member of the legislature, composed a party of men who left here this morning on a tour of the county.

They are posting notices and doing everything possible to prevent the spread of the disease. The quarantine notices lead:

"Parties having business on these premises must keep away from the hog lots. Parties occupying these premises are forbidden to go in or near their neighbors' hog lots."

According to the State and Federal authorities, Dallas County has more hog cholera this year than ever before in its history. Federal aid was given some time ago, and Dr. Hess and his assistants have been working for weeks to prevent the disease. In many instances they have been very successful, but in others they were notified too late to save the herds and confined their efforts to rendering immune the hogs on the neighboring farms.

They have been handicapped by being unable to secure serum when it was most needed, and conditions are such now that the most drastic measures are necessary to stamp out the disease.

SERUM PLANT SATISFACTORY—LEGISLATORS' ONLY REGRET IS THAT PLANT IS NOT LARGER.

[Special to Times-Republican.]

DES MOINES, January 10.

Des Monnes, January 10.

Members of the legislature have been well pleased with the State hog-serum plant in operation at Ames as provided for by the legislature. Several members have taken occasion to visit it during the short-course period at the college.

Speaker Cunningham, who was in the city yesterday, had just come from the college. "The serum plant is all right," he said, "only we have got to make it very much larger in order to do the business. I never saw a plant where they have everything in such excellent condition. And they have the records, too, of every shipment and can show exactly what results were obtained in every case."

Representatives Huntley, of Lucas, and Brady, of Dallas, also in the city this week, spoke in praise of the work being done.

"I have made a thorough investigation of the serum plant at the college," said Senator Ames, of Tama, who led in the fight for its establishment. "The only mistake we made was in not giving enough money. They should be able right now, at the dull time, to be making vast quantities of the serum to be kept for use when needed. It looks like the farmers will have to come to their help by buying in advance and putting up the meney. But it is a great institution and everything simply perfect. I went through the laboratories at Kansas City, and in contrast that at Ames is a delight. I am absolutely sure of the value of the plant and the work being done."

PROF. G. R. BLISS ON HOG CHOLERA—IOWA AGRICULTURAL EXPERT ADVISES
ILLINOIS FARMERS—APPLIES UNIQUE METHODS—WAGERS THAT HOGS
PROPERLY TREATED WILL NOT GET CHOLERA FROM DISEASED ANIMALS.

MONMOUTH, December 11.

G. R. Bliss, county agricultural advisor of Scott County, Iowa, in which Davenport is located, is not a betting man, but he made a wager of \$100 cold cash at the Mercer County Farmers' Institute meeting yesterday afternoon that if all the hogs of Mercer and Warren Counties were inoculated with fresh hog-cholera serum just after they are weaned, using the double treatment, that not one of the porkers would die, even though placed in a herd of diseased hogs. Mr. Bliss made the same bet with farmers of Scott County when cholera was killing off the hogs by the hundreds in that county a year ago, and he still retains possession of his original bank account—and more.

THE FOLLOWING PLAN FOR DEMONSTRATING THE BEST METHODS OF CONTROLLING HOG CHOLERA HAS BEEN SUGGESTED BY THE BUREAU OF ANIMAL INDUSTRY.

METHOD OF PROCEDURE. I .- Educational work.

To be carried out jointly by Federal and State officials through lectures and demonstrations before farmers' clubs and special assemblages.

II.—Restrictive regulations and quarantine.

Restrictive regulations should be issued by State authorities and enforced by State officers and United States employees deputized for the purpose.

III .- Immunisation with serum.

This work is to be under control of employees of the Bureau of Animal Industry, and serum is to be administered at such places and in such manner as they may decide to be necessary.

IV.—Serum production.

Anti-hog-cholera serum sufficient for the work to be prepared by the Bureau of Animal Industry and furnished to the United States field inspectors upon request.

I .- Administrative.

The general administration of the work to be under the general direction of the Chief of the Bureau of Animal Industry, United States Department of Agriculture.

II .- United States Department of Agriculture.

(a) Field force.

One supervising field inspector and adviser. The force in each State is to be an independent unit reporting direct to the Chief of the Bureau of Animal Industry and is to consist of:
One inspector in charge.
One or more veterinary inspectors and one clerk.
(b) Laboratory force.
One inspector in charge with the necessary scientific assistants, clerks, and laborers to prepare sufficient serum to supply the various field inspectors.

III .- Nondepartmental.

(a) State officials.
As many trained employees as the State can furnish for field work and lectures.
(b) Volunteer assistants.
As many intelligent farmers as can be secured for general cooperation, to be chosen jointly by the United States field inspectors in charge and authorized State representatives.

COOPERATION.

Generally the following principles are to be observed:

1. The preparation and application of serum will be under control of Federal officials.

2. Necessary quarantine and other restrictive measures to be under control of the proper State officials.

3. Educational work to be carried out jointly by Federal, State and county representatives.

SENATOR FEOM MARYLAND.

Mr. KERN. I rise to a question of privilege. I desire to call Mr. KERN. I rise to a question of privilege. I desire to call up Senate resolution 247, referring to the election of Hon. Blair Lee as Senator from Maryland.

Mr. BURTON. Mr. President—
The VICE PRESIDENT. Does the Senator from Indiana

yield to the Senator from Ohio?

Mr. BURTON. While we are on the subject of hog-cholera remedies, I should like to address the Senate briefly, not more than 10 minutes, before another topic is taken up.

Mr. KERN. I have agreed to yield a similar length of time to the Senator from Missouri, and if the remarks of the two Senators can be compressed within 30 minutes I have no objection.

Mr. WARREN. Mr. President-

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Wyoming?

Mr. KERN. I do.

Mr. WARREN. I wish to say that I am not going to ask the Senator to give me 20 minutes or 10 minutes. I merely wish time to say now that this subject is a very important one, and I wish to record myself as being in favor of some measure like that which is now proposed. It is one of the most important questions before the industrial world at the present time.

Mr. KERN. The question I have brought up is a matter of the highest privilege. I desire to be courteous to all Senators. I am willing to agree to yield the floor, first, to the Senator from Missouri [Mr. Reed], if I may do so, and I am willing to yield it further to the Senator from Ohio [Mr. Burton].

Mr. CLARK of Wyoming. Mr. President— The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Wyoming?

Mr. KERN. I do. Mr. CLARK of Wyoming. Do I understand that the Senator is having this privileged matter placed before the Senate for its

consideration at the present time?

Mr. KERN. Yes, sir.

Mr. CLARK of Wyoming. I should like to ask the Senator whether there is a minority report upon this case?

Mr. KERN. There is a minority report, which was filed some time ago and which has been printed and is on the desks of

Mr. CLARK of Wyoming. I notice that some members of the committee are not present, and the Senate is far from having a full attendance. It seems to me that this matter ought not to be considered in the absence of Senators who joined in the minority report.

Mr. KERN. I will say to the Senator that I had intended to suggest the absence of a quorum after having called up the matter and before it was proceeded with. I had not yet made that

Mr. NEWLANDS. Mr. President-

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Nevada?

Mr. KERN. I do.

Mr. NEWLANDS. I wish to ask the Senator from Indiana whether he will not yield a part of the afternoon for the consideration of Order of Business No. 130, being resolution 241, introduced by the junior Senator from Oregon [Mr. Lane], directing the Interstate Commerce Commission to conduct an examination to ascertain whether facts or evidence exist justifying the Government in instituting proceedings for recovery of fines, and so forth, from the United States Steel Corporation, its subsidiaries, or any common carrier because of unlawful rebates within the last six years?

Mr. SMITH of Georgia. Mr. President-

Mr. NEWLANDS. I wish to say in this connection that I have been seeking an opportunity to bring up this report since it was considered by the Interstate Commerce Committee, but I was prevented by the pendency of the Alaska bill. It should be determined of course at an early date, and I suggest in the present condition of the public business, after getting his matter before the Senate, that the Senator from Indiana yield for the present consideration of resolution 241.

Mr. KERN. I think that resolution may be taken up tomorrow. There will be periods of time, I dare say, in which Senators will not be prepared to proceed on the election matter, and it may then be temporarily laid aside. Probably resolution

241 could be taken up this afternoon.

Mr. SMITH of Georgia. Mr. President—
The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Georgia?

Mr. KERN. I do.

Mr. SMITH of Georgia. I wish to call the attention of the Senator from Indiana and the Senator from Nevada to the fact that on January 17 I gave notice that immediately upon the close of the Alaska bill I would ask the attention of the Senate to Senate bill 3091, being the bill for agricultural extension work. I would regret very much to lose the position which that bill occupies before the Senate.

I recognize, of course, that the matter the Senator from Indiana brings to the attention of the Senate is a matter of the highest privilege, and I take it for granted that all other questions would be displaced before the question of seating a Senator; but I would very much like this afternoon to call up Senate bill 3091 and then temporarily lay it aside, not intending in any manner to keep it in the way of the matter of privilege which the Senator from Indiana has in charge.

Mr. KERN. Mr. President, I do not desire to encounter any parliamentary entanglement in regard to the matter I have in charge. I have no objection at all to any steps being taken by the Senator from Georgia with reference to his bill, with which I am in entire sympathy, that would not in any way interfere with the continuous consideration of the Maryland election case until it is disposed of.

Mr. SMITH of Georgia. If the bill under the notice I have given is taken up this evening, I shall at once ask to lay it temporarily aside and I will continue to request that it be laid aside until the Senator from Indiana concludes his matter of

the highest privilege.

Mr. NEWLANDS. I should like to call to the attention of the Senator from Georgia that Senate resolution 241 is a matter involving an investigation that it is claimed is required immediately, with a view to litigation now pending between the

United States and the Steel Trust and with a view to securing evidence that will be material in that case. I do not think it will take long to dispose of it, and the Senator from Oregon [Mr. Lane] has been pressing for its disposition.

Mr. SMITH of Georgia. I ask if that is not a matter which

can come up in the morning hour?

Mr. NEWLANDS. If it were the understanding that it would come up in the morning hour to-morrow after the routine busi-Would that be satisfactory to the Senator from Oregon?
Mr. LANE. Yes. ness, I would be very glad to have that disposition made of it.

Mr. NEWLANDS. I move, then, that Senate resolution 241 be taken up immediately after the close of the morning business Mr. NEWLANDS. to-morrow.

Mr. SMOOT. That motion is out of order. The proper time to make the motion is to-morrow after the close of the morning business. Then, if the Senator makes the motion and the Senate decides to take up the resolution, of course it will be taken up.

Mr. NEWLANDS. Does the Senator from Utah make that

point of order?

Mr. SMOOT. Certainly, Mr. President. Mr. NEWLANDS. I wish, by unanimous consent, to have the

resolution disposed of to-morrow, if possible.

Mr. SMOOT. Under the rule, of course, the Senator would have to call for a quorum before a request for unanimous consent could be submitted.

Mr. KERN. I have no doubt that ample opportunity will be given for the consideration of the resolution to-morrow.

Mr. SMITH of Georgia. Then, Mr. President, I move that the Senate take up Senate bill 3091. I make that motion in pursuance of the notice I gave the 17th of January, and I wish to state, in connection with making it, that after the bill has been taken up I shall ask to lay it aside temporarily.

The VICE PRESIDENT. Does the Senator from Indiana

withdraw his motion?

Mr. KERN. No; I can not withdraw my motion. Mr. NEWLANDS. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana ield to the Senator from Nevada?

Mr. KERN. I do.

Mr. NEWLANDS. If the Senator will yield for one moment, give notice that to-morrow morning at the close of the routine business I shall move to take up Senate resolution 241, being the resolution to which I have referred.

Mr. SMITH of Georgia. Mr. President—
The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Georgia?

Mr. KERN. I do.

Mr. SMITH of Georgia. I desire again to request the Senator from Indiana to allow me to present this motion. His resolution is a matter of the highest privilege. We can lay Senate bill 3091 aside after it has been taken up and proceed with the matter he has in charge. If I do not present this motion now I would in a measure lose the benefit for the bill of the notice gave about the middle of January.

Mr. KERN. I do not desire now to complicate the parliamentary status of the resolution I have brought up. entirely willing at the proper time to assent to the proposition of the Senator from Georgia. If he will defer it a little later, I think there will be no trouble about it.

Mr. SMITH of Georgia. But unless the Senator allows me to do it now there will be no other proper time. I will state again, if the Senator will allow me to take up the bill at this time, I will at once ask that it be laid aside temporarily, so that the Senator from Indiana shall have the right of way, and I will not press the status of the bill until he finishes the matter that he has brought up for consideration.

Mr. SMOOT. I will state that it is the object of the Senator from Georgia to make the bill the unfinished business.

Mr. SMITH of Georgia. Precisely. Mr. BACON. That does not interfere with taking up a matter which has precedence.

Mr. CLARK of Wyoming. Mr. President, I rise to a question

of order The VICE PRESIDENT. The Senator from Wyoming will state it.

Mr. CLARK of Wyoming. The question of order is this: A matter of high privilege having been presented to the Senate, is it competent for the Senate then to put it aside for other

I do not think it can be set aside. Mr. KERN.

Mr. SMOOT. It can be done by unanimous consent. Mr. SMITH of Georgia. I think this would be true, Mr. President. If the Senator from Indiana insists upon pressing his resolution without allowing me first to make this motion, it will take precedence over my motion, and I will not undertake to press my motion except with the consent of the Senator from Indiana; but if he will allow me to make my motion, I will at once ask to lay aside the bill temporarily and the Senator from Indiana will again have the floor and will have the advantage he now has. The only thing that he will have done is that he will have permitted me to utilize my former notice to make Senate bill 3091 the unfinished business, to be displaced continuously until the Senator from Indiana completes the subjects that he desires to bring before the Senate.

Mr. KERN. I do not understand why the Senator from Georgia may not make that request at any time as well as now.

Mr. SMITH of Georgia. For the reason that having given notice January 17 that I would make the motion immediately after the disposition of the Alaska bill, and having obtained the approval of a large number of Senators to give the matter this direction, while from a parliamentary standpoint, strictly speaking, I have no advantage, yet under the practice of the Senate I have a great advantage in forwarding the measure I wish to press before the Senate. My doing so will in no way inconvenience the Senator from Indiana, but I think I can do so only by his consent. It is for that reason that I ask his

Mr. NEWLANDS. Mr. President—
The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Nevada?

Mr. KERN.

Mr. NEWLANDS. May I ask the Senator from Georgia what effect the disposition of the matter as he suggests would have upon my notice to take up the resolution to-morrow morning at the close of the morning hour.

Mr. SMITH of Georgia. It would not affect it at all, Mr. President, because being the unfinished business it would not be called until 2 o'clock to-morrow, when I would again ask to lay it aside temporarily until the matters the Senator from Indiana is interested in are finished.

Mr. NEWLANDS. Would the Senator also include in that guaranty or assurance the consideration of the Senate resolution regarding the Steel Trust, which ought to be disposed of?

Mr. SMITH of Georgia. As I understand the question, the resolution will come up to-morrow morning after the routine business and before 2 o'clock. I have no disposition to interfere with it. I only want to obtain for my measure the status that I hope the notice I have given has secured for me.

Mr. KERN. Mr. President, I would do almost anything to accommodate my friend the Senator from Georgia, but having brought this matter before the Senate as one of the highest privilege, it is before the Senate. I do not see how I can do more than yield.

Mr. SUTHERLAND. Mr. President—
The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Utah?

Mr. KERN. I yield.

Mr. SUTHERLAND. I simply wanted to inquire what is the matter before the Senate. Is there a motion before the Senate

The VICE PRESIDENT. The Senate is endeavoring to ascertain whether it can transact any business, the Chair under-

Mr. SUTHERLAND. May I ask whether the Senator from Indiana has made a motion to proceed to the consideration of

Mr. KERN. I called up Senate resolution 247 as a matter of

the highest privilege.

Mr. SUTHERLAND. Then I suggest, Mr. President, that it is a matter of the highest privilege, and having been called up, the Senate ought to proceed to the consideration of it. I ask for the regular order.

The VICE PRESIDENT. It is before the Senate, if insisted upon. It has been delayed, the Chair will state to the Senator from Utah, owing to requests made by various Senators that the Senator from Indiana withdraw the demand. It being insisted upon, however, the Chair lays before the Senate the resolution, which will be read.

The Secretary read Senate resolution 247, reported from the Committee on Privileges and Elections, as follows:

Resolved, That BLAIR LEE was duly and legally elected a Senator of the United States from the State of Maryland at a regular election held in that State on the 4th day of November, 1913, and that the said BLAIR LEE, having presented proper credentials from the State of Maryland, is now entitled to take the oath of office as a Senator of the United States from the State of Maryland.

The VICE PRESIDENT. The question is upon the resolution. Mr. SMITH of Georgia. I desire to give notice that immediately upon the disposition of these contested-election cases,

which are matters of the highest privilege, I shall bring to the attention of the Senate again Senate bill 3091.

Mr. SMOOT. I understand the Senator from Indiana to say that he would suggest the absence of a quorum, as there may be Senators interested in the pending resolution who are absent.

Mr. KERN. I had intended to make that suggestion myself. Mr. SMOOT. I did not make the suggestion. If the Senator does not make it, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Ashurst Hitchcock Hollis Smoot Sterling Stone Sutherland Overman Bacon Bankhead Page Pittman Ransdell Reed Robinson Saulsbury Shafroth Sheppard Shively Simmons James Johnson Jones Borah Bradley Swanson Thompson Townsend Vardaman Walsh Warren Brady Bristow Kenyon Kern Lane McCumber Martin, Va. Martine, N. J. Bryan
Bryan
Burton
Chamberlain
Chilton
Clark, Wyo.
Cummins
Dillingham
Gore Shively Simmons Smith, Ariz. Smith, Md. Smith, Mich. Smith, S. C. Myers Newlands Norris Oliver Williams

Mr. BRYAN. My colleague [Mr. Fletcher] is absent on business of the Senate.

Mr. BANKHEAD. The senior Senator from Louisiana [Mr. THORNTON] is unavoidably absent. I will make this announcement for the remainder of the day.

VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the resolution.

Mr. SUTHERLAND. I should like to ask the Senator from

Indiana whether he intends to say anything in support of the resolution?

Mr. KERN. Mr. President, this case has been thoroughly briefed by counsel on both sides. Some of the briefs have been on the desks of Senators for a week or two. The majority report and the views of the minority have been presented to the Senate and to Senators. As I have no particular message to deliver to my constituents on the subject or any general message to the people of the country, I do not think it would be profitable to occupy the time of the Senate in a further discussion of these questions, all of which have been discussed and

all of which are fresh in the minds of Senators present.

Therefore I think it would be unprofitable to take the time of the Senate in an extended discussion of the questions here presented.

Mr. SUTHERLAND. Mr. President, the statement made by the Senator from Indiana rather indicates that he not only does not desire to say anything in support of this resolution, but that he really has nothing to say in support of it. He tells us that the case has been thoroughly briefed upon both sides and that he thinks there is no necessity of discussing it. One of the most important questions in the case, as it seems to me, has neither been briefed upon the side of the proponent in any satisfactory way nor has it been treated in any satisfactory way in the report of the majority. I do not agree with the report of the majority in this case, and I desire very briefly to give my reasons to the Senate.

Mr. MYERS. Will the Senator yield to me for a minute? Mr. SUTHERLAND. I yield to the Senator from Montana.

Mr. SUTHERLAND. I yield to the Senator from Montana.

Mr. MYERS. I ask that the resolution be read. I have not yet heard what it is.

Mr. SUTHERLAND. The resolution has been read. I have no objection to its being read again, however.

The VICE PRESIDENT. The Secretary will again read the

resolution.

The Secretary again read the resolution reported from the Committee on Privileges and Elections.

Mr. SUTHERLAND. Mr. President, the facts in this case very briefly stated are as follows: Senator Rayner was elected for a term which, if he had lived, would have expired March 4, 1917. In November, as I recall the date, 1912, Senator Rayner died, thereby leaving a vacancy in the representation from the State of Maryland. That happened prior to the adoption of the seventeenth amendment to the Constitution.

The governor of the State of Maryland, acting under the old provision of the Constitution, which gave him authority during the recess of the legislature to fill vacancies by temporary appointment, appointed Senator Jackson to fill that

vacancy.

The Legislature of Maryland next meeting after that appointment was the legislature which is now in session in that State and which met shortly after the beginning of this month. The legislature is still in session, and its session will terminate by constitutional limitation on the 7th day of April of this

Under the old provision of the Constitution the governor, in the case of a vacancy happening, is authorized to make a temporary appointment until the next meeting of the legislature, which is then directed by the Constitution to fill the vacancy. So under the old provision of the Constitution there can be no question but that Senator Jackson was entitled to hold his seat until the happening of one of two things-either the election of his successor by the incoming Legislature of Maryland, which is now in session, or the adjournment of that legislature without an election.

Pending that event, however, the governor of Maryland last fall issued a writ calling for a special election to be held upon the day of the regular election prescribed by the laws of Maryland, at which election a successor to Senator Jackson, or to Senator Rayner, as you please, was to be chosen.

That state of the case brings up two questions: First, whether under the terms of the seventeenth amendment a special election could be held in the State of Maryland for the purpose of electing a United States Senator, and, second, if so, when would the person so elected take his seat in this body, or, in other words, when would the term of Senator Jackson expire so as to create a vacancy which could be filled by his successor thus elected:

Two contentions were made before the committee with reference to the power of the governor to call an election. First, that under the terms of the seventeenth amendment the governor was authorized to call an election without any legislative authority whatsoever, and, second, that if legislative authority were required that authority was to be found in the statutes of Maryland which had been adopted prior, and some of them long prior, to the ratification of the seventeenth amendment.

I have found myself unable to agree to either of those contentions. The report of the committee does not tell us which view the committee adopts.

All that is said in the report upon that subject is contained upon page 4, and reads as follows:

The seventeenth amendment required that the governor should issue his writ of election in case of the happening of a vacancy in the representation of his State. Such a vacancy had happened. The people under the provisions of the new amendment then in force had the right to elect. The only question to be considered was as to whether there was in existence appropriate election machinery for the expression of the popular will, and it was found that such machinery had been provided both for nomination and election. In other words, there was no obstacle in the way of an orderly and lawful election as contemplated by the seventeenth amendment.

That is all that is said by the committee upon that branch of the case. I am unable to determine from reading it whether it is the opinion of the majority of the committee that the seventeenth amendment itself is sufficient to authorize the election or whether legislation is necessary to carry out the provisions of the seventeenth amendment, and that that legislation exists in the statutes which have been heretofore enacted by the Legislature of Maryland. If the latter view is taken by the committee, the report is unfortunate in not setting forth some provision of the statutes of Maryland which would authorize that conclusion. I have read all the provisions of the election laws of that State that seem to have the remotest bearing upon the subject, and I have been unable to find any provision in the laws of that State which would authorize such an election as this. It would have been somewhat helpful to some of us if the committee had pointed out the provisions of the statutes relied upon, which we might then have taken up and considered.

Mr. President, with reference to the first contention that was made, I call the attention of the Senate to the language of the constitutional provision. Perhaps I had better read the entire seventeenth amendment in this connection. That amendment provides as follows:

ARTICLE XVII.

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

I call particular attention to this provision:

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies—

I pause for the purpose of emphasizing the last provision that I have read. Then the amendment proceeds:

Provided, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

Now, I again emphasize the concluding paragraph of that amendment, which is as follows:

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

It was claimed by those who presented the case before the Committee on Privileges and Elections on behalf of Mr. Lee that the provision of the seventeenth amendment to the effect that-

When vacancies happen in the representation of any State in the Senate the executive authority of such State shall issue writs of election to fill such vacancies—

carries with it, as an incident, the authority to condition the election. In other words, having authorized the governor of the State to issue a writ of election, by implication that carries with it to the governor authority to fix the time when the election shall be held, the places where it shall be held, and the manner in which it shall be held, or, in other words, to provide, in issuing the writ of election, for every necessary element of the election element of the election.

If this provision had been the only provision upon this subject in the Constitution, there would have been some foundation for that claim; but it is not the only provision in the Constitu-tion upon that subject. The old provision of the Constitution, which is to the effect that the legislature shall fix the times, places, and manner of holding elections for Senators and Representatives, still remains intact. That is a general provision. It is contained in section 4, Article I, of the Constitution, and reads as follows:

SEC. 4. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or after such regulations, except as to the places of choosing Senators.

It will be observed, therefore, that the power is conferred upon the legislature, in the broadest possible terms, that the legislature shall prescribe the times, places, and manner of holding elections for Senators and Representatives-not general elections, not special elections, but all elections. I can not imagine how it would be possible in language to confer that power upon anybody in express words any more strongly or broadly.

It follows, therefore, if we are to construe this language as it plainly reads, that the people who framed the Constitution devolved upon the legislatures of the various States the authority to fix the times, the places, and the manner of holding all elections for Senators and Representatives. There is no qualification; there is no language in the Constitution anywhere else conferring that power upon the governor; but it is, in effect, said that, notwithstanding the provisions of the Constitution giving this power without qualification to the legislature, the same power rests in the governor by mere implication. In that connection, let me again call attention to the words of the seventeenth amendment.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of elec-

There is no authority to fix the time or the place or the manner of the election, but simply to issue the writ of electiona mere ministerial act-which must have a legislative foundation for it before the power can properly be exercised; in other words, in the case of a special election the powers are divided. To the legislature the power is given to legislate with reference . to the times, the places, and the manner of election, while to the governor is given the power to issue a writ of election, calling for the election to be held.

Of course, in the case of a special election a precise day upon which the election should be held could not be fixed, but it could be fixed, nevertheless, by prescribing that it should be held only after 30 days' notice or 60 days' notice, or some provision of that kind; and certainly, with reference to the manner and the places, those elements are as capable of exact description by the legislature in the case of a special election as they would be in the case of a general election. If the governor has the power to fix the time as an incident to this authority to issue a writ of election, he must, of course, have the power to fix the places and the manner as well, because each of those

elements is equally necessary to an election.

Then we are confronted with this situation: If the governor has this authority, he, from the very nature of the case, could not fix these elements by a general rule; he must announce them in each case as the case arises, because they are to be fixed; he has no power to legislate, only in connection with his issuance of the writ of election. So, in one case he may call an election 2 days after the notice is issued, in another case in 60 days, and in another case in 6 months. Then, with reference to the places, he may say in one case that the election shall be held in the several polling places provided for by State law, in the various voting precincts into which the State is divided;

in the next case that arises he may provide that the polling places shall be the county seats. Indeed, if he has the power, it is a full power, and he may go further and provide in the next case that arises that the votes shall all be cast at the

State capital.

Coming to the question of the manner, he may in one place prescribe the Australian ballot; in another place he may prescribe some other form of voting. So, instead of having some definite and certain rule, the whole matter of these elections would be in the unrestricted discretion of the governor of the State. It seems to me that no such intention can be found by the language of the Constitution to have been in the minds of its framers.

Mr. STONE. Mr. President-

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SUTHERLAND. I do.

Mr. STONE. There is a provision in the amendment to the effect that, where a vacancy occurs, the governor of the State shall issue a writ of election. Like provisions appear, I think I may safely say, in the constitutions of all the States with reference to State officers. That is common in the constitutional law of the States, and the provision that is common to the constitutional law of the States is now incorporated in this amendment to the Federal Constitution, in substance and effect. When the governor issues his writ of election, complying with this provision of the Constitution, to whom is the writ issued? Is it issued to the sheriff of the county or to some other official of the county directing that an election be held? A writ must be directed to some official. It is an official act by the governor, to be carried out as an official act by some subordinate or some officer to whom the writ is addressed. If it be addressed, for example, to the sheriff or to some other county official or officials throughout the State, what does it command them to do? To hold an election for a certain purpose. Would the governor not necessarily state in the writ when the election should be held? To hold an election on a certain day for a certain purpose. That fixes in the writ, it seems to me, the time when and the places where the election must be held.

As to the manner, that settles itself, because the statutes of every State must provide the manner in which special as well as general elections shall be held—the places, the precincts where they shall be held, how they shall be held, and how the returns shall be made and to whom.

Mr. SUTHERLAND. Where are those elements fixed?

They are fixed in the statutes of the State. Mr. STONE. Mr. SUTHERLAND. Where are they in the statutes of Maryland?

Mr. STONE. I assume they are in the statutes of Maryland, as in those of other States.

Mr. SUTHERLAND. Oh, the Senator assumes something-Mr. STONE. Yes; I assume—

Mr. SUTHERLAND. And perhaps the committee assumes; but I ask the Senator, as I have asked the committee, to put his finger upon the statute which does that. The difficulty

Mr. STONE. I confess very frankly that I have not examined the statutes of Maryland at all; but I think I might well make that assumption, for it would be strange, indeed, if one could not assume that every State in this Union would make provision for the times, places, and manner of holding elections within its sovereign borders.

Mr. SUTHERLAND. Mr. President, it is not strange at allindeed, it would be strange if the contrary existed—that no State has fixed the times, the places, and the manner of electing United States Senators by the people, because until the seventeenth amendment was adopted there was no provision for the election of Senators by the people.

Mr. STONE. I am not speaking of United States Senators; I am speaking of elections.

Mr. SUTHERLAND. Well, does the Senator think that the provisions of a statute authorizing the people to elect a governor on a particular day authorize them to elect a Senator upon that day?

Mr. STONE. I assume, Mr. President, that the statute of the State provides when, where, and how any and all elections shall be held within the State, and how the returns shall be computed

and tabulated and the result declared.

Mr. SUTHERLAND. Mr. President, I am going to take up that question and discuss it a little later, and if the Senator will do me the honor to listen to me, I think I shall show that there is no such provision in the statutes of Maryland. But that is not the question which I am now discussing. The matter I am now discussing is the contention which is made that no statute at all is required; that the power exists in the governor by

implication; that it follows from the provisions of the seventeenth amendment giving him the right to issue a writ of election; and that no other authority is needed than that provision in the Constitution. That is the question I am now discussing. The question which the Senator from Missouri suggests I will discuss in a moment.

In connection with that subject there is a very important provision in section 4, Article I, of the Constitution, namely, that-The Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

It was contemplated by the framers of the Constitution that a State might entirely fail to act upon this subject, in which event the power exists in Congress, in the very language of the provision, "to make * * * such regulations." What reguprovision, "to make such regulations." Those regulations which by the preceding paragraph lations? the legislature had been authorized to prescribe. If they fail to prescribe the regulations, then Congress may make them. But that was not deemed sufficient, and the further provision was added that Congress may "alter such regulations," con-templating that, although the legislature might act, it might act unwisely and Congress might desire to make an alteration in their legislation.

I call attention to that for the purpose of showing that the framers of the Constitution considered it of the utmost necessity that the supervisory power of Congress over all elections, general as well as special, should be retained. If the construction which the proponents of this resolution, or some of them at any rate, insist upon is to be followed, then no supervisory power exists in Congress with reference to any regulation made by the governor of a State. If it flows from his power to issue a writ of election, then there is no provision in the Constitution which will enable Congress to supervise that power. He may act very unwisely, in the opinion of Congress, and yet Congress has no power to interfere. Can it be possible, when it was considered to be so important to preserve the power to alter regulations made by the legislature, that the power to alter regulations made by the governor should be denied? Mr. REED. Mr. President-

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SUTHERLAND. I do.

Mr. REED. Does the Senator think it follows because a power to act is reserved to Congress, and Congress Goes not act and a State sees fit to proceed, that if the State's act is recognized, it must be upon the hypothesis that Congress has

Mr. SUTHERLAND. I do not quite catch the Senator's

Mr. REED. Well, I understood the Senater to be arguing that if we were to seat a man in the Senate who had been elected by the people under a call issued by the governor, in the absence of any statute of the United States, such a recognition by the Senate of the election would be tantamount to a declaration that Congress had no power to legislate?

Mr. SUTHERLAND. In the case of a special election-Mr. REED. Now, I ask does the Senator think that follows?

Mr. SUTHERLAND. I do think it follows.

Mr. REED. Is not this the case: The Constitution has reserved to Congress a superior power, which it may exercise, but if it fails to exercise that power, the State may then proceed, and the fact that the State's act is recognized as legitimate means no more than that the State has the power until Congress sees fit to exercise it?

Mr. SUTHERLAND. I am afraid that I have not made myself quite clear to the Senator from Missouri. What I am arguing is that the Constitution, in section 4, Article I, evidences that the framers of the Constitution considered it of the utmost importance that the supervisory power of Congress over the legislation of the States respecting elections should be preserved, because the Government of the United States, to a certain extent, is dependent for its very existence upon the election of Representatives and Senators, and, therefore, they have reserved to Congress the power to deal with the subject if the State fails to deal with it or if it deals with it in a way that Congress does not approve. Section 4, Article I, of the Constitution confers upon the legislature the power to fix the times, places, and manner, and the limitation as to the power of Congress is to be confined to those regulations which the legislature may prescribe; but if we construe the seventeenth amendment, which authorizes the governor to issue a writ of election, as carrying with it an incidental power upon the part of the governor to fix the times, the places, and the manner, then the supervisory power which the framers of the Constitution thought was so necessary to give to Congress in the case of legislation upon that subject is denied to Congress in the

case where the governor is required to act. I say it never could have been contemplated by the framers of the Constitution that

that condition would exist.

Mr. REED, Mr. President, if the Senator will pardon me, I think that is the way I understood the Senator before. He appears to argue that because certain rights have been reserved to Congress which it might exercise, but which it has not exercised, if the State then proceeds, in the absence of legislation by Congress, and we recognize the State's act, that is a denial of the right of Congress to act. On the contrary, it seems to me, if the Senator will pardon the interruption, when Congress has reserved to itself a right which it has not seen fit to exercise, if a State then proceeds to hold an election in such a manner as is satisfactory to it, and if the man elected is here seated in the Senate, that is not at all a negation of the right of Congress, because Congress has failed to legislate; but Congress might to-morrow legislate, and if it did legislate, then a different question would be presented. were to seat a man not elected in accordance with the provisions of the act of Congress we would be denying the right of Congress to act; but until the Congress does act the State may proceed without at all negativing the power of Congress under the Constitution to act. Indeed, I think, if the Senator will bear with me, that for many years there was no Federal statute with reference to the times, places, or manner of holding elections for Senators. Each State elected in its own way, always, of course, through its legislature. Afterwards we fixed a day when the balloting should begin. But prior to the passage of that law is it not true that the legislatures proceeded in their own way, and that the men selected by them as Senators were I may not understand the Senator, but if I do it seems seated? to me that the conclusion he reaches is not correct,
Mr. SUTHERLAND. Mr. President, I am not talking about a

case where Congress has failed to act, nor a case where there is legislation in the State upon the subject. I am simply in sisting that if the seventeenth amendment is to receive the construction which the proponents of this resolution claim for it, then we have denied all power to Congress, all opportunity for it to act, whether it pleases to act or not, upon the subject of a special election, because if the governor has authority in connection with the issuance of the writ, and fixes the time and the place and the manner, we have not in that instance reserved to Congress the power to act at all. Of course, in the case of the legislature, it may not act, but the essential thing is that it has the power to act if it pleases.

I undertake to say that under our system of Government such a thing as a voluntary election is an unimaginable thing. There have been instances in some of the States where the people have gotten together and held an election; that has happened several times; but the courts have always held that such a pretended election was without any force or validity and that there must be legislative foundation for an election.

In framing the Constitution it was recognized that a legis lative foundation must exist before an election could be held. So its framers directed in this broad and comprehensive way that the legislature of the State should fix the time and the places and the manner of holding elections. The language is mandatory that those elements shall be prescribed in each

State by the legislature.

simply say that that general provision, conferring upon the legislature the authority to provide for the election of Senators and Representatives, of necessity denies the power to anybody To say that a power shall be exercised by one person is equivalent to saying, unless there be some limitation in the provision, that it shall not be exercised by anybody else.

Therefore it seems to me there is no foundation for the claim that the governor had the authority to fix the conditions of this election. They must have been prescribed by the statute.

That brings me to the second question, as to whether or not there is any statute of Maryland or of Congress which prescribes these elements of an election.

Mr. KENYON. Mr. President-

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Iowa?

Mr. SUTHERLAND. I do.

Mr. KENYON. Before the Senator passes from the first proposition, I will state that I do not want to agree with the Senator if I can help it, because I feel—

Mr. SUTHERLAND. I do not like the Senator to interrogate me in that frame of mind. [Laughter.]

Mr. KENYON. I feel that in the case of a man who comes here with credentials from the people, every doubt ought to be resolved in his favor. Referring to this language, "The times, places, and manner of holding elections," in the case of a special election the governor does regulate the time, does he not, in all

the States; and, if that is true, could it not be assumed that that is not to apply, by virtue of the seventeenth amendment, in the case of a special election?

Mr. SUTHERLAND. No. The time, as I stated a moment

I heard the statement.

Mr. SUTHERLAND. The time could not be fixed in the sense that a day would be fixed for it, but the time for doing a thing may be fixed within limits; that is, it may be provided that an election shall be called within a certain number of

Mr. KENYON. I know that nearly every State has some provision for that, but the governor does in fact fix the time.

Mr. SUTHERLAND. He fixes it within the legislative limitation

Mr. KENYON. That is true.

Mr. SUTHERLAND. For example-I am not quoting any particular statute, because I do not remember any, but I am using this simply as an illustration—the legislature might provide that within 30 days after the happening of the vacancy the governor should call an election, and should give notice not less than 30 nor more than 60 days after the issuance of it. would fix the time; but without some such provision as that in the legislation my contention is that the governor has not any power to act, because the power has been devolved upon the legislature.

Mr. KENYON. I understood the Senator's position, I think. It is very hard to answer, and I shall not undertake to an-

swer it.

Mr. WORKS. Mr. President-

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from California?

Mr. SUTHERLAND. I do.

Mr. WORKS. I suggest that in that case, just as much as in the case when the time is fixed, there is legislative foundation for the holding of the election.

Mr. SUTHERLAND. Oh, yes; there is legislative foundation

for it, undoubtedly.

Now I come to the second question. That is as to whether there is any legislative foundation for the election.

I agree with the Senator from Iowa that all doubts ought to resolved in favor of the right of this applicant to his seat. So far as I have been informed, and as I believe, the election in Maryland was an absolutely fair election. I think notice was given as sufficient as anybody would want or as any legislature would have required. The election was participated in by the people of the State generally, and Mr. Lee was fairly elected.
Mr. SMITH of Maryland. All parties taking part.

Mr. SUTHERLAND. All parties taking part, and he was elected if there was any legislative foundation for the election. But, Mr. President, this is a Government of laws. If I am correct in saying that an election is a void thing unless there is legislative foundation for it, if we seat a man here, however fairly he was elected, without that legislation, however much we may justify ourselves in our own consciences, we have nevertheless done a lawless thing.

The whole question here is whether or not there was warrant of law for holding this election. We can all imagine elections called by anybody in a State to fill some office that would be held under all of the forms of orderly procedure, that would be fair in every respect, and yet that would be held by the courts to be absolutely void because there was no legislative foundation for them.

There must be a law for doing things in this country, and my contention is that however fair the election was there was no legislative foundation for it in this case, and therefore it is

As I said in the beginning, it is unfortunate that we have not had pointed out to us the legislation upon this subject. I have gone somewhat carefully over the election laws of Maryland. There are provisions in the constitution of Maryland for the election of various officers, naming them; for the election of a governor upon a particular day; for the election of other persons who are named in the constitution upon particular days. There is in the statutes of Maryland provision for the election of other officers upon particular days. There is provision in the statutes of Maryland for the election of the mayor of Baltimore City upon a certain day named; for the election of Representatives in Congress upon a certain day named in the statute; for the election of electors of President and Vice President of the United States upon a day named. Then there are general provisions in the statutes of Maryland designating the various election officials, prescribing their duties, the form of ballot, and the various things surrounding the election.

So far as I am able to read these statutes, however, there is no provision which in terms provides for the election by the people of a United States Senator, nor any statute from which that authority can be implied. On the contrary, not only is there an absence of any affirmative statute with reference to it, but there is a statute in the State of Maryland providing for the primary nomination of United States Senators and their elec-

tion by the legislature.

Therefore, the action of the Legislature of Maryland in providing for an election by the people with reference to these other officers, and then enacting an express statute which says that United States Senators shall be nominated by the people at the polls, and that that nomination shall be certified to the legislature, and directing them to proceed in accordance with it, is a clear recognition upon the part of the legislature that it was not providing for the election of United States Senators by the people. We are undertaking to read into these statutes something which we are unable to find there, something which the legislature clearly did not intend to be there, and something which is negatived by other affirmative provisions of the statutes.

It is said, however, that there is a general provision in the statutes of Maryland which defines the word "election," and that provision is as follows:

The word "election," as used in this article, shall be construed to include elections had within any county or city for the purpose of enabling voters to choose some public officer or officers under the laws of this State or of the United States.

That is a very common provision in statutes, a provision which is generally called an interpretation clause. In many of the statutes which contain an interpretation clause there is, in express language, a limitation upon it that the words shall receive the interpretation prescribed by the statute unless the context shows that such words were intended to be used in a more limited sense. That, however, is only the legislative declaration of a well-settled statutory rule in the absence of legislation.

The words defined in an interpretation clause are given the general meaning which is prescribed in it wherever you find phrase, provided that there is nothing in the or the use of the words where you find them that clearly indicates another intention on the part of the legislature. Otherwise we might by a provision of that kind interpret a word to mean a certain thing when it was used in a statute which expressly declared that it meant something else; but, in accordance with the well-settled statutory rule, the particular provision which shows the meaning of the phrase overcomes the general provision in the interpretation clause. That has been settled by a multitude of cases.

Mr. WORKS. Mr. President-

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from California?

Mr. SUTHERLAND. I do.

Mr. WORKS. I should like to ask the Senator from Utah whether, in these statutes providing for elections and fixing their time, the officers to be elected at those elections are specifically named?

Mr. SUTHERLAND. So far as I have been able to find, they are specifically named in every instance.

Mr. WORKS. There is no general statute providing for elections independently?

Mr. SUTHERLAND. There is no general statute providing

for the election of officers generally.

Mr. President-Mr. CUMMINS. The VICE PRESIDENT. Does the Senator from Utah vield to the Senator from Iowa?

Mr. SUTHERLAND. I do.

Mr. CUMMINS. It may be that the Senator from Utah intends to deal later with the phase of the matter which has most interested me. If so, when I mention it, he can say so, and I shall not press my inquiry.

I think the argument of the Senator from Utah upon the first point he has brought to the attention of the Senate is unanswerable, but I should like to hear his view upon this phase

of the matter:

The governor of Maryland has a legal adviser, I assume. is the attorney general. When this vacancy occurred-and we must presume that there is a vacancy, in order to make the argument of the Senator from Utah pertinent at all—he in good faith asked his legal adviser-that is, the legal adviser of the State of Maryland-whether he had legislative authority to issue a writ of election and submit to the voters of Maryland the choice of a Senator. The attorney general in good faith, I assume, advised the governor of Maryland that there did exist in the laws of Maryland authority for the issuance of a

writ of election and for the holding of an election for a Senator of the United States. The governor, in good faith, I assume, accepted that interpretation of the law of Maryland and issued his writ of election. The people, without challenge, in good faith, accepted that interpretation of the law and participated in the election

With these facts-all of which are admitted, I believe-is not the law of Maryland, so far as we are concerned, the law as given to the governor by the attorney general? Are we now at liberty-I know we have the power-but are we at liberty to reverse the decision of the attorney general of Maryland, upon which the governor in good faith acted and upon which the people in good faith acted, and put upon those laws or that law another and different construction after the event has occurred?

To me, as far as I am concerned, without any inquiry into the laws of Maryland, I feel that, with the interpretation that has been given to those laws and the act of the people which I must accept that construction in determining whether or not this applicant is entitled to a seat in the Senate of the United States. I shall be very glad to hear the Senator from Utah upon that point before he concludes. It may be that he had it in mind to address himself to it. If so, I shall not ask him to interrupt his argument; but if he had not deemed it necessary to look at that phase of the matter, I hope he will do so, in view of my suggestion, before he finishes.

Mr. SMITH of Maryland. I think the proposition stated by the Senator from Iowa is absolutely true, from what I know of

the matter in Maryland.

Mr. SUTHERLAND. Mr. President, I do not know whether or not my answer will satisfy the Senator from Iowa, but to my mind it is absolutely conclusive. There is a rule, which the Senator no doubt has in mind, that the construction of the State courts as to the meaning of their statutes and their constitutions will be followed by the Federal courts. In this case, however, the Constitution of the United States provides that each House shall be the judge of the elections, returns, and qualifications of its own Members, and so forth. Being made by those express terms of the Constitution the judge of the elections, returns, and qualifications of its own Members, it is the sole judge. We can not abdicate any part of that power to the State courts, the Federal courts, or any of the State officers.

When a man comes into this body presenting credentials from the governor of his State and his election is challenged, it is the duty and responsibility of this body to inquire whether or not he has been properly elected. In order to discharge that responsibility, the first inquiry to make is whether there is legislative foundation for the election. The Senate can not be bound by what some attorney general says, to the effect that there is legislative foundation for it, if we find there is not.

Mr. CUMMINS. Mr. President, as I stated a moment ago, there is no doubt about our power. It is absolute; it is unreviewable; it is unreversible. I am only speaking of what we ought to do.

I put this question to the Senator from Utah:

Suppose the Supreme Court of the State of Maryland had been called upon to construe its laws, and had held, as the attorney general held, that the governor had authority to issue his writ of election and to require the election to be held as it was held. Or, take one step further: Suppose in some way the Supreme Court of the United States had its jurisdiction invoked, and it had held that the law of Maryland gave to the governor the power that is here in dispute. Of course we would not be bound; that is, we would have power to ignore the decision of the Supreme Court of Maryland; we would have power to ignore or repudiate the decision of the Supreme Court of the United States. I ask the Senator from Utah, however, whether, in the performance of our public duties, it would not be very fitting for us to accept the construction which had been put upon the law of this State by these high tribunals? If he agrees with me with regard to that, I ask him whether, so far as we are concerned, there is any difference between the good-faith interpretation of the law by the attorney general and the goodfaith act of the governor upon it and an interpretation that may have been put upon it by a court either of a State or of the

Mr. SUTHERLAND. Mr. President, of course, the Senate ought to give most respectful consideration to the view of the attorney general of Maryland, to the view of the Supreme Court of Maryland, if it had passed upon the question, and to the view of the Supreme Court of the United States; but, it being our duty and our responsibility to judge of the election—and the very use of the word "judge" implies the exercise of the judicial function in the matter-we must judge of it. We can simply consider the opinion of somebody else as persuasive

and not as controlling.

I have no objection to considering the opinion of the attorney general as persuasive. I have considered it, but I have been unable to find in the opinion of the attorney general anything that would justify me in coming to the same conclusion to which he came, and I must follow my own view of it and not

Mr. WORKS

Mr. WORKS. Mr. President—
The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from California? Mr. SUTHERLAND. I do.

Mr. WORKS. I started to ask the Senator from Utah whether the attorney general of Maryland pointed out the particular statute under which he advised the governor he might call the election?

Mr. SUTHERLAND. It is some time since I read the opinion, but I do not recall that he did. I was going to call attention to the statute which has been relied upon. I have for-It is some time since I read the opin-I have forgotten for the moment whether he or somebody else called

attention to it.

Mr. CUMMINS. I may supplement that by saying that I have examined the opinion, and he does point out more than one statute specifically. Whether he is right or wrong is a different matter; but he does point out, with great particularity, the foundation for the opinion he gives the governor.

Mr. WORKS. I suggest that it is not only within the power of the Senate to determine the qualifications of one who presents himself here asking to be admitted as a Member of this body, but the positive duty rests upon us to determine whether or not he has been legally elected, and we can not shift that

responsibility to somebody else.

Mr. SUTHERLAND. I think the Senator is clearly right.

Mr. CUMMINS. If the Senator will allow me a moment

longer, I will not interrupt him again.

Mr. SUTHERLAND. Certainly.

Mr. CUMMINS. In response to the suggestion of the Senator from California, if we carry that doctrine to its legitimate conclusion the Senate will find itself in the near future a returning board or a canvassing board for the votes of the people in the If a man were to come here, an applicant for a seat in the Senate, alleging that he had been elected by the people of a State, and the fact of his election and the number of votes he had received had been certified to by returning boards and canvassing boards and finally by the supreme court of a State or the courts of the United States, I for one should not feel that I ought to enter upon the work of counting the ballots. I should feel like accepting the conclusions of these bodies which had been appointed by the law to determine these facts.

Mr. SUTHERLAND. The Senator may find himself, before we get through with this business, in that very situation. is a new departure, with reference to the election of United States Senators by the people, and the Senate has not been troubled with matters of that sort in the past; but when I was a Member of the House of Representatives I happened to be a member of the Committee on Elections there and heard a number of contested-election cases; the ballot boxes were brought before us and we canvassed the returns to determine whether the man had obtained his seat by a majority of votes or not, and necessarily when we are made the judges of elections we are the judges of every element in the election, and because the

task is a hard one it none the less belongs to us.

Mr. CUMMINS. I have no doubt of our power. We can turn out a man who is plainly entitled to his seat. We have the power to do it. It is only a question of the procedure that we should adopt in exercising that power. I think before we have gone far we will have reached the conclusion that we must take somebody's word for something in the process of the enforcement or the execution of this law.

Mr. SUTHERLAND. That is all very true; we shall have to take somebody's word for something; but when we get a contested-election case we will have to determine whose word

we will take.

I was discussing the provision to which attention had been directed, namely, the general-interpretation clause, and I had stated the character of the statute of Maryland upon this subject. I will not stop to repeat it.

Mr. REED. Mr. President, if it does not interrupt the

Senator

Mr. SUTHERLAND. I yield to the Senator from Missouri, Mr. REED. He is making a very interesting, lawyer-like gument. The Senator takes the position that there must be express legislative authority for an election.

Mr. SUTHERLAND. Not necessarily express.

Mr. REED. Well, express or implied from some statute. should like simply to get the Senator's view upon this proposi-

when vacancies happen in the representation of any State the governor of the State shall issue writs of election. express, absolute, and unqualified command, directed to the governor, and is the authority of the Constitution of the United States to the governor to issue his writ of election to elect an officer of the United States, for, whatever others may think, I believe a Senator of the United States is an officer of the United States.

Now, following that clause, which is an express command, is a clause directing when and how the legislature of the State

Provided-

I quote

That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

So you have here, first, an express authority and command directed to the governor by the Constitution itself to issue writs of election. Then you have that followed by a clause which provides that the legislature may act if it sees fit, and may, if it ees fit, empower the governor to appoint.

Taking the two clauses together, does not the Senator think that the Constitution of the United States furnishes abundant authority to the governor to issue his writ of election? I want to add to that whether the authority to issue a writ of election does not embrace within it the power to fix the time and the place of the election in the absence of some express inhibition?

Mr. SUTHERLAND. Mr. President, I thought I had discussed that question at some length. The Senator calls attention to the provision of the seventeenth amendment authorizing the governor to issue a writ of election and says that is a command. But it is only a part of the command. The command of the Constitution is that preliminary to the exercise of that power by the governor the legislative foundation for it must be laid by the legislature. In other words, the general provision of the Constitution is that the time, place, and manner of all elections—I interpolate the word "all"—of elections shall be prescribed by the legislature. Now, that is a part of the command. Another part of the command is that in case of vacancies in that particular class of elections the governor shall issue a writ of election. But, nevertheless, the legislature must have fixed the manner in which the election the governor calls shall be held and the places at which it shall be held and, as far as the legislative power can definitely deal with it, the time.

Mr. REED. When the Constitution declares that the legislature shall fix the time and place and manner of election it refers

to the election of a Senator, does it not?

Mr. SUTHERLAND. Yes; both Senators and Representa-

Yes: Senators and Representatives. It covers What has the Senator to say to those cases which have been decided here in Congress where the governor of the State issued his writ of election without any express legislative authority at all and an election was held and a Member of Congress was seated?

Mr. SUTHERLAND. I have two answers to make. The Senator says those cases. I recall only one case in which it was expressly held, and that is the Hoge case, which was decided in the very early years of the Government, I think in 1801. In that case the governor did issue a writ of election, and the Election Committee of the House reported by a majority, as a majority of this committee has reported, that the Member who had been elected was entitled to his seat. That was antagonized by a minority. I think the argument, the reason, and the logic were altogether with the minority. I think the majority in that case decided wrongly, as the majority in this case have decided wrongly. But, in addition to that, we do not know whether that was the precise ground upon which the decision proceeded or not. Until within the last day or two, having read the debates over with some care again, I was inclined to think that the decision did proceed upon that ground, and I so stated in the Committee on Privileges and Elections, but I find when I come to carefully go over the debates again that it was claimed on the part of some of those who insisted that the applicant should be seated that there was legislative foundation for it, and they pointed to some statute. But, how-ever that may be, I think if the Hoge case proceeded upon the ground that the governor had the incidental right to fix the time and place and manner, the Hoge decision was wrong. not recall any case that has specifically followed it since. There may have been some.

Now, Mr. President, let me proceed with reference to the conlike simply to get the Senator's view upon this proposi-The seventeenth amendment expressly provides that cases is an English case, the case of the Dean of Ely against Bliss, reported in one of the English reports which I have cited in these views. The court said:

There has been a great deal of discussion, which I am not surprised at, in regard to the meaning of the words; but it is to be observed that although the meaning of the words is defined by the statute, yet that statute declares (what would have been supplied if it had not been so expressed) that the words are not to have that meaning attached to them in the interpretation clause if a contrary intention appears.

I am not going to take up the time of the Senate to read all the authorities which are set forth in our printed views, but I do pause to call attention to the general statement by Wilberforce, an English writer, on the subject of statutory construction, and he is a very careful writer upon that subject. He

The real purpose of an interpretation clause is to define the meaning of words when nothing else in the act is opposed to the particular sense which is thus placed upon them.

In 2 Sutherland's Statutory Construction, an American work, section 359, some English cases are cited to the effect that the statutory interpretation clause "could be satisfied by applying it to the word where there was nothing in the context to in-terpret it otherwise," and that the clause "should control where the words occur without being accompanied by any others tending to show their meaning; or to interpret words which are ambiguous or equivocal, and not so as to disturb the meaning of such as are plain." And again, in section 360, the same author

On the other hand, general statutory definitions and rules of interpretation will apply when the statute in question is not plain; or, in other words, does not define and interpret itself. Where positive provisions are at variance with the definitions it contains, the latter, it seems, must be construed as modified by the clear intent of the former, on the principle that the special controls the general.

There are a number of cases to that same effect.

This interpretation clause provides that where the word "election" occurs it shall be construed in a certain way, but we find the word "election" used in connection with Representatives in Congress. Can it be said that the word "election," used to qualify the way in which the Representative in Congress shall be chosen, by this interpretation clause shall be extended to include a Senator as well?

We have many interpretation clauses which provide that words in one gender shall be interpreted to include the other, and yet if in the course of a statute we should provide for drafting men into the Army it would not be held that the term "men" there included "women," notwithstanding the broad provisions of the interpretation clause. The interpretation clause simply governs the interpretation where there is nothing in the statute, where we find the words, which indicates that it was intended to be used in another sense. So it seems to me that the interpretation clause which is in the Maryland statute does not in any manner help the case.

Now, Mr. President, I pass to the final question which I shall discuss, and I shall be very brief about it. I think when Senator Jackson was appointed by the governor to a seat in this body he had a term the same as anybody else. It is true it was not a term which expired upon a particular day as does the term of a Senator who has been elected for a full term; but it was a term, nevertheless, which ended upon the happening of an event instead of the happening of a period of time. The constitutional provision which authorizes the governor to

appoint is as follows:

If vacancies happen by resignation or otherwise during the recess of the legislature of any State, the executive thereof may make tem-porary appointments until the next meeting of the legislature, which shall then fill such vacancies.

Now, what is the meaning of the phrase "until the next meeting of the legislature"? What does it qualify? It must

qualify something.

"The executive thereof may make temporary appointments until the next meeting of the legislature." There is no comma after the word appointments, but there is a comma after the word "legislature," and that comma is followed by the phrase "which shall then fill such vacancies." It seems to me obviously the phrase "until the next meeting of the legislature" qualifies the power of the governor to appoint and not the length of term which his appointee shall hold.

Until the next meeting of the legislature the governor may act. When the legislature meets the power of the governor to

act is ended.

The Constitution contemplated that there should be two authorities to choose Senators. The primary authority was the legislature, which acted under ordinary circumstances. But the legislature could not act when it was in recess, as it is in most of the States the larger part of the time. So to obviate a continuing vacancy in office or the calling of special sessions

of the legislature, the Constitution devolved the secondary power upon the governor to appoint; but it is a secondary power, nevertheless; and that secondary power it was contemplated by the Constitution should end whenever the primary power became capable of acting; and when the legislature met the primary authority then became capable of acting, and the governor's secondary authority to make the appointment ceased.

So the governor, acting upon this authority, during the recess appointed Mr. Jackson. Then the question arises, How long does he hold? There is no provision in the Constitution which precisely states that, but the provision is, speaking of the legis-"which shall then fill such vacancies." Of course the legislature, under the statute which has been passed, can not act immediately. It must begin the second Tuesday after it convenes, and it must have time to determine the question. It may not determine it in a single day, but the direction is, and that is in peremptory language, that the legislature shall then fill such vacancy. It has the whole length of the session within which to discharge that duty. The governor having made his appointment at the time when he was authorized to make it, his appointee holds until the legislature has acted, if it act at all; but it may not act at all; it may adjourn without acting. In that event the mandatory terms of the Constitution have not been complied with. The legislature of the State has deprived the State, by its failure to act, of a Senator; and by all the cases that, so far as I know, have been passed upon in this body it has been held that the term of the appointee of the governor ends in any event when the legislature adjourns. Now, the provision of the seventeenth amendment is:

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

It is true the seventeenth amendment provides for the election of a Senator by the people, but this clause steps in and, in effect, says that that provision for the election of a Senator by the people shall not be operative to deprive any sitting Member of his sent until the end of the term for which he was chosen prior to the adoption of this amendment. It saves his seat to him.

The inquiry, then, is, What was the term of Senator Jackson before the seventeenth amendment was adopted? And to determine that we must go to the old provisions of the Constitution, and those provisions are clear that he would have held until the happening of one or the other of these two events-either the election of a successor by the legislature or their adjournment without an election.

By the seventeenth amendment, however, the power of the legislature to act has been taken away, so that one of these events can never happen; but the other will happen. So we find the term, under the old provision of the Constitution, is limited by the happening of the one event, namely, the final adjournment of the legislature without election. Unless we give it that construction, we have no certainty whatever in the provision.

It was contended at one time that Senator Jackson's term would expire immediately upon the ratification of the amendment. That was abandoned, and it was claimed that it would expire immediately upon the election of his successor. But he still holds; he is still here, and it must now be claimed that he holds until his successor is seated. It seems to me very clear in any event, if the election be valid, Mr. Lez is not entitled to take his seat until Senator Jackson's term expires, which will not be until the legislature adjourns. That, I understand, under the provision of the constitution, will not be until the 7th day of April.
Mr. POMERENE. Mr. President-

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Ohio?

Mr. SUTHERLAND. I yield to the Senator.
Mr. POMERENE. As I understand the facts, the attorney general of Maryland gave the opinion that it was proper to call a special election or to vote for a United States Senator at a general election; that thereupon the governor of Maryland is-sued his proclamation for the election of a United States Senator; and that the voters of the State of Maryland all participated in this election; and I assume, Mr. President, that the junior Senator from Maryland [Mr. Jackson] participated in that election, at least to the extent of voting at the election. Am I correct in that?

Does the Senator think that that Mr. SUTHERLAND. Yes.

constitutes an estoppel in pais?

Mr. POMERENE. Not of itself, perhaps; but when you have everybody who is interested in the election participating in it it seems to me that it goes a long way toward minimizing any claim that the junior Senator from Maryland might have on the seat.

Mr. SUTHERLAND. Well, Mr. President, it may go a long way toward minimizing that, but it does not quite reach the point of curing the entire absence of any legislative authority for the election. The Senator, I think, must agree with me that there is not any such thing and can be no such thing as a voluntary election. There must somewhere be legislative auvoluntary election. There must somewhere be legislative authority, of course, before any election can be held under our form of government

Mr. KENYON. Mr. President, may I ask the Senator a ques-

tion before he takes his seat?
Mr. SUTHERLAND. Certainly.

The second part of the Senator's argument Mr. KENYON. is the one with which I have the least difficulty in disagreeing, but it is pretty difficulty to disagree with the first part.

Mr. SUTHERLAND. I am glad the Senator finds it easy to

agree in some respect.

Mr. KENYON. Mr. President, it is not so easy; but I desire to ask the Senator if he has given consideration-and I suppose he has-to the case brought by Mr. Wellington, who was the Progressive nominee for the Senate, and who was refused a place on the ballot? An action of mandamus was brought against the secretary of state of Maryland to compel him to place Mr. Wellington's name on the ballot.

Mr. SUTHERLAND. I am not familiar with that case

Mr. KENYON. It is a very late decision. The court dismissed the petition and held that the order of the lower court permitting the writ to issue should be reversed. The appellate court of Maryland indicated in the opinion how Mr. Wellington's name could have been placed on the ballot under section 51 of article 33, which is the section providing for elections in that State. So that it seems to me fair to say that the appellate court of Maryland has taken the position that the laws of Maryland are sufficient for the election of United States Senators by the people in indicating how Mr. Wellington, as the Progressive nominee, could have his name placed on the ballot for the election in November.

Mr. SUTHERLAND. My attention has not been called to

Mr. KENYON. I understand the Senator in any event does not concede the proposition advanced by my colleague as to the conclusive effect of the decision of the court; but it is conceded that it is persuasive.

Mr. SUTHERLAND. Undoubtedly so, as the decision of any court is persuasive or the decision of any law officer of good

reputation and ability is persuasive.

Mr. KENYON. It is a little more than that; it is the construction of the law of the State by the attorney general and by the highest court of the State, which is, of course, more per-

Mr. SUTHERLAND. The Senator from Iowa must, it seems to me, concede that under the provisions of our Constitution the Senate of the United States is, in the last analysis, the sole judge of the election and qualifications of its Members.

Mr. KENYON. Of course.

Mr. SUTHERLAND. That being so, if it has the right to judge of the election, it has the right and the authority and the duty to judge of every element in the election, and that in-

cludes the law as well as the facts of the election.

Mr. KENYON. It has that right and that power; but it seems to me the fact that not only the attorney general of Maryland but the appellate court of Maryland have practically held that the election laws of Maryland are sufficient to place on the ballot the name of a candidate is somewhat persuasive if not conclusive

Mr. SUTHERLAND. I do not know whether or not the case to which the Senator calls attention involved the question of the validity of the law, but I will ask the Senator from Iowa if he can now point me to any provision of the Maryland statutes which he thinks authorizes an election by the people of a United States Senator?

Mr. KENYON. A specific provision-no, I can not. I fall back

Mr. SUTHERLAND. Then, a general provision?

Mr. KENYON. I fall back on the general provision the Senator has been discussing.

Mr. SUTHERLAND. The interpretation clause?

Mr. KENYON. Yes; that the word "election" shall cover officers elected under the laws of the State or of the United States

Mr. SUTHERLAND. Now, the Senator simply postpones the difficulty. Where does he find in the laws of Maryland, outside of that interpretation clause, any provision which is not accompanied by such language as to indicate clearly that it was not intended to cover the case of a United States Senator?

Mr. KENYON. The illustration which the Senator has given as to the mayor of Baltimore and the election of a Senator by the legislature I am familiar with, and I listened to that with a good deal of interest; but I can not see that that lends any weight to his argument, because United States Senators, of course, were not in the contemplation of the framers of the laws of Maryland when they passed these acts; but there might be State offices which were subsequently created and which were not within the purview of the framers of the laws at the time, but, out of an abundance of caution, they may have gone so far as to cover any offices that in the future might be created by the State or under the laws of the United States.

Mr. SUTHERLAND. The Supreme Court has said, and many

other courts have repeatedly said, that it is the intention of the legislature which is the law. Now, the Senator seems to concede that it can not have been within the intendment of the Maryland Legislature in passing the law to include United States

Mr. KENYON. To include a specific office; but it might have been their intention to include all officers for whom the people

might thereafter vote, which would be sufficient.

Mr. SUTHERLAND. But, Mr. President, any inference of that kind is overcome by the fact that the Maryland Legislature at the same time provided a specific method for the election of United States Senators, and provided that they should be named by the people and should be elected by the legislature.

Mr. KENYON. Exactly; because that was itself the provision of the Constitution, and they could not provide any other

way

Mr. SUTHERLAND. It could not have been intended by any language which they used to include the election of a United States Senator by the people when, in the same statute, they provide for his election in another way.

Mr. KENYON. Not the particular office, I grant that; but the intention may have been that all officers for whom the people might thereafter vote should come under the title of "Elections."

Mr. SUTHERLAND. In any event, it seems that the Senator's position is that in order to arrive at that conclusion we must do violence to the real intention of the legislature.

Mr. KENYON. No; not at all; but we must try to interpret the action of the legislature so as to carry out the will of the people as expressed by the election. That is what I want to do. Mr. SUTHERLAND. I would be glad to find any provision

in the statutes which would justify that conclusion.

Mr. CUMMINS. Mr. President, before the Senator from Utah takes his seat I should like to ask him one more question. Suppose there had been in Maryland two statutes applicable to elections; that there were no question but that one or the other of them was applicable to the election of a Senator, one of them requiring a notice of 60 days and the other requiring a notice of 70 days, and the question being in doubt, the governor of Maryland submitted the matter to the attorney general of that State; that the attorney general advised him that the statute which required but 60 days' notice was applicable; that the governor thereupon gave 60 days' notice and the people assented to it, participated in the election without any remonstrance or protest, and the election was held, does the Senator from Utah think, as an original proposition, that the Senate, in considering the credentials of a person elected at such an election, ought to reverse the opinion of the attorney general, the adviser of the governor? Does he not think, the opinion having been acted upon and having become part of the procedure of the State, there being no fraud, everything being in good faith, that the Senate ought to accept that construction of the law and seat the person thus honestly and in good faith elected?

Mr. SUTHERLAND. That would depend upon whether or not the Senate was willing to discharge its responsibility in strict accordance with the Constitution, or whether it was inclined to shirk its responsibility and take the judgment of somebody else. If the question were a fairly debatable one, and the attorney general had held in that way, I for one would be very much inclined to follow his judgment; but I can imagine a case where I would not. Suppose, for example, that one of the statutes to which the Senator calls attention, providing for 60 days' notice, was passed 10 years ago and the other statute providing for 70 days' notice was passed 2 years ago, then it would be perfectly clear that the later statute would control; and I would not accept the opinion of the attorney general that the earlier statute controlled in that case, no matter what the consequences might be. If, however, it were a matter that was fairly debatable, as I have said, his judgment about it would be persuasive, and it would be sufficiently persuasive in that case to induce me to follow it.

Mr. STONE. Mr. President— Mr. KERN. I ask that the pending resolution before the Senate, being Senate resolution 247, be laid aside temporarily.

The VICE PRESIDENT. In the absence of objection, it will be so ordered.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 20 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 27, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 26, 1914. SECRETARY OF EMBASSY.

Roland B. Harvey, of Maryland, now secretary of the legation at Santiago, to be second secretary of the embassy of the United States of America at Berlin, Germany, vice Willing Spencer, nominated to be secretary of the legation at Caracas.

Secretary of Legation.

George T. Summerlin, of Louisiana, now second secretary of the legation at Peking, to be secretary of the legation of the United States of America at Santiago, Chile, vice Roland B. Harvey, nominated to be second secretary of the embassy at The nomination of Mr. Summerlin to be second secretary of the embassy at Berlin, which was sent to the Senate on December 23, 1913, is hereby withdrawn.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

Lieut. Col. Richmond P. Davis, Coast Artillery Corps, to be colonel from January 24, 1914, vice Col. Adam Slaker, retired from active service January 23, 1914.

.Maj. Clint C. Hearn, Coast Artillery Corps, to be lieutenant colonel from January 24, 1914, vice Lieut. Col. Richmond P. Davis, promoted.

Capt. Malcolm Young, Coast Artillery Corps, to be major from January 24, 1914, vice Maj. Clint C. Hearn, promoted.

First Lieut. Matthew A. Cross, Coast Artillery Corps, to be captain from January 24, 1914, vice Capt. Malcolm Young, pro-

Second Lieut. Christopher D. Peirce, Coast Artillery Corps, to be first lieutenant from January 24, 1914, vice First Lieut. Matthew A. Cross, promoted.

PROMOTION IN THE NAVY.

Asst. Paymaster Robert W. Clark to be a passed assistant paymaster in the Navy from the 3d day of January, 1914.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 26, 1914. UNITED STATES ATTORNEYS.

Francis D. Winston to be United States attorney for the

eastern district of North Carolina.

Wilson Shedric Hill to be United States attorney for the northern district of Mississippi.

UNITED STATES MARSHAL.

Robert C. Ford to be United States marshal for the eastern district of Kentucky.

POSTMASTERS.

ARKANSAS.

George H. Rule, jr., Lonoke.

VIRGINIA.

C. N. Otey, Wytheville.

HOUSE OF REPRESENTATIVES.

Monday, January 26, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the fol-

lowing prayer:

O Thou, who art supremely great, infinite in all Thy attri-butes, empty us, we beseech Thee, of the selfishness which makes for sin, and inspire us with high and holy aspirations, that our work may spring from the purest motives and redound to the good of our fellow men and receive Thy benediction. In the name of the Christ. Amen.

The Journal of the proceedings of Saturday, January 24, 1914,

was read and approved.

CORRECTION OF THE BILL H. R. 11269.

Mr. RUSSELL. Mr. Speaker, I find that on last Saturday in the bill (H. R. 11269) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, on page 12, line 8, the dollar mark was inadvertently omitted from the print. I ask unanimous consent that in enrolling the bill it may be corrected.

The SPEAKER. To put in the dollar mark?
Mr. RUSSELL. Yes; to put in the dollar mark before the figures "12."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On January 15, 1914:

H. R. 8142. An act to authorize the construction, maintenance, and operation of a bridge across Bayou Bartholomew at or near Wilmot, Ark.

On January 17, 1914:

H. R. 1966. An act to amend an act entitled "An act to prohibit the importation and use of opium for other than medicinal purposes," approved February 9, 1909.

H. R. 1967. An act regulating the manufacture of smoking opium within the United States, and for other purposes.

On January 21, 1914:

H. R. 9321. An act to amend the act approved May 9, 1888, as amended by the act of June 11, 1896.

ENBOLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL. Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 3638. An act providing for the issuance of patent to Joe Joubert.

ABATEMENT OF HOUSES OF ILL FAME.

Mr. JOHNSON of Kentucky. Mr. Speaker, under the rules, this being District day, I call up Senate bill 234, generally known as the "red-light" bill, and ask that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Kentucky [Mr. Johnson] calls up Senate bill 234, of which the Clerk will report the

The Clerk read the title of the bill, as follows:

An act (S. 234) to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to consider this bill in the House as in Committee

of the Whole. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, the gentleman from Kentucky has a number of bills on the Union Calendar. If it is intended to call those up, why not go into Committee of the Whole House on the state of the Union on District bills?

Mr. JOHNSON of Kentucky. Mr. Speaker, in view of the contemplated objection, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of District bills.

The SPEAKER. The gentleman from Kentucky [Mr. Johnson] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of District bills. The question is on agreeing to that motion.

The motion was agreed to.
The SPEAKER. The gentleman from Florida [Mr. CLARK]. will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of District bills, with Mr. CLARK of Florida in the chair.

The CHAIRMAN. The House is in Committee of the Whole

House on the state of the Union for the consideration of District bills.

Mr. JOHNSON of Kentucky. Mr. Chairman, I call up for consideration Senate bill 234.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That whoever shall erect, establish, continue, maintain, use, own, occupy, or re-lease any building, erection, or place

used for the purpose of lewdness, assignation, or prostitution in the District of Columbia is guilty of a nuisance, and the building, erection, or place, or the ground itself in or upon which such lewdness, assignation, or prostitution is conducted, permitted, or carried on, continued, or exists, and the furniture, fixtures, musical instruments, and contents are also declared a nuisance, and shall be enjoined and abated as hereineffor provided.

tinued, or exists, and the furniture, fixtures, musical instruments, and contents are also declared a nulsance, and shall be enjoined and abated as hereinafter provided.

Sec. 2. That whenever a nulsance is kept, maintained, or exists as defined in this act the attorney of the United States for the District of Columbia, or the Attorney General of the United States, or any citizen of the District of Columbia, may maintain an action in equity in the name of the United States of America, upon the relation of such attorney of the United States for the District of Columbia, the Attorney General of the United States, or citizen, to perpetually enjoin said nulsance, the person or persons conducting or maintaining the same, and the owner or agent of the building or ground upon which said nulsance exists. In such action the court, or a judge in vacation, shall, upon the presentation of a petition therefor alleging that the nuisance complained of exists, allow a temporary writ of injunction, without bond, if it shall be made to appear to the satisfaction of the court or judge by evidence in the form of affidavits, depositions, oral testimony, or otherwise, as the complainant may elect, unless the court or judge by previous order shall have directed the form and manner in which it shall be presented. Three days' notice, in writing, shall be given the defendant of the hearing of the application, and if then continued at his instance the writ as prayed shall be granted as a matter of course. When an injunction has been granted it shall be binding on the defendant throughout the District of Columbia, and any violation of the provisions of injunction herein provided shall be triable at the first term of court affect when a provided shall be triable at the first term of court affect when a summary affect when a summary affect when a first term of court affect when a summary affect when a summary affect when a summary affect were affected to the first term of court affect.

when an injunction has been granted it shall be binding on the defendant throughout the District of Columbia, and any violation of the provisions of injunction herein provided shall be a contempt as hereinafter provided.

Sec. 3. That the action when brought shall be triable at the first term of court, after due and timely service of the notice has been given, and in such action evidence of the general reputation of the place shall be admissible for the purpose of proving the existence of said nuisance. If the complaint is filed by a citizen, it shall not be dismissed, and the dismissal approved by the attorney of the United States for the District of Columbia or the Attorney General of the United States for the District of Columbia to the Attorney General of the United States of America in writing or in open court. If the court is of the opinion that the action ought not to be dismissed, if may direct the attorney of the United States for the District of Columbia to prosecute said action to judgment; and if the action is continued more than one term of court, any citizen of the District of Columbia, or the attorney of the United States for the District of Columbia, or the attorney of the United States for the District of Columbia, may be substituted for the complaining party and prosecute said action to judgment. If the action is brought by a citizen, and the court finds there was no reasonable ground or cause for said action, the costs may be taxed to such citizen.

Sec. 4. That in case of the violation of any injunction granted under the provisions of this act, the court, or, in vacation, a judge thereof, may summarily try and punish the offender. The proceedings shall be commenced by filing with the clerk of the court an information, under oath, setting out the alleged facts constituting such violation, upon which the court or judge shall cause a warrant to issue, under which the defendant shall be arrested. The trial may be had upon affidavits, or either party may at any stage of the proceedings demand the

the costs of the action and abatement, and the balance, if any, shall be paid to the defendant.

Sec. 7. That if the owner appears and pays all costs of the proceeding and files a bond, with sureties to be approved by the clerk, in the full value of the property, to be ascertained by the court or, in vacation, by the collector of taxes of the District of Columbia, conditioned that he will immediately abate said nuisance and prevent the same from being established or kept within a period of one year thereafter, the court, or, in vacation, the judge, may, if satisfied of his good faith, order the premises closed under the order of abatement to be delivered to said owner and said order of abatement canceled so far as the same may relate to said property; and if the proceeding be an action in equity and said bond be given and costs therein paid before judgment and order of abatement, the action shall be thereby abated as to said building only. The release of the property under the provisions of this section shall not release it from judgment, lien, penalty, or liability to which it may be subject by law.

Sec. 8. That whenever a permanent injunction issues against any person for maintaining a nuisance as herein defined, or against any owner or agent of the building kept or used for the purpose prohibited by this act, there shall be assessed against said building and the ground upon which the same is located and against the person or persons maintaining said nuisance, and the owner or agent of said premises, a tax of \$300. The assessment of said tax shall be made by the assessor of the District of Columbia and shall be made within three months from the date of the granting of the permanent injunction. In case the assessor fails or neglects to make said assessment the same shall be made by the chief of police, and a return of said tax shall not relieve the person or building from any other penalties provided by law. The provisions of the law relating to the collection and distribution of taxes upon personal and real

of the court, may grant immunity to any witness called to testify in behalf of the prosecution.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. Sherley having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 48. An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of

ABATEMENT OF HOUSES OF ILL FAME.

The committee resumed its session.

Mr. JOHNSON of Kentucky. Mr. Chairman, I yield the remainder of my time to the gentleman from Arkansas [Mr. CARAWAY], the chairman of the subcommittee that had the bill in charge

The CHAIRMAN. The gentleman from Arkansas [Mr. Cara-

WAY] is recognized for one hour.

Mr. CARAWAY. Mr. Chairman, this measure under consideration is designed, as its caption discloses, "to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same, and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof." It is proposed to accomplish this result by declaring the places occupied a public nuisance. This is to reach not only the building but the land upon which it stands, the contents of the building, and the owner of the property, as well as the user. It gives to the citizen the right to institute proceedings, if the public officials shall fail in their duty, and makes the general reputation of the place and its occupants evidence sufficient to procure an injunction against its maintenance. It levies upon the owner of the house a tax, besides closing the premises for occupancy for at least one year for any purpose whatever, unless the court shall, in its discretion, release it. It protects innocent people against unjust attack by assessing the costs of the procedure against the complainant if the evidence falls to sustain the charge. Its enactment into law and the enforcement of the law renders public prostitution impossible within the territory embraced in the act.

Ordinarily, measures like this dealing with moral issues are

fought out as if questions of morals and nothing else were involved. The argument interposed against proposed laws of this kind is one of impracticability, the opponents contending that such measures are incapable of being enforced; that they have never been a success—in other words, that you can not legis-late morals into peoples or communities; that regulation and segregation are the only successful means to deal with this issue; that to undertake to suppress public prostitution will be to scatter the inmates of houses of this kind into all sections of the city, and thereby contaminate all communities. Many profess to believe this. Perhaps a few do honestly believe it. Most profess to believe it, however, because in their heart of hearts they are unwilling to exterminate vice of this kind. If they really could be assured the result flowing from the enactment of the law would be what they profess to fear it will, these opponents would become the warmest champions of its passage, because the result they predicted is the result they wish to exist. Of course, this is not true of all persons who oppose the passage of measures of this kind, but it certainly is true of many. To those who honestly believe that a law of this kind can not be successfully enforced, the facts developed in the hearings before the subcommittee of the Committee on the District of Columbia, having this measure in charge, would be of particular interest. To those who oppose it because they fear its results may be what its friends claim, no arguments could reach, nor reasons convince.

Happily for us who champion its passage, the merits of this measure do not rest altogether upon its moral issues, however important and convincing they may be. But there is an economical side to the proposed law, and the result to be accomplished by its enactment from that standpoint alone would more than justify its passage. According to the best statistics obtainable, there are engaged in prostitution throughout continental United States more than 250,000 girls. This number includes only those who are openly engaged in such a business and who reside in houses of prostitution and assignation. The statistics further show that the average life of a girl in this business is five years; so to keep the number engaged thus in prostitution up to 250,000 it requires an annual drawing into this hideous business of 50,000 girls.

It is further claimed by statistics that the life of a woman is worth to the Nation at large, as a producer of wealth, \$5,000.

If, then, every normal woman contributes to the national wealth during the course of her lifetime so large a sum, it becomes apparent that, considered from the standpoint of wealth alone, the loss to the Nation would be \$12,500,000 annually, because no one would contend that a prostitute adds anything to the wealth of the community in which she may reside or to the Nation at large. But greater still is the loss, because attendant upon houses of this kind are hangers-on, pimps, and white slavers. It is fair to presume that every girl in prostitution supports, directly or indirectly, five other persons engaged in debauching and corrupting her and the public morals. These also have ceased to be contributors to the national wealth, but are parasites upon society, and, therefore, from the side of economics alone the passage of this law becomes a necessity, leaving out the overwhelming appeal made to our public conscience in behalf of the morals and honor of the Nation.

Again, all students of government will agree that the brothel and the saloon are the chief breeding places of crime. If these two institutions were closed, we would have but slight need for criminal courts, and our criminals statutes might almost safely be repealed, and thus turn back into the Public Treasury to enrich and endow institutions for the uplifting of society instead of corrupting and destroying a third of all the revenues now collected for all purposes in all States of the Union.

Turning again to the moral side of the issue, houses of prostitution can not exist without inmates, and inmates can not be procured without invading homes. Homes can not be invaded without destroying the happiness, reputation, and usefulness not only of the member taken, but all that are left. falls not more certainly upon the one who enters the house of prostitution as its inmate and its slave than upon those that are left, even to the third generation. There is no misfortune that can fall so heavily upon a family as to have the stain of immorality rest upon some member of it, and yet to recruit these 50,000 girls that are to be yearly sacrificed to this Moloch of crime requires the taking of 1 member out of every 350 homes throughout the length and breadth of this land, or, counting all those who are engaged in public prostitution, 1 member out of every 72 families who reside beneath our flag.

Further, in order that houses of prostitution may be conducted there must not only be inmates, but there must be pa-The cadets, hangers-on, pimps, the people with power and influence to protect, and the more degraded still, the ones who thrive and fatten upon the profits of the nefarious business, are recruited from somebody's home, and flowing from each house of prostitution is the deadly miasma of disease that drags down the innocent with the guilty. As a proof of this, untold thousands of babes are sacrificed every year, born of innocent mothers into respectable families, but with inherent tendency to disease, transmitted from sexual and venereal diseases, fostered by this traffic, such as the white plague, scrofula, rheumatism, cancer. Most of the diseases that baffle the skill of the medical profession find their origin here, and the taint thereof is handed down from generation to generation.

Some have had the hardihood to urge that prostitution is a safety valve of public morals; that it is a necessary evil; that woman's virtue depends upon the public brothel. It is difficult to believe that anyone should seriously urge this, and yet I expect that every Member sitting in this Chamber to-day has been flooded with literature purporting to have been written by some alleged agent of some vice crusade, in which lengthy tables are cited and learned authorities quoted to prove just these things. In other words, that virtue thrives on vice: that morality is promoted by immorality, and that woman's honor is protected by her dishonor; that homes are safeguarded by their invasion; and that prostitution is a guaranty of upright living. This idea is monstrous and absurd. It is an insult to every man's intelligence and to every good woman's honor.

We read now with almost skeptical unbelief that in olden

times nations of such high civilization as Greece and Rome were accustomed to sacrifice maidens to appease the wrath of mythical gods. Such sacrifies, however, were attendant with re-ligious services and were not creeds to cloak the practice of It is hard to believe that people could be immoral rights. guilty of this who were civilized and intelligent, and yet, if these arguments are to be believed by us, we sacrifice not to the gods but to lust these 50,000 girls every year, and defend our course not upon the grounds that the sacrifice is demanded to protect a nation from the vengance of the gods but to protect our homes from the contamination of the vicious.

It is strange that one should think that by licensing crime that crime could thereby be lessened; that the weak, the poor, the ignorant must be sacrificed that the more favorably situated may be protected. Such a government and such protection is

more monstrous than the ends sought to be averted. I for one refuse to be a party to this sacrifice. I refuse to be an agent through whom its rituals may be performed. By my vote I shall refuse to sanction this crime. But that such evil effects do not follow the enactment of a law of this kind, evidence of those who are familiar with its workings have abundantly disproved. The legislatures of 12 States have enacted laws of similar import, and the undisputed testimony of people who are familiar with the results following therefrom is that they have accomplished the very purpose for which they were enacted. Everyone connected with the operation of this law in Des Moines, Iowa, has agreed that the enactment of the law has reduced prostitution 75 per cent within the last four years; that instead of scattering these fallen women throughout the residence portion of the city fewer complaints are made than before, when they were attempting to enforce segregation.

One other question connected herewith, and one that has caused more or less uneasiness to the advocates of this measure. is the one of caring for the unfortunate inmates of these resorts when the results shall have been accomplished. Fortunately, there was before the subcommittee of the Committee on the District of Columbia people connected with charitable institutions situated within the city who offered to care for every one of these unfortunates and furnish them a home, food, shelter, and raiment; to teach them to become proficient in whatever trade or art their intellectual ability would warrant them in undertaking; furnish them places of honorable employment and to afford them every opportunity to become useful, respected, and trusted members of society. That all will not avail themselves of this opportunity goes without saying, but if the number that are rescued and reformed who once participated in lives of this kind is very few, indeed, this fact alone is an additional reason why we should enact and enforce this law in the Nation's Capital, that others may not be dragged down. Every mother who sits this day with a babe at her breast must be haunted by the fear of the fate that must overtake some-body's child if this traffic in woman's body and woman's soul should be granted a license to continue. Upon all of us rests a duty. We can not escape its responsibility. We are in truth our brother's keeper. With us rests the decision whether this traffic shall continue to drag to dishonor and to death its victims. If we license its continuance, the finger of an avenging justice will point us out and the wrath of an outraged people destroy us. If but one life is protected, one blighted, dishonored home circle restored, one wandering, erring, dying sister be rescued, we shall have done well. If one mother's prayer, perhaps the one whose letter I shall ask leave to read into the Record, shall be answered, I for one shall be satisfied. [Ap-

I have a letter here, Mr. Chairman, that I want to insert in the RECORD with my remarks. I reserve the balance of my time. The letter referred to follows:

JANUARY 22, 1914.

Hon. T. H. Caraway, Chairman Subcommittee, House District Committee.

Chairman Subcommittee, House District Committee.

My Dear Statesman: Pardon me, a poor mother. May I beg of you to do all you can for the passage of the Kenyon bill. My dear boy, in whom I may have to place my dependence for my entire support, I fear is going to ruin on account of this social evil and his visits to this disreputable and disgraceful section of our city. Can it be this den of vice will be allowed to remain? O God, drive these female deviis from our city—these vipers, destroying the youth. My dear Member, help a poor mother to save her son. May God give you power to close these places of prostitution. Do all you can, and I and many good mothers of this city will cherish the name of Congressman Caraway and your committee as long as we live.

Truly, yours,

A Mother.

A MOTHER.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. CARAWAY. Yes, sir.
Mr. MOORE. This bill proposes to suppress prostitution by the process of injunction?

Mr. CARAWAY. Yes, sir.

Mr. MOORE. Has that result been effectively attained anywhere else in the country?

Mr. CARAWAY. The bill is practically a copy of the law that prevails in Iowa. Judge Prouts and Judge Towner, of that State, both, as I understand, occupied the bench in the city of Des Moines, and their testimony is that it has been entirely effective.

Mr. MOORE. The report, which I understand was prepared by the gentleman from Arkansas himself, indicates that laws of similar import are now on the statute books of 12 States, and that the unanimous testimony of those familiar with the opera-tion of the law is that "it accomplishes the result hereby sought." Does that mean that in those States the social vice has been eliminated?

Mr. CARAWAY. No; I do not so understand; but it has been greatly reduced. The Iowa law is the oldest on the statute books, being about four years old; and Judge Towner and Judge PROUTY both say that prostitution has been reduced 75 per cent

Mr. MOORE. They say it has been reduced, but not suppressed?

Mr. CARAWAY, Not entirely,

Mr. MOORE. This bill, if passed, w This bill, if passed, would apply only so far as

Mr. CARAWAY. Yes.

Mr. MOORE. Did the gentleman read in one of the Washington papers this morning the statement that it would drive from the city-at least, drive from their haunts-at least 300 women?

Mr. CARAWAY. I did not see it.

Mr. MOORE. That statement was made in one of the Washington papers this morning, under the headlines "New law to rout red light's 300," and the article indicates that 300 women would have to leave certain houses in which they are harbored If this injunction law is enacted and the proprietors of these houses would be put out of business, so to speak, it will follow that these 300 women will have to go somewhere else, will it not?

Mr. CARAWAY. They will have to go somewhere else or

abandon their course of living.

Mr. MOORE. Will the gentleman tell, since I see he has given careful thought to this subject, whether there is any method provided by any of our friends who believe in the uplift of humanity to relieve this situation in which these 300 unfortunate women find themselves?

Mr. CARAWAY. Do I understand the gentleman from Pennsylvania to mean whether the bill itself makes any provision for

their care?

Mr. MOORE. No. I ask the gentleman whether any provision has been made by our moralist friends who are striving to do the right thing, to alleviate the condition of these 300 unfortunate women or to lead them into better lives? Is there any method by which these 300 women can be cared for at all?

Mr. CARAWAY. Yes; the Florence Crittenton Home, and another mission here, which, I believe, is known as the Jesus Will Help Mission, came before the committee and offered to take every one of these girls, furnish them a home, to clothe and feed them and teach them whatever occupation they are intellectually qualified to fill, and see that they get a place

If it should happen, upon the passage of this bill, that these houses of ill fame be closed and these women are driven out upon the streets, there would be a place for them

to go and seek to reform? Mr. CARAWAY.

Mr. MOORE. Is the gentleman familiar with efforts in other sections of the country to suppress this social vice after enact-

ments of this kind have been made?

Mr. CARAWAY. I only know this: The lady in charge of the Florence Crittenton Home in this city, and one in Connecticut, whose name I do not recall, said that these homes had made preparations to care for every woman who wishes to abandon her way of living and to furnish her an opportunity to reform and become a useful citizen.

Mr. MOORE. Some years ago a movement of this kind-I think it was a local police regulation-drove these unfortunate women out of their homes in the city of Pittsburgh, and they applied to the mayor of the city for relief. They wanted to know where they were to go and what they were to do. Is

the gentleman familiar with that situation?

Mr. CARAWAY. I am not.
Mr. MOORE. If these 300 women do not choose to reform, then what shall be done with them?
Mr. CARAWAY. They will be compelled to seek some communities that are willing to tolerate them.

Mr. MOORE. Will they come into my community?
Mr. CARAWAY. If the gentleman is willing.
Mr. MOORE. Will they seek homes in the community in which the gentleman lives?

Mr. CARAWAY. No, sir. Mr. MOORE. I want to say to the gentleman that I am pleased to note the excellent moral and reform conditions which he stands for in his community, and I am none the less inclined to have those conditions prevail in my community.

Mr. CARAWAY. I do not doubt that.

I do believe they prevail in my community, Mr. MOORE. and I want to know whether, if these 300 women are to be driven out of the city of Washington, they are to be driven into the city of Philadelphia or the city of New York.

Mr. CARAWAY. As I understand, the great State of Pennsylvania has already enacted a law similar to this to protect

Mr. MOORE. It is true that we have legislation pertaining to this subject now, and we undertake to regulate it; but I am asking what is going to happen despite legislation which does not effectually legislate? We enact a law saying there shall be prohibition—and there is absolute and complete legislative prohibition, for instance, in the State of Georgia; but still one may obtain liquor, in spite of prohibition, in the State of We may enact legislation in the District of Columbia suppressing prostitution, yet, I presume, prostitution will prein the District of Columbia as long as the District of Columbia lasts. Now, I want to ask the gentleman what is going to be done with the women that he drives out of the city of Washington? Are they going to be driven into other communi-

Mr. CARAWAY. They are going to be offered every opportunity to reform. If they decline to do it and the citizenship of the District of Columbia see to it that this law is enforced, these women will have to move. If some other community is willing to tolerate them, I presume they will seek homes there.

Mr. MOORE. Since the gentleman has given this matter careful thought, and has raised a question of morality which I

certainly can not deny, but has also proposed a law which tends to evict and turn upon the street 300 unfortunate women. I want to ask the gentleman whether he or those good citizens with whom he confers contemplate any law which will tend to suppress the immorality of the man who is responsible for the unfortunate woman?

Mr. CARAWAY. I take it that if you suppress the woman

the man will have to quit.

Mr. MOORE. If that statement were correct, then there would be absolutely no necessity for lynching bees in any section of the country, because the man would be deprived of those physical qualities which seem to have been imposed upon him by nature, and woman would be sterile. The gentleman raises a great moral question which I do not propose to discuss now, but in view of the fact that we are going to pass a law which points out 300 unfortunate women and scatters them broadcast, want to find out whether we are going in any way to provide for their uplift, and whether we propose to continue the inquiry until we can reach the men who have been responsible for their downfall.

Mr. BURNETT. Will the gentleman yield? Mr. MOORE. Yes; but I am speaking in the time of the gentleman from Arkansas.

Mr. CARAWAY. Go ahead.

Mr. BURNETT. I understand you have a similar law in Pennsylvania.

Mr. MOORE. Oh, no; we have a drastic law, but not an in-

Mr. BURNETT. But a law of a moral character. Is the gentleman opposed to the suppression of vice?

Mr. MOORE. I am opposed to vice. Of course I favor the suppression of vice, but I have a little bit of humanity left, and I am still asking, in view of the fact that we are going to pass a law that makes us close our eyes to actual conditions, what are we going to do to take care of these waifs of humanity?

Mr. BURNETT. I will ask the gentleman if he is in favor of the law that he has on the statute books of Pennsylvania?

Mr. MOORE. I am; but I am not in favor of satisfying ourselves with a law that resolves that this thing shall end, when we know that it will not be done. I am not in favor of passing laws to declare there is prohibition when there is no prohibition. I am not in favor of passing a law which says prostitution is suppressed when prostitution continues. There must be a moral as well as a legislative reform to make the sup-pression of vice effective. This law will not be an effective law in the moral sense, because it proposes to suppress some-thing which has existed since God made the light and will continue until the end of time. We can not wholly settle this question by enacting a law.

The CHAIRMAN. The Chair will remind the gentleman that the gentleman from Arkansas has the floor.

Mr. CARAWAY. Mr. Chairman, I want to ask the gentleman again my question. He says he is opposed to sumptuary laws because they do not always prohibit the crime they are intended to suppress. I want to ask the gentleman if he is opposed to a law against murder, robbery, and rape, because those crimes sometimes are committed?

Mr. MOORE. I am in favor of a law to punish murder and rape and robbery, or any other crime, but I know very well that a mere law without a moral standard behind it will not be effective as to the individual crime. My point is that the gentleman is simply raising a club over the heads of these unfortunate women. His law will not suppress prostitution. That requires moral treatment.

Mr. MANN rose.

The CHAIRMAN. The gentleman from Arkansas reserves the balance of his time. He has used 35 minutes. The gentle-

man from Illinois is recognized.

Mr. MANN. Mr. Chairman, I confess that I have a great deal more sympathy for the boys who may be misled, for the men who may acquire disease, for the girls who may hereafter be led into houses of prostitution than I have for the 300 now engaged in that business in the District of Columbia. [Applause.] It is not possible for Congress, by legislation or otherwise, to make these women lead moral lives, but it is possible for Congress by legislation to at least make difficult open and notorious houses of prostitution, and I welcome any law which tends toward the end of moral conduct on the part of both

men and women.

I shall vote for this bill, Mr. Chairman, however, with some doubt as to some of the provisions in the bill, in regard to both their constitutionality and their propriety. I rose mainly for the purpose of asking the distinguished gentleman from Arkansas [Mr. Caraway], in charge of the bill, how far the committee had considered the right of Congress to impose a tax upon premises which were abated in a civil suit. Section 8 of the bill provides that whenever a permanent injunction is issued against any person for maintaining a nuisance, as herein defined, and so forth, there shall be assessed against the building in which it has been maintained a tax of \$300. I take it that it is quite manifest that Congress would not have authority to provide that anyone can bring suit against anyone else in the civil courts and, if he obtains a judgment, a tax may be levied against the property-not as a penalty for violation of a law, not as a penalty for an act of crime or for a misdemeanor, but a mere tax levied arbitrarily against a piece of property because a permanent injunction has been granted. I do not undertake to say that is unconstitutional, because I have not sufficiently investigated the subject, but I would like to ask the gentleman in charge of the bill, or anyone else who has investigated the subject, what authority Congress has to provide for the levying or assessment of a direct tax against a particular piece of property?

Mr. PROUTY. Mr. Chairman, will the gentleman yield?
Mr. MANN. Certainly.
Mr. PROUTY. I may say that question has been determined by the Supreme Court of the State of Iowa; it has been determined in the affirmative, so far as a law identical in terms with this is concerned. We have passed a law and have had it in force for twenty-odd years doing the same thing in the liquor business. That provision has been taken to the supreme court some four or five times in our State, and the constitutionality of the law has been fully sustained upon the theory that it is a ruisance, and that you can tax a nuisance out of existence, if necessary. The intent of this bill is to make property that is used for this immoral purpose a nuisance, and it is fundamental in equity jurisprudence that when you find a thing is a nuisance, there must be some method of abating it, and imposing

a tax or penalty is one of the ways.

Mr. MANN. Yes; but where you have a permanent injunction abating a nuisance the nuisance has ceased. Thereafter you provide for the levying of a tax against the property.

Mr. PROUTY. Only in case it is used for that purpose. Mr. MANN. The nuisance is no longer continuing. nuisance has ceased. You have issued a permanent injunction against a nuisance, and you provide that thereafter the assessor or the chief of police shall levy a tax. I think, undoubtedly, if you provide that it is a violation of the law, you can assess a penalty; but if you assess a penalty, under the Constitution of the United States, for violating a law, there must be an opportunity for a jury trial.

Mr. PROUTY. I think the gentleman has misread the section.

Section 8 provides as follows:

That whenever a permanent injunction issues against any person for maintaining a nuisance as herein defined, or against any owner or agent of the building kept or used for the purpose prohibited by this act, there shall be assessed against said building and the ground upon which the same is located and against the person or persons maintaining said nuisance, and the owner or agent of said premises, a tax of \$300.

This is a penalty imposed for having allowed the use of the property to become a nuisance.

Mr. MANN. Let me continue the reading:

The assessment of said tax shall be made by the assessor of the District of Columbia and shall be made within three months from the date of the granting of the permanent injunction. In case the assessor fails or neglects to make said assessment the same shall be made by the chief of police, and a return of said assessment shall be made to the collector of taxes. Said tax shall be a perpetual lien upon all property, both

personal and real, used for the purpose of maintaining said nuisance, and the payment of said tax shall not relieve the person or building from any other penalties provided by law.

Here is a nuisance which you abate by a civil proceeding, and after the nuisance has been abated you direct the assessor to assess or levy a tax against the property of \$300, or it might be any sum, if you have the authority to do it. I merely inquire what authority we have for doing that thing. I do not think the gentleman from Iowa [Mr. Prouty] has yet explained the In other words, can Congress provide in any civil suit that in addition to any penalties that are provided for violation of a criminal statute the assessor at the end of the suit shall levy a tax against the property, not a tax to pay the cost of the proceedings, but a direct tax against the property?

Mr. BRYAN. I think the gentleman from Illinois will agree there would be no question if that were called a fine and made a lien against the particular property; if after trial it is determined certain property is engaged in this kind of business that the owners of that property shall be fined by levying a fine or making it a lien against the particular property. of course, is a little different procedure from the ordinary criminal statute, but it does, however, have exactly the same effect. It levies a fine and sees to it that it is collected against the property and provides the form of collecting, so that it can be collected the way the other taxes are collected. I will state that the same law is on the statute books of the State of Washington, the same provision in almost the identical words throughout, and particularly this section; and I believe, indeed, there is no mistake in putting in a provision of this kind, and it is exactly the way it has been interpreted in the various courts.

Mr. GORDON. Does the law of the gentleman from Washington authorize a temporary injunction without bond on proof of general reputation?

Mr. BRYAN. There is an injunction under the same terms

as this bill.

Mr. GORDON. So much the worse for the statute.
Mr. BRYAN. I have read the two statutes together, and it provides for a permanent injunction upon proof after a temporary injunction upon affidavit.

Mr. GORDON. That he, on affidavit, believes that it has the

reputation of being a house of prostitution?

Mr. BRYAN. I am not sure about the exact use of the word "reputation"; if it is in the bill here it is in the statute, as I have compared the two, and they are alike on that point.

Mr. PROUTY. Mr. Chairman, I had not intended to make a speech upon this subject, but since it has developed that this statute is an exact copy almost of the statute that we have in Iowa I want to again announce what you perhaps all already know, that "in all that is good Iowa affords the best. plause.] We not only believe that vice is wrong, but we believe that if men want to suppress it they can. It is no strange or unusual power brought into play in this bill. Since the foundation of our courts of equity they have declared what are nuisances and have assessed fines and penalties to suppress them. A good many years ago, some 25 or 30 years ago. Iowa brought into practical use this power of the courts of equity and made it applicable to the suppression of illegal sales of liquor. In other words, by declaring that a house or building in which liquors were illegally sold were nuisances the courts of equity used the strong arm of equity jurisdiction to suppress the nuisance. About four years ago we extended the same equity jurisdiction for the suppression of houses of .il fame, and that is all there is in the bill that is now before us. As you have noticed it does not create any new crime, it does not declare anything a crime that was not a crime before this bill will be enacted, but it simply undertakes to use the strong arm of the equity jurisdiction of this country for the suppression of this

Mr. SISSON. Will the gentleman yield at that point?

Mr. PROUTY. I will.
Mr. SISSON. If the gentleman will look at the bill, page 2, line 17, he will find, without reading the whole section, that these injunctions are temporarily issued without bond. I will ask him if that section is identical with the section in his own State?

Mr. PROUTY. No, sir; it is a little better than the section in our State.

Mr. SISSON. Is it not very unusual, and perhaps a departure from all the rules of equity, to permit an injunction to be issued upon affidavit or upon a preliminary hearing to issue an injunction without bond? We all understand you may pray for an injunction without hearing, and upon final trial and after the court has adjudicated the matter, then he may issue the injunction without bond. But prior to the trial, prior to the determination of the question of fact and bond, is it not an unusual proceeding to permit an injunction to issue closing a place of busi-

Mr. PROUTY. To what section do you refer?
Mr. SISSON. Page 2, line 17, of the bill. I want to get an answer to the question, because it is so unusual. I would like to know whether or not any State has permitted these injunctions to issue unless a bond is required?

Mr. GREEN of Iowa. Will my colleague yield to me for a

moment?

Mr. PROUTY. Certainly.

Mr. GREEN of Iowa. Mr. Chairman, answering the question of the gentleman, I will say that such injunctions are very common in the State of Iowa.

Mr. SISSON. On the affidavit of an individual and not in-

stituted by the government itself?

Mr. GREEN of Iowa. They are; but it is in a particular class of cases, and I think the gentleman has overlooked the dis-It is against acts forbidden by the criminal law of the State and where it is alleged that the defendants have violated the criminal laws of the State.

Mr. SISSON. I can not yield the floor to anybody now.
Mr. GREEN of Iowa. The gentleman from Iowa [Mr.
Prouty] yielded to me. The liquor laws of our State provide that such an injunction may issue against the illegal sale of intoxicating liquors, and that the business may be temporarily closed, if necessary, to carry out the purposes of the injunction, although the writ does not go that far as a rule. But injunctions of this class are issued in liquor cases almost every day in the State of Iowa, and nobody is harmed by it, because they simply require the defendant to conform to the criminal law of the State.

Mr. SISSON. I am familiar with many State statutes along that line, but that is after the party has been convicted; that is after you have had a trial on the merits of the case, and then, when he has been tried, an injunction has been issued. my own State, where a man is convicted of unlawfully retailing or conducting a certain business, the court can issue an injunction if the proof, after he is convicted, shows he has been engaged in that business, and he can be enjoined.

Mr. GREEN of Iowa. That does not stop any legal business. Mr. SISSON. How do you determine whether it is legal or

illegal without giving him a hearing?

Mr. GREEN of Iowa. We do not enjoin him at all from any

legal act. He is simply enjoined against illegal acts.

Mr. SISSON. You can not tell whether the act has been committed or not. How do you know whether the act has been committed or not? There is a great deal of difference between knowledge and proof. A court may know a thing, but he has to know it by seeing it or by his senses, and if the court has no knowledge of a crime whatever, no knowledge of an illegal business, and a stranger comes in and makes an affidavit that a certain thing exists, it does not follow as a matter of law that it is true it does exist. It is the duty of the court to investigate whether it is true or not. This struck me as being a most unusual proceeding, and I do not believe, without taking issue with the gentleman, he will find it true in his own State.

Mr. GREEN of Iowa. If the gentleman will pardon me, I sat on the bench during 20 years and administered these laws.

Mr. SISSON. Is this the exact language of the law of your State?

Mr. GREEN of Iowa. Do you mean on page 2?

Mr. SISSON. On page 2.

Mr. GREEN of Iowa. Our law, if anything, is stronger than The court does not adjudicate that the party against whom the injunction is issued has violated the law, simply enjoins him from violating it, and he will not be punished except on hearing and when it is found he has violated the law.

Mr. SISSON. Now, will the gentleman yield a little further? Mr. PROUTY. I prefer to yield only to a question, and later on the gentleman can take the floor in his own right.

Mr. SISSON. I do not wish to take up so much time, but I want to have it made clear in my own mind what this section means with the words "without bond" in it.

Now, of course, all of us are in sympathy with the aim and purpose of the bill, but in writing a bill we ought to be certain to strike out the evil we want to hit, without leaving open too much opportunity for an abuse of the power granted under the

act.

If you will strike out these two words, "without bond," in so far as the private citizen is concerned, there will be no opportunity for one to wreak his spleen; there will be no opportunity for men to take advantage of the law for the purpose of injur-

ing some individual for an ulterior motive and an ulterior pur-

If the Government issues this injunction through its proper officer, if a Government official does it-the attorney of the Government—then it is proper that it should be without bond. The State ought not to be required to give bond nor should the Federal Government be required to give bond. But when a private individual steps in without the knowledge or intervention of some officer who has made inquiry into this matter and has satisfied himself in regard to it, then, it seems to me, that when the private individual asks for this equity remedy for the purpose of suppressing this nuisance, he ought to be called upon to give a bond just as he is called upon to give a bond to abate any other nuisance under any other statute which may deal with vice and those things which are obnoxious in a neighborhood,

Mr. PROUTY. I think that a full answer to that can be given by a careful reading of the bill itself. I think the gentleman has misconceived the scope and purpose of the act. there may be language in it that might be a little bit misleading on first examination, yet it will be found by reading the bill in its entirety that upon the presentation of a petition asking for a temporary injunction, the court only has power to grant it upon three days' notice-a thing that is not common in the ordinary exercise of that equity power.

We had considerable discussion in this House, as you all know, on the question as to whether or not the Federal courts should exercise that power in labor-union troubles without first giving notice, and at the last session we passed a law on that

subject.

Now this bill, contrary to what is done in the State of Iowa and other States, requires that three days' notice be given before the granting of the temporary injunction, and then if the party does not appear, or if he appears and asks for a continuance, then the temporary injunction issues as a matter of course, but still the permanent injunction is not granted until further hearing by the court at the following term of court.
Mr. SISSON. Mr. Chairman, will the gentleman yield to an

interruption?

Mr. PROUTY. Yes; with pleasure.
Mr. SISSON. Now, he gives three days' notice. I should think that is right and fair, and especially as a private citizen can make the affidavit without giving bond. Has the gentleman taken into consideration the fact that serious abuses may occur if any private citizen can make such affidavits at will without giving bond? We must admit that many people will take all sorts of advantage of an opportunity such as would be afforded under this bill to injure other people. What remedy under this statute would a perfectly reputable man or woman have if a designing man or woman should file an affidavit against that individual in the conduct of his or her home, or boarding house, or hotel, or any class of business in which the person is engaged, even when it is perfectly reputable? What remedy would that person have against the party who slanders him or her under this statute?

Mr. PROUTY. The individual would have the same remedy that he has now if a person goes before the grand jury or any place else and makes a charge against you. There is no injunction issued unless the man appears.

Mr. KELLY of Pennsylvania. Mr. Chairman, will the gentle-

man yield?

Mr. PROUTY. In just a moment. There days' notice, injunction issued until the fellow has had three days' notice. In just a moment. There is no temporary

bill here provides that the party complaining may file an affidavit, even if it is false and proven to be false and without foundation, as this bill states here, merely "upon reputation or otherwise, by depositions or oral testimony or otherwise, as the complainant may elect." Notice the language, "as the complainant may elect." He can seek his own method of filing the charges against the individual. What remedy would the individual have?

Mr. PROUTY. I might say this in answer to that question: Of course, there is no statute that can protect every right that a man has. If, for instance, a man appears and files an information against you to-day, although it be absolutely false, yet in a certain sense it blights your reputation for all time, and you can not help that, and there is no power in the courts to prevent that. But here a man appears and files an information or petition in equity, setting out certain facts, but before anything is done in that matter the man has three days' notice of it, and he has to come here, and if he is so innocent as the man you use as an illustration he ought to be able to prevent the court from issuing a temporary injunction at all.

Mr. SISSON. The law presumes him to be innocent, any-

way, whether he is or not.

Mr. PROUTY. That is true in all court proceedings, but you can never get to the point where you can prevent anyone from filing a false charge, either in a petition in equity or in the criminal courts of this country. You can not get away from that.

Mr. JOHNSON of Kentucky. I should like to ask the gen-tleman from Iowa if an action for malicious prosecution will not lie?

Mr. TOWNER. Surely it will, and it has. Mr. SISSON. It may be that I am in error, because I have not had time to study this proposition carefully, but here is the point in my mind: If I go before a justice of the peace, or if I go before a chancery clerk in Mississippi-we still have the chancery jurisdiction there-and make a false affidavit for the purpose of inducing the arm of the court to be put in motion, and it is shown that my allegations are false and that I am actuated by animus, then I may be liable in a suit for damages.

Mr. PROUTY. Would you not in this case?
Mr. SISSON. That is the point I want to get at.
Mr. PROUTY. Why not? This is an equity suit, a civil suit. Mr. SISSON. Its foundation, however, is upon general repu-

Mr. TOWNER. The gentleman is mistaken.

Mr. PROUTY. That only applies to the trial.
Mr. TOWNER. That applies to the hearing for the permanent injunction, not to the temporary injunction.

Mr. KELLY of Pennsylvania. I should like to say that this bill itself covers that matter.

Mr. SISSON. The affidavit is filed, and the temporary in-

junction may be issued.

Mr. KELLY of Pennsylvania. The question of the gentleman from Mississippi [Mr. Sisson] is answered on page 3, at the bottom of the page, where it provides protection against that kind of a case, because where an action is brought by a citizen

and it is not sustained the costs are taxed against him.

Mr. SISSON. That touches exactly the point I have in mind. In other words, the very act itself fixes the penalty for the false affidavit and says that shall be the limit of the damage, and the limit of the remedy is the costs incurred, which might be nominal, and the only remedy for a blasted reputation and a vile and slanderous affidavit would be merely the payment of a miserable little petty cost bill. The very act itself takes away from the injured person the right to bring a suit for damages. see the gentleman from Minnesota [Mr. Anderson] shaking his head, but that is the point I have in mind-that the very act itself takes away from the injured party the right to recover any damages against the man who makes the false affidavit.

Mr. PROUTY. Mr. Chairman, I should like to occupy the

floor for a few minutes.

Mr. SISSON. I beg the gentleman's pardon. I wanted to

get the information.

Mr. PROUTY. I think the gentleman has made himself clear, and I think that he has not examined this bill with the care that his legal acumen would warrant us in believing he had, because there is nothing strange in this bill. It is not different from any petition in equity that you would file in any court. If anybody should appear in court and file a petition charging that the gentleman had been guilty of fraud, deception, and deceit in securing the transfer to him of certain property, and that allegation was absolutely false, and upon the trial the case was dismissed at the other fellow's cost, does the gentleman, as a keen, astute lawyer, say that that would end his claim for damages against the man who had slandered him by

filing a fictitious claim in court? Certainly not.

Mr. SISSON. Without having had very much time to examine the bill, I am inclined to think that the last sentence on page 3 fixes the liability incurred by the citizen, and it seems as though it was placed in the bill intentionally for the purpose of limiting the remedy to the costs. I do not believe a court will ever hold the maker of a false affidavit liable in damages, even if the action is dismissed because there was no reasonable ground for the bringing of the complaint, unless it is also shown that it was a malicious prosecution with some animus in it. The plaintiff in the action for damages would have to show that the suit was brought for the purpose of injuring him, and not for the real purpose alleged in the affidavit.

Mr. PROUTY. As the gentleman will notice, this act is very mild. If the action is brought by a citizen, and the court finds there was no reasonable ground or cause for such action, the costs may be taxed against that citizen. Now, I presume there

Mr. SISSON. Does not the gentleman believe that that is the end of the matter?

Mr. PROUTY. No; but let me ask the gentleman, Have you not in your State a provision that where a prosecution is wantonly begun, without proper grounds therefor, the costs may be taxed against the prosecuting witness?

Mr. SISSON. We have no statute. That is a rule of court or a rule of common law. It is not necessary to have a

statute.

Mr. PROUTY. Does the gentleman believe that if there was such a statute after the case had been dismissed and you bring suit against him for malicious prosecution that could plead as full bar that the costs had been taxed up against him?

Mr. SISSON. That is also the law; the court can do that under the common law. So far as I know, where a man enters a court of equity, if he failed to get the remedy he prays for he is taxed with the costs, and he must give bond when he gets the arm of the court in motion, not only security for costs but for any damages that may occur by reason of the injunction. If the Government does that alone, of course it is not necessary to have the bond, but I do believe in this case that the bond should be required of an individual citizen.

Mr. PROUTY. When should he give the bond? Mr. SISSON. When he sues out the writ.

Mr. PROUTY. There may be no writ issued; he does have

to put up a bond as soon as the writ issues.

Mr. SISSON. The court does not have to issue a writ of injunction on the filing of the affidavit. He may say that he will give a preliminary hearing before the writ issues, and before the writ issues they always require a bond in my State in a court of equity for this extraordinary remedy.

Mr. MANN. Will the gentleman from Iowa and the gentle-

man from Mississippi yield?

Mr. PROUTY. I will yield.

Mr. MANN. Both gentlemen have used the term "malicious prosecution." Can a suit be brought for malicious prosecution against somebody who has failed in a bill of equity against the defendant?

Mr. PROUTY. Yes; if he has brought it without foundation. Mr. MANN. Such suits in equity are brought every day without being successful, and I never heard of a suit for malicious prosecution being brought.

Mr. PROUTY. If the gentleman will go out and examine the supreme court decisions of the State of Iowa, he will find where a man was mulcted in the sum of \$10,000 for that very thing.

Mr. MANN. For filing a bill in equity?
Mr. PROUTY. Maliciously filing a bill in equity without proper grounds, for the clear purpose of slandering and maligning his opponent.

Mr. SISSON. That is true in Illinois.
Mr. MANN. I do not think so. May I ask the gentleman from Iowa another question?

Mr. PROUTY. Certainly.

Mr. MANN. This bill provides that if the defendant asks for a continuance when the bill is first heard on the question of a preliminary injunction, if it is continued at his instance, the writ as prayed shall be granted as a matter of course.

Mr. PROUTY. Yes.

Mr. MANN. Is this writ to be granted as a matter of course for a permanent injunction because a man asks for a continuance after three days' notice?

Mr. PROUTY. The jentleman from Illinois misconceives the two sections. Section 2 deals with the temporary injunction, and the next section with the permanent injunction.

Mr. MANN. I am not misconceiving the two sections. The

gentleman does not understand the question.

Mr. PROUTY. I understand the question and I understand the bill. Section 2, which deals with the temporary injunction, says that three days' notice in writing shall be given the defendant of the hearing of the application, and if then continued at his instance the writ as prayed shall be granted as a matter of course. The next section deals with the permanent in-

Mr. MANN. Section 2 says that three days' notice shall be given in writing of the hearing of the application, and if then as a matter of course." Now, if that does not mean what it says, what does it mean?

Mr. PROUTY. That is a temporary injunction.
Mr. MANN. The prayer in the bill shall be granted, and the prayer in the bill is for a permanent injunction.

Mr. PROUTY. It means a temporary injunction.
Mr. MANN. That is not the language of the bill, and it ought to so state.

Mr. PROUTY. I think it does so state.

Mr. MANN. I think it does not; and why not make it clear? Mr. PROUTY. I am not the author of the bill; I am defending its legal aspect the best I can,

Mr. MOORE. Will the gentleman yield? Mr. PROUTY. I will.

Mr. MOORE. I would like to know the gentleman's construction of section 8, page 6, lines 16, 17, and 18. This section provides for a tax of \$300 for those who maintain a nuisance, and then it says:

Said tax shall be a perpetual lien upon all property, both personal and real, used for the purpose of maintaining said nuisance, and the payment of said tax shall not relieve the person or building from any other penalties provided by law.

Now, I think the students of this social problem have run across cases where this social evil has been perpetuated by a custom of imposing fines. This would appear to make that, after the payment of the \$300 fine, an institution that may be

maintained. Am I right about that?

Mr. PROUTY. No.

Mr. MOORE. Lines 16, 17, and 18 on page 6, in section 8, provides:

Said tax shall be a perpetual lien upon all property, both personal and real, used for the purpose of maintaining said nuisance.

"Maintaining" means to continue. The fine has been levied

and the question is whether the nuisance continues.

Mr. PROUTY. That simply identifies the property on which the court has issued its inhibition and assessed a fine of \$300, or a tax of \$300, which remains as a perpetual lien on that property, just like the court would declare it in any other equity proceedings.

Mr. MOORE. It says here-

Used for the purpose of maintaining said nuisance.

Mr. PROUTY. That is merely a matter of identification. Mr. MOORE. The gentleman's interpretation of it is that it does not mean that after the levying of a \$300 tax the institu-

Mr. PROUTY. It does not mean that, of course. It means that they are perpetually and forever enjoined from using that as a house of prostitution-forever, not merely for one day or for one week, but forever.

Mr. MOORE. I suppose the gentleman has heard of instances and of communities where, the fine having been imposed, the business went on just the same until another fine

Mr. PROUTY. Yes; and that is the very objection that I have to this whole system of what is called segregation. bill does not make the act of prostitution a crime, but it simply provides a remedy. The gentlemen who are talking about segregation must be aware of the fact that there is no law authorizing segregation. These houses in the place known as the redlight district do not exist by virtue of the tolerance of any law. They exist simply through the connivance of men who daily violate the law. I defy the gentleman from Pennsylvania [Mr. MOORE] or anyone from any other State to show me a single line in the laws, organic or otherwise, of the District of Columbia that will permit the keeping of public houses of prostitution in the city of Washington; and yet when you talk about destroying them they jump up and say, "Why, you are going to scatter the people in They are there now unlawfully, and, as I said before on the floor of this House, there is no one thing, in my opinion, that has done so much to corrupt our cities, to create so much graft, as this winking at the laws affecting prostitution. If the police force in a city is justified by public sentiment in winking at the violations of law, it is a short step to the point where they will wink at such violations harder if somebody gives them some money to do it. [Applause.] Every commission that has examined this question in every important city in the United States says that it lies at the very foundation of all or nearly all of the graft schemes that have been devised by the police force to get money.

Mr. BOWDLE. Mr. Chairman, will the gentleman yield?

Mr. PROUTY. Yes. Mr. BOWDLE. Does the gentleman not know that this question of prostitution has been discussed and plagued legislators for 10,000 years, and that little or no progress has been made with it by legislation? And is it not primarily a moral ques-

Mr. PROUTY. I do not know that. I have no authentic rec-

ord extending back that far.

Mr. BOWDLE. Does not the gentleman know that a thousand years before the foundation of the pyramids was laid precisely the same argument that he has been making was used?

Mr. PROUTY. The gentleman can go into antiquity farther than I intend my speech shall go, I assure him; but I do say this, that no sane man will claim that any law can absolutely

do away with the vice or depravity of the human heart; but I do say, notwithstanding the great antiquity of the gentleman's argument, it is possible for States, for nations, and for municipalities to wipe out commercialized, open, flaunting vice. [Applause.] You may not do away with concubines or mistresses or anything of that kind, but you can prevent vice flaunting itself in the face of every man who walks down the streets of a city. It is not the expectation or the hope of the framers and advocates of this bill that it will make every man virtuous or every woman virtuous, but we do hope to limit at least the temptations that are constantly thrown in the way of both men and women.

One of the constant arguments brought against this kind of measures-in fact, the only one that has reached me through the mails—is the fact that it will scatter the residents of these places out into the respectable portions of the community. have given a good deal of thought to that proposition and, as far as I am concerned, I have reached this conclusion, that if we must have these houses-if, as some gentlemen say, they are works of absolute necessity-why, it is better to have them in the so-called respectable communities than to have them down among the poor people of our towns. Why, under a law like this, or even without this, the strong, the rich, and powerful can exercise the law for the purpose of protecting their homes, but if the police rope off a little district in which live the poor people of the city and say that vice here may go unbridled and unrestrained, you have heaped a burden upon those people that they themselves can not correct. I repeat that, in my judgment, it is just as important as a national problem to protect the morals of what is commonly called the people living in the slums as it is the people living on Massachusetts Avenue. In other words, I believe that more real damage comes to the Republic and to the Nation by the festering of this crime in the slums and alleys and in the back places of the city than it would if it were put on the hilltop where everybody could see it.

Now, as I rose to say, this law put upon the statute books in Iowa for the purpose of giving to the persons charged with the duty of getting rid of this evil the strong power of the equity jurisdiction of the court. Despite all the arguments that have been suggested here to-day, and I confess I had some doubt about it myself, I can say candidly after four years of trial in the State of Iowa, and especially in the city in which I live, the city of Des Moines, it is found to work admirably. mayor and the health and police departments have recently reported that we have not more than 25 per cent of the amount of evil in the unsegregated districts that we had before when we had the segregated district. In other words it has been the experience of our State, and I think it is found to be the experience of most of the States, that these so-called segregated districts are made the hatching places from which women emanate and go out into these other territories to exercise their nefarious game, and when you have destroyed the hatching places you have gone a long ways toward destroying it in all the unsegregated portions of the city, and every city that has reported upon this proposition has given that as a result of their observation. But if, as I say, it is necessary to scatter them, I insist that it is infinitely better to scatter them than to keep them where they become a festering sore. I know, take it in this city, every time a man gets up here and says anything, for instance, about the half-and-half plan some fellow will say, "Oh, we want here a beautiful city, the pride of the Nation," and in that I join. I am in favor of having a beau-"Oh, we want here a beautiful city, the pride of the tiful city, but I want to say to my friends that there is nothing that will so add to the glory, the dignity, and renown of the Capital of this Nation as to have it the cleanest place morally. [Applause.] When people come here and look at our beautiful buildings and our beautiful parks and our streets they will commend that, but if they see these houses on every side they will go home and report that, and I for one will be glad; I would be proud of the fact that when the people of foreign nations come to visit the Capital of this the greatest Nation on earth they would see that there are now no open houses of prostitution [applause]; that it is clean morally as well as

adorned beautifully. [Applause.]
Mr. NORTON. Mr. Chairman, this is a strong measure. is the kind of legislation that has been long needed in this Dis-When this bill is voted upon I hope it will be passed by this House without a dissenting voice. As the gentleman said a few moments ago, there have been in times past many arguments made for the suppression of this vice. And, too, for centuries, extending back a thousand years before the building of the pyramids, arguments were made for and against the segregation of this vice. But I do not agree with the inferences of the gentleman that this vice can not be largely suppressed and

eradicated by proper legislation such as this.

In times not long past it was maintained by the seemingly most convincing and most attractive arguments that the traffic in intoxicating liquor could not be suppressed or done away with by legislation, and that it was unwise and uneconomical to prohibit the sale of intoxicating liquor and to do away with the saloon business. I well recall in my own State about 25 years ago the argument was frequently offered that the towns and the cities of the State could not be supported in their organizations without revenue from saloon licenses; that no town or city could have and maintain broad, beautiful, well-kept streets without having licensed saloons; that constitutional prohibition would mean that the streets and avenues of our towns and cities would be soon grass-grown and deserted. Nearly 25 years of constitutional prohibition, aided by strong statutory laws, has completely disproven all these and such other fallacious arguments offered by the proponents of the liquor interests. is no State in this Union to-day where the towns and cities are more clean; where the streets are broader and more beautiful or kept in better condition and repair; where the indebtedness of the towns and cities is less; where the public and private buildings are finer or more modern; where the home life is better and where the homes are happier than in prohibition North Dakota.

We have on the statute books of my State a law similar to this measure. It has been of the greatest service in enabling honest officials to rid the State of many blind piggers and bootleggers and to bring summary punishment to well-to-do properry owners who, that their properties might be leased at exorbitant rentals, conspired with and upheld bootleggers and blind piggers in violations of the laws.

As I understand the provisions of this law, it makes stronger the laws we already have against this vice. It not only enables the honest official to quickly reach with the law the women who persist in this vice, but it also enables the honest official to reach with the penalties of the law the rich property owners whose tenants these women may be found to be. takes nothing away from existing laws against this vice. gives to the present law the additional strong arm of the equity jurisdiction of the court, as the gentleman from Iowa [Mr. Prouty] has so well said.

From my own experience as a prosecuting attorney, I know that if we have here in the District of Columbia the character of judges and the character of prosecuting officers we should have, every public house of prostitution in the District can and will be suppressed within 24 hours after this bill becomes a law.

The District of Columbia is a most fitting place to put the stamp of strong legislative and public disapproval on this vice. Here at the Nation's Capital, where citizens of every State come almost daily, it is well that we set a high moral and civic This standard, maintained as it should be here, will be a most wonderful influence for good and for right living in every city in every State in our country.

I trust that the enactment of this bill will at no distant future date be followed by the enactment of a law to en-tirely prohibit the sale of intoxicating liquor as a beverage in You will find when these laws have been placed on the statute books in this District and have been put into effective operation the arguments now advanced against them will be seen by the least discerning to be unsound and fallacious.

The recent extended investigations made concerning the causes and extent of this vice in this country and in European countries clearly demonstrates that segregation tends to increase rather than to suppress this vice. Attempted segregation of this vice is most dangerous to the best interest of so-Segregated vice districts offer the most alluring and dangerous pitfalls for our young boys and girls who are now growing up and who are to be the men and women of to-morrow. This law will destroy the public homes of this vice and make its practice most difficult.

In conclusion I wish again to say that I hope there will not be a dissenting voice against this bill when it is put on its final passage in this House. [Applause.]

The CHAIRMAN (Mr. HARDWICK). The Clerk will read the

The Clerk proceeded with the reading of the bill.

During the reading.

Mr. JOHNSON of Kentucky, Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with.

The CHAIRMAN. The bill is being read now, as the Chair is informed, for amendment, and therefore the request of the gentleman is not in order.

The Clerk read as follows:

Sec. 2. That whenever a nuisance is kept. maintained, or exists as defined in this act the attorney of the United States for the District of Columbia, or the Attorney General of the United States, or any citizen bill may have been somewhat crudely drawn, nevertheless they

of the District of Columbia may maintain an action in equity in the name of the United States of America, upon the relation of such attorney of the United States for the District of Columbia, the Attorney General of the United States, or citizen, to perpetually enjoin said nuisance, the person or persons conducting or maintaining the same, and the owner or agent of the building or ground upon which said nuisance exists. In such action the court, or a judge in vacation, shall, upon the presentation of a petition therefor alleging that the nuisance complained of exists, allow a temporary writ of lajunction, without bond, if it shall be made to appear to the satisfaction of the court or judge by evidence in the form of affidavits, depositions, oral testimony, or otherwise, as the complainant may elect, unless the court or judge by previous order shall have directed the form and manner in which it shall be presented. Three days' notice, in writing, shall be given the defendant of the hearing of the application, and if then continued at his instance the writ as prayed shall be granted as a matter of course. When an injunction has been granted it shall be binding on the defendant throughout the District of Columbia, and any violation of the provisions of injunction herein provided shall be a contempt as hereinafter provided.

Mr. THOMSON of Illinois, Mr. Chairman, I desire to offer

Mr. THOMSON of Illinois. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 24, after the word "the," insert the word "said." Strike out the words "as prayed" after the word "writ."

Mr. THOMSON of Illinois. Mr. Chairman, I think while it is true that this section 2 does seem to have to do with the temporary written injunction, the language in line 24 as it now stands would authorize the issuance of the permanent writ of injunction in case the defendant asks for a continuance. think that is apparently not the intention of the framers of the bill, and yet the words "the writ as prayed" would mean the issuance of the writ of permanent injunction, because it is that writ that is prayed for in the bill. And if the amendment I propose carries it will clear it up and it will mean that when the defendant asks for a continuance the writ that will issue will be the temporary writ, pending the hearing on the question of whether or not the injunction should be permanent.

The CHAIRMAN. The question is on the amendment offered

by the gentleman from Illinois.

Mr. TOWNER. Mr. Chairman, I agree with the gentleman; that language to which he refers might be so interpreted if it were not taken into consideration that in every one of these petitions the petitioner must ask for the temporary writ, as well as for a permanent injunction. Merely because he will also ask for a permanent writ would not necessarily imply that the court at that time could grant a permanent injunction. This section of the bill refers to temporary injunctions only.

The succeeding section makes provision regarding permanent injunctions. This provision clearly refers not to the issuance of the permanent injunction, but it refers to the issuance of the temporary writ, because the petition must ask for the tem-

porary writ, if it is desired, as well as the permanent writ.

Mr. THOMSON of Illinois. Will the gentleman yield?

Mr. TOWNER. Certainly. Mr. THOMSON of Illinois. Assuming that the bill prays for wo writs—a temporary writ and a permanent writ—of injunction, then the use of the language here, "the writ as prayed," is at least indefinite, is it not?

Mr. TOWNER. It would be, perhaps, if it were not for the fact that this section and all the provisions immediately in connection with this provision refer to the temporary writ and not to the permanent writ. Let me say to the gentleman also that all of these propositions have been considered and passed upon.

They have been urged before our courts, and they have been passed upon and determined adversely. Some of the objections urged this afternoon have been taken to the Supreme Court of Iowa and some have been taken to the Supreme Court of the United States, and all of the provisions of the law have been sustained, so far, in the courts.

Let me further say this: I admit that the language of this bill is not entirely clear and free from ambiguity; is not, perhaps, what it ought to be; but it has been before the courts of half a dozen different States, and it has been sustained in its present form in the courts. Would it not be better for us now not to try to amend it when we know what has been its interpretation in the courts and that interpretation has been satisfactory?

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. TOWNER. Certainly; I would be glad to.
Mr. MANN. The gentleman has stated that this law has been before the courts of half a dozen States. Can the gentleman tell what States those are?

Mr. TOWNER. No; I can not name all of them just at this

moment.

That is what the gentleman said.

have been before half a dozen States and have always been

Mr. MANN. What State courts have the terms of this bill been before except the courts of Iowa?

Mr. TOWNER. They have been adopted by 12 different

I asked the question awhile ago, and nobody could tell. Could the gentleman from Iowa tell what half dozen States have passed this bill?

The CHAIRMAN. The time of the gentleman from Iowa has expired?

Mr. MANN. Mr. Chairman, I ask that the gentleman from Iowa may have five minutes more.

The CHAIRMAN. The gentleman from Illinois [Mr. Mann] asks unanimous consent that the gentleman from Iowa [Mr. Towner] may proceed for five minutes more. Is there objection?

There was no objection.

Mr. TOWNER. I have the list of States here which I can give to the gentleman. The States referred to are Nebraska, Pennsylvania, Tennessee, Wisconsin, Minnesota, South Dakota, Kansas, Utah, California, Oregon, and Washington, besides Iowa.

Mr. MANN. The gentleman says that those States have passed laws in the terms of this bill?

Mr. TOWNER, Yes, substantially. I think I can say to the gentleman from Illinois that very many of them have followed absolutely the language of the Iowa statute.

Mr. MANN. My impression was, from what I had heard, that no other State had passed a law just like this; that other States had passed somewhat similar laws, but no other law had been passed in the terms of this bill.

Mr. TOWNER. The gentleman is certainly mistaken.

Mr. MANN. That is not unlikely.

Mr. TOWNER. There are 12 States that have adopted a law which in all essentials is as this law, and, indeed, based upon it and patterned after it. I think some of them are in terms better. I think the Minnesota law, which was passed subsequently to the Iowa law, is in better form than this. But this bill has already passed the Senate. If we pass it in its present form, it will not have to go again to the Senate. It has been considered and approved by the courts. Will it not be better to pass it as it is, without taking any chances, if we are satisfied that in substance it is right and will accomplish the desired results?

Mr. THOMSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. TOWNER. Certainly.

Mr. THOMSON of Illinois. I would like to say, Mr. Chairman, that I am very much in favor of this bill, and I am anxious that anything in it which is indefinite should be cleared up. This amendment that I am proposing goes definitely to the form of the bill.

Mr. TOWNER. Oh, yes

Mr. THOMSON of Illinois. And does not the gentleman think that if the amendment is adopted the language will be clearer than it is now?

Mr. TOWNER. I am frank to confess that originally would have placed the phraseology of the bill in somewhat different form, but it has already been passed upon, and it is now before us from the Senate with the approval of the Senate.

Mr. THOMSON of Illinois. Of course, it is quite possible to send it back to the Senate with an improved form, and they can there agree to the amendments.

Mr. TOWNER. But we had better agree to this form rather than take any chances

The CHAIRMAN. The time of the gentleman from Iowa has

expired.

Mr. BRYAN. Mr. Chairman, I believe that it is my duty, in view of the fact that I had said I had read this bill and the bill of my State and had found them identical in several particulars, to say that this particular sentence is not a part of the statute of the State of Washington. That particular sentence is out.

Mr. MANN. I do not think it is a part of the law of any

other State than the State of Iowa.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. Thomson].

The question was taken; and on a division (ordered by the Chairman) there were-yeas 24, nays 36.

So the amendment was rejected. The CHAIRMAN. The Clerk will read. The Clerk read as follows:

the costs of the action and abatement, and the balance, if any, shall be paid to the defendant.

Mr. RAKER. I should like to ask the gentleman if he does not think the last word of the section, the word "defendant," might well be changed? The defendant may not be the owner, but simply the lessee.

Mr. IGOE. This refers to the defendant in the suit.

Mr. RAKER. The defendant in the suit may not be the owner at all. The defendant may be the lessee. Ought not the word to be "owner" instead of "defendant"?

Mr. IGOE. It relates to the owner of the property that is

sold. Mr. RAKER. Not necessarily. It may not be the owner

at all. Mr. IGOE. The property could not be sold unless the party who owned it was made a defendant.

Mr. RAKER. Not necessarily. You may commence an action against a building and find furniture in it, and the owner of the building may be a defendant but the owner of the personal property may not.

Mr. TOWNER. Will the gentleman permit? Mr. RAKER. With pleasure.

Mr. TOWNER. Does the gentleman understand that all parties who are to be adversely affected must be made defendants?

Mr. RAKER. Yes. Mr. TOWNER. And the owner of the personal property or the owner of the real property, or if they are separately owned, both of them must be made defendants. Clearly this would refer to the defendant who owned the property. I agree with you that the wording might be better, but this does not work any wrong or injustice.

Mr. RAKER. Is it the purpose not to amend the bill at all, so that it will not have to go back to the Senate?

Mr. TOWNER. I think that would probably be the best thing.

Mr. RAKER. If that is the object, I will not insist upon an amendment.

The Clerk resumed and completed the reading of the bill. Mr. JOHNSON of Kentucky. Mr. Chairman, I move that the committee do now rise and report the bill to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CLARK of Florida, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 234) to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof, and had directed him to report the same to the House with the recommendation that the bill do pass.

The bill was ordered to a third reading, and was accordingly

read the third time and passed.

The announcement of the result was received with applause. On motion of Mr. Johnson of Kentucky, a motion to reconsider the last vote was laid on the table.

DEEDS TO PROPERTY IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I now call up the bill (H. R. 9842) to require the recital of the real consideration in deeds to property in the District of Columbia.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

The Clerk read as follows:

Be it enacted, etc., That hereafter it shall be unlawful for any recorder of deeds or other recording officer or any of his deputies or clerks to put to record any deed of conveyance of any real estate in the District of Columbia unless said deed of conveyance is accompanied by a statement of the grantor, subscribed and sworn to before some one authorized to administer an oath, to the effect that the consideration, set out in the said deed of conveyance, is the entire and real consideration actually passed or to be passed, which statement shall be filed and preserved in the office where such deed of conveyance is recorded.

No consideration greater than that fully expressed in the conveyance shall be or become a lien upon the property described in the said deed of conveyance.

shall be or become a lien upon the property described in the said deed of conveyance.

Nor shall any consideration for the execution of any such aforesaid deed which is greater than the consideration mentioned therein be collectible or enforcable in any court of law or equity.

Any person who shall swear faisely in making the statement herein provided for shall be deemed guilty of perjury and subject to all the penalties imposed by law for that offense.

Any recording officer, deputy or clerk, who shall violate the provisions of this act shall, upon conviction, be removed from office and, in addition thereto, pay a fine of \$100.

With the fallewing committee amendment:

With the following committee amendment:

SEC. 6. That the proceeds of the sale of the personal property, as provided in the preceding section, shall be applied in the payment of District of Columbia."

Mr. GARDNER. Mr. Speaker, before we get to the amendable stage I should like to hear a little statement as to the of the bill.

Mr. JOHNSON of Kentucky. Mr. Speaker, I was about to make an explanation of the bill when interrupted by the read-

ing of the committee amendment.

The practice has prevailed in the District of Columbia of but seldom reciting the real consideration for which real estate passes title. I believe that more than 95 per cent of the deeds of conveyance of real estate in the District of Columbia recite the consideration of \$10. The real consideration is desirable, so the Commissioners of the District of Columbia and the assessors of the District of Columbia say, for the purpose of aiding in getting at the real value of property to be assessed. It requires no long argument—in fact, it requires none at all, I believe-to demonstrate the necessity for this legislation. The need for the bill is self-evident.

But whatever reason there may have been for the passage of the bill before has now been increased because of the incometax law. The profit which a man may make upon a piece of real estate can be more accurately obtained by those who wish to enforce the law if the consideration is recited rather than concealed. As I said, I think the reasons for the passage of the bill are so self-evident that they do not need to be argued before

any body, much less one like this,

I reserve the remainder of my time. Mr. BRYAN. Mr. Speaker, I have no objection to the proposition to have deeds express the true consideration, but it seems to me that it is entirely improper to outlaw a deed or instrument conveying property if it does not contain this affidavit. For instance, a person living away from here owns a lot in the city of Washington. He sells it and the deed is sent to him to be signed. It is signed and sent here for record without providing the unusual and extraordinary affidavit that this bill requires. It is a requirement that does not apply to deeds anywhere else in the country. It is often somewhat difficult to get parties together to sign a deed. Sometimes a dozen heirs sign a deed, and it is necessary to send it from place to place to get it signed. To require that the heirs down in Louisiana, for instance, must make the affidavit required by this bill is, it seems to me, the putting of too great a burden on the system of registering transfers of title when it is provided that such a deed not accompanied by such affidavit can not be recorded.

I think it right to prohibit misrepresentation, to prohibit putting false valuation in a deed, and to attempt to overcome the bad features in that way; but I can not agree, nor can I understand why it is legitimate or right to thus absolutely outlaw an instrument of conveyance unless it contains that affidavit.

Many times a deed is made just before death by one who desires to execute a conveyance hurriedly. It may be scratched off on paper that may be picked up, an instrument made with out a formal blank, and a notary called in and acknowledgment made, and then perhaps the grantor dies. Under this act, if made into law, the deed could not be recorded, because it did

not have the affidavit in relation to consideration.

Mr. JOHNSON of Kentucky. If the gentleman will permit e. The gentleman from Washington well knows that no lien attaches on deferred payments unless set out in the deed. great frauds are committed by reciting only a nominal consideration and then afterwards going to great expense of those who are concerned in creating a trust or mortgage upon it in order to carry liens for deferred payments. If this bill should become a law, the deferred payments could be carried as a lien without resorting to the practice which has become so

fraudulent and expensive.

Mr. BRYAN. But the fact remains that when a person in a remote State or in a foreign country, some one who bought a lot in the District of Columbia, sees fit to transfer the property for a valid consideration and executes a deed in accordance with the custom of the place where he lives, acknowledges it before a notary public in any State in the Union or a commisstoner of deeds in a foreign country or before a consul, and sends the deed here for record and then dies, so that a new deed could not be made, the property could not pass, but remains in the estate, or a suit to quiet title must be tried and judgment entered. I think to thus attach it to the land, to make it a provision that runs with the land, and must be carried on the abstract is improper. Every abstract in the District of Columbia and hereafter each and every conveyance would have to be investigated by lawyers who are investigating titles in order to determine if the affidavit was made and filed in accordance with the statute. If the affidavit was not made and the deed was recorded, then, of course, the title would not be good, and no attorney would pass the title. While I would like to see a deed speak the truth, at the same time I do not believe that this

Congress will be doing a wise or a judicious thing to enact such a provision as is proposed in this bill. However, I want to repeat that the purpose of the proposed legislation, to make deeds speak the exact truth as to consideration of sale, is a worthy

Mr. GARDNER. Will the gentleman yield me the balance of his time?

Mr. BRYAN. I will yield to the gentleman from Massachusetts the balance of my hour.

The SPEAKER. The gentleman from Massachusetts is recognized for 55 minutes.

Mr. GARDNER. Mr. Speaker, I do not care to be recognized just at present.

Mr. SISSON. Mr. Speaker, I do not think the gentleman from Washington properly construes this bill. It does not outlaw the deed; the bill does not make the deed invalid; it simply provides that it shall not be admitted to record unless the true consideration is fixed in the deed.

Mr. BRYAN. I will ask the gentleman if a deed that is not allowed to be recorded is not outlawed? How would you outlaw

a deed?

Mr. SISSON. Between the parties the deed would be perfectly good. The grantor in the first instance might sell the property to an innocent purchaser a second time, and if the innocent purchaser complied with the law and had no knowledge of the existence of the first deed and put it on record, his title would be good. That would be the result that would follow in any State where a man negligently fails to put his deed on record and the grantor makes a second deed to an innocent purchaser who does put it on record.

Mr. CULLOP. Will the gentleman allow me a further sug-

gestion? It would also give the right to persons who extended credit to the owner of record to step in between the real owner and the person who appeared to be the owner of record?
Mr. SISSON. Yes.

Mr. CULLOP. And would it not do this, that where the record showed that a person was the owner and that no transfer had been made, a person who would extend the credit to a person who appeared to be the owner would have the right to enforce his claim against that property?

Mr. SISSON. Absolutely, that would be the result of a failure to comply with the statute to give proper notice.

Now, Mr. Chairman, I think this bill has no difficulty that all State statutes do not present. The rule in relation to liens on real estate exists in nearly every State in the Union. presume that any man in any other State in the Union would purchase land in my State until he had first ascertained what the laws were and investigated fully the question as to whether or not he would get a good title before he paid his money for it. A foreigner buying land in the District of Columbia must buy it with notice of all the statutes that exist in reference to real estate. If a man wants to buy land in Massachusetts, he must buy the land in accordance with the Massachusetts The only question to be determined is whether or not this statute requires men to deal fairly and honestly with each other. It is an evil, and a very great evil, I think, for men to understate the true valuation of a piece of real estate in a deed. not know but that the committee might have been warranted in going further and stating that if one states in a deed of conveyance that a greater consideration was paid than that actually paid, that that fact must be stated in the affidavit, because it is like watering stock. I know of a great many instances in my own State where men who are in the real estate business, who buy land in my State or who have the right to sell it, will agree with the grantor of the land that the consideration shall be a certain amount of money. He then takes the deed himself and sells it to another party at a very much greater amount. one case in mind where a partner in the purchase of a piece of property agreed that the consideration should be about \$20,000 more than what was actually paid. He took the \$20,000 from his partners, and the consideration stated in the face of the deed was \$20,000 more than what the original granters actually received from him. Therefore, from every angle that you may look at this proposition, it seems to me that it is one that brings about justice, that brings about honesty and fairness, and does no injury or harm to anyone who wants to do right and deal fairly with the public.

Mr. CULLOP. Mr. Chairman, will the gentleman yield? Mr. SISSON. Certainly. Mr. CULLOP. I call the attention of the gentleman to the clause on page 2, commencing with line 3:

No consideration greater than that fully expressed in the conveyance shall be or become a lien upon the property described in the said deed of conveyance.

Does the gentleman think that that is a proper matter to be placed in this bill?

Mr. SISSON. Absolutely, I think it is properly there. Mr. CULLOP. That will only apply to the consideration

paid for the property?

Mr. SISSON. Yes. In other words, if I buy a piece of property from the gentleman, he ought to state in the deed that he makes the exact amount that I am to pay for the land. These public records, in other words, ought to state the truth. No public record ought to be permitted to enable any man to perpetrate a fraud either upon the Government or upon the people buying the land.

Mr. CULLOP. There is no danger of that ever being construed, in the event the property advances in value, so as to

prevent a lien for a greater amount being enforced?

Mr. SISSON. No; this is, where the minds shall have met and the consideration is agreed upon and they have reduced it to writing in the form of a deed, and where that deed is properly acknowledged, that the true consideration or the cause of the meeting of the minds shall be stated in the deed that goes on record.

Mr. SIMS. Mr. Chairman, will the gentleman yield? Mr. SISSON. Certainly.

Mr. SIMS. Stated succinctly and tersely, the object of this bill is simply that the deed shall state the truth, the whole truth, and nothing but the truth to entitle it to registration?

Mr. SISSON. That is it.

Mr. SIMS. But the validity of the title to land does not

depend on registration.

Mr. SISSON. You may have deeds of record that are fraudulent. Fraud is so varied in its forms that no legal writer has ever yet undertaken to define a fraud. Therefore, a deed which is fraudulent, which goes on record, may be attacked in a court of chancery. This does not mean that a man's title is absolutely good because he has a deed of record.

Mr. DILLON. Suppose the deed is made for love and affection. Does the gentleman then think that the grantors could make an affidavit that there is no other consideration paid?

Mr. SISSON. That will be all that is necessary.
Mr. DILLON. And, therefore, if you wanted to create a
lien in the same instrument for \$3,000 against the grantee, would not this make it unlawful for him to do so?

Mr. SISSON. It would not.

Mr. DILLION. I think it would.
Mr. SISSON. I think not. Just state the true consideration

and the true contract in the deed.

Mr. DILLON. But he makes an affidavit that the grantee accepts the property for love and affection, and in this deed there is a clause that the grantee shall pay him the sum of \$500 or \$1,000 within a number of years. Now, would not this provision destroy the vitality of the deed?

Mr. SISSON. Absolutely not.

Mr. GARDNER. Will the gentleman yield for a minute?

Mr. SISSON. Yes.

Mr. GARDNER. Now, the gentleman says, in the clause alluded to by Mr. CULLOP:

No consideration greater than that fully expressed in the conveyance shall be or become a lien upon the property—

And so forth.

Now, the gentleman is fully aware that a man often dies and leaves real estate a part of which, on his executors transferring that real estate for the benefit of one of the heirs, is subject to the provisions, and yet there is no consideration for the receiv-What would the gentleman say in a ing of that real estate. case of that kind-

Mr. JOHNSON of Kentucky. That is, by will.

Mr. GARDNER. It says grantor and does not say vendor. Mr. JOHNSON of Kentucky. Grantor, not by a deed of convevance

Mr. SISSON. This bill, as I understand it, is confined to

deeds, not to wills or bequests.

Mr. GARDNER. You get a deed from the executor-

Mr. SISSON. If it is in carrying out a trust under a will or by virtue of a decree of court, it would only be necessary for the executor to make a deed and state the real consideration.

Mr. GARDNER. I think the gentleman should say "in consideration of the execution of any such aforesaid deed" in line 3, just as it is in line 6.

Mr. SISSON. I do not see there can be a particle of harm in

the first three lines on page 2.

Mr. GARDNER. What the gentleman from Indiana [Mr. Cullor] said impressed me. I should say that you ought to insert as an amendment, after the word "consideration," in line 3, the words "for the execution of any such aforesaid deed."

Mr. SISSON. In reference to the question of trust, if a man in his will, which he seals up and the world knows nothing about it, has made a bequest of property to his children with a certain burden upon it, why, the only thing necessary would be to have that will taken to probate, and after it is probated, then the device of land with a condition on it would simply be made by the executors of the will and placed on record reciting that it was the terms of the will, and in the preparation of the deed of the executors it is always the safest and best practice not simply to sign it as the executor, but to set out in the deed on its face the fact that it is an execution of that trust, so that the abstractor in going through the record may see on the face of the deed just exactly the kind and character of title, and therefore I can see no excuse for any objection to the section to which the gentleman directs his criticism.

Mr. GARDNER. If the conveyance were made for nothing, it would be impossible at any future time to impose a trust or

mortgage on that property.

Mr. SISSON. I do not think you can, anyhow.

Mr. GARDNER. But you can cure it by inserting the words in line 6.

Mr. SISSON. If the consideration of title was love and affection, you could not encumber it anyway.

Mr. GARDNER. They certainly can not encumber it the way

you have got it drawn.

Mr. SISSON. If the deed is in fee simple for love and affection, he could encumber and sell it or do as he pleases. If there is a limitation placed in the construction of the deed, it would be controlled by the limitation; but the deed itself must state not only the consideration under this bill, but it will have to state the other facts, and if a man wants to control that real estate he would be compelled to put all the conditions in his deed if he wants the conditions complied with. A man may deed his children land and put in the deed the condition that they shall pay an annual rental of \$500 a year for love and affection. He deeds the land on the condition, however, that they pay him \$500 a year.

You would simply state the consideration and the deed. And without that clause, from lines 1 to 3 inclusive, in the bill you might falsely state that the consideration was greater than it

actually was, and therefore perpetrate a fraud.

Mr. BRYAN. Referring to these particular lines-

No consideration greater than that fully expressed in the conveyance shall be or become a lien upon the property described in the said deed of conveyance.

Suppose a real estate agent buys some property from some person who is not very well up in the usages, and not very well accustomed to conveyancing, for \$1,000, we will say, \$100 cash and \$100 a month, and this real estate agent prepares a deed which stipulates "\$100 consideration" and prepares a little pro forma affidavit, and the party signs the deed to him for \$100, and then he gives back a mortgage for \$900, and he then sells the property to somebody else. It is true that the affidavit did not speak the truth and the woman, or other unsuspecting person who conveyed it, signed it for \$100, when, in truth, it was \$1,000, owing to the ability of the real estate agent to work that vendor; and then he sells the property to somebody else and here is a \$900 mortgage against it. Would not that \$900 mortgage be worthless?

Mr. SISSON. That real estate man ought to be put in the penitentiary

Well, we are not talking about the penitentiary. Mr. BRYAN.

Mr. SIMS. It would not be invalid as between the parties.
Mr. SISSON. As the gentleman from Tennessee [Mr. Sims] has just stated, it would be perfectly good between the parties, but if those people who buy lands rely absolutely upon the man who sells the land and his representations they will always get into trouble. Take the present land laws in the District of Columbia; and if the party is dishonest he may perpetrate frauds upon you under any condition. But, as the gentleman states, cases where men may perpetrate frauds upon people are infinitesimally less than the frauds that are being actually practiced upon everybody now with reference to false recital of consideration in the deed.

Mr. CULLOP. I think I can answer the gentleman's question as to that satisfactorily. In the case that you put he could sue the person who made the deed and recover a judgment for his \$900, but he could not under this provision enforce a lien on the

property.

Mr. BRYAN. Just exactly. And all a scheming real estate agent would want to do would be to tell the woman that was signing the deed for \$100 that it was all right, and then he would go to work and execute a mortgage for \$100 a month, or \$900 in all, to the party that made the deed, and he sells the

whole thing and gets out, and the woman who is relying on this \$900 mortgage loses it because of this real estate man, who got her to sign for \$100.

Mr. SIMS. Oh, no.

Mr. SISSON. I must decline to yield further, because I believe that the case is one that might occur at any time now in case you are dealing with a rascal. If you are dealing with a man that is going to defraud you, it can be done under the present law. We must presume under the law that parties who transact business under that law know the law. It is an axiomatic proposition that you must know the law. Under the present laws of all the States of the Union, so far as I know, and it was the English common law, passed, however, as a statute-but a part of the common law-that after they established deeds of record, an innocent purchaser, for a valuable consideration, without notice, buying land, when the vendor has the title on the record, if he gets to the courthouse first and puts it on record, successfully defrauds, not intentionally, not knowingly-but the vendor knows it-successfully defrauds the innocent or unwary who fails to put his deeds upon record.

Now, if you shall decline to pass a law to compel honest consideration in deeds, because you can conceive a case where men may deceive the unwary and the weak, then you abolish all law. There could be no law, because all law is a lot of technical rules. There is a set of rules for the acquisition of real estate. And when you follow these rules you get a good title, and when you do not you do not get a good title. And land law, like all other laws, is nothing more than man-made rules for the purpose of determining the question of title to a piece of property, so that civilization may transact business and all may transact their

business in accordance with the same rule.

Mr. McKENZIE, Mr. Chairman, I did not have the pleasure of hearing the beginning of the gentleman's statement in regard to his bill. I would like to ask him what is the wrong sought to be remedied by this legislation?

Mr. SISSON. Stating false considerations. In other words,

for a piece of property worth \$10,000 the deed merely recites the language, "For and in consideration of \$10."

Mr. McKENZIE. Now, then, so far as the people of the United States are concerned, and the people generally of the District of Columbia, is that such a wrong that we should take cognizance of it?

Mr. SISSON. Absolutely. Mr. McKENZIE. And place ourselves in the position of guardians over these men?

Mr. SISSON. The gentleman evidently did not hear the statement made by the chairman of the committee [Mr. Johnson of There are various reasons why this should be done.

Mr. JOHNSON of Kentucky. Mr. Chairman, will the gentleman let me cite one instance of where fraud grew out of this

Mr. SISSON. Yes. Mr. JOHNSON of Kentucky. It is an instance that has been pretty well established, where a relative of an old woman advised her to sell a property. She accepted his advice and sold to the agent of the relative who was giving her this advice. A consideration of \$10 was recited, though the property really sold for several thousand dollars. Then a deed of trust was sold for several thousand dollars. Then a deed of trust was put on for another misrepresented sum, and in that way the old woman was chiseled out of her property, whereas if the real consideration had been recited there could have been no lien on the property beyond that which was recited. Then this fraudulent transaction would have been prevented.

Mr. SISSON. In further answer to the gentleman's question, Mr. Chairman, I will say that the income-tax law which is now upon the statute books will be more perfectly enforced in reference to real-estate transactions in the District of Columbia; and if the States of the Union will do the same thing we would have a more perfect enforcement of the income-tax law.

Mr. McKENZIE. Now, if the gentleman will pardon me—

Mr. SISSON. Certainly.

Mr. McKENZIE. Is this law prepared merely on account of this transaction that the gentleman from Kentucky cites?

Mr. JOHNSON of Kentucky. There are other cases. Mr. McKENZIE. Does the gentleman think it would be good policy to burden the alienation of real estate in the manner here provided?

Mr. JOHNSON of Kentucky. The gentleman from Illinois has the wrong idea. Instead of its burdening the alienation of real estate, this bill removes many burdens from it. The way they do it now is to recite a nominal consideration and then execute an entirely different set of papers.

Mr. GARDNER. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. GARDNER. Is this bill drafted in conformity with the statute of some particular State?

Mr. JOHNSON of Kentucky. No. Mr. THOMSON of Illinois. Mr. Chairman, will the gentleman. yield to me?

Mr. SISSON. In just one moment.

Mr. GARDNER. But the committee considered the pro-priety of prescribing the form of that statement of the grantor in the statute?

Mr. JOHNSON of Kentucky. Certainly.
Mr. GARDNER. And decided not to do it?
Mr. JOHNSON of Kentucky. Decided not to do what?

Mr. GARDNER To prescribe the statement of the grantor in the statute itself?

Mr. JOHNSON of Kentucky. That was left to the discretion of the individual making the affidavit, the substance only being required to be set out.

Mr. CULLOP. Mr. Chairman, I want to ask the gentleman a

Mr. SISSON. In a moment. Mr. Chairman, I want to finish my remarks, and then I will yield to anybody who wants time.
Mr. HOWARD. Mr. Chairman, will the gentleman yield for one question that I want to suggest to him?

Mr. SISSON. Yes.

Mr. HOWARD. A great many deeds are made "for considerations of love and affection.'

Mr. SISSON. Yes. That was stated a moment ago. It would

only be necessary to recite that.

Mr. HOWARD. Under the provisions of this bill would not people escape the estimates of value by making deeds on consideration of love and affection?

Mr. SISSON. Not without subjecting themselves to all the pains and punishments of perjury. It is true you can not make men tell the truth by requiring them to tell the truth but you can make a law and require them to comply with it or else commit perjury.

Now, the common practice, I will say to my friend from Illinois [Mr. McKenzie], in States which do not have some such statute as this in order that people may conceal the true consideration is to say, "For and in consideration of the sum of \$10 in cash paid and for other considerations I hereby convey and warrant the following described property.
"other considerations" are not recited in the deed. They sometimes say, "For and in consideration of the sum of \$10 and for the considerations recited in a collateral agreement made at the same time and place with this agreement, which said colleteral agreement is hereby made a part of this deed.

Now, they do not have to put all those agreements upon the Therefore they keep out of the record the true consideration and the entire transaction, and you will find that a deed will frequently be left in such a condition that after the transaction is completed they do not go and mark upon the margin of the record the satisfaction of these other considerations or the statement of these other considerations, and a man never knows when he gets a good title to a piece of property. For that reason my State requires that when a piece of land is alienated, and a man has received payment upon a deed of trust which has been recorded, the man who receives the payment must instantly have the fact recorded to show that the obligation is satisfied; and if he does not do that he is subject to all the damages that may accrue to the party who is thereby injured. For that reason all the records in my State are cleaned up immediately after these obligations and these collateral agreements are satisfied. In that way titles are cleared up and made plain. I regret very much that my State does not require the true consideration to be recited, because that requirement would make the records of the State concerning real estate transactions recite the facts in reference to those transactions. The man who wants to do right, the man who wants to deal honestly with his fellows, the man who wants to deal fairly with everyone with whom he has business transactions, can have no objection to stating the true consideration. I do not believe that the records of any county in any State or the records of the District of Columbia or any Territory ought to state falsely or incompletely or imperfectly the nature of the transaction. The deed ought to state the whole transaction, and withhold nothing from the public and withhold nothing from future purchasers of the land.

Mr. GARDNER. If I were selling the gentleman a carload of oats, would the gentleman think that the public had a right to know what the price was?
Mr. SISSON. Not necessarily.

Mr. GARDNER. The gentleman says it is not honest to withhold the true consideration.

Mr. SISSON. If the gentleman sells me a carload of oats it is no other man's business, but when you deal with real estate you are dealing with an entirely different kind of transaction. Every man who deals with real estate ought to deal with it in accordance with the laws of the land, and that is what we are after now. I would have no objection to a statute requiring that the true consideration in a sale of personal property be required to be stated, if other people might be affected by the transaction. In other words, I have no desire to conceal the facts, even in reference to transfers of personal property. I feel that the world would be infinitely better off if every man dealt the cards above the table, anyway. I am getting rather tired of this idea that business should be conducted in secret. I do not believe in secret manipulations between nations. believe that the old secret manipulations of kings through diplomatic channels spread woe and misery upon the earth. believe the manipulations in reference to business through banking channels have enabled some men to amass much more than they ought to have. I believe that the transaction of business ought all to be in the open. I know that sometimes men would not be enabled to make the vast profits they have made, but the past history of the English-speaking people has been a history of publicity in reference to transactions involving real estate.

The earth, as nearly as it is possible for any element to do so, involves the very life of the individual, the very life of his family, and the very life of the Nation. The land was not made by man, but by the Creator. By man-made rules we have permitted one man to run a line around a piece of land, and then, by going and filing first with the Federal Government, to obtain a patent to the land; and the public by common consent have permitted him to segregate that land from the remainder of the public domain, and then the public have permitted the man who acquired the land in that manner to sell it or bequeath it. Unquestionably when you deal with the title to the earth's surface, it ought to be honestly and fairly dealt with, and when the title is transferred the law requires that a record of the transfer shall be made in order that a good and perfect title may pass. Now, what is the purpose of that? Why are you required to put your deed on record at all? Even before the days of writing, under the English common law, why was it that all the vassals and all the neighborhood were called together, and those living upon the land were called together, and the man alienating the land took a clod of dirt or a twig or something, in the presence of all the people, and said that he passed the title? That was done in the presence of the witnesses. Why was that done? It was because of the fact that they had no records in those days, and it was so that the whole community and everyone in the neighborhood might know that the title had been transferred and might know who was the owner of the land. Now we have substituted for that custom the title deed, and the controlling factor is the record of that deed.

And since the law is that a man to get a good title should put the deed on record, while we are making that law why not require him to put the proof in the record and tell the facts about the real estate? The three things essential to man's existence are air, water, and land. If a man could by some fiendish instrument arrange to gather all the air so that he might deal it out to the human family, a breath at a time, or if he could make some hellish receptacle where he could catch all the water and deal it out to the parched and thirsty people, he would be destroyed instantly, because the human family would not permit it. And yet, the earth and the land is just as essential to human existence. It is, in my judgment, important that all the transactions in reference to real estate, since the public by common consent have agreed to these rules, that the record shall speak the truth and nothing but the truth. I can not see after a careful reading of the bill anything in it but that is good. I can see absolutely no reason why a man shall not comply with this additional rule in reference to the acquisition and alienation of real estate in the District of Columbia.

Mr. Speaker, I now yield 10 minutes to the gentleman from Tennessee, and reserve the balance of my time.

Mr. GARDNER. Will not the gentleman allow me to make

use of a little time on this side?

Mr. SIMS. I do not expect to use the whole 10 minutes.

Mr. GARDNER. I believe two gentlemen on that side of the
House have an hour apiece. The chairman has reserved the
balance of his time, and the gentleman from Mississippi has an
hour.

Mr. SISSON. I took it for the purpose of yielding to the gentleman from Tennessee, who wanted time, and the gentleman from New York [Mr. George], a member of the committee, who wanted some time.

Mr. GARDNER. I did not know whether the gentleman wanted to use all of his time in succession.

Mr. SISSON. I have no desire as to the order in which the speeches are made.

Mr. SIMS. Mr. Speaker, the two gentlemen on my left, the gentleman from Massachusetts [Mr. Roberts] and the gentleman from Washington [Mr. Bryan], have discussed lines 3, 4, and 5, on page 2, of the bill. If that is looked to closely, it will be seen that it reads as follows:

No consideration greater than that fully expressed in the conveyance shall be or become a lien upon the property described in the said deed of conveyance.

That only applies to the excess over the real consideration and has no effect whatever upon the deed or the true consideration. But if the land should be sold for \$10,000 and the deed expressed \$20,000 and note taken for \$10,000, a lien would be only good for \$10,000, just the excess, and only the excess, and that would not affect the title a particle.

Mr. ROBERTS of Massachusetts. Will the gentleman from Tennessee yield?

Mr. SIMS. I will.

Mr. ROBERTS of Massachusetts. In the case just cited of the absolute sale and note given, how does a note itself become a lien on the property?

Mr. SIMS. If the deed expresses on its face that the property is paid for and note given, why, of course, as between the purchaser and the holder of the note they are good without registration—good in any State.

Mr. ROBERTS of Massachusetts. But the gentleman is speaking of a lien, and I wanted to know how a note could be a lien.

Mr. SIMS. It would not as to a third party or a judgment creditor, but would between the parties.

Mr. ROBERTS of Massachusetts. I did not know that a note was ever a lien on real estate.

Mr. CULLOP. Will the gentleman yield? Mr. SIMS. I will yield to the gentleman.

Mr. CULLOP. If the gentleman will read, in connection with that, lines 6 to 9, page 2, he will see that it is in direct contradiction to what the gentleman has just said.

Mr. SIMS. I am coming to that.

Mr. CULLOP. It reads:

Nor shall any consideration for the execution of any such aforesaid deed, which is greater than the consideration mentioned therein, be collectible or enforcible in any court of law or equity.

Now, while that provision remains in there you can not recover a personal judgment against the purchaser, the vendor could not, and he could not collect it in court. Under the above paragraph he could enforce judgment against the purchaser, so that is absolutely nullified.

Mr. SIMS. That is the very thing that I am going to discuss. Lines 6, 7, 8, and 9 must be read in connection with lines 3, 4, and 5:

No consideration greater than that fully expressed in the conveyance shall be or become a lien upon the property described in the said deed of conveyance.

of conveyance.

Nor shall any consideration for the execution of any such aforesaid deed, which is greater than the consideration mentioned therein, be collectible or enforcible in any court of law or equity.

It is the excessive consideration that you can not collect. It does not say that you can not collect the real consideration. It is the excess of consideration above that mentioned in the deed. That is, the excess could not be collected; not the note that may have the excess in it, but you can only collect the amount of the real consideration.

For instance, if one note covered the whole consideration, and another was given for an amount in excess of the whole consideration, and the first note was fully collected, you could not collect the second one anywhere. Taking them together, I do not see any cloud at all in the way.

not see any cloud at all in the way.

Mr. ROBERTS of Massachusetts. Take lines 6, 7, 8, and 9, page 2. Suppose the consideration expressed in the deed is \$1 and the real consideration \$10,000?

Mr. SIMS. Then what? What does the gentleman want to know?

Mr. ROBERTS of Massachusetts. And suppose the note was given under the gentleman's theory?

Mr. SIMS. What note—a note for \$9,999? Mr. ROBERTS of Massachusetts. Yes.

Mr. SIMS. What does the gentleman want to ask about it? Mr. ROBERTS of Massachusetts. Could that be collected?

Mr. SIMS. As between the parties?

Mr. ROBERTS of Massachusetts. As between the parties;

Mr. BRYAN. Or suppose the first note was transferred to

an innocent party?

Mr. SIMS. He could not be an innocent party in the face of the recorded deed, beyond the facts stated in the deed. That is the object of registration-that people who are not parties to it may know what relations exist between the parties to the deed-and the parties to the deed are estopped from setting up any other conditions as to third parties without notice.

Mr. BRYAN. Suppose the Riggs National Bank were to buy

the note for \$9,999, then Mr. Glover would lose it?

Mr. SIMS. If he owns the whole stock of the bank he would. Mr. ROBERTS of Massachusetts. Could the \$9,999 note be

As against the maker? Mr. SIMS.

Mr. ROBERTS of Massachusetts. Yes.

Mr. SIMS. That presents another question. Mr. ROBERTS of Massachusetts. Does not this prohibit it

Mr. SIMS. Because the maker has been guilty of an unlawful act; and if he goes into court, he must go in with clean So, if the maker was to go into court to enforce an unlawful note, he might fail.

Mr. ROBERTS of Massachusetts. The gentleman stated a

moment ago that-

Mr. SIMS. The other is for the excess.

Mr. ROBERTS of Massachusetts. These was \$10,000 in the case he cited, one note that covered the real consideration and another note of \$10,000 excess. I understood the gentleman to say that this law would prevent any recovery on the \$10,000 note which was excess?

Mr. SIMS. Yes.

Mr. ROBERTS of Massachusetts. I am getting at the case where the consideration named in the deed was \$1 and the real consideration was \$9,999. Can you recover on that?

Mr. SIMS. The lines to which I refer, being from 3 to 10, inclusive, cover cases of excessive-consideration notes. The question I am answering is where the consideration motes. The question I am answering is where the consideration mentioned is above the actual consideration. The excess can not be collected, but the gentleman asked a different question entirely, not involved in those lines at all. Those lines of the bill deal with a case where there has been a note given for an excess. The gentleman's question is where a deed has been made in violation of the law; that is, that the person has signed the deed and sworn falsely that \$1 was all of the consideration that he received. Does the gentleman believe any man who will swear that way ought to be entitled to recover one cent anywhere over and above the amount he swore he actually received?

Mr. ROBERTS of Massachusetts. That is what I am trying

to get at.

Mr. SIMS. I do not think he would or ought to, but that does not arise by reason of the other sections of the bill at all. The lines to which I refer have reference to where a consideration in excess of the real consideration has been given. The gentleman's question is where the consideration is less than the real consideration, and he has sworn falsely. Then he can not go into court and collect it.

Mr. ROBERTS of Massachusetts. Has not the gentleman in mind in the course of his argument mortgage notes, not notes

that may be given as part of the purchase price?

Mr. SIMS. It makes no difference. A lien retained in the face of the deed for any part of the purchase price is in the nature of a mortgage. If a deed is made and the grantor professes to receive payment in full, although not a cent has been paid, as between third parties, like judgment creditors, or purchasers without notice, the lien would be absolutely void, although there was not a cent of the original purchase price But where the deed itself says so much paid cash and so much in notes to be paid retaining a lien for the payment of the notes as herein recited, that is as good as an absolute mortgage. It gives notice to everybody when it is recorded.
Mr. ROBERTS of Massachusetts. What about the m

What about the mortgage

notes?

Mr. SIMS. They are part of the deed, expressed in the conditions of it.

Mr. ROBERTS of Massachusetts. It is a mortgage; I consider it a conveyance

Mr. SIMS. It is a conveyance the same as a deed is a conveyance. What is it?
Mr. ROBERTS of Massachusetts. A reservation.

Mr. SIMS. Is the gentleman a lawyer? Mr. ROBERTS of Massachusetts. I an I am

Mr. SIMS. What does the gentleman define a mortgage to be if not a conditional deed?

Mr. ROBERTS of Massachusetts. Yes,

Mr. SIMS. Now, the law applies to both just alike as to

registration and notice.

Mr. ROBERTS of Massachusetts. If the gentleman will pardon me, there is a difference between the conveyance that is in effect a mortgage and a conveyance which purports to carry a title without any reservation whatever, and if there is so much cash and notes to be paid in the future, would that constitute a lien on the property-

Mr. SIMS. Absolutely; if it is so expressed in the face of

the deed.

Mr. ROBERTS of Massachusetts. Now, I ask the gentleman if those notes are a lien on the land?

Those notes are not a lien and never have been.

unless retained in the face of deed.

Mr. ROBERTS of Massachusetts. I ask the gentleman are they a lien? As a legal proposition are such notes a lien on the property? The gentleman knows what a lien is?

Mr. SIMS. Yes.

Mr. ROBERTS of Massachusetts. How can those notes be incumbrances on property that is conveyed by a definite absolute

Mr. SIMS. As between the parties they are, but as to the third party they are not incumbrances or anything else. That is what we have got the registration law for; that you must not make these secret liens in deeds and cause parties to give credit upon the faith of property not fully paid for.

Mr. ROBERTS of Massachusetts. Suppose there was a case where notes were taken instead of cash and nothing in the deed to show there was any lien whatever, does the gentleman mean to say if the notes are not paid the grantor can take back his

property and foreclose the mortgage;

Mr. SIMS. The bill provides that the deed must show what the consideration really was—

Mr. ROBERTS of Massachusetts. The gentleman is wander-

ing afield-Mr. SIMS. And I take it that the man who purchases and the

man who makes the deed must state the true amount of the purchase price.

Mr. ROBERTS of Massachusetts, This whole argument started by my asking the gentleman if he considered notes a lien on real estate; that is, notes given for the purchase price. I wanted to find out what sort of notes he was talking about. Now I find out it is mortgage notes-

The SPEAKER. The time of the gentleman has expired,

Mr. SIMS. May I have two minutes more?

Mr. JOHNSON of Kentucky. I yield the gentleman two min-

Mr. SIMS. In my State the lien notes between the purchaser and the seller of real estate for which the notes are given are not required to be registered, although the deed must be reg-

Mr. ROBERTS of Massachusetts. Well, we do in my State. Mr. SIMS. But they may be good between the parties. if not registered, a judgment creditor of the seller may levy on the land and sell it or fasten an attachment on it. But if it is registered, all parties are affected with whatever is contained in the deed; and if that deed shows unpaid purchase money for which a lien is retained on the land a judgment creditor can not sell the land, except subject to the lien deed, whatever it may be.

Mr. ROBERTS of Massachusetts. Let me ask the gentleman this question: Is the law of his State with regard to the lien between the grantor and grantee the law in the District of Columbia?

Mr. SIMS. I have not looked it up, and therefore I do not know.

Mr. ROBERTS of Massachusetts. This bill applies to the District of Columbia.

Mr. SIMS. There is a difference between liens. A lien where it is not retained in the deed is in the nature of an equity in my State before any other encumbrance is fastened upon it. This bill, as I understand it, has no other object or purpose in view than to perfect the registration of instruments so as to give an expression of the truth. As the gentleman has shown here, and as you know, you can buy a piece of land worth \$10,000 and take a deed for it for \$10. The assessor knows nothing about the value of the land unless he is acquainted with the land in that immediate neighborhood. He must make an inquiry, but if the true consideration was put in the deed at the start, such inquiry would not be necessary. You could not rely on the deed for value—
Mr. ROBERTS of Massachusetts. Can you, anyway?

Mr. SIMS. You can rely on it so far as it goes. A false consideration can be named. The very object of this bill is to

prevent a false consideration. The object and purpose of the bill, as stated by the chairman, seems to be in the direction of public benefit and good public policy.

Mr. McLAUGHLIN. Does the gentleman contend that the assessing officer in making his assessment for taxation would

be bound by the consideration stated in that deed?

Mr. SIMS. Not at all. The assessments are made only every three years. If you are assessing property on K Street or any other street, the assessor every three years looks to the sales and compares them with the former assessment, and if the deeds express the real consideration he can at once see whether the trend of prices is upward or downward.

Mr. McLAUGHLIN. But if he undertakes them in the way

the gentleman suggests he ought to, you would have as many men assessing property and the judgment of as many men pre-

vailing as there are parties to the deeds.

Mr. SIMS. I never thought of saying that he should be bound by the sales alone; that the assessor be bound absolutely by the deed, whether it be true or false-

Mr. IGOE. I might say that in the hearings before the committee the district assessor said that this would be of great aid to him. 'He said it would help him greatly in his work, and

so did the commissioners.

Mr. SIMS. Of course, it can be done like the chairman said, by giving a mortgage for the balance, which requires registration and all that kind of thing. I think this is a good bill. think that the object and purpose of it is good, and that the results of it will be of greater benefit than any possible evil that will grow out of it. It will prevent many evil practices which are now resorted to. I know there are real estate men who do not want this. For instance, if I have a block here with 50 lots in it, I can sell a lot to you for \$1,000, and everyone would know what I sold that lot for. If I want to sell one right by the side of it for less money, no deed being registered, I am not embarrassed by saying I got too high a price or too low a price, one or the other. It makes real estate trading easier-a great deal easier-if no consideration is required to be stated in the deed.

And now, to show the gentleman what false statements are made in deeds, and what a temptation there is to overstate the consideration, where that is the object and purpose that is tried to be accomplished, I will say, as to the value of the land in my own county and my own State, that there used to be a great deal of timbered land in large bodies of 5,000 acres. Some man, who was a trickster, in company with other tricksters, got into the habit of mutually conveying these lands to one another at enormous considerations and going up North or somewhere where people knew nothing about the facts and exhibiting these deeds, and they often sold these lands at enormously high prices over the real value, until finally we passed a law in Tennessee by which they had to name the real consideration, or state it in such a way that the register would know the value of the land. The register, an officer called the here, was required to collect the taxes at the value set out in the deeds. Then, the northern people got honest deeds from that time on.

Mr. BRYAN. The gentleman states that that is in the law of Tennessee?

Yes. Mr. SIMS.

Mr. BRYAN. Is the State of Tennessee now making a similar

Mr. SIMS. Not exactly in this form. Our register of deeds there-who is called the recorder here-is required to collect the State and county taxes upon land conveyed by nonresident owners. The way they used to do it was to send in the deeds and have them registered and then have them sent back, and they would send in a deed providing for a consideration as having passed that was three or four or five times, or maybe twenty times, the real value in order to unload it on some unsuspecting party at a distance from there. We made them pay the tax on the value named in the deed.

Mr. BRYAN. Is it not rather a singular instance that the people of Tennessee, being so honest, and known to be such all over the world, would make such a law as that apply only to

nonresidents?

Mr. SIMS. The men who were doing this conveying were, most of them, nonresidents, and most of them lived north of the Ohio River.

Mr. BRYAN. But you applied that law only to nonresidents? Mr. SIMS. Yes and no; but residents have no such motive to do it. They are known there, and their character would be at stake

The question here arises in connection with the assessment of property every three years. If this bill is enacted, the assessors

will know what has been the progress of values in a particular section. All they will have to do will be to look at the deeds of lands sold since last assessment. The affidavit, it seems to me, ought to be contained in the deed, so that every time a person was able to sign a deed he would sign the affidavit, because it will be a part of it, and the officer who will make the certificate will be an officer authorized to administer oaths.

I do not see how this can be objected to, except by people who want to sell property for more than it is worth without its being known, or by people who want to sell property for less

than it is worth without that fact being known.

The SPEAKER. The time of the gentleman from Tennessee has expired. The gentleman from New York [Mr. George] is recognized for five minutes.

Mr. GEORGE. Does the gentleman from Massachusetts [Mr.

GARDNER] want to take some time now?

Mr. GARDNER rose.

The SPEAKER. The gentleman from Massachusetts IMr. GARDNER] will be recognized for 55 minutes.

Mr. GARDNER. Mr. Speaker, I will await the return of the gentleman from Kentucky [Mr. Johnson] to the Chamber.

The SPEAKER. Then the gentleman from New York [Mr. GEORGE] will be recognized for five minutes.

Mr. GEORGE. Mr. Speaker, it appears to me that the most important aspect of this bill has not yet been considered, and that is that it will afford a proper basis for assessment and taxation of real estate in the District of Columbia, which the District is now without.

The assessor has now largely to guess at values. He must see some values somewhere; he must find them somewhere; and the present assessor has for years been asking for help such as would be brought by this act. Assessors in other parts of the United States are asking for the same kind of help, and the best kind of information about real-estate values in the District of Columbia and elsewhere is to be afforded by what Adam Smith called the "higgling of the market."

The consideration of these real-estate transfers, if recorded, could be made a source of information-on the whole, exact information. If a penalty were to be put upon the kind of information that is recorded, so that a man were more exact in recording the true consideration, the assessor in the District of Columbia would have some real facts as to values of real estate in the District of Columbia, and upon those facts he could proceed to make an assessment throughout the District.

Mr. ROBERTS of Massachusetts. Mr. Speaker, will the gen-

tleman yield for a question?

Mr. GEORGE. With pleasure.

Mr. ROBERTS of Massachusetts. I am asking for information. Can the assessor of the District of Columbia under the law place any value he sees fit upon any given piece of real

Mr. GEORGE. He puts a value upon a piece of property, based upon what he believes to be its selling price, and the owner of the property can appeal from that valuation.

Mr. ROBERTS of Massachusetts. When that appeal comes the assessor has power to get some facts as to the real value of the property by putting him under oath and asking its value from him?

Mr. GEORGE. No. He can only take the affidavit of the

owner when he comes before him.

Mr. ROBERTS of Massachusetts. I understand; but at that point the assessor can get some very accurate information as to the value of that piece of property.

Mr. GEORGE. Why should not the assessor have it in the

first instance rather than have his office encumbered?

Mr. ROBERTS of Massachusetts. Simply because the assessor has it in his power to put on any value he sees fit, and the owner will not protest unless he gets a valuation higher than the real value. Then the true value comes out.

Mr. GEORGE. The fact of the matter is that the assessor has specifically asked for this true-consideration information. The request has appeared in his annual reports, and he has appeared before the District Committee several times and requested it. We had a very extensive examination into this whole matter of assessment and taxation of real estate last

Mr. ROBERTS of Massachusetts. Will the gentleman pardon me just a moment while I put to him a case that happened to come under my own observation?
Mr. GEORGE. Yes.

Mr. GEORGE.

Mr. ROBERTS of Massachusetts. I state this for the purpose of asking how the assessor would have been benefited by the information. A man who had been a residuary legatee of a large estate comprising a great deal of real estate in the city of Washington, left the city, and before leaving he disposed of all his real estate holdings except one piece. That piece he had on the market, we will say, at \$20,000. He could not get a sale of it at \$20,000, but he was offered half that amount, and in order to close it out and get rid of all his holdings in the city of Washington, he sold it at a great sacrifice at \$10,000. Now, assuming that that consideration had been stated in the deed, what information of any real value would it have conveyed to the assessor? There was a piece of property sacrificed under peculiar conditions.

Mr. GEORGE. In that particular case it might not have

given any helpful information to the assessor.

Mr. ROBERTS of Massachusetts. If that consideration had been stated in the deed, would not the effect on the assessor's mind have been to depreciate the value of the adjoining property :

Mr. GEORGE. Not necessarily. The assessor is free— Mr. ROBERTS of Massachusetts. If he made any use of the facts in the deed, it seems to me it must have that effect.

Mr. GEORGE. The assessor has repeatedly asked for the passage of this bill, and has said it would help him. He ought to be the judge of what will help him in the discharge of his functions. Not only has the assessor here in the District of Columbia asked it, but the president of the board of tax com-missioners of New York came before this committee last year and said this principle would be of the greatest assistance in the matter of assessing real estate everywhere. He wanted a similar law for the State of New York, and is making an effort to get it enacted there. There are many parts of the country in which this matter is now coming up, and my own judgment from an examination of the matter here in the District is that the passage of this simple act would do more to stop scandals in assessing real property in the District of Columbia than anything else.

The SPEAKER. The time of the gentleman has expired. Mr. JOHNSON of Kentucky. I yield to the gentleman from New York [Mr. George] as much of my time as he desires.

Mr. GEORGE. I thank the gentleman,

Mr. STAFFORD. Will the gentleman yield?

Mr. GEORGE. Yes.

Mr. STAFFORD. The gentleman is recognized in this House and otherwhere as an authority on real estate matters. Can he inform the House whether there is any other instance where a provision similar to this has been enacted into law?

Mr. GEORGE. I can not, Mr. Speaker. An act similar to this was carried through one branch of the Pennsylvania Legislature, I am informed, although I have not seen the act and can not tell whether it embodies exactly the same principle. The Canadians are working upon the principle, also, and under the present liberal government the taxing experts are working upon this principle in London; but I can point to no act anywhere precisely in the terms of the bill here being considered. That,

however, should not be an argument against it.

Mr. STAFFORD. Then this bill is original, so far as its phraseology is concerned, not having been copied from any other similar statute previously considered in any other legis-

Mr. GEORGE. I presume it is. Mr. Speaker, I hope this bill will pass. I think it will be in the interest of good business in the District of Columbia. The District Committee of the House had a long hearing upon it. Many of those interested in real estate in the District of Columbia were heard, and my own observation was that those who seemed to be opposed to it were men who did not want to have light thrown upon real estate transactions in the District of Columbia.

Mr. MADDEN. Will the gentleman yield for a question?
Mr. GEORGE. With pleasure.
Mr. MADDEN. Does not the gentleman think the object sought can be accomplished by the passage of the act leaving out the affidavit feature of it?

Mr. GEORGE. No; that seems to me to be necessary. Mr. MADDEN. That seems to impose a great burden on a lot

of people who are not familiar with the laws of the District of Columbia

Mr. GEORGE. I can not see why a man should not make an affidavit upon a matter so important to the public as that.

Mr. MADDEN. It does not become a part of the deed, does it? Mr. JOHNSON of Kentucky. No. Mr. MADDEN. And it is not recorded. Why should it be a

part of the law?

Mr. JOHNSON of Kentucky. Will the gentleman allow me to answer why I think it should be a part of the law? Mr. MADDEN. Yes.

Mr. JOHNSON of Kentucky. This statement is required to be sworn to.

Mr. MADDEN. Yes; I know that.

Mr. JOHNSON of Kentucky. And the bill requires that the paper when sworn to shall be left with the recorder of deeds in his office as a part of his official records.

If it were on the deed, as soon as the deed is recorded then the deed is withdrawn by the grantee, who would take it and carry it away with him, and with it the affidavit on which a prosecution would have to be based.

Mr. MADDEN. But he would not take away the record. The

record is there

Mr. JOHNSON of Kentucky. But that would not be the original paper.

Mr. MADDEN. If it was a part of the deed, it would become

a part of the record.

Mr. JOHNSON of Kentucky. There would be an additional fee, and if the original paper is kept in the office and not carried away by the man that carries away the deed you have a paper on which to base prosecutions for false swearing.

Mr. MADDEN. It seems to me that the object sought to be accomplished by the committee could be as well accomplished

without having any affidavit at all.

Mr. ROBERTS of Massachusetts. Will the gentleman yield?

Mr. GEORGE. I will yield.

Mr. ROBERTS of Massachusetts. As I read the bill, there will be required two fees for recording the deed of every piece of real estate conveyed in the District of Columbia.

Mr. JOHNSON of Kentucky. I do not understand it that way. Mr. ROBERTS of Massachusetts. Does the gentleman understand that the register, if that is the title of the recording officer, will place on his records any paper without making some charge for it? What is the charge for recording a deed?

Mr. JOHNSON of Kentucky. There is no provision in the bill for recording the affidavit; he keeps the original as a part of

the files of his office.

Mr. ROBERTS of Massachusetts. Then, it is not the intention to have the affidavit recorded, but merely filed in the

Mr. JOHNSON of Kentucky. Yes: and preserved for future

Mr. BRYAN. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I will.
Mr. BRYAN. Suppose the affidavit on file was being examined by some man making an abstract so as to see that the law was complied with, and suppose some designing person examining the papers on file removes an affidavit to the deed of some important property whose title he would like to tie up, puts it in his pocket, and takes it away. What becomes of the title? It would lay a basis for some of his friends, perhaps, to make a good fee out of it at least.

Mr. JOHNSON of Kentucky. I take it for granted that the recording of the paper would carry with it a prima facie case that the proper affidavit had been filed. The recording officer would not have recorded it unless it was. And if the gentleman from Washington undertakes now to fix it so that a fraud is impossible, I want to say that no such thing can be done. The man who would steal the affidavit would steal the record book

in which the deed is recorded.

Mr. BRYAN. Oh, that is not this proposition. Papers are oftentimes taken from the files.

He could tear a leaf out of

Mr. JOHNSON of Kentucky. He could tear a leaf out of the record and put it in his pocket. Mr. BRYAN. The gentleman from Kentucky knows that un-

recorded papers are frequently taken from the files.

Mr. JOHNSON of Kentucky. To-day we have had two propositions before the House to deal with, one to suppress prostitution and the other to suppress fraud. They are the two hardest subjects on earth to grapple with, and we are compelled to have extreme measures in order to meet the things that we want to

Mr. COX. Will the gentleman yield for a question?

Mr. JOHNSON of Kentucky. I will.

Mr. COX. I have not paid a great deal of attention to this matter, but it looks to me like it would be a safer and sounder proceeding if the deed itself was sworn to. I do not believe that that would add very materially to the cost of the deed.

Mr. JOHNSON of Kentucky. That might require a man to swear to the description of the property by metes and bounds.

Mr. COX. I do not think so. I think in a short period of time blanks would be prepared with the oath on it relating to the sale and consideration.

Mr. JOHNSON of Kentucky. Then when the deed was taken away the affidavit would go with it.

Mr. COX. But you would have it in the record.

Mr. JOHNSON of Kentucky. I think it better if the original paper be left on file.

Mr. COX. I am not clear on that point; I think the deed itself would be as good. What does it cost to record a deed in this District?

Mr. JOHNSON of Kentucky. It depends upon the length of

. They charge by the page. Mr. GARDNER. Mr. Speaker, I am ready to concede that there are advantages in having the real consideration set out in the deed. It will help the assessors to a certain extent, and that is all that the report claims that it will do. It will help the assessors. If it entailed no evil consequences, that would be a good thing, even though the help to the assessors might be very slight. But remember, Mr. Speaker, except when real estate is quickly changing hands the price of real estate in a deed of to-day is no indication of its value three or four years from now. In fact, what the Washington Board of Trade says in its eighteenth annual report would rather lead me to think that the bill was useless instead of thinking it is valuable. Except when a piece of real estate has very recently changed hands, the assessors' views as to the value of that real estate are infinitely more to be trusted if the assessors use their own judgment than they are if an out-of-date transaction is relied But, further than that, if this bill becomes a law an injustice is done to the vendors.

Most people speak as though prices were concealed by men in order to practice some chicanery. That is not the reason why men desire to conceal the prices at which they buy or sell or lease property. If I purchase a piece of real estate and make a bad bargain, nobody is going to help me out. If I purchase a piece of real estate and make a good bargain, and if I am obliged to have the true consideration shown the purchaser when I in turn have it for sale, he knows for what I can afford to sell it. In other words, he knows my lowest price and I have no means of knowing what he is willing to give. You have there a jug-handled trade. That is the reason why prices are concealed in the vast majority of transactions upon this

earth.

Mr. Speaker, I understand that this requirement of reciting the true consideration in a deed is not operative in any State in the Union, but some one tells me that in the Etate of Arkansas there is a somewhat similar provision. I have been unable to verify that suggestion. It has not been so stated in the report, it has not been so stated on the floor. No one reading that report can find any reason for passing this bill except that in the case of real estate which has recently changed hands the assessors will have their task somewhat facilitated.

I yield five minutes to the gentleman from Michigan [Mr.

MCLAUGHLIN1

Mr. McLAUGHLIN. Mr. Speaker, I agree with the gentleman from Massachusetts in all he has said in opposition to this measure. I admit that it is intended to accomplish and may accomplish, if enacted into law, some good. It might be helpful in a way to an assessing officer to know what real estate has sold for, and it may be helpful to the officer whose duty it is to collect the income tax. It may give some information by which to measure or ascertain the income of the individual against whom the tax should be assessed. Good things can be said concerning this bill, but in my judgment there is more fault than good in it. It would embarrass many people in their real estate transactions; it would compel them to make public their transactions and their dealings one with another in relation to matters in which the public is in no way interested except in the matter of assessing the property for taxation. We all know that real estate is bought and sold under all kinds of circumstances for all kinds of prices. Property is disposed of for all kinds of reasons, bought and sold for all kinds of reasons. Pieces of real estate are disposed of in trade one for another when it is almost impossible to tell what the real consideration of the transaction is, where one would be at a loss to state under oath the price or value in money that he is actually receiving for his property.

In my judgment, Mr. Speaker, this would cause more trouble, inconvenience, annoyance, embarrassment-much of it absolutely unnecessary-than all of the good that it would do. compel people to lay bare transactions with which nobody except themselves have any business. I think there would be very little assistance to the assessing officer in making his assessment for taxation. He would be confused if he were to undertake to follow, in making his assessments, the recitals in deeds as to the consideration for which property had been sold.

He would be confused more than helped.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. McLAUGHLIN. Yes.

Mr. MADDEN. I was just wondering what this language meant, in lines 3, 4, and 5, page 2:

No consideration greater than that fully expressed in the conveyance shall be or become a lien on the property described in the said deed of conveyance.

I would like to ask the gentleman whether he thinks under that language it would be possible for a man to borrow money to put up a building on a piece of property here in the District

of Columbia?

Mr. McLAUGHLIN. I think, Mr. Speaker, that would embarrass him, and that many complications would arise on account of the lines that the gentleman from Illinois has read. I do not know what the law of the District of Columbia is in regard to liens on property created by deeds, but in the State that I come from there is no such thing. The only liens on real estate that are created by conveyance of property are made by mortgage, and there is no lien in favor of anyone connected with the trans-

action represented merely by deed of conveyance.

If one makes a deed, reciting a consideration, and takes no paper as evidence of security or lien upon the property, has no lien upon it. He can not go into court and claim a lien upon the real estate that he has disposed of by his deed; there must be a mortgage. Sometimes a contract is given, but the contract is really a deed and a mortgage together. Now, I think that the assessing officer who would have to depend to any considerable extent or would permit himself to depend to any considerable extent upon the recitals in deeds of conveyance, many of them executed years before assessment is made, to enable him to arrive at the value of property, or to make up his mind what property should be assessed at, does not know his business. I believe this evidence would be a confusion to him, would hurt more than help.

And now, while I am opposed to the entire bill, I would suggest that if it be passed it ought not to provide that a separate paper or a separate affidavit should be made to be filed in the office of the register of deeds with the deed and at the time the deed is filed for record. It seems to me that is altogether unnecessary. This bill might contain a provision which will unnecessary. This bill might contain a provision which will make a recital in the deed that the statement of the consid-

eration is true and equivalent to an affidavit.

The SPEAKER pro tempore (Mr. GARNER). The time of the

gentleman has expired.

Mr. JOHNSON of Kentucky. Mr. Speaker, I was going to suggest I yield three minutes to the gentleman—

Mr. GARDNER. How much time have I remaining?

The SPEAKER pro tempore. Forty minutes.

Mr. GARDNER. To whom was the gentleman from Kentucky about to yield?

Mr. JOHNSON of Kentucky. To the gentleman from Michi-

gan [Mr. BEAKES].

Mr. GARDNER. Then I wish to yield just a few minutes to Mr. Cullop. I am so far behind on my time that I would like to yield five minutes to the gentleman from Indiana [Mr. CULLOP] first.

Mr. CULLOP. Mr. Speaker, I am heartily in favor of the principle of this bill. As I understand it, it is to furnish information for the taxgatherer of the District of Columbia in order that he may obtain the real values of property in making assessments, but on reading the bill I think that the language does not express clearly the purpose of the bill. I want to call the attention of the chairman to page 2, commencing with

No consideration greater than that fully expressed in the conveyance shall be made or become a lien upon the property described in the said deed of conveyance.

I would like to suggest an amendment there, which I think will make certain the meaning of that clause. After the word "lien," in line 4, insert "for the purchase price or any part thereof." That would make certain that which is now uncertain in that paragraph and clearly define its meaning.

Mr. JOHNSON of Kentucky. I see no objection to that. Mr. CULLOP. When we come to that place in the consideration of the measure, I would like to suggest that amendment in the reading of the bill under the rule. Now, in the paragraph commencing with line 6-

Nor shall any consideration for the execution of any such aforesaid deed which is greater than the consideration mentioned therein be collectible or enforceable in any court of law or equity.

In my judgment, Mr. Speaker, that language should be eliminated from this bill. All the gentlemen who have spoken about this bill at the early stages of the consideration have construed the bill precisely different from what that language expresses the meaning to be. Every one of the gentlemen, the gentleman from Mississippi, the gentleman from Tennessee, suggest strongly on this floor in advocating this bill that as between the vendor and the vendee that if the proper consideration was

not expressed in the deed the vendor could sue the vendee in a court and collect the difference. If this language is to be left, if this provision is to remain in this bill, it absolutely nullifies that proposition. It absolutely prohibits such an action. Now, what would be the effect if that language should remain in the bill? It destroys one of the best purposes of the bill. It absolutely eliminates from the bill an opportunity of discovery of the true transaction as far as practicable. This should be the case, but the avenue of exposure should be left open. If this is to remain in the bill, no vendor would ever sue a vendee for the purchase price other than that expressed in the bill, because the language of the law absolutely prohibits a recovery. It forbids the vendor from having any standing in court as against the vendee upon that proposition. Now, it would absolutely nullify one of the good purposes of this bill, and I am going to suggest an amendment to strike out, when we come to consider the bill under the five-minute rule, lines 6, 7, 8, and 9, because I think that language ought to be eliminated from the bill in order to make it effective and to carry out the most wholesome purpose for which it is intended.

If some vendor would express in his deed a consideration much smaller than the real consideration, and make his affidavit, he ought to have the right to go into court and enforce the real consideration. It ought not, though, to be made a lien upon the property. The paragraph just before that prevents it from being a lien. I am in favor of that paragraph, because that would prevent an injury to innocent purchasers and to innocent creditors. But if this other paragraph to which I have called the attention of the House is permitted to remain in the bill, it will not only do the public an injury, but will prevent the exposure of fraud, and also do an injury to the vendor of

The SPEAKER pro tempore. The time of the gentleman has

Mr. CULLOP. Now, I would like just one more minute on the last clause of the bill.

Mr. GARDNER. Mr. Speaker, I yield to the gentleman two

Mr. CULLOP. Now, I want to call attention to the penalty clause of the bill, as follows:

Any recording officer, deputy, or clerk who shall violate the provisions of this act shall, upon conviction, be removed from office, and in addition thereto pay a fine of \$100.

I do insist that the word "knowingly" ought to be inserted in the paragraph, so that it would read:

Any recording officer, deputy, or clerk who knowingly shall violate the provisions of this act shall, upon conviction, be removed from office.

And so forth.

Now, the object of that is this: It is a well-settled principle of criminal law that you can not convict a person who commits an offense without the intention of violating the law, and unless you put in the word "knowingly" there you are simply going to destroy the effect of enforcing that provision of the

Suppose this kind of a case, namely, that an affidavit is given to the recorder of deeds purporting to set out the true con-sideration, but, in fact, it does not set it out, and it is false upon its face, and that recorder records that deed; under the penalty clause he would be subject to the penalty thereof. We ought not to do anything that would inflict a great injury upon a public officer who is honest and wants to do his duty, but if this remains as it is that will be its effect.

The SPEAKER pro tempore. The time of the gentleman has

again expired.

Mr. STAFFORD. Mr. Speaker, I would like recognition.

Mr. GARDNER. Mr. Speaker, I call the attention of the gentleman from Indiana [Mr. CULLOP] to the fact that we are in the House and not in the Committee of the Whole, so there will be no consideration under the five-minute rule, and it will be necessary either for the gentleman from Kentucky to offer the amendments himself or withhold the previous question, so that the gentleman from Indiana may offer them or to vote down the previous question,

Now I yield 10 minutes to the gentleman from Wisconsin

[Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, the purpose of this bill is a meritorious one and I believe it should be passed by the House. It is intended as an aid to the assessors in arriving at the actual value of real estate. Persons who are acquainted with the method followed by assessors in determining valuation of property know that they always resort to the latest convey-ances of property in order to determine its valuation.

This is not any new measure, so far as the principle is con-cerned. Most of us will recall that at the time of the enforcement of the war-revenue act of 1898 the real consideration was

required to be expressed in deeds of conveyances. Conveyances throughout the entire country conformed to the law, and the special stamp tax was levied based upon the real consideration.

Many of those who were then in practice will remember that we drew conveyances stating the actual consideration, for fear of infringing the Federal law. Any persons who are acquainted with the method of the assessment of real estate know that the assessors make inquiry about recent conveyances of real estate assessors make inquiry about recent conveyances of real estate so as to ascertain the value. What is the basis of taxation? It is the value of the property. Members here have referred to the fact that it is a matter in which the public is not interested, yet I can not conceive any question of taxation in which the public is more interested than in the proper and full valuation of real estate.

Here in the District of Columbia we know in many instances the property has not been assessed at its full value. But here is a means to that end. Are you going to aid the poor and small property owner, who generally states the right valuation in the deed, who does not know the tricks of the trade as to conveyances, or are you going to have him state the real valuation and not reach those who happen to make conveyances of large real estate properties?

Some objection has been made to other provisions of the bill as to the need of having this statement a part of the deed. As the chairman of the committee has expressed, there is no need

for that statement being recorded.

All that is necessary, in my opinion, is the filing of the state-When the deed has once been recorded that completes the chain of title, and whether the statement is missing or not it matters little as to the chain of title in the subsequent succession of that property. If the Members of this House do not wish to aid the taxpayers of this District, to aid the people of this District in having their property properly assessed, then they should vote against this bill. But if they want to aid the people in obtaining a correct assessment of their property holdings, then this bill should be passed.

I am not saying that every provision in the bill has my unqualified support. The provision contained on page 2, between lines 6 and 9, is, I think, of doubtful propriety. I think that the full purpose of the law would be accomplished and a great step made in the right direction if that were eliminated, and I hope the chairman of the committee will see his way clear to move, or allow some other Member to move, to have that clause eliminated, so that there would not be any serious objection to

the bill.

Mr. BARTON. Mr. Speaker, will the gentleman yield? The SPEAKER pro tempore. Does the gentleman yield? Mr. STAFFORD. Yes; I yield to my friend from Nebraska. Mr. BARTON. In the case of trading properties how would the value be fixed?

Mr. STAFFORD. Well, if the gentleman has had any experience in the transfer of property, and I assume that he has, he will know that the vendor and the vendee always place a valuation upon their properties, and they would be required to state that value in the deed, as they would in any other ordinary transaction. A man has a piece of property valued at \$4.000 and another man has a piece of property valued at \$4,000; the first man is going to exchange his property with the other man for the other man's property plus \$1,000. He states the real consideration in the deed. There is nothing intricate about that. It would apply to that case as to all other cases.

I think there are some Members here who are conjuring up some efroneous concepts as to the real scope and purpose of this bill.

Mr. GUERNSEY. Mr. Speaker, will the gentleman yield? The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from Maine?

Mr. STAFFORD. I do. Mr. GUERNSEY. Wor

Would not the exchange of property be advantaged if both sides agreed upon a low valuation?

Mr. STAFFORD. Whether they agreed upon a low valuation or not, under this bill they would have to state the real consideration, and there is always a real consideration in the case of a trade of property just as in the case of a direct sale. In the case of the direct sale you pay cash, and in the case of a trade you pay cash and some other property, or only some other property.

Mr. GUERNSEY. But the agreed valuation would be the consideration on the basis of exchange. Who could question whether it was a high or low valuation if it were stated by the parties?

Mr. STAFFORD. The parties, under the law, must state the real consideration. They could not exchange a piece of property worth \$10,000 and say in the conveyance that it was worth

only \$1,000. The grantor would have to give the real consid-

Mr. GARDNER. I do not think the gentleman from Wisconsin caught the question of the gentleman from Maine. Suppose I had a piece of real property worth \$10,000 and the gentleman exchanged against that a piece of real estate worth \$8,000, giving me \$2,000 additional in cash, it would be just as much to our advantage to call the nominal prices \$6,000 and \$4,000, inasmuch as the gentleman would give \$2,000 in exchange, and yet we would have evaded the purpose of this law.

Mr. STAFFORD. Oh, yes; you would evade it just as any other person would evade it by stating an erroneous consid-

eration.

Mr. GARDNER. But it would not be perjury.
Mr. STAFFORD. It would amount to an evasion of this law. If the real price of exchange for a piece of land worth \$10,000, on one side was another piece of land worth \$8,000 and \$2,000 cash, it would be my duty, if I were party to that transaction, to state that the consideration was \$10,000.

Mr. MANN. The real consideration in the matter is the deed

for the other property, is it not?

Mr. STAFFORD. No; it is the property itself, not the deed. It is the property and the \$2,000. That is the real consideration. The deed is only a piece of paper. The real consideration is the property itself. The deed is only the evidence of it.

Mr. MANN. Oh, no; what you get is the deed.

Mr. STAFFORD. No; what you get is the property.

Mr. MANN The gentleman is splitting hairs.

Mr. STAFFORD. No. I am speaking of the real substance, not the symbol.

Mr. CULLOP. Mr. Speaker, I offer the following amendment. Mr. GARDNER. Mr. Speaker, I claim the floor. Mr. CULLOP. I beg the gentleman's pardon. Mr. CULLOP.

Mr. GARDNER. The gentleman can not take me off my

The SPEAKER. That is true. The gentleman will proceed. Mr. GARDNER. I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, my good friend from Wisconsin [Mr. Stafford], finding himself in somewhat of a hole, splits hairs as to whether a man receives the property or the deed for property. Now, the real consideration in an exchange is the exchange. The gentleman kept talking about putting in the real consideration. Is it to be put in that it is an exchange of

Mr. JOHNSON of Kentucky. I would answer the gentleman by saying certainly so. The thing to do is to describe the two

pieces of property, one of which is exchanged for the other.

Mr. MANN. What good will that do the assessor?

Mr. JOHNSON of Kentucky. That is one instance where the assessor would not be helped, and the only one that can be mentioned, I think.

Mr. MANN. The gentleman knows that would be an en-

tirely revolutionary proceeding as far as conveyancing is concerned.

Mr. JOHNSON of Kentucky. I differ entirely with the gentleman. I have written many a deed of exchange where both pieces of property were set out in the deed, and A made grantor to B and then B made grantor to A of the property exchanged.

Mr. MANN. Of course that is perfectly permissible and is occasionally done, though I dare say it has not been done in Washington in 40 years. I do not think it has been done in my town in a longer time than that. It is revolutionary, as far as that is concerned. But I just took the floor to inquire whether

that was covered by the bill.

Mr. JOHNSON of Kentucky. In my judgment the "real consideration" would require the two pieces of property exchanged

Mr. MANN. Where two men are trading property it will have to be set out as an exchange.

Mr. JOHNSON of Kentucky. That is my opinion, and I have often written deeds of that kind.

Mr. SIMS. Swapping land.

Mr. ROBERTS of Massachusetts. How about love and affec-

Mr. MANN. Love and affection, of course, is always a consideration.

Mr. GARDNER. Does the gentleman from Kentucky wish to use any more time?

Mr. JOHNSON of Kentucky. I want to yield three minutes to the gentleman from Michigan [Mr. BEAKES]

Mr. GARDNER. The gentleman from Washington [Mr. Bryan] will close for our side. Does the gentleman from Kentucky expect to close for his side?

Mr. JOHNSON of Kentucky. Yes; I do.

Mr. GARDNER. Will the gentleman yield to the gentleman from Michigan now?

Mr. JOHNSON of Kentucky. Yes. The SPEAKER. How much time?

Mr. JOHNSON of Kentucky. I yield three minutes to the gentleman from Michigan [Mr. BEAKES].

Mr. BEAKES. Mr. Speaker, I speak as a man who has had seven years' experience as an assessing officer, and I want to say that an assessing officer in making his assessment will not consider simply one transaction. If he knows his business, he will keep records of the transfers of all property, putting down the sale price in different years so that he can trace the rise and fall of values in each part of the city and easier determine actual values at the time of each assessment. conceive why, if you require any consideration at all, you should not require the real consideration. If you put no consideration in a deed, the deed is valueless. If you put \$10 consideration in the deed, it is a good one under our present law. Everybody knows that \$10 is not the real consideration, and "\$10" conveys no more idea of the real consideration than if no consideration was there at all. It is my judgment, after spending seven years in assessing property, that there is no one thing that would do more to equalize assessments than to require the real consideration for every sale.

When I say that, I recognize the fact that sales may be made at less than value and at more than value; but the assessing officer, taking into account the various sales in a neighborhood, can readily arrive at the actual value and can form some judgment of the rise and fall of values in the part of the city under consideration. I can see no harm to the vendor that a would-be buyer should know what was originally paid for the piece of property, and in doing that I recognize the fact that values rise and fall. The only objection that I can see to this bill is in favor of the real estate speculator who thinks he can get somebody on the hook who knows nothing of values in the section

where he desires to purchase. [Applause.]

Mr. GARDNER. I yield five minutes to the gentleman from Washington [Mr. Beyan].

Mr. BRYAN. Mr. Speaker, I shall be very brief. The whole tendency of the present day is to make conveyancing simple and to make the legal forms as simple as possible. The last form of a statutory deed in my State contains only four or five lines, a mere conveyance and warranty. It ought to be so that a man or a woman can go to a notary public and execute a deed, and that man or woman know when they look at the deed, with the assistance and suggestions of the notary making the acknowledgment that it is a good deed. It is wrong to pass a law requir-ing everyone who wants to sell a piece of land to go to some lawyer's office and say, "Mr. Lawyer, I want to transfer my grounds and buildings, and I want to be sure that the right kind of affidavits are drawn up, because I understand that a new law has just been passed by Congress that will not accept the ordinary notary deed, but an affidavit has got to be filed with it."

I say it is further wrong to pass a law requiring anybody receiving a deed of a piece of property to go to a lawyer's office and say to him, "Mr. Lawyer, I am going to buy a piece of property, and I don't know whether the deed is any good or not, because Congress has passed a law requiring affidavits to be filed, and I want you to pass on it."

Mr. CULLOP. Will the gentleman yield? Mr. BRYAN. Certainly.

Mr. CULLOP. Why would you need the services of a lawyer any more to execute a deed under this bill than you do under the

Mr. BRYAN. Because I have heard four or five lawyers on the floor this afternoon discussing the features of this bill and whether certain features would be valid or not, and they all disagree. How could an ordinary person who knows nothing about the law know whether it was sufficient without getting the advice of a lawyer?

Mr. CULLOP. Does not the gentleman believe that the printer would put out blank forms, complete in every respect,

as they now put out forms under the present law?

Mr. BRYAN. There are so many miscellaneous features in the ordinary transaction of conveying real estate or exchanging real estate that it is impossible for any form to be drawn that will fit the average occasion for transfer where all of these things are required. The Torrens land law is favored especially because a man can take his certificate to the auditor and have a transfer entered on it without going through a whole lot of formality. The purpose is to limit formalities and make con-

veyances simple and easy.

We all know how often a deed is executed in blank, sent to a friend and told to fill in the name of the party and make the

transfer. Some one of our constituents owning land here sends a deed and tells us to fill it in. That is done all over the country to a more or less degree. There is no use in making a different law, with new restrictions, for the District of Columbia.

The gentleman from Tennessee stated conditions in his State that applied only to nonresidents of Tennessee. They are not applied to residents. There is no State in the Union that has this kind of provision to tangle up the title to real estate, promote lawsuits, make conveyances hard, and I do not think it ought to be introduced here. I think that the simple, plain deed tending to do away with lawyers and to make matters as easy and as simple as possible is desirable. Many times deeds are executed in foreign States and sometimes in foreign lands. A uniform system of conveying land all over the country should

prevail, as near as possible.

prevail, as near as possible.

One further suggestion: Certainly there is some board of commissioners or assessors that has the right to call before it the people of this city, the real estate men, and any others, and find out the value of property and ask any question they see fit. That is the best way to get at the average value of property, and not depend on deeds executed here, there, and anywhere. At present they assess the land on a certain percentage value. I am with the gentleman from New York [Mr. George], in favor of assessing land for the full value, but I do not believe we ought to tangle up the titles by making a requirenot believe we ought to tangle up the titles by making a requirement that runs with the land, making titles void unless onerous and unusual requirements are complied with.

Mr. CULLOP. Mr. Speaker, I offer the following amendment. The SPEAKER. The Clerk will first report the committee

amendment.

The Clerk read as follows:

Page 1, line 4, after the word "officer," insert the words "of the District of Columbia."

The amendment was agreed to.

The SPEAKER. The Clerk will now report the amendment offered by the gentleman from Indiana.

The Clerk read as follows:

Page 2, line 4, after the word "loan," insert the words "for the purchase price or any part thereof."

Mr. JOHNSON of Kentucky. Mr. Speaker, the committee will accept that amendment.

The amendment was agreed to.

Mr. CULLOP. Mr. Speaker, I offer the following amendment. The Clerk read as follows:

Page 2, strike out all of lines 6, 7, 8, and 9.

Mr. JOHNSON of Kentucky. Mr. Speaker, the committee accepts that amendment.

Decker

Bulkley

accepts that amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a fhird time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. GARDNER) there were 30 ayes and 19 noes.

Mr. GREENE of Massachusetts. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts [Mr. Greene] makes the point of order that there is no quorum present. Evidently there is no quorum present. The Door-keeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on the passage of the bill.

The question was taken; and there were—yeas 234, nays 62, answered "present" 1, not voting 136, as follows:

YEAS-234. Burgess
Burke, Wis.
Byrns, Tenn.
Callaway
Candler, Miss,
Cantrill
Carew
Carlim
Carr
Carler
Carler
Carler
Clark, Fia.
Claypool
Clayton
Cline Abercrombie Adamson Aiken Allen Deitrick Francis Frear Dent Dickinson Dies Dixon Frear Garner Garrett, Tenn. Garrett, Tex. George Gilmore Gittins Glass Godwin, N. C. Goeke Goldfogle Good Ansberry Ashbrook Aswell Bailey Baker Donohoe Donovan Doolittle Doremus Doremus Doughton Driscoll Dupré Edwards Elder Baltz Barkley Bathrick Beakes Bell, Cal. Bell, Ga. Good Gordon Gorman Esch Evans Graham, III. Blackmon Faison Falconer Farr Gray Green, Iowa Greene, Vt. Cline Collier Connelly, Kans. Greene, Vt Gregg Gudger Hamlin Hammond Hardy Harrison Hart Hay Bowdle
Brockson
Brodbeck
Brown, N. Y.
Brown, W. Va.
Buchanan, HI.
Buchanan, Tex. Fergusson Cooper Covington Fergusson Ferris Fields Finley Flood, Va. Floyd, Ark. Foster Fowler Cox Crisp Crosser Cullop Davis

Hayden Heffin Helgesen Helm Helvering Hensley Hinds Holland Houston Howard Hughes, Ga. Hull Hull Mapes Humphreys, Miss. Montague Humphreys, als
Igoe
Jacoway
Johnson, Ky.
Johnson, S. C.
Johnson, Wash.
Keating
Kelley, Mich.
Kelly, Pa.
Kennedy, Conn.
Kennedy, Iowa
Kettner
Kindel
Kinkead, N. J.
Kirkpatrick
Konop
Lafferty
Lazaro
Lee, Ga.

Lee, Pa. Lieb Lindbergh Lindbergh
Lloyd
Lonergan
McAndrews
McCoy
McGillicuddy
McKellar
MacDonald
Maguire, Nebr.
Manahan Montague Moon Morgan, La. Moss, Ind. Murray, Mass. Murray, Okla. Neeley, Kans. Nelson Nelson Norton O'Hair Padgett Page, N. C. Palmer Peterson Phelan Plumley Post Powers Quin NAYS-62.

Rainey Raker Rayburn Reed Reilly, Wis. Rothermel Rouse Rupley Russell Sabath Scott Scully Seldomridge Sells Shackleford Shackleford
Sherwood
Sims
Sims
Sinnott
Sisson
Slayden
Small
Smith, Jönho
Smith, J. M. C.
Smith, Minn.
Smith, N. Y.
Smith, Tex.
Stafford
Stedman Stedman Stephens, Miss. Stephens, Nebr. Stevens, N. H. Stone

Sumners Sutherland Talcott, N. Y. Tavenner Taylor, Ark. Taylor, Colo. Temple Ten Eyck Thacher Thomas Thompson, Okia. Thomson, Ill. Tribble Tuttle Tuttle
Underwood
Walsh
Walters
Watkins
Watson
Weaver
Whitacre
Williams
Willson, Fla.
Witherspoon
Woodruff
Young, N. Da Young, N. Dak. Young, Tex. Platt

Porter Roberts, Mass. Rogers Shreve

Slean Sloan Smith, Saml. W. Stephens, Cal. Stevens, Minn.

Slemp

Stout Stringer

Sumners

Ainey Austin Bartholdt Bartett Barton Britten Browning Bryan Butler Caider Campbell Fordney Greene, Mass.
Guernsey
Hamilton, M.Y.
Howell
Hulings
Humphrey, Wash.
Kahn
Hass, Pa.
Hand, J. R.
Parker
Payne
Peters, Me.
PRESENT Curry Danforth Dillon Dunn Fairchild

Lewis, Pa.
McKenzie
McLaughlin
Madden
Mann
Miller
Mondell

Townsend Treadway Vare Winslow ANSWERED "PRESENT "-1.

NOT VOTING-136

Adair Alexander Anderson Anthony Eagle Edmonds Estopinal FitzHenry Gallagher Gard Gerry Gillett Goodwin, Ark. Avis Barchfeld Barnhart Beall, Tex. Bremner
Browssard
Browne, Wis.
Bruckner
Brumbaugh Goulden Graham, Pa. Griest Griffin Burke, Pa. Burke, S. Dak. Burnett Byrnes, S. C. Hamill Hardwick Haugen Hawley Hayes Cantor Hayes
Henry
Hinebaugh
Hobson
Hoxworth
Hughes, W. Va.
Johnson, Utah
Jones Cary Chandler, N. Y. Clancy Coads Connolly, Iowa Conry Copley Jones Keister Cramton Curley Dale Davenport Dershem Difenderfer Dooling

Langley L'Engle Lesher Lever Lever Levy Lewis, Md. Lindquist Linthicum Linthicum
Lobeck
Loft
Logue
McClellan
McDermott
McGuire, Okla,
Mahan
Maher
Martin
Merritt
Metz
Mitchell
Morin
Murdock
Neely, W. Va.
Nolan, J. I.
O'Brien
Oglesby
Oldfield
O'Lcary
O'Shaunessy
Park Keister Kennedy, R. I. Kent Key, Ohio Kinkaid, Nebr. Kitchin Korbly Kreider Langham Patten, N. Y. Patton, Pa. Peters, Mass. Pou

Prouty Ragsdale Rauch Reilly, Conn. Richardson Riordan Roberts, Nev. Rubey Rucker Rucker Saunders Sharp Sherley Smith, Md. Sparkman Stanley Steenerson Stephens, Tex. Switzer Taggart Talbott, Md. Taylor, Ala. Taylor, Ala. Taylor, N. Y. Towner Underhill Vaughan Volstead Walker Wallin Webb Whaley Wilson, N. Y. Wingo Woods

So the bill was passed.

The Clerk announced the following pairs:

For the session:

Eagan

Mr. METZ with Mr. WALLIN.

Until further notice:

Mr. WINGO with Mr. BARCHFELD.

Mr. Dale with Mr. Martin.

Mr. FITZHENRY with Mr. ROBERTS of Nevada.

Mr. WEBB with Mr. VOLSTEAD.

Mr. Talbott of Maryland with Mr. Merritt.

Mr. McClellan with Mr. SWITZER.

Mr. Goodwin of Arkansas with Mr. Burke of South Dakota.

Mr. ALEXANDER with Mr. BURKE of Pennsylvania.

Mr. FITZGERALD with Mr. GILLETT.

Mr. ADAIR with Mr. ANDERSON. Mr. CLANCY with Mr. ANTHONY.

Mr. BURNETT with Mr. Avis.

Mr. Byrnes of South Carolina with Mr. Dyer.

- Mr. CONNOLLY of Iowa with Mr. BROWNE of Wisconsin.
- Mr. HARDWICK with Mr. COPLEY.
- Mr. HENRY with Mr. CRAMTON.
- Mr. Hobson with Mr. Edmonds.
- Mr. KITCHIN with Mr. GRAHAM of Pennsylvania.
- Mr. LEVER with Mr. GRIEST.
- Mr. LEVY with Mr. CARY.
- Mr. MITCHELL with Mr. HAUGEN. Mr. NEELY of West Virginia with Mr. Hughes of West Virginia.
- Mr. PARK with Mr. Johnson of Utah.
- Mr. PATTEN of New York with Mr. MURDOCK.
- Mr. Pou with Mr. Kinkaid of Nebraska.
- Mr. Reilly of Connecticut with Mr. Langley.
- Mr. RUBEY with Mr. MORIN.
- Mr. RUCKER with Mr. J. I. NOLAN. Mr. SHARP with Mr. PATTON of Pennsylvania.
- Mr. SHERLEY with Mr. PROUTY.
- Mr. SPARKMAN with Mr. HAWLEY.
- Mr. Stephens of Texas with Mr. Hayes.
- Mr. Underhill with Mr. Keister.
- Mr. WALKER with Mr. McGuire of Oklahoma.
- Mr. SAUNDERS with Mr. TOWNER.
- Mr. LINTHICUM with Mr. STEENERSON.
- Mr. GARD with Mr. KREIDER.
- Mr. ESTOPINAL with Mr. LANGHAM.
- Mr. BARNHART with Mr. LINDQUIST.
- On the vote:
- Mr. L'ENGLE (for) with Mr. KENNEDY of Rhode Island (against).

The result of the vote was announced as above recorded.

On motion of Mr. Johnson of Kentucky, a motion to reconsider the vote by which the bill was passed was laid on the table.

A quorum being present, the doors were opened.

DISMISSAL OF CHARGES AGAINST HON. RICHARD S. WHALEY, FIRST CONGRESSIONAL DISTRICT, SOUTH CAROLINA.

Mr. POST. Mr. Speaker, I ask unanimous consent for the present consideration of the privileged resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman calls up a privileged resolu-

tion which the Clerk will report.

The Clerk read as follows:

House resolution 356.

Resolved, That the charges filed by John P. Grace against Richard S. Whaley, Representative from the first congressional district of the State of South Carolina to the Sixty-third Congress, be dismissed.

Mr. POST. Mr. Speaker, there is a majority and minority report upon this resolution. My colleague [Mr. Freak] has the minority resolution. I ask that three hours be allowed in the discussion of this resolution, one-half to be controlled by the gentleman from Wisconsin and one-half by myself.

The SPEAKER. The gentleman from Ohio asks that debate

on this resolution be limited to three hours, one half of which time to be controlled by himself and the other half by the gen-

tleman from Wisconsin [Mr. FREAR].

Mr. FREAR. We had agreed, Mr. Speaker, upon three hours, thinking that three hours, if agreeable to the House, would be sufficient time to cover the record and the two reports that have been presented, but I learned this afternoon that a gentleman of the majority wished to take more time than previously considered, and he thought that we ought to have four hoursis, two hours apiece. I simply present this in justice to him, and will say this is a matter of very much importance, because it involves the corrupt-practices act, which we have to consider, and the whole matter must necessarily be presented in the proceedings which we have here. We have just spent about three hours in discussing elementary questions of law, and I would therefore suggest we might have four hours, simply for the purpose of permitting Mr. Borchers to have additional time, if that will be agreeable.

Mr. POST. I think discussion ought to be confined to three

The SPEAKER. The gentleman from Ohio asks unanimous consent that the reading of the reports and debate on this matter shall be limited to three hours, one half to be controlled by himself and the other half by the gentleman from Wisconsin.

Mr. MANN. Suppose we make it three and a half hours, for the benefit, really, of that side of the House.

Mr. POST. Well, I will modify the request.

The SPEAKER. The gentleman modifies his request and makes it three hours and a half. Is there objection?

Mr. MANN. I understand that that means that at the end of

that time the previous question shall be considered as ordered.

The SPEAKER. Yes.

Mr. MANN. But I understand the minority has a substitute resolution. I take it that would be in order to be offered at the end of that time and the previous question be considered as

The SPEAKER. Does the gentleman from Ohio include these things in his requests?

Mr. POST. Yes, sir.

The SPEAKER. And it is further requested that at the end of three and a half hours, or if it breaks down earlier, that the previous question shall be considered as ordered and that the resolution of the gentleman from Wisconsin [Mr. Frear] shall Mr. GOLDFOGLE. Mr. Speaker, a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. GOLDFOGLE. Will the fortifications bill follow this

resolution?

The SPEAKER. It will not follow it to-night. It will follow it to-morrow when we get through this.

Mr. GOLDFOGLE. To-morrow being Calendar Wednes-

The SPEAKER. No; to-morrow is Tuesday. Mr. GOLDFOGLE. I beg pardon.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the resolution, and also the minority resolution and read both reports.

Mr. MANN. Mr. Speaker, a parliamentary inquiry The SPEAKER. The gentleman will state it.

Mr. MANN. The reports are not read as a matter of right and can only be read in the time of gentlemen at the request of gentlemen.

The SPEAKER. That is correct. The Clerk will read both resolutions. 'The Clerk will report the minority resolution.

The Clerk read as follows:

Whereas Elections Committee No. 1, to which was referred charges filed by John P. Grace, an elector residing in the first congressional district of the State of South Carolina, against Richard S. Whaley, a Member of this House, representing that district, has held hearings at the city of Washington in order to determine the necessity for asking for authority whereby to conduct an investigation into the facts, and pursuant thereto has filed a record of its proceedings and its report thereon:

*Resolved** That the charges filed by said John P. Grace against said

report thereon:

Resolved, That the charges filed by said John P. Grace against said Richard S. Whaley, together with all accompanying records, be referred to a select committee of seven Members, with power to hold sessions at such place or places as may be found most convenient, to send for persons and papers, administer oaths, and to employ a clerk and stenographer, and that said committee be authorized and directed to investigate the allegations of said memorial and report to this House; and the expenses necessarily incurred in the execution of this order shall be paid out of the contingent fund of the House.

The SPEAKER The gentleman from Ohio [Mr. Post] is

be paid out of the contingent fund of the House.

The SPEAKER. The gentleman from Ohio [Mr. Post] is recognized for 1 hour and 45 minutes.

Mr. POST. Mr. Speaker, John P. Grace, present mayor of the city of Charleston, S. C., on the 20th day of September, 1913, filed written charges, in the form of an affidavit, against the Hon. Richard S. Whaley, Congressman elect from the first congressional district of the State of South Carolina. These charges were addressed to the Speaker, and questioned the right of the sitting Member to a seat in the House. The Speaker of the sitting Member to a seat in the House. The Speaker referred the consideration of the charges to the Committee on Elections No. 1 for consideration.

On the 1st day of April, 1913, a primary election was held in the district for the purpose of nominating a Democratic candidate to succeed the late Hon. George S. Legare, who died on

the 31st day of January, 1913.

At this election there were five candidates—E. W. Hughes, J. G. Padgett, John H. Peurifoy, George von Kolnitz, and R. S. Whaley. Mr. Hughes and Mr. Whaley in this contest received more votes than any of the other candidates, and under the laws of the State of South Carolina it is provided that the two receiving the highest number of votes shall submit to a second primary. The second primary was held on the 15th day of April, 1913. In this contest Mr. Whaley received the majority of the votes cast, and at the special election held on the 29th day of April, 1913, he was unanimously elected to fill out the unexpired term caused by the death of Mr. Legare. Mr. Whaley received a certificate of election, and on the 9th day of May, 1913, appeared at the bar of the House, took the oath of office, and has since been serving as a Member.

The first congressional district of South Carolina is composed of the five counties of Charleston, Clarendon, Colleton, Berkeley, and Dorchester. In the first primary Mr. Whaley received 3,156 votes, Mr. Padgett 1,698, Mr. von Kolnitz 1,451, Mr. Hughes 2,860, and Mr. Peurifoy 1,332. In the second primary the votes were distributed, by counties, as follows:

more distributed by something the sound in	
Charleston	6, 168
Clarendon	1,519
Colleton	1,807
Berkeley	953
Dorchester	1,603

Of which Mr. Whaley received 6,298 and Mr. Hughes 5,752 votes, giving Mr. Whaley a majority of 564 votes. The vote, distributed by counties, between the two candidates was as follows:

	E.W. Hughes,	R.S. Whaley.
Charleston. Clarendon Colleton Berkeley Dorchester.	3,105 776 752 522 597	3,063 743 1,059 431 1,006

I am giving these election statistics in detail because of their bearing on the question at issue, as will be hereinafter pointed out

Mr. Whaley, in compliance with the corrupt-practices act passed by Congress and approved on June 25, 1910, and amended by an act of Congress approved August 19, 1911, filed a statement with the Clerk of the House showing his campaign expenses in the two primaries, and exhibited that he had spent in both of the primaries \$4,553.10. Mr. Grace in his affidavit charges that Mr. Whaley committed perjury in verifying the statement of his campaign expenses filed with the Clerk of the House. He alleged in his affidavit that the statement that Mr. Whaley made was false, in that the statement that he had expended only \$4,553.10 was incorrect, and charged that he had spent in the two primaries a sum of money, distributed by various persons in the wholesale bribery of voters, that would aggregate at least \$60,000. He also charged that the allegation in his statement of campaign expenses to the effect that Mr. Whaley had not received any contributions was false, and that he had made no promises was also false. The prayer of the petition was that the charges might be investigated and, if found true, that Mr. Whaley be expelled from his seat in the House. The petition also charged that Mr. Whaley at the very inception of his candidacy announced that whoever en-tered the race must be prepared to outspend him in money; that this intelligence speedily resolved the campaign into unprecedented vote buying and selling; that he deliberately placed in the hands of various persons in the several counties of the district for the purpose of corrupting and debauching the electors large sums of money, in some instances as much as \$6,000 in a single county; that he placed in Colleton County the sum of \$5,000, in the hands of Mitchell Whitsell, W. B. Ackerman, and James Peurifoy; in Dorchester County, \$6,000, in the hands of Louis Simmons, O. B. Limehouse, and Walter Utsey; in Clarendon County, \$6,000, in the hands of Dr. Dick, Walter B. Logan, Ben Harwin, and others; in Berkeley County, \$2,900, distributed by Russell Williams and others; an aggregate of \$19,900 to be used in the second primary alone. He alleged that in Charleston County, in the city of Charleston, Mr. Whaley distributed for the purpose of corrupting the voters the following

Charleston, ward 3, \$200, distributed by Max Goldman; Charleston, ward 3, \$400, distributed by T. H. Young; Charleston, ward 5, \$600, distributed by Joe La Torri; Charleston, ward 5, \$1,500, distributed by W. J. Bennett; Charleston, ward 7, \$2,200, distributed by H. O. Whittington and J. W. Dunn; Charleston, ward 9, \$5,000, distributed by J. J. O'Shaughnessy; Charleston, ward 9, \$2,000, distributed by B. P. Cary and Louis Morilla; Charleston, ward 9, \$300, distributed by Harry Friend; Charleston, ward 9, \$200, distributed by Robert Wicket; Charleston, ward 10, \$1,300, distributed by Frank Simmons; Charleston, ward 12, \$5,000, distributed by A. J. McInnes; Charleston, \$5,000, distributed by M. P. Heely; McClellonville, \$200, distributed by L. Howitz; making a total of \$23,700. Of this amount \$22,700 is alleged to have been spent in the city of Charleston alone. He made no allegations as to what he claimed had been spent in the remaining six wards of that city, there being 12 wards. According to the allegations contained in his memorial of the \$22,700 alleged to have been spent in the six wards, \$17,500 was spent in the second primary. I have been thus explicit in setting out the character and nature of the charges alleged that the House may understand their gravity.

When a question is raised as to the election of one of its Members the House should stand ready to make a thorough investigation and promptly expel the Member whose seat was obtained by fraudulent or dishonest methods. The issue presented to us was not whether Mr. Whaley was guilty as charged, but whether the charges, grave as they seem to be, should be investigated. As I have heretofore stated, the memorial was filed on September 20, 1913, and the time to institute a contest had long since expired. Notwithstanding this fact, we gave Mr. Grace ample opportunity to furnish some tangible evi-

dence in proof of his allegations. In this connection it may not be amiss to say that the committee found that it was without the power of subpœna and could not compel the attendance of witnesses before it.

In the case of a contest the statutes make ample provision for the taking of testimony. The right of a Member to a seat in the House may be questioned in one of four different ways:

First. In the case of a contest between the contestee and the returned Member of the House instituted in accordance with the provisions of law.

Second. In the case of a protest or memorial filed by an elector of the district concerned.

Third. In the case of the protest or memorial filed by any other person.

Fourth. On motion of a Member of the House.

Mr. Grace failed to avail himself of the second method pointed He could have instituted a contest, being an elector of the district, by filing the proper memorial within the time prescribed by the statute. As I shall show, he was cognizant of the facts that he attempted to establish not only during the period of 30 days allowed to institute the proceedings of contest, but had full knowledge of the facts as he alleged them to be upon the very day of the primaries, the conduct of which he complains. None of the candidates in either of the primaries saw proper to enter a contest. Had Mr. Grace instituted a proceeding in contest, a majority of the House would have been sufficient to have determined the question. Notwithstanding this fact, he withheld his protest until the latter part of September, a period of about five months. By withholding his memorial the question presented resolved itself into one for the expulsion of a Member of the House. Under the Constitution each House may determine its rules of procedure, punish its Members for disloyalty, and, with the concurrence of two-thirds, expel a Member. The power of expulsion is a necessary and incidental power inherent in all legislative bodies. It is a power of protection. It necessarily abides in the House, in order that it may perform its highest functions, and is necessary to the safety of the State. A Member may be wholly unfit through some physical disorder or mental derangement to perform the duties of his office. His conduct may be so disorderly as to obstruct the ordinary business of the House. He may be guilty of a crime, or may be disloyal, or do many things which may render him ineligible as a Member. In cases like this the power to expel is invaluable. This power may be exercised for misconduct upon the part of a Member committed in any place, either before or after conviction in a court at law. From a careful survey of the precedents of the House and Senate, its extent seems to be unlimited. It appears to be a matter purely of discretion to be exercised by a two-thirds vote. However valuable this power may be, inherent as it is in every legislative body, yet in good conscience it must be fairly, intelligently, and conscientiously made, with due regard of the rights of the individual Member affected.

The rights of the accused Member should be carefully safe-guarded for the reason that from an abuse of this discretion vested in the House there is no appeal. Its judgment in the matter is final. Upon the one hand, then, we have the rights of the individual Member affected, and on the other the question of the honest election of such a Member, a matter of the highest importance both to the House and to the people at large. Keeping these facts constantly in mind, I assert that a majority of the committee, in numbers seven to two, gave Mr. Grace ample opportunity to present such facts or circumstances as would furnish the basis for an investigation of the serious charges contained in his memorial. He was permitted to furnish testimony by affidavit to support his charges; he was given from the 20th day of September to the 1st day of December in which to produce his evidence, and up to the latter date filed 35 affidavits.

I call attention to the fact that under the situation the committee was compelled to act in the nature of a grand juryof an inquisitorial body-to determine whether or not an investigation should be made into the charges submitted by Mr. Grace. His witnesses testified through the medium of affidavits and were not subjected to the ordeal of a cross-examination. was permitted to produce evidence, wholly ex parte, without requiring the witness to face the person accused. Such a power placed in the hands of Mr. Grace gave him much more latitude than would have been accorded him had he been required to produce witnesses who would be subject to the ordinary rules governing the production of testimony. Yet with this unlimited power a majority of your committee, after a painstaking and careful investigation of all the facts and circumstances produced by Mr. Grace, not only by way of affidavit but by oral testimony of his witnesses, experienced no difficulty whatever in determining that such evidence wholly failed to establish any of the facts alleged in his memorial by that degree of evidence required by the rules of law recognized in civilized countries.

The whole of the testimony adduced by Mr. Grace in support of his charges was mere hearsay and was of that character resembling the scintillations emitted by those usually disappointed in the result of a political campaign. No good lawyer would advocate the instigation of an investigation based solely upon mere rumor. No grand jury would be justified in returning an indictment charging a crime unless it was established to the grand jury's complete satisfaction that a crime had been committed. The basis of every criminal charge is the corpus delicti, and in every criminal jurisprudence no individual is every charged without it being first established beyond controversy.

The basis for a complaint being established beyond refutation, the facts and circumstances surrounding the transaction may be looked to to determine who should be accused, and a jury may indict and convict from circumstances alone. It is so well settled that the ordinary rules of evidence apply as well to an election contest and expulsion cases as to other cases that

it is unnecessary to cite precedents.

Mr. Grace presented the affidavits of 35 persons, the character and standing of each of whom are very questionable. He also produced before the committee four witnesses-H. F. Hogan, M. J. Barry, Stephen D. Sargent, and H. Leon Larisey. Hogan was a Hughes supporter. His testimony before the committee bordered upon sensational. At the very outset he gave us to understand that he was "an experienced politician" and that "people found me out to be honest and truthful and got me to handle their campaign." The evidence discloses that he was usually known as "Rumpty Rattles" Hogan; that his occupation was that of running a "blind tiger" in the city of Charleston and that he kept such a notorious dive that the governor of the State was compelled to eradicate his place of governor of the State was compelled to eradicate his place of business. He was completely under the domination of Mr. Grace, and after having been driven out of the blind-tiger business the mayor placed him upon the city pay roll. He boastingly admitted that E. W. Hughes in the first primary put \$1,200 in his hands and in the second primary \$1,600 for the purpose of debauching the electorate, and that he spent these sums "by giving it to the fellows to pay them off." To cap the climax of his testimony he made oath that "I am not out for money; I am out for principle." His appearance, his conduct upon the witness stand, and his testimony were such as to render him wholly unworthy of belief, and no credence whatever could be placed either in his affidavits or his oral testimony.

If his statement to the effect that Mr. Hughes placed in his hands in the two primaries the sum of \$2,800 for the purpose of buying votes and corrupting the voters in the city of Charleston, I am thoroughly satisfied that very little of it ever percolated through his fingers to the individual voters, notwithstanding his assertion that he was out for principle only.

Mr. Grace presented before the committee another celebrated citizen of the city of Charleston in the person of one M. J. Barry, who was designated by some of the witnesses as "Peglegged" Barry. Mr. Barry was also formerly the keeper of a "blind tiger," and enjoyed this distinction until Mr. Grace was elected mayor of the city of Charleston, after which he was promoted to a position as foreman of the grass gang on the streets of that city. He was notorious in the police court, was frequently arrested, and, to use his own expression, "frequently got out and spread the joy." Barry implicated various persons through hearsay. Among others he testified that he saw Judge J. J. O'Shaughnessy the evening before the second primary with a large roll under his arm, wrapped up in a newspaper. He was quite positive that this roll contained money. Judge J. J. O'Shaughnessy, as shown by testimony, is one of the magistrates of the city of Charleston, and has been elected to his office several terms. He was an adherent of Mr. Hughes. The evidence clearly demonstrates that the roll which he carried under his arm was the club roll of one of the wards of the city. This roll is a list of the registered voters and is perfectly harmless. This witness did not in any manner what-ever implicate Mr. Whaley or any of his friends in the unlaw-ful use of money at either of the primaries.

Another witness produced by Mr. Grace was one Stephen D. Sargent, a boiler inspector upon the Atlantic Coast Line. Ac-

cording to his story he was a very ardent supporter of Mr. Hughes. He openly confessed before the committee he spent \$1,000 in the second primary in the interest of Mr. Hughes in the ninth ward, and \$800 in the first primary; that Mr. Hughes, through himself and others, spent more than \$5,000 in the ninth ward in the city of Charleston alone, and estimated that all of the candidates brought the grand total up to \$13,000 in that ward. He said that he spent as high as \$60 in the purchase of a

single vote. After viewing this witness and observing his conduct and appearance, and giving careful consideration to his testimony, I am thoroughly convinced that his statements were so preposterous as to be unworthy of belief. He asserted that he performed his services to Mr. Hughes in dispensing \$1,800 in a single ward in the city of Charleston without any compensation to himself whatever. Since his appearance upon the witness stand it was shown to the committee that this witness has been discharged from the Atlantic Coast Line for the misuse of

the property of that company.

The last, and in fact the star, witness was a Mr. Larisey. He was Mr. Grace's right-hand man, especially in the present investigation. His part in the program was that of private detective. He traveled over the district and gathered testimony for Mr. Grace in the prosecution of his claim. Mr. Grace acknowledge that he had paid him between \$600 and \$700 for his services in this connection. He accused more than 50 persons in the district of handling money for the purpose of bribery. Every affidavit in support of the accusations was mere rumor. This witness was thoroughly impeached by counter affidavits filed by Mr. Whaley disputing the accuracy of his statements, and in addition to this many witnesses testified that his character and reputation was such that they would not believe him under oath.

One witness stated that he "does not know H. Leon Larisey, except by reputation, but on account of nature of said reputation and assertions made in his sworn statement, he could not believe Larisey under any circumstances, on any subject, on any occasion, connected with life or death, the present, or the here Several witnesses with whom Larisey alleged that he had had conversations denied that they even knew him and branded his statements as absolutely false and untrue. A practicing physician and mayor of the town of Walterboro, in Colleton County, filed an affidavit to the effect that he had known Larisey for a long time, and he has always borne the reputation of a crook and a swindler and willing to do most anything for a dollar, and he would not believe him under oath. Six of the witnesses from whom Mr. Grace obtained affidavits filed counter affidavits repudiating the testimony that they had given in their first affidavits. As a sample of this class of testimony, Mr. Grace filed the affidavit of Frank Fosberry, who made some startling accusations against several of the citizens of the city of Charleston. Fosberry in his second affidavit claims that he did not sign his name to the first affidavit, but if he did sign it that he was in such an intoxicated condition that he did not understand the import of the paper that he signed, and charged that the notary public before whom he executed the affidavit found him at the corner of State and Market Streets, in the city of Charleston, in a drunken condition; that he took him to the Atlantic Café, gave him two drinks, and took him to the office of Mayor Grace, where he may have signed the affidavit. He further stated that the affidavit was not read over to him, and that the statements contained therein were not true. In this connection, it is fair to Mr. Grace to state that he produced before the committee the notary public in question, who admitted that he had given the witness one drink before taking him to Grace's office and where the affidavit was executed. In only one instance in all of the evidence, either by way of affidavit or by way of oral testimony, did Mr. Grace connect Mr. Whaley by any direct testimony with the use of money in either of the primaries.

The affidavits of two policemen of the city of Charleston, George E. Plough and J. W. Moore, were filed with the committee. Plough stated he was stationed as a policeman before the polls of ward 3, in the city of Charleston; that he saw Mr. Whaley drive up to the curb on Broad Street where the polls were located; that one Max Goldman and Mr. Whaley conversed together; that Mr. Whaley during the conversation gave Mr. Goldman a large roll of greenbacks. Moore testified to practically the same state of facts. Their testimony was refuted by that of Mr. Whaley and Goldman. Both of these witnesses were under the domination of John P. Grace. The transaction as related by these two gentlemen is hardly probable. Necessarily there were many persons about the polls, and if such a flagrant affair occurred between Whaley and Goldman there should have been plenty of witnesses to it. Besides this, it is hardly probable that even if Mr. Whaley was engaged in such nefarious conduct that it would have occurred in such an open-handed manner as testified to by these two policemen. It is reasonable to presume that these two policemen were stationed at the polls in ward 3 for the purpose of seeing that no infraction of the laws was committed. They also testified that they saw various persons spending money around the polls that day, buying drinks, and saw money pass from one person to another, and it is passing strange that these two

vigilant policemen made no arrests. A vigilant committee searching for the truth could hardly base an investigation upon such an improbable transaction. It is to be presumed that Mr. Grace, in his ardor to establish the serious charges which he promulgated against Mr. Whaley, in producing his oral testimony before the committee, would have presented witnesses whose character was above repreach and whose integrity could whose character was above reproach and whose integrity could not be questioned. He brought these witnesses before the com-mittee to the city of Washington at his own expense, and the testimony when thoroughly scrutinized was absolutely nothing but hearsay.

In refutation of the affidavits and oral testimony produced by Mr. Grace, Mr. Whaley was permitted to file counter affidavitsin number 95. While the evidence introduced in behalf of Mr. Grace's contention was mere rumor and wholly unadmissible in any jurisprudence, Mr. Whaley by his counter affidavits has, I seriously contend, completely refuted such affidavits has, I Time will not permit me to digest either his testimony filed or the testimony filed by the memorialist. I wish to call attention to Mr. Grace himself in this controversy. He made a statement before the committee under oath, from which it appears that he is now and for more than two years has been mayor of the city of Charleston; that in both of the primaries he was the chief manager of the campaign of E. W. Hughes. According to his statement, Mr. Hughes expended in the two primaries the enormous sum of \$44,500, a large part of which was used in the city of Charleston, and must have been, if true, within the direct knowledge of John P. Grace. He stated that the purchase of votes by managers of the different candidates, his own as well as others, was carried to such an extent as to be open and notorious, and to come within the observation of everybody; that he was so constructed that he instinctively knew when and where it was going on; that he could smell it. He made the statement that on the day of the second primary in one of the wards of the city of Charleston, he learned that one Simmons, an alderman of that city, was dispensing money for the purpose of debauching the electorate in a small room near one of the pools; that he went into this room unmolested and saw Simmons sitting at a table; that he had at least \$2,000 in money spread before him on the table; that men were waiting upon the outside to be paid off for their voting. claims that Simmons was working in the interest of Whaley; that he reproached Simmons, not for the fact that he was unlawfully engaged in open bribery, but for the fact that he was working for Whaley and not for Hughes, the Grace candidate; that he made no effort to arrest Simmons for his unlawful conduct, notwithstanding the fact that he was the chief officer of the city.

In this connection I desire to state that his statement in reference to Simmons was absolutely refuted by Simmons and others who observed the conduct of Simmons at that election. Grace was the chief executive of the city of Charleston and had under his absolute control at both of the primaries not only the large police force of the city of Charleston but other officers of the city. He had the power to appoint and detail special policemen for duty during the day of the elections. It is significant that he failed to cause any arrests to be made of those who were bribing voters and violating the laws of the State of South Carolina. The only plausible reason why no arrests were made, or the only reason why the chief executive officer did not see to the enforcement of the laws, was on account of his own culpability, he being engaged in the bribing of voters of which he now accuses Mr. Whaley. It was on ac-count of his own culpability that no steps were taken to punish those engaged in the open and notorious bribery of which he now complains. What sort of character is such a man? He admitted that he expended in his election as mayor of the city of Charleston the sum of \$15,000; that the salary of his office was \$3,500 for the term of four years; that he had expended in procuring his election in advance of receiving any of the emoluments of the office \$1,000 more than he would receive during the four years of his administration of that office. The attitude he assumed was that his most ardent desire was to purify the elections in his own city and congressional district, but claimed that he was powerless, first, on account of his own culpability and, second, because the local criminal courts were inadequate to furnish any relief, and that the only remedy available to him was the one he had adopted in this case.

I admit the force of his first reason, but seriously deny that

there is any potency in his second contention.

Sections 359 to 362 of the Criminal Code of the State of South Carolina makes repeating, bribery, offer to procure votes by bribery, threats, and duress crimes alike applicable to primary and general elections.

Mr. COOPER. Will the gentleman permit an interruption?

Mr. POST. I will.

Mr. COOPER. I read in the paper the other day that the governor of that State has pardoned nine hundred and eighty and odd convicts. Does the gentleman think there is much use of convicting people of any crime down there?

Mr. POST. Not with a governor who will perform that way. Mr. COOPER. That is what he has done.

Mr. POST. And I understar I the legislature of that State threatened to pass a bill depriving him of the pardoning power. Mr. COOPER. Does not that show that the freedom with which convicts are pardoned in that State—murderers and all other kinds of convicts, according to the uncontradicted statements in the newspapers-leads men criminally disposed to be very bold in perpetrating offenses?
Mr. POST. Yes; that is true.

Under the criminal code it is made a penal offense to give a bribe for influencing a voter but not to receive one, and onethird of the pecuniary penalty shall go to the informer and the remainder to the State.

I can not believe that the sense of the justice of the people of Charleston and of the counties of the first congressional district is so innocuous that the local criminal courts are helpless or inadequate to furnish relief, as contended by Mr. Grace. Section 10 of the Federal publicity act provides that any persons willfully violating any of its provisions shall, upon conviction, be fined not more than \$1,000 or imprisoned not more than one year or both. I can not believe that the people of the State of South Carolina are so dead to their sense of duty that the Federal courts of that State are inadequate to furnish relief against the violations of this most wholesome law.

Section 343 of the Criminal Code of South Carolina defines crime of perjury and fixes the penalty. If Mr. Whaley willfully and knowingly made a false oath to the statements required to be filed with the Clerk of this House, then he should have been prosecuted under that section for the crime

Section 5393 of the Revised Statutes of the United States defines the crime of perjury and fixes its penalty by a fine of not more than \$2,000 or by imprisonment at hard labor of not

more than five years.

It is certainly begging the question to say that the sense of justice, the honor, and integrity of the people of South Carolina has descended to such a low scale that a conviction could not be had either in the State or Federal courts in that State. If Mr. Grace was actuated by an honest desire to purify the elections in his own city and congressional district and to purify the civic and political conditions of his own people, I submit that the statutes of his own State and the Federal courts of his own State furnish him with more adequate remedies than the mere expulsion of Mr. Whaley from a seat in this House. In this relation I seriously question the motives of Mr. Grace, not only from these facts but from his attitude before the committee. It was that of vindictiveness, not only to the committee itself but toward individual members of the committee. His admitted turpitude in the various campaigns in which he has been enaged, the campaign of his own election for the office of mayor of the city of Charleston, convinced me that he is possessed with an insane malice toward Mr. Whaley and that his only motive in filing and prosecuting the charges preferred against Mr. Whaley is to satisfy his own revenge and forward his own personal ambitions. His hatred of Mr. Whaley is most malicious and virulent and was thoroughly emphasized by his conduct before the committee. He said:

I hate Mr. Whaley like a snake; I hate him because he is like a snake, and who does not hate a snake?

That-

all of the literature of the campaign referred to him specifically as a wiggler and as a man who knew how to make black white; and this is the characteristic—the snake characteristic—that he is now exhibiting before your committee.

Could language more thoroughly depict the ill feeling and hatred and maliciousness of this man against Mr. Whaley? Mr. Grace appeared before the committee in another aspect, which we think throws some light upon his attitude. The city of Charleston has a population of about 60,000 inhabitants. Under the laws of the State the only place where liquor is allowed to be sold is the county dispensary, from which liquor may be sold in quantities of one-half pint and upward. These dispensaries are State institutions and are conducted by county officials. withstanding this fact, Mr. Grace admitted to the committee that there was in existence in the city of Charleston at least 250 liquor establishments, the so-called blind tigers; that in most instances, he, as chief executive officer of the city, fined the keepers of these blind tigers every three months the sum of \$50; that he covered these fines into the city treasury. The evidence

disclosed that there is 500 places in the city that have taken out the Government license for the selling of intoxicating liquors. He filed with the committee a statement of fines collected from liquor cases, covering a period of his incumbency in office, showing that the illegal collection of money from those unlawfully engaged in bootlegging increased from \$26,400 in 1911 to \$32.700 in 1913. In this connection he not only admitted his own culpability in open and notorious bribery at elections, but stulified himself with the admission that he had violated the liquor laws of the State of his nativity.

In the course of his statements he deliberately maligned and denounced as wholesale corruptionists the people of the city over which he presides and the people of the first congressional district, and pictured the civil and political conditions to be in such a deplorable state that, in his opinion, you could not corrupt the negroes of the district any worse than the white people

were corrupted in the last election.

To permit an investigation to be instituted upon the pretended claims of such an individual as this, actuated solely by a malicious motive and bent upon destroying the character and politi-cal life of an adversary without first requiring some evidence of culpability, would be to adopt a most dangerous precedent and for this House to stultify itself. From a careful survey of all the testimony, I am thoroughly satisfied that wholesale bribery, intimidation, corruption, and other forms of demoralization were resorted to in the two primaries in which Mr. Whaley was a candidate by Mr. Grace and others in order to encompass his

Mr. WILLIS. Mr. Speaker, will the gentleman yield? The SPEAKER. Does the gentleman from Ohio [Mr. Post] yield to his colleague?

Mr. POST. Yes. Mr. WILLIS. I understood from the gentleman's remarks a little while ago, and also from what appears in the report of the committee, on page 16, that Mr. Grace states that in the primary campaign Mr. Hughes expended \$44,000. Did I correctly understand the gentleman?

Mr. POST. He stated he spent \$44,500.

Mr. WILLIS. What I am trying to get at is this: Was any statement made before the gentleman's committee which shows the amount claimed to have been spent by Mr. Whaley? If so, what was the sum total of that? Perhaps the gentleman stated, but I did not get it.

Mr. POST. You want what Mr. Grace claimed?

Mr. WILLIS. That is what I want.

Mr. POST. That he could show he spent \$60,000 and up-

Mr. WILLIS. Now, does Mr. Whaley make any admission of any amount whatever over that which was filed?

He made a statement before the committee. Mr. WILLIS. What I am trying to arrive at is the probable

amount expended in this primary campaign.

Mr. POST. He filed a statement with the Clerk of the House that the amount was \$4,553.10. The allegation of Mr. Grace is that Mr. Mr. WILLIS.

Whaley spent \$60,000? Mr. POST. Yes, sir.

Mr. WILLIS. And Mr. Hughes spent \$44,000?

Mr. POST. Yes, sir.
Mr. WILLIS. Then, according to this allegation of Grace, something like \$100,000 must have been spent in this primary?

Mr. POST. That is the way he placed it.
Mr. WILLIS. Your committee did not go into the matter to determine how much Mr. Whaley actually spent?
Mr. POST. We gave Mr. Grace every opportunity to present any evidence that would be admissible in any court—

Mr. FREAR. Will the gentleman permit me to answer the question?

Mr. POST. Yes, sir.

Mr. FREAR. There was no power of subpœna with this committee, and Mr. Grace was compelled to produce his witnesses, and he brought seven witnesses from South Carolina at his own expense, and 64 affidavits were filed by him in support of the charges.

The committee does not make any finding as Mr. WILLIS.

to the amount of money that was expended?

Mr. FREAR. No, sir. Mr. WILLIS. For the very reason that there was no evidence that would be admissible in any prosecution?

Mr. GARNER. Will the gentleman permit? He did bring

four witnesses who testified before the committee?

Mr. POST. Yes, sir. Mr. GARNER. There was no statement of fact that connected Mr. Whaley with any expenditure other than that before the committee?

Mr. POST. None at all.

Mr. GARNER. So he evidently got his best witnesses if he paid their fares up to Washington?

Mr. POST. Yes.

Mr. FREAR. I do not want to take up the chairman's time, but I will say that he wanted us to subpœna 150 witnesses whose names he gave us in detail, and we were unable to do

a thing. We stood there with our hands tied.

Mr. GARNER. But it does seem reasonable that Mr. Grace should bring his best witnesses out of the 150. He did bring them here, and they testified before the committee, and there is not a word in their testimony connecting Mr. Whaley with

this transaction as he alleges.

Mr. FREAR. If the gentleman will pardon me, I do not want to take up the gentleman's time. I will answer that in

my own time.

Mr. POST. I will say to the gentleman, Mr. Speaker, that the power to produce evidence where the witness is not re-quired to face cross-examination and does not have to face the accused was a more powerful instrument in the hands of Mr. Grace than if he had produced witnesses. They could make any statement they wanted to in the affidavits, and out of all that, the whole case of the gentleman made by all the affidavits, with the one exception that I pointed out to the House, were mere hearsay and rumor.

Mr. GARDNER. Mr. Speaker, will the gentleman yield? The SPEAKER. Does the gentleman from Ohio yield to

the gentleman from Massachusetts?

Mr. POST. Yes.

Mr. GARDNER. Did the committee come before the House asking that the House subpœna those witnesses?

Mr. POST. No, sir; we did not. Mr. GARDNER. Why not?

Mr. POST. The reason why we did not do so was because it was an unprecedented performance on the part of Mr. Gracesimply filing an affidavit accusing a Member of this Houseand we told him if he could produce any tangible evidence against Mr. Whaley we would bring a resolution on the floor of the House and ask for power to subpœna witnesses and incur the expense of conducting an investigation.

Mr. GARDNER. He could not bring his witnesses?

He had complete opportunity to file affidavits. Mr. GARDNER. Was there not a lot of witnesses? It seems to me I read so.

Mr. POST. No, sir. Every person that he accused of using money for the benefit of Mr. Whaley—every person, without a single exception, filed a counter affidavit denying it.

Mr. GARDNER. Did he not propose to bring up some of Mr. Whaley's political friends?

Mr. POST. He named those friends to the committee, and Mr. Whaley procured affidavits from those persons.

Mr. GARDNER. I think the gentleman has overlooked some

of the facts, Mr. POST. I will say to the gentleman that I am perfectly

familiar with this case. I want to say to the gentleman from Massachusetts that if he had any dealings with this man Grace, as the committee did, he would have come to the same conclusion with respect to him as the committee did.

Mr. HOWARD. Mr. Speaker, will the gentleman yield?

Mr. POST. Certainly.

Mr. HOWARD. Of course the committee arrived at the same conclusion as everybody else has arrived at who knows Grace and his trade. But the affidavits, as I understand, that were filed by Grace were general affidavits, not specifying that John Jones received a certain sum of money from Whaley or his manger. Did any of the affidavits contain those statements?
Mr. POST. Only one of them did.
Mr. HOWARD. Only one of them did?

Mr. POST. Yes.

Mr. HOWARD. And Mr. Whaley procured a counter affidavit from that man, stating that that was false?

Yes. He filed his own affidavit in addition. Mr. POST.

Mr. HOWARD. And there was no testimony or affidavits to show a further expenditure on the part of Mr. Whaley other than the amounts he swore to and filed with the Clerk?

Mr. POST. No.

Mr. FREAR. Mr. Speaker, I think I am prepared to show that both gentlemen are wrong in their statements, but I do not want to take their time. I will speak in my own time.

Mr. POST. The gentleman can do that if he desires.

Mr. FREAR. I do not care to.

The SPEAKER. The gentleman from Ohio [Mr. Post] will

Mr. POST. On the other hand, I am of the firm conviction that Mr. Whaley's election was consummated by those of the very best element in his district; that his election was effected by that class of people usually free from the corrupting in-fluences alleged to exist in the city of Charleston and other points throughout the district.

Mr. Frear, in his minority report, calls attention to the assertion that \$13,000 was corruptly spent by rival factions in ward 9, in the city of Charleston. I want to analyze the situation as

it was admitted to exist in this ward.

The witness Hogan testified that he had 100 workers on his rallying committee; that Mr. Whaley had about an equal number; that the duties of the members of these so-called rallying committees were to go over the registered list of the club and purge it of unlawful registration, and on election day to see that the friends of the respective candidates were gotten to the polls and voted. He also testified that there were a great number of respectable voters in that ward who were not purchasable. In the second primary there were cast, in ward 9, a total of 550 votes. If we take the second primary as a basis and deduct the rallying committee from the total vote of the ward there would remain 350 voters. The members of the rallying committee were paid, according to the testimony of this witness, for the work they performed before and on the day of election from \$10 to \$25 apiece. Allowing that each member of the rallying committee was paid the maximum price, or \$25 apiece, then there would be distributed to these committees the sum of \$5,000. According to the testimony of this witness at least one-half of the voters of the ward was nonpurchasable; this would make the number of nonpurchasable voters 225, which, deducted from 350, would leave 125 purchasable voters. Deducting \$5,000 paid the rallying committee from the \$13,000 expended, it would leave \$8,000 expended in the purchase of 125 voters, or about \$65 per vote. Such a proposition is unbelievable, but in line with the kind of testimony adduced to bolster up the claims of Mr. Grace.

Mr. Frear makes complaint of the fact that Mr. Whaley was permitted to appear before the committee on December 3, and of the fact that Mr. Whaley made a statement as to his rela-tions with Mr. Grace. Mr. Whaley did not appear before the committee at any time Mr. Grace was present. However, he informed the chairman his reason for not so doing was that Mr. Grace was so bitter and hostile toward him and was so obsessed and insane by reason of his personal hostility toward him that it would be most disagreeable for him to endure the vituperation that Grace would endeavor to cast upon him.

After listening to this witness and observing his conduct and demeanor before the committee and his exhibition of malice and hatred toward Mr. Whaley, I am satisfied that Mr. Whaley was thoroughly justified in the conclusion he had arrived at and that his failure to appear before the committee in

the presence of Mr. Grace was perfectly justifiable.

Mr. Grace frequently admonished the committee to the effect that the charges came from the mayor of the city of Charleston, and insisted for that reason alone an investigation should be instituted. It does not appear from the testimony that Mr. Grace was ever before elected to any office. On the contrary, Mr. Whaley served 11 years as a representative in the State legislature in South Carolina; he was chairman of many of the most important committees of his State legislature and was chairman of the judiciary committee of that body for 4 years; he served 1 year as speaker pro tempore, and was elected and served 4 years as speaker of that body; he was unanimously elected as president of the State Democratic convention in South Carolina in 1910; in 1912 was elected in his district as a delegate to the Democratic national convention at Baltimore; and in 1913 was elected as a Representative in Congress from the first congressional district of his State. These many official positions held by him and his long tenure of public service are some evidence of the esteem, respect, and confidence in which he is held by the people of his district and State.

He is by no means a wealthy man and is not surrounded by rich relatives or friends. His fortune is so small as to render the charges ridiculous. I am not unmindful of the seriousness of the charges made. I believe in the publicity act and that its provisions should not be treated lightly. It is a most wholesome law and its provisions should never be compromised. Any Member of this body who has violated that act should be promptly expelled. It should not be treated as a farce and if a Member has procured his seat by corrupting and debauching the electorate of his district, the House should not hesitate to expel him. However, when the electors of a district return a Member to this body their judgment and decision should be given proper weight. The Member should not be deprived of his rights by a single individual when it is shown beyond controversy that such individual is imbued with the single idea of revenge, bent solely upon destroying the character and political life of an adversary. [Applause.]

Mr. TOWNSEND. Will the gentleman yield for a question?

Mr. POST. Yes.

TOWNSEND. Not being a lawyer, I need to have a candle held for me sometimes in these matters. I want to ask the gentleman from Ohio if I correctly understood two things that were in discussion in the colloquy. The affidavits that Mr. Grace presented to your committee were very general in their character, and did not mention specific acts which would convict Mr. Whaley of the general charge. Am I right in that respect?

Mr. POST. The gentleman is right in that. They did not

connect him, and they were mere hearsay.

Mr. TOWNSEND. Mr. Grace did mention the names of people, as the gentleman from Massachusetts [Mr. Gaedner] says, who were friends of Mr. Whaley, whom he would like to have subpænaed.

Mr. POST. Yes

Mr. TOWNSEND. The affidavits procured by Mr. Whaley from those gentlemen were very specific in favor of Mr. Whaley?

Mr. POST. Yes; they deried the rumors.

Mr. TOWNSEND. Thank you. I want to get that clear

in my mind.

Mr. GARDNER. Mr. Speaker, if the gentleman will allow me, I do not think he has it at all clear in his mind. I think the gentleman from New Jersey has it now confused in his mind.

Mr. TOWNSEND. No; it is quite clear. Mr. GARDNER. What I said was this: That Mr. Grace wished to get unwilling witnesses who were friends of Mr. Whaley and could not get them except by subpænaing them. I was asking why the committee refused to come to the House to get authority to subpœna them. But those were not the men from whom affidavits were procured. Those people from whom affidavits were procured were the friends of Mr. Hughes, and not of Mr. Whaley.

Mr. TOWNSEND. I think the gentleman from Massachusetts still has it wrong in his mind. Those affidavits which

Mr. Whaley procured— Mr. GARDNER. Which Mr. Grace procured-

Mr. GARDNER. Which Mr. Grace procured—
Mr. TOWNSEND. No; which Mr. Whaley procured, were affidavits of men mentioned by Mr. Grace as those whom he would like to have subpensed here.
Mr. GARDNER. No; I beg the gentleman's pardon.
Mr. TOWNSEND. Whereupon Mr. Whaley procured the testimony for the committee in the absence of the power of the

committee to subpœna them.

Mr. FREAR. That is not strictly the case.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted-To Mr. Neeley of Kansas, for seven days, on account of illness in his family.

To Mr. BRUCKNER, for four days, on account of illness.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 234. An act to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose, and to assess a tax against the person maintaining said nuisance and against the building and owner thereof.

ADJOURNMENT.

Mr. POST. Now, Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 57 minutes p. m.) the House adjourned until Tuesday, January 27, 1914, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. YOUNG of North Dakota, from the Committee on Claims, to which was referred the bill (H. R. 1055) for the relief of T. S. Williams, reported the same with amendment, accompanied by a report (No. 191), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on War Claims was discharged from the consideration of the bill (H. R. 10957) for the relief of James W. Kingon, and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:

By Mr. MOON: A bill (H. R. 12287) authorizing the Secretary of War to convey a certain strip of land to the Tennessee Coffin & Casket Co.; to the Committee on Military Affairs,

By Mr. WILSON of Florida: A bill (H. R. 12288) releasing the claim of the United States to that portion of land, being a fractional block, bounded on the north and east by Bayou Cadet, on the west by Cevallos Street, and on the south by Intendencia Street, in the old city of Pensacola; to the Committee on the Public Lands.

By Mr. McKELLAR: A bill (H. R. 12289) to amend section 211 of the Penal Code of the United States; to the Committee on the Judiciary.

By Mr. STEENERSON: A bill (H. R. 12290) for the relief of settlers who purchased land under the act of February 20, 1904; to the Committee on the Public Lands.

By Mr. WILSON of Florida: A bill (H. R. 12291) to increase the limit of cost for the extension, remodeling, and improvement of the Pensacola (Fla.) post office and courthouse, and for other purposes; to the Committee on Public Buildings and

By Mr. PALMER: A bill (H. R. 12292) to prevent interstate commerce in the products of child labor, and for other purposes; to the Committee on Labor.

By Mr. LEE of Georgia: A bill (H. R. 12293) authorizing a survey of Coosa River between Rome, Ga., and Lock and Dam No. 4, in Alabama; to the Committee on Rivers and Harbors.

By Mr. TAYLOR of Arkansas: A bill (H. R. 12294) providing for the erection and completion of a public building at the city of Stuttgart, in the State of Arkansas; to the Committee on Public Buildings and Grounds.

By Mr. MURRAY of Oklahoma: A bill (H. R. 12295) authorize certain changes in the status of allotted lands of the Choctaw and Chickasaw Indians of Oklahoma, to provide for the settlement of land titles in the Five Civilized Tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. BROWN of New York: A bill (H. R. 12296) providing for the survey of a proposed breakwater off Hortons Point, Long Island Sound; to the Committee on Rivers and Harbors. By Mr. KONOP: A bill (H. R. 12297) providing for an ap-

propriation to pay the members of the Stockbridge and Munsee Tribe of Indians enrolled under the act of March 3, 1893, the amount of payments made prior to their respective enrollments; to the Committee on Indian Affairs.

By Mr. MAHAN: A bill (H. R. 12298) authorizing the survey of certain rivers in the State of Connecticut with a view of canalizing the same; to the Committee on Rivers and Harbors.

By Mr. PARK: A bill (H. R. 12299) to provide for national aid to the common schools in the elementary branches of spelling, reading, writing, and arithmetic; to the Committee on Education.

By Mr. WILLIS: A bill (H. R. 12300) authorizing the erection of a monument near the site of the destruction of the steamer Sullana, in the Mississippi River, near Memphis, Tenn., April 27, 1865; to the Committee on the Library.

By Mr. BALTZ: A bill (H. R. 12301) to amend an act entitled

"An act to codify, revise, and amend the laws relating to the judiciary" by changing the districts in Illinois, and for other

purposes; to the Committee on the Judiciary.

By Mr. BOWDLE: A bill (H. R. 12302) authorizing the enlargement, extension, or remodeling of the public building at Cincinnati, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. LINTHICUM: A bill (H. R. 12303) to amend section 3246 of the Revised Statutes of the United States, as amended by section 5 of the act of March 1, 1879; to the Committee on Ways and Means.

By Mr. BELL of Georgia: A bill (H. R. 12304) to provide for the erection of a public building at the city of Toccoa, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12305) to provide for the erection of a public building at the city of Buford, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12306) to provide for the erection of a public building at the city of Jefferson, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12307) to provide for the erection of a public building at the city of Commerce, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12308) to provide for the erection of a public building at the city of Canton, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12309) to amend the acts to regulate commerce so as to provide that publishers of newspapers and periodicals may enter into advertising contracts with common carriers and receive payment for such advertisements in transportation; to the Committee on Interstate and Foreign Com-

Also, a bill (H. R. 12310) for a survey of Tugalo River near Toccoa, Ga.; to the Committee on Rivers and Harbors

Also, a bill (H. R. 12311) to provide for the erection of a public building at the city of Winder, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12312) to provide for the erection of a public building at the city of Lawrenceville, Ga.; to the Com-

mittee on Fublic Buildings and Grounds.

By Mr. VARE: A bill (H. R. 12313) appropriating \$500,000 for the erection and equipment of a central iron, brass, and steel foundry for the Navy Department at the Philadelphia Navy

Yard; to the Committee on Naval Affairs.

By Mr. PHELAN: A bill (H. R. 12314) to provide for a survey of Lynn Harbor, Mass.; to the Committee on Rivers and

By Mr. SMITH of Idaho: A bill (H. R. 12315) to prohibit the sale or gift of intoxicating liquors to minors and Indians within the admiralty and maritime jurisdiction of the United States; to the Committee on the Judiciary

By Mr. DOOLITTLE: A bill (H. R. 12316) authorizing the Secretary of War to deliver to the Wamego Commercial Club. of Wamego, Kans., two condemned bronze or brass cannon or fieldpieces and suitable outfit of cannon balls; to the Commit-

tee on Military Affairs.

By Mr. SAMUEL W. SMITH: Joint resolution (H. J. Res. 202) authorizing the appointment of a commission to consider the restoration to the District of Columbia of a portion of Alexandria County, Va.; to the Committee on the District of Columbia.

By Mr. KENNEDY of Rhode Island: Memorial from the General Assembly of the State of Rhode Island, relating to the old Federal building in the city of Providence; to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 12317) granting an increase of pension to James K. Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12318) granting an increase of pension to Leo Blubaugh; to the Committee on Invalid Pensions.

By Mr. BELL of Georgia: A bill (H. R. 12319) granting a

pension to William H. Simmons; to the Committee on Pensions.

Also, a bill (H. R. 12320) granting a pension to Edward Robertson: to the Committee on Pensions.

Also, a bill (H. R. 12321) granting a pension to Toliver W. Corn: to the Committee on Pensions.

Also, a bill (H. R. 12322) granting a pension to William S. Kemp; to the Committee on Pensions.

Also, a bill (H. R. .12323) granting a pension to Swinfield Stanley; to the Committee on Invalid Pensions. Also, a bill (H. R. 12324) granting a pension to William A.

Senkbeil: to the Committee on Pensions. Also, a bill (H. R. 12325) granting a pension to James N.

Parker; to the Committee on Pensions.

Also, a bill (H. R. 12326) granting a pension to William J. Shedd; to the Committee on Pensions. Also, a bill (H. R. 12327) granting a pension to Robert

Shope; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12328) granting a pension to Pinckney P. Chastain; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12329) granting a pension to John L. Holt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12330) granting a pension to Willis S. Howard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12331) granting a pension to Sarah L. Bowen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12332) granting a pension to Mariena E. Wehunt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12333) granting a pension to William M. Hammontree, alias William P. Hammontree; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12334) granting an increase of pension to Martin K. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12335) granting an increase of pension to

Robert C. Wallace; to the Committee on Pensions. Also, a bill (H. R. 12336) for the relief of Mrs. F. E. Chan-

dler; to the Committee on War Claims.

Also, a bill (H. R. 12337) for the relief of New Hope Baptist Church, of Bartow County, Ga.; to the Committee on War

Also, a bill (H. R. 12338) for the relief of James H. Hen-

dricks; to the Committee on War Claims.

Also, a bill (H. R. 12339) for the relief of William J. Cochran; to the Committee on War Claims.

Also, a bill (H. R. 12340) for the relief of Capt. Frederick

S. L. Price; to the Committee on Military Affairs.

Also, a bill (H. R. 12341) for the relief of Benjamin C. Martin, Ezekiel Martin, Henry C. Fuiler, Ezekiel Fuller, Eliza L. Crow, and Elizabeth Martin; to the Committee on the Judiciary.

Also, a bill (H. R. 12342) for the relief of the heir of W. W. W. Fleming; to the Committee on War Claims.

Also, a bill (H. R. 12343) for the relief of the heirs of John C.

Addison, deceased; to the Committee on War Claims. Also, a bill (H. R. 12344) for the relief of the heirs of Joshua

Nicholls; to the Committee on War Claims. By Mr. COOPER: A bill (H. R. 12345) granting a pension to Josephine H. Stewart; to the Committee on Pensions.

By Mr. COX: A bill (H. R. 12346) granting a pension to

Angie Leslie; to the Committee on Invalid Pensions. By Mr. CRAMTON: A bill (H. R. 12347) granting an increase of pension to Alson W. Whipple; to the Committee on Invalid

By Mr. DONOVAN: A bill (H. R. 12348) granting an increase

of pension to Ann Rock; to the Committee on Invalid Pensions. By Mr. EDWARDS: A bill (H. R. 12349) for the relief of Mrs. W. J. Gross; to the Committee on War Claims. Also, a bill (H. R. 12350) granting an increase of pension to

Lydia A. Smiley; to the Committee on Pensions. By Mr. ESCH: A bill (H. R. 12351) granting a pension to

Jennie M. Nichols; to the Committee on Pensions.

By Mr. FERRIS: A bill (H. R. 12352) granting an increase of pension to James T. Barnhart; to the Committee on Invalid Pensions.

By Mr. FLOOD of Virginia: A bill (H. R. 12353) granting a pension to Myers Fertig; to the Committee on Pensions.

By Mr. FRENCH: A bill (H. R. 12354) to place the name of Lieut. Col. Edwin P. Durell upon the unlimited retired list of the Army; to the Committee on Military Affairs.

By Mr. GOEKE: A bill (H. R. 12355) granting an increase of

pension to Henry Collett; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 12356) granting an increase of pension to Benjamin F. Overton; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 12357) granting a pension to Sarah Gunsolly; to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 12358) for the relief of the beirs of James L. Bowles, deceased; to the Committee on War Claims. By Mr. HOWARD: A bill (H. R. 12359) for the relief of the heirs of William Woods; to the Committee on Claims.

By Mr. HUMPHREY of Washington: A bill (H. R. 12360) for the relief of Caroline M. Killough; to the Committee on

Also, a bill (H. R. 12361) for the relief of Nellie Harrington; to the Committee on Claims.

By Mr. IGOE: A bill (H. R. 12362) granting an increase of pension to Cuthbert A. Jones; to the Committee on Invalid Pen-

Also, a bill (H. R. 12363) granting an increase of pension to Elizabeth S. Campbell; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 12364) for the relief of Mary J. Higgs; to the Committee on the District of Columbia.

By Mr. KENNEDY of Connecticut: A bill (H. R. 12365) granting an increase of pension to Duncan D. Gibbud; to the Committee on Invalid Pensions.

By Mr. J. R. KNOWLAND: A bill (H. R. 12366) granting a pension to Benjamin F. Klippert; to the Committee on Pensions. By Mr. MOORE: A bill (H. R. 12367) to reimburse William Finkel, clerk in charge of post-office substation No. 13, at Philadelphia, Pa., for moneys stolen; to the Committee on

By Mr. O'SHAUNESSY: A bill (H. R. 12368) for the relief of Daniel W. Smith; to the Committee on Military Affairs.

Also, a bill (H. R. 12369) for the relief of John Healy; to the Committee on Military Affairs.

Also, a bill (H. R. 12370) for the relief of William H. Rid-

densdale; to the Committee on Military Affairs.

Also, a bill (H. R. 12371) granting an increase of pension to

Louise Bowen; to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 12372) granting an increase of pension to Sarah A. McCarty; to the Committee on Invalid Pen-

By Mr. PHELAN: A bill (H. R. 12373) granting a pension to Margaret E. Canty; to the Committee on Invalid Pensions. By Mr. POST: A bill (H. R. 12374) granting an increase of

pension to Peter N. Hardman; to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 12375) granting a pension to Tilitha Cohran; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 12376) granting an increase of pension to Margaret J. Colton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12377) granting an extension of patent to George E. Smith; to the Committee on Patents.

Also, a bill (H. R. 12378) granting an increase of pension to Emily L. Barnes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12379) granting an increase of pension to Mina C. Balzer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12380) granting an increase of pension to Mary E. Doolittle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12381) granting an increase of pension to Ann Quinn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12382) granting an increase of pension to

Emma J. Sweet; to the Committee on Invalid Pensions. By Mr. REILLY of Wisconsin: A bill (H. R. 12383) granting an increase of pension to George W. Morton; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 12384) granting an increase of pension to Julian Turgon; to the Committee on Invalid Pen-

Also, a bill (H. R. 12385) granting a pension to Martha E. Walker; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 12386) granting an increase of pension to James D. Dunn; to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 12387) granting a pension to Milon Wilson; to the Committee on Invalid Pen-

Also, a bill (H. R. 12388) granting a pension to Cordelia Mulford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12389) granting a pension to Margaret J. Loomis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12390) granting a pension to Cyrus Hicks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12391) granting a pension to Morgan Gulick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12392) granting a pension to Lester C. Lyke; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12393) granting a pension to Dora Stevens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12394) granting a pension to Clarence Wedge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12395) granting a pension to James E. Farley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12396) granting a pension to Francis Simpson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12397) granting a pension to William Putnam; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12398) granting a pension to John D. Palmatier; to the Committee on Invalid Pensions. Also, a bill (H. R. 12399) granting a pension to Lyman A. Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12400) granting a pension to Leonard Shaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12401) granting a pension to John Swab; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12402) granting a pension to John V. Gilbert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12403) granting a pension to Charles L. Collier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12404) granting a pension to Emily J. Grimes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12405) granting a pension to John T. Hodgeman; to the Committee on Invalid Pensions. Also, a bill (H. R. 12406) granting a pension to William H.

Mackey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12407) granting a pension to Walter Johnson; to the Committee on Invalid Pensions

Also, a bill (H. R. 12408) for the relief of Charles A. Coolidge; to the Committee on War Claims.

Also, a bill (H. R. 12409) to correct the military record of Philip Hale; to the Committee on Military Affairs.

Also, a bill (H. R. 12410) to correct the military record of Burton Hubbell; to the Committee on Military Affairs.

Also, a bill (H. R. 12411) to correct the military record of Sanford Travis; to the Committee on Military Affairs.

Also, a bill (H. R. 12412) to correct the military record of William Nicholson; to the Committee on Military Affairs

Also, a bill (H. R. 12413) to correct and complete the military record of Dugald Cameron Morrison, deceased; to the Committee on Military Affairs.

Also, a bill (H. R. 12414) to correct the military record of Henry Duchine; to the Committee on Military Affairs. Also, a bill (H. R. 12415) to correct the military record of C. E. Rogers; to the Committee on Military Affairs.

Also, a bill (H. R. 12416) granting a pension to Emma J. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12417) granting a pension to Sarah F. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12418) granting an increase of pension to D. J. Hammond; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12419) granting an increase of pension to Catherine D. Banerly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12420) granting an increase of pension to Rachael E. Tubbs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12421) granting an increase of pension to Mary E. Parrish; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12422) granting an increase of pension to Charles W. Hott; to the Committee on Invalid Pensions. Also, a bill (H. R. 12423) granting an increase of pension to Roxanna Churchill; to the Committee on Invalid Pensions,

Also, a bill (H. R. 12424) granting an increase of pension to W. B. Williston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12425) granting an increase of pension to Mary R. Kendall; to the Committee on Pensions.

Also, a bill (H. R. 12426) granting an increase of pension to Norman H. Bates; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12427) granting an increase of pension to Washington C. Wheeler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12428) granting an increase of pension to Daniel McKendricks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12429) granting an increase of pension to Joseph Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12430) granting an increase of pension to Carl C. Corbett; to the Committee on Pensions.

Also, a bill (H. R. 12431) granting an increase of pension to C. Feckenscher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12432) granting an increase of pension to Moses C. Carr; to the Committee on Invalid Pensions

Also, a bill (H. R. 12433) granting an increase of pension to Myron A. Randall; to the Committee on Invalid Pensions. Also, a bill (H. R. 12434) granting an increase of pension to

Amos Smith; to the Committee on Invalid Pensions. Also, a bill (H. R. 12435) granting an increase of pension to

Delia E. Smith; to the Committee on Invalid Pensions. Also, a bill (H. R. 12436) granting an increase of pension to

Julius Nitsche; to the Committee on Invalid Pensions. Also, a bill (H. R. 12437) granting an increase of pension to Alexander F. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12438) granting an increase of pension to Charles H. Lockwood; to the Committee on Invalid Pensions. Also, a bill (H. R. 12439) granting an increase of pension to John J. S. Hartel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12440) granting an increase of pension to Franklin McCollom; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12441) granting an increase of pension to James Ripley; to the Committee on Invalid Pensions. Also, a bill (H. R. 12442) granting an increase of pension to

Schuyler Van Tassell; to the Committee on Invalid Pensions. Also, a bill (H. R. 12443) granting an increase of pension to Mrs. E. H. Esselstyn; to the Committee on Pensions.

Also, a bill (H. R. 12444) granting a pension to Stewart W. Knapp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12445) granting an increase of pension to Joseph D. Beaubien; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12446) granting an increase of pension to

George Sherman; to the Committee on Invalid Pensions

Also, a bill (H. R. 12447) granting an increase of pension to O. J. Wells; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12448) granting an increase of pension to Gideon Sturgis; to the Committee on Invalid Pensions,

Also, a bill (H. R. 12449) granting an increase of pension to Edward F. Phelps; to the Committee on Invalid Pensions

Also, a bill (H. R. 12450) granting an increase of pension to Renselaer B. Ransom; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12451) granting an increase of pension to John T. Dunn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12452) granting a pension to Mary A. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12453) granting an increase of pension to Absalom O. Halliwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12454) granting a pension to Ellen M. Smith; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 12455) for the relief of William J. Wilson; to the Committee on Military

Also, a bill (H. R. 12456) granting a pension to Hannah M. Barker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12457) granting an increase of pension to Conrad Haag; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12458) granting an increase of pension to Frederick Rice; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12459) granting an increase of pension to Frederick R. Wren; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 12460) for the relief of Henry C. Bates; to the Committee on War Claims.

By Mr. TAVENNER: A bill (H. R. 12461) for the relief of William H. Schriver; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of A. Petrates, of Chicago, Ill., favoring an investigation of conditions in the copper regions of Michigan; to the Committee on Rules.

Also (by request), petition of the Pennsylvania Arbitration and Peace Society, of Philadelphia, Pa., favoring the "One hundreds years' peace celebration"; to the Committee on Foreign Affairs.

Also (by request), memorial of the George Washington Branch of American Continental League, of Seattle, Wash., protesting against the "One hundred years' peace celebration"; to the Committee on Foreign Affairs.

Also (by request), memorial of the City Business Club, of Philadelphia, Pa., favoring ownership by the Government of lands containing minerals; to the Committee on the Public Lands.

By Mr. ALLEN: Memorial of the Cincinnati Chamber of Commerce protesting against the passage of the McKellar bill relative to cold storage; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Cincinnati Chamber of Commerce, favoring Senate Document No. 16, relative to national aid for the beautification of Washington; to the Committee on Public Buildings and Grounds.

By Mr. ANDERSON: Petition of German-American Alliance Winona, Minn., protesting against House joint resolution 168; to the Committee on the Judiciary

By Mr. ANSBERRY: Petition of the Workmen's Circle of York City, protesting against the passage of the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. ANTHONY: Petition of Albert D. Jones, jr., and other citizens of Topeka, Kans., protesting against the passage of House bill 9674, the Sabbath observance bill; to the Committee on the District of Columbia.

By Mr. BORLAND: Petition of the Council of Grain Exchange, favoring the passage of bills to regulate the dealing in farm products; to the Committee on Interstate and Foreign Com-

By Mr. BRITTEN: Papers to accompany bill (H. R. 12254) granting an increase of pension to Thomas Allen French; to the Committee on Invalid Pensions.

By Mr. CARY: Petition of the German-American Alliance of Kenosha, Wis., representing 200 American citizens, protesting against the passage of House joint resolution-168 and Senate joint resolutions 50 and 88, or any other similar prohibition measures; to the Committee on the Judiciary.

Also, petition of the German-American Alliance of Sheboygan, Wis., representing 110 American citizens, protesting against House joint resolution 168 and Senate joint resolutions 50 and 88, or any other similar prohibition measures; to the Committee on the Judiciary.

Also, petition of the German-American Alliance of Chilton, Wis., representing 134 American citizens, protesting against the passage of House joint resolution 168 and Senate joint resolutions 50 and 88, or any other similar prohibition measures; to the Committee on the Judiciary.

Also, petition of the Baron Hirsch Lodge, No. 159, Milwaukee, Wis., protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Broom Makers' Union of Milwaukee, Wis.

urging investigation as to the conditions in the copper mines of

Michigan: to the Committee on Rules.

Also, petition of the German-American Alliance Branch Stadt Verband, Medford, Wis., representing 335 American citizens, protesting against House joint resolution 168 and Senate joint resolutions 50 and 88, or any similar prohibition measures; to the Committee on the Judiciary.

By Mr. CONRY: Memorials of Andrew Jackson Branch, No. 2, of the American Continental League, of New York City, and the George Washington Branch of the American Continental League, of Brooklyn, N. Y., protesting against appropriation of money for celebration of "One hundred years of peace among English-speaking peoples"; to the Committee on Foreign Affairs.

By Mr. CRAMTON: Petition of Union No. 3, International

Union of Bricklayers, Masons, and Plasterers of Port Huron, Mich., favoring an investigation of strike conditions in Michi-

gan; to the Committee on Rules.

Also, petition of citizens of the seventh congressional district of Michigan, protesting against barring the Menace from the mails; to the Committee on the Judiciary.

Also, petition of Detroit (Mich.) Shipmasters' Association, for the removal of the middle ground in the St. Clair River at Port Huron, Mich.; to the Committee on Rivers and Harbors.

By Mr. CURLEY: Memorial of Hebrew Progressive Lodge No. 177, Independent Order B'rith Abraham, protesting against the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of Andrew Jackson Branch, American Continental League, Whitman, Mass., protesting against an appropriation for 100 years peace celebration; to the Committee on

Foreign Affairs.

By Mr. DALE: Petition of Dominick & Haff, New York, N. Y., favoring a bill for safeguarding the levees of the Mississippi

River; to the Committee on Rivers and Harbors.

Also, petition of Edward J. Torney, asking for increase of pension for Mrs. George H. Torney; to the Committee on Invalid

Pensions.

Also, petition of Excelsior Stove & Manufacturing Co., of Quincy, Ill., protesting against House bill 1873; to the Committee on the Judiciary.

Also, petition of Francis Marion Council, No. 40, Daughters of Liberty, Brooklyn, N. Y., favoring House bill 6060; to the Com-

mittee on Immigration and Naturalization.

By Mr. DONOHOE: Memorial of the Philadelphia Board of Trade, favoring the passage of House bill 3883, relative to employment of additional people in the architect's office, Treasury Department; to the Committee on Appropriations.

By Mr. DYER: Petition of the Order of Railway Conductors, Brotherhood of Locomotive Firemen and Enginemen, and Brotherhood of Railroad Trainmen, protesting against the passage of a workman's compensation law; to the Committee on the Judi-

Also, petition of the Excelsior Stove & Manufacturing Co., of Quincy, Ill., protesting against the passage of the Bartlett bill (H. R. 1873); to the Committee on the Judiciary.

By Mr. EDMONDS: Petition of the Philadelphia Board of

Trade, protesting against the passage of the trust bill; to the Committee on the Judiciary

By Mr. FRENCH: Petitions of citizens of Moscow and Gene-see, Idaho, favoring House bill 9674; to the Committee on the District of Columbia.

Also, petition of citizens of Idaho, favoring the Lindquist pure-fabric bill; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLAGHER: Petitions of sundry citizens of Chicago, Ill., protesting against the passage of the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Felt & Tarrant Manufacturing Co., of Chicago, Ill., protesting against the passage of the Bacon-Bartlett bill (H. R. 1873 and S. 927); to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Petition of the Excelsion Stove & Manufacturing Co., of Quincy, Ill., protesting against the passage of the Bartlett bill (H. R. 1873); to the Committee on the Judiciary.

By Mr. HELVERING: Petition of clerks and messengers of the Quartermaster Corps at Fort Riley, Kans., favoring House bill 9596; to the Committee on Military Affairs.

By Mr. HUMPHREY of Washington: Petition of sundry citizens of Everett, Wash., protesting against the passage of the Sabbath observance bill (H. R. 9674); to the Committee on the District of Columbia.

Also, petition of the George Washington Branch of the American Continental League of Seattle, Wash., protesting against an appropriation for the "One hundred years of peace celebra-

tion"; to the Committee on Foreign Affairs.

By Mr. IGOE: Petition of the Workmen's Circle, of New York City, protesting against the passage of the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Southwestern Interstate Coal Operators' Association, of Kansas City, Mo., favoring the passage of House bill 3988, for building as a mine-rescue station; to the Committee on Mines and Mining.

By Mr. JOHNSON of Washington: Memorial of San Francisco (Cal.) Labor Council, advocating exclusion of Asiatics and restriction of immigration; to the Committee on Immigration

and Naturalization.

By Mr. KENNEDY of Rhode Island: Memorial of the Operative Mule Spinners' Association of Rhode Island, opposing Sherman antitrust bill; to the Committee on the Judiciary.

By Mr. KONOP: Petition of Theodore G. Lewis et al., of Apple-

ton, Wis., against House bill 9674, the Sabbath observance bill;

to the Committee on the District of Columbia.

By Mr. LEE of Pennsylvania: Memorial of the Workmen's Circle of New York, protesting against House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. LEVY: Petitions of William Iselin & Co., of New York City, and Utica Association of Credit Men, of Utica, N. Y., favoring the passage of the Ransdell-Humphreys bill relative to flood control; to the Committee on Rivers and Harbors.

Also, petition of the National League of Commission Merchants of the United States, favoring 1-cent letter postage; to

the Committee on the Post Office and Post Roads.

By Mr. LINDQUIST: Memorial of the Michigan State conference of B. M. and P. I. U., favoring an investigation of the strike in the copper regions of Michigan; to the Committee on

By Mr. LONERGAN: Petition of Musical Union of Baltimore. Md., favoring an investigation of strike conditions in Michigan; to the Committee on Rules.

Also, petition of the Connecticut Automobile Association of New Haven, Conn., protesting against Federal aid for building

roads; to the Committee on Roads.

Also, petition of the Workmen's Circle, No. 175 East Broadway, New York, N. Y., protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Bakers' Union of Hartford, Conn., favoring a congressional investigation of the strike situation in the copper regions of Michigan; to the Committee on Rules.

By Mr. MAHAN: Petition of the Workmen's Circle of New York City, protesting against the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. MAPES: Petition of citizens of Ottawa County, Mich., protesting against the Sabbath observance bill; to the Committee on the District of Columbia.

By Mr. MOON: Papers to accompany a bill authorizing the Secretary of War to convey a certain strip of land to the Tennessee Coffin & Casket Co.; to the Committee on the Public

Also, petition of citizens of Tennessee for a two-battleship program; to the Committee on Naval Affairs,

By Mr. MOORE: Memorial of the Philadelphia (Pa.) Board of Trade, favoring the passage of House joint resolution 171, providing for the appointment of a commission to consider the need of and to report a plan for the revision of the navigation laws of the United States; to the Committee on the Merchant Marine and Fisheries.

Also, petitions of Edwin H. Shubert Council, No. 5; Harry Clay Council, No. 99; and Champion Council, No. 8, Daughters of Liberty, of Philadelphia, Pa., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, letters from Messrs. E. A. Joerg, George Beauwart, William Yost, George Fischer, Frank Seib, John C. Oeters, and Robert Grossman, all of Philadelphia, Pa., protesting against House joint resolution 168, Senate joints resolutions 88 and 50, and other similar prohibition measures; to the Committee on the Judiciary.

Also, memorial of the Workmen's Circle, of New York, M. Zangwill Lodge, No. 196, and Abraham Keyston Lodge, No. 129, Independent Order B'rith Abraham, protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of the Philadelphia (Pa.) Board of Trade, protesting against the removal of assistant postmasters from the classified service; to the Committee on the Post Office and Post

Also, memorial of the Philadelphia (Pa.) Board of Trade, protesting against the passage of Senate bill 3631, which provides for the appointment of clerks to the United States courts by the President; to the Committee on the Judiciary.

By Mr. NEELEY of Kansas: Petition of the Horace (Kans.) Socialist Local, favoring an investigation of the trouble in the

copper region of Michigan; to the Committee on Rules.
Also, petitions of sundry citizens of the State of Kansas, protesting against the passage of House bill 9674, the Sabbathobservance bill; to the Committee on the District of Columbia.

Also, petition of citizens of Hutchinson, Kans., protesting

against the passage of House bill 9674, the Sabbath-observance bill; to the Committee on the District of Columbia.

By Mr. O'SHAUNESSY: Resolution of the Rhode Island General Assembly relative to the old post-office building at Providence, R. I.; to the Committee on Public Buildings and

Also, petition of the Louttit Home Hand Laundry Co., Providence, R. I., favoring the Lindquist pure-fabric bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Rhode Island Associates and the brewers, wholesalers, and retail liquor dealers of Rhode Island, opposing House joint resolution 168; to the Committee on the

Judiciary.

Also, petition of Branch No. 25, United National Association

of the United States, protesting against of Post Office Clerks of the United States, protesting against the elimination of assistant postmasters from the civil service;

to the Committee on the Post Office and Post Roads. Also, petition of the George H. Cahoone Co., of Providence, R. I., favoring House bill 10310; to the Committee on Patents.

Also, petition of the Ashaway Line & Twine Manufacturing

Co., of Ashaway, R. I., favoring the completion of the levee system on the Mississippi River; to the Committee on Rivers and Harbors

Also, petitions of the board of directors of Consumers' League of Rhode Island, and F. E. Ballou & Co., all of Providence, R. I., favoring House bill 29; to the Committee on Labor.

Also, petitions of the publishers of L'Eco del Rhode Island and of L'Alba, Providence, R. I.; Pride of Rhode Island Lodge, No. 510, Independent Order of B'rith Abraham; Workmen's Circle, New York City; and South Providence (R. I.) Lodge, Independent Order of B'rith Abraham, opposing the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. PATTEN of New York: Petition of the Workmen's Circle of New York City, protesting against the passage of the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. REILLY of Connecticut: Memorial of the Daughters of Liberty, of New Haven, Conn., and citizens of the United States, favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Greenwich Equal Franchise League, of Greenwich, Conn., favoring the passage of the Kenyon redlight bill; to the Committee on the District of Columbia.

By Mr. ROGERS: Petition of citizens of Maynard, Mass.,

favoring an investigation of the conditions in the copper region of Michigan; to the Committee on Rules.

By Mr. SCULLY: Petitions of sundry citizens of Red Bank, J., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Socialist Party of Perth Amboy, N. J., favoring investigation of strike conditions in Michigan; to the

By Mr. SELDOMRIDGE: Memorial of citizens of Silverton, Colo., favoring an investigation of the troubles in the mining districts of the United States; to the Committee on Rules.

Also, memorial of the Local Union No. 515, United Brotherhood of Carpenters and Joiners of America, Colorado Springs, Colo., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. SMITH of Idaho: Papers to accompany a bill (H. R. 12226) granting an increase of pension to Daniel Helphrey; to the Committee on Invalid Pensions.

By Mr. J. M. C. SMITH: Petition of Van Leycer & Hensler, Detroit, Mich., against the Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, petition of the Workmen's Circle of New York, against

the immigration bill; to the Committee on Immigration and Naturalization

Also, petition of Albert Thum and 8 other citizens of Michigan, favoring free press and free speech; to the Committee on the Judiciary.

Also. petition of the Order of Railroad Conductors, the Brotherhood of Locomotive Firemen and Enginemen, and the Brotherhood of Railroad Trainmen, against the workmen's compensation law; to the Committee on the Judiciary.

By Mr. SPARKMAN: Memorial of the Tampa (Fla.) Board

of Trade, relating to the most suitable parts of the national forest reservations of the Southern Appalachian Mountains as national parks; to the Committee on the Public Lands.

By Mr. STEVENS of Minnesota: Resolution of the Northwestern Lodge, No. 74, Independent Order of B'rith Abraham, of St. Paul, Minn., opposing the immigration bill; to the Committee on Immigration and Naturalization.

By Mr. TUTTLE: Petition of the legislative department of the New Jersey State Federation of Women's Clubs, favoring the Kenyon bill; to the Committee on the District of Columbia. Also, petition of the Plainfield (N. J.) Christian Endeavor Union, favoring the Kenyon red-light bill; to the Committee

on the District of Columbia.

Also, petition of Garwood (N. J.) Council, No. 309, Junior Order United American Mechanics, favoring immigration bill: to the Committee on Immigration and Naturalization.

Also, memorial of the Union County (N. J.) Central Labor Union, of the American Federation of Labor, favoring an investigation of strike conditions in Colorado and Michigan; to the Committee on Rules.

Also, petition of the Carpenters' Local Union of Plainfield, N. J., favoring an investigation of strike conditions in Colorado and Michigan; to the Committee on Rules.

By Mr. WALTERS: Petitions of organizations and citizens of Pennsylvania, favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petitions of the German-American Alliance of Johnstown, Pa., and Workmen's Circle of New York, protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

SENATE.

Tuesday, January 27, 1914.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D. The Journal of yesterday's proceedings was read and approved. ADDITIONAL DISTRICT JUDGE FOR EASTERN DISTRICT OF PENNSYL-VANIA.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 32) to provide for the appointment of an additional district judge in and for the eastern district of Pennsylvania, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. NORRIS. I should like to inquire of the Senator from North Carolina if this is the bill he had in charge?

Mr. OVERMAN. My attention was diverted for a moment. do not understand what bill it is.

The VICE PRESIDENT. It is the bill the Senator from North Carolina had in charge, providing for the appointment of an additional district judge for the eastern district of Penn-

Mr. OVERMAN. I wish to make a motion that the Senate insist on its amendments, agree to the conference asked for by the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

Mr. NORRIS. The motion I wanted to make I think would come before that motion.

Mr. OVERMAN. All right.
Mr. NORRIS. I wish to move to instruct the conferees, and

I offer the following.

Mr. OVERMAN. The conferees have not yet been appointed. Mr. OVERMAN. The conferees have not yet been appointed. Mr. NORRIS. I think the time to instruct the conferees is before they have been appointed.

Mr. OVERMAN. I rise to a question of order. A motion to instruct the conferees is not in order until after the conferees have been appointed.

The VICE PRESIDENT. It will be the ruling of the Chair that the conferees must first be appointed, if there is to be a motion made to instruct the conferees.

Mr. NORRIS. Of course I have no objection to that course, if that is to be the order, although it has always seemed to me as a parliamentary proposition that the conferees ought to be instructed before they are appointed. Otherwise it might show a lack of confidence in the conferees.

Mr. OVERMAN. There is no one to instruct until they have

been appointed.

Mr. NORRIS. There would have to be conferees appointed before it went any further. The resolution I propose agrees to a conference. I think that is sufficient to meet that proposition.

Mr. OVERMAN. My motion is that the Senate insist on its amendments and agree to the request of the House that there be a conference appointed. After that is acted on, then the Senator can present his motion.

The VICE PRESIDENT. It may be considered as an amendment to the motion of the Senator from North Carolina. The resolution submitted by the Senator from Nebraska will

The Secretary read as follows:

Resolved, That the Senate agree to the conference asked by the House of Representatives on the disagreeing votes of the two Houses on the bill H. R. 32, and that the conferees on the part of the Senate be instructed in lieu of Senate amendment No. 1 to said bill to agree to an amendment to said bill, as follows:

"Provided, That hereafter in making an appointment to fill a vacarey in a judicial office the President shall make public all indorsements made in behalf of any person for such office, filed either with him or in the Department of Justice, and he shall likewise make public the names of all persons making oral indorsements in behalf of any person for such office."

Mr. OVERMAN. Before that question is considered, we ought to have a quorum present. I suggest the absence of a quorum.
The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst Bankhead Hollis Stephenson Sterling Sutherland Swanson Jones Poindexter Bristow Kenyon Kern Pomerene Reed Robinson Bryan Chamberlain Chilton Clark, Wyo. Lane Lane
Lodge
McLean
Martin, Va.
Martine, N. J.
Newlands
Norris
Oliver
Overman Saulsbury Shafroth Sheppard Sherman Simmons Thomas Townsend Vardaman Walsh Colt Cummins Dillingham Warren Works Fall Gallinger Goff Smith, Ga. Smith, Md. Smith, Mich. Smith, S. C. Overman Gronna Page

The VICE PRESIDENT. Fifty-three Senators have answered

to the roll call. There is a quorum present.

Mr. OVERMAN. Mr. President, I rise to a question of order. In order that the Senate may understand what the proposition is I will state that this is a bill for the appointment of an additional district judge for the eastern district of Pennsylvania. The House put on it the following provision:

Provided, however, That the President shall make public all indorsements made in behalf of the person appointed as such district judge.

The bill came from the House to the Senate. The Senate took action on this proviso and struck it out. The bill went to the House of Representatives from the Senate and the House refused to agree to the Senate amendment. Now, the question at issue between the House and the Senate is this proviso:

Provided, however, That the President shall make public all indorsements made in behalf of the person appointed as such district judge.

That indicates the action of the Senate. The Senate has already acted upon that question and has stricken out those words. The House has refused to agree to it. So the question at issue between the House and the Senate is whether those words shall remain in the bill.

Now, here comes another proposition, which has already been passed upon by the Senate. The Senate has defeated the very thing the Senator from Nebraska is now asking to have inserted. Therefore I think his proposition is not in order.

Mr. NORRIS. Mr. President, I should like to be heard just a oment. The bill, as the Senator from North Carolina has cormoment. rectly stated, passed the House providing for an additional judge for the eastern district of Pennsylvania. The bill as it passed the House and as it came to the Senate contained this language:

Provided, however, That the President shall make public all indorsements made in behalf of the person appointed as such district judge.

When the bill came to the Senate an amendment in the Senate struck out that proviso, and it went back to the House. The House disagreed to the amendment and appointed conferees, and the bill is back here in the Senate now in order to get the action of the Senate to send the bill to conference. Thus far the Senator from North Carolina has stated the parliamentary situation correctly. If my resolution, which seeks to instruct the

conferees, proposed to put back the same proviso that the Senate struck out, then I admit it would be subject to a point of order; but let us see what the resolution proposes to do. The resolution which I have offered reads as follows:

Resolved, That the Senate agree to the conference asked by the House of Representatives on the disagreeing votes of the two Houses on the bill H. R. 32, and that the conferees on the part of the Senate be instructed in lieu of Senate amendment No. 1 to said bill to agree to an amendment to said bill as follows:

"Provided, That hereafter, in making an appointment to fill a vacancy in a judicial office, the President shall make public all Indorsements made in behalf of any person for such office, filed either with him or in the Department of Justice, and he shall likewise make public the names of all persons making oral indorsements in behalf of any person for such office."

The provision in the bill as it came from the House applied to one particular office, to one district judge and to none other. The amenament, by the instruction I am seeking to give, makes it a general law and applies to the appointment of all judicial appointments which may be made. Consequently, Mr. President, it is a vastly different proposition. It is a good deal broader than the language of the House bill; and if it becomes a law, it will apply to the appointment of every judicial position that it may be necessary to fill in the future.

I should like to ask the Senator if this is not Mr. REED. merely an attempt to amend the bill in the Senate after it has gone to conference-to add a new amendment and take the matter up all over again? If that can be done, why might

we not continue it indefinitely?

Mr. NORRIS. No; I think not. It would be perfectly proper when the conferees meet, if no instructions were issued to them, to report back to the Houses a provision in lieu of the amendment made by the Senate striking out the proviso that the conferees agree to an amendment incorporating the very language I have included in my resolution.

Mr. OVERMAN. Mr. President, that is not the question in disagreement. The question in disagreement is the action of the Senate as to one proposition. Now, the Senator asks us to instruct the conferees to do an entirely different thing from the action of the Senate and to put into the bill a new propo-

Mr. NORRIS. It goes further, and it is perfectly proper to go further.

Mr. BACON rose.

Mr. NORRIS. Does the Senator from Georgia desire to interrupt me?

Mr. BACON. I do not want to interrupt the Senator unduly, but I wish to direct his attention to what is the well-established rule as to the power of a conference committee; that is, that the conferees are limited to the questions which are in difference between the two Houses. They can neither enlarge it nor can they diminish it.

Mr. NORRIS. As a general proposition, that is perfectly

Mr. BACON. If the Senator will pardon me just a moment, the question between the two Houses is whether or not in the appointment of this particular judge, if the law shall authorize it, the President shall make public the indorsements which shall be offered in support of any candidate that is presented to him or the candidate that he shall nominate. The House voted that it should be so in this particular case; the Senate voted that it should not be so in this particular case; and the question in difference between the two Houses is necessarily limited to those narrow limitations.

The very statement of the Senator that it is proposed to engraft a general law as the report of the conference committee is the best answer to his suggestion. If the conference committee were to do it without any instructions, it would be illegal and would be so recognized by the Senate and by the House, and, of course, if it would be illegal for the conference committee to do it on their own motion, it is equally incompetent for the Senate to give an instruction which would be illegal.

We can not now amend the bill in the Senate. It has passed

from us; it has received our action; and the only question between the two Houses is as to those matters in reference to which they have differed, and the scope of power of the conference committee does not extend to that which, as the Senator from Missouri properly said, would, in practical effect, be an amendment now made by the Senate after it has lost jurisdic-

tion of the subject.

Mr. NORRIS. Mr. President, if the Senator has concluded, I wish to say that in the main I think he stated the parliamentary proposition correctly when he said that, in the other House, the House said that the President in making the ap-pointment provided for in the bill should give publicity to recommendations. The Senate struck that out by its amendment. It does not follow because the Senate struck that out that the Senate would not be in favor of making public recommendations for all judicial offices. In fact, this very bill, in another amendment of the Senate, which is section 3, provides for the appointment of an additional circuit judge for the fourth circuit who shall receive the same salary, and so forth, and yet, if the House bill were passed without amendment, publicity of recommendations would apply to one of those judges and not to the other provided for in the same bill. It is perfectly proper for the Senate to say, "We want the publicity to apply to both judges"—that is one step—and then to go a step further and say, "We want publicity to apply to recommendations for all judicial officers," and that would include both of those provided for in this bill.

Mr. President, this happened once before in a preceding Congress when the other House put such a provision providing for publicity of recommendation into a bill for the appointment of a judge. I happened to be a Member of the House at that time and supported that proposition. I believe that publicity, as a rule, is the best cure for the evils of government and that there is no reason why the President should not give publicity to the recommendations of all judicial officers. I believe it would come as a great relief to the President if he had a spe-I believe it cific statute giving him this direction. The last Democratic national convention, speaking of the action of the House of Representatives in putting this kind of a provision in a bill as to one particular judge, approved of that action and used this language:

We commend the Democratic House of Representatives for extending the doctrine of publicity to recommendations, verbal and written, upon which presidential appointments are made.

I am not reading this in any sense as a criticism; I believe in it. I was in the other House when it was done. Neither was it a partisan matter; but I heard during that campaign, Mr. President, several speeches, and I read several editorials in newspapers commending the Democratic House for putting this kind of a provision into a bill and condemning the Republican Senate for taking it out. It is not true that it was a partisan measure in the other House, for some Democrats there voted against it and some voted for it, and some Republicans voted for it and some voted against it. I presume the same division took place in the Senate, but, as a matter of fact, the House was Democratic and the Senate was Republican when that thing

I want to read a little further from a lecture delivered by Mr. Bryan, entitled "Signs of the times," in which he goes on to show the improvement that is being made in legislation, and he cites this very act of the House of Representatives as one improvement. This was not a partisan political speech, and he referred to the matter in very nice language, without making reference to any political party. I shall read this also, indorsing every word of what he says. He is speaking of several things. In order that we may get the connection I shall have to read his comments on several other subjects. Mr. Bryan

The purification of politics has kept pace with the reforms already mentioned. A few years ago a great Senator declared that purity in politics was an iridescent dream. That was back in the days when Wall Street nominated both candidates, financed both campaigns, took a mortgage on both administrations, and then said, "They are both good men; no matter which wins the people lose." But when the voters learned where the money came from and why it was given they demanded a remedy, and a law was passed making it a criminal offense for any corporation to contribute to a national campaign fund. This was a great step in advance, but it was not enough. Then came the demand for publicity as to individual contributions, and we secured, first, a law requiring publicity after the election and, later, a law requiring publicity before the election. But even this was not all that was needed, and the House of Representatives has gone three steps further in the matter of publicity. The first asked the President to make public the recommendations, written and verbal, upon which he appoints United States judges.

Then he proceeds to give the others-

Mr. CLARK of Wyoming. The Senator from Nebraska is quoting from Mr. Bryan. I would ask the Senator if Mr. Bryan correctly states what the action of the House of Representatives

Mr. NORRIS. Well, I think probably he states it a little broader, if we are going to be technical about it, than as it actually occurred, because, as I understand the action of the House of Representatives and as I remember it, it applied only to the one particular judge provided for in the bill, the same as this does.

Mr. CLARK of Wyoming. Exactly so.

Mr. NORRIS. Yes: but what I want to do—
Mr. CLARK of Wyoming. Then, when the Senator from Nebraska is quoting Mr. Bryan, he is quoting a statement of Mr.
Bryan which does not accurately set forth the situation either

in this bill or the situation as it then was in the House of Representatives

Mr. NORRIS. Well, I presume, if the Senator from Wyoming wanted to be technical, that that would be true. Mr. Bryan is making a general statement; he speaks of it as though it

were general, when, as a matter of fact, it was only specific.

Mr. CLARK of Wyoming. I supposed the Senator from Nebraska was speaking of Mr. Bryan's statement with reference to the particular matter that is before the Senate at this time.

Mr. NORRIS. The particular matter that I have introduced in the shaping of this resolution would exactly carry out the statement of Mr. Bryan. It proposes to make general the law of publicity, instead of having it apply to a specific case.

Mr. CLARK of Wyoming. It would undoubtedly carry out Mr. Bryan's views, but would not fortify the accuracy of his

statement at all.

Mr. NORRIS. While I think technically Mr. Bryan's statement is too broad, it probably comes as near stating the situation accurately as do similar statements frequently made in public addresses. At least, the House took that step. lieved then it was right. The only objection I had to it then was that it was not general. In the House of Representatives, where the parliamentary situation is different from what it is in the Senate, an amendment such as I have suggested would not have been in order on that bill, or otherwise it would probably have come over to the Senate in general terms. If it is properand it seems to me that, at least, the Democratic Members of the Senate can not consistently contend otherwise, because they have the provision in their platform which I have quoted and an indorsement of their great leader—if it is right that such recommendations should be made public in specific cases, then certainly it ought to apply to cases in general. Por I believe firmly in the doctrine; I believe it was right.

Mr. CLARK of Wyoming. Mr. President-

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Wyoming?

Mr. NORRIS. I yield; yes. Mr. CLARK of Wyoming. If the Senator will permit me, without reference to the proposition as to whether or not this policy ought to be pursued, I apprehend, under the point of order raised by the Senator from North Carolina [Mr. Over-MAN], the question is whether it can be put into law at this time and in this manner. In connection with it and in regard to the parliamentary situation, I should like to ask the Sena-tor's views on such a case as this: Suppose an appropriation were made by the House of Representatives of \$100 for a specific object; suppose that the Senate should strike out that appropriation of \$100 when it came here and should insert "\$50" in lieu thereof, and that a conference was held between the two Houses, would it be proper for the Senate to instruct its

conferees to agree to an appropriation of \$150?

Mr. NORRIS. No; I do not think it would.

Mr. CLARK of Wyoming. Mr. President—
Mr. NORRIS. Let me answer that more fully first. I will submit again to further interruption. Let me put to the Senator an illustration which I believe would be more appropriate. I do not believe that the one he has suggested applies. House bill provided for the payment of a hundred dollars to John Doe, that the Senate struck it out, and that the bill came back again, the House refusing to agree to the Senate amendment; it would be perfectly proper for the Senate to in-struct its conferees to agree that that hundred dollars should be paid to John Doe and Richard Roe. It is not a question of

the amount of money, with the House on one side and the Senate on the other, of a maximum and a minimum amount.

Mr. CLARK of Wyoming. No; but it is a question, in my judgment, Mr. President, if the Senator will bear with me, as to the substance of the proposition. The House proposes to lay to the substance of the proposition. The House proposes to lay upon the President the duty and obligation of furnishing with the nomination of an applicant for a particular individual office certain papers. The Senate says he shall not be required to furnish those certain papers in that particular case, as stated by the Senator from Georgia [Mr. Bacon] very clearly. In view of that disagreement, it is proposed that the Senate shall instruct the conference part only to have the President furnish the instruct its conferees not only to have the President furnish the papers in that particular case, but in ninety-odd other cases of like kind. It seems to me the Senator can not escape the fact that his resolution is out of order.

Mr. OVERMAN. Will the Senator from Wyoming yield to me a moment?

Mr. CLARK of Wyoming. Certainly.

Mr. NORRIS. Just as soon as I have replied to the Senator from Wyoming I will yield to the Senator from North Carolina. I want to say, in reply to the last suggestion of the Senator from Wyoming, that the Senate might reject the amendment providing for publicity in a specific case for the sole and only reason that it wanted publicity in all cases. That would be a good reason

Mr. CLARK of Wyoming. Yes; but then the time for the Senate to act upon that reason would be when the bill was before the Senate, and not after it had gone to conference.

Mr. NORRIS. It would be perfectly proper to act then—there is no doubt about that—but there is no reason why it should not act whenever it has the papers officially before it, as it now has

Mr. OVERMAN. Mr. President, I should like to read to the Senator an extract from the "Manual of the law and practice in regard to conferences and conference reports," found on page 440 of the Senate Manual.

Mr. NORRIS. Very well.

Mr. OVERMAN. The extract is as follows:

It is not the practice to instruct conferees before they have met and

We have had no conference, and consequently the conferees have not disagreed.

Mr. NORRIS. Now, let me read to the Senator something.
Mr. OVERMAN. I will read again.
Mr. NORRIS. Very well.
Mr. OVERMAN. It is further stated:

It is not in order to give such instructions to conferees as would require changes in the text to which both Houses have agreed.

Mr. NORRIS. Now, Mr. President, let me read from the precedents of the Senate, and I may remark, as I had occasion to do several days ago, you can prove anything you want to prove by the precedents of the Senate.

Mr. REED. May I inquire of the Senator if that is why he

is citing the precedents now as authority—because they can prove anything on any subject?

Mr. NORRIS. No; I am citing the precedents now to show that there is a precedent contrary to the contrary to the contrary. that there is a precedent contrary to the one to which the Senator from North Carolina [Mr. Overman] has called attention. I read from Gilfry's Precedents, page 223:

The committee of conference on H. R. 207, "to provide for the exemption of cotton from internal tax," being unable to agree, Mr. Sherman submitted the following resolution for consideration.

In that case the conferees had been appointed; they were unable to agree; and they so reported. That meant, if there was any further conference, there must be a new set of conferees appointed. A further conference was asked by the House, when Mr. Sherman submitted this resolution:

"Resolved, That the Senate agree to the further conference asked by the House of Representatives on the disagreeing votes of the two Houses on the bill H. R. 207, and that the conferees on the part of the Senate be instructed to recede from the amendments of the Senate to the said bill, except so much of said amendmens as relates to imported cotton."

An amendment to this resolution was proposed by Mr. Morton and rejected. The resolution was then agreed to—yeas 25, nays 18.

Showing not only that the conferees were instructed before they were appointed, but even that the motion to instruct the conferees before they were appointed could be amended.

Mr. CLARK of Wyoming. But had there not been a dis-

agreement of the conferees?

Mr. NORRIS. There had been; but those conferees were out of office. The Senator will not contend, when conferees are appointed and report a disagreement, and then the House asks for a further conference, that the same conferees by virtue of their first appointment are entitled to serve?

Mr. CLARK of Wyoming. Not at all; but— Mr. NORRIS. They may be the same men, but they will have to be reappointed.

Mr. CLARK of Wyoming. But the same subject has been

in conference and goes to conference again.

Mr. NORRIS. I say it is the same as if there had not been any conference. I want to say further, in answer to the Senator from North Carolina—and perhaps add to what I have already said, which has excited the interest of the Senator from Missouri—that in the tariff bill which was enacted during this Congress the conferees reported an amendment which had not been considered by either House, but it was held in order in the Senate when the point of order was made. Not only that, but where there was a conference report on several items fixing the tariff, clear out of the range of the disagreement between the House and the Senate, that was held in order here in the Senate when the point of order was made. So, as I said a while ago, it is perfectly easy to show by the precedents of the Senate that you can do almost anything. I am not trying here to do anything like that. I am not even going that far; I am only going, in my judgment, to that extent which is properly within the limit of the work of conferees and within the power of either body to give instructions.

Mr. REED. Mr. President—
The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Missouri?

Mr. NORRIS. I yield. Mr. REED. The Senator from Nebraska is a great stickler for publicity, for doing everything in the open, where every-body can know what is being done. If there is anything that harrows up his soul, it is something in the nature of a star-chamber proceeding, of a conference or agreement behind closed doors. I make these observations because I want to direct the Senator's attention to something.

Here is a bill brought before the House of Representatives and discussed which relates to one subject matter, to one thing only. It comes to the Senate, and is in like manner publicly discussed. Now, the Senator wants to add to that proposition an entirely different one that has not been discussed and has not come before the two Houses of the Congress for deliberation; he wants five or six men to get together in a room behind locked doors, with the press excluded, and have them in that room do a lot of independent legislation, which nobody has had any chance to discuss, and for those men to bring it in here as a conference agreement and put it through Congress without any opportunity for that character of discussion which is essential to all legislation. Now, I ask the Senator how he can stand with one foot upon the proposition that everything is to be publicly discussed here in this body and that all caucuses are an abomination to the Lord and a menace to human liberty and with the other planted upon the proposition that a conference composed of five or six men can get together and enact entirely new legislation?

Mr. NORRIS. Mr. President, I am very glad the Senator has made the observation he has. I wish to say, in the first place, that to most of the charge he has made against me I wish to plead guilty. I do believe in publicity. If I did not, I should not be offering this resolution. I do not believe, however, that it is a proper objection to the proposition I have introduced here to say that the conferees, after they are appointed, will meet in secret. I should like to go with the Senator from Missouri and adopt, by resolution here, a rule that would make the meeting of the conferees public. As I understand, there is no rule now that requires it to be secret. The Senator has it more within his power than I have it within mine to make the meeting of the conferees on this very bill a public meeting, where the newspaper correspondents, as he says, can come in, and others can listen to the discussion and the debate.

That, however, does not meet the proposition. I say we ought to have publicity of recommendations when the President of the United States makes an appointment. To answer that, the Senator from Missouri says, "Why, we have secrecy in conferees' meetings." In other words, if his theory be true, we never would get publicity along the lines I suggested here unless we took with it at the same time publicity in conference.

Mr. REED. Mr. President— Mr. NORRIS. I am not quite through answering the Senator. I wish to say, further, that the particular proposition I now have before the Senate, which the Senator says is one that we will not have an opportunity to discuss, and so on, is one that had attracted sufficient attention in the country to draw the attention of the framers of the last Democratic national platform; and at Baltimore they promulgated to the country the provision I have already read, commending the House in taking the step which I now want to take and make general, so as to apply to all.

As I said before, I am not mentioning that by way of criticism, because I believed it was right then. In my weak way I helped to do what was done in the House of Representatives. It seems to me, however, that it comes with poor grace from a man who has campaigned on that platform, who has been all over the country and indorsed it, to say now that we shall not have publicity of recommendations for judicial offices because, for sooth, the rules and regulations of the Senate and the House in the past have permitted conferees to meet in secret and consider behind closed doors what has been submitted to them.

Mr. LODGE rose.

Mr. REED. Mr. President, will the Senator from Nebraska and the Senator from Massachusetts permit me to make one observation, so that the remarks of the Senator from Nebraska may not go to the country without a proper correction? I have not said on the floor of the Senate that I am opposed to any degree of publicity, but I have expressed my astonishment that a champion of publicity should want to have legislation enacted for the first time by conferees behind closed doors instead of bringing his bill in here to Congress in the open and letting it be fought out in the open.

Mr. NORRIS. It seems to me a sufficient answer to that is that if this were a proposition that never had been heard of before, there would be something in the argument made by the Senator from Missouri. As I said before, however, it attracted the entire country sufficiently, so that one of the great parties of the country made this particular provision part of its platform and censured the other party on account of it, and commended the House of Representatives for taking this step.

It is not a new thing. I do not know whether or not other Senators have heard it to the same degree that I have; but, as I said a while ago, I presume a hundred times during the last campaign I heard it discussed by speakers and by editors. I wish to go further and to say that in one case I know of a Democrat running for the Senate who read, in a stump speech, the particular clause I have read, saying:

That is what the Democratic House of Representatives did. If you will give us a Democratic Senate, we will make it a law and put it through there as well as through the House.

Mr. JONES. Mr. President-

Mr. NORRIS. It does not come with very good grace, it seems to me, that even though Senators may be in favor of it, they should resort to parliamentary technicalities to prevent the carrying out of their very platform.

Mr. JONES. Mr. President-

Mr. NORRIS. I yield first to the Senator from Massachusetts, who first rose.

Mr. LODGE. I do not desire to interrupt the Senator.

will take the floor when he has concluded.

Mr. JONES. I wish to suggest, in connection with the suggestions of the Senator from Missouri, that as I understand the proposition of the Senstor from Nebraska, it is not to refer this matter where it can be considered in secret, but it is an instruction from the floor of the Senate to the conferees to adopt a certain proposition,

Mr. NORRIS.

Mr. JONES. So that it will not be considered secretly at all, but will be considered here on the floor of the Senate.

Mr. NORRIS. I think the Senator is correct. It is debatable now, as I understand, and subject to amendment. If I have brought anything in here that is too broad, or not broad enough, it can be amended now.

Mr. LODGE. Mr. President, I believe the question before us is a point of order. As I understand-and the Chair will correct me if I am mistaken-a bill came over here establishing a new judicial district and providing that the President, in making an appointment to that district, should lay before the Senate, or before Congress, all the recommendations of candidates for the appointment. The Senate struck out that proviso in the bill which applied to a single judge. I understand it is now proposed to instruct the conferees to put into this bill a provision requiring the President to submit to Congress the recommendations in all judicial districts.

That question has not been passed upon by either House. Neither House has the power to give to a conference committee a power which it does not possess itself. We have no power to instruct a conference committee of the two Houses to take up a subject which, in connection with the bill in conference,

has never been before either House.

It does not seem to me possible that any such instructions can be in order for a conference committee. As to the merits of the publicity of conferences, that is something that has nothing whatever to do with the question of the powers of the Houses in instructing a conference committee.

Mr. SMOOT. Mr. President, I have not any doubt but that the position taken by the senior Senator from Georgia is absolutely correct, and he stated the case as I understand the rules

I wish, however, to call attention to section 45 of Jefferson's Manual, touching this very question.

On page 137 of the manual we find this:

Either House may recede from its amendment and agree to the bill, or recede from its disagreement to the amendment and agree to the same absolutely or with an amendment, for here the disagreement and receding destroy one another, and the subject stands as before the disagreement.

But the House can not recede from or insist on its own amend-ment with an amendment, for the same reason that it can not send to the other House an ..mendment to its own act after it has passed the act.

Mr. NORRIS. Mr. President, will the Senator yield to me?
Mr. SMOOT. Certainly.
Mr. NORRIS. If that point were made in the House of Representatives where some many training in the House of Representatives where some many training in the House of Representatives where some many training in the House of Representatives where some many training in the House of Representatives where some many training in the House of Representatives where some many training in the House of Representatives where the House of Representative where the House of Represe resentatives where some man was trying to put in what the Senate had stricken out it would be good, but it does not apply here.

Mr. SMOOT. No; it applies here, for the reason that the Senate itself struck out the provision of the House bill. Therefore it can not now amend an amendment that it has already stricken out of the bill on a previous occasion.

Mr. NORRIS. But the point the Senator raises is that it could not amend that amendment. It does not try to do it. It puts something in the place of it—in lieu of the amendment.

The VICE PRESIDENT. This is not a question as to what the Members of the Senate may or may not desire to do.

is a question as to the power of the Senate.

The House of Representatives originally passed an act providing for the appointment of an additional district judge in and for the eastern district of Pennsylvania, and provided in said act that the President should make public all indorsements made in behalf of the person appointed as such district judge. The bill came to the Senate and was open to amendment. It might have been amended, under the rules of the Senate, by requiring the President of the United States to make public all indorsements for all judges. There is nothing in the rules of the Senate that would have prevented the very amendment which is proposed to-day by the Senator from Nebraska from having been introduced at that time and passed upon and adopted by the Senate if the Senate had so desired.

The Senate, however, struck out the proviso with reference to making public the indorsements of this particular judge. The House refused to concur in the amendment of the Senate and requested a conference upon the subject. from Nebraska [Mr. Norris] now proposes to amend the bill further by instructing the conferees to insist upon his par-

ticular amendment.

The Chair is of the opinion that the point of order of the Senator from North Carolina [Mr. Overman] is well taken; that the only way in which the amendment proposed by the Senator from Nebraska could have become germane to the bill would have been at the time it was being considered by the Senate, or prior to the refusal of the House of Representatives to concur therein by a motion to ask the House to return the bill to the Senate for further amendment.

The Chair sustains the point of order made by the Senator

from North Carolina.

The question now is on agreeing to the conference asked for

by the House of Representatives.

The motion was agreed to; and the Vice President appointed Mr. OVERMAN, Mr. CHILTON, and Mr. CLARK of Wyoming conferees on the part of the Senate.

EAST WASHINGTON HEIGHTS TRACTION CO. (H. DOC. NO. 664).

The VICE PRESIDENT laid before the Senate the annual report of the East Washington Heights Traction Railroad Co. for the year ended December 31, 1913, which was referred to the Committee on the District of Columbia and ordered to be printed.

LAWS OF THE PHILIPPINES (H. DOC. NO. 656).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and ordered to be printed and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico:

To the Senate and House of Representatives:

As required by section 86 of the act of Congress approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," I transmit herewith a set of the laws enacted by the Third Philippine Legislature during its first session, from October 16, 1912, to February 3, 1913, inclusive, and its special session, from February 6, 1913, to February 11, 1913, inclusive, and also certain laws enacted by the Philippine Commission.

These laws are supplemental to those transmitted by message of October 7, 1913 (S. Doc. 205, 63d Cong., 1st sess.), and contain additional acts and resolutions. None of them has been printed. as explained in footnote to the congressional document

above cited.

WOODROW WILSON.

THE WHITE HOUSE, January 26, 1914.

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 832) granting pensions and increase of pensions to certain soldiers and saflors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. BRYAN. I move that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. BRYAN, and Mr. McCumber conferees on the

part of the Senate.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 833) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. BRYAN. I move that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. BRYAN, and Mr. McCumber conferees on the

part of the Senate.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 834) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. BRYAN. I move that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. Shively, Mr. Bryan, and Mr. McCumber conferees on the part of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 9842) to require the recital of the real consideration in deeds of property in the District of Columbia, in which it requested the concurrence of the Senate.

ENBOLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 234) to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nulsances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented memorials of Edmund Burke Branch, American Continental League, of Philadelphia, Pa.; of Samuel Adams Branch, American Continental League, of Philadelphia, Pa.; of General Nathanael Greene Branch, American Continental League, of Philadelphia, Pa.; of General Sullivan Branch, American Continental League, of Philadelphia, Pa.; of Benjamin Harrison Branch, American Continental League, of Philadelphia, Pa.; and of Local Division No. 22, Ancient Order of Hibernians, of Kings County, N. Y., remonstrating against an appropriation being made for the celebra-tion of the so-called "One hundred years of peace among Eng-lish-speaking peoples," which were referred to the Committee on Foreign Relations.

Mr. MARTINE of New Jersey presented resolutions adopted by the Board of Education of Hoboken, N. J., favoring the enactment of legislation to increase the compensation of letter carriers and also to provide a pension for them after long service, which were referred to the Committee on Post Offices

and Post Roads.

Mr. OLIVER presented memorials of Valley Forge Branch, American Continental League, of Philadelphia; of Samuel Adams Branch, American Continental League, of Philadelphia; of General Nathanael Greene Branch, American Continental League, of Philadelphia; of General Daniel Morgan Branch, League, of Philadelphia; of General Daniel Morgan Branch, American Continental League, of Philadelphia; of Robert Morris Branch, American Continental League, of Philadelphia; of Bunker Hill Branch, American Continental League, of Philadelphia; of Edmund Burke Branch, American Continental League, of Philadelphia; of Henry Clay Branch, American Continental League, of Philadelphia; of General Sullivan Branch, American Continental League, of Philadelphia; of Fot Washington Branch, American Continental League, of Philadelphia; of Fot Washington Branch, American Continental League, of Philadelphia; of Commodore Barry Branch, American Continental League, of Philadelphia; of Commodore Barry Branch, American Continental League, of Philadelphia; of Charles Carroli Branch, American Continental League, of Philadelphia; and of the William Orr Club, of Philadelphia, all in the State of Pennsylvania, remonstrating against any appropriation being made for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which were referred to the Committee on Foreign Relations.

Mr. GRONNA. I present sundry petitions which have been sent to me by Margaret Dye Ellis, the superintendent of the National Woman's Christian Temperance Union of this city. The petitions are from citizens of the towns of Petersburg, Wrangell, Haines, Seward, Cordova, Douglas, and Treadwell, all in the Territory of Alaska. The petitions bear the signatures of 267 persons of that Territory asking for prohibition and for the regulation of the liquor traffic in that Territory.

I do not ask to have the names printed, but as the petitions are very brief, each containing less than a dozen and a half lines, I ask that one of them may be printed in the Record and that

they be referred to the Committee on Territories.

There being no objection, the petitions were referred to the Committee on Territories and the body of one of them ordered to be printed in the RECORD, as follows:

To the Senate of the United States of America, greeting:

We, the undersigned, voting citizens of Alaska, petition your honorable body to prohibit the sale of intoxicants in Alaska, and the traffic in the same in Alaska, for these reasons:

1. It is against the policy of the United States Government to permit the sale of intoxicants to the native races. These Indian and Eskimo tribes form a large proportion of Alaska's population. Unscrupulous men are violating the law and selling intoxicating liquors to Indians and Eskimos. Moreover, there is a large number of mixed bloods. It is a matter of notoriety that liquors are dispensed to these mixed bloods, and that through them as intermediaries a traffic is kept up with the natives.

is a matter of notoriety that liquors are dispensed to these mixed bloods, and that through them as intermediaries a traffic is kept up with the natives.

2. Alaska has but four judicial divisions for her vast territory; she has only a handful of commissioners and peace officers. Liquor drinking causes crime and lawlessness. We are without adequate protection against such lawlessness. The cost of travel is great, and, with places of holding court remote from each other, violation of law caused by drink imposes a heavy burden of taxation upon the Government.

3. The proportion of white men and white women is approximately 4 to 1. The home is recognized as a check to the saloon. But if three out of every four men have no home ties, there is little to counteract the demoralizing inflaence of saloons. Drink is debauching our young men. Social vice goes hand in hand with drunkenness. These things are ruining our manhood. It is wrecking the homes of Alaska.

Therefore, we ask that your honorable body will prohibit the sale and the traffic in intoxicants in the Territory of Alaska.

Mr. WORKS. I have received a telegram from the Associated Chambers of Commerce of the Pacific Coast, bearing upon legislation affecting the Territory of Alaska. I ask that the telegram may be printed in the RECORD and referred to the Committee on Territories.

There being no objection, the telegram was referred to the Committee on Territories and ordered to be printed in the RECORD, as follows:

[Telegram.]

SAN FRANCISCO, CAL., January 24, 1914.

Hon. John D. Works, United States Senate, Washington, D. C.:

United States Senate, Washington, D. C.:

The Associated Chambers of Commerce of the Pacific Coast, representing every substantial business and commercial interest thereon, views with gratification the relief which Congress is about to give the Territory of Alaska in the shape of legislation permitting of the development of its resources, a development which is vital and of tremendous importance to the commercial welfare of the entire Pacific coast. This organization urges you to exert your utmost influence to unlock the vast wealth of that Territory by the support of a program which will insure transportation facilities, and without which no material development can take place. We believe that this is a moral obligation fairly resting upon the Government in view of its previous attitude to that Territory.

Mr. WODENS. I present resolutions adopted by the Pacard of

Mr. WORKS. I present resolutions adopted by the Board of Trade of Pasadena, Cal., relating to trust legislation. I ask that the resolutions may be printed in the Record and referred to the Committee on the Judiciary.

There being no objection, the resolutions were referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

PASADENA BOARD OF TRADE, 43 West Colorado Street, Pasadena, Cal.

Whereas it is essential to the national prosperity of this country that the energies and resources of the people be conserved; and Whereas reasonable confidence in the security of capital and the opportunity for labor to enjoy profitable and permanent employment is necessary to prosperity; and Whereas it is evident that notwithstanding the fact that our national and natural resources are adequate to insure prosperity that there is increasing apprehension on the part of the people for the welfare of both capital and labor: Therefore be it

both capital and labor: Therefore be it

Resolved, That the Board of Trade of the city of Pasadena, Cal., having a membership of 1,000 enlisted from the ranks of successful business and professional men, now residents of this city but formerly from every State in the Union, sincerely and earnestly urge you, their representative in Congress, to use every effort and influence to the end that the present disturbed condition of all branches of business in the country be relieved; and be if further

Resolved, That it is our conviction that business confidence may be largely restored if Congress will adopt legislation that will make clear the intent of the Sherman antitrust act and specifically define the way business may not go and at the same time declare a cooperative and constructive policy toward business; and be it further

Resolved, That in our opinion the scope of the Interstate Commerce Commission should be broadened so as to give the commission power to pass upon the issuance of securities of utilities that are under its jurisdiction; and be it further

Resolved, That a copy of these resolutions, duly signed by the president and secretary of this board of trade, be forwarded to the President of the United States, to the Hon. John D. Works, Senator from the State of California, and to the Hon. C. W. Bell, Representative from this congressional district.

It is respectfully submitted.

WILLIAM F. KNIGHT, President. E. R. Sorver, Secretary.

Mr. STEPHENSON presented a petition of Casberg Camp, Mr. STEPHENSON presented a petition of Casherg Camp, No. 11, Department of Wisconsin, United Spanish War Veterans, of La Crosse, Wis., praying for the enactment of legislation granting pensions to the widows and orphans of soldiers of the Spanish War, which was referred to the Committee on Pen-

He also presented a petition of sundry members of the Guardians of Liberty, of Conrath, Wis., praying for the enactment of legislation providing an educational test for immigrants to this country, which was referred to the Committee on

Immigration.

He also presented memorials of Baron Hirsch Lodge, No. 159, Independent Order of B'rith Abraham, of Milwaukee; of Abraham Castle, No. 11, Knights of Luther, of Milwaukee; and of Loyal Court, No. 7, Guardians of Liberty, of Black Creek, all in the State of Wisconsin, remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which were referred to the Committee on Immigration.

He also presented a memorial of Local Branch No. 1012, National Association of Post Office Clerks, of Marshfield, Wis., remonstrating against the enactment of legislation providing for the removal of assistant postmasters from the classified civil service, which was referred to the Committee on Civil Service

and Retrenchment.

He also presented a memorial of sundry citizens of Mosinee, Wis., praying for the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. ASHURST presented the petition of E. A. Agard, of Fairbury, Ill., and the petition of J. M. Neenan, president of the International Window Glass Workers' Association, praying that an investigation be made into the conditions existing in the mining districts of Michigan, which were referred to the Committee on Education and Labor.

He also presented memorials of sundry citizens of Tucson, Ariz., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on

the District of Columbia.

Mr. SMITH of Michigan presented a petition of the Trades and Labor Council of Lansing, Mich., praying that an appropriation be made for the construction annually of two new battleships, which was referred to the Committee on Naval Affairs.

He also presented a memorial of sundry citizens of Allegan, Mich., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the

District of Columbia.

He also presented a petition of Hennepin Lodge, No. International Association of Machinists, of Gladstone, Mich., praying for the enactment of legislation to make lawful certain agreements between employees and laborers and persons engaged in agriculture and horticulture, and to limit the issuing of injunctions in certain cases, and for other purposes, which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of sundry citizens of Fitzwilliam, N. H., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to

the Committee on the Judiciary.

He also presented the memorial of H. W. Brown, treasurer of the Strafford Savings Bank, of Dover, N. H., remonstrating against the enactment of legislation to amend an act approved June 25, 1910, authorizing the Postal Savings System, which was referred to the Committee on Post Offices and Post Roads.

Mr. NORRIS presented a memorial of the Nebraska Manufacturers' Association, remonstrating against the enactment of legislation to make lawful certain agreements between employers and laborers and persons engaged in agriculture and horticulture and to limit the issuing of injunctions in certain cases, and for other purposes, which was referred to the Committee on the Judiciary.

Mr. TOWNSEND presented a petition of the Trades and Labor Council of Kalamazoo, Mich., praying that an appropriation be made for the construction annually of two new battleships, which was referred to the Committee on Naval

Affairs.

He also presented a memorial of sundry citizens of Potterville, Mich., and a memorial of sundry citizens of Bunker Hill, Mich., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. McLEAN presented a memorial of George Washington Branch, American Continental League, of New Britain, Conn., remonstrating against any appropriation being made for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which was referred to the Committee on Foreign Relations.

He also presented a memorial of Local Lodge No. 632, Independent Order of B'rith Abraham, of Willimantic, Conn., and a memorial of sundry citizens of New Haven, Conn., remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which were referred to the Committee on Immigration.

Mr. JONES presented a petition of Spokane Camp, No. 2, Sons of Veterans, of the State of Washington, praying for the enactment of legislation authorizing the organization of a cadet corps to be composed of boys over 12 years of age in the public schools of the country, which was referred to the Committee on

Military Affairs.

He also presented petitions of the congregations of the First Presbyterian Church of Marcus; of the Temple First Congregational Church, of Malden; of the Methodist, Presbyterian, and Evangelical Churches of Reardan; of the Grace Methodist Episcopal Church, of Seattle; of the Sammamish Valley Grange, No. 286, of Bothell, all in the State of Washington, praying for the suspension of the naval programs of the great powers for one year and the negotiation of treaties of arbitration with England and other countries, which were referred to the Committee on Naval Affairs.

Mr. PERKINS presented petitions of the congregations of the Trinity Episcopal Church, of Madera; the Grace Methodist Episcopal Church South, of Clovis; the First Baptist Church, of Aromas; the Methodist Episcopal Church, of Lemoore; the Methodist Episcopal Church South, of Fresno; the Evangelical Lutheran Bethel Church, of San Jose; the First Congregational Church of Sebastopol; the Friends Church, of Denair; the First Methodist Episcopal Church, of Whittier; the Methodist Episcopal Church and the First Presbyterian Church, of Brawley; the First Presbyterian Church, of Stratford; the Christian Church, of San Jose; the Methodist Episcopal Church, of Stratford; the Congregational Church, of Green Valley; and the First Baptist Church, of Lindsay, all in the State of California, praying for the suspension of the naval programs of the great powers for one year, which were referred to the Committee on Naval Af-

He also presented memorials of sundry citizens of California, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented a petition of the Trades and Labor Council of Vallejo, Cal., praying for an investigation into conditions existing in the mining districts of Michigan, which was referred

to the Committee on Education and Labor.

He also presented a memorial of Local Lodge No. 30, Orden der Hermanns-Sohne, of Vallejo, Cal., and a memorial of the Schwaben Verein, of San Francisco, Cal., remonstrating against the enactment of legislation to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of Martha Washington Council, No. 2, Daughters of Liberty, of San Francisco, Cal., praying for the enactment of legislation providing an educational test for immigrants to this country, which was referred to the Committee on Immigration.

Mr. WARREN presented resolutions adopted by the Wyoming Wool Growers' Association at its tenth annual convention, held Wool Growers Association at its tenth annual convention, held in Cheyenne, Wyo., January 14, 1914, favoring the enactment of legislation to aid in the extermination of predatory wild animals; for the enactment of a pure-fabric law; and remonstrating against the leasing of the public lands of the country, which were referred to the Committee on Public Lands.

He also presented a petition of sundry citizens of Cheyenne, Wyo., praying that an appropriation be made for the construction annually of two new battleships, which was referred to the Committee on Naval Affairs.

He also presented a petition of Local Branch No. 555, National Association of Letter Carriers, of Cheyenne, Wyo., praying for the enactment of legislation providing for the retirement of

aged and infirm civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of sundry citizens of Platte, Wyo. praying for the enactment of legislation for the establishment of a national flexible currency, which was referred to the Committee on Banking and Currency.

Mr. JOHNSON presented a memorial of Local Branch No. 117, National Association of Civil Service Employees, of Waterville, Me., remonstrating against the enactment of legislation authorizing the removal of assistant postmasters from the classified service, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a memorial of sundry citizens of Fairfield, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a memorial of Pine Tree Lodge, No. 522, Independent Order of B'rith Abraham, of Portland, Me., remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which was referred to the Committee on Immigration.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SAULSBURY:

A bill (S. 4216) granting a pension to Isaac T. Millis; and A bill (S. 4217) granting a pension to Hester Jarman; to the Committee on Pensions.

By Mr. MARTINE of New Jersey

A bill (S. 4218) appropriating \$10,000 to aid in the erection of a monument in memory of the late President James A. Garfield, at Long Branch, N. J.; to the Committee on the Library. By Mr. NELSON:

A bill (S. 4219) to authorize the appointment of L. A. Grant, late a brigadier and brevet major general of Volunteers to be a brigadier general in the Army on the retired list; to the Committee on Military Affairs.

By Mr. STEPHENSON:

A bill (S. 4220) granting an increase of pension to Albert J. Bailey (with accompanying papers); to the Committee on Pensions.

A bill (S. 4221) for the relief of Charles L. Roe (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 4222) granting a pension to Margaret Delashmutt (with accompanying papers); to the Committee on Pensions.

By Mr. LODGE:

bill (S. 4223) granting a pension to Margaret R. Flynn (with accompanying papers); to the Committee on Pensions. Mr. TOWNSEND

A bill (S. 4224) granting a pension to Nancy Alberts (with accompanying papers);

A bill (S. 4225) granting an increase of pension to James A.

Tyler (with accompanying papers); and

A bill (S. 4226) granting a pension to George W. Underwood (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT: A bill (S. 4227) granting an increase of pension to Charles N. Points (with accompanying papers); to the Committee on

By Mr. JOHNSON:

A bill (S. 4228) granting a pension to Jeremiah Daly; and A bill (S. 4229) granting an increase of pension to Warren Fernald; to the Committee on Pensions.

ADDRESS BY JUDGE ROBERT W. WINSTON (S. DOC. NO. 377).

Mr. OVERMAN. I ask unanimous consent to have printed as a public document an address on judicial reform by Judge Robert W. Winston, of Raleigh, N. C., before the South Carolina Bar Association.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ADDRESS BY HON. DANIEL C. ROPER.

Mr. MARTINE of New Jersey. Mr. President, I desire to present and to ask if proper at this time to have printed in the RECORD an address by Hon. Daniel C. Roper delivered before the seventh annual convention of the New Jersey State Association of Presidential Postmasters, September 13, 1913.

Mr. SMOOT. Did I understand the Senator to ask that the

paper be printed in the RECORD or as a public document?

Mr. MARTINE of New Jersey. I asked that the address be

printed in the RECORD.

Mr. BACON. I do not like to do anything that the Senator from New Jersey would not wish, but-

Mr. MARTINE of New Jersey. I do not want the Senator to feel that way at all.

Mr. BACON. I think we ought to have a uniform rule, and do not believe in printing matter in the RECORD that has not been uttered on the floor. If the Senator desires to have it

printed as a document, all right.
Mr. MARTINE of New Jersey. I am quite willing to acquiesce in the judgment of the Senator. I think it a very fit and proper rule, but, at the same time, we have transgressed it, I think, a thousand times.

Mr. SMOOT. Oh, more than that, Mr. President. Mr. BACON. If the Senate has transgressed it, it is all the more important that it should now cease.

Mr. MARTINE of New Jersey. I have no desire to press the

Mr. SMOOT. Let me suggest to the Senator that he request that the address be referred to the Committee on Printing for consideration

Mr. MARTINE of New Jersey. I will be perfectly satisfied with that course. I ask that it be referred to the Committee on Printing.

The VICE PRESIDENT. That action will be taken.

HOUSE BILL REFERRED.

H. R. 9842. An act to require the recital of the real consideration in deeds of property in the District of Columbia was read twice by its title and referred to the Committee on the District of Columbia.

PRESIDENTIAL PRIMARIES.

Mr. SHERMAN. Mr. President, I wish to withdraw the notice I gave that I would address the Senate to-day on the bill (S. 3922) relating to presidential primaries and to current politics involved in the subject matter of the bill.

DRY DOCKS AT HUNTERS POINT, SAN FRANCISCO.

The VICE PRESIDENT. The morning business is closed. Mr. BRYAN. I move that the Senate proceed to the consideration of the bill (S. 4007) to authorize the Secretary of the Navy to enter into contracts for use by the Government of dry docks at Hunters Point, San Francisco, Cal.

Mr. NEWLANDS. Mr. President—

The VICE PRESIDENT. Does the Senator from Florida

yield to the Senator from Nevada?

Mr. NEWLANDS. I gave notice—
Mr. GALLINGER. The motion is not debatable.
Mr. NEWLANDS. I gave notice that at the close of the morning business I should ask the Senate to take up Senate resolution 241 for the investigation of rebates received by the Steel Trust. The Senator from Oregon [Mr. Lane] is very anxious to have that resolution disposed of.

Mr. BRYAN. I will say to the Senator from Nevada that this bill can take but very little time, probably not more than

enough time to read it.

Mr. BACON. If the bill leads to any discussion, I shall have to object, because there are important matters which ought to be attended to in executive session. While I am perfectly willing to forego that motion, it has precedence, as we all know.

The VICE PRESIDENT. The question is on the motion of

the Senator from Florida that the Senate proceed to the consideration of Senate bill 4007.

Mr. BACON. I do not know, if it is put as a motion, whether

I can acquiesce.

Mr. BRYAN. If the bill elicits debate, I shall ask that it be laid aside.

Mr. BACON.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Florida to proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4007) to authorize the Secretary of the Navy to enter into contracts for use by the Government of dry docks at Hunters Point, San Francisco, Cal., and it was read, as follows

Francisco, Cal., and it was read, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to enter into contract for the use by the Government of dry docks at Hunters Point, San Francisco, Cal., one of which docks shall be capable of docking the largest vessel that can be passed through the locks of the Panama Canal, for a period not to exceed six years from completion of such dock, at a compensation of not less than \$50,000 per annum during said period of six years, the right of the Government to the use of said docks in time of war to be prior and paramount: Provided, That the construction of the large dock shall be undertaken immediately upon entering into this contract and shall be completed within 24 months thereafter: And provided further, That said contract shall provide for docking rates not in excess of commercial rates and for such other conditions as may be prescribed by the Secretary of the Navy prior to entering into such contract.

The VICE PRESIDENT. The Chair calls attention to the

The VICE PRESIDENT. The Chair calls attention to the language in line 9.

Mr. BRANDEGEE. I should like to have the Secretary re-peat the first paragraph of the bill. I did not catch the reading of it.

The VICE PRESIDENT. It will be read.

The Secretary read as follows:

That the Secretary of the Navy is hereby authorized to enter into contract for the use by the Government of dry docks at Hunters Point, San Francisco, Cal., one of which docks shall be capable of docking the largest vessel that can be passed through the locks of the Panama Canal Canal.

Mr. BRANDEGEE. That is sufficient.

Mr. CLARK of Wyoming. In line 9 the bill says "at a compensation of not less than \$50,000."

Mr. GALLINGER. It should read "not more than."

Mr. BRYAN. In line 9, I move to strike out "less" and in-ert "more."

Mr. LODGE. It must be a verbal error. It should read "not

more," of course.

The VICE PRESIDENT. That is the clause to which the Chair desired to call attention. The question is on agreeing to the amendment to strike out the word "less" and insert the word "more" in line 9.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. PERKINS. I ask that the report of the committee be

inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The report submitted January 21, 1914, by Mr. Perkins, from the Committee on Naval Affairs, is as follows:

[Senate Report No. 163, Sixty-third Congress, second session.] DRY DOCKS AT HUNTERS POINT, SAN FRANCISCO, CAL.

Mr. Perkins, from the Committee on Naval Affairs, submitted the following report to accompany S. 4007:
Your committee having had under consideration the bill (S. 4007) to authorize the Secretary of the Navy to enter into contract for use by the Government of dry docks at Hunters Point, San Francisco, Cal., report it back without amendment and with the recommendation that the bill do pass.

The committee herewith submits a letter from the Secretary of the Navy to the chairman of the Committee on Naval Affairs urging this legislation:

NAVY DEPARTMENT, Washington, January 9, 1914.

NAVY DEPARTMENT, Washington, January 9, 1914.

Hon. B. R. Tillman, Chairman Committee on Naval Affairs, United States Senate.

My Dear Senator: Permit me to invite your attention to the provision in the estimates submitted to Congress in regard to a dry dock on the Pacific coast, as follows:

Construction and Repair.—That the Secretary of the Navy is hereby authorized to enter into contract for the use by the Government of dry docks at Hunters Point, San Francisco, Cal., one of which docks shall be capable of docking the largest vessel that can be passed through the locks of the Panama Canal, for a period not to exceed six years from completion of such dock, at a compensation of not less than \$50,000 per annum during said period of six years, the right of the Government to the use of said docks in time of war to be prior and paramount: Provided, That the construction of the large dock shall be undertaken immediately upon entering into this contract and shall be completed within 24 months thereafter: And provided further, That said contract shall provide for docking rates not in excess of commercial rates and for such other conditions as may be prescribed by the Secretary of the Navy prior to entering into such contract. (Act Mar. 4, 1913, vol. 37, p. 904, sec. 1.)

In view of the approaching completion of the Panama Canal and the ensuing arrival in the Pacific of our fleet, I consider the possession of a suitable dry dock on that coast a matter of such commanding importance that I must request your earnest consideration of the above provision.

You will note that the period of construction is to be two years

tance that I must request your earnest consideration of the vision.

You will note that the period of construction is to be two years from the date of signing the contract. This period is already longer than the interests of the Navy can well afford, and an effort will be made to reduce it as much as possible.

I therefore have to request that the proviso above quoted be taken from the naval bill and incorporated in a separate bill by itself.

With your familiarity with conditions on the Pacific, I need not urge the necessity of early action.

A letter of the same purport as this has been sent to the chairman of the House Naval Committee,

Sincerely, yours,

JOSEPHUS DANIELS,

Secretary of the Navy,

Josephus Daniels, Secretary of the Navy.

EXECUTIVE SESSION.

Mr. NEWLANDS. I move that the Senate take up Order of Business 130, resolution 241, introduced by the Senator from Oregon [Mr. Lane], relative to rebates received by the United States Steel Corporation.

Mr. BACON. Mr. President, I have no desire to interfere with the purpose of the Senator from Nevada, but it is important that we should now attend to some other matters. I move that the Senate proceed to the consideration of executive busi-

Mr. NEWLANDS. This resolution—
Mr. GALLINGER. The motion is not debatable.
Mr. NEWLANDS. Will not take long to dispose of.

The VICE PRESIDENT. The question is on the motion of the Senator from Georgia, that the Senate proceed to the consideration of executive business.

Mr. NEWLANDS. May I just make an appeal to the Senate? Mr. LODGE. The Senator from Nevada can not debate the

motion.

The VICE PRESIDENT. The motion of the Senator from Georgia is not debatable and is always in order. The question is on the motion of the Senator from Georgia.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 3 hours and 10 minutes spent in executive session the doors were reopened and (at 4 o'clock and 20 minutes p. m.) the Senate adjourned until tomorrow, Wednesday, January 28, 1914, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 27, 1914. AMBASSADOR.

Henry M. Pindell to be ambassador extraordinary and minister plenipotentiary to Russia.

APPRAISER OF MERCHANDISE.

Joseph Pelcinski to be appraiser of merchandise at Cleveland, Ohio.

ASSISTANT CHIEF INSPECTOR OF LOCOMOTIVE BOILERS.

Alonzo G. Pack to be assistant chief inspector of locomotive boilers.

PROMOTIONS IN THE PUBLIC HEALTH SERVICE.

Passed Asst. Surg. John T. Burkhalter to be surgeon.

Passed Asst. Surg. John M. Holt to be surgeon.

Passed Asst. Surg. Robert L. Wilson to be surgeon.

MEMBER OF THE PHILIPPINE COMMISSION. Winfred T. Denison to be a member of the Philippine Commission and secretary of the interior.

SURVEYOR GENERAL.

Frank H. Gould to be surveyor general of California.

RECEIVER OF PUBLIC MONEYS.

Joseph Allen to be receiver of public moneys at Visalia, Cal.

UNITED STATES MARSHAL.

James S. Magee to be United States marshal, middle district of Pennsylvania.

UNITED STATES ATTORNEYS.

Francis A. Garrecht to be United States attorney, eastern district of Washington.

Thomas A. Flynn to be United States attorney for the district of Arizona.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Commander Andrew T. Long to be a captain. Lieut. Commanders Provoost Babin and Gilbert S. Galbraith to be commanders.

Lieuts. Ivan E. Bass and William S. Pye to be lieutenant commanders.

Liests. (Junior Grade) William L. Beck and David A. Scott to be lieutenants.

Ensign Aquilla G. Dibrell to be a lieutenant (junior grade). Passed Asst. Surg. Walter S. Hoen to be a surgeon.

The following-named assistant surgeons to be passed assistant surgeons:

Andrew B. Davidson. Duncan C. Walton. Willard J. Riddick.

William H. Halsey,

John J. O'Malley.

Robert F. Sheehan.

The following-named citizens to be assistant paymasters:

Josiah Merritt.

King Terrell.

Charles G. Holland. Hiram P. Tudor. Richard C. Reed.

Andrew Mowat.

George C. Simmons. William W. Wickersham to be an assistant surgeon in the Medical Reserve Corps.

REGISTER OF LAND OFFICE.

Miles Wallace to be register of the land office at Visalia, Cal. POSTMASTERS.

ALABAMA.

L. Estelle Manley, Ashford.

ARIZONA.

J. M. Byrns, Warren. J. W. Hawks, Glendale.

ARKANSAS.

A. B. McKinney, Corning. William T. Stahl, Siloam Springs.

CALIFORNIA.

T. E. Awbrey, Exeter. Hugh L. Bishop, Kingsburg. Minnie R. Crist, Dunsmuir. Audley McCausland, Ripon, E. A. McDaniel, Los Molinos. J. M. McMahon, Lodi. George Marken, Arcata. J. T. Neely, Orosi, Lillie May Peery, Corcoran, O. M. Schwatka, Yreka. L. T. Stephenson, Big Creek.

Homer F. Bedford, Platteville.
Marion R. McCauley, La Junta.
Charles F. McMullen, Brush.
Thomas J. Sandford, Manitou.
Hiram W. Smith, Glenwood Springs.
J. B. Traxler, Lamar.
Robert C. Walker, Grand Junction.

GEORGIA.

James S. Alsobrook, Rossville. Afley M. Cherry, Donalsonville. Iva Lee Duckworth, Union City. Bedford McK. Harlan, Calhoun. Walter R. Harrell, Quitman. J. B. Rountree, Boston. Willie A. Sheats, Monroe. William W. Webb, Hahira.

FLORIDA.

Sarah E. Douglas, Lake Butler. James L. Love, Delray.

IDAHO.

Roy B. Herndon, Salmon. Thomas Jaycox, Jerome. James W. Pearson, Hailey. Lorenzo Y. Rigby, Rexburg.

INDIANA.

Joseph A. Beane, Goshen.
Robert H. Bible, Waynetown.
John W. Brand, Columbia City.
Joseph T. Dilley, Mitchell.
Charles A. Durrenberger, Bedford.
Jacob Eifler, Boonville.
Ernest F. Griffith, Vevay.
John A. Herzog, Mishawaka.
Edward E. High, Williamsport.
Orlando R. Jenkins, Osgood,
James J. Littrell, Elkhart.
William E. Livengood, French Lick.
Richard M. Robinson, Vincennes.
W. H. Shultz, Middlebury. W. H. Shultz, Middlebury. George P. Schwin, Covington. Frank S. Vawter, Tipton. William O. Wilson, Mount Vernon,

William T. Hayes, Almena.
John L. Koebele, Burns.
George W. Lank, Solomon.
Walter R. Long, Kingman.
S. P. Reser, Hartford.
Columbus E. Roughton, Jetmore.
D. O. States, Buffalo. Minnie P. Weyer, Centralia.

Howard E. Perkins, Sanford. Frederick W. Plaisted, Augusta. Frederick E. Mathews, Warren. John S. Williams, Guilford.

MICHIGAN.

Byron Burch, Midland.

MISSISSIPPI.

James G. Cammack, Rolling Fork. James L. Donald. Tutwiler.

Corinne Kendall Dampeer, Crystal Springs. Emma Morris, Ittabena. Henry H. Sikes, Starkville. Edward W. Walton, Booneville.

MISSOURI.

Thomas M. Bresnehen, Brookfield. Frank L. Church, Stockton. William A. DeLissa, Liberal. William A. DeLissa, Liberal.
Phil Donnelly, Lebanon.
B. E. Flynn, Potosi.
Thomas E. Graves, Kirksville.
Joseph Harper, Nevada.
J. J. A. Hilgert, Kimmswick.
L. W. Mitchell, Bevier.
Alexander C. Monroe, Hopkins.
John L. Walker, Mountain View.
L. S. Worman, Sheldon.

John J. Cameron, Hilger. George M. Daugherty, Baker. C. Henry Lanius, Harlowton.

NEBRASKA.

C. A. Berry, Wayne.
John Boyer, Humphrey.
Hiram B. Cameron, Herman.
S. S. Farrens, Decatur.
Clinton Fry, Winside.
W. S. Gray, Silver Creek.
Charles J. Hultberg, Lyons.
Clyde L. McCord, Tilden.
J. B. McDonald, Pierce.
Harrison D. West, Crofton.

NEW HAMPSHIRE.

Harry W. Bailey, Lancaster.
John W. Drew, Colebrook.
Napoleon J. Dyer, Laconia.
Russell G. Graves, Walpole.
James R. Kill Kelley, Wilton.
James F. Leonard, Woodsville.
Charles A. Morse, New Market.
George E. Noyes, Gorham.
Patrick J. Smyth, Barlin. Patrick J. Smyth, Berlin.

NEW JERSEY.

George L. Kirchgasner, Rahway. Watson Rinehart, Glen Gardner. Thomas L. Slocum, Long Branch.

NEW YORK.

Joseph L. Durney, Huntington Station, Frank T. Kelly, Central Islip.
M. M. Kelly, Sodus.
Edward A. Lemmler, Angola.
John W. Lynahan, Corning.
J. Edward Lyon, Naples.
Claude T. Metcalf, Wolcott.
William E. Mills, Rose Hill.
Otis Montrose, Cold Spring. Otis Montrose, Cold Spring. Mary R. Newlands, West Point. A. C. Senecal, Plattsburg. Orin A. Skutt, North Rose. Charles H. Tighe, Avon.

NORTH CAROLINA.

Gaither G. Blackwelder, China Grove. William G. Bradshaw, High Point. F. C. Gillam, Kannapolis. P. H. Linville, Walnut Cove. J. M. McCracken, Graham. A. Elmo Powell, Whiteville. C. H. Russell, Laurinburg. James W. Smith, Norwood. E. C. Winchester, Monroe.

NORTH DAKOTA.

Anna Carmody, Hillsboro. O. T. House, Napoleon.

OHIO.

Richard M. Allison, Cambridge. Henry N. Dyson, Hiram. Samuel Eichenbaum, Corning. Frank N. Henry, Atwater. Jacob M. Ridenour, Junction City, OKLAHOMA,

Ida H. Culbertson, Kiowa. J. A. McLaughlin, Chandler. Jesse W. Phillips, Atoka. R. I. Temple, Watonga.

OREGON.

V. P. Fiske, Dallas. William J. Hayner, Sutherlin. Charles H. Morris, Arlington. P. W. Todd, Tillamook.

PENNSYLVANIA.

John L. Dimmig, East Greenville. William E. Gregg, West Brownsville, H. Lee Goerman, Ambridge.

SOUTH CAROLINA,

Ella Z. McCravey, Liberty. George B. McMaster, Winnsboro.

TEXAS.

J. H. Cates, Decatur. L. B. Duffel, Estelline. Thomas W. Ewing, Chapel Hill. Tobe Morris, New Boston. Henry A. B. Müller, Brenham. James E. Nix, Sunset. J. B. Rector, Buckholts. John D. Redditt, Center. W. E. Sholar, Humble. W. E. Thies, Granger. J. B. Walker, Tahoka. Emma L. Willke, Boerne. Harry C. Word, Alice.

UTAH.

J. M. French, Greenriver. Nephi O. Palmer, Farmington.

D. I. Carpenter, Granite Falls. John H. Chilberg, La Conner. May Fleming, Monroe.

WEST VIRGINIA.

Joseph N. Alderson, Alderson. Karl G. Davis, Wallace. Charles G. Ogden, Salem.

WYOMING.

John H. Cameron, Evanston. Guy J. Gay, Thermopolis. Nellie Gilbert, Riverton. Walter L. Larsh, Cheyenne. John McNamara, Kemmerer. Charles P. Wassung, Rock Springs.

REJECTION.

Executive nomination rejected by the Senate January 27, 1914. RECEIVER OF PUBLIC MONEYS.

Otto R. Meyer to be receiver of public moneys at Dickinson, N. Dak.

HOUSE OF REPRESENTATIVES.

Tuesday, January 27, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the fol-

lowing prayer:

We wait upon Thee, our Father in heaven, with bowed heads and susceptible hearts, as we thus stand on the threshold of this another congressional day, that we may feel the touch of an invisible hand, hear the voice of an infinite spirit, and go forward, assured of Thy presence, to uphold, sustain, and guide us, that we may hallow Thy name in thought, word, and deed, and thus fulfill the law and the prophets. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. Conry, by unanimous consent, was granted leave of absence for one week, on account of death in family.

CIVIL LAWS IN THE PHILIPPINE ISLANDS (H. DOC. NO. 656).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with accompanying papers, referred to the Committee on Insular Affairs and ordered to be printed.

To the Senate and House of Representatives:

As required by section 86 of the act of Congress approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," I transmit herewith a set of the laws enacted by the Third Philippine Legislature during its first session, from October 16, 1912, to February 3, 1913, inclusive, and its special session, from February 6, 1913, to February 11, 1913, inclusive, and also certain laws enacted. to February 11, 1913, inclusive, and also certain laws enacted by the Philippine Commission.

These laws are supplemental to those transmitted by message of October 7, 1913 (S. Doc. 205, 63d Cong., 1st sess.), and contain additional acts and resolutions. None of them has been printed, as explained in footnote to the congressional document

above cited.

WOODROW WILSON.

THE WHITE HOUSE, January 26, 1914.

DISMISSAL OF CHARGES AGAINST HON. RICHARD S. WHALEY, FIRST DISTRICT OF SOUTH CAROLINA (H. RES. 356).

The SPEAKER. In the South Carolina case the gentleman from Ohio [Mr. Post] has 45 minutes remaining, and the gen-

tleman from Wisconsin [Mr. Frear] has 1 hour and 45 minutes.
Mr. FREAR. Mr. Speaker, I yield to the gentleman from Illinois [Mr. Borchers], but before doing so I will say that at the conclusion of this discussion both sides agree that they want a roll call, and both ask that, as far as gentlemen can accommodate themselves, they be present and hear this discussion. You can not get the facts in any other way, and we are going to try and present the matter in as concise and direct a way as possible. The issue is, Will you have an investigation in this case? I now yield 40 minutes to the gentleman from Illinois [Mr. Borchers], a member of the minority of the committee.

Mr. BORCHERS. Mr. Speaker, being a new Member of this House and not specially gifted with the flow of eloquence, as is being continually exemplified here, and being thoroughly convinced that much time is wasted here in the display of states-manship, for no special good, at the expense of the American people, I have not seen fit heretofore to consume any tme on this floor. I have been content to read and listen to the expressions of those who have given the matter under consideration their attention, and then to vote as my own conscience dictated.

But now, in this matter before the House, I happen to be one of the committee to which it was referred, and as a member of that committee I have tried to find out the facts and come to some conclusion, and I realize it now becomes my duty, especially since I can not agree with the majority of the commit-tee, to express myself for the consideration of those who may desire to hear from me, and especially for the benefit of those who have not had the opportunity or time, with your multitudinous duties, to consider the same. It is a painful duty to disagree with the majority of a committee, and especially so when you so much admire its personnel. But my slience would be the approval of the report of the majority, and the membership of this House would have the right to assume as much, and, notwithstanding it is a conscientious matter with me and I feel it my duty to object to the majority report, I yet enter into it with about the same degree of enthusiasm or anxiety as, I might say, Miss September Morn entered into the cool waters of the mountain lake. I was called to my home on account of sickness at the time the report was made, and on account of which did not have an opportunity to join with the minority report, and had no opportunity to do anything more than to express myself to the distinguished chairman of the committee that I would be against the dismissal of the charges

Now, Mr. Speaker, I trust you will be patient with me for a few minutes, while I try to express myself in reference to the matter before the House, and give you my ideas about this case.

In the first place, it is simply a petition to have charges made against a distinguished Member of this House investigated, and, if found true, that he be expelled from his seat. Now, it is not a petition to hang anyone or to punish anyone, more than to make the investigation, and then, if the charges are substantiated by evidence to justify it, that the Member be expelled.

I have carefully read the report of the majority, and I do not understand how such an intelligent committee can come to such conclusions and base it upon the matters submitted.

I desire to call your attention to the paragraphs on page 4 of the report, beginning with line 3, which reads as follows:

The prayer of the petitioner is that these charges may be investigated, and, if found true, that Mr. Whaley be expelled from his seat in the House.

The procedure is an anomalous one, and so far as we have been enabled to determine without precedent. The ultimate object sought to be obtained by the petitioner is to expel a Member of the House. Under the circumstances this can only be done upon two-thirds vote of its membership. The question readily occurs to the mind, How

is such a case to originate? Can an elector of a congressional district, by simply filing an affidavit with the Speaker of the House, invoke the power of the House to expel one of its Members? Will the House upon the complaint of a single elector, ipso facto, take jurisdiction of the subject matter of such a complaint? We call attention to the fact that the charges of bribery and misconduct relate principally to the manner and methods employed in the nomination of the accused. That no charges are made in the complaint against the accused as to the manner and method of his election. The real gist of the petitioner's complaint is the charge of perjury committed before and after the election of the accused as he claims in violation of the Federal statutes.

Now, I desire to specially call your attention to the question in said paragraph, as follows: How is such a case to originate? Then, also the question, Can an elector of a congressional district by simply filing an affidavit with the Speaker of the House invoke the power of the House to expel one of its Members? Also the question, Will the House upon the complaint of a single elector, ipso facto, take jurisdiction of the subject matter of such complaint? Now, according to the report, you must come to one of two conclusions, the first, that the honorable Speaker had no right to refer the matter to a committee and thereby invoke the power of the House; or, can a Member be expelled by simply filing an affidavit with the Speaker? Now, is that a fair statement or fair question to ask and embody in this report? I consider it is not, and is not based upon the facts. The petition calls for an investigation; the Speaker recognized it as such, and it was referred to the committee for that purpose, and it is not fair to make the statement that the Member is to be expelled upon that affidavit. And as I proceed I am convinced that I will be able to convince you that this report is based upon the same kind of reasoning in many places and should not be adopted.

And further in the same paragraph:

That no charges are made in the complaint against the accused as to the manner and method of his election. The real gist of the petitioner's complaint is the charge of perjury committed before and after the election of the accused, as he claims, in violation of the Federal statutes.

Now, I trust you will bear with me for a moment while we consider the complaint, and we will see whether this report has been built on a foundation of fairness or not, and I will call your attention to charge No. 3 in the complaint.

Third. That thereafter, to wit, on the 4th day of February, 1913, Richard S. Whaley announced his candidacy to fill said vacancy and began a canvass for the Democratic nomination, simultaneously circulating throughout the district, as your petitioner is informed and believes, that whoever entered the race must be prepared to outspend him in money, intelligence of which speedily resolved the campaign into one of unprecedented vote selling.

I will also read the fifth and ninth charges:

Fifth. That the first congressional district of South Carolina is composed of five counties, inhabited preponderantly by negroes, for the exclusion of whose participation in politics it is the custom by common consent for white men to settle their differences in the Democratic primary, the nomination in which is equivalent to an election; that there were in round numbers but 12,000 votes cast in the Democratic primary in these counties in which Mr. Whaley was nominated, distributed in the five counties as follows:

	Votes.
In Charleston County	6, 168
In Colleton County	1, 519
In Berkeley County	953
In Dorchester County	1,603

of which, on the face of the returns, Mr. Whaley obtained 6.298 votes; that thereupon Mr. Whaley was declared the nominee of the Democratic Party, and in a special election which was held on April 29, 1913, Mr. Whaley was elected without opposition to fill the unexpired term. That in order to obtain these 6,298 votes, as your petitioner is informed and believes, Mr. Whaley spent in the first and second primaries, and the campaigns incident thereto, not less than \$60,000, or an average of about \$10 for each vote.

I will now take up No. 9:

Ninth. That Mr. Whaley now sits in Congress, therefore, because he openly bought his nomination and election by going out upon the highways and byways and debauching the electorate and by using over twelve times as much as the maximum of money allowed by law, in avoidance of the consequences of which he afterwards committed four felonious perjuries.

Now, the statements in the third and fifth charges of the complaint are upon information and belief and are principally in reference to the expenditure of money in the primaries, and then when we come to consider charge No. 9, in which the bold statement is made, and not from information and belief, that Mr. Whaley now sits in Congress, therefore, because he openly bought his nomination and election by going out upon the highways and byways and debauching the electorate and by using over twelve times as much as the maximum of money allowed by law, which refutes the statement that no charges are made as to the manner and method of election, and then he further adds that, in avoidance of the consequences of which, he afterwards committed four felonious perjuries.

Mr. HARDWICK. Mr. Speaker, will the gentleman yield for

a question?

The SPEAKER pro tempore (Mr. FITZGERALD). Does the

gentleman from Illinois yield?

Mr. BORCHERS. Mr. Speaker, I do not care to, because I have so little time myself, and I want to get through a certain amount of this report. If I have time after I conclude what I desire to say, I will be very glad to answer any questions that gentlemen may desire to ask me, but at the present time I

must decline to yield.

Mr. HARDWICK. Of course I do not want to bother the gentleman, but there are some things that I want to know about

The SPEAKER pro tempore. The gentleman declines to yield at this time.

Mr. BORCHERS. I now desire to call your attention to that part of the report on page 11, beginning with line 5, as follows:

We have cited these statutes, both State and Federal, for the purpose of showing that the memorialist, if the voters at the two primary elections held in the first district of the State of South Carolina were by Mr. Whaley and his friends debauched, and the enormous sum of money alleged to have been spent had been spent for that purpose, could, and as the majority of the committee believe should, have resorted to the criminal courts, either of the State or Federal Government.

Mr. Speaker, from the time when I was a little boy and first began to read, and then as I progressed and learned the story of my country's history, the settlement at Jamestown and other places, the struggle with the savages, the privations of pioneer life, the Revolutionary struggle, my blood always tingled with excitement. I looked upon the Government which cost so much with the highest admiration, and I am now proud of the fact that I am a Member of the greatest legislative body in the world, sent here by the voice of the people; that I came here imbued with the highest admiration for this legislative body, but must confess that distance lends enchantment, and that my expectations have not been realized to the fullest; but, O God, grant that I shall not be a witness to this House adopting a report which provides that it shall take no action in reference to the election of its membership until the merits of the case have been passed upon by a police magistrate or some other officer of a criminal court.

The committee further reports that in a proceeding of this nature it is without authority to subpæna witnesses or to compel the production of papers or records, and it was therefore obliged to require the petitioner to present his case by affidavits and such witnesses as he might produce before the committee, and this is one of the very things I complain of, and urge that the substitute resolution be adopted and that provisions be made to give the matter a thorough investigation, and that the statement of the committee is an admission that the matter has not been thoroughly investigated.

But since the matter has been submitted by affidavits I desire at this time to refer to a few of them briefly. The first I desire to consider is the one of Samuel D. Barshay, then Frank Fosberry, which I desire to read in full, and which is as follows:

STATE OF SOUTH CAROLINA, Charleston County:

Personally appeared Samuel D. Barshay, who, being duly sworn, made oath that he is engaged in business at No. 431 King Street, in the city of Charleston; that some time before the first primary one E. G. Heape came to him and, explaining that he was related to Mr. Whaley, said that he (Heape) would pay him \$300 for the use of his upstairs until after the election. Mr. Heape said that if he had any doubt about his authority to make the deal he would bring Dr. Whaley, who was the candidate's brother, to see him to back it up.

Mr. Heape had money which I saw, which he said was to be used for Mr. Whaley. The day before the second primary Mr. Heape came into my place and set up the crowd and spent \$16 in the interest of Mr. Whaley and gave me a check for it. I put the check through the bank, but after the election was over it was returned unpaid. I have the returned check, signed "E. G. Heape" (R. S. W.). Mr. Heape gave his check. I was so satisfied from the way that he had spent his money for Whaley and from the interest which he took in Mr. Whaley's campaign that there was no doubt that this check would be honored.

(Signed) Samuel D. Barshay.

Sworn to and subscribed before me this 29th day of September, 1913.

Sworn to and subscribed before me this 29th day of September, 1913.

(Signed) HARRY L. WILENSKY,
Notary Public, South Carolina.

Mr. DONOVAN. Mr. Speaker, will the gentleman yield for a

question right there?

Mr. BORCHERS. I have refused to yield to others. Mr. DONOVAN. I only want to ask one question, and that is whether the gentleman who made that affidavit is a keeper of a blind tiger?

Mr. BORCHERS. Mr. Speaker, I will read a counter affidavit, on page 69 of the record, which has been submitted:

STATE OF SOUTH CAROLINA, County of Charleston:

Personally appeared before me G. E. Heape, who, being duly sworn, says that he has seen and read the affidavit of Samuel D. Barshay, dated the 29th day of September, 1913, in which he is erroneously styled "E. G. Heape," and in which affidavit it is stated that he had offered the said Samuel D. Barshay \$300 for the use of his upstairs for the use of the same as headquarters for R. S. Whaley, and that furthermore that he spent money in the place of business of the said Samuel D. Barshay to the extent of \$16 in the interest of Mr. Whaley and gave a check for it, which check was unpaid, and that the said check is

signed "E. G. Heape (R. S. W.)." Deponent admits that he spent money in the place of business of the said Samuel D. Barshay, which is a blind tiger on King Street in the city of Charleston. Deponent denies, however, that he ever had a conversation with the said R. S. Whaley as to the renting of any place as headquarters for him, and he denies his ever having been authorized by Mr. Whaley in any shape or form to rent such a place or to spend any money in his behalf, and that any money or checks given by him were given and used without the knowledge of the said R. S. Whaley, his consent, or ratification, and was the money and check of the said E. G. Heape. He admits that he was a supporter of the said R. S. Whaley, and whatever he did in the interests of the said R. S. Whaley was done on his own personal account as an interested supporter and not at the suggestion, consent, or ratification of the said R. S. Whaley. That if there is any check in the possession of the said Samuel D. Barshay signed "E. G. Heape (R. S. W.)," the part of the said check with the "R. S. W." on it is a forgery and was never placed on the said check by this deponent.

G. E. Heape.

Sworn to before me this 28th day of November, A. D. 1913.

[SEAL.]

WM. H. GRIMBALL,

Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, County of Charleston:

Personally appeared Samuel D. Barshay, who, being duly sworn, made oath that he has read the affidavit of G. E. Heape, dated the 20th of November, 1913, and sworn to before William H. Grimball, a notary public, in which the said G. E. Heape denied the conversation related in deponent's affidavit to Mr. Grace under date of the 29th of September, 1913; that the said G. E. Heape had offered him \$300 for the use of his upstairs as headquarters for R. S. Whaley, and that the said G. E. Heape had given him a check for \$16 for drinks bought in his place on behalf of Mr. Whaley, said check having been signed "G. E. Heape (R. S. W.)."

Heape (R. S. W.)."

The deponent reiterates and repeats that the said conversation did take place between him and the said Heape, and, further, that when he did refuse, the said Heape offered him \$500 for the use of his place for the purpose of headquarters for Mr. Whaley. Deponent also repeats and reiterates that the said G. E. Heape did give him the said check for \$16, signed as described, and herewith attaches and makes a part of this affidavit the aforesaid check. This deponent would never have cashed the said check on G. E. Heape's own signature, but it was only because of the additional initials on the check that the same was accepted. And, further, that Theo. Berkman drew the check in his presence and the said G. E. Heape signed the same, as will appear upon more particular reference to the check itself.

The deponent further states that this affidavit is voluntarily given, without any coercion, force, or promise of reward from anyone whom-soever.

Sworn to and subscribed before me this 13th day of December, 1913.

[SEAL.]

Notary Public, South Carolina.

Charleston, S. C., Apr. 12th, 1913. Pay to the order of Sam. D. Barshay, \$16. Sixteen & 00/100 dollars. G. E. HEAPE, R. S. W.

I will now read the affidavit of Mr. Frank Fosberry:

STATE OF SOUTH CAROLINA, County of Charleston:

I will now read the affidavit of Mr. Frank Fosberry:

Personally appeared Frank Fosberry, 125 Church Street, in the city of Charleston, State and county aforesaid, who being duly sworn deposes and says that he is a qualified elector in the said county and State; that the first primary for the Democratic nomination from the first district of South Carolina was held in Charleston County on Tuesday, April 1, 1913; that for five or six weeks prior to this date he, together with Ignatius Donaghue, 38 Tradd Street, and August Montanese, 215 East Bay Street, city aforesaid, as hall keepers, ran a hall in the said city, which was used as one of the headquarters of Richard S. Whaley, a candidate for the nomination aforesaid; that he, the said Frank Fosberry, and August Montanese received \$7 a week for the services so rendered, while Ignatus Donaghue was paid \$15 a week for his services; that, in all, he and the said Montanese were paid a total of \$70 and Donaghue a total of \$75 before the primary aforesaid was held; that for two or three weeks before the said primary whisky and beer and cigars were dispensed without charge each evening to the supporters of the said Richard S. Whaley; that on the morning of April 1 he went to precinct No. 2, ward 3, on State Street, between Queen and Cumberland Streets, and was there met by Thomas Young, of 20 South State Street, city aforesaid, who was wearing a Whaley badge and known as a railier for Whaley; that the said Young had seen him, the said Fosberry, the evening before at Whaley's headquarters and had offered him between twenty and thirty dollars for his vote at the primary on the day following; that the said Young, had seen him, the said Fosberry the evening before at Whaley's headquarters and had offered him only \$10 for his vote, but he protested, and then Young gave him \$10 with the remark, "That will hold you for awhile"; that same poll and told him he wanted some more money; that the same poll and told him he wanted some more money; that the rand there gave him \$10 with

were dead broke and begging for a drink; that after Goldman had come and gone each of them had more than \$10 apiece.

That the second primary for the Democratic nomination for Congressman from the first district of South Carolina was held in the county of Charleston on Tuesday. April 15, 1913; that he, the said Frank Fosberry, after having voted in his ward, namely, ward 3, went over to the polling booth of ward 2, corner of King and Broad Streets, in the city aforesaid; that there he was met by Thomas J. O'Keefe, 75 King Street, in the city aforesaid, wearing a Whaley badge and acting as a representative of the Whaley interests, and that the said O'Keefe, with his consent, voted him illegally under a fictitious name at the said poll, the said O'Keefe paying him \$12 for so voting; that the said O'Keefe also voted in the same way and at the same time his companion, Vincent Fonte, 28 Queen Street, in the city aforesaid, and that he saw the said O'Keefe pay the said Fonte \$12 for voting.

That one Jack Lehman, 32 Savage Street, in the city aforesaid, in the second primary and on the day above mentioned, as a representative of Whaley's interests and wearing a Whaley badge, in his presence, voted one man, Joseph Nolan by name, three times at the same poll, precinct 1, ward 3, under fictitious names; that in his presence the said Lehman paid the said Nolan \$10 each for the first two votes, but that after the third vote Lehman took the said Nolan down an alley, in sight of the said Fosberry, and passed some bills to the said Nolan, the amount of which could not be ascertained from the distance; that in his presence on the same day and about the same hour at the same poll, namely, precinct 1, ward 3, in his presence, the said Lehman handed \$5 to one Max Goldman, 182 King Street, and the said Goldman gave the said \$5 to one Vincent Foote, who was standing by the polls.

(Signed) Frank Fosberry.

Now, I want to be absolutely fair with you, and desire to call your attention specially to a counter affidavit made by the same Frank Fosberry, which you will find on page 82 of the record, in which, after reciting the facts of the prior affidavit, he says as follows:

in which, after reciting the facts of the prior affidavit, he says as follows:

That the facts and circumstances under which the deponent signed his name to the statement alleged to be his affidavit, if the same is signed by him, are as follows: That on the day on which said affidavit was made deponent had been drinking, and was in an intoxicated condition in the Atlantic Café, on the corner of State and Market Streets, when he was approached by one C. J. Bresnihan, who asked deponent to have a drink, and deponent too kwo drinks with the said Bresnihan; and then the said Bresnihan invited deponent to go on a joy ride with him in a buggy belonging to the city, which is used by the said C. J. Bresnihan, who is employed by the said city under Mayor Grace, and connected with the street department; that deponent accepted the invitation of the said Bresnihan and got into the buggy, and that his condition at that time was such that he had to be helped out of the café into the buggy and out of the buggy; that the next thing deponent knew was that he had been carried to the office of Mr. Cosgrove, whose office is in the office of Messrs. Logan & Grace, on Broad Street; and deponent denies that he made the statements set out in the said affidavit, and states that the said affidavit had already been partially prepared when he came into the said office, and the same without its being read over to him, and that the statements contained in said affidavit and stated therein to have been made by him were not in fact made by him, and are untrue; that headquarters had been opened in ward 3, and that this deponent, together with Ignatius Donaghue and August Montanese, were employed for the purpose of investigating the club rolls and locating fictitious names, and that deponent was a worker and rallier in said ward for Whaley, and did receive pay for his work as stated; all of which was well known to persons in that ward, but deponent denies that he made the statement therein as to the Illegal use of money, and denies specifically

Sworn to before me this 1st day of December, 1913.

[SEAL.]

ERNEST L. VISANSKA,

Notary Public for South Carolina.

And, Mr. Speaker, as a matter of fairness, I desire to further report that this record shows that the said Frank Fosberry, on the 1st day of November, 1913, attempted to commit suicide, which you must know was prior to the date of the counter affidavit of December 1, 1913, and subsequent to the first affidavit of September 29, 1913, and I have given you the entire matter in reference to Frank Fosberry. Now, which of his affidavits will you believe? In the second he recites all the facts and circumstances pertaining to the making of the first and that he knew of them—he remembered all about the joy ride, arriving at the office of Mr. Cosgrove, and that a part of the affidavit was made before he arrived. Now, if he knew that a part of it had been written before he got there, it must have been read to him, and it is certainly true that if he knew all about the facts and circumstances pertaining to the making of the affidavit he must have known of the contents of it, and he admits receiving the money, as sworn to in his original affidavit, and that it was well known in the ward that he had received it. Now, again I ask, Which will you believe? The answer naturally must be the first, the one that was made without question, of his own free will and accord, and not the one made after there had been an opportunity to advise him of what the results of the first might be, and probably obtained by duress; and it may be that the conditions existing in reference to the matter had something to do with causing him to attempt his own life on the 1st day of November, 1913,

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. FREAR. I yield the gentleman five minutes more. Mr. SISSON. Mr. Speaker, will the gentleman yield for one question right there?

Mr. BORCHERS. My time is so limited that it will not permit me.

Mr. SISSON. I want to know-

The SPEAKER pro tempore. The gentleman declines to vield.

Mr. SISSON. But I want to see if the gentleman will yield. Mr. BORCHERS. I have already said that I have not the time to vield.

Mr. SISSON. The gentleman is not willing to state the facts about that affidavit.

Mr. FREAR. Mr. Speaker, I object to any statement of that

The SPEAKER pro tempore. The gentleman is out of order and will take his seat.

Mr. BORCHERS. Mr. Speaker, I am sorry that I did not understand just what the gentleman from Mississippi said in reference to my not stating the truth about the affidavit.

Mr. SISSON. I will give the gentleman the benefit of it. The SPEAKER pro tempore. Does the gentleman yield?

Mr. BORCHERS. I will permit the gentleman to make that statement over again.

Mr. SISSON. I wanted to ask the gentleman if it were not a fact that the affidavit which he just read is an affidavit which the man now says was made when he was drunk?

Mr. BORCHERS. I will take care of that, Mr. Speaker. Mr. SISSON. That is the question I wanted to ask-whether that was true or not.

Mr. BORCHERS. Mr. Speaker, I have already said that on page 82 of the first record will be found the affidavit made by Frank Fosberry and submitted by Mr. Whaley, and I read the last paragraph at the bottom of page 83:

Frank Fosberry and submitted by Mr. Whaley, and I read the last paragraph at the bottom of page S3:

That the facts and circumstances under which the deponent signed his name to the statement alleged to be his affidavit, if the same is signed by him, are as follows: That on the day on which said affidavit was made deponent had been drinking and was in an intoxicated condition in the Atlantic Café, on the corner of State and Market Streets, when he was approached by one C. J. Bresnihan, who asked deponent to have a drink, and deponent took two drinks with the said Bresnihan; and then the said Bresnihan invited deponent to go on a joy ride with him in a buggy belonging to the city, which is used by the said C. J. Bresnihan, who is employed by the said city under Mayor Grace, and connected with the street department; that deponent accepted the invitation of the said Bresnihan and got into the buggy, and that his condition at that time was such that he had to be helped out of the café into the buggy and out of the buggy; that the next thing deponent knew was that he had been carried to the office of Mr. Cosgrove, whose office is in the office of Messrs. Logan & Grace, on Broad Street; and deponent denies that he made the statements set out in the said affidavit, and states that the said affidavit had already been partially prepared when he came into the said office, and the same was handed to him, and that he extatements contained in said affidavit and stated therein to have been made by him were not in fact made by him and are untrue; that headquarters had been opened in ward 3, and that this deponent, together with Ignatius Donaghue and August Montanese, were employed for the purpose of investigating the club rolls and locating fictitions names, and that deponent was a worker and rallier in said ward for Whaley, and did receive pay for his work as stated; all of which was well known to persons in that ward; but deponent denies that he made the statements as to the illegal use of money, and denies specifically the

The SPEAKER. The time of the gentleman from Illinois has again expired.

Mr. BORCHERS. Mr. Speaker, I ask unanimous consent that I be permitted to continue for 15 minutes more, and that the time for debate be extended for half an hour. This is the first time that I have been on the floor of this House. I have never before taken any of the time of the House.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the time of debate be extended for 30 minutes, 15 minutes of which is to go to the gentleman from Ohio [Mr. POST] and 15 minutes to the gentleman from Wisconsin [Mr. Frear], the gentleman from Illinois [Mr. Borchers] desiring 15 minutes of that time for himself. Is there objection?

Mr. POST. I object. Mr. MANN. Oh, give the gentleman half an hour—15 minutes on a side.

Mr. FREAR. Mr. Speaker, I would like to have a portion of that time for myself.

The SPEAKER. The Chair knows; but the gentleman wants 15 minutes of that half hour if extended, and that is part of his request. The Chair supposes it will be charged up to that side. Is there objection?

Mr. ELDER. Mr. Speaker, reserving the right to object, do I understand we will get the other 15 minutes on this side?

Mr. FITZGERALD. Of course, Is that the understanding—that 15 minutes will come to this side?

Mr. FREAR. I would like to have part of the time.

Mr. FITZGERALD. The gentleman is getting 15 minutes. Mr. FREAR. If I get it. I would like some extra time

myself when the opportunity comes.

The SPEAKER. It is the duty of the Chair to put the request. The gentleman from Illinois asks that debate be extended 30 minutes, and that he have 15 minutes of that time.
Mr. RUCKER. Mr. Speaker, this is a very important matter,

and I would ask to amend the request by making it one hour,

one-half to that side and one-half to this. [Applicase.]
The SPEAKER. The gentleman from Missouri asks unanimous consent that this debate be extended for an hour beyond the original three and a half hours, and that 30 minutes be controlled by the gentleman from Ohio [Mr. Post], 15 minutes by the gentleman from Illinois [Mr. Borchers], and the other 15 minutes by the gentleman from Wisconsin [Mr. Frear]. Is there objection?

Mr. HARDWICK. Mr. Speaker, reserving the right to object, I am not disposed to grant this request unless the gentlemen who are presenting this important matter are willing to yield to Members who want to obtain information about this case. I wanted to ask some questions, and they were questions which really applied to the very merits of this procedure, but

the gentleman was unwilling to answer.

Mr. SISSON. Mr. Speaker, reserving the right to object-Mr. HARDWICK. Of course, if gentlemen are going to read speeches and will not yield to gentlemen who want to know about these things, I will have to object. I say that without

any feeling whatever-

Mr. SISSON. Mr. Speaker, reserving the right to object, I want to say this-

want to say this—
The SPEAKER. Wait a minute, and let us straighten this matter out. Does the gentleman from Illinois agree to be catechized if he secures 15 minutes?

Mr. HARDWICK. I will not take two minutes.

Mr. BORCHERS. I will attempt to answer the questions.

Mr. FREAR. Mr. Speaker, I will yield of my 15 minutes to answer that continue that continue to ask. I will yield in my

any questions that gentlemen desire to ask. I will yield in my 15 minutes for any question gentlemen wish to ask in regard to the record. I will be glad to do so.

Mr. HARDWICK. I will not bother the gentleman with his

prepared speech, then.
Mr. SISSON. Mr. Speaker, reserving the right to object, I wanted to put a question a moment ago, and I feel that this House is entitled to the facts within the knowledge of this committee; and, if these gentlemen have heard this evidence, those of us who are to vote on it certainly have the right to ask questions. I asked the gentleman about an affidavit which he read and he declined to answer and declined to yield. if we could not get some information about what the affidavit was, what value could I give to it when the gentleman would not yield to me? Mr. COOPER.

Will the gentleman permit an interruption?

Mr. SISSON. I will.
Mr. COOPER. I would like to ask the gentleman from Illinois if he did not have in his prepared speech a statement of that man's claim that he was drunk?

Mr. FREAR. He read it to you.

Mr. COOPER. He had a statement that this man claimed he was intoxicated, following right along in his written speech, and he started to read-

Mr. SISSON. I did not know anything he would have read, and therefore I asked the question.

Mr. COOPER. He gave it to the gentleman just the same as the printed affidavit.

The SPEAKER. Is there objection?

Mr. SISSON. I am going to object unless the gentleman will answer courteously proper questions that gentlemen will ask him.

Mr. MANN. I hope the gentleman from Mississippi will not object to that request.

Mr. SISSON. I object, Mr. Speaker. Mr. FREAR. The gentleman from Ohio [Mr. Posr] had an hour yesterday afternoon in this House.

Mr. SISSON. I will withdraw the objection if the gentleman will answer the questions that are properly put, and I believe he agrees to do that.

Mr. BORCHERS. I will answer any question I can, but I have not much time.

Mr. SISSON. The gentleman has 15 minutes.

The SPEAKER. Is there objection? Mr. SISSON. With that understanding, I do not object.

The SPEAKER. The Chair will enforce that as fully as he

can. Is there objection?
Mr. DONOVAN. Rese Mr. DONOVAN. Reserving the right to object, this is the first time the gentleman has addressed this House, and for an old Member to take a part of his time away is an outrage.

[Applause.] The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the gentleman from Illinois [Mr. Borchers] is recognized for 15 minutes.

Mr. RUCKER. Mr. Speaker, the time has been extended one hour, as I understand it.

The SPEAKER. Yes; the time has been extended one hour. Mr. BORCHERS. Mr. Speaker, I had intended to refer to

more affidavits, but I will not have the time.

Now, I admit that many of these things are denied, but I insist that a sufficient amount of evidence has been submitted to the committee to make out a prima facie case and should be investigated. The record shows that more than \$40,000 was spent in the campaign in behalf of Candidate Hughes, and that Mayor Grace, the person making the complaint in this case, was one of his principal managers; and the committee sees fit to put much stress on the failure of Policemen Plough and Moore in not having made arrests when they saw the violation of the law, as testified to in their affidavits. How natural it was for them to ignore the violation when it was in the air all about them; when the mayor under whom they were working was one of the principal violators, and they themselves probably had received theirs. Should they have even attempted to make an arrest every sensible person knows that under such conditions it would have worked as a boomerang and would have been fatal to the cause advocated by the man under whom they were employed; and the same conditions existed all over the city of Charleston, and the results would have been the same. When the violations were open and notorious on both sides, it would have been fatal to the cause of the one in authority for him to have used his civic authority to suppress the opposite side. How could be have arrested Alderman Simmons when he himself saw him expending \$2,000 in behalf of Mr. Whaley? Just think of the pot calling the skillet black,

They make light of spending the money and debauching the electorate in the blind tiger, in the speak-easy, and the dive, which is an open confession they know nothing of the conduct of elections in our cities, and from their report you must imagine they would look for it in the kitchen, the dining room, or the parlor of the homes or probably in the counting house of the banker. And I am certain that if the population of the city of Charleston is such as to keep and maintain 500 blind tigers, that it is such as might be influenced and even debauched

by election money.

Mr. Speaker, they would have you believe from this report that this contest is a contest between a lion and a lamb; they would have you believe it is a contest between an eagle and a Mr. Speaker, they would have you believe it is as the overflow of a volcanic eruption overflowing a molehill in the valley. But nay, nay, Mr. Speaker; it is simply a contest between two men, two human beings, a man on one side and a man on the other. The evidence discloses they have been man on the other. The evidence discloses they have been enemies for years; for years have been striving and struggling to get the better of each other; that when the one was a candidate for mayor of his city, from his own statement, the campaign for which cost him thousands of dollars, the other was his enemy, doing everything within his power to defeat him, and then immediately after, when it was reversed, the latter a candidate for Congress and the former doing his very utmost to defeat him, and on account of which the campaign resolved itself into an expenditure of money. The one shows his con-tempt for the other by words, and one for the other by his silence, his ignoring him and refusing to consider anything from him and refusing to appear before the committee in the other's presence. Mr. Speaker, there is one more affidavit I wish to be considered in this matter and that is the affidavit of H. Frank Hogan.

How natural; I am going to Congress or I am going broke. If there is a word of truth in this case from the beginning to the end, that is the truth. It is borne out in every particular by the very action of both of the principals and the disposition on the part of each for the other for years.

Now, Mr. Speaker, I think I have absolutely shown that this report is not based upon the facts, and I know from having given it a considerable attention I could point out many more places where it is absurd, but I am going to content myself with one more reference and in that drive the last nail into its coffin with their own hammer, and if then you are not convinced you are not giving it consideration or you are not open for conviction.

Mr. Speaker-Mr. POST.

The SPEAKER. Does the gentleman yield to the gentleman from Ohio?

Mr. BORCHERS. Yes.

Mr. POST. You are mentioning the affidavits of the witness Were you not present at the meeting of the committee when this man Hogan testified and appeared before the committee'

Mr. BORCHERS. I was not.

Mr. POST. I thought not. If you had seen him, you would not have given credence to anything he said.

Mr. BORCHERS. But I have read his evidence just the same, and I have submitted it for what it was worth

Mr. POST. Mr. Speaker, will the gentleman yield? Mr. BORCHERS. Yes, sir.

Mr. POST. I will ask the gentleman, in all fairness and frankness, if this man Grace did not concede that Peurifoy and Von Kolnitz were opposed to him, and because he was interested in the campaign those votes were cast for Mr. Whaley?

Mr. BORCHERS. I will answer your question in just a mo-

Now, that part of the report which says that Grace conceded that the vote received in the first primary by Von Kolnitz and Peurifoy went to Whaley in the second primary we dispute, and I challenge them to defend it; but, be it as it may, the record shows, at the bottom of page 40, second record, that the sheriff, Mr. Martin, who was the principal supporter of Von Kolnitz and handled his money, was a traitor, and told the people that Von Kolnitz had withdrawn from the race, and it became neces sary for him to ride all over the city to dispute it and get his supporters to come back and support him, and it is hard to believe they would go to Mr. Whaley in the second primary under such conditions. Now, further, figures will not lie, and they have established their case by figures, and naturally they feel secure for that reason, but we will review them. Speaking of the first primary, they say that Peurifoy received 10 votes in the ninth ward and Mr. Von Kolnitz 79, and that if the votes received by Peurifoy. Von Kolnitz, and Whaley in the first primary be added together they aggregate about what Whaley received in the second primary. I desire to give you the vote in full for said ward 9 in both primaries, and it is as follows:

And they further substantiate their report by figures in Mount Pleasant precinct and represent as follows: In the first primary Hughes received 6 votes, Peurifoy 21, Von Kolnitz 78, and Whaley 13, making a total of 118 votes cast; and then in the second primary Hughes received 20 votes and Whaley 91, making a total of 117 votes cast, and show a loss of only 1 vote; and by these figures they have established their contention and made a foundation for their report, and they have established it in a city ward and in an outlying precinct, so it must be correct.

But wait a minute Mr. Speaker before our conclusions are

But wait a minute, Mr. Speaker, before our conclusions are final let us look a little further, and since they established their case in a city ward let us take a look at some other ward. We were in the ninth ward with them, and suppose we now take a trip to the third ward, and especially to club 2, where in the first primary we find there were cast 513 votes and in the second primary there were cast 552 votes, a little gain over the first primary and approximately the same gain as in the ward they illustrated, and, to see whether their contention is correct, let use examine the distribution of the votes of this club in each of the primaries. In the first primary Hughes received 363 votes, Padgett 19, Peurifoy 39, and Von Kolnitz 8, making a total of 66 votes for Padgett, Peurifoy, and Von Kolnitz, and Mr. Whaley received 84, making the grand total of 513 votes; and we will now examine the second primary and see whether they have established their contention in figures in this club. In the second primary I find that Hughes received 495 votes and Mr. Whaley 57, making a total of 552, and I desire to ask the question, Did Mr. Whaley receive the Peurifoy and Von Kolnitz votes? Nay, nay; he did not receive them all, but lost them all, and not only lost them all but lost 27 of his own, and Mr. Hughes, not being satisfied with taking all of the Peurifoy and Von Kolnitz votes and the 27 from Mr. Whaley himself, went upon the highways and byways, down the alleys, and around the corners and got 39 more. Now, since they also took a trip to the outlying precincts, let us go with them again and then go a little farther; and in our journey we might stop at McClellenville, where the balance is slightly in favor of Mr. Hughes, or at Awendaw, where I see Mr. Hughes did not get a single vote in the first primary and where Mr. Whaley got 8, Peurifoy 5, and Von Kolnitz 21, making a

total of 34 votes cast, and then in the second primary at Awendaw Mr. Hughes got 38 votes and Mr. Whaley got but 1, making a total of 39, a gain of 5 votes over the first primary; but these figures are too hard to explain and understand, and we will go a little farther and stop at Edisto Island, where the votes are easier to comprehend and where I also see that Mr. Hughes did not receive a single vote in the first primary and where Mr. Whaley received 17 and our friend Mr. Von Kolnitz received 10, making a total of 27 votes cast, and then in the second primary I see that Mr. Hughes got 10 votes and Mr. Whaley got the same 17, making the same total of 27 votes cast, and the 10 votes received by Mr. Hughes in the second primary must have been the same as the 10 received by Mr. Von Kolnitz in the first. Now, on the basis of figures I am certain I have demonstrated that this report is absolutely ridiculous, and if I have not I will always believe figures will lie.

I am inclined to believe and do believe that the feeling of the majority of the committee against Mr. Grace is too much embodied in this report, and that they are prejudiced against the case on account of their feelings toward him. I am ready to confess that I was not the most impressed by him, but I can not let that interfere with my duty, and especially when so much other evidence was produced before the committee.

I have naught but the kindliest feelings toward the gentleman from South Carolina, and it is my wish that when the facts are known they will establish his innocence beyond any doubt; but I insist that I desire to see him have possession without a cloud on the title. I sympathize with South Carolina, but in so doing I remember Illinois. Illinois, Illinois, she has had her shame and sorrow, and on account of which some new faces are now seen in the United States Senate, and on account of present conditions it will be sufficient for me to say that two are from the State of Illinois, one a Democrat and one a Republican, each having the indorsement of his party by the vote of the people in a State primary; that chairs in that historic Chamber occupied for years—yes, a generation and even more by national characters of renown now have other occupants.

Mr. POST. Will the gentleman yield?

Mr. BOPCHERS. Mr. Speaker, I can not yield any longer. The SPEAKER. The gentleman declines to yield. Mr. FREAR. Mr. Speaker, I will yield if the gentleman will

ask the question in my time.

The SPEAKER. But the gentleman from Wisconsin [Mr. FREAR! has not the floor.

Mr. ELDER. Will the gentleman yield?
The SPEAKER. Does the gentleman from Illinois [Mr.

The SPEAKER. Does the gentleman from Illinois [Mr. BORCHERS] yield to the gentleman from Louisiana?

Mr. BORCHERS. I have not the time, Mr. Speaker.

The SPEAKER. The gentleman declines to yield.

Mr. BORCHERS. The primary was as a battle field and the old guard was completely driven from their stronghold; they were completely routed and driven from the field and nothing was left but remnants with the people in possession.

Mr. POST. Will the gentleman yield?

Mr. BORCHERS. I decline to yield.

The SPEAKER. The gentleman from Illinois declines to vield.

Mr. BORCHERS. It has been Democratic principles for years for publicity of campaign expenses and contributions, and is it possible that now at this first opportunity we are going to repudiate it? I say no, and Illinois sends South Carolina the message, "Turn on the light, draw aside the curtains, lift the veil, and let the rays of your southern sunshine penetrate the innermost circles of your first congressional district and let the people know the truth."

If you do not, and you adopt the resolution introduced by the majority and thereby approve this report when it is absolutely ridiculous on its face, I am certain the people, not only of the first congressional district of South Carolina but other districts of the State and others of the United States, will resent it, and on account of which some new faces will be seen in the Sixtyfourth Congress, and if they do not resent it you might as well close these doors, brace them with iron rods, and inscribe on the outside thereof in golden letters, "None shall enter here, unless he rides in a golden chariot, and he shall be first whose vehicle represents the most dollars, either by personal ownership or most susceptible to its influence."

Mr. Speaker, I again repeat, it is a painful duty to disagree with your committee, but when a man faces a serious issue and performs a duty that he might desire to put aside, there comes to him afterwards that quiet satisfaction and sweet contentment that comes to one who has resolutely performed what he con-

ceives to be his duty.

And now, having done what I believe to be right in this case, I am content to leave the matter with the House, with the hope

that the substitute resolution will be adopted and the facts investigated. [Applause.]

The SPEAKER. The time of the gentleman has expired. Mr. POST. Mr. Speaker, I yield 10 minutes to my colleague

[Mr. FRENCH].

Mr. FRENCH. Mr. Speaker and gentlemen, I think that it is the highest ambition of every Member of this body, so far as his ambition has to do with the membership of this House, to stand for a policy that will mean clean men here, that will mean the upholding of our election laws, that will mean that in every congressional district in this Nation those laws shall be observed in a fair and orderly way, and that men chosen by the people in an honorable manner shall be sent here.

I can not think that at any time any considerable number of the membership of this House were elected by corrupt means, but in order to meet the few cases where corrupt practices were followed in securing election to membership in this body the Congress passed, and I am proud that I had part in passing, certain corrupt-practices acts, looking to the end that those who may be elected here shall come with clean hands, that thereby the best Representatives may be selected to this body from the different congressional districts, and that the public confidence of the people of this country be placed in those who are elected to serve them in legislative capacity.

The case that we are called upon to consider at this time rests upon Mr. Grace's charges, and if those charges were to be sustained, for my part I have no hesitancy in saying that I would close the doors of this Chamber upon the back of the

Member of Congress elected, Mr. Whaley.

Again, I do not find myself in sympathy with the suggestion that has been made that the Members of this Congress are not called upon to consider this case because the charges were not brought within a short time following the election of Mr. Whaley. The fact of the business is, notwithstanding that the House could have examined the case probably better if the charges had been filed earlier, I believe, that if after a time ordinarily allowed by the House or if now it were to appear that the condition alleged to have existed really did exist, we would owe it to ourselves to expel Mr. Whaley from this Cham-

Mr. HARDWICK. Mr. Speaker, will the gentleman yield right there?

right there?

The SPEAKER. Does the gentleman yield?

Mr. FRENCH. I yield.

Mr. HARDWICK. The gentleman understands, and has just stated very plainly, that we can not only try the title of a Member on a contest proceeding prescribed by statute, but the House, exercising its inherent power, has the right to determine that title by the judgment of its own membership, and can act in that way. That is the gentleman's suggestion. But I want to invite the attention of the gentleman to this; Can the House, or a committee of the House, undertake an investigation of this kind unless there is some Member of the House who presents a resolution challenging the title of a Member to his seat? Or are there other ways by which the House, at the instance of somebody else, can challenge the title of a Member to his seat except by means of a contest provided for by law or by a resolution introduced by some responsible Member of this body? And if that has not been done in this case, why?

Mr. FRENCH. If it has not been done in this case, I will say to the gentleman from Georgia, and if it had been brought to the attention of the committee and the charges reasonably sustained. I myself would have been one, at least, to bring

the resolution into the House.

Mr. HARDWICK. But no such resolution has been pre-sented by anybody. Will the gentleman answer my question, please?

Mr. FRENCH. It is for the House to determine now whether an investigation shall be ordered.

Mr. FREAR. Mr. Speaker, I do not like to interrupt the gentleman, but I will say that that has been done by private individuals in cases that have been sustained by decisions of Speaker Crisp himself, the father of one of the members of the committee. I forget what the gentleman's second question was, Mr. HARDWICK. The gentleman says a resolution was pre-

sented by a private individual?

Mr. FREAR. Yes; and by Speaker Crisp it was recognized

Mr. MANN. It has been done several times.

The SPEAKER. Does the gentleman from Idaho yield to all these gentlemen?

Mr. FRENCH. I decline to yield further, Mr. Speaker.

The SPEAKER. The gentleman declines to yield.

Mr. FRENCH. The fact, however, is that the very serious character of these charges challenges the membership of this

House and brings us face to face with the duty that we owe to the people whom we represent and to the constituency involved in South Carolina and to Mr. Whaley himself, who is personally interested in this case.

Now, let us go into the case and see what we shall find in a very brief time. This case is brought to our attention by the mayor of the city of Charleston, Mr. Grace. Mr. Grace, in his testimony before the committee, admitted that he and Mr. Whaley had been personal enemies for many years. After the special election occurred and when the certificate of election was sent here, Mr. Grace followed it with all the haste in his power to present to this Congress a request that Mr. Whaley be not permitted to take the oath of office. He went to Senator TILLMAN, and Senator TILLMAN referred him back to the House, because he was not a Member of this body.

He then went to Representative Johnson of South Carolina, from his own State, and a man whom he had known for years, and after he had gone to him and asked him to intercede or ask that the oath be not administered to Mr. Whaley, Mr. Johnson told him, as will be seen on page 58 of the record of the testimony of Mr. Grace, "I have nothing to go on," and Mr. Grace immediately replied to Mr. Johnson, "I know it is so, but I could not tell positively that it was so; I could not get up and swear that he spent \$5,000."

In other words, Mr. Grace was willing to come here and ask that this House deny administering the oath of office to a man when he himself, when he came here, was not possessed of facts even in his own mind sufficient to make that statement. oath was administered, the petition of Mr. Grace was filed, and Mr. Grace then sought to support it.

Mr. Grace's affidavit from beginning to end is almost entirely hearsay evidence, and especially so as it pertains to all counties

outside of the county of Charleston.

Now, what of the charges? It is set forth in the petition of Hon. John P. Grace that Representative Whaley expended something like \$60,000 or more for the purpose of procuring his election, while as a matter of fact the law permitted him to expend not to exceed \$5,000, aside from personal expenses, and required him to make an itemized account of his expenses. Mr. Whaley filed his expense account, and it shows he expended much less than \$5,000.

We have a corrupt-practices act, and if Mr. Whaley expended the amount that it is claimed he did expend, or if he expended one-tenth of that amount in the ways that it is alleged he expended it, he is guilty of violating the law. It becomes, then, important to consider well the charges that are brought against Mr. Whaley. It is unfortunate that the committee to which this matter was referred was not clothed with power to subpœna witnesses, to cross-examine them, and to learn at first hand whatever evidence they might be prepared to offer. mittee, however, had no such power. The committee was compelled to consider the evidence of those witnesses, both for and against Mr. Whaley, who voluntarily presented themselves, and to consider the affidavits submitted in support of Mr. Whaley and in opposition to him that were offered to the committee. The only way that the committee could have gone further would have been, as I understand it, by calling upon the Congress to order an investigation, and it was for the purpose of determining whether or not a sufficient amount of evidence had been placed with the committee to warrant the committee in so reporting to this House that the committee spent many days in a most careful inquiry and consideration of the matters sub-

mitted in the case.

The petitioner, Mr. Grace, does not claim to be able to testify to much that is material, but his petition is based upon hearsay to much that is material, but his petition is based upon hearsay to make the confined to the city of evidence. This hearsny evidence is not confined to the city of Charleston, but extends to all the counties in the congressional district that is represented by Mr. Whaley.

Before I take up the matter of this evidence I want to call attention to the petitioner in this case, Mr. Grace, and to the conditions that exist in Charleston. Mr. Grace is the mayor of that city. He stands at the head of a faction that has contended in the past for the control of the city government. He admitted before the committee, I say-he almost boasted before the committee—that the contest that involved the election of Mr. Whaley was rather one that had to do with his own domi-Mr. Whatey was rather one that had to do with his own dominance of the affairs of the city of Charleston. He says that he advised his friends that the fight, although it was made in the name of Mr. Whaley and Mr. Hughes, who was Mr. Whaley's opponent, as a matter of fact, was an anti-Grace fight. In other words, Mr. Grace was interested in this matter, not necessarily on account of the conditions that surrounded the election of Mr. Whaley, but because he is the leader of a faction fighting for supremacy in the city of Charleston.

I do not challenge the earnestness of Mr. Grace, but I do believe that he is a man who in this matter has been governed by such personal animosity and personal hate and self-interest that he permitted himself to follow and to urge a course that, if it were applied to any other man in the whole universe, Mr. Grace himself would be bound to admit was not worthy of being followed. Naturally enough no member of the South Carolina delegation could be found who was willing to come before this House and upon the responsibility of himself as a Member charge that Mr. Whaley had violated the election laws in obtaining his election to this body.

But let us go further. The petition of Mr. Grace rests almost entirely upon hearsay evidence. The chief witness that he relies

upon is H. Leon Larisey.

Now, let us for a moment see who H. Leon Larisey is. H. Leon Larisey wanted to be a candidate for Congress in the first primary himself. He wanted the support of Mr. Grace.

Mr. Grace refused to support him, and supported another man, Mr. Larisey then went to Mr. Whaley and asked Mr. Whaley to pay \$500 for him, the amount of the candidate's fee under the South Carolina law. Mr. Whaley refused to do it. The argument of Mr. Larisey was that if Mr. Whaley would do that it would keep him in the race and consequently increase Whaley's chances. Larisey followed Mr. Whaley to the State capitol, where Mr. Whaley was speaker of the house. There, one night, until along in the early hours of the morning, he urged this particular course upon Mr. Whaley, but was refused constantly and firmly by Mr. Whaley, who did not desire to participate in that kind of campaign. He had known Mr. Whaley for years. If Mr. Whaley was the kind of man that he later declared him to be, why should he want to further his interest and elect him to Congress?

We next find Larisey operating as the agent of Mr. Grace. He is the man who desired to aid in Mr. Whaley's election, and then placed himself and his services under Mr. Grace, and for the consideration of \$600 or \$700 traveled over the district and obtained the evidence that he set forth in his affidavit. His evidence is almost entirely hearsay. No other view can be taken of the testimony that Mr. Larisey submits.

At this time I want to call your attention to Mr. Larisey's

statement.

The SPEAKER. The time of the gentleman has expired.

Mr. POST. I yield to the gentleman 5 minutes. Mr. FRENCH. May I have 10 minutes?

Mr. POST. I yield to the gentleman 10 minutes. Mr. FRENCH. Mr. Larisey alleges that in Dorchester County Mr. Whaley spent \$6,000; in Clarendon County, \$5,000; in Colleton County, \$6,000; in Berkeley County, \$2,900; that he promised the post office at Manning to two different persons and then did not give it to either one. Now let us go around and follow the trail that Mr. Larisey has made through these several counties and see what the people there have to say of Mr. Larisey. Mr. Larisey had run for Congress in the last campaign made by our late friend, Mr. Legare.

Mr. Larisey covered the counties of the district and he met and conversed with many men. He made statements that vari-

and conversed with many men. He made statements that various citizens of the district would testify in some particular manner. Now let us see what some of the citizens of the district think of Mr. Larisey.

Mr. D. B. Purifoy is a citizen of Colleton County, S. C. He is an attorney and one of the most prominent citizens of that county. He is the brother of Mr. Purifoy, who in the first primary was a candidate for the congressional nomination against Mr. Whaley, On page 98 of the hearings Mr. Purifoy

Deponent has found him (Larisey) anything but honest, a stranger to the truth, and deponent would not believe him on cath.

Dr. W. B. Ackerman is another citizen of Colleton County. He is a practicing physician; one of the most prominent and responsible citizens of the community. He is the mayor of the town of Walterboro, and on page 99 of the testimony he says:

H. L. Larisey has always borne the reputation of being a crook and a swindler and willing to do most anything for the dollar. Deponent knows his reputation for truth and veracity and would not believe him on oath.

On page 102 of the report Mr. D. M. Bradham, a responsible citizen of the county of Clarendon, characterizes the statement of Mr. Larisey with regard to him as "absolutely false."

Mr. O. C. Scarborough, another prominent citizen of the county of Clarendon, who had been honored by his people by election to the legislature, says that Mr. Larisey's statement

untrue and a deliberate faislification of the facts; and, moreover, I wish to state that I would not believe the said Leon Larisey on his oath.

I could go much further than this, but I shall submit only one further statement, the statement of Dr. George W. Dick, one of the most prominent and responsible citizens of Sumter County. He says that he-

could not believe Mr. Larisey under any circumstances, on any subject, on any occasion connected with life or death, the present, or the hereafter.

This is the man who had first wanted to support Mr. Whaley by being a candidate against Mr. Grace's candidate, and who then for pay circulated throughout the various counties of the district and obtained the evidence largely upon which this case rests.

I mention those who characterize him in the manner that I have indicated, together with their characterizations, because upon Mr. Larisev rests the responsibility in most of the district outside of Charleston of sustaining whatever there may be of accusation against Mr. Whaley. Upon the statements of this man we are asked to send a committee to inquire into the allegations that he makes.

The committee received his evidence. It was published; and I must say that from an examination that I have made in every instance, I believe, there is an absolute denial under oath of the statements made by Mr. Larisey touching the illegal expenditure of money. The deal that was alleged to have been made with regard to the Manning post office is also denied, and denied by Mr. Whaley.

I submit that as respects all of this case, outside of the city of Charleston, there is absolutely not one thing to warrant this House or a committee of this House in even considering the question of investigating the charges of Mr. Larisey. The charges have fallen so absolutely upon the inquiry made by the committee that I do not believe this Congress ought to be called upon to spend the time and the money to make a further investigation.

When Mr. Larisey alleges that this large sum of money was spent, that it was spent through certain responsible men of the different counties that he mentions, and when this allegation of Mr. Larisey is purely hearsay, and when his general reputation is that which it is established before the committee to be, and when, in addition to that, every important allegation that he makes is absolutely denied by those that he involves, I submit that there is nothing left for the House to do but to dismiss the charges as pertain to this part of the case.

Now let us go to the city and county of Charleston. already indicated that a very bitter contest exists in the city of Charleston for the control of the city government. The chief witness before the committee, Mr. Grace, admitted that, and he admitted that the fight was really a fight for the control of power and prestige within the city. There were undoubtedly lined up on one side the partisans and adherents of Mr. Grace, and there were lined up on the other side the partisans and adherents of Mr. Whaley, and I assume in his support were lined up all the elements that were antagonistic to Mr. Grace as the head of the political organization that controls the city of Charleston.

The fight was undoubtedly bitter, and undoubtedly money was spent in behalf of both sides in the contest. Charges have been made by Mr. Grace of the vast expenditure of money upon the part of Mr. Whaley. These charges have been supported by numerous witnesses, and it is very interesting to inquire into some of the facts surrounding the evidence that is furnished by these several witnesses. Mr. Grace should have brought to the committee the best witnesses he had.

One of the witnesses who was produced before the committee by Mr. Grace was Mr. H. F. Hogan. Mr. Hogan was a supporter of Hughes, the opponent of Mr. Whaley. He boastingly announced to the committee that he was an experienced politician; but who was he? He was formerly a "blind-tiger" keeper in the city of Charleston. He was commonly known as "Rumpty Rattles" Hogan, a man who conducted so notorious a dive in the city of Charleston that the governor was compelled, over the protest of Mayor John P. Grace, to eradicate his place of business. After this was done Mr. Grace promptly took care of him upon the city pay rolls.

Mr. Grace produced another witness before the committee Mr. M. J. Barry. He, too, was formerly a keeper of a "blind tiger," and after Mr. Grace was elected mayor he was promoted from the position of blind-tiger keeper—or, as we would call it in my State, a "bootlegger"—to a position as foreman on the streets. He was a man who prior to his appointment to this position had been frequently arrested, and, to use his own words, "frequently got out and spread the joy."

Another witness that Mr. Grace brought before the committee

was Mr. Stephen D. Sargent. Sargent was a boiler inspector

upon the Atlantic Coast Line, and he testified that he had worked in the second primary in the interest of Mr. Hughes, who was the candidate of Mr. Grace, and he testified that he purchased votes in Mr. Hughes's behalf. He testified that he spent as high as \$60 in the purchase of a single vote. In addition to that we have the testimony of Mr. Grace himself and Mr. Larisey, of whom I have already spoken, on account of the fact that he was the one selected to collect the evidence from the other counties that made up the district. Aside from that, there were submitted by Mr. Grace a large number of affidavits, and it might be interesting for me to call attention to some of those who furnished affidavits in behalf of Mr. Grace.

Philip Fash was one. His testimony was wholly hearsay, and he is the keeper of a blind tiger, a bootlegger, a man who, under Mayor Grace, is operating in violation of the law. Another man was Michael Bazarr. Michael Bazarr made a very strong affidavit in behalf of Mr. Grace, but he made a second affidavit denying the statements contained in his first affidavit, declaring that he is a foreigner and that he can not read or write the English language.

Another affidavit was made by Robert Swart; but Robert Swart made a second affidavit setting forth that he had not signed any paper whatever in connection with the controversy and that the statements that were contained in the first alleged affidavit were not true.

Another affidavit that Mr. Grace brought to the committee was made by William Singletary. This unfortunate young man, it is brought out, is scarcely more than a boy and was characterized by one of his own friends before the committee as being "addle-pated."

Another affidavit was presented by Frank Fosberry. This affidavit makes very startling accusations against several of the citizens of the city of Charleston; but who is Frank Fosberry? He is an unfortunate young man, addicted to strong drink, and who filed a counter affidavit charging that if his name is affixed to any affidavit submitted by Mr. Grace that it was obtained when he was in an intoxicated condition and that he did not understand the import of the paper that he had signed. The first affidavit was obtained by Mr. C. J. Bresnihan, who is on the city's pay roll, serving as superintendent of garbage of the city. He is the man who brought Mr. Fosberry in his buggy to the office of Mr. Cosgrove, the law partner of Mr. Grace, where the affidavit was prepared. He denies that Fosberry was drunk, but he admits that while he was on the way, after he had gotten Mr. Fosberry into his buggy and was taking him to Cosgrove's office to make out the affidavit, that he got out and went into the Atlantic Café, in connection with which an and went into the Atlantic Care, in connection with which an illegal saloon was being conducted, and that he there bought for the said Fosberry a drink of liquor. He denies that Fosberry was drunk and Mr. Cosgrove denies it, before whom the affidavit was made, but nevertheless it is admitted by Mr. Bresnihan that just before taking him to make the affidavit he paid for at least one drink for Mr. Fosberry. Mr. Fosberry he paid for at least one drink for Mr. Fosberry. Mr. Fosberry says that he was partially drunk and that he obtained, I believe it is, two drinks for which Mr. Bresnihan paid. After this, this same man Fosberry went back to Mr. Cosgrove, hoping for still further reward, and asked Mr. Cosgrove for money. Mr. Cosgrove, who had, as a notary, helped in the preparation of the affidavit, gave him a quarter and sent him on to Mr. Grace. It is apparent that the affidavit made by this poor man was an affidavit made in the hope of a reward.

The SPEAKER. The time of the gentleman from Idaho has expired.

Mr. POST. I yield the gentleman five minutes more.

Mr. FRENCH. I have said what I have because I think it is important that the House consider some of the witnesses that were relied upon and that were brought before the committee by Mr. Grace. I do not like to call attention in this way to the evidence that was submitted, but I feel that it is my duty, and I am doing so that you may have such facts before you to

consider.

There is evidence submitted from other men, men who are, I believe, reliable and trustworthy, but not evidence of a character that I think warrants any investigation upon the part of the committee or this Congress. I believe after an examination of the evidence submitted by these men and after an examination of the rebuttal evidence, considering the type of men who at once made these denials, that there is not with the House any such facts as would warrant an investigation.

I believe that a very tense condition exists in the city of Charleston. I believe that upon the one side have been arrayed a large majority of the dive keepers and bootleggers of that city who are to-day violating the law and who are interested in the

perpetuation in power of a political machine that will permit them to continue to violate the law. Some of such bootleggers have been rewarded by being given places in the employ of the city at whose head is Mayor Grace, and I believe that against this element in the city there is arrayed, for the most part, the better element of that city, working for good government, striving to elect Mr. Whaley to Congress, and that they, together with those who work with them in the country districts, were successful in carrying the election. In view of this, I believe that it is our bounden duty as Members of this Congress to refuse to give the encouragement to those who have fought good government, as I believe, by throwing a cloud upon the good name of a man who has been elected to this body.

I am a Republican. Mr. Whaley is not a member of my party; he is a Democrat. From a partisan standpoint it would be a sweet morsel to have the good name of a Democrat as-sailed and to have an investigation conducted against a member of the dominant party of the House of Representatives; but, gentlemen, there is a duty that I owe to this House, that I owe to Mr. Whaley regardless of politics, that I owe to his constituency and the man, and that is to stand for the truth where I find it and to stand against the false where I see it appear. With that in view, as a member of the committee that has given painstaking examination of the facts in this case, I can not see how we are warranted in proceeding further, and I believe that the charges ought to be dismissed.

There is one feature of the case that I can not fail to call attention to in brief manner, and that is the statement made by Mr. Grace himself, and supported in part by other witness that Mr. Hughes, the candidate for the nomination against Mr. Whaley, expended \$44,500. Mr. Grace says that he believes that this expenditure upon the part of Mr. Hughes was made for the most part by Mr. Hughes. He says that he himself had put all the money into politics that he felt he could, and it is his judgment, as the man who admits that he was practically the manager of the campaign against Mr. Whaley and in behalf of Mr. Hughes, that Mr. Hughes advanced practically

all this money himself. Mr. Speaker, the corrupt-practices act applies to those who are candidates for Congress and who fail of election just as it applies to candidates for Congress who have been successful in election. It is true this Congress has the authority to proceed against its own Members, while it does not have the authority to proceed against candidates who may be defeated. Whatever action shall be taken to sustain the present law as against candidates who have failed of election must be taken by the Department of Justice and not by Congress. I do not know but that our law ought to be amended in some way. In fact, my judgment is that it ought to be amended in some way so that it would be the duty of the Department of Justice to proceed against those who violate the law, whether they be elected to this body or, as candidates, are not elected.

While I have come to the conclusion that I have in the present case, and while that conclusion sustains Mr. Whaley, I have also considered the question of improving our corruptpractices act, and I want to urge upon this Congress and upon the committees that will have immediately in charge bills that will have to do with the purification of our elections, the importance of such provisions as will make candidates who fail of election as responsible under the law as those who may be

I want to see the time come in this country when in every State the people generally may have confidence in the elections that are held; confidence in the machinery of Government; and confidence in those, regardless of party, who may be entrusted with responsibility.

To that end, Mr. Speaker, it seems to me that we have a double duty here. One is to sustain a good man elected to Congress, and the other is to punish those who violate the law.

even though they go down to defeat. [Applause.]
The SPEAKER. The time of the gentleman from The time of the gentleman from Idaho has again expired.

Mr. FREAR. Mr. Speaker, I would like to be notified when I have consumed one hour.

I can not think of any better argument to be offered for the minority than that to which the House has just listened, and I am very grateful to the gentleman from Idaho [Mr. French] for the statement he has made. I concede it is immaterial to us who is to be investigated. The fact is that political rottenness and corruption exists which is almost unbelievable, and we ask you to not smother this investigation and not attempt to whitewash it, but to investigate the facts.

While I believe the facts make a prima facie case that requires thorough investigation I am not concerned with the

and trust he will be vindicated if, after a genuine, honest investigation, the facts so warrant. However, he should fairly and squarely meet those charges, in justice to himself and in justice to the House.

What I say may have little influence in setting aside the majority report, yet, after listening to all the evidence, it appears to be a plain duty to present my differing conclusions, and I shall be content to do so, whatever may be the decision

of this body.

Democrats and Republicans alike are found with both the majority and the minority reports, but in order that motives in this connection may not fairly be questioned let me further say in a personal way that there now sits across the aisle a Democratic Member from Wisconsin whose district once gave him only five contested votes more than his Republican op-ponent, the then sitting Member. The State board of can-vassers disagreed. As chairman of that board, I believed the Democrat was entitled to his seat, and so cast the deciding vote in his favor. Five votes out of more than 26,000 was a small margin, but, although the decision was against a member of my party, and in favor of a stranger, I believed it to be just. This proceeding should rise above partisanship.

We are to determine whether any investigation will be had where charges of corruption and violation of law are filed by a private citizen against a Member, no contestant having appeared to challenge the seat.

CHARGES OF CORRUPTION AGAINST WHALEY.

Mayor Grace, of Charleston, has presented charges that \$60,000 was spent illegally for the corruption of voters by Richard S. Whaley at the special election held in the first district of South Carolina to fill the vacancy caused by the death of Congressman Legare. The charges were offered to three Mem-Congressman Legare. The charges were offered to three Members of the House, all of whom refused to present them; and then, on the advice of Senator TILLMAN, the charges were filed with the Clerk of the House. These charges, duly verified, were referred by the Speaker to Elections Committee No. 1, a committee that under the law has no power to subpæna a witness.

Mr. POST. Will the gentleman yield?

Mr. FREAR. I will.
Mr. POST. I want to ask the gentleman, in all candor, after listening to this man Grace and hearing his argument and testi-mony before the committee, if the gentleman did not believe seriously the whole controversy was actuated by malice and his spite against Mr. Whaley?

Mr. FREAR. Is that the end of the question, for I can not yield again? I will answer, in all fairness, I do not.

Will the gentleman yield? Mr. FREAR. Well, for a question.

Mr. POST. Did not we give Mr. Grace ample opportunity; did not we treat him with extreme courtesy in every respect?

Mr. FREAR. I think not; but I will come to that a little later to show how he was treated. I thought at times he was treated very unfairly, and I will tell the gentleman from Ohio why. We did not give him the subpæna he asked for; he had to bring witnesses at his own expense.

Mr. POST. Will the gentleman yield? Mr. FREAR. I am not through. You said to him, you must bring in facts, evidence that we will accept here, not hearsay. So consequently he had to bring-

Mr. ELDER. Will the gentleman yield?

Mr. FREAR. I am not through. Mr. Spea any further interruption, but I will yield later. Mr. Speaker, I object to

The SPEAKER. The gentleman declines to yield. Mr. FREAR. The testimony shows that \$100,000 was spent in two primaries by the two Democratic candidates, Hughes and Whaley, that money flowed like water, that men were bought and sold like sheep, and that this debauched condition of affairs existed throughout the district. Names of men who were bought and names of buyers were furnished; also amounts paid to different men and amounts allotted to each ward or precinct. It was specifically charged that an expenditure of \$60,000 was made by the Whaley faction with Mr. Whaley's knowledge and consent, and testimony was given to that effect.

Although notified of every hearing, Mr. Whaley refused to appear and face his accusers, but one day during their absence the committee was called together to hear Mr. Whaley make a brief statement and to permit him to file counter affidavits in his own defense. The committee never had power to do anything, and now reports back to the House it wants no power and

does not believe an investigation desirable.

I can not hope to fairly present the issue in the brief time allotted, because the record alone covers over 200 printed pages, and it would require an hour or more to point out and discuss many misstatements of evidence contained in the majority report establishment or failure of the charges against Mr. Whaley of 25 printed pages. My own views have been briefly set forth

in a minority statement filed with the report, and I ask unanimous consent to include with my remarks the election returns contained in those views, and also a synopsis of the corruptpractices acts

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to include in his remarks the election returns and also a brief synopsis of the corrupt-practices acts. Is there objection?

Mr. ELDER. Mr. Chairman, inasmuch as the gentleman in-

sists on taking the position he does, I object.

The SPEAKER. The gentleman from Louisiana [Mr. Elder] objects.

Mr. FREAR. I question if there is a quorum here. I have offered to answer the gentleman at the conclusion of my remarks. The SPEAKER. The gentleman from Louisiana had a per-

fect right to object without any question being raised about it. Mr. FREAR. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman makes the point that there is no quorum present, and the Chair will count.

The SPEAKER proceeded to count.

Mr. FREAR. And I shall continue it daily, Mr. Speaker.

Mr. MANN. Mr. Speaker, I hope the gentleman will withdraw his point of no quorum.

Mr. ELDER. I will say the gentleman from Wisconsin is so unfair to the chairman in connection with his refusal to permit a question that it causes me to make the objection.

Mr. FREAR. I did not intend any reflection at all, and I intend to answer any questions afterwards.

Mr. MANN. I think the gentleman did not intend any offense.

The SPEAKER. Does the gentleman from Louisiana [Mr. ELDER] withdraw his objection?

Mr. ELDER. I will not. Mr. MANN. I hope the gentleman from Wisconsin [Mr. FREAR] will withdraw his point of no quorum, anyhow.

Mr. FREAR. I will do so. Mr. POST. The gentleman who has the floor is the one who

suggested there was no quorum present.

Mr. MANN. I was addressing myself to the gentleman from Wisconsin [Mr. Frear], and I wish the other gentleman would withdraw his objection to printing the corrupt practices act. If we would all read it, it would do us good.

Mr. ELDER. The trouble is we will go to the expense of

printing it and no one will read it.

Mr. FREAR. I think some will read it.

The SPEAKER. Does the gentleman from Louisiana [Mr. ELDER] insist on his objection?

Mr. ELDER. In order to obviate any difficulty, I withdraw the objection.

The SPEAKER. The gentleman withdraws his objection. Is there objection to the request for printing made by the gentleman from Wisconsin [Mr. FREAR]?

There was no objection.

Mr. FREAR. I am not conscious of any bias for or against Mr. Whaley or Mr. Grace. I do believe justice should be measured out impartially whatever the result, and however difficult it may be, through friendship and associations, to impartially pass upon the rights of one of our own number, we ought to perform that duty.

Aside from 64 affidavits from citizens of the first South Carolina district the charges are supported by the direct testimony of seven witnesses who came here at the committee's invitation, but at their own expense, who testified for the purpose of securing an investigation into the facts, not to determine the guilt or innocence of Mr. Whaley; to furnish evidence that would necessarily be reviewed and carefully weighed during any investigation that might be had. For the majority report to intimate that such evidence is unreliable, where no motive is apparent therefor, is to insult our intelligence and suggest

other reasons for reaching the conclusions found in the report.

Of the seven witnesses produced by Mayor Grace, including himself, five were fair, open, and, I believe, reliable witnesses; not disputed in any important particular by any credible affidavit nor by Mr. Whaley, who refused to face his accusers, who never testified under oath, and whose strong forte was a violent ignorance of political conditions which surrounded him in his own district.

The two remaining witnesses, one a former candidate for Congress, were each disputed on important points in affidavits furnished by Mr. Whaley, and on matters that can be ascertained only through an investigation. The major ty report, while assailing Mayor Grace for regulating "blind tigers" by systematic fines—an altogether irrelevant proposition—failed to state that blind tigers were inaugurated in Charleston by Mr.

Whaley's own brother-in-law, Mayor Grace's predecessor in office; that it is a custom countenanced by the governor of South Carolina, a custom enforced by Brant Whitlock in Ohio, according to proof offered to the committee, and a custom that annually orings fines aggregating over \$32,000 into the Charleston treasury, although I do not defend that practice.

Mr. POST. Will the gentleman yield? Mr. FREAR. In just a moment.

Mr. PREAR. In just a moment.

Mr. POST. I can not let go unchallenged the assertion that Brand Whitlock, a man celebrated as he is not only in the State of Ohio but throughout the Union, ever permitted such a

thing in the city of Toledo.

Mr. FREAR. It was in evidence offered to the committee by Mayor Grace; but I do not care to enter into that now.

Mr. POST. That statement was made by the man Grace? Mr. FREAR. By unconscious misstatements of evidence and juggling of figures and facts, that could be unraveled if time a flugging of figures and facts, that could be unfavered if the afforded, the majority report, in order to justify its conclusions, has created some confusion as to the real issue. It has sought to divert attention from Mr. Whaley and the last elections or in the could be a supplying and the last elections of the could be a supplying and the last elections. Grace and the "blind-tiger" evil. It avoids overwhelming evidence of the wholesale purchase of votes at the last primary and of Mayor Grace's repeated request for permission to furnish the most prominent men in Charleston and other counties as witnesses of political conditions, men who would testify to the truth, but who could not voluntarily undertake unknown personal expense or invite needless personal annoyance and trouble unless properly subpænaed; but we were helpless and without any authority.

A committee with no power to summon, protests that it does not want the right of subpæna; it does not want the entire facts; and this House will be helpless to intelligently pass upon the extent of Mr. Whaley's culpability and violations of the corrupt-practices act until it compels this committee or some other committee to ascertain the facts. Will the House investigate charges when the violation of law vitally concerns its own mem-

THE FEDERAL ACT IS A FARCE.

The corrupt-practices law is notoriously weak. It provides a \$5,000 limitation for campaign expenses of Congressmen, yet it excepts practically all necessary expenditures from that amount. All personal expenses, all postage, all circularizing and printing other than newspaper advertising, all telephone and telegraphing-these expenditures are all excepted, and, in fact, anywhere from \$5,000 to \$50,000 or more can be legitimately spent under law. The law does not limit any proper expense, nor can we seriously contend it was ever intended to do so. From that standpoint the law is weak and indefensible.

However, it does reach this case, because the law does not except from its provisions bribery, corruption, and rottenness almost unbelievable; a condition worse, if possible, than recently occurred in Adams County, Ohio, where hundreds of electors were disfranchised upon their confession of wholesale bribery.

If the law does not here apply, then when and where will it be enforced? How can evidence ever be presented to the House without any investigation? How can perjury ever be assigned against an untrue expense statement if we refuse to permit any investigation?

IN STATES WHERE ONLY DEMOCRATS CAN VOTE.

Complaint is made in the majority report because no contestant has appeared in this case. No contestant can appear or ever will appear in any congressional district in South Carolina, in Georgia, in Mississippi, in Louisiana, or in any other State where only one party exists. In these States the corruptpractices law is null and void unless some private citizen files charges, because all contests are settled between members of the same party in the primary. No opposition occurs at any election and no defeated primary candidate has any status before this House. No matter how corrupt conditions may beand they could not be much worse than in Mr. Whaley's district-the law will always be a dead letter in such States unless charges of its violation, when filed by private citizens, confer jurisdiction.

Mr. GUDGER. Mr. Speaker, will the gentleman yield there

for an interruption?

The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from North Carolina?

Mr. FREAR. I will yield at the conclusion of my remarks.

Then I will yield to the gentleman.

Mr. GUDGER. The question I have in mind is in connection with a matter that the gentleman refers to.

The SPEAKER. Does the gentleman yield?

Mr. FREAR. Yes.

Mr. GUDGER. I beg to call the gentleman's attention to the fact that there have been from one to two contests from South

Carolina here for the last 10 years.

Mr. FREAR. Let me reply to the gentleman from North Carolina. I can not yield longer, but if the gentleman will consult the returns he will find that I am correct—that there has not been a single contest in a single district in the Southern States named in the last election. No opposition occurred to the Democratic candidates. I realize what used to be true in past times, but you have stopped it now.

Mr. GUDGER. Just one moment, if the gentleman please.

Mr. FREAR. I know what the gentleman means.

Mr. GUDGER. What I mean to say is, that as to contests, I

have been here 10 years, and-

Mr. FREAR. I can not yield further. I know what the facts are. You used to have election contests down there, but you have none now, because there was no opposition at the last election in a single district in the States named.

Mr. GUDGER. That may be true as to the last election.

Mr. FREAR. If these charges have been properly filed, then, in view of the evidence submitted, the committee's action is startling, because of the precedent about to be established; startling in its effort to smother an investigation by words and to acquiesce in the violation of a law that can never be enforced

without an investigation.

Little evidence can be presented in the brief time allotted beyond showing that seven witnesses appeared before the committee-straightforward witnesses, who testified without reservation. Sergeant, who squarely answered every question, spent \$1,000 in ward 9. Hogan testified he spent \$2,800 in the same ward, all for Hughes, who opposed Whaley. Whaley had 75 ralliers or ward heelers in that ward, all under pay for several days; men who were paid from \$10 to \$50 apiece, according to influence possessed. Sergeant swore that Whaley spent twice as much as Hughes. Practically every ward had a swarm of Hughes and Whaley ralliers; the vote was evenly divided, and yet Hughes spent \$44,500 in a losing fight. Testimony was offered that at every crossroads in the 176 precincts Whaley votes brought from \$10 to \$15 each.

Scores of witnesses gave names of many men who were buying votes for Whaley. Efforts to impeach opposing witnes by affidavits were flimsy, aside from the police records furnished concerning several of Mr. Whaley's affiants. It was undisputed that in every county hundreds of men were bought like sheep by the Whaley faction. Mr. Whaley said he did not buy them. Who did? They were bought for him. Was it with his knowledge and consent? How can we doubt it? If we would know positively, the facts can be determined by an investigation in South Carolina, where all witnesses can be reached. The names of 150 additional witnesses were given us to subpæna.

Mr. Speaker, last night Chairman Post said to the House that all parties charged with bribery had furnished affidavits. He is unfamiliar with the testimony I am sure. number of slimpsy, evasive affidavits were furnished by unimportant men, affidavits that dodge and avoid. Why do you not subpœna Peters, collector of the port, who collected thousands of dollars for Mr. Whaley? Why do you not subpœna R. C. Richardson, Mr. Whaley's cashier, who paid thousands of dollars out for Whaley, including \$3,200 to Simmons in Whaley's

own office? Also why not Alderman Simmons himself, who does not deny he spent \$3,200 for Whaley votes? Why not subpoena Heape, Mr. Whaley's brother-in-law, who offered \$500 to Barshay for Whaley headquarters? These men did not deny anything

Mr. POST. Did the gentleman say that he could get access to Simmons's affidavit? He denied everything he is accused of.
Mr. FREAR. No; I beg the gentleman's pardon. Simmons did not deny this testimony. Find me such an affidavit, and I will read it

Mr. STEPHENS of Mississippi. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. FREAR. Yes; I will yield to the gentleman from Mississippi. He is a member of the committee.

Mr. STEPHENS of Mississippi. The gentleman asked the question why we did not subpœna Mr. Whaley's brother-in-law, Mr. Heape, as a witness. I know that the gentleman wants to be fair, and

Mr. FREAR. If the gentleman wants to ask a question, I

yield to him for a question.

Mr. STEPHENS of Mississippi. Does not the gentleman know that Grace admitted before he concluded his testimony that the matter was altogether hearsay and that he could not tell us anything about it?

Mr. FREAR. Yes; and this committee could not subpoena It did not have the power.

even a boy. It did not have the power.

Mr. STEPHENS of Mississippi. What was the use in sub-

pænaing anybody?

Mr. FREAR. Heape was the man who went around and did this work. Why not subpœna Mr. Heape, Mr. Whaley's brother-in-law? I say, why not subpœna Heape, who testified he spent money generously in the blind tigers, and also other rich relatives of Mr. Whaley who contributed to his campaign. Why not Williams, who spent \$2,900 in Berkeley County for Whaley, and Dan Bean and scores of others? Richardson, Peters, Bean, and many other men have not made affidavits; they will not perfure themselves. Why will you not subpona them? Why do you not get the facts? They are to be had, if you will investigate. Will we refuse to learn the truth, or will the House demand that the high standard of membership maintained for over a century is to be preserved?

Mr. NELSON. Mr. Speaker, may I ask the gentleman a ques-

tion?

The SPEAKER. Does the gentleman yield?

Mr. FREAR. Yes; to my colleague from Wisconsin. Mr. NELSON. Why was not a subcommittee sent down there from the Committee on Elections to investigate the case?

Mr. FREAR. We had no power to subpœna. That is the answer.

Mr. NELSON. Where do you suggest that the committee should get the power?
Mr. FREAR. We are asking for that power now.

Many years ago, when : boy, I haunted the galleries above us listening to the intellectual giants of a former generation, men who then occupied this floor. Garfield, Reed, and McKinley on this side of the aisle; Randall, Carlisle, and Alexander Stephens on that. Men from the North and South whose names are indelibly written into the history of this country. Men who were inspired by strong convictions on public questions; whose power rested on exalted purpose, and whose characters were molded in the school of patriotism and duty. Champions of the people, they preserved the people's confidence by measuring up to their own high standards of citizenship. Darkness, crookedness, and corruption were by them ever subjected to the searchlight of truth.

Such men never would have consented to smother charges of political corruption when investigation was urged because of charges of a flagrant violation of Federal law by one of their own associates. They would have demanded an immediate investigation in justice to themselves, in justice to the accused Member, and for the honor of the House.

We are about to pass upon that same question. Will we close our eyes to evidences of gross violation of the law? Shall we demand from our own Members the same obedience to law

which we require of those for whom we legislate?

Mr. Speaker, every man is answerable to his own conscience alone, but I do say that if the corrupt-practices act is to become a dead letter with us, if personal or political influences are to swerve our judgment as to when and where it is to be enforced, then we should repeal it. Let us have the courage to impartially enforce its provisions or else be frank with ourselves and wipe it off the statutes.

"WHITES CORRUPTED AS BAD AS NEGROES."

This is the all-important question here involved, and Mr. Whaley's connection is a mere incident which forces us, however, to squarely meet the issue. Before we vote to stifle this proposed investigation and place the seal of nullification upon a law passed for our own observance, permit me to briefly present the political conditions existing in the first South Carolina district at that primary. Fifty-five per cent of South Carolina's population is disfranchised because God made that proportion of his people down there darker than ourselves. Testimony shows that colored men are not allowed to vote in Mr. Whaley's district. The election returns show they do not vote anywhere within the State, yet Grace says-and he knows, and he swears that Whaley knows-that "you could not corrupt the negroes worse than the whites were corrupted at that election." I quote from the record. The testimony shows that the Hughes faction spent \$44,500 and the Whaley faction approximately \$60,000 at the primaries. They or their friends used \$100,000 in corrupting the votes of the "whites"—not negroes, because only the whites had votes to sell.

Overwhelming evidence of vote buying is presented by seven witnesses, as I have stated, residents of the district, who came to Washington and testified to facts, not to hearsay. scores of men sell their votes, and they saw men buying these same votes for Hughes and Whaley. They saw the money paid. They gave names, places, and amounts. Frank Simmons received \$1,900 in Mr. Whaley's office in the presence of three witnesses on the night before the primary to be used in the tenth ward of Charleston. Mayor Grace swore before the committee that he saw Simmons in the tenth ward the next day in a small room with \$2,000 or more before him on the table, buying Whaley votes, like cattle. This testimony is uncontradicted. Sixty-four affidavits were also filed, many of them positive and unequivocal from men who handled money for Hughes or Whaley or were paid for their votes. Over a score of affidavits filed by Mr. Whaley in his own behalf contained admissions by the affiants of their use of money on primary day. Men whose names, so far as I can learn, do not appear in the report of expenditures filed by Mr. Whaley.

WHALEY FACTION USED \$22,000 IN CHARLESTON ALONE.

Money, jobs, and whisky were the convincing arguments liberally used in every county in the district, in order to determine the relative qualifications for Congress of Mr. Whaley and Mr. Hughes. For illustration, a comparison of returns tells an unanswerable story in Charleston County. Thirty-eight precincts furnish 38 unimpeachable, corroborating witnesses to the corrupting power of \$22,000 of Whaley money sworn to have been spent in that county, with names given of men who handled it. Money which increased Mr. Whaley's vote 86 per cent between the two primaries. Compare the primary votes printed in the minority report. Eighty per cent Compare the of the electorate in the ninth ward was debauched by \$5,000 of Whaley money spent by O'Shaughnessy in that ward. Six affidavits and two witnesses in person testified as to this ward. Their testimony is practically uncontradicted. In ward 10 Simmons spent \$3,200 and thereby doubled Whaley's vote. In ward 11 Healey doubled the vote for Whaley with \$5,000, and in ward 12 Whaley money gained 300 per cent for its candidate in the second primary.

We POST. Will the gentleman yield?

Mr. FREAR. Just for a question.

Mr. POST. I want to ask the gentleman if the question was not put to Mr. Grace—if Mr. Hughes had been elected, would he have brought the charges against Mr. Hughes?

Mr. FREAR. Yes; and he stated that he would not. I agree with the gentleman on that, but I think these charges ought to

be investigated.

Mr. POST. I want to ask another question.

Mr. FREAR. I can not yield. When I get through I will be glad to answer them all, but you disarrange the thought that I have here, and I would like to carry it through. As a matter of courtesy, you were not interrupted yesterday. I was very careful to refuse to take your time, and I know you appreciate the situation.

Mr. POST. I yielded to all the questions that were asked me. I am trying to be courteous, but please let this Mr FREAR

be the last question.

Mr. POST. You have not been courteous in saying what

you have said as to the treatment of Mr. Grace.

Mr. FREAR. I do not mean the gentleman. I mean the action of the committee. I do not refer to the gentleman personally.

Mr. POST. If you decline to yield, all right. Mr. FREAR. No; I yield this one time. Will you give me more time?

Mr. POST. I can not yield any more time.

Mr. FREAR. I have had a dozen interruptions. There is a gentleman sitting beside you who believes in this corruptpractices act, and we want to carry it out.

Mr. RUCKER. I am sitting by the gentleman, and I have

not said a word about it.

Mr. FREAR. I am talking to the chairman of the committee. Mr. POST. Does the gentleman believe the statement made by Mr. Grace upbraiding Simmons?

Mr. FREAR. Unquestionably.

Mr. POST. Did he not say that he upbraided Simmons, not for unlawfully buying votes but that he was working for

Mr. FREAR. Oh, that is simply argumentative, but it is true, as the gentleman has stated. There was no moral motive connected with it, but I am speaking of the depravity of spending the \$3,200 that was put into that ward. Sixty-four affidavits were offered in support of this testimony, affidavits of men who gave the names of the men whom they bought, and told the amount of money they paid, that they bought votes for Whaley as well as votes for Hughes. This is the testimony that is uncontradicted.

Corruption is charged in every precinct and "at every crossroads," and names of 150 witnesses furnished, who, it is promised, if subpœnaed will make proof positive. Did Mr. Whaley know of these conditions? Did they exist with his knowledge

and consent? That is the issue. He told the committee he visited every ward in the city on primary day.

His report of expenditures filed with the House, according to law, shows he spent \$235 on primary day in bailing illegal voters out of jail-men who jumped their bail. The police records show the payments. The statement can not escape this expenditure, but how much, if anything, was paid the repeaters for becoming criminals? The statement is silent, yet he received the benefit of those illegal votes.

HUNDREDS OF WORKERS RECEIVED FROM \$10 TO \$50 APIECE.

Testimony of 2 witnesses shows from 60 to 70 paid ralliers or ward heelers worked for Mr. Whaley in each of two separate precincts of ward 9. Mr. Whaley told the committee that the witnesses meant 75 ralliers were from that entire ward. So be it. He should know. He was there. But how much were they paid? His report is silent. How much was paid for the hundreds of ralliers working for Mr. Whaley throughout the city at from \$10 to \$50 apiece? Working for the candidate who was visiting all the polls, according to his own testimony. Were these things with his knowledge and consent? Did he bail out the repeaters? He says he did. Did he see hundreds of ralliers working for him all over the city? He testifies to 75 in one ward. Did he see Simmons, who spent \$3,200 in ward 10, money he received in Whaley's office? Did he see O'Shaughnessy spending \$5,000 in ward 9? Did he see Healey spending thousands of dollars in ward 11? Did he visit ward 12, where money doubled his vote twice over? He stated he went through every ward in the city. Did he see these things? Is there a Member who is in doubt? If so, then ascertain the facts by an investigation.

Mr. Whaley filed a mass of evasive affidavits, a score or more

containing the same phraseology, prepared by a Mr. Williams, who admitted in his own affidavit that he handled money in Berkeley County to help Mr. Whaley on primary day. Who furnished the money and how much for a man that now prepares a score of affidavits printed in the record? The guilelessness of a number of these affiants was somewhat discounted when their

police-court records were filed with the committee.

One further fact is deeply significant. A member of this House is charged with the highest degree of moral turpitude, bribery, perjury, and other offenses, yet refuses to face his accusers at any of the hearings.

Mr. POST rose.

The SPEAKER. Does the gentleman yield?

Mr. FREAR. Mr. Speaker, the gentleman has answered that in his own way. I can not be interrupted at this point now. What think you of a Member of this House who, under these charges, refuses to ask for an investigation from his friends. his associates? And we are all his friends, so far as I know. What think you of a Member of this House who refuses to demand a vindication when, if these charges are false, those who proposed them have committed a criminal libel and ought to be punished? That is a proposition which seems one of the most significant things in this whole case. Let me say that he was not tried, he was not investigated. We had not the power to do anything, as I say, except sit around like a ladies' sewing circle, holding our hands and asking witnesses who chose to come before us, a few questions.

After all of these witnesses were examined, after all of the affidavits were filed, witnesses coming here at their own expense of hundreds of dollars, then the committee kicked into the street all of the witnesses, all of the testimony, and now seeks

to laugh out of court this proceeding.

Mr. CRISP. Mr. Speaker, will the gentleman yield for a question there?

Mr. FREAR. Yes; I yield to the gentleman from Georgia. Mr. CRISP. I was waiting for the 15 minutes to elapse, as I did not want to interrupt the gentleman.

Mr. FREAR. At the conclusion of my remarks I will be very glad to be interrupted.

The report uses 25 pages, 18,000 words, equivalent to two whole pages of a metropolitan newspaper, to say that the committee does not desire to make an investigation. Think of it! A committee without power to investigate, without power to subpæna a witness, takes 18,000 words to say that it does not want the power. I say, with all good spirit toward the gentlemen on the committee, every one of whom I consider a personal friend, verily, the report doth protest too much.

STATE IN WHICH GOV. BLEASE PARDONED 985 CONVICTS.

Mr. Speaker, the question has come: How can we, with clean hands, point the finger of scorn at South Carolina and ask why they do not prosecute when we have full knowledge of all these facts? Mr. Speaker, it was said here last night that Mr. Grace admitted he could not prosecute successfully in South Carolina;

that to indict one person would be to indict the whole community, and that doubtless is the effect. We have startling evidence of that fact when 985 convicts have been pardoned in South Carolina, an evidence of the contempt for law and order, the contempt for courts of justice, and may we not well believe that the people of South Carolina, the good people-and there are thousands of them there—the law-abiding and God-fearing people, would welcome an investigation that pointed the way to better political conditions, to a better public conscience.

Mr. Speaker, one hundred years ago to the day there sat in this body the greatest statesman that South Carolina ever produced, second to none in his day and second to none in ours. With marvelous foresight that profound student of governmental problems saw dangers that were confronting this young Republic of ours in the years to come, and he made use of a prophecy, a warning, which comes to us to-day with deep sig-

nificance, when he said:

When it shall come to be understood that politics is a game; that those who engage in it but play a part; that they assume this or that position not from honest conviction but from a desire to delude the people, then that people will lose all confidence in public men. All will be deemed mere jugglers, the honest and the patriotic as well as the cunning and the corrupt.

[Applause.]

The mutability of human affairs is illustrated to-day when we behold the unparalleled record of executive jail breaking occurring in the home State of the incorruptible, the mighty Calhoun, and if he could look down here to-day upon us, upon this body that once he so signally honored, he would see knocking at our doors the chief executive of his home city, asking us to help purge that State from the trafficking in votes and other forms of political vice. If he could speak, Calhoun's voice Mr. ELDER. Will the gentleman yield?

Mr. FREAR (continuing). That once made the Nation tremble, would disown this effort to cover up corruption, and he would demand in thunderous tones, for the fair name of his party, for the fair name of the House, for the honor of his State and country, that the truth be known. [Applause.]

Mr. ELDER. Does not the gentleman think that if the mayor had used his power to prosecute some of these men who were doing crooked work in the elections that he would come nearer purifying elections than by coming here with a lot of witnesses

and charges that-

Mr. FREAR. If the gentleman from Louisiana will ask that question afterwards, I will be glad to answer it, because there is something else I desire to present at this moment.

Mr. CRISP. Will the gentleman permit me to ask one ques-

tion right here?

Mr. FREAR. Yes; I will yield to the gentleman from Geor-

gia.

Mr. CRISP. The gentleman commended the mayor for trying to purify the elections of South Carolina at Charleston. Did not the mayor, whom the gentleman commended, admit he spent \$15,000 himself to be elected mayor, when the salary of the office of mayor for four years only amounted to \$14,000?

Mr. FREAR. Yes; he did; but do two wrongs make one right? [Applause.] And he also went before the Legislature of South Carolina and tried to get passed an Australian ballot, and he says it is evident there that no poor man—

Mr. CRISP. What evidence was there of that fact?
Mr. FREAR. What fact?
Mr. CRISP. That Mr. Grace attempted to get the Australian

Mr. FREAR. Simply the evidence stated repeatedly in the record without a particle of evidence to the contrary.

Mr. CRISP. Will the gentleman permit another question?

Mr. FREAR. Just one.

The gentleman, in his speech some time ago, Mr. CRISP. commended Mr. Grace by saying it was the duty of all good citizens if corruption existed in elections to come to Congress and try to have it purified. The gentleman commended Mr. Grace for coming here with witnesses by saying it was the duty

of good citizens to try to have elections purified.

Mr. FREAR. Well, I do not know whether I did or not, but I certainly do. It is the duty of any man to come to the door

of salvation.

Now, Mr. Speaker, we are asked to probe charges of corruption. We can not dismiss them when we have here over four score of witnesses as to this corruption. You can not wipe it

If we ignore these charges, if we vote to nullify this law, we simply say to the country that a law passed by Congress for its own government—to control its own Members, for clean and honest elections, is a farce and a nullity—a law which is admitted to be a weak law, but which if enforced will help to minimize the shameful conditions existing down in South Caro-

lina; a law which does say to the people that while Congress legislates for others it will not ignore the plain demands of truth and of justice and of moral responsibility when the integrity of its own membership is challenged. [Applause.]

Mr. Speaker, how much time have I left of the hour? The SPEAKER pro tempore (Mr. Sisson in the chair). Four

minutes

Mr. FREAR. I will devote the four minutes now to ques-

Mr. HOWARD. Will the gentleman yield?

Mr. FREAR. I will yield to the gentleman from Georgia. Mr. HOWARD. I have listened with much interest to your statement.

Mr. FREAR. I thank you very much. Mr. HOWARD. And I am trying to conjure in my own mind upon what theory you proceed, whether it takes a thief to catch

Mr. FREAR. Sometimes.

Mr. HOWARD (continuing). Or whether a man should do equity before he comes and asks equity.

Mr. FREAR. Not to this House; no. Mr. HOWARD. So you think that-

Mr. FREAR. Just ask the question. I can not submit to an argument. I have only four minutes. I will answer it right here and state my position, and you can state yours in your own time. Mr. Grace comes to us admitting that money has been used down there, but he came squarely to us and said, "I place my cards on the table." We are no more concerned in doing equity with Mayor Grace than we are with anyone else. It is a question with this House of whether it will do justice between itself and one of its own Members.

Mr. HOWARD. But the credibility of witnesses is recog-

nized.

Mr. FREAR. We have 64 witnesses here and 24 affidavits that are corroborative, furnished by Mr. Whaley.

Mr. HOWARD. Then, taking you at your own word you would believe a horse thief on the stand just as quick as you would

any citizen of the community?

Mr. FREAR. You do not believe that.

Mr. HOWARD. That is what everybody supposes on this side of the House

Mr. FREAR. They are certainly too intelligent for that.
Mr. HOWARD. You ask us to believe Grace and his disreputable witnesses against a man who has refuted every single, solitary statement.

Mr. FREAR. He does not. I have pointed out things that he has not touched on, that are not disputed here, and ought to be investigated. We ask for an investigation and to get the facts.

Mr. HOWARD. Do you not believe it would be as hard to

get the truth out of the number of witnesses that Grace has as it would be to climb a greased pole backward with an armful of eels? [Laughter.]
Mr. MANN. I would like to ask the gentleman if he admits

they have taken to electing horse thieves as mayors in the great

cities of the South?

Mr. FREAR. Mr. Speaker, I received this telegram last night after the speech by Mr. Post, the chairman, was made on the floor. The telegram is from Mayor Grace.

The SPEAKER pro tempore. The gentleman has only one

minute remaining.

Mr. FREAR. I will read:

CHARLESTON, S. C., January 26, 1914.

Hon. J. A. Frear,

House of Representatives, Washington, D. C.:

The city budget and some other large municipal questions make my official duties here at this particular time very absorbing. Our legislature is also at the height of its session, which will last only a month longer, and many big questions affecting Charleston are before it. I must be present either in Charleston or Columbia alternately for at least a few weeks yet, otherwise I would surely be in Washington, where I could perhaps be of some help to you in the Whaley matter, in which as you know I am so profoundly interested. Opinion here, while, of course, divided, is nevertheless strongly growing in favor of an investigation. The day after the decision was announced the News and Courier published an editorial which was a confession of our deplorable conditions, its view, of course, being that the matter was over up there and that it could talk freely. The other Charleston daily paper some time later published an editorial about it along the same lines, so that I can truthfully say that not only those whom I represent in this matter urgently demand the investigation, but those who have represented Mr. Whaley practically confess that I have told nothing but the truth.

The SPEAKER pro tempore. The time of the gentleman has

The SPEAKER pro tempore. The time of the gentleman has

Mr. FREAR. I will take additional time for the completion of the reading of this telegram.

I have been too busy to send you the analysis of Mr. Posr's report, so replete with errors, so misleading, and so utterly unjust and unjustified. Although I can not be in Washington now my heart and my hopes and those of the majority of this community are with you in your fight on the floor of the House. I wish to renew the proposition made

to Mr. Post that if I can get only the power of subpœna I will be able to produce witnesses who are Mr. Whaley's closest friends, but who will not perjure themselves and who when they tell the truth will prove my case. This I will do at my expense. Mr. Post's statement in his report to the effect that I have had more than the power of subpœna, because I was allowed to produce affidavits is enough to prove how specious the whole report is. I have produced affidavits every one of which is true and which will be amply borne out by witnesses under subpœna. My hands and lips are clean in this whole matter. Every one of these affidavits was procured freely and fairly. Many others I could have had had I permitted myself to take the slightest risk of imputation. I have refused to take affidavits in any case where I thought it might be seld that the affinat expected reward of any kind. In asking for the adoption of the minerity report you stand upon solid ground and need fear nothing in the shape of failure on my part. You will be reenforced by truth upon truth in such degree that no honest man can doubt, and I sincerely trust that the House will order an investigation.

(Signed) JOHN P. Grace. (Signed) JOHN P. GRACE.

Say what you will, if that is not the tone of a man telling the truth, as I believe sincerely Mr. Grace is-although I do not countenance all the things that he has done; but we are like many a lawyer who has witnesses on the stand and who is obliged to convict a defendant by the use of the best evidence in order to get conviction. But I am not obliged to do that here, because I believe Mr. Grace has told the truth. He is with a condition of corruption there that is indulged in by all parties.

If I had the time, I would quote from this same record, which admits the condition down there and admits that we ought to investigate and abolish the condition that exists; but

1914.

I will not take up more time. [Applause.]

How much time have I used, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has 13 minutes remaining.

Mr. FREAR. I reserve the balance of my time and here insert the election records and corrupt-practices compilations.

The following unofficial election statistics show the closeness of the contest:

contest:
First primary, April 1, 1913: Whaley, 3.156; Hughes, 2,912; Padgett, 1,698; Von Kolintz, 1,451; Peurifoy, 1.332.
Second primary, April 15, 1913: Whaley, 6,307; Hughes, 5,840; total, 12,147 votes.
Second primary and special election by counties:

	Second p	rimary.1	Special
	Whaley.	Hughes.	election, Whaley.2
Charleston Berkley Clarendon Colleton Dorchester	3,068 431 743 1,059 1,006	3,105 522 776 752 597	620 175 383 343 432

² Total votes, 1,953 (no opposition). 1 Total number of votes, 12,147.

Returns of first primary election held in Charleston County, Apr. 1, 1913, for Congressman from the first district.

	Hughes.	Padgett.	Peu- rifoy.	Von Kol- nitz.	Whaley.	Not stamped.	Chal- lenged.
Ward 1, clubs 1 and 2	156		6	36	101		Course of
Ward 1, chibs I and 2	62		11	40	162	8	*******
Ward 2, clubs 1 and 2	95		6	15	49	0	9
Ward 3, club 1	363	19	39	8	84	*******	******
Ward 3, club 2	148	3	7	83	122		
Ward 4, clubs 1 and 2		3	4				4
Ward 5, elub 1	151	*******		16	34		
Ward 5, chub 2			8	86	79		
Ward 6, club 1	47	1	12	77	177		
Ward 6, club 2	103	1	5	18	22		
Ward 7, clubs 1 and 2	112		18	56	77		
Ward 8, clubs 1 and 2	109		15	86	101		
Ward 9, club 1	106	1	4	36	37		
Ward 9, club 2	143		6	43	30		21
Ward 10. club 1	70		17	30	73		and the same of
Ward 10, club 2	173	BRIGHT STATE	7	55	84	STEED STATES	
Ward 10, club 2 Ward 11, club 1	95	3	8	67	95		
Ward 11, club 2	173		7	41	91		
Ward 12, clubs 1 and 2	97	1000000	8	119	37	TO THE STATE OF	
St. Philips and St.		V 185	1000				
Michaels	60	Samuel .	2/1/2	24	23	Surgery Control	SECRETARIA
Mount Pleasant	6		21	78	13		*******
Sullivans Island			4	19	2		
A wensdaw			5	21	8		******
		2	26		16		
McClellenville		2	20	7 3			
James Island				3	25		******
Johns Island			9		17		
Wadmalaw Island			1	4	17		
Yonges Island	18	2	9	5	18		
Edisto Island				10	17		
Adams Run		13	7.	- 6	19		
Ravenels	2	8	6	1	8		
Warrens Cross Roads	1	3	2	1	6		
St. Andrews	8	1	7	8	4	******	
Total	2,412	58	276	1,102	1,648	8	3

Returns of second primary election held in Charleston County, Apr. 15, 1913, for Congressman from the first district.

	E. W. Hughes.	R. S. Whaley.	Chal- lenged votes.
Ward 1, clubs 1 and 2.	198	151	6
Ward 2, clubs 1 and 2	96	237	3
Ward 3, club 1	84	83	
Ward 3, club 2.	495	57	4
Vard 3, club 2. Vard 4, clubs 1 and 2.	195	211	5
Vard 5, club 1	214	32	11
Ward 5, club 2	118	168	18
Vard 6, club 1	64	281	
Ward 6, club 2	110	43	
Ward 7, clubs 1 and 2	163	158	- 3
Ward 8, clubs 1 and 2	118	224	13
Ward 9, club 1	110	98	5
Ward 9, club 2	141	84	6
Ward 10, club 1	79	132	
Vard 10, club 2.	198	165	1
Vard 11, club 1	112	213	ETHERE ET IS
Vard 11, club 2	207	153	
Ward 12, clubs 1 and 2	125	172	1
st. Philips and St. Michaels	43	31	and the same of
fount Pleasant	26	91	TAN MARK
AcClellenville	46	36	
wensdaw	38	1	
Sullivans Island		26	
ames Island		25	
ohns Island	1	12	ALS STORY
Wadmalaw Island	3.	20	
Conges Island	43	33	male;
Edisto Island		17	1000
Adams Run	. 7	61	The state of
Ravenels.	15	11	
Warrens X Roads	5	23	CELL TO
St. Andrews	9	16	
Total.	3,105	3,063	- 24

A study of the comparative vote in three wards of the city of Charleston, where claim is made that Whaley spent heavily, discloses:

	First primary.	Second primary.
Ward 9: Flughes. Whaley Ward 10:	249 67	251 182
Hughes. Whaley	243 157	277 297
Ward 11: Highes Whaley Ward 12:	268 186	319 366
Hughes. Whaley. Charleston County:	97 37	125 172
Hughes. Whaley.	2,412 1,648	3, 105 3, 063

These statistics are submitted as bearing on the truth or falsity of the charges that have been filed.

That the Purifey and Yon Kolintz votes did not go to Whaley in the second primary is shown by the foregoing returns.

In three precincts, viz, where Hughes received no		
		Mark Inc.

	Hughes.	Whaley.	All others.
First primary	None. 46	42. 30	48

Hughes gained all the votes cast for other candidates in the first primary, and Whaley lost 28 per cent of his own vote.

Mr. Whaley filed a statement of campaign expenses with the Clerk of

Date.	What given, contributed, expended, used, or promised, and to whom.	Amount.
1913. Apr. 14 14 14 14 14 14 15 15	To advertising in the Manning Times. To advertising in the Walterboro Press and Standard. To advertising in Moncks Corner Echo and Press. To advertising in Charleston Review To advertising in Summerville Advertiser To advertising in Charleston News and Courier. To advertising in Charleston Evening Post. Rent of hall for headquarters, day of primary. Hire automobiles. To amounts deposited, police court, Charleston, as beil bond for appearance of parties who subsequently failed to appear, and	\$70,00 40,00 20,00 20,00 210,00 107,00 420,08
16	this amount forfeited To advertising in Charleston Review	235.00 17.00
16	Contribution chairman county executive committee for barri- cades. To advertising in the Deutsche Zeitung.	145.00 58.50

The primary votes in Charleston by precinct appear (R., pp. 64-65) as follows:

Date.	What given, contributed. expended, used, or promised, and to whom.	Amount.
1913. Apr. 25 25 25 25 25 25 25 25 25 25 25 25 25 2	To advertising in Charleston News and Courier. To advertising in Walterboro Press and Standard. To advertising in Walterboro Press and Standard. To advertising in Manning Times. To advertising in Moncks Corner Echo and Press. To advertising in Summerville Advertiser. To advertising in Charleston Review. To advertising in Charleston Review. To advertising in Charleston Evening Post. To 3,000 cards from Charleston Evening Post. To amount paid since second primary, held Apr. 15, 1913, to date, for watchers and challengers at the various club precincts throughout the district.	\$160. 25 159. 60 20. 00 20. 00 10. 00 19. 00 43. 00 26. 40 6. 75
	Total	3,691.50

Also, the following summary of the statement made and filed with the Clerk of the House of Representatives before and after said primary election (nominating convention) as required by law, viz:

Summary of expenditures and receipts before and after primary or convention.	Amount received.	Amount expended.
Total receipts filed in statement before primary		\$861.60
\$69.60, \$792. Total receipts not included in previous statement Total expenditures not included in previous statement		3,691.50
Total		4, 553. 10

Section 8 of the amended act, providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected, approved August 19, 1911, provides that:

"No candidate for Representative in Congress shall give, contribute, expend, use, or promise any sum in the aggregate exceeding \$5,000 in any campaign for his nomination and election (by such candidate, or by his agent, representative, or other person for and in his behalf, with his knowledge and consent): * * Provided further, That money expended by any such candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or for his necessary personal expenses, incurred for himself alone, for travel and subsistence, stationery and postage, writing or printing (other than in newspapers), and distributing letters, circulars, and posters, and for telegraph and telephone service, shall not be regarded as an expenditure within the meaning of this section, and shall not be considered any part of the sum herein fixed as the limit of expense and need not be shown in the statements herein required to be filed."

PROVISIONS IN THE LAWS OF THE VARIOUS STATES WHICH PLACE A LIMITATION IN AMOUNT UPON CAMPAIGN EXPENSES, TOGETHER WITH A LIST OF THOSE STATES WHICH MERELY ENUMERATE LAWFUL EXPENDITURES, WHICH PROVIDE ONLY FOR PUBLICITY, AND WHICH MAKE NO PROVISIONS. 1913.

[By Florence Elizabeth Rimsnider.]

COLORADO.

(Sec. 28, ch. 4, laws of 1910.)

No expenses may be incurred by candidate except for personal expenses, which shall not exceed \$5,000 for candidate for United States Senator, \$2,500 for candidate for a State office or Representative in Congress, and \$1,000 for candidate for any other office.

CONNECTICUT.

(Sec. 4, ch. 243, laws of 1911.)

Candidate may pay his own expenses for postage, telegrams, telephoning, stationery, printing, the advertising in or distribution of newspapers being excepted, expressage, and traveling. Expenses exclusive of personal expenses incurred by candidate for nomination to any public office, except United States Senator, shall not exceed \$10 for each 1,000 registered voters; for election to any such office, not to exceed \$5 for each 1,000 voters. Expenses which may be incurred by candidate for nomination or election to United States Senate shall not exceed one-third of the salary of said office for one year.

IDAHO.

(Sec. 24, ch. 178, laws of 1912.)

Candidates shall incur no expenses except personal expenses, which include expenses for traveling, printing, stationery, letters or circulars, postage, renting halls, holding public meetings, etc. Expenses thus allowed not to exceed for candidate for any State office, Member of Congress or United States Senate more than 25 per cent of yearly compensation for such office; for district judge, not more than 15 per cent; for any county office except county commissioner, not more than 10 per cent; for county commissioner or member of legislature, not more than \$100.

INDIANA.

(Sec. 4, ch. 180, laws of 1913.)

Candidates' expenses may not exceed \$25 for each 1,000 voters up to 50,000; \$10 for each 1,000 in excess of 50,000 and up to 100,000; \$5 for each 1,000 in excess of 100,000 voters; amount thus allowed exclusive of postage, circulars, stationery, printing, traveling, and other personal expenses.

MARYLAND.

(Sec. 167, art. 33, Annotated Code, 1911.)

Candidate may pay his own expenses for postage, telegrams, telephoning, stationery, printing, expressage, traveling, and board. Expenses otherwise incurred shall not exceed \$25 for each 1,000 voters up to 50,000 and \$10 for each 1,000 voters in excess of 50,000.

(Act No. 109, laws of 1913.)

(Act No. 109, laws of 1913.)

Election expenses of candidates shall not exceed 25 per cent of one year's compensation of the office for which he is a candidate: Provided, That a sum not exceeding 50 per cent of one year's salary may be expended by governor and lieutenant governor and 25 per cent of two years' salary may be expended by candidate for member of legislature. No candidate shall be restricted to less than \$100. Amount thus allowed may be expended only for traveling expenses, printing, postage, stationery, etc., for dissemination of printed information, for political meetings, for offices, for necessary office help, for the number of challengers at primarles and elections to the number allowed by law as such, for the payment of public speakers and musicians, for expenses for copying poll lists, making canvass of voters, conveying disabled voters to polls, employing counsel, etc.

MINNESOTA.

MINNESOTA,

(Sec. 5, ch. 3, laws of 1912.)

Maximum expenditures of candidates: For governor, \$7,000; for other State officers, \$3,500; for State senator, \$600; for Member of House of Representatives, \$400; for presidential elector at large, \$500, and for presidential elector for any congressional district, \$100; and for any officer not before mentioned, a sum not exceeding one-third of salary for first year. If officer does not receive a salary, a sum not to exceed \$100,

(Sec. 1, ch. 3.) Amounts thus allowed may include only expenditures for headquarters, renting halls for public meetings, stationery, postage, office help, campaign literature, advertising, public speakers, preparing poll lists, traveling and other personal expenses, etc.

MISSOURI.

(Sec. 6046, 1909 Stats.)

Expenses that may be incurred by candidate not to exceed the amount determined upon the following basis: For 5,000 voters, \$100; for each 100 voters over 5,000 and under 25,000, \$2; for each 100 voters over 50,000, \$1; and for each 100 voters over 50,000, 50.

MONTANA.

(Sec. 8, p. 597, laws of 1913.)

No expenses to be incurred by candidate in excess of 10 per cent of one year's salary, provided that no candidate shall be restricted to less than \$100.

NEBRASKA.

(Sec. 2194, 1913 Stats.)

(Sec. 2194, 1913 Stats.)

Personal expenses and expenses for the purpose of holding and conducting public meetings for the discussion of public questions may be incurred by candidate, but not to exceed a sum to be determined upon the following basis: For 5,000 voters or less, \$100; for each 100 voters over 5,000 and under 25,000, \$1.50; for each 100 voters over 25,000 and under 50,000, \$1; and nothing additional for voters over 50,000.

NEW MEXICO.

(Sec. 6, ch. 63, laws of 1912.)

No expenses may be incurred by candidate exceeding 10 per cent of one year's salary of office for which he is candidate, such amount being exclusive of traveling expenses and hotel bills.

NORTH CAROLINA. (Ch. 129, laws of 1911.)

Candidate may incur expenses amounting to not more than 50 per cent of annual salary of office for which he is a candidate, except that candidates for governor and for United States Senator may incur expenses amounting to entire salary for one year. Amounts thus allowed shall not include transportation expenses and board and lodging bills.

NORTH DAKOTA.

(Ch. 129, laws of 1911.) Exclusive of money paid to State for printing and personal travel expenses candidate may incur expense amounting to not more than 15 per cent of a year's compensation of the office for which he is a candidate. No candidate shall be restricted to less than \$200.

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(Sec. 5175-29, laws of 1913.)

Expenses incurred by candidates shall not exceed: For governor, \$5,000; for other State elective office, \$2,500; for Representative in Congress or presidential elector, judge of the court of appeals, \$2,000; State senator, \$300 in each county of his district; judge of common pleas, probate, or insolvency court, \$500; State representative, \$350; by a candidate for any other public office to be voted for by the qualified electors of a county, city, town, or village or any part thereof, if the total number of votes cast therein for all candidates for the office of governor at the last State election shall be 5,000 or less, the sum of \$300. If more than 5,000 the sum of \$5 additional for each additional 100.

Amounts thus allowed may be expended as the content of the content of

Amounts thus allowed may be expended only for rents of halls, speakers, music, and fireworks for public meetings and expenses incidental thereto, for printing, advertising, offices, office help, postage, and other personal expenses.

SOUTH DAKOTA.

(Sec. 2, ch. 203, laws of 1913.)

In campaign for election candidates' expenditures shall not exceed 50 per cent of one year's salary of office for which he is nominated, provided that no candidate shall be restricted to less than \$100; amount thus allowed to include personal expenses, postage, printing, offices, office help, money for public meetings, etc.

WEST VIRGINIA.

(Sec. 150b6, supp. to Code 1909.)

Amounts expended by candidate not to exceed sum determined upon the following basis: For 5,000 votes or less, \$250; for each 100 voters over 5,000 and under 25,000, \$2 for each 100 voters; over 25,000 and under 50,000, \$1; and for each 100 voters over 50,000, 50 cents.

WISCONSIN.

(Sec. 94-5, 1911 Statutes.)

No candidate shall make any disbursements except for his own personal hotel and traveling expenses, for postage, telegraph and telephone expenses, for payments made to the State pursuant to law, for contributions to personal campaign, and to party committees.

If candidate has no campaign or party committee, he may incure expenses for headquarters, for rentals of hall, for postage, stationery, clerical assistance, badges, banners, and other insignia; expenses for campaign literature, advertising, and for public speakers. (Sec. 94-28, 1911 Stat.)

Amounts which may be expended by candidates for campaign expenses shall not exceed for United States Senator, \$2,000; for Representative in Congress, \$2,500; for governor, judge of the supreme court, or State superintendent of schools, \$5,000; for State senator, \$400; for member of assembly, \$150; for presidential elector at large, \$500; and for presidential elector for any congressional district, \$100; for other candidates, one-third of the salary of the office for which he is a candidate.

WYOMING.

(Ch. 41, laws of 1913.)

Expenses incurred by a candidate in his campaign for nomination for any public office shall not exceed 20 per cent of one year's compensation of the office for which he is a candidate; in his campaign for election his expenses shall not exceed 20 per cent of one year's salary. No candidate shall be restricted to less than \$100 in each of such campaigns, the amounts thus allowed not including personal expenses.

STATES WHICH ENUMERATE LAWFUL EXPENDITURES BUT DO NOT LIMIT AMOUNT.

Nevada, New Jersey, New York, Pennsylvania, Tennessee, Vermont, Virginia, and Washington.

STATES WHICH PROVIDE FOR PUBLICITY OF CAMPAIGN EXPENDITURES BUT DO NOT LIMIT AMOUNT.

Arizona, California, Georgia, Iowa, Kansas, New Hampshire, Oregon, and South Carolina.

STATES WHICH MAKE NO PROVISION FOR CAMPAIGN EXPENSES

Alabama, Arkansas, Delaware, Florida, Illinois, Kentucky, Louisiana, Maine, Massachusetts, Mississippi, Oklahoma, Rhode Island, Texas, and

Mr. POST. Mr. Speaker, I yield five minutes to the gentle-

man from Georgia [Mr. Howard].

The SPEAKER pro tempore. The gentleman from Georgia [Mr. Howard] is recognized for five minutes.

Mr. FREAR. Mr. Speaker, after the gentleman finishes, if there is any question that anyone desires to ask me I will be glad to answer. This interruption is not to be taken out of the gentleman's time.

Mr. HOWARD. I have not any questions to propound to my

friend at this particular moment.

Mr. Speaker, after about 18 years' activity at the bar in the prosecution and the defense of criminal cases, I have about arrived at the conclusion that I would not be willing to even suspicion a suck-egg dog on the testimony presented by my distinguished friend from Wisconsin [Mr. Frear]. [Laughter and applause.]

The gentleman from Idaho [Mr. FRENCH], I think, made one of the ablest arguments on this particular case that I have heard in this House since I have been a Member of it. He seemed to be thoroughly conversant with all of the testimony adduced at this hearing, and if one-fifth of what the gentleman from Idaho said is true about the accusers of Mr. Whaley, I think it is a matter that this House should not have taken

as long as five minutes with. [Applause.]

But in the brief time that has been allotted to me by the chairman of the committee I want to call the attention of the House to the hands-to the kind of hands-that Grace brings into this House and asks Representatives of the American people to believe him and his witnesses. In the first place, he acknowledges before the committee that he is an absolute grafter of the very worst character, in that as the head of a city government in a civilized community, where the laws are supposed to be enforced, he quarterly taxed, to put into the coffers of the city of Charleston, and, incidentally, into the pockets of his henchmen, \$50 each every three months from people whom he knew were engaged in the violation of the law which he had sworn he would administer within the confines of the city of Charleston.

Mr. FREAR. Mr. Speaker, will the gentleman yield there

for a question?

The SPEAKER pro tempore. Does the gentleman yield? Mr. HOWARD. If the gentleman will give me more time I will yield to him.

Mr. FREAR. The gentleman can take it out of my time. The SPEAKER pro tempore. Does the gentleman yield?

Mr. HOWARD. Certainly.

Mr. FREAR. There are records that show that \$32,000 was collected and that every dollar went into the city treasury. of this money goes into the city treasury. He has furnished a statement of it to the committee.

Mr. HOWARD. Yes; and in the language of the gentleman from Wisconsin, two wrongs do not make a right. When he took that money and put it into the coffers of the city of Charleston, and when he permitted the violation of a law that he had taken an oath to solemnly administer, I would not be-lieve him on his oath if he took that oath on a stack of Bibles as high as the dome of this Capitol and three times the size of

it. [Laughter and applause.]

What does the laying of hands on the holy evangelists of Almighty God mean to a man of that character? his drunkards and scalawags, as they are described by the gentleman from Idaho [Mr. French], he and his dirty bootleggers, as also described by the gentleman from Idaho, have come to the very threshold of the American Government and vomited all over it in the persons of Grace and his henchmen and sought to cast reflections on an honorable citizen of a great district, and then has asked if we believe these dirty little ward politicians.

I will tell you what is the matter with Grace. He has got as much venom in him as a rattlesnake, and he and his fellow corruptionists exacted \$34,000 from his henchmen and spent it in an effort to defeat a gentleman for Congress, and because he has lost his game he is crying like a baby. That is the condition that Grace is in. And yet the gentleman who is chairman of this committee [Mr. Post] and the gentleman from Idaho [Mr. French] who rose above partisanship and stated that he had carefully investigated every bit of the evidence here, and demonstrated it by the continuity of his thought when he pre-sented his argument to this House, did not go through any gymnastic stunts as did the gentleman from Wisconsin [Mr. Freak], but made an able and straightforward presentation of the facts.

The SPEAKER pro tempore. The time of the gentleman from

Georgia has expired.

Mr. POST. Mr. Speaker, I yield 10 minutes to my colleague upon the committee [Mr. Elder].

Mr. ELDER, Mr. Speaker, I do not think this should in any manner be turned into a party question. Each member of the committee has acted as he thought best after hearing the evidence. The Progressive member and one of the Republican members, after hearing the witnesses, sided with the majority

of the committee.

A charge of guilt does not mean that a man is guilty. We sit here at this time only in the position of grand jurors, and a witness appears here, and by the flimsiest kind of flimsy testimony attempts to use his position as mayor of a large city in mony attempts to use his position as mayor of a large city this country, which position he admitted he obtained by fraud and corruption, and tells us that on account of his position we should be mirch and be smear a man's character. The gentleshould be mirch and be smear a man's character. The gentle-man from Wisconsin [Mr. Frear] says, as does Mayor Grace, that Mr. Grace wants to purify conditions in South Carolina. Those conditions may need it. I do not know; but the proper way for Mr. Grace, with all the power he has as lord of that city, is to bring charges against the men who he says sell Why does he not do it? Because he does not want to purify conditions, and his charges are merely the howl of a whipped dog, a mere attempt on his part to use this Congress as a means to besmirch the character of one of its Members and to do something that the voters of the first congressional district of South Carolina refused to do. If you had been in that committee room and had seen the methods of Mayor Grace before the committee I am sure that the most of you at least would have almostly instantly decided the character of the man and the character of his charges. He attempted to assume charge He brought his of the whole proceedings of the committee. hired henchmen there. Every man he brought there except Larisey was on his pay roll. They were men who held their jobs under him, and when questions were asked of them he would inform a witness who was under oath as to whether he could answer the question or not. I was the first one who remonstrated with him. I wish to say that the chairman of the committee gave him a great deal more consideration than I would have given him. If I had had the power, either in a court or a committee, and a man had acted as he did, I would have failed him. He attempted to run the committee from the beginning and to tell men, "Yes; you may tell that," or by shaking his head to tell them "No; you can not tell that." Did he want the whole truth? No; he only wanted such things as might satisfy his own despicable ends.

Now, there were admittedly two river-front wards in the city of Charleston, two bad wards in which money had been used to greater or less degree. They admit that Mr. Hughes spent \$44,500, a considerable portion of it in these two wards. say that Mr. Whaley, on the other hand, spent \$60,000, or even a larger amount in those two wards. Now, let us see if the a larger amount in those two wards. Now, let us see if the statement bears it out. Mr. Whaley got 141 votes in the three wards and Mr. Hughes 579. They say that every vote except 100 in that ward is purchasable. That is the testimony of their own witnesses. Then, even taking their own statement, it does not look as though Mr. Whaley got very many of those purchasable votes, and if they were bought it looks as though that \$44,500 bought them.

That was the record of the second primary. In the first primary Mr. Whaley got 133 and Mr. Hughes 458.

The ninth ward, the other purchasable ward, ran in the same way. They say those were the purchasable wards of the city. Yet the result shows that Mr. Whaley got a very small vote in

the two purchasable wards.

I dare say that every man on the floor of this House has in his district some enemy more or less powerful who, if he thought he could besmirch a Member's character and drag him down, would perjure himself and have his henchmen do likewise by appearing before a committee of this House and making charges against the Member. I know I have one or two men of that sort in my district. I feel that perhaps the rest of you

Now, bring this home to yourselves: If your deadliest enemy, a man who admits that he hates you, who admits that he has used bribery and corruption for years in his own campaigns, should come here and make a charge against you, unsupported by any testimony except that of his hired henchmen, men in his employment, would you think, as a matter of fairness, that this House should send it out over the country that after a preliminary examination they believed that there was a basis for those charges and that you ought to be investigated?

If I believed that Mr. Whaley had used an unfair dollar in

this campaign, I certainly would vote to investigate it.

Before I had seen Mr. Grace, when I had merely heard of him as mayor of a large city, I supposed he was a man of high character, and I went into that committee room thinking that there ought to be an investigation, that something should be done about the matter. I did not go through more than the first hearing until I made up my mind that the mayor of Charleston, S. C., was an admitted crook, and that there was no strength or basis for his charges

I would be besmirching my own conscience if, by a threat that some people in my district could say that I ought to investigate it, to save myself a few votes I should inflict an undeserved stigma on one of my colleagues in this House,

As to the statement about the negro votes of Mayor Grace, I think it comes with bad grace from a man in the South who knows the Caucasian blood and who has watched and been familiar with the negroes in that country to say that there is a larger percentage of purchasable votes among the whites than there is among the negroes. I brand the man that makes such a charge as that as a deliberate falsifier of the truth. I do not believe that white men, generally speaking, are of that stripe. [Applause.]
The SPEAKER pro tempore. The time of the gentleman has

Mr. POST. Mr. Speaker, I yield five minutes to the gentleman from South Carolina [Mr. FINLEY].

Mr. FINLEY. Mr. Speaker, the first work I ever performed in a committee room in my life was as a member of the committee on privileges and elections of the House of Representatives in South Carolina. I remember we tried two important cases bitterly contested. I remember then what was done, and I propose on this occasion to do what I did then-voice and vote my honest convictions. In one case mentioned I voted to seat the contestee; in the other I voted against seating the contestee.

As I understand this proceeding, it is by way of an inquiry submitted to an election committee of the House. They investigate the facts, they come here and make a report stating whether or not the allegations which called for the investiga-tion demand that a resolution be introduced into this House declaring that my colleague Mr. Whaley is no longer entitled to a seat in this House because of his acts and doings. Mr. FREAR. Mr. Speaker, will the gentleman yield? I will give him more of my time. That is not the purport of the reso-

lution. It simply asks for an investigation.

Mr. FINLEY. I understand that; but what I state is the What you ask for makes no difference here. Now, what are the facts? I have listened to the arguments advanced as to why there should be a further investigation, why a special committee should be sent to Charleston, and I want to say to the gentleman from Wisconsin and the gentleman from Illinois that if you can not get up a statement of facts by way of an that if you can not get up a statement or facts by way of an aflidavit, you can not to save your life bring witnesses by subpoena or otherwise, where they will be subject to cross-examination, and obtain those facts. I want to say right now that the same enemies, the same following, and the same spite in its foundation and in its origin pursued the late George S. Legare during the later years of his service here. These same people instigated trouble when he was not physically able to make a campaign, they put up Larisey against him, and forced him into a bitter and vindictive campaign.

I ask anybody who has read the testimony in this hearing, Where is there any evidence upon which to base a further or proper investigation? The report of the majority of the com-

mittee says there is none. I have read that record, I have read the reports, I have read what is printed, and there is no evidence that will warrant any further investigation. ing is taken from the report:

Notwithstanding the fact that the whole of the testimony submitted by Mr. Grace in support of his charges were mere rumors, Mr. Whaley, the majority of the committee believe, most successfully refuted such rumors. An examination of the testimony produced shows that there is very little, if any, of the testimony which should be received in any court of justice in this or any other civilized country. In so far as it relates to the question of bribery or illegal voting, it does not rise even to the dignity of hearsay.

It is a matter based upon hearsay and rumor from start to finish. I ask the membership of this House for what? Suppose John T. Grace is the mayor of Charleston, what of that? It is the first time, and in all likelihood it will be the last time. I think the people of Charleston, even his own crowd, will have enough of him when they read his statement giving it as his opinion that you could not corrupt the negroes any worse than the white people were corrupted in the last election.

Something has been said about South Carolina and how the law is administered and how the pardoning power is dealt with. That has nothing to do with this case. It is brought in here to try to influence somebody to vote otherwise than they would vote. Now, I hold no brief for the governor of South Carolina or anyone else, but when a Member of this House rises in his seat without justification or excuse except for partisan purposes in debate and lays the weight of his little finger on the State of South Carolina, which I have the honor in part to represent, or in any way attacks her government or her chosen officials I say to him that I will answer him. [Applause.]

The SPEAKER pro tempore. The time of the gentleman

from South Carolina has expired.

Mr. POST. I yield to the gentleman one minute longer.
Mr. FINLEY. I will say that every transfer from the penitentiary to the roads of the State, and each commutation of sentence, and parole during good behavior is set down as a pardon, and all of these are included in the large number of pardons. I have no doubt that the governor has pardoned many people that I or some of you would not pardon, but that has nothing to do with this case. There is no proof here upon which the House can base a resolution for an investigation, or lodge any charge of wrongdoing against Mr. Whaley or his friends. He was honestly nominated, so far as the record shows, and I know that he was honestly elected, and he ought not to be persecuted further.

Mr. POST. Mr. Speaker, I ask that the gentleman from Wisconsin use the remainder of his time.

The SPEAKER pro tempore. The gentleman from Wisconsin

has 13 minutes remaining.

Mr. FREAR. Mr. Speaker, I am now willing to be interrupted at any time. I do not know that I can add anything to what has already been said, but I do not wish gentlemen to hesitate if they desire to present any question, because I agreed that I would answer any gentleman, and I try to make good my promises. The suggestion was made by the gentleman from Georgia [Mr. Howard] a while ago that he would not base any kind of an investigation upon a man who was a confessed briber. and yet, Mr. Speaker, the time of this House has been occupied for months with witnesses who have been investigating certain things on the testimony of one Mulhall, whose character was not above reproach.

As to Gov. Blease, the gentleman from South Carolina [Mr. FINLEY] says he was interpolated into this case for the purpose of prejudice. That was not the intention at all. It was to show the contempt for law and order in South Carolina, a contempt for the courts of justice that would cause him, contrary to law and legal prosecutions, to throw 985 men out of State prison. Mr. Grace shows that the same condition exists in Charleston. where, as he said, to indict one man means to indict the whole community.

Mr. BARTLETT. Mr. Speaker, may I ask the gentleman a question?

Mr. FREAR. Certainly: I yield to the gentleman from Geor-

What is the purpose of the gentleman's Mr. BARTLETT. resolution; to investigate this in order to oust the sitting Member, Mr. Whaley, as not being entitled to his seat, or to expel him in case the proof would justify such a thing? Mr. FREAR. The petition was for the purpose of ousting,

and this resolution is for the purpose of ascertaining the facts.

Mr. BARTLETT. To what end—to oust? Mr. FREAR. So that thi: House may know whether it wishes expel him.

Mr. BARTLETT. Expel?

Mr. FREAR. Yes; or reprimand him, or take any course it

Mr. BARTLETT. Would the House have authority on any sort of return to prevent him from holding his seat, except by

expulsion?

Mr. FREAR. Oh, frequently so-well, I do not know what the practice of the House is, but I was thinking of other legislative bodies. Frequently they reprimand publicly. They take whatever action they see fit to take in the premises

Mr. BARTLETT. One more question, and I thank the gen-

tleman for answering me.

Mr. FREAR. I do not know what the precedents here are,

Mr. BARTLETT. Is it not within the power of the House now, if these charges are true, both under the State law and under the corrupt-practices act, if the sitting Member, Mr. Whaley, has failed to make a return of the money he expended in accordance with that act, to proceed to take such steps as would place him under indictment, under the law, if the law is constitutional-and I do not think it is worth the paper it is written on?

Mr. FREAR. Yes; I will say that the gentleman and I pretty nearly agree about the law, and that is what we want to find out-whether this act is constitutional or of any value whatsoever

Mr. ELDER. Does the gentleman think that we ought to make a contest on Mr. Whaley until some prima facie showing

has been made?

Mr. FREAR. I answer the gentleman from Louisiana, that the showing is very strong. I have related all of the facts in the case. I examined almost every witness at the request of the It was not a voluntary proceeding on my part.

Mr. POST. Mr. Speaker, will the gentleman yield? Mr. FREAR. Yes; I yield to the gentleman from Ohio.

Mr. POST. I want to ask the gentleman if it is not a fact, in view of the statements made on the floor of the House as to the treatment that I had accorded this man Grace, that the gentleman practically conducted the entire examination?

Mr. FREAR. That is true.

Mr. POST. And conducted the proceedings?

Yes; at the request of the chairman, I will say. Mr. POST. And if the record does not disclose that at the close of the last statement of Mr. Grace he thanked the committee and said that he had been treated with the utmost

Mr. FREAR. I do not remember the statement. Mr. POST. And does not the record show that? Mr. FREAR. Possibly so.

I want to ask the gentleman another question.

Mr. FREAR. Of course, I do not want this to be taken out

The SPEAKER pro tempore. Of course, it is taken out of the gentleman's time.

Mr. FREAR. Then I object to any further questions, because this is in the nature of an argument.

The SPEAKER. The gentleman declines to yield further. Mr. GREEN of Iowa. Mr. Whaley, as I understand, admits he paid some \$235 as bail bond of parties who failed to appear in the police court.

Mr. FREAR. Yes.

Mr. GREEN of Iowa. With what offense were they charged,

Mr. FREAR. With repeating and illegal voting, and they jumped their bail.

Mr. GREEN of Iowa. Mr. Whaley then paid this as a part of his election and campaign expense to immunize these parties from the penitentiary?

Mr. FREAR. So it shows in the record. Yes.

The committee report says, in connection with Sargeant, that the conditions testified to by him could not possibly be believed. There has been the same condition presented recently in Ohio, Chairman Post's own State, in Adams County, as I have said, and in other States, and there is no reflection upon the people of the State because a particular community indulges in that kind of corruption. We all deplore this, and I am appealing to you that we investigate and put a stop to such corruption. you sit here helpless, or will you go down and get the facts. Can any man in this House answer what the facts are? If Mr. Whaley wants a vindication, let us then give it to him: but do not give a whitewash with muddy water and with a brush which consists of only a stick, and a poor stick at that—this committee—which admits it has no power.

Mr. NELSON. Will the gentleman yield for a question? Mr. FREAR. Yes.

Mr. NELSON. As I understand it, the only reason why they will not investigate is the possibility that it will injure Mr. Whaley. Is that it?

Mr. FREAR. Yes. That is the reason given.
Mr. NELSON. On the other hand, if it is investigated, will not the investigation clearly disclose the facts, and, if not true, it will not leave any smirch upon his character that these charges now leave upon it?

Mr. FREAR. The gentleman from Wisconsin, my colleague, has, in a few simple words, stated it clearly, and I welcome his putting it in that form. If we have this investigation, Mr. Whaley's innocence will be shown, providing he is not guilty.

Mr. COPLEY. Will the gentleman yield for a question? Mr. FREAR. Yes; I yield to the gentleman from Illinois.

Mr. COPLEY. One of the speakers on the other side made the statement that he would not accept the testimony under oath of the mayor of Charleston, for the reason that the excise law had been violated under his administration. I would like to ask you if the same line of reasoning would not exclude the credibility of the mayors of New York City for the last 10 years. because they had sworn to enforce the law in New York City, and, as a matter of open knowledge, until the last year or so, the excise law was violated there constantly, weekday and Sunday?

Mr. FREAR. I thank the gentleman. The argument is unanswerable. And any gentleman here who has prosecuted criminals knows, and you have seen it in your experience, that often you have had to depend on men who turned State's evidence. Some of the most important criminal cases ever tried have rested on the testimony of such men. And here is a man, the mayor of the city of Charleston, a city with 6,000 votes, and he

must be a man of responsibility.

This is all I have time to present to the House in regard to this matter from the standpoint of the minority. endeavored to show by testimony that is fair and reasonable that a condition exists down in South Carolina which does not entitle the gentleman now representing that district to sit in this House until he vindicates himself from the charges. proposed by the committee to give him a whitewashing, which is unjustified by the facts and unfair to the Member himself. The honor of this House becomes involved when a Member is charged with the offenses that have been lodged against Mr. Whaley, and the House should know the truth.

Mr. ELDER. Is it not a fact that the mayor admitted before the committee that he knew this man "Rattles" was running a notorious dive, and that he could have closed him up at any time he pleased?

Mr. FREAR. Yes, sir. We do not differ on anything of that

kind, and I do not think we ought to do so.

Mr. THOMSON of Illinois. Do I understand that the gentleman from Louisiana [Mr. Elder] is a member of the committee?

Mr. ELDER. That is true. Mr. THOMSON of Illinois. Would it not seem to you, in view of what was said by some of the men on that committee, that Mr. Grace was a subject for investigation instead of Mr.

Whaley?

Mr. ELDER. It was in the minds of some that we should have Mr. Grace instead of Mr. Whaley; that something ought to have been done to him.

Mr. FREAR. That is all I think need be presented to the House in regard to this matter from the standpoint of the minority. We have, as I said, endeavored to show here by testimony that has been fair and reasonable that a condition of things exists down in South Carolina that does not entitle the gentleman who now represents that district to sit in this House until he vindicates himself from the charge. It is proposed here to give him a cheap whitewashing, which is unjustified by the facts and unfair to the Member himself. I do not think the gentlemen of past generations of whom I have spoken, among them Calhoun, from the State of South Carolina, a State which is interested in this proceeding, would have thought for a mo-ment of doing this. Their idea of their own personal honor was higher. The honor of this House also becomes involved when a Member is charged with all the offenses that have been lodged against Mr. Whaley.

The SPEAKER pro tempore. The time of the gentleman has

expired.

Mr. POST. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. Stephens].

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. Stephens] is recognized for 29 minutes.

Mr. STEPHENS of Mississippi. Mr. Speaker, in January, 1913, Hon. George S. Legare, who represented the first district of South Carolina in this body, died. For the purpose of electing his successor an election was ordered to be held on April 29,

1913. The Democratic Party held a primary on April 1 to nominate its candidate, whose name should appear on the ticket at

the general election as the nominee of the party.

There were five candidates for the nomination. None of them received a majority. So, under the law of the State a second primary was held on April 15, and the two candidates who had received the highest number of votes in the first primary were voted for. These two gentlemen were E. W. Hughes and Richard S. Whaley. At the second primary Mr. Whaley received a majority of the votes cast. He was declared the nominee of the party, and was subsequently elected to Congress without opposition

No contest has been filed nor any charges preferred against Mr. Whaley by either of his four opponents. So far as the record shows, each of them has accepted the results of the political contest without murmur or complaint.

Mr. THOMSON of Illinois. Mr. Speaker, will the gentleman vield?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. STEPHENS of Mississippi. I will, Mr. THOMSON of Illinois. Is it not a fact that some of the testimony adduced before the com littee was to the effect that some of those opponents were guilty of the same things that were charged against Mr. Whaley?

Mr. STEPHENS of Mississippi. That is very true.

Mr. THOMSON of Illinois. They naturally would not object,

then

Mr. STEPHENS of Mississippi. This was not true as to all of them, I will say to the gentleman from Illinois.

On September 20, nearly five months after the election, one John P. Grace filed with the Speaker of the House certain charges against Mr. Whaley. The matter was referred to Elec-tion Committee No. 1. After long and careful consideration of the matter, the committee, by a vote of 7 to 2, authorized Hon. J. D. Post, chairman, to offer in the House the following resolution:

Resolved, That the charges filed by John P. Grace against Richard S. Whaley, Representative from the first congressional district of the State of South Carolina to the Sixty-third Congress, be dismissed.

THE CHARGES AGAINST WHALEY.

The charges against Mr. Whaley are of an exceedingly serious nature. It is alleged that he announced his candidacy and began his canvass, "simultaneously circulating throughout the district that whoever entered the race must be prepared to out-

spend him in money."

Again, it is alleged that he "spent in the first and second primaries, and the campaign incident thereto, not less than \$60,000." It is alleged also that he "willfully and broadless than It is alleged also that he "willfully and knowingly filed false sworn statements with the Clerk of the House of Representatives," as to the amount of his campaign expenses, and that he "committed four separate and deliberate and felonious perjuries"; that he "openly bought his nomination and election by going out upon the highways and byways and debauching the electorate, and by using over twelve times as much as the maximum of money allowed by law"; that he made preelection promises contrary to the law, and perjured himself in this regard.

If the charges can be proven, Mr. Whaley should not be allowed to retain his seat in Congress, and I would unhestitatingly vote to expel him. But I am not convinced that they are true. Indeed I have been unable to find anything in the record that is at all worthy of belief that tends, even in the remotest degree, to sustain the charges.

Mr. Grace and several other witnesses appeared before the committee, and a large number of affidavits were presented.

This testimony was almost entirely in the nature of hearsay. In it all there was scarcely any reference to Mr. Whaley himself, and there was only the slightest effort to connect him or any relative of his with any misconduct, and this came from a source that was thoroughly discredited. Even if everything that was testified to in regard to any personal act of his were true, it would not justify any action of the House against him. I refer, of course, to statements based on personal knowledge, and not those based on hearsay.

The record, which is very voluminous, is filled up almost entirely with statements of hearsay, speculation, opinion, and

extraneous matter.

John P. Grace is the sole proponent of these charges against Whaley. He was not a candidate for Congress; but he says that the issue in the campaign was "Grace or anti-Grace." As he was the issue in the campaign, and as he has been exceedingly active in presenting this matter, it is important that we should know something of him.

Let us analyze the character and motives of Mr. Grace. In this analysis some of the language may seem harsh, but it will may the good Lord protect and defend his enemies!

be no harsher than the truth. I would not do him an injustice. He shall have no improper or unjust criticism passed upon him by me. Everything said about him will be entirely war-ranted by the record and, in most instances, by his own statements, from which I shall quote.

WHO IS JOHN P. GRACE?

According to his own statement, he is mayor of the city of Charleston, by right of purchase. He admitted that he expended

\$15,000 in electing himself to this office.

According to his own statement he is a corruptionist in poli-After describing the political corruption that he claimed existed in his home city-buying and selling votes, and political debauchery generally-he stated that "I followed the game." When he first came before the committee he was requested to make affidavit or to be sworn to his statement as to certain illegitimate expenditures of money in the interest of Whaley, about which he claimed to have personal knowledge. He re-fused to do so, and said, "I am not in position to cast the first stone," explaining that he had used money to procure his own election.

Without any regard for law. good morals, or his oath of office, he has permitted the law to be openly and flagrantly violated. Again, I call attention to his own language. He produced a witness by the name of Hogan. While Hogan was testifying, Mr. Grace interrupted and explained why Hogan lined up with him in his fight against Whaley in the election. He said:

When I was elected mayor I was in a position to drive him to the wall absolutely, because he was in a business which would have enabled me, if I had shown the disposition to do so, to absolutely drive him to the wall.

Mr. ELDER. That is the liquor business?
Mr. GRACE. Yes, sir; to be perfectly frank with you, the liquor busi-

Mr. Frear. What do you mean by driving him to the wall?

Mr. Frear. What do you mean by driving him to the wall?

Mr. Grace. I mean to say that if I had cared to exercise the vigilance of the police force against him—he was in a business that, according to the strict interpretation of the law, he should not have been in.

Mr. Frear. In what way?

Mr. Grace. In the liquor business.

Mr. Frear. In what way?

Mr. Grace. Well, it was a blind tiger?

Mr. Frear. He was running a blind tiger?

Mr. Grace. Yes, sir.

Mr. Frear. How many blind tigers are now in Charleston?

Mr. Grace. Probably 250. * * * They do not have the right to exist at all, and I could have fined him and in that way driven him to the wall. This man realized that I had done something for him.

He made this statement freely and voluntarily. No one had mentioned blind tigers until Mr. Grace brought up the subject himself, and his whole idea seemed to be to explain why Hogan lined up with him. He evidenced no sense of shame as to his conduct in this matter. He seemed to entirely justify it on the grounds that it was a custom, and that he treated all the blind tigers alike. His whole appearance and his statements as to his dealing with these violators of the law indicated that he was either morally color-blind or morally atrophied.

Another trait in Mr. Grace's character is shown by his statement in regard to Mr. E. W. Hughes, Mr. Whaley's opponent. Grace supported Hughes and was his campaign manager. He testified that Mr. Hughes spent in that campaign \$44,500, and

that much of it was used in the purchase of votes.

This statement shows that he does not hesitate to defame and bring into disrepute a friend. The good name or reputation of a friend is but trash to him. He was under no compulsion to make this statement. It was entirely voluntary on his part. No member of the committee, or anyone else, had asked him anything about it. If Hughes did expend a large sum of money illegally, it had no connection with the charges against Whaley. It added nothing to the strength of his case. If true, it was a voluntary betrayal of the confidence of a friend and a betrayal of facts, the knowledge of which was obtained by reason of the friendly relations that had previously existed between him and Hughes to such an extent that he was Mr. Hughes's campaign manager.

His statement about Mr. Hughes is either true or false. true, it shows a wicked spirit in the man, because, as already stated, Grace volunteered the information. The committee had not asked for it. It was not interested in that matter, because it was not connected with the case under investigation. Mr. Grace is a lawyer, and he thoroughly understood that it was both unnecessary and improper to bring Hughes's name into the case. In my judgment, whether the statement as to Mr. Hughes is true or false, in view of the circumstances surrounding the matter, it writes Mr. Grace down as a man upon whom one can not safely rely. If a man is willing to defame, besmirch, and bring into disrepute his friend, when there is absolutely no reason for him referring to his friend, what would such a man not do to an enemy? If he deals thus with a friend,

That he is willing to defame the citizens of his own citywilling to stigmatize them in such a manner as to hold them up as fit subjects for scorn and contempt-is shown by another voluntary statement. At the time it was made he was not even being questioned. A witness was being interrogated, and Mr. Grace interrupted him and used this language:

Without any reflection on the white people in the town I live in, I do not believe that you could corrupt the negroes any worse than the white people were corrupted in the last election.

"Without any reflection on the white citizens." Great heavens! If he were to attempt to reflect on the white people of Charleston, what worse could he say? To say that the people of the city of Charleston have become politically more debased, more immoral, and more corrupt than negroes is but to reach the acme of reflection.

It is a notorious fact that the vote of the negroes is a subject of barter and sale. Therefore, to make this charge against the people means simply this: That they have descended to the lowest depths of moral and political degradation and have become totally unfit to enjoy the right of the ballot. I do not believe that the statement is true, and I have no respect for any man who will make such a charge against his own people. Especially will I refuse to believe it when the statement comes from a self-confessed political corruptionist and from one who makes political capital to his own profit by conniving with dive keepers and habitual violators of the law.

Some of his fellow citizens do not believe that he is very "valiant for the truth." H. C. Millican, a citizen of Charleston, states that he-

believes that Mayor Grace would tell Hogan, or anybody else, to answer to anything, whether true or false, if he thought it necessary to carry his point.

J. J. O'Shaughnessy, who is serving his sixth term of two years each as ministerial magistrate of Charleston, states

Mayor Grace is vindictive and revengeful, and anyone who opposes him subjects himself to his ill will, and he will not hesitate to do anything to the injury of such a one.

Again, Mr. O'Shaughnessy says that-

Mayor Grace would not hesitate to force these witnesses, and all of them, to testify to anything necessary for said purpose or to steal deponent's character.

Frank M. Cox states that one of Mr. Grace's witnesses has been placed on the police force since the election, and-

It is deponent's opinion that his job on the police force is the pay for the lie he has told.

INTEREST AND MOTIVE OF MR. GRACE.

What prompted Mr. Grace to file charges against Mr. Whaley? Was it because he is conscientiously opposed to such methods in politics? Evidently not, as he says that he "plays the game" himself. Then he told the committee that if his friend Mr. Hughes had won he would not have opened his mouth, although he says that Hughes spent \$44,500. This last statement makes it clear that he was not inspired to this action by purely patriotic motives. His moral sense is not shocked when money is used illegally, either for himself or his friend.

Then, what sprung him to action in this matter? It was the feeling of malice and ill will that he bears toward Whaley. He is so full of malice toward Whaley that if one more ounce of it were injected into his system his very hide would burst under the strain. There has been both personal and political antago-

nism between them for years.

Mr. Grace states that he said to some of his friends, "Don't you know that this is a fight on me?" He took Whaley's election as a personal affront and defeat, and he is now exerting every effort in his power to revenge himself by annoying Whaley. My opinion is that he told the story of his own political misdeeds, besmirched and beslimed his friend Hughes, cast a stigma upon the fair name of his State and the citizens of his own home city for one single purpose. He had preferred charges of a very serious nature against Whaley. He had no proof to sustain them. In his desperation and desire for revenge, he thought to paint such a horrible picture of political corruption and debauchery, in a general way, as to create such a feeling of horror and disgust in the minds of the committee that it would cause the committee to overlook the issue-the guilt or innocence of Whaley-and order an investigation so as to rid the State of the hideous evils that he claimed existed there.

He is a lawyer, and of course knows how to weigh evidence. He evidently knew that he did not have sufficient proof to make out a prima facie case. Therefore it strikes me that he never expected to sustain the charges, but his sole object was to harass and annoy Mr. Whaley as much as possible. No one who saw him before the committee could fail to see

that he is full of malice, prejudice, and spleen against Whaley.

Frequent exhibitions of feeling were displayed. While one of his own witnesses was being examined, at a time when the witness was not discussing Whaley, or anything relating to him, Mr. Grace, in a burst of temper, struck his fists together and in an angry tone of voice denounced Whaley as a liar, using in that connection some very profane language. It is proper to remark that Whaley was not present.

Time after time, while his own witnesses were testifying, he would interrupt and inject into the record remarks that were entirely improper and of such character that they were stricken

from the record.

His interest was such that he made a visit to the chairman of the committee while at his home in Ohio, besides numerous trips to this city. His feeling was so intense that he made threats against the chairman because he did not act in this matter as quickly as Grace thought he ought; and at one time, in the presence of the committee, he invited the chairman out of the room to fight.

Mr. Speaker, I call attention to the fact that I have not uttered a single word of abuse of Mr. Grace, nor shall I do so in this argument. All that has been done was to call attention to

the record and very largely his own language.

I recognize the fact that whether Mr. Grace is a good man or a bad man does not affect the guilt or innocence of Mr. Whaley; but in passing upon the testimony offered by himself we have the right to look to the character, interest, and motives of the man in order to determine what weight and credit should be given to his statements.

TESTIMONY OF MR. GRACE.

Let us now consider the testimony of Mr. Grace and find out what he has to say in regard to expenditures of money by or for Whaley. His charges were filed on information and When he came first before the committee he expressed himself as thinking that we should order an investigation simply because he had made the charges and because he was mayor of Charleston. When informed that he must produce proof, he brought witnesses, but gave no testimony himself, except to file his affidavit. This affidavit was not a statement in regard to any fact within his own knowledge, but was simply a matter of hearsay with him. It was filed on October 1.

The matter was held open until December 15. He was given the fullest opportunity to make any statement that he cared to make. On that date he appeared before the committee and made a statement, in which he said that at the second primary he saw Frank Simmons in a room distributing money for Whaley, and that he must have had as much as \$2,000 on a

table.

This statement is denied by Simmons. There are two rea-

sons for believing that Simmons told the truth.

First, Grace endeavored to get Hon. Joseph T. Johnson, a Member of Congress from his State, to object to Mr. Whaley taking the oath of office. Mr. Johnson refused to do so unless he was furnished with proof of facts that would justify his action. This is all taken from Grace's statement, and he states further that he had no facts to give Mr. Johnson. Johnson wanted facts; Mr. Grace did not have them.

Wanted facts; Mr. Grace did not have them.

Mr. Stephens. Was there any instance at all that you could cite from your personal knowledge?

Mr. Grace. I went over the thing with them and told them what I had reason to think was spent at the time, and all that sort of business; but that was the clearest kind of speculation.

Mr. Stephens. You told them nothing except about the speculation?

Mr. Grace. That is all.

Mr. Stephens. So you could tell them nothing except what was a matter of opinion, could you?

Mr. Grace. That was practically it; yes, sir.

Mr. French. Practically what was told the committee in the first instance?

Mr. Grace. Yes, sir.

Mr. Stephens. Was there anything other than opinion recited to Mr. Daynson?

JOHNSON?

Mr. GRACE. No, sir; except I was in Washington, and all of my informants were in Charleston. It was in the mouths and on the lips of everybody, and newspapers were full of it, that it was awful. That was the substance of it. Now, then, I couldn't tell you who got the money, who sold his vote, and all that kind of business at that time. I think if I had brought a petition at that time and Mr. Whaley had called on me for proof I would have then been in a very ridiculous position, and you could have very well said that I had come up here and brought a petition which was based on something that I did not know anything about.

It is a rigidation of law to purchase very. If Cance saw

It is a violation of law to purchase votes. Simmons doing this, as he says he did, why did he not say to Mr. Johnson: Yes, I know that the law was violated; I saw it with my own eyes. He did not do so; but simply expressed his opinion to Johnson about what occurred at the election. His statement that if at the time he was talking to Johnson, which was several days after the election, "I had been called on for proof I would have been in a ridiculous position and it could have been very well said that I had brought a petition based on something that I did not know anything about," is a direct admission that he had no facts within his personal knowledge; therefore, Simmons is corroborated by Grace himself.

Again, the deportment of Mr. Grace before the committee was such as to show that he is high-strung, vindictive, insulting, and His statement of what was said between him and Simmons when he claims that he saw him spending such sums of money for Whaley do not harmonize with his conduct before the committee. According to his statement, Simmons had been his political friend and had deserted him for his political enemy at a time when Grace was fighting for his political life almost, yet he simply expressed surprise and regret. It will be pretty hard to make one believe this, who has seen his exhibitions of temper, who has heard him use profane language before the committee, and who has heard him extend an invitation to the chairman to engage in a fistic encounter.

In his statement before the committee Mr. Grace said:

In his statement before the committee Mr. Grace said:

I want to say this, Mr. Chairman, that I have definitely the names of the gentlemen who, with Mr. Whaley's knowledge and consent, organized and collected the immense campaign fund for Whaley, which was distributed through his office and with his knowledge, and in many cases he sent people to his cashier to get the money, amounting to thousands and thousands of dollars. That fund he collected from these people entirely on the theory that he was not fighting Grace.

Mr. French. Now, this is very interesting, and I think we ought to go further into it. Where was this money collected from?

Mr. Grace. Largely by Mr. Peters, who was afterwards appointed collector of the port after Mr. Whaley was nominated. He is now collector of the port. I have proof of this. It was collected by Mr. Peters and by Mr. McLeod, who was very much anti. * * * At that time McLeod and Peters organized a committee and collected campaign funds, which was used with Mr. Whaley's knowledge and consent.

Mr. French, How was it collected?

Mr. Grace. Some of it was collected from Mr. Whaley's relatives.

Mr. French. To what other sources did these people go to collect this money for Mr. Whaley's campaign?

Mr. Grace. I heard that \$20,000 came from certain cotton-mill in-

terests,
The Chairman. What cotton-mill interests?

Mr. Grace. At that time the question of cotton and the cotton schedule on southern cotton was an important question. The southern cotton people were maintaining a lobby here for the sake of getting a little better conditions, through the tariff bill, on manufactured goods which we manufactured, as against the New England mills.

Mr. FRENCH. Give us the names of those cotton mills.

Mr. Grace. Well, I could not.

The Chairman. Give us the names of those cotton mills that gave contributions.

Mr. Grace. I could not tell you that. I say this, Mr. Post: I have no definite information about this, but this is a presumption.

* *

Mr. Stephens. Now, let me say further that from hearsay you think that perhaps \$20,000 was collected from cotton mills, and you admit that that is hearsay?

Mr. Grace. Yes, sir; on that point I have nothing but that.

Mr. Stephens. And because of that statement I think it is absolutely necessary that we should go further with you and find out whether it is hearsay with the other matters.

Mr. Grace. Well, I told you as to that that it is hearsay, and therefore you know on my word of honor that it is hearsay, and, on my word of honor, I tell you that the other is not hearsay.

The CHAIRMAN. Mr. Grace, if you know from whom Mr. Peters made his collections, tell it.

Mr. Grace. You ask me do I know that?

The CHAIRMAN. You said you did.

Mr. Grace. Yes, sir.

The CHAIRMAN. Give us the names.

Mr. Grace. Well, F. D. Peters.

The CHAIRMAN. From whom did he make the collections?

Mr. Grace. In the first place, he was not only a collector, but a substantial contributor.

The CHAIRMAN. How much did he contribute?

Mr. Grace. I really do not know.

The CHAIRMAN. Well, he made up a fund?

Mr. Grace. Yes, sir.

The CHAIRMAN. Now, give us the names of those from whom he collected.

Mr. Grace. Well, Mr. Chairman, unless you compel me, I would like to go on with my story as far as I can. So far as giving the names to

collected.

Mr. Grace. Well, Mr. Chairman, unless you compel me, I would like to go on with my story as far as I can. So far as giving the names to the committee—

The CHAIRMAN (interposing). To be frank with you, Mr. Grace, we are tired of having these hearsay matters. If you have anything substantial, lay it out upon the table in front of the committee. I ask you if you know who made the contributions to Mr. Peters? Let us have their names and where they live.

Mr. Grace. Well, Mr. Post, we might as well face the issue right now.

now

now.

The Chairman. That is what we are trying to do.

Mr. Grace. I have some stuff here to put in the record, and I do not want what I am going to put in by the answer I would give to go in first. I would like to put in my other stuff first, because I know when I answer that question that you are going to tell me that this investigation is at an end. In the meantime, I would like you to let me proceed in my own way.

Mr. GRACE. Well, as I do not know positively, except as I was told by what I considered reliable parties, who he collected the money from, I will answer that question by saying that now I am not in a position to answer it.

Mr. French. Were there other sources still? You have mentioned relatives; you have mentioned these industries that you said were interested in pending legislation. Were there others, or does that include the sources from which you understand the Whaley fund was collected?

Mr. Grace. The other sources I heard—it was rumored that it was the Southern Railway and the Consolidated Railway, which is a large local corporation, and one or two corporations whose interests have always been hostile to me. I said that there might be some truth in that. Of course, that is only inference.

The CHAIRMAN. Who was the other man whom you said, besides Peters, collected a large fund?
Mr. GRACE Mr. McLeod.
The CHAIRMAN. How much money did he raise?
Mr. GRACE. They worked together—Mr. Peters and Mr. McLeod.
Mr. FRENCH. Do you know the source from which Mr. McLeod—Mr. GRACE (interposing). Not positively.
The CHAIRMAN. All you know about it is hearsay?
Mr. GRACE. All I know about it is hearsay.

I have quoted at considerable length from the statement of Mr. Grace in order to show that he gave no facts that had any evidential value. His statement is made up of hearsay, opinion, and speculation. He would claim to know facts, but when pressed upon any point had to admit that it was hearsny or that he was "not in position to answer." At one time he made the ridiculous proposition to give certain information if the committee would promise, under oath, not to divulge it. [Laughter.] He was willing to testify about this matter if the information could be kept in the bosom of the committee. a public matter under investigation. Why keep his testimony secret? My conclusion is that he was preparing to make a false statement and he did not want to give anyone an opportunity to catch him in it. According to my judgment, there is not one single bit of evidence in the whole story of Mr. Grace that even tends to support his charges.

H, LEON LARISEY-THE DETECTIVE

This man Larisey was employed by Mr. Grace to work up evidence against Whaley. He was paid between \$600 and \$700 for his service. The larger part of his work was done in the four counties of Berkeley, Colleton, Clarendon, and Dorchester. He filed a statement giving the names of at least 200 men

living in these counties, who had either handled money for Mr. Whaley or who had knowledge of its use, stating that these men would testify to these facts. All this was hearsay with him, of course.

I will refer to a few of the statements as examples of what he had to say: Dr. W. B. Ackerman handled Whaley funds very extensively; he does not deny it; A. A. Patterson was also very active, and made no secret of having Whaley funds; Judge Hutchinson handled Whaley funds, stated by M. J. Egan; E. D. Jaudon handled money for Whaley. There are several printed pages made up of matter of like character.

Nearly every man whom Larisey mentioned has made an affi-davit denying the truthfulness of his statements. It may be said that it is but natural that the men charged with handling money for Whaley would deny it. If so, I ask why should men who did not handle money swear falsely? Larisey mentioned scores of men who, so he said, simply had knowledge of such transactions. There was no reason for them to perjure themselves. Many of these men were opposed to Whaley and actively supported his opponent. Among them were farmers, merchants, doctors, lawyers, and county and district officers. Men of all classes denounce his statements as false and state that so far as they know, or have reason to believe, that in their respective communities there was no violation of the election laws.

In these affidavits there is to be found some strong language

in regard to Larisey. One man says: I have found him anything but honest; a stranger to the truth.

Another said:

I know his reputation for truth and veracity and would not believe him on oath.

Mr. Grace did not pay a very high tribute to his character.

I am not a very strong believer in the testimony of a detective. A man who engages in the business of procuring evidence for pay is usually more careful about securing his money than he is about the methods he uses in securing testimony. Whenever it is shown that a detective bears a bad reputation, then whatever he may state, although under oath, has very little weight with me.

When before the committee Mr. Larisey was asked about the result of a lawsuit between the Exchange Banking & Trust Co. and H. F. Towles. Larisey had transferred to the bank a mortgage purporting to have been given him by Towles. One of the defenses set up was that Larisey had forged the instrument. The court instructed the jury that "you will answer the question, Did H. F. Towles execute the Larisey mortgage?" He claimed that the case was decided in his favor. I quote the

The CHAIRMAN. If I understand you, you claim that you were completely exonerated in this case?

Mr. LARISEY, Absolutely.

The court records show that the jury rendered its verdict in favor of Towles. In addition to this Larisey produced a letter from his attorneys in an effort to refute the idea that he had not paid his fee, which also shows that he lost his case. The introduction of the letter places him in the attitude of proving against himself that he is guilty of perjury in an effort to relieve himself of the charges of failing to pay a debt.

A jury of his county by solemn verdict pronounced him a forger; he testified falsely before the committee, and proved it on himself; many of his fellow citizens state that he is wholly unreliable and unworthy of belief. Therefore it is not at all surprising that the committee did not give any credence to his

H. F. HOGAN.

Another witness was H. F. Hogan. He told a lengthy story. It was in large part hearsay. However, he stated some things of his own knowledge. He said that Whaley tried to get him to handle money for him and offered him \$50. This was denied by Whaley and by other persons. He stated also that he saw

money used in the purchase of votes for Whaley

That you may determine what credit to give the testimony of this witness, it is proper that you know something of him. He is the man that Mr. Grace said "realized that he had done something for him," because he allowed him to continue in the blind-tiger business. He operated "one of the lowest negro dives" in the city of Charleston by permission of Mayor Grace. At the present time he is on the police force of that city, placed there by Mr. Grace. It is a significant fact that he was placed on the force just 11 days before Mr. Grace brought him here to testify.

STEPHEN W. SARGENT.

All the witnesses who gave oral testimony were directly connected with Grace either by employment or as employees of the city, except Sargent. He stated that two men told him that they had been paid for their votes by a friend of Whaley, and another man said that he had been offered money. This was purely hearsay. He knew nothing of it of his own knowledge.

He also made the statement that Whaley spent \$8,000 in ward 9 at the second primary. This statement was not based on knowledge of any facts. He was asked, "What is your judgment as to the amount that Whaley spent?" His answer "From the money I have previously spent in that ward and my experience there, I would not hesitate to say that Whaley spent not less than \$8,000 in the second primary.

This answer shows the character of the man. He had not seen a dollar spent by Whaley or anyone for him; he had heard of only two men being paid any money—only a few dollars; yet he deliberately swears that Whaley spent in that ward \$8,000. I submit that a man who is so reckless in his statements is unworthy of belief.

CHARACTER OF OTHER WITNESSES.

Now, Mr. Speaker, let me say that reference has been made to the fact that seven witnesses were offered by Grace before the committee, and the gentleman from Wisconsin stated that they told their story in a straightforward manner. The gentleman from Louisiana [Mr. Elder] has already recited what Grace would say to them about telling or not telling certain things, and I go further and assert in the presence of the full committee who saw these men that not a single witness that Grace offered would answer any important question without first looking into the face of Grace to see whether or not he should I believe they did it to see what he wanted them answer it. to say. They sat there and kept their eyes glued on the face of Grace, their master; they were men in the employ of the city under him, and they came there to do his bidding, and they only needed a nod or a sign or some indication from him as to what their answer should be.

I shall not undertake to go into a discussion of the other witnesses, nor their statements, as fully as with those already referred to. It will be interesting to look over the list of

Among the number we find C. Conclin, policeman; M. J. Barry, member of the "grass gang"; J. W. Moore, policeman; George Plough, policeman; Benjamin Rudduck, street sweeper; Farclo, blind-tiger keeper; J. Burns, a beggar and bum; T. E. Gleason, a loafer and hanger-on; Robert Smart, the same; T. E. Gleason, a loafer and hanger-on; Robert Smart, the same; M. H. Fulcher, city employee; A. H. Brouthers, runs gambling house; Samuel D. Barshay, blind-tiger keeper; E. E. Harbeson, blind-tiger keeper; A. Seebeck, blind-tiger keeper; M. Bazarr, city employee; Philip Fash, blind-tiger keeper; F. Brandes, blind-tiger keeper; F. Brandes, blind-tiger keeper; F. Brandes, blind-tiger keeper; J. J. Hilton, who Grace says is not a man of character; Darby Sanders, of whom Grace said "I would not call him a man of high character"; John Aulsberry, policeman; O. L. Clubb, a

notorious vagabond; A. F. Dunlap, who was appointed policeman after the election; and C. J. Bresnihan, garbage inspector. WHERE WERE THE GOOD CITIZENS

It has been stated that the use of money was so open and notorious that it was being talked of all over the district. It was said that votes were publicly bought. Several witnesses testified that they saw men with large rolls of money. One witness, when asked to give the size of the roll, held his hands at least 12 inches apart. Another claimed to have seen a man with a roll of money "as large as a man's hat." Others claimed to have seen men with hundreds and thousands of dollars publicly buying votes.

These statements were made by men of the character I have described—Mr. Grace and his henchmen, blind-tiger keepers,

bums, loafers, and city employees under him.

The city of Charleston has a population of 65,000 and the district a population of about 200,000. It is very remarkable that no good citizen saw these things going on. Not a farmer, lawyer, doctor, minister, merchant, or business man has testified to any such thing, although the witnesses would have us believe that the work was openly and publicly done in many instances. If the morals, political or otherwise, of the first district of South Carolina are in the keeping of men like the ones Grace produced as witnesses, then God save the district!

SOME CROOKED WORK.

Mr. Grace filed an affidavit made by one M. Bazar. man is a foreigner, and can neither read nor write the English language. He made a later affidavit, in which he said that C. J. Bresnihan, one of Grace's underlings, took him to Mr. Grace's office and had him to make the first affidavit without informing him of its contents, and that it did not state the truth.

Mr. Grace also filed an affidavit made by Frank Fosberry. Fosberry made another affidavit denying the truthfulness of the first, and stated that this same man Bresnihan got him drunk, took him to the law office of Mr. Grace, and while in an intoxicated condition he was induced to make the affidavit.

Another witness, whose name I do not recall, repudiated an affidavit filed by Mr. Grace, saying that he had not only not signed such an instrument but never heard of it until after it had been presented here.

It is also shown that H. Leon Larisey, the detective, offered to pay one L. B. Simonds if he would make affidavit to certain

things against Whaley.

AN INTERESTING STATEMENT.

Mr. Grace made a statement that was a strange one, coming from the source it did. I doubt if the force of it appealed to him. He said that Whaley was preparing, just before the result of the second primary was determined, to contest Mr. Hughes's right to the nomination because of illegal expenditures of money by Hughes.

If Whaley had been guilty of the conduct alleged against him, if he had openly and notoriously bought votes, as Grace said he did, and, in the face of all this, was preparing to prefer charges against Hughes, he must be a fit subject for the lunatic asylum. The very fact that he was preparing his contest is proof to show that he felt that he had violated no law, either in the expenditure of money or otherwise. It is a strong refutation of the charges against him.

WHALEY'S APPEAL TO VOTERS.

Mr. Grace offered in evidence a letter issued by Mr. Whaley on the day of the last primary. He closed the letter with these words:

This, therefore, is my final appeal to my friends and to all the people who desire fair play and an honest election. Whether they intend to vote for my opponent or for me, let nothing keep them from the ballot box to-day. Let each one register his opinion by casting his vote for the man whom he thinks will better represent him and the district in the Halls of Congress; and after voting I ask that everyone who is interested in the welfare of his community and wishes to rid it of questionable politics remain at the polling place for as long a time as he can spare from his business or occupation to watch the proceedings. None need be afraid of any unpleasantness. The corraptionist is also a moral coward and will not prosecute his nefarious pursuit in the light of day. The presence of honest men will discourage dishonest practices.

You will note that he asked every voter to remain at the polls and be on watch for any corrupt politics. After making such a request, do you believe that he would have offered to buy votes himself or permit his friends to go around with money in rolls containing thousands of dollars and openly and notoriously purchase votes? The question answers itself. lowed up his letter by such conduct, he did a most foolish thing, because he had put the people on guard and directed attention to his own misconduct.

NO PARTISANSHIP OR SECTIONALISM.

Mr. Speaker, this matter was considered by a committee of nine members. Seven have voted to dismiss the charges. This

determination was not reached because of any feeling or partisanship, because of the ones who voted to dismiss the charges five are Democrats, one is a Republican, and one a Progressive. Neither was the determination of the case the result of any sectional feeling. Of the seven, four came from Northern States.

I refer to this matter because of an article recently published by Mr. Grace, in which he uses this language:

What is all this talk in Washington about the interests of the "southern wing" of Democracy requiring the Whaley investigation to be suppressed?

This is ridiculous. Of course there has been no such talk, at least from any respectable source. If any such suggestion has been made, I never heard of it.

In the same article Mr. Grace uses this language in referring to the element that supported Mr. Whaley and in his reference to Mr. Post, the chairman of the committee:

That element was also on the side of slavery, and later on (along with Mr. Whaley) on the side of child and woman slavery in the cotton mills, as his legislative record proves. But since when has that been the test of "bestness" in the Democratic Party? Not since "the best element" in this very city first fired on the American flag and until, as it was supposed, chastened by experience, it was again the other day intrusted with power. Who is Mr. Post, that, at the mandate of the false leadership of the party, he should reverse the logic of history and, in favor of the old oligarchy, once more begin in the first South Carolina district to fire upon the genius of the American flag?

This is in line with his wild statements made before the committee, and is but another evidence of the length to which he will go in order to strike an enemy. To attempt to inject into the case the old feeling of sectionalism that resulted from the Civil War and the slavery question is not only in bad taste but thoroughly contemptible. His references to the negroes being in the majority in the district, to their exclusion from politics, to slavery, to the part that Charleston played in the Civil War, and so forth, were all made for the purpose of arousing sectional feeling; but it has all failed to have any such effect, as each Member voted according to his conscientious belief in the matter.

Mr. Speaker, Mr. Grace has brought a serious indictment not only against Mr. Whaley but against his city, county, district, and State. He has wholly failed to prove his case. convinced that this whole proceeding was inspired by malice, that it is an effort to harass and annoy a political enemy, that witnesses of the lowest type have been produced to prove the charges, that perjury has been committed by the wholesale. After weeding out the matters of hearsay and opinion and the testimony that was shown to be false, there is nothing of a substantial nature that will justify any further action in the matter. Therefore I shall support the resolution to dismiss the charges, as I am unwilling to immolate Richard S. Whaley on the altar of the malice, ill will, and perjuries of witnesses whose character has been described to you. [Applause.]

The SPEAKER. The time of the gentleman from Mississippi has expired. All time has expired, and the question is on the substitute offered by the gentleman from Wisconsin [Mr. Frear] for the resolution reported by the committee.

Mr. POST. Mr. Speaker, on that I demand the yeas and nays. The SPEAKER. The gentleman from Ohio demands the yeas and nays

Mr. POST. Mr. Speaker, I will withdraw the demand.

Mr. FREAR. Then I demand the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIS. Mr. Speaker, before the vote is taken, I ask unanimous consent that the substitute resolution may be

The SPEAKER. The gentleman from Ohio asks unanimous consent that the substitute resolution be reported. Is there objection?

There was no objection.

The Clerk again reported the substitute resolution, as follows:

Whereas Elections Committee No. 1, to which was referred charges filed by John P. Grace, an elector residing in the first congressional district of the State of South Carolina, against Richard S. Whaley, a Member of this House, representing that district, has held hearings at the city of Washington in order to determine the necessity for asking for authority whereby to conduct an investigation into the facts, and pursuant thereto has filed a record of its proceedings and its report thereon:

Resolved, That the charges filed by said John P. Grace against said Richard S. Whaley, together with all accompanying records, be referred to a select committee of seven Members, with power to hold sessions at such place or places as may be found most convenient, to send for persons and papers, administer oaths, and to employ a cierk and stenographer, and that said committee be authorized and directed to investigate the allegations of said memorial and report to this House; and the expenses necessarily incurred in the execution of this order shall be paid out of the contingent fund of the House.

The SPEAKER. The Clerk will call the roll.

The question was taken; and there were—yeas 98, nays 227, answered "present" 3, not voting 105, as follows:

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So the substitute resolution was rejected. The Clerk announced the following pairs:

For to-day:

Mr. TOWNSEND with Mr. GILLETT. Mr. TUTTLE with Mr. PROUTY.

Until further notice:
Mr. Goodwin of Arkansas with Mr. Burke of South Dakota. Mr. ALEXANDER WITH Mr. BURKE OF Pennsylvania.
Mr. WINGO WITH Mr. BARCHFELD.

Mr. Clancy with Mr. Wallin.
Mr. Dale with Mr. Martin.
Mr. Fitzhenry with Mr. Roberts of Nevada.
Mr. Talbott of Maryland with Mr. Merritt.

Mr. Webb with Mr. Volstead. Mr. McClelland with Mr. Switzer.

Mr. Burnett with Mr. Avis.
Mr. Carter with Mr. Bartholdt.
Mr. Collier with Mr. Bell of California.
Mr. Deitrick with Mr. Cary.
Mr. Doremus with Mr. Graham of Pennsylvania.
Mr. Goldfogle with Mr. Dyer.

Mr. HAY WITH Mr. GRIEST.
Mr. CARLIN WITH Mr. HINEBAUGH.
Mr. HENRY WITH Mr. McGuire of Oklahoma,
Mr. Kitchin with Mr. Mondell.

Mr. Montague with Mr. Moore. Mr. Mitchell with Mr. Moss of West Virginia.

Mr. LOBECK with Mr. HUGHES of West Virginia. Mr. L'ENGLE with Mr. KEISTER.

Mr. LEVY with Mr. KENNEDY of Rhode Island.

Mr. Neeley of Kansas with Mr. Kiess of Pennsylvania.

Mr. Reilly of Connecticut with Mr. Kinkaid of Nebraska.

Mr. Rucker with Mr. Lindquist. Mr. Talcott of New York with Mr. Murdock.

Mr. Watson with Mr. SLEMP.

For the session:

Mr. Hobson with Mr. FAIRCHILD.

The result of the vote was announced as above recorded. The SPEAKER. The question is on the committee resolution.

The question was taken, and the committee resolution was agreed to.

WITHDRAWAL OF PAPERS.

By unanimous consent Mr. Harr was granted leave to withdraw from the files of the House, without leaving copies, the papers in the following cases:

Thomas F. Keating (H. R. 8554), Sixty-second Congress, no adverse report having been made thereon.

William R. Claxton (H. R. 7771), Sixty-second Congress, no adverse report having been made thereon.

James Hanna (H. R. 24651), Sixty-second Congress, no adverse report having been made thereon.

EXTENSION OF REMARKS.

Mr. FRENCH. Mr. Speaker, I ask unanimous consent to

extend my remarks in the RECORD on the Whaley case.

The SPEAKER. The gentleman from Idaho [Mr. French] asks unanimous consent to extend his remarks in the RECORD on the Whaley case. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4145. An act to authorize the Government of Porto Rico to construct two bridges across the Arecibo River near the city

of Arecibo, P. R.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to bills of the following titles, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHIVELY, Mr. BRYAN, and Mr. McCumber as the conferees on the part of the Senate:

S. 834. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 833. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 832. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 32) to provide for the appointment of an additional district judge in and for the eastern district of Pennsylvania, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. Overman, Mr. Chilton, and Mr. Clark of Wyoming as the conferees on the part of the Senate.

INVESTIGATION OF CONDITIONS IN COAL FIELDS, COLORADO, AND COPPER MINES, MICHIGAN.

Mr. FOSTER. Mr. Speaker, I offer a privileged report from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 387.

House resolution 387.

Resolved, That the House Committee on Mines and Mining is hereby authorized and directed to make a thorough and complete investigation of the conditions existing in the coal fields in the counties of Las Animas, Huerfano, Fremont, Grand, Routt, Boulder, Weld, and other counties in the State of Colorado; and in and about the copper mines in the counties of Houghton, Keweenaw, and Ontonagon, in the State of Michigan, for the purpose of ascertaining—

First. Whether or not any system of peonage has been or is being maintained in said coal or copper fields.

Second, Whether or not postal services and facilities have been or are being interfered with or obstructed in said coal or copper fields; and if so, by whom.

Third, Whether or not the immigration laws of this country have been or are being violated in said coal or copper fields; and if so, by whom.

Third. Whether or not the immigration laws of this country have been or are being violated in said coal or copper fields; and if so, by whom.

Fourth. Investigate and report all facts and circumstances relating to the charge that citizens of the United States have been arrested, tried, or convicted contrary to or in violation of the Constitution or the laws of the United States.

Fifth. Investigate and report to what extent the conditions existing in said coal fields in Colorado and in said copper fields in Michigan have been caused by agreements and combinations entered into contrary to the laws of the United States for the purpose of controlling the production, sale, and transportation of the coal and copper of these fields. Sixth. Investigate and report whether or not firearms, ammunition, and explosives have been shipped into the said coal and copper fields, with the purpose to exclude the products of the said fields from competitive markets in interstate trade; and if so, by whom and by whom paid for.

Seventh. If any or all of these conditions exist, the causes leading up to said conditions.

Said committee or any subcommittee thereof is hereby empowered to sit and act during the session or recess of Congress, or either House thereof, at such time and place as it may deem necessary: to require by subporna or otherwise the attendance of witnesses, and the production of papers, books, and documents; to employ stenographers, at a cost not exceeding \$1 per printed page, to take and make a record of all evidence taken and received by the committee and keep a record of its proceedings; to have such evidence, record, and other matter required by the committee printed; and to employ such other clerical assistance as may be necessary. The chairman of the committee or subcommittee thereof. Every person who, having appeared refuses to answer any questions pertinent to the investigation herein authorized shall be held to the penaltes provided by section 102 of the Revised Statutes of the United States.

The expenses

The committee amendments were reported, as follows:

The committee amendments were reported, as follows:

On page 2, line 9, after the word "to," strike out the words "to what extent" and insert the word "whether."

On page 3, line 2, after the word "documents," strike out the following language: "to employ stenographers, at a cost not exceeding \$1 per printed page, to take and make a record of all evidence taken and received by the committee and keep a record of all evidence taken and received by the committee and keep a record of its proceedings: to have such evidence, record, and other matter required by the committee printed; and," and on page 3, line 7, after the word "employ," insert the words "stenographers and," and on page 3, lines 2 to 21, inclusive, strike out the following language:

"Subpœnas for witnesses shall be issued under the signature of the chairman of the committee or subcommittee thereof. Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any questions pertinent to the investigation herein anthorized, shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

"The expenses thereof shall be paid from the contingent fund of the House on vouchers ordered by said committee, signed by the chairman thereof, and approved by the Committee on Accounts."

Mr. MANN. Is that an amendment?

Mr. MANN. Is that an amendment?

Mr. FOSTER. Yes; to strike that out.

Mr. Speaker, I will ask the members of the Rules Committee

on the other side how much time would they like to have?
Mr. HARDWICK. Mr. Speaker, if the gentleman will yield to me, I do not think that question ought to be determined by gentlemen all of whom favor the resolution. Under the rules of the House some gentleman opposed to this is entitled to control the time in opposition.

The SPEAKER. The Chair wishes the gentleman would speak

Mr. HARDWICK. Mr. Speaker, I was just suggesting my information is the gentleman from Pennsylvania and the gentleman from Kansas both favor the adoption of this resolution as well as the gentleman from Illinois, who reports it for the committee. Being opposed to its adoption, I am submitting to the Chair that in any arrangement made for the control of the time I am entitled to control time in opposition to the adoption of the

Mr. FOSTER. I judge that the ranking member on the other side will treat the gentleman fairly.

Mr. HARDWICK. It is not a question of his having a right to do it.

Mr. CAMPBELL. Mr. Speaker, I am in favor of the resolution, and I assume that the time ought to be divided between those who favor and those who oppose it. All of us on this side are in favor of it. I think the majority that voted the resolution out of the committee are on this side of the House. It might, therefore, be proper for me to control the time in favor of the resolution and the gentleman from Georgia [Mr. HARD-WICK] to control the time in opposition to it. What has the gentleman from Illinois [Mr. Foster] to say about that propo-

Mr. FOSTER. There were no votes in the committee against reporting the resolution. I do not think the gentleman would pretend that. While there might not have been any record vote, yet there was not any opposition to it being reported, as the gentleman will recall.

Mr. CAMPRELL, I had understood that a majority of the Democratic members were opposed to the resolution, and if the gentleman from Georgia desires time in opposition to it I could not yield it to him. If the gentleman from Illinois has any time to yield in opposition, those opposed to the resolution would

Mr. FOSTER. The gentleman being in favor of the resolution, whether under the circumstances he would be in control of the time I do not know.

Mr. MANN. Will my colleague yield?

Mr. FOSTER. Certainly.

Mr. MANN. My colleague is entitled to an hour under the

Mr. FOSTER. Yes, sir,

Mr. MANN. If he proceeds to discuss the resolution. Why can not that time be divided between the gentlemen in favor and the gentlemen against the resolution?

Mr. FOSTER. I will say to my colleague there is no intention on my part to deprive the gentleman from Georgia [Mr. HARDWICK of having time. I would like for him to have it, and, if it is satisfactory, I would ask unanimous consent that at the end of one hour the previous question be considered as ordered on the resolution.

Mr. KELLY of Pennsylvania. Mr. Speaker, reserving the right to object, will the gentleman from Illinois [Mr. Foster] yield?

Mr. FOSTER. Yes, sir. Mr. KELLY of Pennsylvania. If that be the arrangement, and one hour be given the gentleman from Illinois, I would like to ask him if it would be possible for us to have 20 minutes of it for one of the gentlemen introducing this resolution, in regard to Michigan?

Mr. FOSTER. I think 20 minutes for one of the gentlemen introducing the resolution would be a little long, because there is one gentleman on this side of the House who introduced a resolution, and he would be entitled to 20 minutes.

Mr. KELLY of Pennsylvania. How much time would the gentleman be willing to yield?

Mr. FOSTER. Twenty minutes out of the hour.

Mr. KELLEY of Michigan. Inasmuch as this matter affects

Michigan somewhat, I am wondering whether or not the Michigan Members of the House will have any time given them? We have not had any so far. I think we ought to have some con-

Mr. FOSTER. I will say to the gentleman, if he is in opposi-tion to the resolution, I would be glad to divide up the time, so that those opposed to it would have an opportunity to be heard.

Mr. HAMILTON of Michigan. Might I not suggest to the gentleman from Illinois [Mr. Fosters] that whether the gentlemen from Michigan or the gentlemen from Colorado are opposed to this resolution or not, that some Members might desire, very properly, to be heard in relation to some phases of this resolution, and that they ought to have an opportunity?

Mr. FOSTER. Certainly. I think the gentleman from Michigan [Mr. Hamilton] is entirely right.

Mr. Speaker, I would ask unanimous consent that the time be equally divided, one half to be controlled by the gentleman from Georgia [Mr. HARDWICK], in opposition to the resolution, and

the other half to be controlled by myself.

Mr. HAMILTON of Michigan. Mr. Speaker, before that request is put I desire to ask the gentleman from Illinois if he does not think an hour rather a short time, and whether he could not with propriety make it at least an hour and a half? It is possible we may not use that much time.

Mr. MANN. Let me make a suggestion to the gentleman. Mr. HAMILTON of Michigan. We are not likely to adjourn

before 6 o'clock.

Mr. MANN. Of course, the gentleman has the power under the rules of the House to move the previous question at any time within the hour, and the time he grants is really in the way of grace; but why not make it 40 minutes on a side? That will close the debate by 6 o'clock.

Mr. FOSTER. I am perfectly willing to do that.

The SPEAKER. The gentleman from Illinois [Mr. Foster] asks unanimous consent that debate on this proposition be limited to 80 minutes, 40 minutes to be controlled by himself and 40 by the gentleman from Georgia [Mr. HARDWICK], at the end of which time the previous question shall be considered as or-Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I would like to inquire, as a Representative from Michigan, if there is a prospect of my having five minutes in case I should want it?

Mr. FOSTER. In favor? Mr. CRAMTON. In favor of the resolution.

Mr. FOSTER. I can not promise any gentleman any specific mount of time. I will do the best I can to divide it equally. amount of time. among the Members.

Mr. CRAMTON. We are unaware as to what discussion there may be as to the officials of Michigan, and so forth.

Mr. FOSTER. I will say to the gentleman from Michigan that I shall do what I can, but I would not like to promise any particular amount of time,

Mr. Speaker, will the gentleman yield to me? Mr. DYER.

Mr. FOSTER. Yes.

Mr. DYER. I wanted to ask the gentleman if, when the resolution is taken up and read, there will be an opportunity then for amendment?

Mr. FOSTER. There will not.

Mr. DYER. There will be no opportunity for amendment?

Mr. FOSTER. No; unless by unanimous consent. Mr. GORMAN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Illinois [Mr. Foster] a question.

Mr. FOSTER. Very well. Mr. GORMAN. The latter part of this resolution has been stricken out by an amendment. As the resolution now stands, no provision is made for paying the expenses.

Mr. FOSTER. There is not. That is the duty of the Committee on Accounts, I will state to my colleague, to bring in a

resolution providing for whatever expense there may be.

Mr. GORMAN. There is no provision in this resolution requiring this committee to make a report or recommendation of any kind. Does it occur to the gentleman that the adoption of this resolution in its present form might mean that we might spend a great deal of time here and the committee might spend a great deal of time in investigating, without the committee having the power to make a report to this House?

Mr. FOSTER. I think the Committee on Mines and Mining has the right to have such printing and binding done as is necessary and to make a report. It is usual to do that. I do not think there will be any doubt about making a report if

the investigation is ordered.

Mr. GORMAN. The question I had in mind was that the resolution directing the committee to make the investigation did not require them to make a report.

Mr. FOSTER. The Committee on Mines and Mining is a regular committee, and it has the right to make a report.

Mr. CAMPBELL. Mr. Speaker, I should like to know what is going on over there?

Mr. FOSTER. I was just answering an inquiry of my colleague [Mr. GORMAN] with reference to the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. Foster] that this debate shall be limited to 80 minutes, 40 minutes to be controlled by himself and 40 minutes to be controlled by the gentleman from Georgia [Mr. HARDWICK], and that at the end of 80 minutes the previous question shall be considered as ordered?

Mr. KELLEY of Michigan. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from Georgia

[Mr. HARDWICK] if I can have 15 minutes?

Mr. HARDWICK. Surely. Mr. CAMPBELL. Mr. Speaker, reserving the right to object, I presume that the gentleman from Illinois [Mr. FOSTER] will give time to those on this side of the House who are in favor of the resolution-if I get the gentleman's attention.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] will please give his attention to the inquiry of the gentleman

Mr. FOSTER. I will say to my friend from Kansas, Mr. Speaker, that I shall not keep any time myself, but I shall try to divide up the time between those on this side of the House who are in favor of and those who are against the resolu-

Mr. CAMPBELL. If the gentleman from Illinois will be fair to this side of the House and give a fair proportion of the time to those who are in favor of the resolution, I shall not object.

Mr. MANN. The gentlemen from Illinois are always fair.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman from Illinois [Mr. Foster] is recognized for 40 minutes.

Mr. FOSTER. Mr. Speaker, I yield five minutes to the gen-

tleman from Colorado [Mr. Keating].

The SPEAKER. The gentleman from Colorado [Mr. Keat-Ing] is recognized for five minutes.

Mr. KEATING. Mr. Speaker, it is scarcely necessary for me to occupy the five minutes allotted to me. I have been discussing this resolution with Members of this House and the executive officers of this Government for three months, and it is time for me to surrender the stage and give my colleagues a chance to be heard.

I want to congratulate the Members of this House upon the unanimity they have displayed upon this question, and I am particularly glad that the Members on the Republican side of the aisle are just as anxious as the Members on this side of the aisle that we should go into the situation in Colorado. So far as Colorado is concerned, we have apparently the same unanimity of feeling, because the coal operators of my State assure us that they want this investigation to be pressed, and the miners have petitioned this House on a number of occasions

asking for the appointment of this committee.

The situation in Colorado briefly is this: A strike was de-clared in the coal mines of the State some four months ago. Twelve thousand men are affected. During the progress of the strike perhaps a hundred lives have been lost. The coal operators are represented by three great companies, the most important of which is owned by the Rockefeller interests. These companies have insisted that they "had nothing to arbitrate." The Labor Department and various other representatives of the Government have made repeated attempts to bring about an understanding. All these attempts have failed, because the operators have taken the position that they would not consider any proposition looking to arbitration.

My friends, the people of Colorado trust that this investigation will produce the same results in our State that the Senate

investigation produced in the State of West Virginia. They had similar conditions in that State, and after the Senate committee had visited the State and had laid bare all the facts in connection with the controversy, public opinion, the most powerful weapon for good in this country, compelled a settlement.

I am not going into the legal questions involved. Even if I had plenty of time it would be impossible for me to do that: but I think it is a pretty safe proposition to lay down that this House has as great power as the Senate of the United States, and the resolution you are about to vote upon is practically a duplicate of the resolution passed by the United States Senate after a very extended debate, and which brought industrial peace to the State of West Virginia.

Now, if the United States Senate could conduct that sort of an investigation and bring about those results, surely the House

of Representatives can bring them about.

And I want to say to gentlemen who are inclined to quibble about legal technicalities that we have stretched the Constitution in this country so that it very effectually covers the dollar, and what we are asking is that you stretch it a little further, so that it will cover the man. That is our proposition in a nutshell. We want this committee to go out to Colorado. We want them to probe to the very bottom of this cancer, and we believe that the radium of publicity will prove an effective remedy. [Applause.

Mr. Speaker, will the gentleman yield before he

Mr. KEATING. I will yield if I have the time.

committee to go into the question, if it deems it proper and merited, as to whether or not there have been either operators or labor organizations outside of Colorado that have been in-terested and have taken part in this trouble, and are partly responsible for it? Is the resolution broad enough to allow the committee to go into that question and investigate that phase

Mr. KEATING. I will say to the gentleman that, in my judgment, the results in West Virginia have demonstrated that the right kind of a committee, operating under this kind of a resolution, clothed with these powers, can get at all the facts that the people of this country want to know. [Applause.]

Mr. FOSTER. Will the gentleman yield back his time? Mr. KEATING. Yes; I yield back any time I have left. The SPEAKER. The gentleman has used it all.

Mr. FOSTER. I yield 10 minutes to the gentleman from Michigan [Mr. MacDonald].

Mr. MacDONALD. Mr. Speaker, I regret that I have not more time in which to discuss this matter, because I believe that there are questions of vital importance that ought to be discussed in relation to this resolution that can not be adequately presented in the time allotted to me.

I do not desire to obtrude my personal affairs into the discussion, but I do wish to say that since I introduced this resolution I have brought down upon my head an avalanche of criticism and attack, such as I believe has seldom been equaled before, from the press controlled by the interests that are opposing this investigation, and others whom they apparently The attack is significant, because I have been doing nothing but advocating a resolution that will bring out the The truth in a situation of this kind will harm no one who is right.

The Calumet strike has continued for six months. Events have happened from time to time that have absolutely startled the country at large, until the condition there has become such as can be truthfully characterized as a national scandal, and one that ought to be investigated. The conditions there are fundamental ones. That country has been controlled for a great many years by large corporate influences. In that part of the country there are no industries practically except the mines, and the mining companies are corporations of very large capitalization, having their seat of financial power in the large cities of the East for the most part.

During the entire history of that country they have absolutely dominated every activity of that locality—social, industrial, political, and every other. We have had no labor troubles in that country, because heretofore there have been no labor organizations. These corporations have dominated the industrial situation autocratically. But now the time has come—it has been coming gradually for three or four years—when the laboring men in these industries are irresistibly demanding some voice in the administration of these industries as to hours of labor, wages, and so forth, as an organized body. And when they made these demands they were met by the proposition on the part of the mine owners that they would not recognize the idea of organization at all, that the only basis of settlement, the only basis of treatment that the situation would receive at their hands was the basis of treating with the individual employee upon their pay roll, and no one else.

Efforts have been made by the Labor Department of the United States and by the governor of Michigan to bring about some basis of settlement, but all offers of mediation have been

refused by the companies.

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. MacDONALD. Certainly. Mr. BUCHANAN of Illinois. Is it not a fact that they refused to employ members of the union as individuals?

Mr. MacDONALD. Yes; it was proposed to let the men go back to work, without anything being said about anything else except to retain their union membership, and the proposition was refused. The only proposition that would be considered was that the men must resign from the union and not again become members of the union.

Now, as I say, these are two fundamental propositions confronting each other. Early in this matter the civil government of the county absolutely broke down. Within 48 hours of the time of declaring the strike every single member of the Michigan National Guard was on the ground and at the disposition of the mine owners. At the same time the office of the sheriff in the county was turned over to a strike-breaking corporation called the Waddell-Mahone Corporation, of New York, which imported a large number of gunmen, and Mr. Waddell Mr. DYER. Will the gentleman state to the House whether actually himself took possession of the sheriff's office and or not, in his view, this resolution is broad enough to allow the

The troops have gradually been withdrawn and the sheriff and the Waddell-Mahone Corporation and the Asher Agency have controlled the situation with their guards, some imported

men, and some local deputies.

Now, the situation that is brought about is this: These men, many of them simply strangers from the large cities, brought in there and given absolute authority, armed and sent out among the people, have grossly abused their authority. During the six months of the strike there have been nine murders committed

Mr. FRANCIS. Will the gentleman yield?

Mr. MacDONALD. Yes. Mr. FRANCIS. Does the gentleman mean to say that outside detectives have been brought in there and that they have been given official positions in the county?

Mr. MacDONALD. They have been made deputy sheriffs and have actually been in charge of the processes of law in that county. They have arrested literally hundreds of people.

county. They have arrested literally hundreds of people.

Mr. FRANCIS. Although they are not citizens of the State,

but are nonresidents?

Mr. MacDONALD. Yes; nonresidents; and although we have a law on the statute books of Michigan providing that no one who has not been a resident of the locality for three months

can be deputized.

Now, I have not the time to give you the situation in detail, but I want to impress on you the horrible results that this situation has brought about. I will confine myself to instances that are undisputed and unquestioned. Early in December two striking miners were going to their homes from the railroad striking inners were going to their nomes from the rainfold station. They insisted on taking a short cut that they were accustomed to follow. They were told by the four Waddell guards not to take that path, but they persisted and went on to their homes. They were followed by the four Waddell guards and two local deputy sheriffs to their house. Without any preliminaries these guards opened fire upon that house and killed two of the inmates.

The SPEAKER. The time of the gentleman from Michigan

has expired.

Mr. FOSTER. I yield two minutes more to the gentleman. Mr. MacDONALD. I want to finish this case, because it is what I consider a terrible example of what took place there. The guards opened fire on the house and killed two of the inmates and slightly injured a child in its mother's arms. These Waddell guards were spirited out of the country, but under the pressure of public opinion they were returned by the sheriff and put on trial for murder. The prosecuting officer characterized it as wanton murder. They were admitted to bail in the sum of \$10,000, and the bail was furnished by the mining companies. From that moment up to the 10th of this month, when Gov. Ferris made an examination and brought out the facts, the four Waddell guards have been in charge of the police work of the county. The prosecuting officer of the county told me on a recent visit there that he was embarrassed in the discharge of his duty by coming in contact continually with these men whom he had charged with murder and who were

continuing their work as armed police officers of the county.

Now, that is an instance of things that have been going on.

There are other matters that have become of national knowledge on account of the reports that have been made in the press. But I want to say that there are literally hundreds of cases where individual citizens have had their constitutional rights absolutely disregarded and trampled upon by these armed guards. [Applause.]

The SPEAKER. The time of the gentleman from Michigan

has expired.

Mr. KEATING. Mr. Speaker, I ask unanimous consent to

extend my remarks on this subject.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks on this subject. Is there objection?

There was no objection.

Mr. FOSTER. Mr. Speaker, I yield 15 minutes to the gentleman from Michigan [Mr. Kelley].

Mr. Kelley of Michigan. Mr. Speaker, the State of Michigan, of course, is perfectly willing that anything that has been going on in our State in connection with this strike shall be investigated by the Federal Government, if that investigation will contribute in any way to the solution of the vexed problems affecting capital and labor. I do not rise to oppose this resolution because Michigan is unwilling that this situation shall be investigated, but I oppose the resolution for two reasons, which I shall hereafter state. So far as the contest against organized labor is concerned in this strike, I desire to say that this is an era of organization. Capital is organizing—organizing in our State and everywhere else. One of the greatest corporations

operating in Michigan is the United States Steel Corporation. That corporation has 200,000 stockholders. It employs more men, I am told, than fought at Gettysburg. It supports more people than live in a great State like Nebraska. It owns more land than Massachusetts, New Hampshire, and Vermont. It makes more steel than Germany. It floats a larger navy than Italy. It employs more capital than all of the banks in New York. So, of course, when capital organizes and is protected in so doing, naturally, labor organizes on the other side, and I think the time has undoubtedly come when the wisest leaders of industry in the country are reaching the point where they are willing to concede to labor the same privilege in regard to organization that they claim for themselves. That is my position upon the matter of labor organizations.

Mr. Speaker, I have been amazed, in going over the history of labor disputes, to see how extensive has been the contest between labor and capital. The first annual report of the United States Commissioner of Labor, issued September, 1907, was devoted to strikes and lockouts from 1881 to 1905, and these startling facts stare us in the face: During those 25 years there occurred 36,754 strikes and 1,546 lockouts in the United States, Strikes occurred in 181,407 establishments, and in 18,547 there were lockouts. The number of persons who went out on strike was 6,728,048, and the number locked out, 716,231. The total number of persons thrown out of employment during that period of 25 years because of strikes was 8,703,824, and then following on, year after year, I have tabulated here the leading strikes which took place in the United States from that time up to the year 1913:

The strike of the bituminous miners extended over 10 States and lasted from March to July. Three hundred thousand men were in-

Telegraphers' strike. Lasted from August until November. Fifteen thousand operators were out.

Strike of the longshoremen in New York and Brooklyn, involving 12,000 men. Series of severe conflicts between strikers and strikebreakers, many suffering physical injuries.

Miners' strike on the Mesabi Range, Minn., involving 10,000 men.

1908.

In August occurred a strike in the Birmingham coal district in Alabama. This strike was accompanied by unusual violence. On August 8, rioting resulted in the killing of 3 and the wounding of 11. Four houses dynamited and numerous arrests made. State militia called. Strike which involved several thousand was declared off in September.

Strike of the shirt-waist makers in New York started November 22 and continued into the new year. Involved 40,000 young women, and was the largest strike of women in the history of the country. Sympathetic strike of 7,000 in Philadelphia started December 20 and lasted into the new year.

July 1,7000 members of the Amalgamated Association of Iron, Steel, and Tin Workers struck, stopping operation in 190 mills. Affected four States and lasted until December.

Strike of the workers in the Pressed Steel Car Co. at McKees Rock, Pa., and other points. Five thousand strikers. The strike lasted eight weeks. Several thousand strike breakers recruited from New York. Their arrival was attended by rioting, in which 12 rioters and police were killed, and numerous attempts made to destroy the works. Strike lasted until September 6.

Strike of the Georgia Central Railroad was a notable instance of the complication of the race question with labor troubles.

November 30, strike of switchmen on 13 different roads in the West. The strike had the effect of bringing freight transportation in the Northwest to an immediate standstill, entailing enormous losses to many lines of business and throwing thousands of men in various occupations out of work. Strike continued about a month, affecting 2,300 men.

The greatest American strike of the year, and probably the greatest ever carried on in a single community in the United States, as regards the number of workers and the capital involved, was the strike of the cloak makers in New York City. Began early in July and was settled September 2. The total number of strikers was variously estimated at from 70,000 to 85,000.

Chicago garment workers strike, starting in October and continuing until the close of the year, involving 40,000 persons. Numerous riots, and two persons killed.

Columbus street railway strike, beginning in July and lasting until October, cost the State \$250,000. The violence amounted almost to a state of anarchy, and five regiments of militia were hurried to the scene. Unusual amount of shooting and destruction of property. City terrorized at various times.

1912.

The most spectacular strike of the year in this country was that of the Lawrence textile workers in January. Involved 4,000 workers in the cotton mills and 29,000 workers in the woolen mills. Strike ended by March 15. Cost the manufacturers and the strikers between \$1,000,000 and \$5,000,000. Strike occurred simultaneously with the Lawrence strike at Lowell and Clinton, Mass.; Barre, Vt.; Passaic, N. J.; Little Falls, N. Y., and various places in Pennsylvania.

In February and March, a strike involving 7,000 workers in the silk mills of Paterson.

In March and April, 3,000 strikers in the cotton mills near Utica, N. Y., accompanied by the calling of the State troops and much rioting. In April, strike of 15,000 carpenters of Chicago and other near-by cities.

cities.

In May, strike of 5,000 freight handlers in Chicago and 2,000 laborers at Newark.

May 31, 5,000 waiters in the restaurants and hotels in New York City, lasting until June 25.

Strike of 3,000 cablemakers at Perth Amboy, N. J., attended by rioting resulting in fatalities.

Strike of 5,000 foreign laborers near Newark, N. J., attended by the shooting of several officers and the killing of four strikers and a high-school student.

In July, a big strike in Atlantic ports involving 30,000 persons; rioting and fatalities.

In September strikes were in progress in coal-mining communities in West Virginia and Colorado; in firearms works in Hartford, Conn.; among the trackmen on the Pittsburg & Lake Erie Raliroad, and among the 6,000 Greek and Cretan workers in copper, lead, and silver mines in Bingham, Utah., as well as the strike of 9,000 miners at Panther Creek Valley, Pa. in Bingham, Utah., as well as the strike of 9,000 miners at Panther Creek Valley, Pa.

In October 35,000 employees in copper mining in Ely, Nev., struck

for higher pay.

December 30 began a strike of the employees in the men's and children's ready-made clothing industry of New York, involving at least 100,000.

Because of these disturbances in the industrial world of the country Congress in 1912 passed a general act under which all of these matters might be investigated. If the Members of the House will bear with me, I would like to read the provisions of this important statute:

[PUBLIC-No. 300.] [H. R. 21094.]

An act to create a Commission on Industrial Relations.

[Fublic—No. 300.]

[H. R. 21094.]

An act to create a Commission on Industrial Relations.

Be it enacted, etc., That a commission is hereby created to be called the Commission on Industrial Relations. Said commission shall be composed of nine persons, to be appointed by the President of the United States, by and with the advice and consent of the Senate, not less than three of whom shall be employers of labor and not less than three of whom shall be representatives of organized labor. The Department of Commerce and Labor is authorized to cooperate with said commission in any manner and to whatever extent the Secretary of Commerce and Labor may approve.

SEC. 2. That the members of this commission shall be paid actual traveling and other necessary expenses and in addition a compensation of \$10 per diem while actually engaged on the work of the commission is authorized as a whole, or by subcommittees of the commission, duly appointed, to hold sittings and public hearings anywhere in the United States, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses and to compel testimony, and to employ such secretaries, experts, stemographers, and other assistants as shall be necessary to carry out the purposes for such books, stationery, and other supplies, and to have only purchase such books, stationery, and other supplies, and to have only on the purposes for which such commission is created, and to authorize its members or its employees to travel in or outside the United States on the business of the commission.

SEC. 3. That said commission may report to the Congress its findings and recommendations and submit the testimony taken from time to time, and shall make a final report accompanied by the testimony not previously submitted not later than three years after the date of the approval of this act, at which time the term of this commission shall expire with the making of its final report; and the commission shall expire with the making of its final report, and the com

Provided, That no portion of this money shall be paid except upon the order of said commission, signed by the chairman thereof: Provided, That the commission may expend not to exceed \$5,000 per annum for the employment of experts at such rate of compensation as may be fixed by the commission, but no other person employed hereunder by the commission, except stenographers temporarily employed for the purpose of taking testimony, shall be paid compensation at a rate in excess of \$3,000 per annum.

Approved, August 23, 1912.

A commission, organized under the provisions of this law, is now in existence, appointed by President Wilson, and ready to do business. The membership of this committee is as follows: E. P. Walsh, John R. Commons, Mrs. J. B. Harriman, F. A. Delano, Harris Weinstock, S. T. Ballard, John B. Lennon,

James O'Connell, and Austin Garretson.

The Congress of the United States, realizing the magnitude of this great problem, which disturbed business conditions in 185,000 establishments in the 25 years from 1881 until 1907, passed a general act in 1912 creating this commission to inquire into every phase of strikes in all sections of the country and in every industry, empowered it to subpæna witnesses, to take testimony, and to report the testimony so taken to this House. Now, that is the wisest way. What will the Committee on Mines do if empowered to make this investigation? Probably half the members of that committee will go to Colorado to stay a few days and perhaps the other half of it will go into northern Michigan for a few days to investigate strikes that have been in progress for months. If investigation is to be made it should be made by the Industrial Commission, because-

1. The examination must be thorough, and a committee of

Congress could not take the time.

2. The members of this commission are especially qualified for the work and have all the necessary machinery by which the investigation can be made,

3. If the best information is to be had, all these investigations should be conducted by the same persons, so that every situation will be approached from the same general angle.

4. If investigations in Michigan and Colorado are to go

forward simultaneously, one portion of the committee will have to work in one State and one portion in the other, and the House will therefore be deprived of such views as may result from a comparative study of the two situations.

5. The chances for exercising the good offices of the Government by way of conciliation would be greater if the examination is conducted by the Industrial Commission, for the reason that it is not created for this particular purpose, and the members can not be accused of being appointed for the purpose of advancing the interest of any party or person.

6. Because it is a nonpartisan commission and will not be

subjected to the suspicion of acting for party purposes

If an investigation seems advisable, why do we not request the Industrial Commission by resolution of this House, if you desire to do so, to investigate these strikes? Why not have these two strikes investigated by the commission already in existence, a commission that will have the confidence of the country, having been created for the great purpose of finding out the whole strike situation of the country?

Mr. MADDEN. Mr. Speaker, is that the Industrial Com-

mission?

Mr. KEILEY of Michigan. Yes. It has already been appointed; it is doing business. President Wilson has named the commissioners, as I have told you. Three of them represent labor, three of them represent the industries, and three of them are not connected with either-nine in all. They can go to Calumet to-morrow, stay as long as necessary, call in witnesses, take testimony, and bring back to this House a report upon which we can base intelligent action. I am not questioning the ability or the patriotism of the gentlemen who compose the Committee on Mines, who will go up there if this resolution is passed. Neither am I charging that it will be a partisan investigation, but at a time like this everything that can be done to avoid the suspicion of partisan politics should be done. would be a crime to play politics at the expense of the people of the country.

Mr. J. M. C. SMITH. Mr. Speaker, will the gentleman yield? Mr. KELLEY of Michigan. Yes.

Mr. J. M. C. SMITH. I would like to inquire whether or not the gentleman is in favor of an investigation.

Mr. KELLEY of Michigan. I am in favor of the commission that is now in existence, appointed by President Wilson, with full and complete power, getting on a train to-morrow morning, going to Calumet, staying there long enough to find out all the facts, and returning them to this House in decency and in order.

Mr. J. M. C. SMITH. And the only difference is as to who

shall make the investigation?

Mr. KELLEY of Michigan. The difference is more than who shall make the investigation. It is the difference as to the time to be taken to make the investigation. It is the difference as to the effect that the investigation will have upon the country and the acceptability with which the report will be received—free from all party bias, free from the influence of employer or employee. The Industrial Commission is a nonpartisan commission, and its membership is such that it fairly represents both the employer and the employee. It is organized and can go to Michigan or Colorado to-morrow.

Mr. DYER. Will the gentleman state if he knows why the

commission has not taken up this question?

Mr. KELLEY of Michigan. I am not able to state; but I dare say if the caucus of the Democratic Party would pass a resolution requesting the commission to go to Calumet or Colorado it would go there at once. Or, if this House will pass a resolution directing the Industrial Commission to make an investigation, is there any gentleman here who believes that such a resolution would not be obeyed?

Mr. MADDEN. Does the gentleman know whether these men

Mr. KELLEY of Michigan. They are when working. They

receive a per diem.

Mr. HILL. Does the gentleman think this commission is one that will not act except when instructed by Congress to act?

Mr. KELLEY of Michigan. I do not know whether they are or They were picked out by your President, and I take it for granted that President Wilson picked them because he was satisfied with their qualifications for that place, and I assume that they will perform their duties. Why they have not taken up this matter lies nearer to your door than to mine, but I am willing to vote now to instruct that commission to go to Calumet and make a thorough investigation.

Mr. HILL. What I want to know is, does the gentleman understand this commission will have to be instructed by Con-

gress before they can act?

Mr. KELLEY of Michigan. No; they can act without instruc-

Mr. HILL. Can the gentleman give any reason why they have not acted?

Mr. KELLEY of Michigan. I do not know why they have not acted.

Mr. HILL. It is as much the duty of the gentleman as any other individual Member.

Mr. COOPER. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes. Mr. COOPER. I recall well the authority conferred upon that commission. It is to investigate a very great number of subjects, and recently I had a conversation with one of the members of the commission and they are endeavoring, as I understood from that conversation, with difficulty, to map out a program embracing a multitude of subjects they are obliged to investigate, and I think for this House to instruct them now would be very inopportune.

Mr. KELLEY of Michigan. I remember, in reading the debate which occurred when the commission bill was passed, that the gentleman from Wisconsin particularly insisted that this commission should and would go into every section of the country and calmly and deliberately find out exactly what causes were at the bottom of labor disturbances and report to the House.

Mr. COOPER. That is very true; but—
Mr. KELLEY of Michigan. Why they did not go, I can not tell you; but we can by resolution at least suggest to them that

they do go, or by bill compel them to go.

Mr. COOPER. But the gentleman from Michigan misapprehends, I think, or does not thoroughly understand the multi-

tude of things which they have to do.

Mr. KELLEY of Michigan. They do not have to do them all

Mr. COOPER. No; but they have to map out a program that will cover all the industries of the country, the relations of

labor, capital, and others things.

Mr. KELLEY of Michigan. It was the understanding at the time this bill was passed that it would relieve the House from these fly-by-night investigations and bring before the House the absolute information upon which it was hoped that remedial legislation could be framed.

Mr. COOPER. It was the understanding of the House that that would be a commission which would conduct investigations in its own way and would not be subject to any instructions from the House of Representatives, and it ought to remain absolutely independent, because if we instruct them to go there now we can next week instruct them to go somewhere else, and we ought not to do it. The personnel of the commission is

of the very highest order, and we ought to allow them to carry

out their program in their own way.

Mr. KELLEY of Michigan. That is the gentleman's view.

Mr. SAMUEL W. SMITH. Will the gentleman yield?

Mr. KELLEY of Michigan. There is one other phase of this matter that I desire to discuss briefly before my time expires, but of course I will yield to my colleague from Michigan.

Mr. SAMUEL W. SMITH. Do I understand the gentleman to say he thinks it is necessary for a Federal commission to

investigate this matter in Michigan?

Mr. KELLEY of Michigan. Why, Michigan has nothing to conceal. Whether such an investigation is necessary or not, if it is to be had I think the Industrial Commission should conduct it.

nct it. That is what it was created for.

The SPEAKER. The time of the gentleman has expired. Mr. KELLEY of Michigan. I wish I might have five minutes

more.

Mr. HARDWICK. I yield five minutes more to the gentleman. Mr. KELLEY of Michigan. Now, Mr. Speaker, I am opposed to the resolution, because of the offensive manner in which it is presented. Now, gentlemen upon the Democratic side of the House, in a caucus, instructed the Committee on Rules to report this resolution, as I understand it. Why did you do that? You closed the door of the caucus to every person connected with the State of Michigan, including Members of this body, with the exception of two, who happen to be members of the Democratic Party.

Mr. COX. That was your mistake. Mr. KELLEY of Michigan. That was our mistake and our State's misfortune. Has the time come when the Federal Government is willing to reach its arm into a State for the purpose of making a Federal investigation without even taking into its confidence the Members of this House from that State? Is it possible that a special investigation into conditions in Mississippi, Alabama, or Georgia may be provided here next week without the Members of the House from those States being given a chance to appear before the body which makes the Michigan has 13 Members of Congress here. determination? Is it possible that the committee which passes upon matters affecting the honor of a State, under this administration, locks the door and makes it impossible for the Republican Members of the House from that State to even present the views of its governor and State officials? Why, we have two Senators-

Mr. KEATING. Will the gentleman yield? Mr. KELLEY of Michigan. Yes; I will yield.

Why did not the gentleman appear before the Rules Committee when this question was being considered? Mr. KELLEY of Michigan. Had the disposition of the matter remained with the Rules Committee what I am saying would have no force, because the doors of that committee were open to all. This proposition, however, was disposed of in a Democratic caucus, behind locked doors, and action taken without an opportunity being given to be heard. It is of this I complain.

Mr. KEATING. Without regard to what we did in a Demo-

cratic caucus, we did not lock the door of the Rules Committee. Mr. KELLEY of Michigan. And the Rules Committee was

opposed to reporting this resolution.

Mr. KEATING. The gentleman from Michigan was not there.
Mr. BUCHANAN of Illinois. Will the gentleman yield?
Mr. KELLEY of Michigan. Yes.
Mr. BUCHANAN of Illinois. Does the gentleman know it is a fact that the attorney of the Calumet & Hecla Co. came here and advised with Mr. Emery, the attorney for the National Association of Manufacturers and asked him to average his Association of Manufacturers, and asked him to exercise his influence in this direction?

Mr. KELLEY of Michigan. I have no knowledge whatevernot so much, evidently, as the gentleman from Illinois—about the attorney of the Calumet & Hecla Co.; but I insist as a Member of this House that when a committee has under consideration a resolution affecting my State I have a right to be heard before action is taken.

Mr. BUCHANAN of Illinois. The attorney up there thought

the attrorney for the National Association of Manufacturers preferable or he would have come to you in order to stop this

investigation.

Mr. WOODRUFF. Will my colleague yield to me?

Mr. KELLEY of Michigan. Yes; but my time is going pretty fast. I imagine.

Mr. WOODRUFF. You stated you would much prefer this investigation be made by the commission you speak of?
Mr. KELLEY of Michigan. I would.
Mr. WOODRUFF. Now, if you find it impossible for this commission to make this investigation, will you vote for this resolution?

Mr. KELLEY of Michigan. Why, certainly; but why would it be impossible for the commission to make the investigation? That was what it was created for. Now, then, there is one other matter. Here is a report of 250 pages made by the governor of the State of Michigan upon this whole subject.

An analysis of the governor's report shows that on December 31, 1913, a conference between the governor, attorney general,

and labor men was held in Lansing, Mich.

At this conference there were present the governor, Clarence Darrow, John Mitchell, W. D. Mahon, and other labor representatives from the State of Michigan. In this conference the labor leaders complained of the sheriff of Houghton County, the introduction of the so-called gunmen into the district, and stated that the present status of the situation was as follows:

1. That minimum wages paid at the present time in the mines is \$2.89, and that the miners would be willing to take that.

2. That the miners would not stand out against the offer of the companies relative to the eight-hour day; the only controversy being as to whether the eight hours should be inclusive or exclusive of the time necessary to go up and down the

3. That the miners would not stand out about the one-man

machine proposition.

4. That the only controversy about which both sides refuse to yield is the recognition of the Western Federation of Miners. Mr. Darrow states in this interview that the federation does not ask to be dealt with or contracted with as an organization. He does insist, however, that the men be taken back without giving up their membership in the federation. The companies refuse to yield on this point, and this is the only thing that stands in the way of ending the strike.

The same general view was expressed and the same general

position taken by Mr. Mitchell and Mr. Mahan.

The governor's report also shows that on January 6 and 7, 1914, the governor, the attorney general, and the State labor commissioner held hearings in Houghton, and took testimony of labor leaders, strikers, mine owners, circuit judge, sheriff, prosecuting attorney, special prosecutor, representatives of the associated charities of Calumet, and others. There are about 250 pages of this testimony, and it covers the following subjects:

1. The calling of the strike.

The wages paid before the strike began.

3. The wages now paid.

- 4. Treatment of strikers by the gunmen. 5. Eviction of miners from company houses.
- 6. Number of men still out and the number of men in the
- 7. Number of men who have left the district and number who have been brought in since the strike began.

8. Amount of relief furnished by the union to the families of strikers.

9. The demands made by the strikers upon the companies and the difficulties still remaining.

10. The citizens' alliance and how it was organized.

11. The efforts of Mr. Densmore, of the Department of Labor, to bring about a settlement.

12. The disaster at the Italian hall on Christmas Eve and the Mover assault following it.

13. A statement of the situation by representatives of all the mines of the district.

14. The attempt of Judge Murphy, of Detroit, to bring about an adjustment of the strike.

15. The attitude of the companies toward the Western Federation of Miners.

16. Sworn statements of the companies as to the number of men now employed who were employed before the strike.

17. Investigation of the State commissioner of labor of the same subject

18. The attitude of the companies toward labor unions gen-

erally.

19. The part that the State militia played and their with-

20. The character of the deputies sworn in since the withdrawal of the troops.

21. The cost of the strike to Houghton County.

22. The relation between the board of supervisors, the judge, and the prosecutor.

23. The feeling of the men who have returned to the mines toward the Western Federation of Miners.

24. The testimony of Judge O'Brien relative to the grand jury. 25. Number of arrests that have been made in the district since the strike began.

26. How many have been tried on strike charges since the strike began?

27. The employment of Mr. Nickols as special prosecutor.

28. A number of miscellaneous matters.

The report covers every phase of the strike situation and contains a full report of the examination of about 50 witnesses. These witnesses represent strikers, mine owners, county officials, and officers of the State; also statements of Mr. Darrow, Mr. Mitchell, Mr. Roach, Mr. Taylor, and Mr. Mahon, all representing the labor movement. The courtesy of reading it should have at least been accorded it.

Did you have this report before you in the caucus when you authorized the investigation? Did you ask the governor of Michigan for his findings? He had but recently made this personal investigation into the strike territory. Did you absolufely ignore him? Did not you even care to know what he

had found in his official capacity?

Mr. CROSSER. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. CROSSER. You do not understand that the Democratic caucus ordered the bill passed?

Mr. KELLEY of Michigan. I understand the Democratic caucus ordered the bill to be reported to the House.

Mr. CROSSER. And that does not bind the Members? Mr. KELLEY of Michigan. That is why I am speaking. If

it did I would not be talking at all. Mr. CROSSER. It does not bind the members of the caucus

to vote for the resolution, does it?

Mr. KELLEY of Michigan. I do not know what your caucus rules are. But without reference to what the governor of Michigan desired, without asking for a statement from him regarding a most delicate situation-

The SPEAKER. The time of the gentleman from Michigan

has expired.

Mr. HARDWICK. I yield to the gentleman one minute more. Mr. KELLEY of Michigan. I say, without knowing how it might complicate a delicate situation, you went ahead and ordered this resolution reported by the Committee on Rules. Had you tried to find a way to humiliate a great Commonwealth, you could not have followed a more direct course.

Mr. CROSSER. Mr. Speaker, will the gentleman yield? Mr. KELLEY of Michigan. I am sorry that I can not; my

time has been extended only one minute.

The SPEAKER. The gentleman from Michigan declines to

yield.

Mr. KELLEY of Michigan. Now, gentlemen, I want to say this, particularly to those who represent the Southern States, you have problems of your own to work out. May you be given the wisdom and the sympathy and the understanding necessary to work them out to the everlasting glory of two races. [Applause.]

The SPEAKER. The time of the gentleman from Michigan

has again expired.

Mr. KELLEY of Michigan. Mr. Speaker, I ask leave to extend my remarks.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. KELLEY of Michigan. You of the South have always contended for the dignity of the State and the right to settle your own matters without Federal interference. How, then, can you vote to go into the State of Michigan, without even doing the State the courtesy of asking the governor his views on the matter or without even consulting with the Members of this House from that State?

Even if such action as is proposed here were proper and advisable, it has not been carried forward with due regard to the dignity which a great Commonwealth should be regarded by the Federal Government for the following reasons:

1. Action has been ordered by the Democratic caucus with-out conference or consultation with the Representatives of Michigan in this House.

2. The two United States Senators from Michigan have been given no opportunity to even express their views upon the subject by the Democratic caucus.

3. Although State officials have been in close touch with the strike from the beginning, they have been utterly ignored in this proceeding up to date.

4. Although the governor, attorney general, and State commissioner of labor have, within the past two weeks, made a personal investigation and took upward of 200 pages of testimony, this action has been taken without asking the governor or any other State official to lay before Congress such testimony.

5. No attempt has been made to find out from the governor or other State officials what the situation is in Michigan at the present time, and no more disregard could be shown the State of Michigan if she were entirely without officers or Representa-

tives on the floor of this House.

In conclusion, let us abandon all thought of personal or party advantage and proceed to settle this great labor problem upon the high plane of the country's good. It is worthy of our best endeavor. It is the greatest problem we have had to face since the war. Let us go forward, as we started in a year ago, in a nonpartisan way and gather information by an unbiased commission concerning the entire situation, and then, with that information before us may we have misden to continue the information before us, may we have wisdom to construct the bridge across the gulf between labor and capital, and thus provide the means whereby organized labor, on the one hand, and capital, on the other, may clasp hands in fraternal regard and

mutual good will.

Mr. FOSTER, Mr. Speaker, I yield to the gentleman from

Indiana [Mr. Cullop].

The SPEAKER. The gentleman from Indiana [Mr. Cullop]

is recognized.

Mr. CULLOP. Mr. Speaker, I hope the resolution just read, requiring an investigation of the conditions existing in the mining districts of Colorado and Michigan, will be passed by no uncertain vote in this House. I have not acquainted myself with the conditions in Colorado, except as I have heard them discussed here, but I have made some examination into the conditions existing in Michigan and find them to be deplorable. I shall read for the benefit of the Members of this House some affidavits of persons who have suffered brutal treatment in that territory and have been deprived of their constitutional rights as citizens of this country. I read as follows:

STATE OF MICHIGAN, County of Houghton, 88:

STATE OF MICHIGAN, County of Houghton, ss:

I. Giovanni Serra, being duly sworn, depose and say that I am a resident of South Range, Adams Township, county of Houghton, and State of Michigan; that on the 14th day of December, at 12.30 p. m., I left South Range for Baltic location in company with my friend Antone Borghi. When we arrived at the point where the Baltic Mining Co. has set its guard of deputy sheriffs and watchmen, one of these deputy sheriffs turns and says to my friend Borghi, "What are you looking at, you ——," and at the same time advancing threatening; my friend Borghi starts to run away and so did I, but in no time the said deputy was on top of me, striking me on the head. I later went to the hospital on account of the wounds inflicted—several deep gashes on the scalp.

I further depose and state that at a very short distance from where the above happened two ladles were eyewitnesses to the above, and they can be called at any time to verify the above statement.

On my oath I further declare that in no way, by act and manner or look, did I provoke the above personal assault.

JOHN SERRA.

JOHN SERRA.

Subscribed and sworn to before me this 26th day of December, A. D.

D. R. ORELLA, Notary Public, Houghton County, Mich. [SEAL.]

My commission expires February 2, 1914.

STATE OF MICHIGAN, County of Houghton, 88:

I, Giovanni Felippi, being duly sworn, depose and say that I reside in the township of Franklin, county of Houghton, and State of Michigan; that on the 15th day of December, 1913, several deputy sheriffs came to my residence, No. 410 Franklin Mine, at about 1.30 p. m., and searched the house for firearms; not finding any, and seeing a trunk which belonged to a boarder of mine gone to Chicago several months ago, they, the said deputy sheriffs, took two axes and broke it open after my telling them to take trunk with them if they did not take my word for the nonownership of said trunk.

JOHN (his x mark) Felippi.

JOHN (his x mark) FELIPPI.

Witness to mark, OTTAVIO QUILICI. Subscribed and sworn to before me this 26th day of December, A. D. 1913.

D. R. ORELLA, Notary Public, Houghton County, Mich. [SEAL.]

My commission expires February 2, 1914.

STATE OF MICHICAN, County of Houghton, ss:

I. Luigi Landini, being duly sworn, depose and say that I reside in the township of Franklin, county of Houghton, State of Michigan; that I am a small-sized man, weighing about 137; and am by trade a trammer. That on the 10th day of December, A. D. 1913, at about 2.30 o'clock, at the street car station, I heard shooting at the Pewabic street car station; there were about 100 shots fired. When I heard the shots fired I went home, and when I was in front of my house a deputy walking on the street car track fired two shots at me. I started to run, and ran into the house of Oristo Monticelli and went upstairs of his house, badly frightened and scared, and did not know why they were shooting and chasing me. The deputy entered the house and came upstairs and arrested me and put handcuffs on me. While I was under arrest one of the deputies was holding me and the other beating, pounding, and assaulting me on my head and body so that I was black and blue, and had a black eye and still have one. They took me then from the house to the branch office of the sheriff of Houghton County, leading in the citizens' alliance parade, handcuffs on, as far as the said sheriff's branch office. While I was marching with the citizens' alliance parade one fellow by the name of Andro Lucatelli did beat, hit, and assault me with the stock of his revolver, and as a result of that beating, assaulting, and hitting I had large lumps on my head and was bleeding through my mouth and nose. While I stayed in the said branch office of the sheriff of Houghton County the deputies were beating, hitting, and assaulting me until Sheriff Cruse said to them that "He has had enough." At this time I was bleeding profusely through my mouth

and nose. This beating was done in the presence of Sheriff Cruse in said office. I have five witnesses to verify the statement made by me—of beating me after being handcuffed and under arrest.

Luigi Landini.

Subscribed and sworn to before me this 23d day of December, A. D.

D. R. ORELLA, Notary Public in and for Houghton County, Mich. My commission expires February 2, 1914.

STATE OF MICHIGAN, County of Houghton, 88:

I, Glovanni Baldasari, being duly sworn, depose and say that I am a resident of Franklin mine, Michigan, county of Houghton; that on the 15th day of December, 1913, at about noon, my house was surrounded by deputy sheriffs, who desired to search my house; that they, the said deputy sheriffs, did search, upsetting trunks, dressers, and wardrobes; that the said deputy sheriffs, after being advised by me that a certain trunk could not be opened, as its owner, Louis Landrini, being in jail, had the key with him, deliberately took a hatchet and broke the lock; that the said deputy sheriffs carried off with them property of mine to the extent of one double-barrel shotgun, one rifle, and one revolver.

GIOVANNI BALDASARI.

Subscribed and sworn to before me this 16th day of December, A. D.

Notary Public, Houghton County, Mich.

My commission expires February 2, 1914.

STATE OF MICHIGAN, County of Houghton, ss:

I, Giovanni Baldasari, being duly sworn, depose and say that I am a resident of Frankiln Township, county of Houghton, and the State of Michigan; that on the 25th or 26th day of September last, while on the county road in the vicinity of the Quincy mine and on my way to Hancock City, I was accosted by a deputy sheriff, John Polglase, and caught by the arm and roughly handled, asking me where I was going; that I told him, the said John Polglase, to let me continue on my way peaceably, and he replied, "Go back or I'll arrest you," pushing and manhandling me pretty roughly.

I further depose and say that I had the said John Polglase arrested, and that I was present on the date of the hearing, and that the case has been adjourned from time to time, and that to my knowledge up to the date of this deposition nothing has been done in this matter.

Subscribed and sworn to before me this 26th day of December, A. D.

Subscribed and sworn to before me this 26th day of December, A. D. 1913

[SEAL.] D. R. ORELLA, Notary Public, Houghton County, Mich.

My commission expires February 2, 1914.

STATE OF MICHIGAN, County of Houghton, 88:

I, John Marco, being duly sworn, depose and say that I reside in the township of Franklin, county of Houghton, State of Michigan; that on the 11th day of December, A. D. 1913, I went to the usual morning strikers' parade and joined the parade at the old Franklin Schoolhouse, which is now used as the temperance hall, and I came with the parade as far as the Franklin store. The mounted soldiers came behind and speeded up to the front of the parade in front of Capt. Kendall's house. They stopped the parade and told the paraders to go back, and the men, women, and children started to go back, and when they did not run fast enough to suit the soldiers and deputies, who then started to shoot in every direction, then the women and men started to run in disorder in all directions. When I was not running fast enough to suit them one William Oxman ran after me and began to beat, hit, and assault me on my head and shoulders with his billy. I asked him what the matter was with him. He answered, "You get out of the county road, miner."

I further depose and say that I saw said William Oxman beating, hitting, and assaulting a Finnish fellow, whose first name is Matti, with his billy, and another man stood behind and was shooting at his side.

I further depose and say that the parade this morning was very peaceful and quiet; nobody uttered or said a word to anybody in the parade or outside of it.

Subscribed and sworn to before me this 23d day of December A. D.

John Marco. Subscribed and sworn to before me this 23d day of December, A. D. 1913

D. R. ORELLA, Notary Public in and for Houghton County, Mich. [SEAL.] My commission expires February 2, 1914.

I, Francesco Pierotti, being duly sworn, depose and say that I reside in the township of Franklin, county of Houghton, State of Michigan; that on the 11th day of December, A. D. 1913, about 7 a. m., I was going to take part in the usual morning parade of the strikers; but I saw that the parade was stopped and the deputies shooting, and I went to hide myself behind the Franklin store. While standing behind the said store the teamsters from the Franklin store called me into the barn in order to save my life from the bullets that were flying all around there. At their request I entered into the barn and the teamsters closed the door. A deputy, by the name of William Oxman, rock-house boss, came behind the door and kicked the door, and finally opened the door and entered into the barn and said to me, "Get out of here, you ——," and I started to go, and he started to beat, hit, and assault me with his gunstock on my head, shoulders, and body, and drove and forced me out of the barn. At this time I saw many deputies and mounted soldiers chasing and shooting men, women, and children in the street.

This deponent further deposes and says that he was afraid that at any moment he would be shot and killed by the deputies and mounted soldiers.

This deponent further says not.

This deponent further says not.

FRANCESCO PIEROTTI.

Subscribed and sworn to before me this 23d day of December, A. D.

D. R. ORELLA, Notary Public in and for Houghton County, Mich. [SEAL.] My commission expires February 2, 1914.

STATE OF MICHIGAN, County of Houghton, 88:

I, Americo Monticelli, being duly sworn, depose and say that I am a resident of Franklin Township, county of Houghton, and State of Michigan; that my home is situated about 100 feet west of Franklin Street Railway Station; that on the 10th day of December, 1913, at about 2.30 p. m. a group of six deputy sheriffs knocked at my door repeatedly; when I admitted them they plunged into the room with revolvers in hand and demanded to search the house on the pretext of looking for a striker that did not live with me; that I answered the said deputy sheriffs that none except my family and close relatives stayed with me; that with a revolver pointed to my breast I was told. "shut np, —, or I'll kill you"; that they then entered into the room; that my wife was in bed sick under care of a doctor and roughly pushed her out of bed, and when she screamed from the pain caused she was told to shut up, with a revolver pointed to her breast, and that when I remonstrated with them for being so rough, as there was not anybody they wanted in here, one of them told me to "shut up, or I'll blow your brains out."

I further depose and say that while I was in the act of inserting key into lock to open bed room left vacant since some of the boarders left for other parts of the country I was struck with something on the head which made me dizzy.

America Monticelli.

AMERICO MONTICELLI.

Subscribed and sworn to before me this 26th day of December, A. D.

D. R. OBELLA, Notary Public, Houghton County, Mich. [SEAL.]

My commission expires February 2, 1914.

State of Michigan, County of Houghton, 88:

I, Francesco Pierotti, being duly sworn, depose and say that I reside in the township of Franklin, county of Houghton, State of Michigan; that on the 15th day of December, A. D. 1913, at about 1.30 o'clock in the afternoon, my house was surrounded by deputies and mounted soldiers. The said deputies entered into my house and ransacked and searched the house and turned everything upside down. They searched through my cupboards, trunks, and wardrobe. There was a trunk belonging to another man who used to board with me and had gone to work at Chassel, Mich., and the said trunk was locked by the owner. They demanded the key to the trunk, and I said that I did not have the key and that the trunk belonged to another man. Then they compelled me to go downstairs to get a hammer in order that they could break and smash the trunk and lock and that they could search the contents thereof, and they did break and smash the trunk and lock and demolished and searched the contents thereof.

I further depose and say that they did not tell me why they wanted to search the house and contents thereof.

I further depose and say not.

Francesco Pierotti.

FRANCESCO PIEROTTI,

Subscribed and sworn to before me this 23d day of December, A. D. 1913. D. R. ORELLA, Notary Public in and for Houghton County, Mich. [SEAL.]

My commission expires February 2, 1914.

STATE OF MICHIGAN, County of Houghton, 88:

I, Gos Lencioni, being duly sworn, depose and say that I reside in the township of Franklin, county of Houghton, State of Michigan; that on the 11th day of December, A. D. 1913, at about 7 a. m., I was going to take part in the usual morning parade of the strikers, but I saw the parade was stopped and the deputies shooting, and I went to hide myself behind the Franklin store; while standing behind the said store the teamsters from the Franklin store called me into the burn in order to save my life from the bullets that were flying all around there; at their request I entered into the barn and the teamsters closed the door. A deputy by the name of William Oxman, rock-house boss, came behind the door and kicked the door and finally opened the door and entered into the barn and said to me, "Get out of here, you God damn fool," and I started to go out; he started to beat, hit, and assault me with his gunstock on my head, shoulders, and body, and drove and forced me out of the barn. At this time I saw many deputies and mounted soldiers chasing and shooting men, women, and children in the street.

This deponent further deposes and says that he was afraid that at any moment he would be shot and killed by the deputies and mounted soldiers.

soldiers.
This deponent further says not.

GOS LENCIONI.

Subscribed and sworn to before me this 23d day of December, A. D. 1913, [SEAL.]

Notary Public in and for Houghton County, Mich.

My commission expires February 2, 1914.

I. Guiseppe Andreotti, being duly sworn, depose and say that I reside in the township of Franklin, county of Houghton, State of Michigan; that on the 10th day of December, A. D. 1913, about 2 o'clock in the afternoon, I went to the store to buy some tobacco, and while I was on my way I found myself surrounded by about 20 deputies. They forced my hands up and then searched me, and while they were searching me one of the deputies had a gun under my jaw and threatened me. After the search they began to beat, bruise, and illtreat and assault me about my head and body so that I was so badly beaten, hit, and assaulted that I could hardly stand up after they were through, and they arrested me and took me into the county jail.

I further depose and say that I saw the deputies beating, bruising, and assaulting Luigi Landini on his head and body, at Monticelli's house, and that he was crying and hollering in their hands; they were acting like wild beasts.

I further depose and say that I was doing absolutely nothing more than what I have stated in the above statement, and they are true to the best of my knowledge.

GUISEPPE ANDREOTTI. Subscribed and sworn to before me this 23d day of December, A. D. 1913.
[SEAL.]
D. R. ORELLA,
Notary Public, Houghton County, Mich.
My commission expires February 2, 1914.

STATE OF MICHIGAN, County of Houghton, ss:

State of Michican, County of Houghton, ss:

We, the undersigned, being first duly sworn, depose and say that we are residents of Hibbing, Minn.; that on the 7th day of November, 1913, we went to the office of the Standard Employment Co., 621. Tower Avenue, Superior, Wis., and there we asked if we could get a job. The agent told us he would send us to the mines in Michigan, and we then asked if there was a strike on. He told us hat the strike was settled and over. The lowest pay, he told us, was to be \$2.60 per day to \$3.20. Some slips were handed to us, and we saw the word "strike." Then we objected to going, saying that there was a strike on. The agent then told us that that was an old slip used because they didn't have any other.

We then went to the depot and left about 6.30 p. m. at Superior. We showed the conductor the slips on the train and asked him about it, but he said: "Don't listen to anybody. The strike is over and you fellows will have a good time." Before arriving at Nestoria some one handed us a strike notice, but another fellow came into the coach and destroyed them.

That, before we left Superior the agent called up McNaughton at Calumet and notified him that seven men were coming from Superior, and that he should have two men stationed at a place about 50 miles before destination (Calumet), and that he should guard us and escort us to the mines. There was only one deputy on the train. When we arrived here we saw the parade and knew positively that a strike was on. In spite of the bunch of deputies who were at the station in Calumet Miners, W. F. of M., of our own accord, and that we were not imprisoned there. Deponents further saith not.

Anselmo Marcotti. Frocas Giovanni.

ANSELMO MARCOTTI, FROCAS GIOVANNI, ZUCCO VALENTINO, JOSEPH PIANTARELLINI, PARON SETTIMO, PICCOLI SERAFINI, BATOS GIOVANNI,

Subscribed and sworn to before me, a notary public, this 10th day [SEAL.] PALMIRO TOMMEI, Notary Public.

My commission expires November 17, 1915.

Mr. Speaker, here is the testimony of eye witnesses, of parties who have been attacked, suffered atrocious and brutal treatment in that unfortunate district, persons who have been denied the protection guaranteed by our laws to every individual living in this great Republic.

This testimony is undisputed. The facts detailed in these affidavits will not be denied or contradicted in this debate. Can we when apprised of such conditions existing in any part of the country shut our eyes and refuse to investigate and permit such conditions unnoticed to continue? For one I am unwilling to do so. This condition has been brought about in this locality because of the conflict between capital and labor. We deplore this fact. We regret that these two important elements of our industrial system can not work together in peace and free from conflict; but if conflicts come and local authorities are unable or refuse to restore peace and harmony, adjust the differences, then it becomes the duty of the Government to interfere, restore peace, maintain order, and secure harmonious relations.

What are the conditions in this great mining region, one of the richest in the world? Martial law exists and the civil authorities are powerless, and the militia is employed to assist the mine owners in tyrannizing over the laborers in that unfor-

tunate section.

The mine owners and operators have employed a foreign corporation engaged in strike breaking to take charge of and control conditions there. This corporation has imported men of the worst character to conduct affairs in those localities. These men are not residents of Michigan, are ineligible under the laws of that State to be appointed deputy sheriffs, and yet the sheriffs' offices of some of the counties have been turned over to these men, and in violation of the law of that State these men have been appointed deputy sheriffs and intrusted with the full power of enforcing the police regulations in those localities. They are in the employ of the mine owners and operators. They select the juries, both grand and petit, and are thereby in full control of the whole law enforcement.

The State militia is likewise turned over to the mine owners and operators, and its movements are directed by them. Could anyone expect a fair trial when his antagonist is empowered to select the jury? Can a person expect protection from an army when his antagonist is in command, with supreme authority to direct every movement? Such a condition I doubt has ever had a parallel in all the conflicts between capital and labor the

country has ever known.

Why, if the State of Michigan is protecting the person and property of every individual residing within its borders, should

it transfer the enforcement of all its police regulations to a foreign corporation in the employ of one of the parties engaged in this conflict? Why, if the State of Michigan is ready and willing to uphold the peace, dignity, and order of that great State, should it turn over to one of the parties engaged in a serious conflict its militia, armed and equipped for battle, and permit that party to use it for private benefit and tyrannize over its antagonist? Is not the right of one party as sacred in the eyes of that State as another? Why should all authority vested in the constabulary of that State be turned over to a foreign corporation employed by one of the parties engaged in a bitter contest now being waged there—a corporation which has imported men and clothed them with full power of executing its laws, selecting and empaneling all juries, and selecting the forums in which trials are conducted? Is this the fair and impartial and unfettered administration of justice guaranteed to every individual living in this great country, with all its boasted liberties? I hope not.

The State, we hope, is able to maintain order within its boundaries. It ought to be able to do so, but it is not doing so. Disorder and violence rage there and will so long as the State of Michigan permits and tolerates such conditions in han-

dling this unfortunate condition of affairs.

It is an abuse of both the civil and military authority and re quires Federal supervision. In the conflict going on there its civil and military authorities both should act with fairness and guarantee to both parties every right vouchsafed them under the Constitution. They are not doing so, and because of this fact the Federal Congress has a right to interfere and see that every citizen of high or low degree, it matters not, is fully protected in all his rights and these impositions stopped. We are told by the opponents of this resolution that this House has no power to act. I deny it, and on the contrary assert it is fully empowered to act. Let me remind those who advance this contention that the National House of Representatives is the source and origin of power in this Republic, under proper and welldefined limitations, and the action here proposed is within the well-defined limitations.

It is constantly creating new powers and executing them. If it could not, as the evolution of the times developed new conditions it would be a helpless Government and powerless to meet and cope with the new conditions which arise almost daily. Such a contention urged by the opponents of this resolution is futile and only demonstrates the desperate straits to which they are reduced in attempting to sustain their unwarranted

position.

If no such power for acting in this matter exists, then a sufficient answer is that now is the proper time and occasion to create such power and employ it in this instance, because conditions now existing in this case imperatively demand it and, further, because such conditions are intolerable in a free country like ours. Of this we should make an example.

It is further insisted by the opponents of this resolution that all the good that can come from this investigation if ordered and made is publicity. I can assure all such who urge that as an argument that that is sufficient.

Publicity is a sure and safe remedy for many evils, and especially for the one existing here. Turn on the searchlight of publicity and let the whole country know of the wrongs imposed, the high-handed, arbitrary methods and abuse of both the civil and military power, the atrocities and injuries inflicted on unoffending people and the brutal treatment administered without rhyme or reason, and an indignant but fair-minded and justice-loving public will visit upon these self-constituted administrators of civil and military authority their righteous but wrathy indignation and compel them to surrender back to the public their illegal usurpation of power so arbitrarily exercised by them. The people of this country will arraign them at the bar of public opinion and administer to them the punishment they so richly deserve.

Publicity will compel them to cease their indefensible conduct and compel them to desist from their inhuman treatment of

these unfortunate employees.

Mr. Speaker, as I understand it, all differences in the Michigan mining region between the employers and employees were satisfactorily adjusted and the men were ready to go to work, and would have done so, had it not been for the unreasonable requirements of the employers, who demanded that before any employee should return to work he must withdraw from the labor union with which he was affiliated, and this alone is the only contention between them. The laboring men refused to do this, and for this they are rather to be commended than condemned.

That requirement is unjust and unreasonable, and the public so regard it. These employers of labor have just as much right |

to dictate what and when their employees shall eat and wear, what church they shall attend, or what political party they shall belong to, what kind of houses they shall live in. Such a proposition is preposterous and should be condemned.

This is a free country, and the right of the individual to exercise his free will must forever remain inviolate. If this demand were tolerated, that right would be destroyed and the liberty of the citizen surrendered. We can not uphold such conduct, but should denounce it as inimical to the welfare of the individual and the preservation of his independence. Upon it the seal of public condemnation is irrevocably fixed.

Now, Mr. Speaker, we all deplore every conflict which arises between capital and labor-every controversy which arises between these two essential elements of our industrial operations. It is not alone the parties engaged in such controversies which suffer, but the whole public is materially affected and it interrupts the general public welfare. Duty requires that these troubles be adjusted in the interests of the common welfare, in order that public security may prevail and the rights of all be

The humble employee is as much entitled to our consideration as the rich and powerful employer. Their places before the law are equal, and their rights to common equality assured. Let us do our duty in this matter, and see that these rights are secured and that justice is accorded to all; that the wrongdoer shall suffer the consequences of his ill-advised course. No one should desire more and none should be satisfied with less

These men have been imposed upon by these powerful employers and appeal to us for the protection of their rights, for the security of their persons and property, which, though small in value, is dear to them, and they hope we will respond to their appeal with the answer that: Your persons and property shall be protected from every hostile invasion, and your rights will be preserved as securely as those of the richest and most powerful in all the land.

Mr. FOSTER. Mr. Speaker, I yield three minutes to the gentleman from Michigan [Mr. HAMILTON].

The SPEAKER. The gentleman from Michigan [Mr. HAMIL-

TON] is recognized for three minutes.

Mr. HAMIL/TON of Michigan. Mr. Speaker, this resolution, in so far as it relates to Michigan, had its inception in a resolution offered by the gentleman from Michigan [Mr. Mac-DONALD], which a Democratic caucus directed the Democratic members of the Rules Committee to report to the House.

To assume that the gentleman from Michigan [Mr. Mac-DONALD] is not profoundly convinced of the truth of the charges he has made would be to assume that he is capable of

doing an unpatriotic thing for an ignoble purpose.

I assume, therefore, that he has in his possession evidence which has convinced him, and which he believes will convince the committee, provided for in this resolution, that a condition of peonage exists in the State of Michigan; that the Federal mail facilities are being obstructed in the Upper Peninsula of the State of Michigan; and that the courts of Michigan are so corrupt and so derelict in the performance of their duty that life and property are no longer safe in Michigan; and that citizens are being arrested, tried, and convicted without warrant of law and in violation of the Constitution of the United States.

It was Michigan, Mr. Speaker, that gave to jurisprudence such names as Cooley, Christiancy, Campbell, and Graves.

It was the courts of Michigan that Bryce, in his American

Commonwealth, placed with the courts of Massachusetts highest amongst the courts of the States of the Union. And. sir, down to this time no man has ever dared to say that the judges, both State and Federal, of the State of Michigan are not worthy successors of the illustrious men who have preceded them upon the bench. [Applause.]
I can not but hope, Mr. Speaker, that the gentleman from

Michigan [Mr. MACDONALD] has been in some way misin-

I am not permitted to doubt his sincerity, because it is not conceivable that a Member of this House, acting under the obligation of his oath, would bring charges against the good name and the fair fame of his State of the truth of which he is not profoundly convinced.

Moved by his allegations the Committee on Rules has re-ported this resolution, which provides a tribunal to hear, try,

and determine these charges.

I shall vote for it because I want to see my State vindicated. I shall vote for it because if I do not some man may say I meant to cover up some unclean thing in Michigan and suppress information.

I shall vote for it in the confident belief that the good name

of my State will be triumphantly vindicated.

And if it shall appear that these charges are a baseless fabrication imposed upon the credulity of the gentleman from Michigan, I shall expect him at some future time to rise in his place here and admit that he was misinformed.

Mr. FOSTER. I yield three minutes to the gentleman from

Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, the charges to which my colleague from Michigan has just referred have not only been brought to this House with the high indorsement of the Member representing that district of Michigan in this House, but they, and charges worse, have been carried through the news agencies all over this land; and I submit that it appears under this administration of affairs in this Government of ours that there seems to be no other tribunal where the State of Michigan can have its cause tried except before a subcommittee of the Committee on Mines and Mining of the House. Under this administration of Democracy we have, as my colleague [Mr. Kelley of Michigan] has said, seen a law lie dormant that would have provided a fair, unprejudiced investigation of this matter. Further, there has been an investigation made by a department of the Government, but I, as one of the Representatives in Congress from the State of Michigan, have been unable even to have

a glimpse at the report of the Department of Labor.

After argument I got a copy of the summary that was given to the newspapers, but even yet I have not had a look at the full report, which reposes somewhere in the Senate end of the Capitol. Hence, the question is not what kind of an investigation we should have but what kind of an investigation can we have; and that question is not decided here on this floor but behind the closed doors of the Democratic caucus. Hence, I am forced to vote for the only kind of a proposition under which the cause of the governor of Michigan and our people may be tried. It involves the good name of my State. It involves the interests of large concerns in that State. volves, more important than any of these things, the daily welfare of many humble men, women, and children in my State; and although I do not feel that this is the best kind of procedure, I am forced to vote for this resolution. I do not look upon the resolution as a verdict and I do not wish my vote to be taken as an indorsement of the truth of these charges, but I am voting for it simply in order that publicity may come and that the truth may be investigated; and instead of being a verdict, this resolution is a commission to take testimony. trust that, now the Democracy have made a partisan question of this particular industrial issue by taking it behind the closed doors of the Democratic caucus, they will make good under the high and important responsibility they have assumed. I have the highest confidence in the chairman of that committee, and trust that the investigation may justify our confidence.

Mr. HARDWICK. I yield to the gentleman from Colorado

[Mr. KINDEL]

Mr. KINDEL. Mr. Speaker and gentlemen, I want to say, for the purpose of showing you that I am not averse to investi-gations, that I was one of four of the primary witnesses whose testimony brought about the investigation of the Steel Trust .If the gentleman from Kentucky [Mr. STANLEY] some years ago. were here, no doubt he would indorse my statement as to that fact.

I have nothing in common with the men who are the owners of the mines, though I am a manufacturer. I do not own a dollar's worth of their stock nor do I sell them my manufactured goods. I owe them nothing, and look for nothing from them. I firmly believe there would be no investigation called for by the Western Federation of Miners and the politicians who are here turning blood into politics if the mine owners would accede to the demands of the union in the way of unionizing all their forces.

I was out in Colorado in November to investigate, and on Thanksgiving Day I went over the several coal camps in southern Colorado, and, to say the least, it was a horrible condition of affairs. One of my experiences was this: I heard that the troops that are now in the field to maintain law and order had incarcerated a German who was one of the troublesome agitators and that they would not give him a chance to be seen or heard by anybody. As a Congressman, I resolved to see him and that nobody should accompany me, that I should be allowed to investigate this man by myself, unattended. This was granted me by the jailer and the military force. This man's name was Robert Uhlich. He told me his address was box 387, Trinidad, Colo.; had been in this country since 1907; a German I asked Mr. Uhlich why he was incarcerated, and he said that he did not know, except that he was an agitator and an organizer of labor.

In my memorandum book he inserted that he was the international organizer and vice president of the Colorado State Federation of Labor, also president of Trinidad Miners' Union, also

a board member of District 15, United Mine Workers, also an organizer of American Federation of Labor; was 31 years old; not married; and not a coal miner but a molder by trade, which trade he had not followed for the past four years. I noticed he had soft, piano-playing hands. I said, "Since you are not a coal miner, and you have not worked at the molder trade for some years, how do you subsist; what brings you here?" He said, "I have been an organizer." I said, "What does that bring you?" He replied, "Four dollars a day," and that he had been engaged in that business for the past four years; that he had no family; and that he was not a citizen of the United States, only having taken out his first papers. I replied, "Since you are an alien, I, as a Congressman, can not longer interest myself in your case; but I will call upon the German consult to help you out." He said, "Oh, no; don't do that." I said, "Why not?" He said, "I am a deserter from the German army." [Laughter.]

I said—well, I guess I will not repeat the language that I used to him, and left him in disgust.

All that is demanded by the strikers in Colorado is acknowledgment of the union. They want simply that the mine owners shall see to it that every miner is a union man. If not, he shall immediately pay \$10 initiation fee and \$1 per month dues, and if any fines of the union are assessed against a man that they shall be taken out of the man's wages by the mine owners, and on the first of each month paid to the collector or treasurer of the union.

It is not a question of wage in Colorado. The mine owners in southern Colorado are paying 20 per cent higher wages than

in Oklahoma or Kansas, the adjoining States.

While in Colorado I offered my services to assist Mr. Wilson, the Secretary of Labor, and Mr. Ammons, governor of Colorado, who were endeavoring to bring about conciliation between miners and mine owners, but our efforts have proved futile.

Before I went to Colorado I received the following telegram: PUEBLO, COLO., October 17, 1913.

Hon. George J. Kindel, M. C., Washington, D. C.:

Carpenters' Union No. 362 requests you to use your influence to obtain, if possible, a congressional investigation of the coal strike in southern Colorado. T. A. ASHER, Recording Secretary.

On receipt of this telegram I answered at once, "I am heartily in favor of investigation. Will act accordingly."

After I visited Colorado and saw the conditions, I came to the conclusion that this subject matter should be investigated by our Industrial Commission and Secretary of Labor, and even if investigation is had that the Western Federation of Miners and agitators like this man Robert Uhlich, Louis Tikas, alias Greek Pete, Mother Jones, Ford Cornwall, saloon keeper, should be inquired into as well as get the fullest particulars of the mine owners' affairs.

I have received many telegrams urging investigation from both strikers and mine owners. I quote the following telegrams to substantiate what I have said:

DENVER, Colo., December 11, 1913.

Hon. George J. Kindel.,

Falkstone Court, Washington, D. C.:

My attention is called to statements reported to have been made by Keating yesterday before Rules Committee, in which he grossly misrepsented facts relative to strike situation. I trust you will not permit the committee to be misled by such irresponsible and self-serving assertions. If upon the facts as they really exist an investigation is deemed helpful, only fair-minded and wholly impartial men should be named on committee. To such men we will gladly submit all information within our power. our power.

J. C. OSGOOD.

Here is another:

DENVER, Colo., December 16, 1913.

Congressman George J. Kindel, Washington, D. C.:

Washington, D. C.:

In connection with proposed investigation of Colorado coal strike, it should be remembered that Gov. Ammons arranged for and presided at a conference between three striking miners and coal operators. The result of which convinced him that there were no material differences between miners and operators to justify continuance of strike, and that he suggested a basis on which the strike should be terminated, which suggestion was accepted by the operators as a result of the governor's recommendations, and is accepted by operators and the movement of coal miners from the East to Colorado, where earnings are much higher than in districts in which they are now working. The mines are rapidly increasing their output, and from now on can supply all demands for Colorado coal.

Here is one of a number intended to intimidate:

DENVER, Colo., December 18, 1913.

GEORGE KINDEL, M. C., Washington, D. C.:

Bitterly disappointed to hear you are opposing Keating investigation. You are taking side of organized robbers against the humble citizens of Colorado who trusted you once but will trust you no longer unless you show a change of heart.

EDWARD A. EVANS, Denver Express.

I have also received the following resolution, among many others:

[Local Union No. 3003, United Mine Workers of America, located at Rugby, Colo., Las Animas County.]

JANUARY 7, 1914.

To the honorable the President and Congress of the United States of America:

Whereas thousands of miners in the copper regions of Michigan as well as in other parts of the United States have been for months engaged in a terrific struggle with the mine owners; and Whereas in this struggle the workers have encountered atrocity and outrage, have seen their members murdered, their property destroyed, their homes ravaged, their children killed, the editors and publishers of their papers arrested, thrown into jall, and refused release on ball; their leaders shot, violently assaulted, dragged through the streets of the city, and driven out of the State; and Whereas in all the copper region all semblance of right and justice is suspended, a reign of violence and terrorism prevails, while labor and industry are paralyzed; and Whereas these events demonstrate conclusively the utter incapacity of the present mine owners to operate the mines of these regions either in justice to labor or in safety to the communities or in harmony with the welfare of the people of this Nation: Therefore be it Resolved, That the undersigned hereby demand of the Congress of

with the weithre of the people of this Nation: Therefore be it

Resolved, That the undersigned hereby demand of the Congress of
the United States to take steps as follows:

First. That a thorough congressional investigation of the whole
strike situation be made immediately, and the findings be published
at the earliest possible moment.

Second. That the Government take immediate steps to acquire possession of the copper mines and operate them under union conditions.

Passed by 316 union miners of Local Union No. 3003, United Mine
Workers of America.

Parley Potter, President.

PARLEY POTTER, President. THOMAS SHERRATT, Secretary.

I sent this resolution to Joseph W. Selden, vice president of the First National Bank of Calumet, for explanation, and he replied as follows:

FIRST NATIONAL BANK OF CALUMET, Calumet, Mich., January 12, 1914.

Hon. George J. Kindel.,

House of Representatives, Washington, D. C.

My Dear Sir: I have your letter of January 10, inclosing sample of the resolutions being adopted by the local unions of the United Mine Workers of America. The sole trouble with these resolutions is that there is not a single allegation which is true. No member of the Western Federation has been murdered; their property has not been destroyed; they have no newspapers published in this country; their leaders have not been shot nor their children killed except by the carelessness of the members of their own union. Up to six months ago we had in the copper district of Michigan an ideal mining community. Everybody was satisfied, money was plentiful, the miners having over \$11,000,000 in the local savings banks, and all this has been changed by the machinations of the Moyer-Mahoney outfit.

I am pleased to see that you understand. I am returning herewith the original resolution after having made a copy of it for my own use.

Thanking you again, I am,

Respectfully, yours,

Jos. W. Selden.

I sent a copy of this letter to the signers of the resolution above quoted, and asked them to explain why this discrepancy of facts, to which I have received the following reply. I publish this letter for the edification of the investigating committee:

United Mine Workers of America, Local Union No. 3003, Rapson, Las Animas County, Colo., February 2, 1914.

Rapson, Las Animas County, Colo., February 2, 1914.

Hon. George J. Kindel.,

Member House of Representatives, Washington, D. C.

Dear Sir: In answer to your kind reply of January 19 to the resolution passed by this body in regard to the copper strike in Michigan and coal miners in this State, we desire to express our heartfelt thanks to you and the rest of our Congressmen for your kindly interest in the affairs of our State and the miners' cause in particular.

In so far as Mr. Joseph W. Selden's reply to our resolutions, saying they are all untrue, will kindly ask, what was done to Mr. Moyer? What was done to the women and children on Christmas eve. There have been many other atrocities committed respecting which we have no exact data right now on hand, but we feel that this investigating committee, which will soon be on the ground, will be given all the assistance required by the miners, and, whatever the outcome, the facts by all means should be published to the world. If the operators would settle with their people this bitter fight would soon be ended. A man who goes down into the earth and risks life and limb from the moment he steps on the cage should receive more wages and better consideration than men who are in the open air. The miners' side of the story has never been believed. That is the main reason we court this investigation.

Now a word in our own behalf. We feel there has not and is not

nam men who are in the open air. The limiter's side of the story has never been believed. That is the main reason we court this investigation.

Now, a word in our own behalf. We feel there has not and is not now any necessity for the troops to be here, as they afford the miners no protection, nor do we want any. They are here, and, whether intended or not, they, or at least many of them, are using their uniform to get all kinds of unfair labor, thinking to fill the mines with any kind of men, many of whom have been fooled into Colorado by false promises, mostly inexperienced men, who don't know what dangers they are in. Many of the mines are very gassy, and a man of no knowledge of the business is very likely to blow up a mine and not only kill himself, but many others. They are in many instances the lowest kind of people and not fit to become citizens of this or any other community. People are annoyed in going to and from the post office. Strikers' floors torn up, trunks and bureaus ransacked time and again, in search for firearms, and many other outrages are committed by drunken soldiers, and when the governor is informed of these things he declares it is unbelievable, as the militiamen are recruited from the best families of Colorado. There are so many charges that I can not begin to write anything like all of them. The investigating committee will be able to find out many of these things, and we think and believe they will be proved.

Some of the reasons we are on strike are that we want to be paid for 2,000 pounds for a ton, instead of from 3,000 to 3,800. Unless we get a contract there is no way under the sun that we can get our dues. This we can and will prove to the satisfaction of everybody concerned. Yours, truly,

PARLEY POTTER, President,
THOMAS SHERRATT, Secretary,
Local Union 3003, U. M. W. of A., Rugby, Colo.

The deplorable fact is that men of the stripe of Uhlich, above mentioned, and women like "Mother Jones," holding the sentiment that they express, reflect discredit on any organization with which they are connected. They know no flag, no coun-

try, and no law.

Now that Congress has overwhelmingly decided to investigate, I trust that there will be no repetition of my colleague's Mr. Keating] action, who sent a telegram to Denver stating that I was bitterly opposed to any investigation. His only excuse to me for sending such a boomerang message was that he intended that the telegram should be confidential.

Here is what it resulted in. I quote from a Denver newspaper

account of a labor meeting:

At this juncture of the proceedings a telegram from Congressman Edward Keating was read. It stated that one of the reasons the resolution calling for a congressional investigation of the coal strike was being held up was because Congressman George J. Kindel was bitterly opposing it. Keating asked if the convention could not bring some pressure to bear to swing Kindel into line.

Mother Jones sprang to her feet on the rostrum and shouted:

"Yes; we can. Don't resolute; just send George Kindel a telegram and say in it, 'If you don't vote for that resolution, don't come home, for every miner in Colorado will be waiting at the train for you with a rope.' That'll get him or the rope will."

In his argument for investigation my colleague Mr Keating.

In his argument for investigation my colleague, Mr. Kfating, never once mentioned the seventy-odd murders which had been committed, the railroad bridges and other property destroyed in Colorado; all this omitted for the purpose of "turning blood into politics," thinking thereby, no doubt, to enhance his chances for reelection by gaining the labor vote to reelect him.

I fully concur in the sentiments of the chairman of the Rules Committee, the gentleman from Tennessee [Mr. Garrett], and the gentleman from Georgia [Mr. HARDWICK], also those of the gentleman from Michigan [Mr. Kelley], none of whom are averse to investigation, and I believe as they do, that Congress should not do this investigating while there are other bodies

properly constituted for that purpose.

No fair and honest man can have any objection to mechanics of any class organizing for their mutual protection and betterment. It is the professional agitators, dynamiters, and cutthroats, who never work nor let anyone else work unless they can dictate the terms and who are themselves sustained by the treasury of the union that are objected to by self-respecting employees and employers of these United States. Neither have I respect for nor patience with the oppressive and cowardly employer who takes advantage of labor just because he is in a position to do so. It is the mean and overbearing bosses that produce mean labor unions and between them the country at large is made to suffer.

Mr. HARDWICK. Mr. Speaker, I yield five minutes to the

gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Speaker, I suppose it is very well known-certainly on this side of the House-that I was opposed to this resolution; and inasmuch as I intend to vote against it now, it is only fair that I should state briefly the reasons that move me to do so.

This is not a new question to the Committee on Rules. Shortly after my service on that committee began the proposition was presented to us for the first time, so far as I know, of projecting a legislative branch of the Federal Government into an investigation of industrial troubles in a State. The committee went very thoroughly into the matter at that time, and some of us at least examined with great detail the question of the power of the legislative branch to make such an investigation. We became convinced that it had not the power to do so. It was presented subsequently in several different resolutions, and finally in the resolutions of the gentleman from Colorado [Mr. KEATING] and the gentleman from Michigan [Mr. MACDONALD].

When this matter came before the committee in the Colorado case, because of the great pressure, because of the evident anxiety and the apparent deep interest in the matter by so many persons, I, for one member of the committee, undertook to and did reexamine the legal questions that were involved in order to determine whether or not I had been mistaken in my early impressions as to the matter of power. Much to my regret, because of the sympathy I had in this case, I was confirmed in my first legal impressions concerning it.

Mr. Speaker, this House, in my judgment, can investigate for only three purposes, roughly speaking. One is for the purpose of impeachment, another is for the purpose of examining the conduct of its own Members with a view to preserving its legis-

lative integrity and punishing its Members for disorderly conduct; and, third, for the purpose of ascertaining facts essential to be determined in order to legislate. I assert, sir, that neither of these propositions is involved in the remotest degree in this resolution, and the clauses thrown in here in regard to violation of peonage laws and interference with the mails are nothing more or less than to create a subterfuge to the end that this House may raise a committee to be used as a vehicle for publicity.

Reduced to its elements, the argument of every gentleman who appeared before the Committee on Rules, the argument of every gentleman in the caucus, the argument of every gentleman here is that we shall do this, whether we have the power or not, because it will erect a vehicle for publicity.

Another thing Democrats especially should remember is that, so far as the Michigan case is concerned, there was practically no demand from any source for an investigation, except such as was made by the gentleman from Michigan [Mr. MacDonald], until within two days of the meeting of the Democratic caucus. Paying no attention to the pleading of the members of a committee who had investigated the matter and considered it from all angles, a Democratic caucus was swept fron its feet, and, over the protest of the only Democratic governor which the State of Michigan has had for 50 years, perhaps the only Democratic governor it has ever had—I am not sure—a governor who is "making good," according to all the testimony, is about to drive this House into the investigation of a condition that is thrilling with politics.

Mr. KELLEY of Michigan. That is all there is to it.

Mr. GARRETT of Tennessee. You are about to send a committee of Congress into a sovereign State to do a thing which that committee has no power to do over the protest, if I am correctly informed, of that State's highest official, who is himself handling well a delicate situation. Mr. Speaker, I think this House should not lend itself to the demand to create a vehicle for publicity. I assert without hesitation that the West Virginia investigation by the Senate of the United States, in all is essential elements, was a farce and accomplished nothing. The Senate committee has made no report, no legislation has resulted from it, and no impeachment will be had.

The SPEAKER. The time of the gentleman has expired. Mr. KELLEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman be given five minutes more.

Mr. HARDWICK. Mr. Speaker, I will give the gentleman more time.

Mr. GARRETT of Tennessee. Two minutes.

Mr. HARDWICK. Very well; I yield the gentleman two minutes more.

Mr. GARRETT of Tennessee. Mr. Speaker, I have about concluded what I desired to say. I have, of course, as have all men who have hearts, a sympathy with the struggling people in those sections; but, sir, we will better serve in the ultimate end the people of this Republic by preserving not only the form but the substance of the law. I tell you, sir, that the time will come when such investigations as this will be proven to be farcical. What will this committee do, forsooth, if, when it arrives in Colorado or in Michigan, some witness summoned before it declines to answer a question? It will stand powerless to act, because this resolution exceeds the authority of the House, and when it reports back here the name of some witness for contempt this House will be powerless to act, and the courts will release him on a writ of habeas corpus in a moment, because the House is attempting to exceed its power. Read the Kilbourn case-

The SPEAKER. The time of the gentleman from Tennessee

has again expired.

Mr. FOSTER. Mr. Speaker, I yield five minutes to the gen-

tleman from Wisconsin [Mr. Lenroot].

Mr. LENROOT. Mr. Speaker, I can not agree with the sentiments just expressed by the gentleman from Tennessee [Mr. Garrett], because I believe public opinion—a correct public opinion founded upon facts—is the most powerful force in this country to-day, and when we have such public opinion correctly founded upon facts the House of Representatives, the Senate, capital, and labor organizations themselves must bow to that public opinion. I was surprised to hear the gentleman say that, in his opinion, the investigation of the strike in West Virginia had no effect in the settlement of that strike. On the contrary, the public everywhere in this country is of the belief that publicity in connection with that investigation caused the settlement of that strike.

caused the settlement of that strike.

Mr. GARRETT of Tennessee. Mr. Speaker, the gentleman misunderstood me. I did not mean to say it had no effect on the settlement of the strike; at least, I did not say that. However, I do not know that I would object very much to saying it.

Of the country may be properly preserved.

It is claimed by the gentleman from Tennessee [Mr. Garnett] that the investigation of the strike in Paint and Cabin Creek districts, in West Virginia, by the Senate was a farce and resulted in no good. I desire to inform the gentleman that

Mr. LENROOT. That then being granted, if a resolution can be framed such as this resolution, based upon powers that the House of Representatives has a right to exercise, if as a result of the publicity it can bring relief to the situation in Colorado and to the situation in Michigan, then I am in favor of it and every other Member of this House ought to be in favor of it also.

Mr. KELLEY of Michigan. Mr. Speaker, will the gentleman yield?

Mr. LENROOT. I can not yield, because I have only five minutes. Mr. Speaker, I can not share in the condemnation of the Democratic caucus upon this proposition. I have criticized you gentlemen for your caucus action as often as any Member in the House, but, Mr. Speaker, there should be a distinction made between a Democratic caucus which compels legislation to be brought upon the floor of this House without binding Members as to how they shall vote upon it, and caucus legisla-tion which attempts to legislate in caucus and bind the members of the Democratic caucus. What is this situation?

The Democratic majority of the Committee on Rules refused.

to report out this resolution, and the Democratic caucus compelled them to do so, without attempting to bind any of you as to how you should vote upon the resolution itself; and if in the future you will limit your caucus action to giving the House an opportunity to vote, free and untrammeled, on any question, then you will never find me rising in my place and criticizing

you for such action.

Just one other thing, Mr. Speaker. It is unfortunate, in my judgment, that the gentleman from Michigan [Mr. Kelley], who spoke a short time ago, who desires to offer an amendment to this resolution, did not himself object to the request for unanimous consent that the previous question should be considered as ordered. If I had known—if the Members of this House had known—that the gentleman from Michigan desired to offer such an amendment, I should have been glad to join him in objecting to the request that the previous question should be considered as ordered. But he himself did not object, and we are now put in the position of choosing this resolution as it stands or voting it down. Being put in that position, I am in favor of the resolution as it stands.

I yield back the remainder of my time.
Mr. FOSTER. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. Fowler].

Mr. FOWLER. Mr. Speaker, there are two great factors in business in this world. One is capital and the other is labor. Capital in America, as well as in other countries, claims the right to organize, and has proceeded to organize until it controls the business of the country. Capital, on the other hand, claims that labor has no right under the law to organize; but labor, under its constitutional rights, claims that it has the same right to organize that capital has; and so labor has organized to relieve the toiling masses of this country.

Capital has always discouraged the organization of labor in every way possible. Union men are turned away and refused employment solely because they are members of the union. This fight is still going on, and that is one of the reasons which underlies the trouble in these two mining districts. The mine owners in Michigan refuse to allow laboring men to return to their work until they renounce the union. In my judgment the conditions are of such a dangerous character as to justify an investigation, so that Congress may know where the wrong lies and be able to provide a remedy against such evils.

Mr. Speaker, the gentleman from Tennessee contends that Congress does not have the power to investigate industrial disputes, even where the trouble is grave, as is the case now in the coal fields of Colorado and the copper districts of Michigan. I deny that proposition. Section 8 of Article I of the Constitution provides that Congress shall have the power to provide for "the common defense and general welfare of the United States."

To be able to do this Congress must be properly informed as to the state of the Union. One of the channels for securing such information is through an investigation. It is idle to talk about casting upon Congress a great responsibility like this and then deny to it the power to collect such information as is necessary to an intelligent discharge of such duty. If the "general welfare" of this country or any part thereof is threatened with danger, it is not only the province of Congress to investigate the conditions which brought about such danger, but it is its duty to do so in order that the "general welfare"

a reign of terror prevailed in these districts until the Senate commenced its investigation. Civil government had been suspended and military rule had taken its place. Men were imprisoned without cause and tried for misdemeanors by a courtmartial, and sentenced to prison for a term of years. Laboring men were corralled by armed agents of the coal operators, prevented from going to the post office for mail, and in several instances they were killed. It was this investigation, and this investigation alone, which restored order.

The conditions in Colorado and Michigan are reported to be as appalling now as were the conditions in West Virginia a year Just how long they will continue no one knows; but I predict that as soon as the Committee on Mines and Mining begins to investigate we will see a change in conditions in these mining districts. It will act like a dose of soothing sirup. It is said that the governors of these States have tried to bring about peace, but that they have failed. It is said that the Secretary of Labor has visited the scene of trouble in an effort to restore order, but that the powers of his department are not broad enough to reach the case. It is said that the industrial commission has power to investigate these troubles, but it has apparently paid no attention to the matter. Such failures furnish the strongest reasons for action by Congress. Clothed with power unlimited to provide for the common defense and general welfare of the country, Congress seems to be the only forum which is able to give complete relief.

Mr. Speaker, a delay of legislative bodies to respond in wise laws for the wholesome regulation of obnoxious conditions is what has brought about in the past much opposition to government and to those in authority. King George's failure to comply with the wishes of the Colonies led to the American Revolution. A failure to recognize the rights of American commerce on the high seas led to the War of 1812. ure to recognize our territorial rights led to the War with Mex-A failure to abolish African slavery led to the Civil War. A failure of capital to recognize the rights of labor led to the organization of labor unions. The failure of Government to regulate the conduct of monopolies and trusts in dealing with the rights of labor to have reasonable hours per day and liberal wages, gave birth to the strike; and failure of Congress to respond to public opinion in settling strikes in the interest of the public welfare will breed discontent and lead to the overthrow of the party in power, whatever its name may be.

If we would save this country from revolution in the future, it will be well for us to solve, wisely and speedily, the problem of trust control of business and capital domination in politics in America. The streets of Paris ran with blood because the Government of France failed to listen to the petitions of her people. This world was not made for the few, but it was made for the many, and the many are determined to and will possess it. Governments had just as well recognize this right and provide by liberal laws for a speedy and easy method of solving the question. The right of the people to own and rule this world is a God-given right, and they are determined to enter into their own as the children of Israel entered into the promised land.

Mr. Speaker, let us do our duty bravely, so that relief may be given to that great army of men whose labor supplies the world with food, raiment, and shelter. They are struggling for an equality of human rights and for human existence. We owe a duty to them to provide for their general welfare; for the general welfare of the country is the general welfare of the people. Our forefathers suffered human slavery to grow up with our institutions. The first draft of the Declaration of Independence contained a clause against slavery. Had this clause been permitted to stand as Jefferson wrote it, there would have been no Civil War. We have a system of industrial bondage now, more threatening to the welfare of this Republic than chattel slavery was during the constructive period of our Government. Should we neglect our duty and fail to provide against its con-Who can say that we will not have another civil war. The omission of duty sometimes proves to be more destructive than the commission of wrongs. Then let us leave no room for future criticism. If it takes a new clause in the Declaration of Independence to solve this problem, let us write it now. The passage of this resolution is the first step to be taken, and when the committee makes its report we will have valuable evidence, I trust, which will aid in the further discharge of our duty. As Moses led the children of Israel out from under their Egyptian taskmasters, let Congress lead labor out from under the bondage of our industrial taskmasters.

Now, capital throughout the country has opposed the efforts of labor to organize, and that is what brought on the great fight in Michigan and Colorado to-day. The operators of the mines in both of these States have imported into these strike districts

disreputable men and have succeeded in having them clothed with authority as deputy sheriffs and constables to do their bidding. Civil government has been suspended and the law of force and brutality has been substituted in its place. Innocent men have been cast in prison and the labor quarters have been terrorized and outraged by military tactics, the same as was recently carried on in Paint and Cabin Creek districts, in West Virginia. Such charges have been made in the columns of the daily press for months, and if they are true they should be investigated.

The SPEAKER. The time of the gentleman has expired.
Mr. FOWLER. Mr. Speaker, I ask unanimous consent to
extend my remarks in the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

Mr. FOWLER. Mr. Speaker, it is claimed by the gentleman from Tennessee [Mr. Garrett] that Congress has no authority to order an investigation of these industrial troubles. I deny that proposition. Section 8 of Article I of the Constitution provides that Congress shall have power to "provide for the common defense and general welfare of the United States."

Mr. FOSTER. Mr. Speaker, I yield to the gentleman from Illinois [Mr. Hill].

Mr. HILL. Mr. Speaker, there has been considerable argument pro and con upon this resolution to-day. I desire to refer first to the argument of the gentleman from Tennessee [Mr. Garrett], who is a member of the Rules Committee, as such, opposed sending this resolution to the floor of this House. I do not intend to attack his integrity or sincerity in opposing this resolution. I think he is actuated in his opposition to it with the same sincerity and honesty of purpose that actuate those of us who heartily favor the adoption of this resolution at this time.

He honestly thinks and believes this resolution should not be adopted by this House. We honestly think and believe it should be adopted. Many honest men are wrong at times. He is honestly wrong, and we are honestly right.

In general, his argument is that this House has the power to make investigations for only these purposes, namely, to investigate for the purpose of impeachment, to investigate the right of Members to their seats in this House, and to investigate to ascertain facts upon which to base legislation. Granting that his position is correct, the latter proposition laid down by him is one of wide latitude and, as I believe, comes within the purview and purpose of this resolution. One of the constutional guaranties is "to promote the general welfare" of the citizens of this Republic. The purpose of this investigation is to promote the general welfare of at least some of the citizens of our country.

It is said that the Senate investigation in West Virginia was a farce, and that we are now proceeding to enact another farce comedy by Congress. I do not know how others may feel about it, but, as for me, I would say that it is much better for Congress to enact a few such farce comedies than to continue to have so many tragedies enacted in the poor men's homes of this country. While I do not admit it, yet if by narrow, strict, and technical construction you can say that Congress has ne power to make such an investigation, I desire to admonish you that it was by just such construction that our Nation was engulfed in civil war. It was this narrow, technical construction of the fundamental principles upon which our Republic rests that led to this, the bloodlest conflict in American history.

The Declaration of Independence and the Constitution of the

The Declaration of Independence and the Constitution of the United States are ever-living instruments, sufficient in scope, when properly construed, to meet all such issues as this. If they are not, for God's sake and the sake of humanity, let us make them so.

The approach to labor legislation in Congress has been made with much fear and trembling. I remember in the closing days of the last session of the Sixty-second Congress, when the sundry civil bill was before the House, Uncle Joe Cannon, in speaking upon the bill, said, in substance, if he were President of the United States he would veto the bill because labor unions were exempted from the rôle of "combinations in restraint of trade." The bill was passed exempting labor unions as combinations in restraint of trade. President Taft heard the keynote warning of Uncle Joe and the bill was vetoed, assigning therefor the reason mentioned by Mr. Cannon.

Mr. Speaker, I claim, and think I can easily show, that labor unions are not combinations in restraint of trade. First, I desire to say that on account of the existence of labor unions laboring men are receiving better wages than they could have ever hoped to secure without organization.

The affiliated locals for each mine, workshop, or factory, where the members meet, serve as the only school the working-

man can or has the pleasure of attending. It is in these local organizations that they meet and discuss their trade or labors. It becomes a school for them. It is here, by process of exchanging ideas, that they become better, more efficient workmen, and on account of their increased efficiency they merit higher pay and better wages. For this reason they do more work, earn more profit for their employers, and do meritoriously demand and receive higher wages from time to time.

In addition to the increase in their efficiency they study sanitary and safety conditions. Until labor organized you did not see on our statutes laws securing better ventilation of mines, factories, and working places; you did not see laws providing for safety appliances; you did not see laws requiring proper sanitation; you did not see liability laws; you did not see an eight-hour law to better insure the workingman's health and physical condition.

These and many other wholesome laws have been placed on

our statutes because labor is organized.

Mr. Speaker, no one on the floor of this House will attempt to gainsay that any institution among mankind that will raise the standard of intelligence and the standard of efficiency of

any class of people is beneficial to all mankind.

In addition to the benefits of organized labor, which I have just now mentioned, I want to say that without the beneficent influences of the labor organizations common mankind to-day would not enjoy the benign and useful influences of the lives of would not eally the beingst and the such men as Samuel Gompers, John W. Mitchell, and many others that time now forbids me to here mention. Their lives others that time now forbids me to here mention. Their lives have been given and consecrated to the cause of laboring humanity at the expense of public honor and positions of wealth and influence which they have gratuitously declined for the sake of struggling mankind.

Mr. Speaker, when the roll call of the tablet of memory of those who spent their lives in usefulness for mankind in reached you will find the names of these men at or near the top of

the list.

I lay it down as a rule that every injury is the concern of all. It is said by some here that it is the purpose of organized labor, through this congressional investigation, to force the employers in Colorado and Michigan to recognize union labor. hope and pray it does have that result. No one can deny but that these strikes are injuring some one there. If they are, we are concerned and the whole country is concerned. If these investigations result in stopping the injury by permitting the workers to organize, the country all over will be the beneficiary of the relief.

To operate a mine or business intelligently it is absolutely necessary to have intelligent and efficient employees to work in that mine or in that business. I can cite two instances in my district where within the last 15 or 16 years mines were operated by nonunion men. These mines were inclosed with stockades: there were militiamen on guard; one of them was equipped with Many persons were shot and killed. tion of unintelligent and inexperienced men occurred almost daily. The work in the mines was done improperly and without judgment. Many lives were lost in the mines by mine explosions and other inexcusable causes. Homes were made sad and the suffering of humanity untold. At last the conscienceless the suffering of humanity untold. operators came to their senses. Pulse began to beat in their iron hands. The mines companies were transferred to other management and the workingmen asked to organize themselves.

The nonunion operators, I am told, spent millions of dollars uselessly. One went broke, and the other quit. To-day these are among the largest and most prosperous mines in Illinois. Peace and harmony are on every side, and few, if a single man,

have lost their lives in either of these mines.

So, Mr. Speaker, if these investigations do no more than to cause the operators of these mines to learn that their employees are human beings; no more than to permit the employees to organize and unionize, as the operators are organized and combined; no more than to teach the employer to extend his hand, with vein permeated with good, red, warm blood, across the chasm and take his employee by the hand in human sympathy and kindness, then I shall be content, and our efforts will not have been in vain.

The valleys in which these mines are located, where want, suffering, and disorder reign indescribable, will then be transformed into valleys of teeming happiness and merry song. Then we can congratulate ourselves for this investigation, as the country will congratulate us. We will all join in one grand chorus singing God's praise, because we have lent our assistance to suffering humanity.

Mr. FOSTER. Mr. Speaker, how much time have I re-

maining?

The SPEAKER. The gentleman has five minutes remaining, and the gentleman from Georgia [Mr. Hardwick] has eight.

Mr. HARDWICK. Mr. Speaker, I want to start what I have to say by saying to my Democratic brethren that I approach this discussion in good temper. The other night at the caucus you were courteous enough to request the Committee on Rules to report this resolution. We reported it by unanimous consent, although it was not our judgment, but yours, on which we were acting. You did not bind any Democrat, and, of course, you could not bind any Republican, as to his vote upon the floor on this question, and you did not seek to do so; therefore I feel free to follow my own judgment in this matter, and every Democrat on this floor, whether he attended that caucus or not, no matter how he voted in the conference, is free, as free as air, to vote as he pleases, as he thinks right, as he thinks just about this matter. Now, the gentlemen who have spoken before me in opposition to this resolution have much shortened my remarks. The gentleman from Michigan [Mr. Kelley] pointed out in a most able way the fact that we had already created an Industrial Commission, a commission the personnel of which has already been announced by our President, a personnel that compares favorably with that of any commission ever selected in this country, a commission of so high a personnel that its judgment, its reports, its findings, will be vastly stronger with the country, vastly more potent in molding and influencing public opinion than the influence of any and all the politicians we could send, who have to go out and seek votes in their districts next election day. [Applause.]
Somehow or other I think, without criticizing any man's

motives, without casting any aspersions on them, that the picture each one of us draws is as to how we will look and feel when some demagogue, maybe, back in our districts—of course, there are none in the House—will say to us, "Did you vote against union labor and what they wanted when this question was up? Did you vote to investigate the great strike in Michigan and Colorado?" Gentlemen, I beg you this evening to rise gan and Colorado?" Gentlemen, I beg you this evening to rise above that plane in your discussion and decision of this question. You are not bound on this side by any caucus action or resolution to vote in any way except as your judgment and conscience tell you is right, and I beg you to put no other standard before you when you cast your votes.

The gentleman from Michigan [Mr. Kelley] refers to the commission. We are paying nine commissioners of the very highest character that this country can afford great salaries. They are given power to examine witnesses, to compel the production of books and papers, and look into every phase of these great industrial struggles-

Mr. LENROOT. Will the gentleman yield? Mr. HARDWICK. I will not yield.

Mr. LENROOT. The gentleman has made a misstatement. Mr. HARDWICK. If the gentleman thinks I have made a misstatement I will yield, of course.

Mr. LENROOT. You state that we are paying these com-

missioners great salaries. We are paying them \$10 a day for

the time they work.

Mr. HARDWICK. I know we are paying them \$10 a day and expenses. That is a large salary. It is intended they should work practically all the time. And I tell you we have appointed them to do just this sort of work. Their report of their findings would have a far greater weight in the great forum of public opinion than any report or any finding made by a committee composed of Members of Congress, seeking reelection in their respective districts, could ever have.

Let us go one step further. The gentleman from Tennessee [Mr. GARRETT], in one of the ablest short arguments I have ever heard in this House, pointed out to you that we did not have the power to investigate everything simply because some fellow shouted "Turn on the light." It is not popular to say "Shut off the light." The power of a legislative body to investigate is inherent, but is sharply limited. The principal purpose for which it may investigate is to determine how to legislate.

The proponents of this resolution rest their case on this. us see. They say that the peonage statutes are being violated. If so, we have the statutes already and the courts to enforce them. Do they suggest the peonage laws ought to be changed? If they do, there might be some gum in this contention. What else do they say? They say the immigration laws are being violated. Yet do they suggest the immigration laws be changed on that account? Do they suggest that this information will afford any light in that regard? They say that the postal facilities are being denied. Have we not the statutes already to prevent that? Have we not capable executive departments to enforce them—the Post Office Department, to which no appeal has been made in this case, and the Department of Justice,

which has not been asked to do a thing to vindicate this muchvaunted law which has been outraged, as gentlemen vociferate.

Gentlemen, this is pretext plain, simple, pure, unvarnished. I ask you as honest Americans with good common sense not to be swept off your feet. My distinguished and beloved friend from Maryland the chairman of the Labor Committee will conclude this debate. He is an able lawyer and a gentleman who has made good in his own profession and stands high with the bar of his own State, and he probably will tell you, if he follows the plan he did in the caucus, that he can not discuss these great humanitarian questions as a lawyer. say that is not the way to do it. God knows I love the laboring people as much as he does; God knows I want to do right by them just as much as he does or as any other Member in this House. I want to call his attention to the fact that while I have not labored with the pick in the mine, while I have not worked with my hands as much as others have done perhaps, yet when we had one of the greatest railroad strikes in the South union labor chose me as one of its arbitrators under the Erdman law, and I helped settle that great issue. I mention this only to show that I can not be suspected of being against labor. I side with labor when I think labor is right, but, gentlemen, I implore you not to be swept off your feet by something for which there is no justification, except real or fancied political necessities.

These strikes are matters that belong exclusively to the jurisdiction of the States in which they are occurring. The questions raised by them are State and local, not Federal or National. The authority obligated to enforce the law, to preserve peace, and to maintain order, as well as to secure the rights of men, are the State and local authorities, not the Federal authorities. I well recall that when President Cleveland undertook to interfere in the great Chicago strike in the early nineties on the ground that it was necessary for him to do so to protect the United States mails, the very forces and influences that now demand the passage of this resolution then denounced his action as tyrannical and despotic and as in violation of the rights of the sovereign State of Illinois. And yet to-day, with not one-half as much on which to rest their appeal for Federal interference, these same forces are demanding Federal action in Colorado and Michigan in utter disregard of the rights and of the authority of the States of Colorado and For one I can not and will not yield to such a Michigan.

The SPEAKER. The time of the gentleman from Georgia

has expired.

has expired.

Mr. FOSTER. Mr. Speaker, I told the gentleman from Georgia [Mr. Hardwick] that I had only one speaker. If he has no objection, I would like to yield my remaining five minutes to the gentleman from Illinois [Mr. Graham].

Mr. HARDWICK. I have no objection.

The SPEAKER. The gentleman from Illinois [Mr. Graham] is recognized for five minutes.

Mr. GRAHAM of Illinois. Mr. Speaker, it has been ably stated by the gentleman from Tennessee [Mr. Garrett] that Congress has the right to make investigations for three and only

Congress has the right to make investigations for three and only three purposes. One of these is to find facts which may be made the basis of legislation. The mere statement of the proposition shows that this power can be exercised in cases where no legislation results. It does not have to determine, it could not determine in advance of the investigation what the result will be. It may find facts fruitful of suggestion for legislation and it may find none.

Hence, there is no limitation beyond the discretion of the body itself as to when or what it will investigate for that purpose.

In this particular case surely there is enough information before us to justify the House in exercising its discretion in favor of an investigation, and I think it very probable that a full investigation of the conditions would give Congress information of great value for legislative purposes.

The gentleman from Michigan [Mr. Kelley] has called our attention to the enormous losses, direct and indirect, caused by

These losses are not confined to any State; their effects are

interstate, indeed, country wide.

Strikes are very unfortunate things, but there are times when they are necessary. The smoothest water is not the purest. It takes agitation and even turbulent agitation to purify the waters. The sea is sometimes terrific in its violence, while the waters of the pool are serene and quiet. But—

The sea is sweet and rots not like the pool.

I wish strikes could be made unnecessary, and if by this investigation we can contribute something toward making them unnecessary it will be more than worth while.

The very able gentleman from Tennessee [Mr. Garrett] insists Congress has no constitutional power to make this in-

vestigation, and the gentleman from Michigan seems to agree with him, but both of them point to the fact that Congress has by law provided for an Industrial Commission and clothed it with this very power, and they think that commission should make this investigation.

Are they not a little inconsistent in this? Congress did not exhaust its power nor even diminish it by the passage of that act. If it had the power to commission others to make this investigation, it surely has the power to make the investigation itself. And this applies to the House also. Legislation may be initiated in either the House or the Senate; hence either body, in order to ascertain the necessary facts, may make such preliminary investigations as it sees fit.

The conditions which we are told exist in both the Colorado and Michigan mining districts are certainly dreadful. The ordiand Alchigan mining districts are certainly dreadful. The ordinary laws seem to be suspended in both places, and, if the reports are nearly correct, a republican form of government has been superseded by the rule of hired thugs and private detectives. The light of publicity ought to be allowed to shine on the whole lamentable situation. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has

expired.

Mr. GRAHAM of Illinois. Mr. Speaker, I ask leave to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Illinois [Mr. GRAHAM] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FOSTER. Mr. Speaker, I yield three minutes to the gentleman from Maryland [Mr. Lewis].

The SPEAKER. The gentleman from Maryland [Mr. Lewis]

recognized for three minutes.

Mr. LEWIS of Maryland. Mr. Speaker, I am very sorry that my friend from Georgia [Mr. HARDWICK] saw fit to characterize this resolution as a mere pretext. And I am very sorry that my other friend, the gentleman from Tennessee [Mr. Garrett], can see in it only an agency to secure publicity, with the result that may be produced here from multitudinous requests of this kind.

Mr. Speaker, we are to-day dealing with a most potential Federal question, a subject that raises the question, Shall the laws be so reformulated as to provide a peaceful remedy for these conflicts between labor and its employers? essential elements of that subject involve both State Federal institutions in the most direct way. For example, I think that all will agree that the feudal system is fundamentally inconsistent with American institutions and in conflict with our established civilization. And yet, let me say, that in the mining industry it is common for an incorporated company to own the land, own the mine, owns the jobs, own the store, and even the transportation, the means of ingress and egress to its one industry, town, or community. In that case I suggest you have the feudal system as complete as it has ever shown itself in history.

Now, in regard to just one of the incidents of this feudal institution, the company store. Many of the States have passed laws to make them unlawful, but the State courts have held such laws violative of the Federal Constitution. Now, nothing is more likely to provoke trouble between the employer and his workmen than this company store, with its un-American influences. Now, Congress might pass a statute which would give the Supreme Court jurisdiction to reverse these State courts, a thing it can not now do, when the decision is in favor of a claim

set up under Federal law.

Mr. HARDWICK. Will the gentleman yield for a question? Mr. KELLEY of Michigan rose.

The SPEAKER. To whom does the gentleman yield?

Mr. LEWIS of Maryland. I will yield to the gentleman from Georgia [Mr. Hardwick].
Mr. HARDWICK. You can do it now. You can carry it to

the Supreme Court.

Mr. KELLEY of Michigan. Mr. Speaker, will the gentleman vield?

The SPEAKER. Does the gentleman yield?

Mr. LEWIS of Maryland. I can not yield further. I want to say a word to Democrats here, who are peculiarly responsible, before it is too late. It is our highest duty to investigate these troubles, not with a view to pleasing either side, but with the object of finding preventive remedies for these great social conflicts, even if the Constitution needs amending. On one side the employer thinks that to meet his men collectively will imperil his property. On the other side it is only too well known that to meet him unorganized is to possess no rights that he is bound to respect and be completely subject to his will. That is feudalism and nothing less when whole communities are involved. We ought to find a way to conserve the rights of both. In the

absence of adequate laws to conserve them we have two fires burning now. If one like that in Michigan and another like that in Colorado were to happen contemporaneously in every State in the Union we might have a Federal subject indeed on our hands. And yet gentlemen argue that we have no right to investigate and none to legislate. Sir, these questions ought not to be argued like a writ of replevin or a process in replevin. The Republic is not a mere piece of paper, a mere technical circumstance. It is a living organism, and the Websters and Calhouns who refused to treat as such 60 years ago surrendered their compatriots and country to the bloodiest conflict in history. May God grant that we do not repeat their folly. [Applause.]

The SPEAKER. The Clerk will report the first amend-

Mr. MANN. Mr. Speaker, I ask to have all the amendments reported at once.

The SPEAKER. If there be no objection, the Clerk will report all the amendments.

There was no objection. The Clerk read as follows:

Page 2, line 9, strike out the words "to what extent" and insert the word "whether."

Page 3, lines 2 to 7, strike out the following language: "To employ stenographers, at a cost not exceeding \$1 per printed page, to take and make a record of all evidence taken and received by the committee and keep a record of its proceedings; to have such evidence, record, and other matter required by the committee printed; and."

Page 3, line 7, after the word "employ," insert the words "stenographers and."

Page 3, lines 9 to 21, strike out the following.

Page 3, lines 9 to 21, strike out the following:

"Subpenas for witnesses shall be issued under the signature of the chairman of the committee or subcommittee thereof. Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, willfully makes default, or who having appeared refuses to answer any questions pertinent to the investigation herein authorized shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

"The expenses thereof shall be paid from the contingent fund of the House on vouchers ordered by said committee, signed by the chairman thereof, and approved by the Committee on Accounts."

The SPEAKER. If there be no objection, all the amendments will be voted on at once.

There was no objection. -

The amendments were agreed to.
The SPEAKER. The question is on agreeing to the resolution as amended.

The question being taken, on a division (demanded by Mr. HARDWICK) there were-ayes 151, noes 15.

Accordingly the resolution was agreed to.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do

The motion was agreed to; accordingly (at 6 o'clock and 12 minutes p. m.) the House adjourned until Wednesday, January 28, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Colorado River, Tex., with a view to its improvement by means of locks and dams, or otherwise, and to the taking over by the General Government of the artificial cut to Matagorda (H. Doc. No. 657); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of harbor at Tonawanda and North Tonawanda, N. Y., with a view to securing a depth of 23 feet (H. Doc. No. 658); to the Committee on Rivers and Harbors

and ordered to be printed, with illustrations.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examinations and survey of Michigan City Harbor, Ind. (H. Doc. No. 659); to the Committee on Rivers and Harbors and ordered

to be printed, with illustrations.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Jeremy Creek, S. C., from Morrison's Wharf to Morrison's Bridge, with a view to providing a depth of 4 feet and a width of 60 feet (H. Doc. No. 660); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

5. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Occoquan Creek, Va. (H. Doc. No. 661);

to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

6. A letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of War, submitting an estimate of appropriation for rebuilding and repairing the wharf at New York Arsenal, Governors Island, N. Y. (H. Doc. No. 662); to the Committee on Appropriations and ordered to

be printed.

7. A letter from the Secretary of the Treasury, transmitting 7. A letter from the Secretary of the Treasury, transmitting a suggested change in phraseology for item in urgent deficiency bill, to read as follows: "Toledo, Ohio, customhouse and courthouse—for completion of the enlargement, extension, remodeling, or improvement of building under present limit, \$25,000" (H. Doc. No. 663); to the Committee on Appropriations and ordered to be printed.

8. A letter from the President of the East Washington Heights Traction Railroad Co., transmitting report of said company for year ending December 31, 1913 (H. Doc. No. 664); to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. LAFFERTY, from the Committee on Interstate and For-eign Commerce, to which was referred the bill (H. R. 11816) authorizing the construction of a bridge and approaches thereto across the Columbia River at or near Vancouver, Wash.. reported the same without amendment, accompanied by a report (No. 195), which said bill and report were referred to the House Calendar.

Mr. RAYBURN, from the Committee on Interstate and For-eign Commerce, to which was referred the bill (H. R. 11283) to authorize the construction of a bridge across the navigable waters of St. Andrews Bay, reported the same with amendment, accompanied by a report (No. 196), which said bill and report were referred to the House Calendar.

Mr. TALCOTT of New York, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 11325) to authorize the reconstruction of existing toll bridge across the Hudson River at Troy, in the State of New York, and the main-tenance of the bridge so reconstructed, reported the same with amendment, accompanied by a report (No. 198), which said bill and report were referred to the House Calendar.

Mr. DENT, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 100) to continue in effect the provisions of the act of March 9, 1906 (Stat. L., vol. 34, p. 56), reported the same without amendment, accompanied by a report (No. 197), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows

Mr. KAHN, from the Committee on Military Affairs, to which was referred the bill (H. R. 9147) to restore First Lieut. James P. Barney, retired, to the active list of the Army, reported the same with amendment, accompanied by a report (No. 193), which said bill and report were referred to the Private Calendar.

Mr. GARRETT of Texas, from the Committee on Military Affairs, to which was referred the bill (H. R. 3885) to remove the charge of desertion from the military record of Peter Scott, reported the same with amendment, accompanied by a report (No. 192), which said bill and report were referred to the Private Calendar.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the bill (S. 1808) for the relief of Joseph L. Donovan, reported the same without amendment, accompanied by a report (No. 194), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows

A bill (H. R. 11764) granting a pension to Annie McNamara; Committee on Invalid Pensions discharged, and referred to the

Committee on Pensions.

A bill (H. R. 9476) granting a pension to Ebin A. Irvin; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KENNEDY of Iowa: A bill (H. R. 12462) to provide

for the erection of a public building at Fairfield, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of Texas: A bill (H. R. 12463) to authorize the withdrawal of lands on the Quinaielt Reservation, in the State of Washington, for lighthouse purposes; to the Committee on Indian Affairs.

By Mr. BRODBECK: A bill (H. R. 12464) providing for the expenditure of part of the unexpended balance of the appropriation of \$10,000, made by the urgent deficiency bill of October 22, 1913, for the completion of the post-office building at Hanover, Pa.: to the Committee on Public Buildings and Grounds.

By Mr. GODWIN of North Carolina: A bill (H. R. 12465) for the survey of the Cape Fear River at and below Wilmington, N. C.; to the Committee on Rivers and Harbors.

By Mr. CARLIN: A bill (H. R. 12466) authorizing the purchase of certain lands on the battle fields of Bull Run; to the Committee on Military Affairs.

By Mr. CARR: A bill (H. R. 12467) providing for the appointment of a board of survey for the purpose of selecting a suitable site for a naval armor plant in Fayette County, Pa., and submitting an estimate of the cost thereof; to the Committee on Naval Affairs.

By Mr. McGILLICUDDY: A bill (H. R. 12468) extending the privileges of the parcel-post system to include seeds, cuttings, bulbs, roots, scions, and plants; to the Committee on the Post Office and Post Roads.

By Mr. BARCHFELD: A bill (H. R. 12469) requiring all vessels used in commerce on the rivers, takes, and in the harbors of the United States, and these used in international commerce, to be equipped with reliable leak detectors; to the Com-

mittee on the Merchant Marine and Fisheries. By Mr. SABATH: A bill (H. R. 12470) to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909; to the Committee on Ways and Means.

By Mr. BATHRICK: A bill (H. R. 12471) to reorganize and increase the efficiency of the personnel of the United States Navy; to the Committee on Naval Affairs.

Mr. MORGAN of Louislana: A bill (H. R. 12472) to amend section 20 of the act to regulate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. MOON: A bill (H. R. 12473) to amend the postal and civil-service laws, and for other purposes; to the Committee

on the Post Office and Post Roads.

By Mr. CANTOR: A bill (H. R. 12474) to repeal the provisions of the income-tax law authorizing or requiring the collection of the tax at the source; to the Committee on Ways and

By Mr. SMITH of Idaho: A bill (H. R. 12475) for the improvement of the Columbia and Snake Rivers in Oregon, Washington, and Idaho; to the Committee on Rivers and Harbors.

By Mr. KENT: A bill (H. R. 12476) to authorize the Secretary of the Treasury to employ an architect to prepare plans and specifications for the Federal building at Willow, Cal., authorized by the act of March 4, 1913; to the Committee on

Public Buildings and Grounds.

By Mr. LOGUE: A bill (H. R. 12477) to authorize cumulative voting for directors, managers, or trustees of corporations or associations; to the Committee on the Judiciary.

By Mr. BUCHANAN of Illinois: Resolution (H. Res. 389) authorizing the Committee on Printing to have printed 16,000 copies of House Document No. 1477, Sixty-second Congress, third session: to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 12478) granting a pension to

Jane D. Stone; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 12479) granting a pension to Frank Klingler, to the Committee on Pensions.

Also, a bill (H. R. 12480) granting an increase of pension to

John C. Winterringer; to the Committee on Invalid Pensions.

By Mr. BRODBECK: A bill (H. R. 12481) granting a pension to Joseph Glassick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12482) to correct the military record of

John D. Richter; to the Committee on Military Affairs.

By Mr. BROWNE of Wisconsin: A bill (H. R. 12483) for the relief of John P. Chesley; to the Committee on Military

By Mr. BULKLEY: A bill. (H. R. 12484) to pay the Cleveland Press, of Cleveland, Ohio, \$200 for a horse shot because of injuries sustained on a defective platform scale in the post office at Cleveland, Ohio; to the Committee on Claims.

By Mr. BURKE of South Dakota: A bill (H. R. 12485) granting a pension to Thomas Underland; to the Committee on Pen-

sions.

By Mr. CARLIN: A bill (H. R. 12486) for the relief of Templin Morris Potts, captain on the retired list of the United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 12487) for the relief of the legal representa-tives of the estate of Charles E. Mix; to the Committee on War

By Mr. CARY: A bill (H. R. 12488) granting an increase of pension to Woodward A. Vrooman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12489) granting an increase of pension to Aaron I. Comfort; to the Committee on Pensions.

By Mr. CLANCY: A bill (H. R. 12490) granting a pension to Sarah H. Jaynes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12491) granting an increase of pension to Edwin S. Darrow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12492) granting an increase of pension to Clinton L. Bartholomew; to the Committee on Invalid Pensions. By Mr. CONNOLLY of Iowa: A bill (H. R. 12493) granting a pension to Carrie Stevens; to the Committee on Invalid Pen-

By Mr. DAVENPORT: A bill (H. R. 12494) to correct the military record of William C. Pearson; to the Committee on Military Affairs.

Also, a bill (H. R. 12495) for the relief of William T. Tilley and W. T. Whitaker, and for other purposes; to the Committee on Indian Affairs.

By Mr. DIES: A bill (H. R. 12496) for the relief of the heirs of Ann Frisby; to the Committee on Military Affairs.

Also, a bill (H. R. 12497) for the relief of the legal repre-

sentatives of Rosanna Dischinger, deceased; to the Committee on Military Affairs.

By Mr. DOOLITTLE: A bill (H. R. 12498) granting a pension to Alice M. David; to the Committee on Invalid Pensions. By Mr. FAISON: A bill (H. R. 12499) for the relief of Samuel J. White; to the Committee on War Claims.

By Mr. FERRIS: A bill (H. R. 12500) granting an increase of pension to Henry Mohme; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 12501) granting a pension to James B. Mulford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12502) granting a pension to Maude A.

Johnston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12503) granting a pension to Paul Jennings; to the Committee on Pensions.

Also, a bill (H. R. 12504) granting an increase of pension to Francis Formorin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12505) for the relief of Abraham Kaufmann; to the Committee on Military Affairs.

By Mr. FLOYD of Arkansas; A bill (H. R. 12506) granting an increase of pension to Charles P. Mars; to the Committee on Invalid Pensions.

By Mr. GERRY: A bill (H. R. 12507) granting an increase of pension to Eliza J. Maine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12508) granting an increase of pension to Mary E. Underwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12509) granting an increase of pension to Hugh McInnes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12510) granting an increase of pension to Abner L. Phillips; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 12511) to remove the charge of desertion and grant an honorable discharge to James Owens; to the Committee on Military Affairs.

By Mr. HELM: A bill (H. R. 12512) granting a pension to

Isham D. Scott; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 12513) granting an increase of pension to William Bruce Myers; to the Committee on Invalid Pensions.

By Mr. HILL; A bill (H. R. 12514) granting an increase of pension to John Winemiller; to the Committee on Invalid Pensions.

By Mr. KREIDER: A bill (H. R. 12515) granting a pension

to Sophia Albright; to the Committee on Invalid Pensions.
Also, a bill (H. R. 12516) to correct the military record of
Richard M. Steckley; to the Committee on Military Affairs.
By Mr. McCOY: A bill (H. R. 12517) granting a pension to

Mary W. Bullus; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 12518) for the relief of Thomas Griffin; to the Committee on Military Affairs.

By Mr. MILLER: A bill (H. R. 12519) granting a pension to Charles E. Johnson; to the Committee on Invalid Pensions.

By Mr. MOON: A bill (H. R. 12520) for the relief of Coleman C. McReynolds, administrator of the estate of John McReynolds; to the Committee on War Claims.

By Mr. PARKER: A bill (H. R. 12521) granting a pension to Edward Van Kluck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12522) granting an increase of pension to Abram Adamson; to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 12523) granting a pension to James E. Gallagher: to the Committee on Pensions.

Also, a bill (H. R. 12524) granting a pension to Mary H. Ford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12525) granting a pension to Katherine M. Keegan; to the Committee on Pensions.

Also, a bill (H. R. 12526) granting an increase of pension to Joseph H. Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12527) granting an increase of pension to Thomas Tirrell; to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 12528) granting an increase of pension to Peter Carpenter; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 12529) granting an increase of pension to James W. Pool; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 12530) granting an increase of pension to Isaac Carter; to the Committee on Invalid Pensions.

By Mr. TAYLOR of New York: A bill (H. R. 12531) granting an increase of pension to Bridget M. Cleary; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 12532) granting an increase of pension to John Cook; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the George Washington Branch, American Continental League, of New Britain, Conn., protesting against the 100 years of peace cele-

bration; to the Committee on Foreign Affairs.

Also (by request), petition of the German-American Alliance, of Columbus, Ohio, protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. ASHBROOK: Petition of citizens of Apple Creek, Ohio, favoring immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of merchants of Fredericksburg, Ohio, asking for a change in the interstate commerce laws; to the Committee on Interstate and Foreign Commerce.

By Mr. BARCHFELD: Memorial of the Chamber of Commerce of Pittsburgh, Pa., favoring modification of income-tax regulations; to the Committee on Ways and Means.

By Mr. BELL of California: Memorial of the Pasadena Board of Trade, of Pasadena, Cal., relative to broadening the scope of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. BREMNER: Petition of certain citizens of New Jersey, favoring House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. BRODBECK: Petition of 757 citizens of Wrightsville, Pa., relative to the continuance of free mail delivery in towns and villages; to the Committee on the Post Office and Post Roads.

By Mr. CARY: Petition of the German-American Alliance of Marshfield, Wis., representing 175 American citizens, protesting against the passage of House joint resolution 168 and Senate joint resolutions 50 and 88, or any other prohibition measures; to the Committee on the Judiciary.

By Mr. COPLEY: Petitions of citizens of the eleventh district of Illinois, favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. DALE: Petition of the Workmen's Circle of New York City, protesting against the literacy test in the immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the New York Commandery of the Naval and Military Order of the Spanish-American War, relative to a bill for the relief of Mrs. Nana E. Sears; to the Committee on Pensions.

Also, petition of N. E. Carpenter & Co., of New York City, favoring the passage of the Ransdell-Humphreys bill for flood control; to the Committee on Rivers and Harbors.

Also, petition of C. Tennant Sons & Co., of New York City, relative to tariff treatment by some European Governments as to duty on cottonseed oil; to the Committee on Ways and Means. By Mr. DAVIS: Petition of Concordia Verein, Red Wing,

By Mr. DAVIS: Petition of Concordia Verein, Red Wing, Minn., against prohibition amendment; to the Committee on the Judiciary.

By Mr. DYER: Petition of George Rolmer, of St. Louis, Mo., protesting against Federal aid in improvement of State roads; to the Committee on Roads.

By Mr. EAGAN: Petition of Court Harmony No. 69, F. of A., of Hoboken, N. J., favoring increased compensation to letter carriers on account of parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of the Workingmen's Circle, New York, protesting against the Burnett literacy test, immigration bill; to the Committee on Immigration and Naturalization.

Also, petitions of organizations in the State of New Jersey, favoring an investigation of the trouble in the mining districts of the United States; to the Committee on Rules.

By Mr. ESCH: Petitions of Wisconsin branches of the German-American Alliance, protesting against the passage of House joint resolution 168 relative to the manufacturing, etc., of alcoholic liquors; to the Committee on the Judiciary.

Also, petition of Wisconsin State conference Brotherhood of Painters, Decorators, and Paperhangers, of Milwaukee, Wis., favoring the passage of the Bartlett-Bacon anti-injunction bills; to the Committee on the Judiciary.

Also, petition of the Workmen's Circle of New York City, protesting against the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. FARR: Petitions of the Central Labor Union, Carbondale, Pa., and the Central Labor Union of Scranton, Pa., favoring investigation of strike conditions in Michigan; to the Committee on Rules.

By Mr. GALLAGHER: Petitions of Chicago Flexible Shaft Co. and A. Stein & Co., of Chicago, Ill., favoring the completion of the levee system along the Mississippi River; to the Committee on Rivers and Harbors.

Committee on Rivers and Harbors.

Also, petition of the Goodrich Transit Co., of Chicago, Ill., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. GERRY: Petition of the New England Manufacturing Jewelers and Silversmiths' Association; the Columbia Graphophone Co., of Providence, R. I.; the Geo. H. Cahoone Co., of Providence R. I.; and the Metal Products Corporation, of Providence, R. I., protesting against the Kahn law; to the Committee on Ways and Means.

Also, petitions of various residents of Rhode Island, protesting against woman suffrage; to the Committee on the Judiciary

Also, petitions of Branch No. 5, Amalgamated Lace Operatives of America, of Alton, R. I.; the Quarry Workers' Union, No. 118, of Bradford, R. I.; the Brewery Workers' Union, No. 114, of Providence, R. I.; and Branch No. 2 of the Socialist Party, of Cranston, R. I., asking for congressional investigation of strike conditions in Michigan; to the Committee on Rules.

Also, petitions of the Rhode Island Associates of Providence, R. I., and the Rhode Island Brewers' Association, of Providence, R. I., protesting against passage of national prohibition act; to the Committee on the Judiciary.

Also, petitions of Gov. A. J. Pothier, of Rhode Island, and W. M. P. Bowen, of Providence, R. I., favoring an intracoastal canal; to the Committee on Rivers and Harbors.

'Also, petition of Pawtucket (R. I.) Business Men's Association, favoring House bill 1723; to the Committee on Foreign Affairs.

Also, petition of the National Jewelers' Board of Trade, protesting against House bill 2970; to the Committee on Interstate and Foreign Commerce.

Also, petition of the New England Manufacturing Jewelers and Silversmiths' Association, protesting against Senate bill 1556; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Pawtucket (R. I.) Business Men's Association, favoring 1-cent postage; to the Committee on the Post Office and Post Roads.

Also, memorial of the General Assembly of Rhode Island, favoring use of old Federal building at Providence, R. I., for parcel-post terminal; to the Committee on Public Buildings and Grounds.

Also, petition of the New England Manufacturing Jewelers and Silversmiths' Association, Gorham Manufacturing Co., of Providence, R. I., and Loom Fixers' Association, of Pawtucket, R. I., favoring Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, petition of the Marathon Club, of Providence, R. I., protesting against segregation of negro employees in Government Departments; to the Committee on Reform in the Civil Service.

Also, petition of the Ashaway Line & Twine Manufacturing Co., of Ashaway, R. I., favoring the completion of the levee system along the Mississippi River; to Committee on Rivers and Harbors.

Also, petition of Pride of Rhode Island Lodge, No. 510, Independent Order of B'rith Abraham, against immigration bill; to the Committee on Immigration and Naturalization.

By Mr. GRAHAM of Pennsylvania: Petition of the Workmen's Circle of New York City, protesting against the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Benjamin Harrison Branch of the American Continental League, of Philadelphia, protesting against an appropriation for the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

By Mr. HENSLEY: Papers to accompany a bill (H. R. 6617)

for the relief of the heirs of Julius Alexander Ward, deceased; to the Committee on Claims.

By Mr. HILL: Petitions of sundry citizens of Carterville, Ill., protesting against the passage of House bill 9674, the Sabbathobservance bill; to the Committee on the District of Columbia.

Also, petitions of sundry citizens of the State of Illinois, favoring the passage of House bill 530S, relative to mail-order houses; to the Committee on Ways and Means.

By Mr. HULINGS: Petition of A. E. Rickenbrode and 2 other citizens of Franklin, Pa., protesting against the resolution to prohibit the use of the mails to the publication called the

Menace; to the Committee on the Judiciary.

Also, petition of the Ridgway Socialist Party, favoring an investigation of the conditions in the copper region of Michigan;

to the Committee on Rules.

By Mr. KENNEDY of Rhode Island: Petition of the State of Rhode Island, in general assembly, favoring the use of the old post-office building in Providence, R. I., as a parcel-post termi-By Mr. KONOP: Memorial of Workmen's Circle, against the

immigration bill; to the Committee on Immigration and Naturalization.

Also, letters of Vilter Manufacturing Co., Milwaukee, Wis., against the Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, petitions of the Steel Metal Workers of Green Bay, Wis.; the Federated Trades Council of Kaukauna, Wis.; citizens of De Pere, Wis.; and Wisconsin State conference of Brotherhood of Painters and Decorators, favoring the Eartlett-Bacon antiinjunction bill; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of the German-American Alliance of Connecticut, protesting against the passage of House joint resolution 168, relative to the manufacturing, etc., of alcoholic liquors; to the Committee on the Judiciary

Also, petition of the George Washington Branch of the American Continental League of New Britain, protesting against an appropriation for the celebration of "One hundred years of pence"; to the Committee on Foreign Affairs.

Also, petition of James V. Massey, of Bridgeport, Conn., protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. MAHAN: Memorial of Willimantic City Lodge, No. 632, Independent Order of B'rith Abraham, protesting against the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. McCOY: Petition of citizens of Essex County, N. J., protesting against the passsage of House bill 168, relative to the sale, etc., of alcoholic liquors; to the Committee on the Ju-

Also, petition of citizens of Essex County, N. J., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. MILLER: Petitions and letters of certain citizens and organizations of Michigan, favoring an investigation of strike conditions in Michigan; to the Committee on Rules.

By Mr. MOORE: Petitions of Mrs. Edith C. Blair, Emmett, A. H. Noppler, and others, of Philadelphia, Pa., favoring the passage of the Burnett immigration bill (H. R. 6060); to the Committee on Immigration and Naturalization.

By Mr. PARKER: Memorial of the Hudson Falls (N. Y.)
Commercia! Association, favoring the passage of House bill 11336, for the Improvement of the narrows of Lake Champlain,

New York and Vermont; to the Committee on Rivers and Harbors.

Also, papers to accompany House bill 12522, granting an increase of pension to Abram Adamson; to the Committee on Invalid Pensions.

By Mr. PAYNE: Petitions of sundry voters of Wayne County, N. Y., favoring amendment to the Constitution prohibiting the sale, etc., of intoxicating liquors; to the Committee on the Judiciary.

Also, petitions of sundry voters of Cayuga and Wayne Counties, N. Y., favoring an amendment to the Constitution of the United States prohibiting the sale of intoxicating liquors; to

the Committee on the Judiciary.

By Mr. PLATT: Memorial of Cigar Makers' Union No. 74, of Poughkeepsie, N. Y., favoring an investigation of the trouble in the copper region of Michigan; to the Committee on Rules.

Also, petition of citizens of Port Jervis, N. Y., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. ROGERS; Petition of Lowell Trades and Labor Council, of Lowell, Mass., favoring the passage of the Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

By Mr. SABATH: Petition of the Federation of Jewish Farmers of America, favoring adequate rural credit facilities; to the Committee on Banking and Currency.

By Mr. SMITH of Idaho: Memorial of the Mullan Miners' Union, of Mullan, Idaho, favoring an investigation of strike situation in Michigan and Colorado; to the Committee on Rules.

By Mr. SMITH of Texas: Petitions of sundry citizens of Wingate, Tex., protesting against appropriation for the building of

battleships; to the Committee on Naval Affairs.

By Mr. STEPHENS of California: Petitions of sundry citizens of California, favoring the passage of the Hamill bill relative to pension for aged civil-service employees; to the Committee on Reform in the Civil Service.

Also, petitions of sundry citizens of San Pedro and Wilmington, Cal., protesting against the passage of the Sabbath observance bill (H. R. 9674); to the Committee on the District of Columbia

Also, petitions of veterans of the late Civil and Spanish-American Wars and members of the Pacific Branch of the Soldiers' Home, relative to transferal of this institution to the War Department; to the Committee on Military Affairs.

By Mr. SUTHERLAND: Papers to accompany a bill (H. R. 12530) granting an increase of pension to Isaac Carter; to the Committee on Invalid Pensions.

By Mr. WATKINS: Petition of Oak Grove Local of Socialist Party, of Louisiana, favoring investigation of strike conditions in Michigan; to the Committee on Rules

By Mr. WILSON of New York: Petition of National League of Commission Merchants of New York, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of Santa Margherita Belice Benevolent Society, of Brooklyn, N. Y., protesting against restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of Mecca Club, of Brooklyn, N. Y., protesting against an appropriation for celebrating "One hundred years of peace"; to the Committee on Foreign Affairs.

SENATE.

Wednesday, January 28, 1914.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou art our sun and shield. Thou dost give grace and glory. No good thing wilt Thou withhold from him who walkest uprightly. Thou dwellest in the ineffable light. We can not search Thee out. Thou art beyond all of our power to measure or grasp. We have seen the glory of Thy name in Thy great temple. More and more we desire with undimmed vision to behold Thy glory. Thou art our shield. Thou dost protect us from Thine own almightiness, and dost give to us the tenderest touch of love, and dost invite us to come into the wealth and fullness of a divine love.

So we submit gladly ourselves to Thee to be sheltered and guided and protected by the divine power, trusting only God for the final outcome of the great purpose of life which Thou dost give to each one of us. We pray that Thou wilt through us fulfill all Thy purposes. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

PRISON LABOR IN FOREIGN COUNTRIES.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of Commerce, transmitting, in response to a resolution of November 10, 1913, cortain data in regard to the industrial employment of convicts in specified foreign countries. The communication will not be printed, but, with the accompanying papers, will be referred to the Committee on Printing for action.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a resolution adopted by the General Assembly of the State of Rhode Island, which was referred to the Committee on Immigration and ordered to be printed in the Record, as follows:

[State of Rhode Island, etc., in general assembly, January session, A. D. 1914.]

Resolution protesting against the literacy test in the Burnett bill.

Whereas there is now pending before the Congress of the United States a bill introduced by Congressman Bunyert which, among other provisions, requires that all immigrants entering the United States must submit themselves to a literacy test; and Whereas such a requirement would keep from this country many thousands of immigrants who are honest, faithful, and industrious, whom the country needs to till its soil, develop its cities, and man industries, and who would become intelligent, patriotic, and valuable citizens: Now be it

Resolved, That the general assembly respectfully protests against the enactment of the literacy test provided for in the so-called Burnett bill; and be it further

Resolved, That a copy of this resolution be sent by the secretary of state to the Vice President of the United States, that it may be by him transmitted to the Senate of the United States and to the Speaker of the House of Representatives, for transmission to the House of Representatives.

STATE OF RHODE ISLAND, OFFICE OF THE SECRETARY OF STATE, Providence, January 25, 1914.

I hereby certify the foregoing to be a true copy of the original resolution approved by his excellency the governor on the 22d day of January, A. D. 1914

In testimony whereof I have hereunto set my hand and affixed the seal of the State aforesaid the date first above written.

[SEAL.]

J. FRED PARKER,

Secretary of State.

The VICE PRESIDENT presented memorials of George Washington Branch, American Continental League, of McKeesport; of General Knox Branch, American Continental League, of Philadelphia; and of the Patrick O'Donnell Club, of Philadelphia, all in the State of Pennsylvania, remonstrating against any appropriation being made for the celebration of the socalled "One hundred years of peace among English-speaking peoples," which were referred to the Committee on Foreign Relations.

Mr. GRONNA presented a petition of the Woman's Missionary Society of the Presbyterian Church of Oakes, N. Dak., and a petition of sundry citizens of North Dakota, praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

Mr. WEEKS presented resolutions adopted by the Board of Trade of Cape Cod, Mass, praying that an appropriation be made for the improvement of the navigation in Buzzards Bay, which were referred to the Committee on Commerce.

He also presented a petition of Local Lodge No. 391, International Association of Machinists, of Hyde Park, Mass., and a petition of the Progressive Russian Workmen's League, of Gardner, Mass., praying for an investigation into the existing conditions in the mining district of Michigan, which were referred to the Committee on Education and Labor.

He also presented memorials of Pride of Boston Lodge, No. 264, Independent Order of B'rith Abraham, of Boston; of City of Homes Lodge, No. 317, Independent Order of B'rith Abraham, of Springfield; and of Pride of Worcester Lodge, No. 638, Independent Order of B'rith Abraham, of Worcester, all in the State of Massachusetts, remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which were referred to the Committee on Immigration.

Mr. LIPPITT presented a memorial of Pride of Rhode Island Lodge, No. 510, Independent Order of B'rith Abraham, of Providence, R. I., remonstrating against the enactment of legis-lation providing an educational test for immigrants to this

country, which was referred to the Committee on Immigration.

Mr. BURTON presented a memorial of sundry citizens of Ravenna, Ohio, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. McLEAN presented a memorial of Local Lodge No. 131, Independent Order of B'rith Abraham, of New Haven, Conn., remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which was referred to the Committee on Immigration.

Mr. LODGE presented a petition of Local Union No. 97, Cigar Makers' International Union, of Boston, Mass., praying for an bill (S. 1171) for the relief of Samuel Henson, reported i investigation into the existing conditions in the mining district an amendment and submitted a report (No. 196), thereon.

of Michigan, which was referred to the Committee on Education and Labor.

He also presented a memorial of City of Homes Lodge, No. 317, Independent Order of Brith Abraham, of Springfield, Mass., remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which

was referred to the Committee on Immigration.

Mr. ROOT presented a petition of the Chamber of Commerce of Poughkeepsie, N. Y., praying that an appropriation be made for the deepening of the channel through Haverstraw Bay in the Hudson River in that State, which was referred to the Committee on Commerce.

Mr. WARREN presented resolutions adopted by Local Union No. 2671, United Mine Workers of America, of Gebo, Wyo., praying for an investigation into existing conditions in the mining district of Michigan, which were referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of New-castle, Wyo., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. CUMMINS presented a memorial of sundry citizens of Sigourney, Beaman, Sioux City, and Decorah, all in the State of Iowa, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. O'GORMAN presented memorials of the Glens Falls Branch, American Continental League, of Glens Falls; of Commodore Barry Branch, No. 311, American Continental League, of Brooklyn; of the Irish-American Societies of New York City; and of Andrew Jackson Branch, American Continental League, of New York City, all in the State of New York, remonstrating against any appropriation being made for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the common council of Schenectady, N. Y., favoring an investigation of the existing conditions in the mining district of Michigan, and for the operation of the mines under Government supervision, which were referred to the Committee on Education and Labor.

He also presented memorials adopted by Morris Bloch Lodge, No. 547, Independent Order B'rith Abraham, of New York City, Y., remonstrating against the enactment of legislation pro viding an educational test for immigrants to this country, which were referred to the Committee on Immigration.

REPORTS OF COMMITTEES.

Mr. NORRIS, from the Committee on Claims, to which was referred the bill (S. 135) for the relief of Severin and Berthe L. Evensen, dependent parents of Sigurd Evensen, reported it with an amendment and submitted a report (No. 184) thereon.

Mr. BRYAN, from the Committee on Claims, to which was referred the bill (S. 175) for the relief of Lawson Reno, collector second district of Kentucky, reported it without amendment and submitted a report (No. 193) thereon.

He also, from the same committee, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

S. 1881. A bill for the relief of the heirs of the late Samuel H. Donaldson (S. Rept. No. 189); S. 2226. A bill for the relief of Joel J. Parker (S. Rept. No.

S. 1922. A bill for the relief of Margaret McQuade (S. Rept. No. 191); and S. 3843. A bill for the relief of Bellevadorah Steele (S. Rept.

Mr. VARDAMAN, from the Committee on Commerce, to which was referred the bill (S. 1618) granting to the Inter-City Bridge its successors and assigns, the right to construct, acquire, maintain, and operate a railway bridge across the Mississippl River, reported it without amendment and submitted a report (No. 185) thereon.

Mr. BRISTOW, from the Committee on Claims, to which was referred the bill (8. 2590) to reimburse Charles C. Crowell for two months' extra pay in lieu of traveling expenses, reported it without amendment and submitted a report (No. 194) thereon.

Mr. BRADLEY, from the Committee on Claims, to which was referred the bill (S. 1369) for the relief of the Snare & Triest Co., reported it without amendment and submitted a report (No.

195) thereon.

He riso, from the same committee, to which was referred the bill (S. 1171) for the relief of Samuel Henson, reported it with

MISSISSIPPI RIVER BRIDGE, HANNIBAL, MO.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (S. 3625) to authorize the Missouri, Kansas & Texas Railway Co. to construct a bridge across the Mississippi River near the city of Hannibal, in the State of Missouri, and I submit a report (No. 186) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. The Senator from Texas asks unanimous consent for the present consideration of the bill. Is there objection?

There being no objection, the Senate, as in Committee of the

Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COLUMBIA RIVER BRIDGE, VANCOUVER, WASH.

Mr. SHEPPARD. From the Committee on Commerce I re port back favorably, without amendment, the bill (S. 4094) authorizing the construction of a bridge and approaches thereto across the Columbia River at or near Vancouver, Wash., and I submit a report (No. 187) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present

consideration of the bill?

There being no objection, the Senate, as in Committee of the

Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HUDSON RIVER BRIDGE, NEW YORK.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (S. 3742) to authorize the Hudson River Connecting Railroad Corporation to construct a bridge across the Hudson River in the State of New York, and I submit a report (No. 188) thereon. I unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present

consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES:

A bill (S. 4230) designating certain lands as "The Parthenon"; to the Committee on the Library.

By Mr. STERLING:

A bill (S. 4231) granting an increase of pension to Celina Gregory (with accompanying papers); to the Committee on

A bill (S. 4232) to amend sections 1 and 94 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary

By Mr. McLEAN:

A bill (S. 4233) authorizing the payment to the widow of Dorence Atwater of compensation for services rendered the United States of America; to the Committee on Claims.

By Mr. SWANCON:

A bill (S. 4234) authorizing the purchase of certain lands on the battle fields of Bull Run; to the Committee on Military

By Mr. MARTINE of New Jersey: A bill (S. 4235) providing that professors at the United States Naval Academy be commissioned as professors of mathematics (with accompanying papers); to the Committee on Naval Affairs.

By Mr. BURTON:

A bill (S. 4236) granting an increase of pension to Wesley W. Gooley; to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 4237) to establish an Army music training school and to create a corps of apprentices for military bands; to the Committee on Military Affairs.

By Mr. WARREN:
A bill (S. 4238) making appropriation for continuance of road and bridge construction on the Wind River Reservation in Wyoming; to the Committee on Indian Affairs.

A bill (8. 4239) making appropriation for the reconstruction of a part of the military road between Fort Washakie and Jacksons Hole, in Wyoming (with accompanying papers); to the Committee on Agriculture and Forestry.

A bill (S. 4240) granting a pension to Mary J. Torney (with

accompanying paper); and

A bill (S. 4241) granting a pension to Maggie Carter (with accompanying papers); to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 4242) granting a pension to Sarah E. Duffield (with accompanying papers); to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 4243) for the relief of the Montgomery & Erie Railway Co.;

A bill (S. 4244) for the relief of the Goshen & Deckertown Railway Co.; and A bill (S. 4245) for the relief of Benjamin Fenton (with accompanying paper); to the Committee on Claims.

CLERKS OF UNITED STATES DISTRICT COURTS.

Mr. COLT submitted an amendment intended to be proposed by him to the bill (H. R. 8673) providing for compensation of clerks of United States district courts, and for other purposes, which was referred to the Committee on the Judiciary and ordered to be printed.

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. REED submitted an amendment providing that a customs collection district is hereby created to be known as the district of Kansas City, with district headquarters at Kansas City, Mo., etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

TRIALS BY MILITARY COMMISSION.

Mr. BORAH. I desire to give notice that on Wednesday next, February 4, at the close of the morning hour, I shall address the Senate on the subject of trials by military commission.

CALLING OF THE ROLL.

The VICE PRESIDENT. The morning business is closed. Mr. SMOOT. Mr. President, the morning business having

closed, as there are very few Senators in the Chamber, and I believe we ought to have at least a quorum of the Senate before we undertake any further business, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Goff	Norris	Smith, Ariz.
Bankhead	Gronna	Overman	Smith, Ga.
Brady	Hollis	Page	Smith, S. C.
Brandegee	Johnson	Pittman	Smoot Smoot
Bryan	Jones	Poindexter	Stephenson
Chilton	Kern	Ransdell	Sterling
Clapp	Lippitt	Robinson	Thomas
Clark, Wyo.	McLean	Saulsbury	Thompson
Colt	Martin, Va.	Shafroth	Townsend
Cummins	Martine, N. J.	Sheppard	Vardaman
Dillingham	Myers	Sherman	Walsh
Fall	Nelson	Simmons	Wooks

Mr. SHEPPARD. I wish to announce the unavoidable absence of my colleague [Mr. Culberson] and to state that he is paired with the Senator from Delaware [Mr. DU PONT]. This announcement may stand for the day.

Mr. RANSDELL. I desire to announce the unavoidable ab-

sence of my colleague [Mr. Thornton] on account of sickness. I ask that this announcement may stand for the day.

Mr. BRYAN. I desire to announce that my colleague [Mr. Fletcher] is detained from the Senate on public business.

The VICE PRESIDENT. Forty-eight Senators have answered to the roll call. There is a quorum present.

SENATOR FROM MARYLAND.

Mr. KERN. Mr. President, I desire to have the Chair lay before the Senate the resolution (S. Res. 247) relative to the election of BLAIR LEE as Senator from the State of Maryland.

The VICE PRESIDENT. The Chair lays before the Senate the resolution 1-ferred to by the Senator from Indiana, which will be read.

The Secretary read Senate resolution 247, reported from the Committee on Privileges and Elections on the 19th instant, as follows:

Resolved, That Blair Lee was duly and legally elected a Senator of the United States from the State of Maryland at a regular election held in that State on the 4th day of November, 1913, and that the said Blair Lee, having presented proper credentials from the State of Maryland, is now entitled to take the oath of office as a Senator of the United States from the State of Maryland.

Mr. WALSH. Mr. President, it is not to be assumed from anything that was said by the learned Senator from Utah [Mr.

1914.

SUTHERLAND] on this resolution a few days since, or from anything that was left unsaid by the Committee on Privileges and Elections, that the majority of its members were laboring under any embarrassment at all in presenting an elaborate statement of the reasons which impelled them to the conclusions which are recited in the report. The importance of the subject, however, no less than the ability and earnestness with which contrary views were advanced by the distinguished Senator referred to, fully justify a more or less extended reference at this time to the arguments which influenced the conclusions at which the committee arrived.

It would be well, Mr. President, that the Senate should understand at the outset the nature of the controversy that arises beween the majority and the minority of the committee in their respective reports. It will be understood that the minority report concedes that the seventeenth amendment is now presently operative with respect to the selection of Senators to fill vacancies occasioned by the death, resignation, or expulsion of those Senators who had been elected prior to the adoption of the amendment. It is likewise conceded that, if adequate laws exist within any State contemplating providing for the election of United States Senators, whether those laws were enacted prior to the adoption of the amendment or since, an election valid in all respects may be held in the States so situated. It is contended, however, that such legislation must exist and that no such legislation, as a matter of fact, is found in the State of Maryland.

It was argued on behalf of Mr. Lee in the first place that such legislation is not necessary; that the right to hold an election under the writ issued by the governor follows, from the language of the Constitution, without express legislation by the States; that is to say, that the right given by the Constitution to the governor to issue his writs of election to fill vacancies gives him the power, in the absence of legislation, to prescribe the time, place, and manner of the holding of the election. But it is contended likewise that, even though that contention is considered as untenable, the legislation of the State of Maryland is ample to justify, warrant, and authorize

the holding of an election for Senator.

The seventeenth amendment, now operative and important for consideration here, reads as follows:

ARTICLE XVII.

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

It is contended, as I have stated, that the language found here "when vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies" entitles the governor of the State, as incidental to the right by it reposed in him, to prescribe the times, places, and manner, in the absence of State legislation. I desire, Mr. President, to take a little time to lay before the Senate the considerations advanced in support of that view, and it is not at all to be dismissed, as seemed to be the view of the distinguished Senator from the State of Iowa [Mr. CUMMINS], himself an able lawyer, in the course of a colleguy with the Senator from Utah [Mr. SUTHER-LAND] the other day, as scarcely to be debated.

The fourth section of the first article of the original Consti-tution does, indeed, provide that "the times, places, and man-ner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof"; then it provides that the Congress may "make or alter such regulations," and the point is made that because the power is by that section granted to Congress to prescribe the times, places and manner, it follows as a necessary conclusion that that right does not rest in the governor by virtue of this other pro-vision of the Constitution. The language of the amendment in this respect is taken from the language of the original Constitution in relation to the manner of filling vacancies in the House of Representatives, and the question arises as to whether like power exists under the Constitution with reference to Members of the House of Representatives.

Mr. President, it is submitted that there is no necessary conflict in the Constitution as it was framed. The proposition should be accurately stated in this way: It is urged that this section to which I have invited your attention, the fourth sec-

tion of the first article, must be read in connection with this other provision of the Constitution which provides that, in case of vacancies in the House of Representatives, the executive authority of the State "shall issue writs of election to fill such vacancies" ; that the two are to be harmonized, and that both are to be given force and significance, if it is possible to do so. So, Mr. President, it is advanced that the power of the governor to make necessary regulations that an election may be held arises by necessary implication, but that it exists only when the legislature has failed to make the requisite provision, or, if the provision does not go as far as is necessary for the holding of elections, the defect may be supplied by the governor. In effect, it is contended that the power of the governor alleged to exist is a power quite analogous to that which is reposed in a court to make rules and regulations governing its procedure. By the general grant of power to a legislature it has full authority to lay down rules and regulations which shall govern the procedure in a State court. Congress has prescribed the procedure which shall be observed in Federal courts, constitutional as well as those created by law. Whenever a court is created and no provision is made in relation to the procedure that is to govern it, of necessity power is given to that court to make such rules and such regulations as are necessary to make effective the jurisdiction granted to it-

Mr. SUTHERLAND. Mr. President-

Mr. WALSH. Just one moment-but if the legislature does go on and prescribe the procedure to be followed, to that extent the authority and right of the court to lay down rules is circumscribed and its authority thereafter is restricted to the region that is not covered by the legislation enacted by the lawmaking body. Accordingly, in exactly the same way, it is contended that, in the absence of legislation by the State, the right rests with the governor to prescribe the times, places, and manner of holding the election.

Now, I yield to the Senator from Utah.

Mr. SUTHERLAND. Mr. President, I quite agree with what the Senator has said with reference to the power of the court to make rules and regulations governing its own procedure, at least within limits; but suppose the constitution of the State, if we were dealing with a State court, had prescribed that rules and regulations governing the procedure of courts should be prescribed by the legislature, then would the Senator say that still the court had the power to prescribe such rules and regulations?

Mr. WALSH. Why, Mr. President, I should unhesitatingly by so. Not only that, but I assert that the constitution of say so. Not only that, but I assert that the constitution of practically every State does say so when it grants to the legislature general legislative authority. Under that grant of general legislative authority the legislature is authorized to prescribe the procedure to be observed in courts. It might just as well have said: "General legislative power is hereby granted to the legislature, including the right to prescribe the procedure that shall be followed in courts." Every court would still have the right to prescribe its rules, subject and subordinate to the procedure thus prescribed and covering conditions that were not provided for by the statute.

But, Mr. President, I wish to invite attention particularly to one aspect of this question. I apprehend, sir, that whatever may be said with respect to the right of the governor, under this grant of power, to lay down rules in respect to the place and in respect to the manner of holding a special election to fill a vacancy, still it can not be successfully controverted that he has the implied power to prescribe the time at which that special election should be held.

The distinguished Senator from Utah controverts that proposition, and asserts that it is within the power of the legislature-and no doubt that is correct-to prescribe that a special election shall not be held except upon a certain notice; in other words, that it can not be held until the expiration of a particular period of time. You will all note, however, that in the very necessities of the case that is as far as the legislature can go toward prescribing the time at which a special election shall take place. Upon reflection, 'I think everyone will concede that that is far from a provision prescribing the time. In other words, when a constitution prescribes that no election shall be held except upon 30 days' notice, it has not prescribed the time when such election shall occur. The fixing of the exact time still remains for the legislature.

I recall very well that the constitution of my native State of Wisconsin provides that no judicial election shall be held at any time within six months of a general election, which, it was provided, should be held in the month of November. No one will assert that the time at which judicial elections are to be held in the State of Wisconsin is prescribed by the constitution. It

became necessary in view of this provision to legislate upon the matter, and the legislature of the State fixed the time.

So it must be conceded that in this power granted to the governor to issue writs of election to fill vacancies there is granted to him, by implication at least, the power to fix the time at which the special election is to be held. Therefore the grant of power in section 4 of Article I, general in its terms, made to the legislature to fix the time, place, and manner, is limited to some extent at least in the case of the filling of a vacancy. It is not absolute, but gives way in part to the necessary implications arising from the other provision of the Constitution.

It was made to yield in another respect also. Though the obligation rests upon the legislatures of States, the first Representatives from the new States, save in the case of Missouri and Texas, were admitted on elections conducted under regulations prescribed by the legislatures of Territories.

The Senator from Utah suggested many difficulties and incongruities that might arise under such an interpretation. governor might, he suggested, in one case prescribe that the election should be held upon a notice of 10 days; in another case, upon a notice of 30 days. In one case he might prescribe that the election should be by viva voce, and in another case by ballot. In one case he might prescribe that it should be under the old system of an open ballot, and in another case under the Australian-ballot system. Likewise it was suggested that the regulations which he prescribed might be in conflict with the regulations prescribed by the State legislature. That, as I have indicated, can not happen, because it is conceded that so far as the legislature acts, his power is cut off. With respect to the other situations, however, they may, indeed, arise, and probably would arise, in practice, because the laws in relation to elections are a growth. Doubtless if the election had been called 50 years ago, the call would contemplate the choice by open ballot, and if it were called now it would contemplate voting by the Australian system.

You will bear in mind, however, that whenever this power is exercised by the governor he exercises it more or less under the control of the prevailing public sentiment, which exerts a governing influence. Not only that, but his action in the premises is subject to review by this body. If the rules and regulations which he prescribes are unreasonable, or if they are not in accord with the spirit of the age, or if they contradict the principles that are recognized as proper in proceedings of that character, not only will he be condemned by public sentiment, but in all probability the Senator claiming to be elected will not be seated by this body, because the election was not conducted under rules and regulations calculated to bring about a free expression of the choice of the people. Besides, legislatures are not likely to be so derelict as to invite repetitions of the exercise of the power by a governor.

But perhaps more weighty and important than these considerations is one to which I desire now to advert. As indicated to you by the Senator from Utah, at a very early period in our history this question was presented to the House of Representatives. The old Constitution provided:

When vacancies happen in the representation from any State-

That is, in the House of Representatives-

the executive authority thereof shall issue writs of election to fill such vacancies—

practically the same language as that before us.

A vacancy having occurred in the representation from the State of Pennsylvania in the year 18—, the governor of that State issued a writ of election to fill the vacancy. It was pretty generally conceded that there was no statute in the State of Pennsylvania which provided for a special election to fill a vacancy in the House of Representatives.

The governor directed that the election should be held, however, at the time and place at which the general elections were held throughout the State, two days' notice only being given of the fact that the Representative was to be elected at the same time and place. The seat of Mr. Hoge, the successful candidate, was contested.

When the matter came before the House, the question now being discussed was debated at length and with much learning and marked ability. It was contended in that connection that by implication and of necessity the power to fix the time, place, and manner of holding the election to fill a vacancy was reposed in the governor by virtue of the provision above quoted whenever the State itself had failed to observe its duty under the provisions of the fourth section of the first article of the Constitution.

It having been found that the election was fair in all respects, and that the people of the district had reasonable notice that the election was to take place, the candidate having the largest

number of votes was seated by the House of Representatives. That case has thus become a precedent upon the construction of this provision of the old Constitution.

It is true that the very question has never since been presented to the House of Representatives, but I have examined the original statutes of the 13 original States in relation to holding elections for Members of the House of Representatives and I find that very few of them, just like the statute of the State of Pennsylvania, made any specific provision for the case of an election to fill a vacancy, and yet apparently those elected from the various States to fill vacancies—and there must have been such—were admitted to seats in the House of Representatives just as in the case of the State of Pennsylvania,

However, this provision of the Constitution was at least twice since under consideration by the House of Representatives. I desire to read briefly what was said in the report of the Committee on Privileges and Elections in one of these cases, referring to the other, concerning the implied power contended for bare

In the case of Hunt v. Menard, referring to the minority report in Perkins v. Morrison, the committee quotes as follows:

The second section of the first article in the Constitution contains the following provision: "When vacancies occur in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies." This is the only provision of law on the subject of vacancies, and it is ample and sufficient.

Then the committee, in the case of Hunt v. Menard, adds:

This reasoning, which your committee consider as sound and pertinent, applied to the case under consideration, seems to be conclusive against this election.

So that twice since the House of Representatives have declared that in the absence of State legislation this provision of the Constitution, in and of itself, is sufficient to authorize the holding of an election to fill a vacancy.

These holdings, however—the decision in the Hoge case and the declarations thus made—ought to have here before us now very much more weight, are entitled to very much more consideration, than that accorded to mere precedents, because in the amendment under consideration, the seventeenth amendment, is found the very language that was thus construed by the House of Representatives. Under well-settled principles of law there has been adopted the construction which was thus given to it, and it is a part of our fundamental law now as much as though it were actually written at length in the seventeenth amendment. The rule is very well established that whenever the highest court in a State construes certain language in a statute and gives to it a certain meaning, and thereafter another statute is enacted by the same State in which is found the same language, the legislature is presumed to know the construction which was given to it originally and to intend that the language in the new statute shall have exactly the same construction as was given to it in the old.

This principle, of course, is well recognized, but its force may not be appreciated as fully as it ought to be if we do not attend to its recital in this connection.

I read, accordingly, from section 403 of Sutherland on Statutory Construction. He says:

In the interpretation of reenacted statutes the court will follow the construction which they received when previously in force. The legislature will be presumed to know the effect which such statutes originally had, and by reenactment to intend that they should again have the same effect. The same rule applies to the readoption of a constitutional provision. It is not necessary that a statute should be reenacted in identical words in order that the rule may apply. It is sufficient if it is reenacted in substantially the same words.

So that, however any of us might be inclined to doubt the wisdom or the soundness of the conclusion at which the House of Representatives arrived concerning the meaning of this language, this principle of law to which reference has been made seems to compel us to abandon our own judgment concerning the matter and to adopt the construction which was given to it by the tribunal vested with the authority under the Constitution to determine its meaning.

I might say in this connection—and it seems quite proper that I should—that a very liberal rule has been established by the unvarying practice of the House of Representatives concerning the admission of one who has been elected by the people as a Member of that House where no question is made concerning the fairness of the election under which he claims.

Thus, the Territory of Hawaii was granted the right to have a Delegate in Congress, elected by the people of the islands. No provision was made by the act of Congress for the holding of elections. It was assumed that the Legislature of Hawaii would make the proper provision, but it omitted to do so. Notwithstanding the absence of any express law, an election for Delegate to Congress from the Hawaiian Islands was held, it being conducted in accordance with the statutes of the islands

In relation to the election of members of their local legislature. When the Delegate came to the House, during the Fifty-ninth Congress, it was contended that there was no law of the islands which authorized the election, but he was seated, notwithstanding. A contest was initiated before the Fifty-ninth Congress against the seat of the present Delegate, who was elected under identically the same circumstances, and he likewise was seated by the House,

So, Mr. President, if we were obliged to rely upon the contention which I have thus far canvassed, the conclusion of the committee would not be without ample justification. We do not, however, need to rely upon any such construction of the Constitution, doubtful as it may seem to be to some Senators. I am convinced, sir, that an examination of the statutes of the State of Maryland will satisfy almost any candid investigator that they are quite ample to justify the election under which Mr. Lee claims a seat among us.

I wish to invite your attention to these statutes and to remind you that they are all to be read in view of the definition of the word "election" as given in section 120 of the chapter of the Maryland statutes in relation to elections, which is as

The word "election" as used in this article shall be construed to include elections had within any county or city for the purpose of enabling voters to choose some public officer or officers under the laws of this State or of the United States, or to pass upon any amendment, law, or other public act or proposition submitted to vote by law.

The word "election" in the election statutes of Maryland. accordingly, reaches to all elections for officers of the United This was an act passed in the year 1896.

Now, bear in mind that it has been held-and I think without any variation at all-that electors of President and Vice President are officers of the State, not officers of the United Accordingly the only officers of the United States who, at the time this act was adopted, were elected by the people of the State were the Members of the House of Representatives.

If it was intended that this section should apply only to Members of the House of Representatives, it would have said so in explicit and direct terms. The language of this act clearly indicates to us that the Legislature of the State of Maryland at the time it enacted this law had in contemplation that in the future an amendment would be adopted, or might be adopted, that would provide for the election by the people of some United States officers other than the Members of the House of Representatives. Of course, we all know, as a part of the history of this measure, that it was then being earnestly debated by the people of the United States whether United States Senators should not be elected by the people.

So I assert, sir, that by plain declaration the people of Maryland here indicated their desire that whenever it should come to pass that United States Senators should be elected by a direct vote of the people their election statutes should be held applicable. Unless you give to this statute such a construction as that, it is absolutely meaningless, it has no significance at all, nor was there any perceptible purpose in its enactment.

Now, then, let us turn to the statutes of the State of Mary land, having this definition clearly in mind, to see what they say. We will see whether Maryland has provided the machinery for the holding of an election for United States Senator.

Section 1. The governor biennially, by and with the advice and consent of the senate if in session, and if not in session, then the governor alone, shall appoint, in each and every county of the State and in the city of Baltimore, three persons who shall constitute and be styled "the board of supervisors of elections of the respective counties and of said city."

Now, applying the definition of the word "election" to that it means boards of supervisors for elections for State officers and elections of United States officers as well.

Then section 14 prescribes:

Said board of supervisors shall give 10 days' notice of the time and place of registration, and of revision thereof, and of elections—

Now, elections for United States officers-

in each precinct of such county or city by handbills set up in the most public places in such precinct—

providing for notification and registration.

Then section 41 provides for the nomination of all candidates for public office as follows:

Any convention or primary meeting, as hereinafter defined, held for the purpose of making nominations to public office, and also voters to the number hereinafter specified, may nominate candidates for public office to be filled by election within the State.

Observe, "to be filled by election within the State."

Any convention or primary meeting, as hereinafter defined, held for the purpose of making nominations to public office, and also voters to the number hereinafter specified, may nominate candidates for public office to be filled by election within the State. A convention or primary meeting within the meaning of this section is an organized assemblage of delegates or voters representing a particular party or principle.

Section 42 provides for nominations, how the nomination of candidates shall be made, and when they shall be made by conventions. If no nomination is made by a convention, provision is made in section 43 for nominations otherwise:

A candidate for public office may be nominated otherwise than by a convention.

Now, note always the general language that is used. A candidate for public office may be nominated otherwise than by a convention or primary election in the manner following.

Section 44 provides for the filing of certificates of nomination: Certificates of nominations shall be filed with the secretary of state for the nomination of Members of Congress or of candidates for offices to be filled by voters of the entire State.

It does not say for State officers, but all candidates for all offices to be filled-

by voters of the entire State or of any subdivision of a greater extent than one county.

Section 47-

Except in cases provided for by section 51 and cases of special election to fill vacancies in office caused by death, resignation, or otherwise such certificates of nomination shall be filed respectively with the secretary of state not less than 25 days and with the board of supervisors of elections not less than 15 days before the day of election.

Section 48 for the transmission of the names of candidates that they may go on the ballot:

Not less than 18 days before an election to fill any public office the secretary of state shall certify to the supervisors of elections of each county within which any of the voters may by law vote for candidates for such office the name and description of each person nominated for

Section 53-observe again the general language:

All ballots cast in elections for public officers within this State shall be printed and distributed as hereinafter provided.

It goes on and states the manner. Section 54-

It shall be the duty of the board of supervisors of elections of each county and of the city of Baltimore to provide ballots for every election for public officers held under this article in which any voters within the county or said city shall participate, and cause to be printed on the ballot the name of every candidate whose name has been certified to or filed with the proper officers in the manner herein provided by such political party organization or body of individuals.

Here provision is made for getting the names of candidates on the ballot. Under a great many statutes considerable embarrassment may arise in this particular. In my State but for the provisions of the recent statute we would have labored under a serious difficulty here, because the corresponding statute, prescribing the methods for the preparation of the ballot, directs that the county clerk or recorder shall make up the ballots in the following form: Candidates for governor, candidates for lieutenant governor, candidates for Members of Congress, and so on, enumerating all officers whose names are congress, and so on, enumerating an onicers whose names are to go upon the ballot. If asked to put on the ballot the names of the candidates for United States Senator he might properly point to the statute and say, "I am not authorized to do anything of that kind." But in Maryland they had apparently just such a contingency in contemplation, and met it by declaring it to be the duty of the proper officer to put on the ballot the names of all candidates for public office. ballot the names of all candidates for public office.

Let me direct your attention to a few more of these statutes: 55. The form and arrangement of the ballots shall be as follows: All ballots shall contain the name of every candidate whose nomination for any office specified in the ballot has been certified to and filed according to the provisions of this article, and not withdrawn in accordance herewith.

56. The form and arrangement of ballot shall be as follows: All ballots shall contain the name of every candidate whose nomination for any office specified in the ballots has been certified and filed according to the provisions of this article, and not withdrawn in accordance therewith.

I want to invite your attention now especially to the provisions found in sections 123 and 124:

123. At least 30 days before every State election the attorney general shall prepare full instructions for the guidance of the voters at such election as to obtaining ballots, as to the manner of marking them, and as to obtaining new ballots in place of those accidentally destroyed, with such other instructions as shall in his opinion be necessary and proper.

So you will observe that a specific duty is laid upon the attorney general of the State to make out official instructions to the voters, telling them how to prepare their ballots and all that sort of thing.

Mr. REED. Will the Senator read that language again? Mr. WALSH (reading)-

At least 30 days before every State election the attorney general shall prepare full instructions for the guidance of the voters at such election as to obtaining ballots, as to the manner of marking them, and as to obtaining new ballots in place of those accidentally destroyed, with such other instructions as shall in his oplinion be necessary and proper. Said instructions shall be furnished by the secretary of state to the several boards of supervisors of elections, who shall respectively cause

the same, together with copies of sections 68, 69, and 70 of this article to be printed in large, clear type on separate cards, etc.

So, Mr. President, the Attorney General is thus made the official adviser of the electors of the State in the discharge of

this important function of citizenship.

These statutes, I think it must appear to all, in view of the defining statute, quite cover the case. But there is another consideration here which strengthens the position taken by the committee. The governor of the State appealed to the Attorney General at the very outset of these proceedings for official advice as to whether an election should be held and could be held under the provisions of these laws and the Constitution of the United States for the choice of United States Senator in the State of Maryland. You have been advised that the Attorney General directed the governor that an election was proper and that it could be held under the laws in force. Now, bear in mind that the governor having proceeded to issue his writ of election, it was within the power of any citizen of the State of Maryland to interrupt the proceedings at the beginning, if they were unwarranted, by an appeal to the proper courts to prevent the expenditure of public funds for the conduct of an election which was not authorized by law. Nothing of the kind was done. The governor of the State of Maryland, who is not of the same political faith as the successful candidate, believed that the laws of that State authorized the holding of an election or he never would have issued his writ of election. All of the various political parties in that State and the representatives of the various parties in that State believed that the laws of Maryland authorized the holding of an election, or some of them would have been found who would have appealed to the process of the courts to prevent its being held.

It was stated here by the distinguished Senator from Utah that Senator Jackson, in whose behalf resistance is now made to the seating of Senator Lee, actually participated in the election and voted at it. Of course, as suggested by the distinguished Senator from Utah [Mr. SUTHERLAND], the principles of estoppel in pais have no application here; but, Mr. President, that fact in connection with the others to which I have adverted speaks very loudly the conviction of the entire people of the State of Maryland that their laws were ample, as they indeed were, for the conduct of this election. That is of itself a circumstance of no little moment, for it was likewise repeatedly declared by the House of Representatives in connection with the construction to be given to the language that is now under consideration that whenever the authorities of a State charged with the duty of putting into force and execution the election laws of such State have given to those laws a certain construction, have assigned to their language a certain meaning, the House of Representatives, whatever might be its own view about the matter, would, unless the construction given was obviously wrong, adopt the construction which had thus been

given to them locally.

I read from the report made in the case of George W. Mc-Crary, of Iowa, considered in the year 1871. The committee said:

If, however, the question as to whether by the act of 1870 the time for holding the election in question was changed from August to November was one of doubt, we should feel bound to follow the construction given to it by all the authorities of the State of Tennessee whose duty it has been to construe it and to execute it. It is admitted that the governor and all other authorities in Tennessee having anything to do with the construction and enforcement of this act of 1870 have construct it as in no wise affecting the act of 1868, and by common and universal assent the election was held at the time fixed in the latter act. It is a well-established and most salutary rule that where the proper authorities of the State government have given a construction to their own constitution or statutes that construction will be followed by the Federal authorities. This rule is absolutely necessary to the harmonious working of our complex Governments, State and National, and your committee are not disposed to be the first to depart from it. The committee recommend the adoption of the following resolution.

Mr. KERN. Mr. President—

Mr. KERN. Mr. President-

The PRESIDING OFFICER (Mr. Johnson in the chair) Does the Senator from Montana yield to the Senator from Indiana?

Mr. WALSH. I do.

Mr. KERN. I suggest to the Senator that the report was made by Representative McCrary, who was a Representative from Iowa, and who is the author of the work, McCrary on Elections. He was the author of the report.

Mr. WALSH. The Senator is right. It was on the admission of Edouard Gilbert and George W. Wright as Members from California, cases considered by the Thirty-first Congress, in the year 1850.

Mr. KERN. Mr. McCrary was at that time a Representative from the State of Iowa and chairman of the Committee on Elections.

Mr. WALSH. That is correct, and undoubtedly he has declared here the very generally accepted and, in fact, undisputed rule.

Mr. President, in this particular case, however, we have not only the acquiescence of the entire people of the State of Maryland, the action of the governor, and all the election officers, and the opinion of the attorney general of the State, but we have the action of the Court of Appeals of that State recognizing the force and effect of these statutes as adequate for a senatorial election. It appears, Mr. President, that the Progressive Party were a little late in filing the nominations made by that party for the three officers for which the people were called upon to vote-United States Senator, controller, and clerk of the court of appeals. Some of the local officials refused to file the nomination certificates tendered by the candidates of that party, and they appealed to the court for a writ of mandamus to compel acceptance. The court held that, as a matter of fact, the officer was right; that they had in fact come too late with the nominations; but in a most com-mendable spirit of fairness the court of appeals advised that the committee of the Progressive Party was authorized under the law to file nominations which it might make for these various places, as in the case of the occurrence of a vacancy. In other words, Mr. President, the Supreme Court of the State of Maryland took jurisdiction of the case, held in effect that the seventeenth amendment authorized the election of United States Senators, and that the laws of the State of Maryland required and authorized an election for that office. So, after declaring that the lower court was correct in denying the mandamus, it said as follows:

But inasmuch as the court was requested by the parties to state its conclusions as to the right of the committee of the Progressive Party to now make nominations for the three offices under the provisions of the statute, the court further announces that in its judgment the said committee can, under the authority vested in it to fill vacancies as admitted in this case, make such nominations in accordance with the provisions of section 51 of article 33 of the Code of 1912, and if the certificate of nominations is properly executed and filed as provided by said section, it will be the duty of the secretary of state to certify said nominations to the supervisors of elections of the several counties of the State and the city of Baltimore.

Mr. President, in that connection let us take up the statutes to which I have invited your attention, and let us see if we can learn what there is lacking in them which the distinguished Senator from Utah would have supplied by specific legislation. They cover, as you will observe, the places and the manner of holding elections; they cover specifically everything that could be required except the matter of time. There is no provision in the statutes which I have read which in express terms refers to the time at which an election shall be held. If the Legislature of the State of Maryland were called together in extra session for the purpose of legislating upon this particular subject matter, there is not a feature of it with which it could deal on which it has not already spoken, except the mere matter of time. The making of nominations; the printing of the names on the ballot; the preparation and forwarding of the returns; all of these things are provided for by general and comprehensive

Let us see how well the subject of time is covered, Mr. President. In the opening of my argument I invited your attention to the fact that, whatever may be said in relation to the implied power of the governor relative to the places and manner of holding elections, he undoubtedly has the implied power of designating the time at which a special election shall be held to fill a vacancy. If the Legislature of the State of Maryland were convened in special session, it could not add anything by a declaration that United States Senators shall be elected by a direct vote of the people, because the Constitution of the United States, the supreme law of the land, has already provided for that; it would not add anything to what it has already said in regard to the places and manner of holding the election, as I have indicated, and the governor is undoubtedly given the power, in the case of a special election, to designate the time at which that special election must take place.

Mr. President, even if this were the case of a general election, it is, I think, fully provided for in the statutes and in the constitution of Maryland. The Senator from Utah correctly said to you that the constitution of Maryland prescribes that the governor shall be elected on the first Tuesday after the first Monday of November; it prescribes that Members of the House of Representatives shall be elected on that day, and that electors of President and Vice President shall be elected on that day, But, Mr. President, I observe that it does not make any provision at all, for instance, as to when a sheriff is to be elected.

The constitution provides that a sheriff shall be elected in each county for a term of two years, but the most careful search

that I have been able to give both to the constitution and the statutes of Maryland reveals no provision whatever with respect to the time at which sheriffs shall be elected; and yet the State of Maryland has gone on electing a sheriff in every county since the statutes referred to were passed in 1896, and electing sheriffs at the time at which the election for these other officers takes place. I will show you what justification there is for it; and I think it is ample. Let me read the provision of the constitution of Maryland in relation to sheriffs:

Sec. 49. There shall be elected in each county and in the city of Baltimore in every second year one person, resident in said county or city, above the age of 25 years, and at least five years preceding his election a citizen of this State, to the office of sheriff. He shall hold his office for two years, and until his successor is duly elected and qualified; shall be ineligible for two years thereafter; shall give such bond, exercise such powers, and perform such duties as now are or may hereafter be fixed by law. In case of a vacancy by death, refusal to serve, or neglect to qualify or give bond, by disqualification or removal from the county or city, the governor shall appoint a person to be sheriff for the remainder of the official term.

You will observe that no time for the election is fixed at all. Now, by way of contrast, let me read to you the section which refers to the election of an attorney general. It is as follows:

SECTION 1. There shall be an attorney general elected by the qualified voters of the State on general ticket on the Tuesday next after the first Monday in the month of November—

A later provision of the constitution of Maryland-section 7 of article 15-covers the case of the sheriff, in my judgment. It provides as follows:

All general elections in this State shall be held on the Tuesday next after the first Monday in the month of November in the year in which they shall occur.

All general elections shall be held at that time. "general election"? A general election is one which takes place throughout the State; it is contrasted with a local election. A general election is one which is held in each county in the State, and ordinarily for the election of a considerable number of officers.

So, Mr. President, I think we may fairly say, in view of the action that has uniformly been had under this provision of the constitution of the State of Maryland, that this section means that all officers who are to be elected by a general vote of the people of the State are, in the absence of specific provision, to be elected on the Tuesday after the first Monday in the month of November. So I believe that the case of an election, not to fill a vacancy but for a United States Senator, to serve for a full term, is thus taken care of in the laws of the State of Maryland.

Then, Mr. President, if the conclusion is reached that a valid election was had, we are confronted with the question of when the candidate thus elected is entitled to take his seat. The amendment, in its last clause-the third clause-provides as

This amendment shall not be so construed as to affect the election term of any Senator chosen before it becomes valid as part of the Constitution.

It is contended that, under the language of that part of the amendment, the term of the junior Senator from Maryland [Mr. JACKSON], if it may be so called, extends until the adjournment of the session of the Legislature of Maryland now sitting. That depends upon the construction that is to be given to the amendment in connection with the provision of the original Constitution in relation to the filling of vacancies. On the death of the late Senator Rayner the junior Senator from Maryland was appointed by the governor of that State. He was appointed by virtue of this provision of the original Constitution;

and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

More or less obscurity exists by reason of the concluding language of this clause-

until the next meeting of the legislature, which shall then fill such vacancies.

That clause has been the subject of very earnest debate in this body and of frequent consideration by it. It was very ably canvassed in this body in the year 1853, in connection with the case of Mr. Samuel S. Phelps, of Vermont, who was appointed by the governor of that State to occupy a seat which had become vacant. The Legislature of the State of Vermont having convened, it was contended that, under the correct construction of this clause, his right to a seat in the Senate thereupon and thereby terminated. The committee having the matter in charge held otherwise, and it is doubtless true that it has become the settled rule of this body, by virtue of the decision in that case and in other cases, that in the case of an appointment made under the old Constitution the appointee was entitled to

retain his seat in this body until the legislature elected a successor or it had adjourned without electing.

The other view was very ably presented by the then Senator from Delaware, Mr. Bayard. He contended that the correct construction to be given to this provision is that the appointee ceases to have the right to sit in this body immediately upon the convening of the legislature, and I am inclined to believe that almost every student of the Constitution gains, as his first impression, that view from the reading of it. It was contended, however, upon the other side that the words "until the next meeting of the legislature" modify the word "make," and that they simply limit the power of the governor to appoint; that is to say, that the clause means that the governor of the State has the right to make appointments during the recess of the legislature, but if he defers making the appointment until the legislature convenes, he has thereafter no right to make it; in other words, that it is a limitation upon the power of the governor to make the appointment and not a limitation upon the time during which the appointee is entitled to sit.

I am inclined to believe that the correct construction to be given to that language is as though it read "the executive thereof may make temporary appointments, to be in force until the next meeting of the legislature, which shall then fill such vacancies." I submit that, if it is given any other construction, the word "vacancies" has no place here, because, obviously, if the man who sits here is a Senator at all, there is no vacancy to be filled. The use of the language "shall then fill such vacancies" contemplates that his right exhausted itself when the legislature convened, and that then there was a vacancy-either that or else we are forced to the conclusion that the appointee of the governor has no term; that his sitting here does not fill the vacancy at all; and that it continued at all times from the time that it originally came into existence.

It was then pointed out by Mr. Bayard that if the other construction is to be given to this provision, the right of the appointee to sit is not terminated even by the adjournment of the session of the legislature; at least there is no provision that it shall. If the view of the eminent statesman referred to is accepted, Senator Jackson has ceased to be a Member of this body, as the Legislature of Maryland is now sitting. But, as I have said, the construction to which I have alluded has been adopted. Accordingly, we have to read the language "until the next meeting of the legislature, which shall then fill such vacancies," as simply limiting the power of the governor to appoint, and, accordingly, the time during which the appointee is to serve is not limited by any language of the Constitution at all.

If the clause in question is to be given the other construction, as limiting the right of the appointee, then the Senate did violence to the language of the Constitution for the purpose of better carrying out the intention of its framers by permitting the appointee to sit until his successor is elected, as provided in the Constitution. Accordingly, we are forced to the conclusion that what the Constitution means is this: That there being no language of limitation, the appointee of the governor—bear in mind it is denominated a "temporary appointment"—that the appointee of the governor is simply entitled to sit until his successor is elected in the manner prescribed by the Constitution. Of course, no successor can ever again be elected by the legislature. No injustice is done to the sitting Member. His right might be terminated at any time by the selection of a Senator to fill the vacancy in the manner prescribed in the Constitution. The very day that Senator Jackson was designated for this place by the governor of Maryland, that officer might at once have issued his command to the legislature to convene in extra session. Having convened, they could proceed to elect a successor, as prescribed by the Constitution, and Senator Jackson's right to sit would be terminated when the person so elected should present his credentials here. Now, the governor, instead of calling together the elective body-the legislature-to fill the vacancy, might immediately upon the adoption of the seventeenth amendment have called a special election to fill the vacancy, and the electorate, substituted by it, would have filled it accordingly; so that no complaint can be made when Senator Jackson is permitted to sit until his successor is

Mr. STERLING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from South Dakota?

Mr. WALSH. Certainly. Mr. STERLING. I should like to ask the Senator from Montana if he is thoroughly satisfied that the governor of the State of Maryland might have called a special session for the purpose of electing a United States Senator?

It seems to me there is no question about that. Mr. STERLING. Can the Senator give us the terms of the Maryland constitution in regard to the power of the governor to convene the legislature in extraordinary session?

Mr. WALSH. I can not. I simply assume that he has that

Mr. STERLING. If a State constitution should provide in terms, as does, for example, the constitution of the State of South Dakota, that the governor may call the legislature in extraordinary session or in special session on extraordinary occasions-I think that is about the language-would the Senator from Montana regard the election of a United States Senator as an extraordinary occasion, the governor under the Constitution of the United States having the power to fill the place by appointment until the next regular session?

Mr. WALSH. Of course the Senator from South Dakota, being an able lawyer, will recognize that there is no power on earth that can review the discretion of the governor in calling a special session. If the constitution provides that he may on extraordinary occasions convene the legislature in extra session. he is himself the sole judge of whether the occasion is of sufficient gravity to require the convening of the legislature in extra session; and the validity of acts passed at a session of that character could not be questioned by the Supreme Court, for instance, upon a suggestion that the occasion was not of sufficient gravity to require the exercise of the power.

Mr. STERLING. Without disagreeing with the Senator from Montana that as a proposition of law the governor, in his discretion, may determine what is an entraordinary occasion, the Senator, of course, recalls many elections by legislatures of Senators to fill vacancies; and I should like to ask if he does now recall any instance where the legislature was called in

special session for the purpose of filling a vacancy

Mr. WALSH. I do not. I have no such precedent in mind. Mr. CHILTON. Mr. President-

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from West Virginia?

Mr. WALSH. I shall be glad to yield.

Mr. CHILTON. In answer to the question of the Senator from South Dakota, I wish to suggest to the Senator from Montana that in West Virginia a provision of our constitution is that no business can be entered upon by the legislature, when called in special session, except that mentioned in the call. There is a precedent here in the Senate, some time in the nineties, or perhaps in the eighties, where the governor called the legislature together and did not mention in the call the electing of a United States Senator. It was then contended that the election was not valid; but the Senate held that whether the governor mentioned it in the call or not, it was the duty of the legislature at any session to elect a Senator if there was a vacancy, and the Senate held that under the State constitution the legislature

could elect whether the governor designated it or not.

Mr. WALSH. And did they elect?

Mr. CHILTON. They did elect. They elected Senator Faulkner. The appointee of the governor, Senator Lucas, made a contest; and the Senate held that it was the duty of the legislature of the State, regardless of the State constitution, to make an election at any session, whether it was special or regular.

Mr. WALSH. And Senator Faulkner was seated; was he

Mr. CHILTON. Oh, yes; he was seated.

Mr. SUTHERLAND. I quite agree with the statement of the Senator from Montana, that the legislature, when called in extra session, has the power to elect a United States Senator; and it would make no difference whether or not we regard the election of a United States Senator as an extraordinary occasion justifying the calling of the legislature under the language of the Constitution, because the terms of the Constitution of the United States are that the executive may make temporary appointments until the next meeting of the legislature. whether we regard the phrase "until the next meeting of the legislature" as a limitation on the power of the governor to act, as I believe it to be, or as a limitation upon the term of office, as others believe it to be, still the following clause is:

Which shall then-

I emphasize the word "then"fill such vacancies.

That is, at the next meeting.

The only inquiry we would have to make would be whether or not the legislature had met. Having met, no matter what the occasion, it became its duty to elect a United States Senator under the mandatory provisions of the Constitution of the United States.

Mr. WALSH. I think the statement of the Senator from Utah is correct with respect to that. I will ask the attention of the Senator from South Dakota [Mr. Sterling] likewise to the fact that the language of the Constitution is "the next meeting of the legislature," not "the next session," so that if the legislature should happen to be in recess at the time the vacancy occurred, the right to appoint or the term of the appointee would expire at the next meeting of the legislature.

Mr. SUTHERLAND. If the Senator from Montana will pardon me further, the whole spirit of this provision of the Constitution is that the legislature is recognized as the primary power to choose Senators, but that while the legislature is in recess it has no power to act; and therefore to tide over that situation, the Constitution contemplates that the governor, as a secondary appointing power, shall step in; but the moment the primary power becomes capable of acting, then it must act, under the Constitution, as the primary authority.

Mr. WALSH. As pointed out, no matter what construction you give to this language you are confronted with embarrassments, because if the death of a Senator should occur on the very day of the convening of the legislature it would be some time before an election could be had, in all probability; that, even if you give the language the construction for which the Senator contends, you can readily conceive of a case where there would be no representation.

I have before me the provision of the constitution of the State of Maryland in relation to the convening of the legisla-ture in extra session. It is section 16 of Article II and reads

as follows:

The governor shall convene the legislature or the senate alone on extraordinary occasions; and whenever from the presence of an enemy or from any other cause the seat of government shall become an unsafe place for the meeting of the legislature he may direct their sessions to be held at some other convenient place.

So, if there is to be given to this language of the original Constitution the construction that is assigned to it by the decision of the Senate in the Phelps case—namely, that the conclud-ing portion is a limitation upon the power of the governor to appoint and fixes the time within which he can appoint, and is not to be considered as in any manner limiting the time during which the appointee is to serve—then there is absolutely no language at all in the Constitution telling us how long the appointee can sit. It is a mere matter of implication as to how long he is to sit. What words and what language has the Senate, by its repeated adjudications, read into this provision of the Constitution as a limitation upon his term? Simply that he shall sit until his successor is elected in the manner provided by the Constitution for the election of Senators. Having adopted that view, it was forced into adopting the rule that in no case could he hold beyond the final adjournment of the session of the legislature charged with the duty of filling the vacancy.

It seems reasonably to follow that if under the provisions of the amendment the governor should make an appointment, and the matter were then relegated to the elective constituency on a call for a special election, and that constituency for any reason failed to elect-as, for instance, if there was a tie vote in the election, or if the laws provided that a majority should be required in order to elect-and no one received a majority, the

appointee would cease to hold after the election.

But however that may be, I think no one can resist the conclusion that the Senate read into this statute a provision, as though it were there substantially in words, that the appointee thus designated by the governor should hold until the vacancy was filled by election in the manner prescribed by the Constitution.

Mr. SUTHERLAND. Mr. President, it seems to me the Senator from Montana overlooks the mandatory character of the last phrase of the paragraph with which we are dealing, which is as follows:

Which-

Meaning the legislatureshall then-

Meaning, at the next meetingfill such vacancies.

The words "such vacancies" clearly refer to the vacancies which happen by resignation or otherwise, and which for the time being have been filled by the governor. Those same vacancies, having been temporarily filled, must, under the mandatory provision of the Constitution, be filled by the legislature whenever it meets. Now, as I construe the provision of the Constitution, the words "until the next meeting of the legislature" are a limitation upon the power of the governor to appoint. He must appoint, if at all, during that interval. When the legislature is in session, however, if the vacancy has been filled in the meantime, the legislature must, under the provisions of the Constitution, fill that vacancy; and if it does not do so it fails to discharge a mandatory duty imposed upon it by the

While I grant you that it is not stated in express words, it seems to me the clear intendment of the Constitution is, that mandatory duty not having been carried out, that the temporary

appointment made by the governor lapses.

Mr. WALSH. Mr. President, the Senator can not assign to that clause a significance as a limitation on the power of the governor and at the same time make it operate as a limitation upon the period during which the appointee can serve. I think the Senator will agree with me that if it is to be regarded as a limitation upon the time during which the governor can exercise the power, then there is absolutely no express language in the Constitution fixing the time during which the appointee shall

Mr. SUTHERLAND. There is no express language fixing it, as I have already said. It is fixed, as I believe, by the clear intendment of the Constitution, because of the reasons I have already suggested; but if you take the other view of the phrase "until the next meeting of the legislature," and say that qualifies the time, then it seems to me we must logically say that when the legislature meets the right of the applicant to remain in his seat at once ceases.

Mr. WALSH. I agree with the Senator that the right of the appointee does, as a matter of fact, terminate upon an election; but I insist that, if so, it is not by reason of any language in the concluding clause, provided the concluding clause limits the power to make the appointment, which is the accepted construc-Accordingly we must read some language into the Constitution in order to fix a limit upon the time during which the appointee can serve. I ask the question, What language has been read in there? There has been read in there the language that he shall hold his office until his successor is elected in the manner prescribed in the Constitution. His successor never can be elected by the legislature in the manner prescribed in the original Constitution. The sessions of the legislature no longer have any bearing at all upon the matter.

I think the clear meaning of the last clause of the amendment is, that Senator Jackson and others who might be holding by appointment should hold their seats until an election to fill the vacancy could be had in the States, respectively, from which they came in the manner prescribed by the Constitution. cordingly, Senator Lee's term began as soon as his credentials were presented here showing that he was elected to fill the vacancy occasioned by the death of Senator Rayner. holding we do no violence to any language of the original Constitution, because upon the established theory of its mean-ing there is none such. The appointment was a temporary one, the "vacancy" not even being filled by it. The spirit of the fundamental law is fully met when the appointee is required to

give place to a Senator regularly elected.

The Senator from Utah drew the conclusion, from the fact that there was a specific provisions in the statutes of the State of Maryland in relation to the nomination of a United States Senator, that the statutes to which I have invited your attention could not be regarded as sufficiently comprehensive in their terms to embrace that office. I wish to say a word with respect

It is true that there is a statute in the State of Maryland providing for the nomination of candidates for United States Senator. It was spoken of as a primary election. It is that variety of primary election that has been frequently resorted to for the purpose of defeating the hopes and aspirations of the people of the State for a real primary election. It provided, in terms, that at the general election on the second Tuesday after the first Monday in November the adherents of the respective parties might signify their desires in respect to their candidates for United States Senator, the result to be regarded as in the nature of an instruction to the members of the legislature, in the discharge of their duties at the next ensuing session, with respect to the election of a United States Senator.

Of course by the adoption of the seventeenth amendment Of course by the adoption of the seventeenth amendment those statutes became utterly void, nugatory, and useless. They were as though they had been absolutely wiped out by the act of the Legislature of the State of Maryland. Accordingly we are to construe the other statutes, which are comprehensive in their terms as though those statutes never had an existence at all. They are in effect as though they had read: That the nominations for candidates for all public offices except. United States Sepator shall be made in the manner. except United States Senator shall be made in the manner following, and then, subsequently, an act had been passed repealing the exception and cutting out the words "except United States Senator."

The uniform construction given to statutes of that character is that whenever an exception in a statute exempting a certain class from its operation has been repealed by the legislature, the statute thereafter is to be given exactly the same construction as though the exception never had been incorporated in the statute at all. Accordingly the Legislature of the State Maryland is to be deemed to have intended just exactly what its language expresses-that all public officers are to be nominated in the way therein indicated. We need not, however, concern ourselves with the nomination statutes of the State of Maryland, for it is very generally-in fact, I believe universally-held that without regard to nomination statutes the choice of the people as expressed at the polls must prevail. In other words, no matter how much has been the divergence from the requirements of the statutes in relation to nominations, any complaint to be effective must be made antecedent to the election. If no complaint is made, if no attempt is made by interested parties or by citizens to have the matter corrected prior to the election, complaint can not be successfully made about it thereafter. The candidate who receives the highest number of votes is entitled to the office whether he was nominated in accordance with the provisions of law or not, and of course even though there were no provisions of law at all in relation to nominations.

Mr. SIMMONS. Mr. President, the Senator from Montana I think made a very clear statement that the sitting Member from Maryland held only during the vacancy and that if there had been no amendment to the Constitution that vacancy would have terminated when the legislature was convened and elected a successor. He has made it equally clear to my mind that under the seventeenth amendment to the Constitution that vacancy terminates when there is a legal election by the people under the terms of the seventeenth amendment. That being so, the only question I have in my mind is whether there is sufficient authority to be found in the statutes of the State of Maryland for an election to fill a Federal office such as that of a

United States Senator.

I would be very glad if the Senator would again read the Maryland statute upon that subject. The Senator has made it ery clear to me that there is sufficient machinery provided for holding an election to fill a vacancy, but the Senator has not made it quite clear to my mind yet that there is authority in the Maryland statutes authorizing the election sufficiently broad to cover the case of a vacancy in a Federal office.

Mr. WALSH. I am not quite sure whether the Senator from North Carolina was here when I began to read the Maryland

statutes

Mr. SIMMONS. I have not heard the Senator read that section of the statutes.

Mr. WALSH. I have called to the attention of the Senate practically all the statutes of the State of Maryland which

Mr. SIMMONS. If the Senator will pardon me, I do not think it is necessary to wait until a subsequent legislature prescribes a method for the holding of an election to fill such a vacancy if the authority of the existing statute is sufficient to cover the case of an election to fill a Federal office.

Mr. WALSH. I will say to the Senator from North Carolina that I thought the statutes of the State of Maryland about as comprehensive in their terms as language would permit, without specifically referring to the case of a United States Senator.

Mr. SIMMONS. I will ask the Senator if he will read it again. do not recall hearing him read that part of the statutes. heard him read the statute providing the machinery for holding elections in the State of Maryland, but I do not remember hearing him read the statute that authorized the holding of elections.

Mr. WALSH. I will say to the Senator that I believe the statutes ought to be construed as a whole, and I invited the attention of the Senate to the fact that they referred to all public offices without any restriction at all, and then lest any-body should attempt to restrict them at all, the legislature enacted section 120, which reads:

The word "election" as used in this article shall be construed to include elections had within any county or city for the purpose of enabling voters to choose some public officer or officers under the laws of this State or of the United States, or to pass upon any amendment, law, or other public act or proposition submitted to vote by law.

I submitted that there could have been no purpose in using that language, except anticipatory of the likelihood of the adoption of the seventeenth amendment by which United States Senators were likewise to be elected.

Mr. BRADLEY obtained the floor.
Mr. GOFF. Mr. President—
The PRESIDING OFFICER (Mr. Johnson in the chair). Does the Senator from Kentucky yield to the Senator from West Virginia?

Mr. BRADLEY. I do.

Mr. GOFF. I desire simply to suggest the absence of a quorum before the Senator from Kentucky proceeds.

The PRESIDING OFFICER. The Secretary will call the roll. The Secretary called the roll, and the following Senators an-

swered to their names:

Smith, S. C. Ashurst Bacon Bradley James Johnson Jones Ransdell Smoot Stephenson Sterling Stone Sutherland Reed Robinson Root Kern Lane Bristow. Shafroth Bryan Chamberlain Chilton Lodge McCumber Martine, N. J. Sheppard Sherman Shields Thomas Thompson Vardaman Walsh Clapp Colt Nelson O'Gorman Shively Cummins Dillingham Simmons Oliver Overman Page Smith, Ariz, Smith, Ga. Smith, Md. Williams Gronna

The senior Senator from New Hampshire [Mr. Mr. SMOOT. Gallinger] is unavoidably detained from the Senate. He has a general pair with the Senator from New York [Mr. O'GORMAN]. I make this announcement for the day.

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum of the Senate is present.

The Senator from Kentucky will proceed.

Mr. BRADLEY. Mr. President, in the few remarks that I shall make I will have but little to say concerning the points of argument presented by the distinguished Senator from Utah [Mr. SUTHERLAND], as I feel that he has completely covered that section of this controversy. I shall address myself to an entirely different proposition and which up to this time has not been discussed.

I will say at the outset that if this case is to be settled upon sentiment and not upon law my remarks will be very much out of place. It seems from the discussion that the absence of statutes amounts to nothing, the absence of authority amounts to nothing, and that at last the fact that the people have elected Mr. LEE as Senator from the State of Maryland is sufficient even if there were no statutes authorizing the election. In other words, that because the people have acted that is the end of it

I voted for the proposed amendment, and no Senator on this floor has more respect and admiration for the people than I. but I propose to show that the people never asked anything aside from the language of the amendment, that they expect nothing more, and therefore it is unnecessary for Senators to fall over each other in order to do something which they think

may make them popular.

It was determined by the people that the old method of selecting United States Senators should cease. There was much discussion, both before and after the amendment was proposed, and during all of it no human being ever lifted his voice to and during all of it no numan being even and in any way contend that the proposed amendment should in any way affect the terms of Senators who were then in office. the people, therefore, through their representatives, ratified the amendment they spoke through the amendment. They did not speak outside of it.

No supposition can be indulged in the construction of a constitutional question. The Senate has the sole right to judge of the qualifications and election of its Members. It matters not what the Supreme Court of Maryland may have decided, it matters not what the opinion of the attorney general or of the governor of Maryland is, the only question for us to decide is what is the law, what is the Constitution, what are the rights of the people under that Constitution, and what are the duties of the

Members of the Senate.

As I said, no question affecting the terms of old Senators was ever discussed. I will now call attention specifically to the

language of that amendment:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for six years, and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the

State legislatures.

When vacancies happen in the representation of any State in the

I pause at this point to inquire what vacancies are referred Evidently the vacancies in the office provided for in the foregoing part of the amendment. Are we to say that in proposing and adopting this amendment, which changed the manner of selecting Senators, in speaking of vacancies the vacancies mentioned refer to the old Constitution? Certainly not. On the contrary, the vacancies mentioned are such as may occur in the terms mentioned in the amendment itself, not to those occurring in the terms of Senators elected under the old Constitution. We are forced by every rule of construction to conclude that these vacancies are such as may occur in the offices of Senators elected by the people.

Let us further examine whether the amendment has any affect upon the terms, or any part of them, of Senators elected under the old Constitution, which up to this time have not seen referred to either directly or by implication. Continuing, the amendment declares

the executive authority of such State shall issue writs of election to fill such vacancies,

To fill what vacancies? To fill vacancies in the offices of Senators theretofore elected under the old Constitution? Certainly not; but to fill vacancies in the offices of Senators elected by the people under the amendment. If we were to stop here the conclusion is inevitable that the vacancies referred to are not vacancies in the terms of Senators who were elected under tl.e old Constitution.

But let us read a little further:

Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

For a moment let us consider this language. The governor is to appoint. When is he to appoint? He is to appoint whenever the legislature empowers him to appoint. This is not a selfexecuting provision. He can not appoint until he is authorized to do so; and although he is ordered to call an election, he can not call that election until the legislature has directed the time, place, and manner of its holding. There can be no election until the legislature provides for it. There can be no appointment until the legislature empowers the governor to appoint. He would have just as much right to appoint under this section in the absence of power conferred upon him as he would have to call an election in the absence of one provided by the legislature.

It seems clear up to this point what the meaning of this seventeenth amendment is. But it was determined by the framers that there should be no loophole of escape, that there should be no chance for any misapprehension, and hence they added

this significant language:

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

What plainer language could have been employed? What more direct words could have been used?

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid—

and so forth.

Now, Mr. President, how can it be said that the election or the term of a Senator chosen under the provisions of the old Constitution can be affected by the amendment? Under the old Constitution the Senator was elected by the legislature. During a recess if there was a vacancy a temporary appointment was made by the governor to fill his place. When the legisla-ture met it elected a successor in the same manner in which the Senator was elected in the first instance.

And so we see the analogy that runs between these two laws. Under the seventeenth amendment Senators are elected by the people, and vacancies in their positions are filled by the people; under the old Constitution Senators are elected by the legislature and vacancies are filled by election by the legislature. Each is a complete system in itself. But, as said, the seventeenth amendment specifically provides that it shall not be so construed as to affect the election or term of any Senator chosen before

it—the amendment—becomes valid.

There is serious doubt at least whether or not this body can pass a law regulating the election of Senators under the amendment. I will not take time to discuss that question. as it is not in issue here. But the people were determined upon one thing, and that was that the Congress of the United States should not have the power to fill a vacancy. They not only omit from the amendment directly or by implication the language of the old Constitution giving the Congress the right to legislate as to elections of Senators, but they absolutely prohibit it from filling the vacancies in the terms of Senators who are elected under the amendment. They vest that power especially in the people. The legislature is given the right to empower the governor to appoint, and is to provide by law for the holding of an election. The power having been specially conferred in this way, its exercise by any other agency is pro-

But we are told that the reason this clause was inserted was that otherwise the amendment might be construed that the old Senators were removed from their places. As already shown, such a construction is impossible from the language

itself, even omitting the last clause.

How could anyone conclude that it was the intention of the seventeenth amendment, even if the saving clause were omitted, that the entire Senate of the United States should be turned out of office; that we should not have a single Member of this body; that the whole membership of the Senate should be swept out of existence until the legislatures had empowered the governors to appoint or directed an election; and during that time the wheels of the Government should stand perfectly idle? Such a contention would never have been made by any man of common sense; and if it had, would never have been entertained for a moment.

If that was not the object of the saving clause, as contended, then what was the object? We can not say that in formulating this amendment these words are mere surplusage; that they have no meaning whatever. We can not hold that they were intended to prevent some one from supposing that the whole Senate of the United States would be turned out. Then, what do they mean? They simply mean what they say—that this amendment shall not apply to the election or term of any Senator chosen before it becomes valid as a part of the Constitution.

The circumstances existing at the time the amendment was framed constituted the reason for that clause. It was known by the proposers, as it was by those who ratified the amendment, that it was not absolutely certain that the amendment would be ratified. It was believed generally that it would be, but it was not absolutely certain, nor could the proposers have known how long it would take to ratify it. It had to be ratified by three-fourths of the States; and the men who drew this amendment knew that in some States the legislatures met annually, in some blennially, in some triennially, in some quadrennially; and hence they knew it would take a considerable length of time for the States to meet in their legislatures and ratify the amendment.

They not only knew that, but they knew it would take some time for the same reason for the States to legislate under the amendment for the purpose of electing Senators for the period of six years by the people. They knew, too, that during this time it was reasonably certain that there would be vacancies in the offices of the old Senators. All these facts were known to the framers and the people. Hence the Senators who drew the proposed amendment, for the purpose of giving time to carry it into effect, inserted the clause that it should not affect the election or terms of Senators chosen before it should become effective. This was done in order to prevent a chaotic condition, in order to avoid friction, and mostly and principally in order to prevent an interregnum in the office of a Senator from any State.

The proposers knew the history of the basis of senatorial representation. They knew the bitter controversy that arose in the Constitutional Convention as to that basis. They knew that to prevent any further trouble and to induce the various States to adopt the Constitution there was inserted in Article V the positive language that no State should be deprived of its equal suffrage in the Senate without its consent.

They did not construe that article to mean alone that no State should be permanently deprived of its equal suffrage in the Senate, but that it should not be so deprived for any time.

We now have a case before us from the State of Alabama. The late Senator from Alabama died in August. Since that date we have had the most important legislation in this body probably that ever was had before during the same length of time in any period of our history. And yet during all that time, if we are to construe this language as is contended, the State of Alabama has been deprived of one of her Senators and has been deprived of her equal suffrage on the floor of the Senate. It is true the same state of case does not exist in Maryland; but I am merely illustrating where the construction contended for will lead us, and I am attempting to show the reason that moved the Senators who proposed this amendment in inserting the saving clause in regard to the Senators chosen before the smendment to the Constitution became effective.

You will observe in the Maryland case the very peculiar force of the amendment in using the word "chosen." A Senator who is elected is chosen, but a Senator who is appointed is not elected. Therefore the framers undertook to cover the entire situation by employing a word that embraced both an election and an appointment. What is the term of the Senator appointed from Maryland? That term reaches from the time of his appointment to the election of his successor by the following legislature or until the adjournment of that legislature. Hence the purpose was to protect not only those who were elected, but those who were appointed as well, and to prevent any histus in the representation of a State during this time, giving to each State in the Union equal power and equal influence on the floor of the Senate.

It is attempted, however, to escape the meaning of this provision by saying that the word "affect" only means the lengthing or shortening of the term. What a ridiculous position! Here the term is fixed at six years under the old provision of

the Constitution and also under the amendment. How can it be supposed that the word "affect" was used to prevent lengthening or shortening the term when its duration is fixed in both cases?

I have investigated very carefully the meaning of the word "affect." In the first place, Webster's Unabridged Dictionary says that the meaning of the word "affect" is "to act upon, to produce an effect or change." He gives as synonyms of the word, "influence, operate or act on, concern, move, overcome, impair."

Soulé in his work on synonyms gives the synonyms of the word "affect" as "influence on, act upon, work upon, concern." In Home Building Loan Association v. Nolan (21 Mont., 205) the meaning of the word was held to be "operate on, act upon, or concern."

In the case of Ryan v. Carter (93 U. S. S. C., 78) the Supreme Court of the United States construed the word "affect" as "having been used in the sense of acting injuriously upon persons and things. Such interpretation," said the court, "accords with the reason and manifest intention of the proviso, unsettles no confirmed title"—just as the construction here contended for—"and secures to the inhabitants the protection that Congress thought proper to afford."

In Baird v. St. Louis Hospital (116 Mo., 419) the court held that the word "affect" meant that the statute should not be so construed as to "prejudice or injuriously affect such rights."

In Conniff v. City (4 E. D. Smith, 430) the New York court held that the meaning of the word "affect" was "to act upon or produce a change."

In Clark v. Riddle (101 Iowa, 270) the court held that the meaning of the word "affect" was "to act upon or change."

In Holland v. Dickerson (41 Iowa) it was held that the use of the word "affect" was to prevent any change of preexisting rights.

At page 1159 of the Encyclopedia of Law and Procedure the general rule is laid down that the word "affect" means "to have effect upon, to influence; but often used in the sense of acting injuriously upon persons and things, and sometimes in the sense of 'vary."

According to these definitions, this amendment means that the election or term of any Senator chosen before the same became valid as a part of the Constitution shall not be acted upon, affected, concerned, enlarged, changed, prejudiced or injuriously affected, impaired, worked upon, varied, aimed at, influenced, or operated upon.

In other words, the meaning of the word "affect" is the meaning that is attached to it by the people generally. When the framers used that word, they used it for a purpose that would be understood by all; that is, that the terms should not be interfered with in any way.

The word "term" as employed in the amendment is purely impersonal. It relates exclusively to a period of time. If it had been intended otherwise, the Senate would have used the word "tenure." We can not for a moment suppose that the wise men who prepared this amendment did not know the difference in the meaning of the two words. They provided that the "term" should not be affected. Then, if the term shall not be affected, how can any part of it be affected? If the whole of it can not be affected, no part of it can be. The term is a unit, and is not susceptible of partition.

It seems to me, Mr. President, that there can be no doubt of the construction of this section of the seventeenth amendment, and that the only way to prevent friction and trouble is to follow the old Constitution so far as the old Senators are concerned and the new Constitution so far as the newly elected Senators are concerned. In this way we will have no hiatus in representation and the wheels of the Government will roll regularly on.

We are told, however, that if this be done we shall be electing under two systems of government. Well, suppose we should. We proposed this amendment, and the people adopted it through their representatives. We could have made it specific if we intended something else. We could have made it self-executing; we did not do it. It is not the fault of the people of Maryland that this amendment is in the condition it is; and the appointments and elections will go on regularly as to the old Senators in supplying vacancies in their offices, and regularly as to the new Senators after they are elected, according to rules established in each instance.

Some of the Senators, however, seem to be exceedingly apprehensive that some State in the Union will not enact laws to carry out this constitutional amendment, when its legislature meets, and that therefore the will of the people of the United States will be disregarded. It has been said that in such a case there would be no remedy. I deny it. There is a remedy; an

ample remedy. If at the proper time a State should have a meeting of its legislature, and the legislature should fail to enact such laws as are required to be enacted under the amendment to the Constitution to make it capable of enforcement, the remedy could be applied by the Senate refusing to recognize the man selected as Senator from that State.

The fact that elections are to be held at different times and under different sections of the Constitution does not affect the proposition. We are simply carrying out the will of the people, as expressed when they ratified this amendment; we are pursuing the language of the amendment itself in order to arrive

at a proper conclusion.

Mr. President, allow me to present another proposition-Mr. SUTHERLAND. Before the Senator passes from the question on the construction of the word "term," if he will permit me, I should like to ask him a question.

The VICE PRESIDENT. Does the Senator from Kentucky

yield to the Senator from Utah?

Mr. BRADLEY. Certainly.
Mr. SUTHERLAND. The Senator says that the word as used in the amendment, is to be construed to mean length of time and is to be construed in a purely impersonal way. Grant that the word "term" is understood to mean the length of time for which the sitting Member was chosen and that that length of time was not to be affected by the seventeenth amendment, how does the change from electing a United, States Senator by the legislature to electing him by the people affect the term or the length of time? It affects the method of filling the term, but it does not affect the term or the length

of time itself, as it seems to me.

Mr. BRADLEY. Mr. President, I have taken the position—
and that answers the question—that this amendment has no reference whatever to the term of old Senators, who were chosen prior to the time it went into effect. Therefore it can not affect their term; neither can it affect any part of the term, simply because it does not apply. The construction I am contending for has been adopted by the governor of every State of the Union. If the governors had thought that the meaning of this amendment was that in case of vacancies in terms of the old Senators there should be elections, they would have called their legislatures into special session for the purpose of enforcing it. Not a governor in the United States has called a special session of the legislature to enforce the seventeenth amendment, because they construe it not to apply to the terms or any part of the terms of the Senators who had been elected prior to the time when the amendment went into

Now, I wish to present another proposition, Mr. President. If my recollection is correct, Senator Rayner died in November, 1912. Immediately, or a very short while after his death, the governor of Maryland appointed Mr. Jackson as his successor under the old Constitution. Hence Jackson's rights vested under the old Constitution. After all this occurred the amendment was ratified in May, 1913. Then the governor proceeded to call an election under that amendment. To call an election for what? If he could call an election at all, he could only call it only when a vacancy existed. No vacancy existed in Maryland; that vacancy had already been filled by the appointment of Mr. What I mean to say is that there was no present vacancy, because Senator Jackson was filling out the portion of the term, which he had a right to do, until his successor was chosen by the legislature. Therefore I contend there was no right in the governor to call an election to fill this alleged vacancy, which was temporarily being filled and which temporarily did not exist.

The argument, however, is made that we do not need any statute to hold elections; that we can run wild, as it were, and the governor, whether there is or not any statute authorizing him to do so, can order an election, and that such an election will That may be a proper construction of constitutional law, but it does not agree with my opinion as to what its con-struction should be. I understand this to be a Government of law; that we are the judges of the qualifications and election of Members. But when we come to pass judgment upon their qualifications and election we do not exercise arbitrary power; we act within the law as it exists, and we have no power to go

outside the law.

Mr. STONE. Mr. President, may I interrupt the Senator?

Mr. BRADLEY, Certainly.

Mr. STONE. The Senator says that the sitting Member from Maryland appointed by the governor filled the vacancy, and that, therefore, there is no vacancy in the office of Senator from Maryland. How long, under that appointment, does the Senator think Senator Jackson would be entitled to sit?

Mr. BRADLEY. I think he would be entitled to sit until the legislature which convened after his appointment elected his successor. If the legislature did not elect his successor and adjourned without any election, his term would necessarily end with the adjournment of the legislature. This has been the uniform rule adhered to by this body.

Mr. STONE. And that then there would be a vacancy?

Mr. BRADLEY. There would then be a vacancy.

Mr. STONE. Suppose the Legislature of Maryland did not pass any such statute as the Senator from Kentucky thinks ought to be enacted by the legislature of a State, then would there be a continuing vacancy, indefinite in length?

Mr. BRADLEY. Not by any means. The next legislature would fill the vacancy; but if the legislature failed to perform its duty and adjourned without filling the vacancy, then there would be no representation until the legislature met again.

Mr. STONE. Do I understand the Senator to say that the present Legislature of Maryland has power to elect a Senator?

Mr. BRADLEY. Certainly.

Mr. STONE. That it can elect him?

Mr. BRADLEY. Yes.

Mr. STONE. And that he can be commissioned to come here? Mr. BRADLEY. I say so, because it is filling the term of a Senator elected before the seventeenth amendment went into effect; and it is filled just as it has always been filled during a recess by the governor's appointment, and, when the legis-

lature meets, by an election by the legislature.

Mr. STONE. Then, if the present legislature should fail to elect, there would be a vacancy until another meeting of the

legislature of the State?

Mr. BRADLEY. Yes, sir. Mr. STONE. Which might not be, say, for two years—a new legislature?

Mr. BRADLEY. I mean until the end of Senator Rayner's term, of course.
Mr. STONE. The Senator means what?

Mr. BRADLEY. I do not mean that he would hold al-

I did not so understand.

Mr. BRADLEY. But I mean so long as Senator Rayner's term exists, there would be no representation, because, when the legislature adjourned, the sitting Member's power to act would cease and, the legislature having failed to elect, the State of Maryland would be without a successor to Senator Rayner by reason of its failure to act.

Mr. STONE. Until the next legislature met, as I understand

the Senator?

Mr. BRADLEY. Yes, sir.
Mr. STONE. That might be a year or two years away; and that legislature when it assembled would have power, notwithstanding the seventeenth amendment, to elect and commission a Senator for the full term of six years, it might be?

Mr. BRADLEY. Oh, no; I do not say that. I contend that the legislature would have the power to elect a Senator to sup-

ply the vacancy in the term of Senator Rayner.

Mr. STONE. But that vacancy might have then expired.

Mr. BRADLEY. Well, that would be the end of it; and the election would be held under the amendment by the people if his term had expired. The old provision of the Constitution has nothing to do with that; but the amendment steps in, and takes its place, and the people elect his successor.

Mr. STONE. I think I see.

Mr. BRADLEY. Mr. President, returning to this slipshod way of holding elections, we are referred to the case of Hoge in Pennsylvania. In that case the governor issued a writ of election only two days before the general election; Hoge was elected a Representative in Congress; and when he came here it was decided by the House of Representatives that he was entitled to his seat. There is a very great difference between that case and this. In that case there was a statute of Pennsylvania fixing the time, manner, and places of the election of a Representative in Congress. That election was held on the day fixed under the machinery and in the way pointed out by the statute. Hence it was that the House of Representatives ruled that Hoge was entitled to his seat; but in this case there is no statute-I quite agree with the Senator from Utah [Mr. Suther-LAND] as to that—providing for the election of a United States Senator in the State of Maryland. Consequently, when the governor called a special election he called it without any statute authorizing him to do so or any statute fixing the time, places, or manner of holding an election for United States Senafor.

Mr. STONE. Now, Mr. President, I am still curious. thought I understood the Senator, but I am not sure now that I

do. I think I understand the Senator to say that, so far as the present term, the Rayner term, so to speak, is concerned, the legislature would have a right to fill that vacancy. If they failed to do so at their present session and there should be another session of the legislature before the expiration of the Rayner term, the legislature could fill the remnant of that term by an election to the Senate; but if it should happen that when the next session of the legislature assembled the Rayner term had expired, the Senator says the legislature then would not have the power to fill it, but that the vacancy would have to be filled by an election by the people under the seventeenth amendment of the Constitution. Am I correct as to that?

Mr. BRADLEY. It would be held if there were any law to authorize it; but if there were no law of the State to authorize it, it would not be held, and the vacancy would continue until the legislature had fixed the time, place, and manner of holding

an election.

Mr. STONE. But there could be no election and the vacancy could not be filled unless the Legislature of the State of Mary-

land made some provision for holding an election?

Mr. BRADLEY. That is my position exactly. make such provision, then the vacancy would be filled by the people, while if they did not make it, it would be their own fault and due to their own negligence.

Mr. STONE. I now understand the contention of the Sen-

Mr. BRADLEY. Returning to the discussion-I shall detain the Senate but a very short while-concerning the case from Pennsylvania. In that case there was a statute providing for the election of Representatives in Congress. In the State of Maryland there is no statute providing for the election of a United States Senator, though there is a statute providing for the election of Representatives in Congress. The governor of the State is merely an executive officer; he has no legislative power; he can not make laws; he can not supply the absence of a statute; he can not arrogate to himself the power to call a special election simply because he is governor of the Commonwealth. He must act within the law, and his only power

is to execute law, not to make it

There is one point I have overlooked which I desire to touch upon. Suppose that one of the old Senators had died the day immediately preceding the day on which this amendment became valid and there was no statute in such State providing for a special election. If the construction contended for by the majority is correct, the only remedy would be for the governor to call a special session of the legislature to procure the enactment of a statute directing an election. Suppose that legislature should decline to empower the governor to make an appointment for personal or political reasons. The time consumed in giving notice of the meeting of the legislature, the time consumed by the legislature in enacting the law, the time consumed in giving the notice of election, in holding the same, and in the certification of the result would be, in all, four months. During all this time the State would be deprived of her equal suffrage in the Senate. We can not believe that the proposers of the seventeenth amendment intended any such result as this.

Mr. President, I have heard something about "the Republican governor of Maryland." The fact that he is a Republican governor neither adds to nor detracts from him. There is no political issue in this case. I am in favor of seating Mr. Glass, a Democrat from Alabama, because I believe the governor had the right to appoint him. I am opposed to seating Mr. Lee, a Democrat, because I believe the election was null and void and was held without any authority. Therefore, whether the governor of Maryland is a Republican or a Democrat amounts to The simple question is, What is the proper construction of this law?

I regret that the majority of the committee differ with me. I have a high respect for each of them. I have tried to satisfy my conscience that their conclusions were right; but under my oath to support the Constitution of the United States I can not do it, because I think their conclusions lead to a direct violation

of that sacred instrument.

Consequently I have made a minority report. Whatever the result may be in the Senate, I shall feel that I have at least conscientiously and honestly discharged what I believe to be my duty

Mr. ROBINSON. Mr. President, I desire to submit merely a brief statement concerning this case. It is not my intention to

detain the Senate by a prolonged argument.

The seventeenth amendment, changing the manner of choosing United States Senators so as to provide for their election by the voters of the States instead of by the legislatures, is, un-

fortunately, ambiguous in so far as its provisions relate to the filling of vacancies. Senators and lawyers generally who have devoted attention to the subject differ radically in their construction and application of the terms of the amendment as to the filling of vacancies in the terms of Senators chosen before the amendment became valid. These ambiguities and varying constructions have occasioned much discussion, which has not relieved the confusion surrounding the subject.

The States of Alabama and Maryland have been deprived of the services, respectively, of Senators Johnston and Rayner, both of whom were chosen before the amendment became effective. The Senate being the only forum having jurisdiction to determine the election and qualification of its Members, and being widely divided upon the subject, these two States have been compelled to construe the amendment for themselves, and to provide for filling these vacancies according to the judgment of those in authority in the respective States. It so happens that in Maryland it was determined that a special election was the proper method of choosing a Senator to fill the vacancy in Senator Rayner's unexpired term occasioned by the death of that Senator, and that in Alabama the governor, under the best advice he could obtain, decided that the old method was applicable in selecting Senator Johnston's successor, and that the duty of making a temporary appointment of a successor to Senator Johnston devolved upon him.

I have heretofore expressed the opinion, and supported it by arguments which seemed to me to be worthy of consideration. that, considering the seventeenth amendment as a whole, and other provisions of the Federal Constitution which have more or less direct relation to the subject, a special election is not contemplated in filling vacancies in terms where the initial Senators were chosen before the amendment was adopted. I still adhere to that opinion. However, many Senators take a different view of the matter. It appears that Mr. Lee was chosen in an election called by the executive authority of Maryland; that this election was acquiesced in and participated in by the persons most directly interested in the result, and by the people generally; that the election was fairly conducted; and that Mr. LEE is the choice of the people of Maryland for Senator; and he is so certified by the governor of the State of Maryland as both the governor's choice and the people's choice.

The exercise of the utmost fairness and good faith in the manner of selecting Mr. Lee as Senator seems to be generally

admitted.

Taking into consideration the provision in the Federal Constitution that no State shall be deprived of its equal representation in the Senate without its consent, it would seem unfair to the State of Maryland that Congress should draw an amendment in such ambiguous form as to be unable readily to define its meaning or to determine its application, and by a mere ambiguity override the fundamental principle of equal representation in the Senate for all the States, and thus accomplish what could not be done even by an amendment to the Constitution. In view of all these circumstances, it would seem to be fair, inasmuch as neither the amendment nor any act of Congress has defined the procedure clearly, to acquiesce in and accept the action of the State when admittedly taken in good faith. It would seem unfair to make Mr. Lee and the State of Maryland the victims of our own stupidity, if you please, in preparing and submitting to the people of the United States an amendment about which even lawyers in the Senate can not agree, and concerning the meaning of which we ourselves proceed to quarrel as soon as it has been adopted.

The VICE PRESIDENT. The question is on agreeing to the resolution reported by the Committee on Privileges and Elec-

Mr. VARDAMAN. On that I ask for the yeas and nays. The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). a general pair with the junior Senator from Pennsylvania [Mr. That Senator has authorized me to say that if he were present, he would vote for the resolution; and I am there-

fore released from the pair. I vote "yea."

Mr. SMOOT (when Mr. Gallinger's name was called). desire to announce that the senior Senator from New Hampshire [Mr. Gallinger] is unavoidably detained from the Senate. As I announced before, he has a pair with the junior Senator from New York [Mr. O'GORMAN].

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from California [Mr. Per-KINS], but he has authorized me to vote on this resolution. I therefore vote "yea.'

Mr. SMOOT (when his name was called). Mr. President, I never expect to cast my vote to deprive of a seat in this body a citizen who holds a certificate of election from a sovereign State as long as there is a doubt in my mind-

Mr. President, I rise to a point of order.

Mr. SMOOT (continuing). As to whether he was legally elected or not.

Mr. REED. I make a point of order, Mr. President.

Mr. SMOOT. Mr. President, I intend to ask the Senate to excuse me from voting.

Mr. O'GORMAN. I ask that the Senator from Utah be accorded unanimous consent to make a statement.

Mr. SMOOT. I have a doubt in this case, Mr. President, and I ask the Senate to excuse me from voting on this resolution.

The VICE PRESIDENT. Is there any objection to the Senator from Utah being excused from voting? The Chair hears none, and the Senator is excused.

Mr. SUTHERLAND (when his name was called). I am paired with the senior Senator from Arkansas [Mr. CLARKE], who is absent. I transfer that pair to the junior Senator from Maine [Mr. Burleigh] and will vote. I vote "nay."

Mr. RANSDELL (when Mr. THORNTON'S name was called). desire to announce that the senior Senator from Louisiana [Mr. THORNTON] is absent on account of illness. He is paired with the senior Senator from Connecticut [Mr. Brandegee]. If present and at liberty to vote, my colleague would vote "yea.

Mr. KERN (when Mr. TILLMAN'S name was called). Th

senior Senator from South Carolina [Mr. Tillman] is detained from the Senate on account of illness. He is paired with the senior Senator from Ohio [Mr. Burron]. If he were present and at liberty to vote, he would vote "yea."

Mr. WILLIAMS (when his name was called). I have a pair

with the senior Senater from Pennsylvania [Mr. Penrose]. transfer that pair to the senior Senator from Oklahoma [Mr. Owen] and will vote. I vote "yea."

The roll call was concluded.

Mr. O'GORMAN. I have a general pair with the senior Senator from New Hampshire [Mr. Gallinger]. I transfer that pair to the senior Senator from Nebraska [Mr. Hitchcock] and will vote. I vote "yea."

Mr. ROBINSON. I am paired on this vote with the junior Senator from Michigan [Mr. TOWNSEND].

Mr. SHEPPARD. I wish again to announce the necessary absence of my colleague [Mr. Culberson] and to state that he is paired with the senior Senator from Delaware [Mr. DU PONT].

Mr. CHILTON. I have a general pair with the junior Senator from Maryland [Mr. Jackson]. I transfer that pair to the junior Senator from Tennessee [Mr. Shields] and will vote. I vote "yea."

Mr. JONES. I have been requested to announce that the junior Senator from Michigan [Mr. Townsend] is necessarily

absent on important business.

Mr. MARTINE of New Jersey. I desire to announce a pair existing between my colleague [Mr. Hughes] and the junior Senator from New Mexico [Mr. Catron].

Mr. MYERS. Has the junior Senator from Connecticut [Mr.

McLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with that Senator. I transfer that pair to the junior Senator from Illinois [Mr. Lewis] and will vote. I vote "yea."

Mr. KENYON. I desire to announce that the senior Senator

from Wisconsin [Mr. LA FOLLETTE] is detained from the Cham-

ber by illness, and will not be present to vote.

Mr. KERN. I wish to announce the unavoidable absence of the senior Senator from Tennessee [Mr. Lea]. He is paired with the senior Senator from South Dakota [Mr. Crawford]. If present, he would vote "yea."

Mr. GORE. I desire to announce the necessary absence of

Smith, Ariz. Smith, Ga.

my colleague [Mr. Owen].

The result was announced—yeas 53, nays 13, as follows: VEAS-53

11235-00.					
Ashurst	Hollis James Johnson Jones Kenyon	Overman	Smith, Md.		
Bacon		Pittman	Smith, S. C.		
Bankhead		Poindexter	Sterling		
Borah		Pomerene	Stone		
Bristow		Ransdell	Swanson		
Bryan	Kern	Reed	Thomas		
Chamberlain	Lane	Saulsbury	Thompson		
Chilton	McCumber	Shafroth	Vardaman		
Clapp	Martin, Va.	Sheppard	Walsh		
Colt	Martine, N. J.	Sherman	Warren		
Cummins	Myers Newlands	Shively	Williams		

	N	AYS-13.	
Bradley Clark, Wyo. Dillingham Fall	Goff Lippitt Lodge Nelson	Page Root Stephenson Sutherland	Weeks
	NOT	VOTING-29.	
Brady Brandegee Burleigh Burton Catron Ciarke, Ark. Crawford Culberson	du Pont Gallinger Hitchcock Hughes Jackson La Follette Len Lewis	McLean Oliver Owen Penrose Perkins Robinson Shields Smith, Mich.	Smoot Thornton Tillman Townsend Works

So the resolution was agreed to.

Mr. SMITH of Maryland. Mr. President, I will state that the Senator elect, Mr. Lee, is present and ready to be sworn in.
The VICE PRESIDENT. The Senator elect will present himself at the desk and the oath of office will be administered.

Mr. Lee of Maryland was escorted to the Vice President's desk by Mr. SMITH of Maryland; and, the oath prescribed by law having been administered to him, he took his seat in the Senate.

COMMITTEE SERVICE.

On motion of Mr. KERN, it was

Ordered, That the Hon. BLAIR LEE, a Senator from the State of Maryland, be appointed chairman of the Committee on Expenditures in the Post Office Department, to fill the vacancy occasioned by the resignation of Senator Vardaman as such chairman on August 14, 1913.

COOPERATIVE AGRICULTURAL EXTENSION WORK.

Mr. SMITH of Georgia. I move that the Senate proceed to the consideration of Senate bill 2091, known as the agricultural extension bill.

The motion was agreed to.

Mr. SMITH of Georgia. Mr. President, the House of Representatives has passed House bill 7951, which is almost identical with Senate bill 3091. The Committee on Agriculture and Forestry has favorably reported the House bill with an amendment. I move to substitute House bill 7951 for Senate bill 3091.

The VICE PRESIDENT. Is there any objection? The Chair

hears none.

Mr. CUMMINS. I assume that after the substitution is made the bill will be open to amendment?
The VICE PRESIDENT. Oh, yes.

Mr. CUMMINS. If it is not, I desire to offer an amendment to that.

Mr. VARDAMAN. Mr. President-

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Mississippl?

Mr. SMITH of Georgia. I do. Mr. VARDAMAN. I should like to ask the Senator from Georgia to explain the difference between the House bill and the Senate bill for which he offers it as a substitute.

Mr. SMITH of Georgia. The first change made by the House bill is, on page 2 of the Senate bill, line 23, where in the House bill three words are omitted which appear in the Senate bill. They are the words "or his representative." The effect of that change is simply to require that the Secretary of Agriculture himself shall agree to the plans prepared by the representatives of the colleges of the respective States, rather than to permit one of his representatives to pass upon the question.

The next change is a change of verbiage on line 21.

Mr. VARDAMAN. On what page?

Mr. SMITH of Georgia. On page 3. It strikes out the word additional," in line 21, and adds, after "\$3,000,000," "in addition to the sum of \$480,000 hereinbefore provided for."

That is no change in the meaning of the bill, except to make the bill perfectly clear that the \$3,000,000 additional each year was to be stationary when reached, and not to increase beyond \$3,000,000. It makes it perfectly clear that the subsequent annual appropriations are to be \$3,000,000 annually in addition to the \$480,000.

The next change in the House bill is a verbal change on page 4, line 14, after the word "of," following the word "maintenance," the word "the" is inserted, so that it reads:

For the maintenance of the cooperative agricultural extension work. And, after the word "work," the words are added "provided for in this act." So that is a mere verbal change.

The next change in the House bill from the bill we have

before us consists in striking out section 4.

Section 4 provides:

That there shall be in the Department of Agriculture a director of cooperative agricultural extension work, to be appointed by the Secretary of Agriculture—

And so forth.

After further consideration of the measure it was determined that no such official position was required, but that as now organized the Department of Agriculture is amply able to care for the subject, and a still further reason existed why it was deemed best to leave out this newly to be created office. There is a plan for a considerable change in the organization of the Agricultural Department, and it was therefore thought best that no more statutory positions should at this time be created in the depart-

Mr. CUMMINS. Mr. President—
The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. SMITH of Georgia. Certainly.

Mr. CUMMINS. Has not the Senator from Georgia overlooked a very important change in the House bill when comparing it with the Senate bill? I refer to the proviso in line 15, on page 2.

Mr. SMITH of Georgia. Yes; that is right. It was not marked on the copy that I was holding. I will call attention to it. On page 2 the proviso is changed and another proviso is substituted. The Senate bill contains simply this proviso:

Provided, That in any State in which two or more such colleges have been or hereafter may be established the appropriations hereinafter made in such State shall be administered by such college or colleges as the legislature of such State may direct.

The language added is:

Provided further, That nothing in this act shall be construed to discontinue either the farm management work or the farmers' cooperative demonstration work as now conducted by the Bureau of Plant Industry of the Department of Agriculture.

Mr. BACON. If my colleague will permit me, I think, before going into those details, we ought to settle the status of this measure before the Senate. I understood my colleague simply to desire to call up the House bill and have it take the place on the calendar of the Senate bill. If that is his purpose, then the House bill will be before the Senate and will be open to amendment and to all these corrections. If it is offered now as a substitute for the Senate bill-

Mr. SMITH of Georgia. That is not my motion and that is

not my purpose.

Mr. BACON. I understood the Senator's purpose to be, exactly as he states now, simply to have the House bill take the place of the Senate bill on the calendar. I think that ought to be decided first, and then the bill will be before the Senate for the same action as that to which the Senate bill would be

Mr. SMITH of Georgia. Mr. President, my motion was not to substitute the substance of the House bill for the substance of the Senate bill, but to substitute on the calendar the House bill for the Senate bill. I was asked to explain the difference between the two measures, and I was responding to that request before the matter was passed upon.

Mr. CUMMINS. As I understand it, what the Senator from Georgia really intends to do is to take up the House bill from

the calendar and proceed to consider it.

Mr. SMITH of Georgia. The Senate has already taken up Mr. SMITH of Georgia. The Senate has already taken up the Senate bill. That was the bill with reference to which I gave the notice, and the notice was pending before the House bill was passed by that body. My motion is to substitute the House bill on the calendar for the consideration of the Senate in place of the Senate bill.

Mr. CUMMINS. It is to substitute the one bill for the other

Mr. SMITH of Georgia. Exactly, for consideration.
The VICE PRESIDENT. Would that result in the indefinite postponement of the Senate bill?

Mr. SMITH of Georgia. I do not know what would be the effect on the Senate bill.

The VICE PRESIDENT. The Chair is inquiring whether that is the purpose of the Senator from Georgia?

Mr. SMITH of Georgia. I am told by older parliamentarians,

Senators of longer experience here, that it will not.

The VICE PRESIDENT. That depends on what the purpose of the Senator from Georgia is, not on what older parliamentarians may think. Then the motion of the Senator from Georgia is simply to substitute the House bill on the calendar for the

Mr. SMITH of Georgia. My purpose is to substitute for imediate consideration by the Senate the House bill for the

The VICE PRESIDENT. Is there objection to substituting upon the calendar the House bill for the Senate bill and proceeding to the consideration of the House bill? The Chair hears none. The Chair lays before the Senate House bill 7951.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress the United States Department of Agriculture, which had been reported from the Committee on Agriculture and Forestry with amendments.

The VICE PRESIDENT. The first amendment of the committee will be stated.

The SECRETARY. In section 3, page 3, line 20, after the words "sum of," strike out "\$300,000" and insert "\$600,000," so as to read:

Provided further, That there is also appropriated an additional sum of \$600,000 for the fiscal year following that in which the foregoing appropriation first becomes available, etc.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

amendment of the committee.

Mr. SIMMONS. Mr. President, I wish to say that when this bill was before the Senate a few days ago for discussion, I proposed an amendment increasing the additional appropriation it provided for the first year and for each succeeding aine years from \$300,000 to \$500,000, and increasing the ultimate appropriation—that is to say, the amount to be appropriated at the end of nine years—from \$3,000,000 to \$5,000,000. This amendment was pending when the bill was laid aside.

Since that time the Committee on Agriculture of the Senate.

Since that time the Committee on Agriculture of the Senate has reported a proposed amendment, which I am advised by the Senator from Georgia he will offer, increasing the initial appropriation from \$300,000 to \$600,000, and annually increasing the appropriation by that sum for the next four years, making the ultimate appropriation \$3,000,000. That change on the part of the committee, though not all I would wish, is very gratifying to me, and I shall not now renew the amendment which I offered when the matter was formerly before the Senate.

Mr. CUMMINS. Has the Senator from North Carolina

noticed that when the committee increased the annual appropriation from \$300,000 to \$600,000 it decreased the number of years through which the appropriation was to continue to four

years?

Mr. SIMMONS. To four years, but-

Mr. CUMMINS. So the total appropriation provided for in the bill as now reported is no greater than the total appropriation provided for in the bill to which the Senator from North Carolina offered his amendment. The only difference is that we reach the \$3,000,000 amount sooner under this amendment than we would have reached it under the bill originally brought in. I hope the Senator from North Carolina will persist in his amendment so that the total appropriation will ultimately be \$5,000,000.

Mr. SIMMONS. Mr. President, I had not overlooked the fact stated by the Senator from Iowa. The total amount that will be appropriated at the end of four years under this bill is not as large as I would like to have it. I would like to see the additional sum of \$600,000 a year continued until it reaches at least \$5,000,000, as proposed in my amendment. But, as a matter of adjustment and compromise, I was disposed to accept the amendment offered by the committee, and my reason for that, I wish to state to the Senator, is that it has occurred to me from the beginning that the material matter in connection with this appropriation is to secure a larger sum for immediate use than the original bill provided.

I have not considered the amount of the ultimate appropriation as being of quite as much importance as the immediate appropriation, because I think the farmer is just now in greater need of this information and demonstration instruction than he will be at the end of 6 or 10 years. In other words, I think it is more important to have \$600,000 a year now instead of \$300,000 than it will be at the end of 10 years to have \$5,000,000 instead of \$3,000,000, and for the reason I shall state.

In other words, Mr. President, my idea is that the farmer just at this time stands in great need of the accumulated information of the department with respect to modern agricultural methods-and the quicker we could get it to him the better-and I think it is not a bad swap to abate the ultimate amount to be appropriated to secure a larger immediate appropriation, and therefore, by way of compromise, I have indicated to the Senator from Georgia my willingness to accept the proposition now proposed by the committee. Although it does not give all I desire, it gives more for the first three or four years, when, I think, the urgency will be greatest, than my amendment provided. At the end of that time, if the total amount appropriated is not sufficient, the situation could be met by supplementary legislation.

I do not think, speaking relatively, that the farmers will be as much in need of this demonstration work 10 years hence as they are to-day.

I felt that the farmers could reasonably afford to exchange a reduction of the ultimate appropriation for a larger immediate approved July 2, 1862, and of acts supplementary thereto, and appropriation, because now is the time when they most need this instruction and because before the appropriation made under the old bill reaches \$3,000,000 and before that under this bill reaches \$3,000,000 the farmers will have become so thoroughly familiarized with all the information and methods of modern culture that they will not need quite so large an increase in the ultimate appropriation provided in the original bill as they now need an increase in the initial appropriations.

I will say to the Senator from Iowa, however, that if he sees fit to move that amendment I shall vote for it, because I am in favor of it, and I am simply accepting this by way of compro-

mise and adjustment.

Mr. CUMMINS. I do not care to suggest an amendment if the Senator from North Carolina intends to offer one on the subject. If he does not offer one, I intend to offer an amendment to strike out "four" and insert "seven"; that is, that this con-

tribution shall continue seven years instead of four years.

Mr. SMITH of Georgia. Mr. President, the Senator from North Carolina [Mr. SIMMONS] has expressed some views with reference to this measure with which I do not agree. I do not agree with his view that we will not need later on a substantial sum to continue this work.

Mr. SIMMONS. I hope the Senator has not understood me to say that we would not need it.

Mr. SMITH of Georgia. I do not desire at this moment to eld. I think I will correct any misapprehension the Senator The Senator expressed a view that it was very important to increase the sum at present, and perhaps more important to have it now than later on, because he hoped or thought that 10 years from now as much would not be needed as is needed now. It is to that view of the Senator that I express my dissent.

With reference to the increase of this appropriation the facts are these: Two years ago this measure was brought before the are these: Iwo years ago this measure was brought before the Senate and the effort then was to begin with \$300,000 a year and increase \$300,000 each year. Under that bill \$900,000 would have been appropriated year after next. By delaying the passage of the bill we have lost those two years. After conference with those very familiar with the subject I believe we can easily find trained men ready year after next to handle an appropriation of \$600,000 from the Government and \$600,000 from the States. It was not necessary to begin with as small a sum as the original bill provided.

a sum as the original bill provided.

It is not simply, Mr. President, a question as to how much is now needed to do good work. It is a question of the colleges being able to obtain thoroughly trained men to do the work. We do not wish to begin this work with any except thoroughly trained men to do it. When the first bill was introduced two years ago, it was then felt that \$3,000,000 a year or \$6,000,000 a year spent throughout the country on this work would be splendidly spent if we had the trained demonstrators, the men prepared to go from the colleges into each county and do the teaching that we desire done; but we doubted finding the men prepared for the work. It would be extremely unwise to press selections faster than the trained men were found to do the

It was upon that idea that the presidents of colleges and the Department of Agriculture thought two years ago we should begin with only \$300,000 from the Government and \$300,000 from the States; but as two years have passed, and as much attention has been given to this subject throughout the States, and as men have been training for this work, and as more men have been prepared by the Department of Agriculture and the colleges of agriculture for the work, the opinion is that we can easily handle \$600,000 from the States and \$600,000 from the Government, and that we can advance at the rate of \$600,000 a

year instead of \$300,000 a year.

If the Senate desires to enlarge this appropriation beyond \$3,000,000, there is an exceedingly easy place to make the change. The bill as reported adds \$600,000 a year for four years. If that word "four" is changed to some larger sum, that would accomplish the result. I think \$600,000 a year from the States and \$600,000 from the General Government is about as fast as we will be able judiciously to handle the fund. If the Senate wishes to increase the amount, I think the best way to do it would be to continue the \$600,000-a-year increase a few Then we would simply substitute for the \$3,years longer. 000,000 the figures produced by the appropriation.

Mr. CUMMINS. Mr. President-

The PRESIDING OFFICER (Mr. KERN in the chair). Does

the Senator from Georgia yield to the Senator from Iowa?

Mr. SMITH of Georgia. Certainly.

Mr. CUMMINS. The Senator from Georgia will not have forgotten that I suggested that, if the Senator from North Carolina [Mr. Simmons] did not offer any amendment to the bill to correspond with the one which he offered to the Senate bill, I intended to offer an amendment striking out the word "four"

and inserting "seven," which would then carry the appropriation during a period of seven years.

Mr. SMITH of Georgia. I did not hear the suggestion of the

Senator

Mr. CUMMINS. I entirely agree with the Senator with regard to the propriety of making the increase gradually, and I

think \$600,000 each year is quite rapidly enough.

Mr. SMITH of Georgia. Two years ago the figures selected were not selected at haphazard; they were the result of careful consideration. This time we began the bill with the same language, but after conference and investigation we were satisfied that it was not necessary to start with so small an amount. We are two years farther along in the work of the colleges, in the work of demonstration through the Department of Agriculture, and in the selection and training of men fitted to do this work, and it was the opinion of the department, as well as of others with whom I consulted, that we could change the bill, and, beginning with \$600,000, advance at the rate of \$600,000.

When the bill was before the Senate a few days ago, I was opposed to any substantial amendment on account of the status of the House bill, and I yielded readily to permitting the bill to go over in order that the House bill might come to us and that we might make such changes in the House bill as we might desire; for if the House should not accept our amendments, of course we can go to conference, and we will at least get as much as the House has sent us. I am sure the Senate is for that

much, and I hope we will be able to get more.

Mr. SIMMONS. Mr. President, I regret that the Senator from Georgia seems to have misunderstood my position as stated to the Senate. Probably I was unfortunate and did not make myself very clear. I had not meant to say, because I do not believe it, that \$3,000,000 at the end of 5 years or of 10 years would be adequate or that the first annual appropriation of \$300,000 would be adequate. I think both inadequate, and I also think \$600,000 for the first year increased until it reaches about \$5,000,000 in seven years would still be inadequate. I myself would personally like to see the appropriation both in the beginning and at the end of the annual increases larger than originally proposed by the committee, or than was proposed in the amendment which I offered when the bill was previously before the Senate. But it is not a question of what I want, but a question of what I can get.

I understood from the Senator from Georgia that probably the House might stand for an annual additional sum of \$600,000 for four years, making it in the end an ultimate appropriation of \$3,000,000, although they probably might not be willing to stand for a greater ultimate sum than that. What I want is results, and I do not care to have the Senate pass a bill which probably will not be accepted by the House. What I meant to say, therefore, in my first statement was that I was more anxious that the appropriation during the next few years should be considerably increased over the original figures of the Senate committee than I was as to the ultimate amount that the appropriation would reach, because I think the emergency for this instruction and demonstration work is greater now than it will be probably 5 or 10 years hence. I base that con-clusion upon the idea that this character of instruction going on during 8 or 10 years will naturally familiarize the farmer with modern methods, and probably at the end of that time there will not be the same necessity for instruction that there is now, although, of course, Mr. President-and I did not mean to say to the contrary—we expect those who are at the head of the Agricultural Department in the Nation and those who are at the head of our agricultural colleges in the States to continue to evolve new methods and new systems and that the farmer will always be in need of instruction as to these new methods and discoveries.

Now, I want to say to the Senator from Iowa that I am still in favor of an ultimate permanent appropriation for this purpose of \$5,000,000, and if the Senator from Georgia does not think that the increase from \$3,000,000 to \$5,000,000 will seriously interfere with the passage of his bill, I should like to offer the amendment, because I think it ought to be made.

Mr. SMITH of Georgia. In the present status of the bill, it could not interfere with it. The bill would go to conference, and if we do not get from the House the amount desired, according to the terms of the Senate bill, we can come back here and recede if it be necessary. We are perfect masters, I think, of the situation. The reasons I gave on a former occasion for my objection are not applicable now, and I am perfectly willing, so far as I am personally concerned, to accept the sevenyear provision as suggested by the Senator from Iowa [Mr. CUMMINS]

Mr. SIMMONS. I shall, in view of the statement of the Senator, renew my motion to increase the permanent appropriation. I felt somewhat hampered about it, in the first instance, because I thought possibly the Senator from Georgia might think I had had an understanding with him that I would not make it, but in view of his last statement I do not feel bound by any supposed understanding between the Senator and myself, and I will make the motion for an increase.

DEATH OF HON. SHELBY M. CULLOM.

Mr. SHERMAN. Mr. President, I regret to announce the death of Shelby M. Cullom, for 30 years a Senator from Illinois. He departed this life this afternoon but a short time ago. I shall be unavoidably absent, and would like to ask leave of the Senate to be absent, that I may attend the funeral services.

The VICE PRESIDENT. Leave of absence will be granted,

without objection.

Mr. CLARK of Wyoming. Mr. President, I do not know that I ought to make a motion in view of the fact that the agricultural extension bill is now before the Senate, but the announcement which has just been made, it seems to me, comes with peculiar force owing to the fact that by it we learn of the death of a man who devoted the best years of his life to the service of his country in this Chamber. It seems to me that that announcement having been made the Senate ought to adjourn.

Mr. WILLIAMS. Mr. President, the sad tidings have just come to the Members of the Senate of the death of ex-Senator Shelby M. Cullom, of Illinois. He was so recently and for so long a time a Member of this body that I move the Senate do

now adjourn in honor of his memory.

The PRESIDING OFFICER. The question is on the motion of the Senator from Mississippi.

The motion was unanimously agreed to; and (at 4 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 29, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

Wednesday, January 28, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the fol-

lowing prayer:

We thank Thee, Infinite Spirit, our heavenly Father, for the intellectual, moral, and spiritual fiber which Thou hast woven and interwoven into our being, which has enabled us to solve to a degree some of the mysteries which environ us, to distinguish right from wrong, and to appreciate the beauty of

Help us, we beseech Thee, to think clearly, act nobly, and worship Thee in the beauty of lioliness, that we may reflect the image of our Maker in our character. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was

S. 4007. An act to authorize the Secretary of the Navy to enter into contract for use by the Government of dry docks at Hunters Point, San Francisco, Cal.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 48. An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes; to the Committee on the Ter-

S. 4007. An act to authorize the Secretary of the Navy to enter into contract for use by the Government of dry docks at Hunters Point, San Francisco, Cal.; to the Committee on Naval

WOOLGROWERS' ASSOCIATION.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by having printed the report of the committee on resolutions at the fifth annual convention of the National Woolgrowers' Association, held at Salt

Lake City, January, 1914.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to extend his remarks by printing in the Record the resolutions of the National Woolgrowers' Association. Is

there objection? Mr. BORLAND. I object.

RAILROADS IN ALASKA.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent that when the consideration of the bill H. R. 1739, the Alaskan railroad bill, is again reached it will be in order for the Committee on Territories, in lieu of the House bill, to call up for consideration and for report Senate bill 48—to authorize the President of the United States to locate, construct, and operate railways in the Territory of Alaska, and for other purposesunder the same limitations for general debate as apply to the House bill.

Mr. DAVENPORT. Mr. Speaker, reserving the right to object, I desire to inquire of the gentleman, if that consent is granted, will the bill be published so that by next Wednesday we may have the Senate bill, together with the amendments that were added to it in the Senate?

Mr. HOUSTON. The Senate bill will be printed immedi-

Mr. HOUSTON. The Senate bill will be printed immediately after this consent is granted.

Mr. DAVENPORT. I desired to know—

Mr. HOUSTON. It will be referred to the Committee on the Territories and printed.

Mr. UNDERWOOD. Is the gentleman correct about that?

If he substitutes the Senate bill—

Mr. HOUSTON.

We do not propose to substitute it now.

Mr. UNDERWOOD. Then would it not be better to keep it on the Speaker's table and have the usual number of copies printed?

Mr. DAVENPORT. That was what I was going to suggest, and not have it go to the committee.

Mr. HOUSTON. I think it would be better to have the bill

referred to the Committee on the Territories, that the committee may consider it and make amendments if they deem it necessary. They will have ample time to do this before the bill is reached again.

Mr. MONDELL. Mr. Speaker, reserving the right to object, it seems that this is rather an unusual request, asking those who are opposed to this legislation to expedite its passage by unanimous consent, to advance it in this rather unusual manner, when we are opposed to having it written into law. I do not see how we can consistently agree by unanimous consent to do something that we hope the House will not do by a vote.

The SPEAKER. Does the gentleman object?

Mr. MANN. Mr. Speaker, before the gentleman objects, let me make this suggestion: The House and Senate are both considering the same subject matter, in the form of a House bill in the House and a Senate bill in the Senate. I do not recall a case since I have been in the House where it has not been permitted to consider the Senate bill as it came to the House or in the Senate to consider the House bill if it came to the Senate first. It must be quite evident that if objection should be made it would clearly be the duty of the Committee on Rules to report rule, because otherwise there would be a delay in the consideration of matters and a duplication of consideration utterly unfair to the House and to the Senate. I hope the gentleman from Wyoming will not object. The House will then vote on the propositions involved.

Mr. HAMILTON of Michigan. As I understand, this means the substitution of the Senate bill for consideration from

Mr. MANN. After to-day.

Mr. MONDELL. It is a usual thing, and it is entirely proper, for gentlemen who are vigorously and earnestly opposed to legislation to put forth every effort to delay its enactment. Furthermore, so far as I am concerned, I hope to have an opportunity to speak to-day. I have never read the Senate bill; I have no idea what it contains, and I could not make a speech upon a bill which I have never read and that I know nothing about. Therefore, Mr. Speaker, I am constrained to object.

The SPEAKER. The gentleman from Wyoming objects.

PENSIONS.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bills S. 832, S. 833, and S. 834, each granting pensions and increase of pensions to certain sol-diers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sallors, with House amendments thereto, disagreed to by the Senate, and move that the House insist upon its amendments and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Missouri asks unant-mous consent to take from the Speaker's table the bills S. 832, 833, and 834, omnibus pension bills of similar titles, with House amendments thereto, disagreed to by the Senate, and move that the House insist upon its amendments to these bills and agree to the conference asked for by the Senate. Is there objection?

There was no objection.

The Speaker appointed the following conferees on the part of the House: Messrs. Adair, Russell, and Langham.

RAILROADS IN ALASKA.

The SPEAKER. This is Calendar Wednesday, and the House automatically will resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Alaska railroad bill.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1739, the Alaska railroad bill, with Mr. Harrison in the chair.

Mr. STAFFORD. Mr. Chairman, will the Chair kindly inform us how much more time remains for general debate?

The CHAIRMAN. Something over eight hours, and there are 31 applications for time.

Mr. Chairman, my recollection is that it stands at 8 hours and 40 minutes.

The CHAIRMAN. A little over eight hours. The gentleman from Washington [Mr. Humphrey] is recognized.

Mr. MONDELL. Mr. Chairman, do I understand that it is the intention of the Chairman to recognize me at the close of the remarks of the gentleman from Washington?
The CHAIRMAN. That is the intention of the Chair.

Mr. HUMPHREY of Washington. Mr. Chairman, as my time will be limited, and I have agreed not to occupy the entire hour, I will ask that I be not interrupted, especially upon anything that may lead to any controversy. I believe I will be able to answer more questions by being permitted to proceed. I do not want to be discourteous, but I want to cover the ground to as great an

extent as possible.

As a resident of Seattle for more than 20 years, I am proud of the part that she has taken in this great contest for the building of railroads in Alaska. The people of Seattle have done more than the people of any other community to bring to the attention of the country and Congress the riches, the resources, the promises, and the needs and rights of Alaska. is true Seattle will profit by the construction of railroads in Alaska, but she has earned her reward. Seattle has expended thousands of dollars in bringing this great Territory to the attention of the people. But for the work of Seattle this legislation would not at present have been possible. While Seattle has been working for herself she has been working for the benefit of the entire country, and especially has she been working to help the long neglected, helpless, and outraged people of Alaska. Seattle deserves and will receive the sincere thanks of every resident of that mistreated Territory.

It is especially fitting that Seattle, the first city of the great Northwest, should play a leading part in the development of Alaska. It was the Territory of Washington, by its patriotic and far-sighted pioneers, that caused the first action to be taken in the negotiations that finally led to the acquirement of Alaska. As a resident of the State of Washington, I am proud of that fact. In the year 1866 the Legislature of the Territory of Washington adopted a memorial in regard to Alaska, then a Russian possession, asking the President to negotiate certain fishing privileges along its shores, and asking that ships be sent to explore and survey its waters. That resolution is as follows:

To his Excellency Andrew Johnson, President of the United States:

To his Excellency Andrew Johnson,

President of the United States:

Your memorialists, the Legislative Assembly of Washington Territory, beg leave to show that abundance of codfish, halibut, and salmon of excellent quality have been found along the shores of the Russian possessions. Your memorialists respectfully request your Excellency to obtain such rights and privileges of the Government of Russia as will enable our fishing vessels to visit the ports and harbors of its possessions, to the end that fuel, water, and provisions may be easily obtained, that our sick and disabled fishermen may obtain sanitary assistance, together with the privilege of curing fish and repairing vessels in need of repairs. Your memorialists further request that the Treasury Department be instructed to forward to the collector of customs of this Puget Sound district such fishing licenses, abstract journals, and log books as will enable our hardy fishermen to obtain the bounties now provided and paid to the fishermen in the Atlantic States. Your memorialists finally pray your Excellency to employ such ships as may be spared from the Pacific naval fleet in exploring and surveying the fishing banks known to navigators to exist along the Pacific coast from the Cortes Bank to Berling Straits; and as in duty bound your memorialists will ever pray.

Passed the house of representatives January 10, 1866.

EDWARD ELDRIDGE,

Speaker House of Representatives.

Passed the council January 13, 1866.

Passed the council January 13, 1866.

This memorial was the first step in the acquirement of Alaska. It was on its presentation to President Johnson, in February, 1866, referred to the Secretary of State. The Secretary of State brought it to the attention of Mr. de Stoeckl, the Russian min-The Secretary also sent with it a communication urging the importance of some early arrangement between the two

countries that would prevent the growth of any future difficulties or misunderstandings. Immediately thereafter negotiations between the two countries followed that led within a short time to the purchase of Alaska by the United States. Certainly the people of the State of Washington have reason to feel that they have ever been the friends of Alaska, and that to-day they stand in a position where they are entitled to press her rights and her claims upon Congress and the people of the

EARLY HISTORY.

Alaska has a most romantic history. It was one of the few lands that came to Russia by right of discovery. The same master genius that made Russia a mighty empire was the one that caused the discovery of Alaska-Peter the Great. Peter himself had worked in a shipyard and had with his own hand been a shipbuilder. While his own land was shut out from the ocean his thoughts turned toward the sea. Even in that early day Russia was struggling for a port on the Pacific. Other nations of Europe at that time were pushing their campaigns of conquest. Peter the Great with his own hand penned an order directing his chief admiral to send an expedition to Kamchatka, and there or at some other place construct "one or two boats with decks." These boats were to be used for exploring the coast to see whether Asia and North America were contiguous. This expedition was also directed to inquire as to the situation of the coast and to keep an exact journal of their proceedings. The great Czar died in 1725, but Empress Catherine followed faithfully the wishes of her illustrious husband in this matter.

Under the command of Vitus Bering, a Dane and a navigator of experience, the expedition started by laud on the 5th day of February, 1725, upon their long journey across Siberia and northern Asia for the far-off Pacific shores. This is one of the remarkable land expeditions of history. At one time the members of the expedition were reduced to such extremity that they ate their boots, straps, and leather bags to save them from

starvation.

It was on the 20th day of July, 1728, or over three years, before the party was ready to embark in one small vessel upon their exploring expedition. On this trip Bering discovered one of the islands now a part of Alaska, but did not touch the mainland. He became satisfied that Asia and America were separated. Again he set out by land journey for St. Petersburg. which he reached once more in March, 1730, after an absence of over five years. Something was accomplished for Russia by this expedition, and the illustrious leader had engraven forever his name upon the maps of the world. Russia was not satisfied, however, and another expedițion is reported to have been made under the command of a navigator named Gwosdem. It is said that he reached some of the islands on the Alaskan coast.

Bering again volunteered to lead another expedition, and although this expedition was ordered in 1732, it did not leave the

attnough this expedition was ordered in 1432, it did not leave the eastern coast until June 4, 1741. On July 18, 1741, Bering first saw continental Alaska in latitude 56° 28'. This was almost under the shadow of Mount St. Elias. Bering says, "The country has terribly high mountains, covered with snow."

The other ship of this expedition, becoming separated from the one commanded by Bering, sighted the same coast on the 15th of July, 1741, in latitude 56°. This vessel was in command of Capt. Tschirikow. He anchored some distance from the steep and rocky cliffs and sent his mate with 10 men in the longboat The boat entered a little cove, and after waiting a conashore. siderable time, as the men did not return, the commander, thinking the boat might have been injured, sent the small boat with carpenters to look for it. The small boat disappeared in the cove. The captain saw from his ship a great smoke rising from the shore in the vicinity in which his boats had gone, and shortly two boatloads of savage natives came out near the ship and then put back to the cove that had been entered by the doomed sailors. The captain did not know the fate of his crew, but was powerless to help them. Neither boats nor men were ever thereafter seen or heard from. This is one of the many grim tragedies that were so frequent in the days of the early discoveries. This occurred somewhere near Sitka. The cap-tain, after indescribable hardships, having lost 49 of his 70 men, reached Kamchatka on October 9, 1741, and thence returned

Commodore Bering's ship was caught in terrible storms and was driven about by its fury for 17 days. At last the ship was dashed ashore on an unknown, unoccupied, barren island. Scurry came upon the men with all its horrors. Here upon this Here upon this lonely island, sheltered in a shallow ditch, his body half covered with sand in an attempt to keep from freezing. December 7, 1841, died the great sailor Bering, one of the heroes of history. This lonely island became his burial place. Russia, in ceding the Territory to the United States, most fittingly retained

this last resting place of her great explorer.

There were some four other discovery expeditions sent out by Russia. When it came to ceding Alaska to the United States it was found that Russia's title by right of discovery was beyoud dispute.

The earliest settlement in Alaska seems to have been made on Kodiak Island in 1790, where a Russian company was established under a Greek named Delareff.

ALASKA, THE "GREAT LAND."

In ending his great speech in the United States Senate in favor of the Alaska purchase Senator Sumner used these words:

words:

As these extensive possessions, constituting a corner of the continent, pass from the Imperial Government of Russia they will naturally receive a new name. They will be no longer Russian America. How shall they be called? Clearly, any name borrowed from classical history or from individual invention will be little better than a misnomer or a nickname unworthy of such an occasion. Even if taken from our own history, it will be of doubtful taste. The name should come from the country itself. It should be indigenous, aboriginal, one of the autochthons of the soil. Happily such a name exists, which is as proper in sound as in origin. It appears from the report of Cook, the illustrious navigator, to whom I have so often referred, that the euphonious name now applied to the peninsula which is the continental link of the Aleutian chain was the sole word used originally by the native islanders "when speaking of the American Continent in general, which they knew perfectly well to be a great land." It only remains that, following these natives, whose places are now ours, we, too, should call this "great land" Alaska.

And thus it was named. Since then facts have proven that

And thus it was named. Since then facts have proven that this is indeed the appropriate name. Alaska is the "great land" far beyond what even the great brain or the prophetic vision of Charles Sumner foresaw. Alaska is the land of mighty things, of infinite resources, of measureless wealth, of limitless opportunities.

SIZE OF ALASKA.

If you were to place the map of Alaska on that of the United States, while the southeastern end would touch the Atlantic the western end would touch the shores of the Pacific; its southern border would rest on Mexico and its northern border on Canadian soil. In our North American possessions Seattle is the center, geographically, east and west. In other words, it is as far west from Seattle to the extreme end of the Aleutian Islands as it is east to New York. Alaska in area is five hundred times larger than the State of Rhode Island and more than ten times larger than either Pennsylvania or New York. It is larger than 20 States of the Union combined. It is greater than Norway, Sweden, England, Scotland, and Ireland together. It is larger than Germany, France, and Spain combined. Alaska contains the mightiest mountain peaks of North America. It has the second greatest river in all the world in extent of continuous unobstructed natural navigation, exceeded only by the Amazon. It has a river that during the summer contains more fish-and these of the highest grade-than any other river on earth. Along its shores are found more fish than in all the other waters of the world combined. Government reports declare that on its banks to-day there are one thousand codfish for every one that ever was upon the far-famed banks of the northern Atlantic.

Upon Kodiak Island is one of the wonders of the world. Upon Kodiak Island is one of the wonders of the world. I had the pleasure of spending more than two months upon this island a few years ago. A little stream, the Karluk, is less than 25 miles long and only a few feet wide, yet at the company of t of this small river are annually taken more than \$3,000,000 worth of salmon as they come up from the sea to enter it, and still enough of them escape the fishermen's nets to so crowd this stream, on their way to the spawning ground, as to make it difficult to run upon the river canoes and rowboats.

Mr. SLOAN. Quite a fish story. [Applause.]
Mr. HUMPHREY of Washington. Alaska has an inexhaustible supply of coal. It has more gold, more copper, more furs, and more fish than any other country on the globe.

In scenic beauty it is the wonderland of the world. Crossing the White Pass Railroad, and then more than 2,000 miles down the Yukon, touching the Arctic Circle under the midnight sun, and then to the mouth of this wonderful river in the Bering Sea, is one of the interesting trips of this earth. When a railroad is built reaching the Yukon in Alaska this will become within the next decade one of the most popular summer trips of the tourist, and much of the wealth now expended in Europe by the pleasure seekers of this country will be more profitably expended in this land of the north and bring to the traveler greater pleasure and more fascinating experiences. The trip from Seattle to southeastern Alaska by the inside route, more than 1,000 miles in channels from a few miles to a few yards

and most rugged pictures of mountain and sea that can be seen anywhere from the deck of a steamer. All of this trip is made through water as quiet as a deep inland river and is never marred by storm or troubled sea. In fact, this is the only trip I have ever been able to make on salt water and never become unhappy.

CLIMATE.

Although Alaska has been an American possession for almost 50 years, ignorance of its climate is still widespread and

astonishingly prevalent.

I may say that some of the gentlemen opposed to this bill apparently have not attempted to enlighten the committee on this proposition. You can just as well step out in the cloakthis proposition. For can just as wen step out in the croak-room and look at the weather map and see it is below zero in Minnesota and come back and say you could not raise oranges in Florida because it is in the United States as to say that it is cold in southeastern Alaska because it is in northern Alaska.

To many of our people Alaska is synonymous with icebergs, eternal snows, and fur-enshrouded, shivering Eskimos. This general impression is always strengthened by looking at the map, many forgetting that distance north or south of the equator is not always an accurate measure of temperature. Fairbanks, with a winter climate as pleasant for human habita-tion as New England, possessing all the comforts of modern life, lies 1,500 miles north of New York. It is north of Labrador and 300 miles north of the southern end of Greenland. The average temperature of Nome, on the Bering Sea, during the winter is the same as that of Montreal.

The great interior of Alaska south of the Yukon River has a rainfall of 12 to 20 inches. It has a temperature in summer that sometimes reaches 90 in the shade and sometimes falls as low as 60 to 70° below zero in winter. But what we generally term "dryness of the atmosphere" makes these extremes of temperature far less trying than a climate of much less variation on the Atlantic coast. It is the universal testimony of tion on the Atlantic coast. It is the universal testinony of those having had the experience that a winter at Fairbanks or Tanana or Circle City is no more disagreeable than one in Maine, Minnesota, or Manitoba. Between this great interior region of vast valleys and plains and the Pacific coast are mighty mountain ranges. But these present no greater obstacle to the construction and operation of a railroad than do the Cascade Mountains in the United States.

The whole coast of Alaska washed by the Pacific Ocean has a

moderate winter and summer climate. The winter climate of Wrangell, Juneau, Skagway, or Kodiak is as mild as that of the city of Washington, while Sitka is warmer, the lowest temperature ever recorded there being 4° below zero.

The summer climate of southeastern Alaska is mild and en-tirely free from storms and winds; in fact, the summer climate of coastal Alaska is almost ideal—a continual delight—as dif-ferent from the torrid and debilitating summer heat of our National Capital as the climate enjoyed by Lazarus was dif-ferent from that endured by the rich man. On all the coast of Alaska bordering on the Pacific from Ketchikan to Dutch Harbor there is not a deep harbor but what is always free from ice and always opened to navigation.

The mountain regions furnish none but the ordinary barriers to the construction of railroads, while the difficulties in the interior region are no greater than that on our western plains,

I do not deem it necessary to go further into details regarding the physical or climatic conditions of Alaska, as what I have already said shows that the proposed railroads and the boat lines connected therewith at their ocean terminals can operate every day in the year. In other words, when the proposed rail-road is completed a trip can be made from Seattle to Cordova and from Cordova to Fairbanks with the same regularity and with the same comfort that a trip can now be made from Cordova to Seattle and then from Seattle to Spokane.

Mr. FRANCIS. Will the gentleman permit a question? Mr. HUMPHREY of Washington. Yes; although I had re-

quested that I be not interrupted.

Mr. FRANCIS. As to the climatic conditions and values in Alaska, I would like to understand why they have only 32,000 white population, and that is all that has gone in there since 1867?

Mr. HUMPHREY of Washington. I will answer that as I go along. I anticipate that most of the questions that might be asked will be answered by me.

Mr. GOULDEN. Just one question. Can the gentleman give us any idea of the lowest and highest temperature at Fair-

wide, often at the very base of mountains rising sheer from the water's edge thousands of feet, down the perpendicular sides of which dash countless streams, is one of the most magnificent drops as low as 50° or 60° below zero in the winter.

WHAT ALASKA HAS COST.

In the beginning we were to pay Russia \$7,000,000 for Alaska, but there were certain companies having certain claims and privileges, and the United States, in order to extinguish all these claims and have a clean and perfect title, agreed to pay \$200,000 additional, so that the purchase price of Alaska was \$7,200,000. The obvious considerations for that purchase at the time are summed up by Senator Sumner in the speech heretofore referred to in the following statement:

The interests of the Pacific States; the extension of the national domain; the extension of republican institutions; the foreclosure of adverse British possession, and the amity of Russia.

At the time of the purchase Alaska was referred to by many public men as "Seward's folly," and many believed that the expenditure would never bring adequate returns; just as to-day we still find some who think that Alaska will not justify the expenditure of \$35,000,000 for the building of railroads to develop it. Since we have purchased Alaska, in addition to the original price paid the Government has expended for various other public purposes in the Territory about \$29,000,000, or Alaska has cost in all about \$36,000,000. About one-half of this amount has been returned to the National Treasury directly by Alaska; so that to-day, all told, this Nation has invested in Alaska less than \$20,000,000. Think of that sum in comparison with what the Philippines have cost us and then think what we have done for the Philippines have done for the Philippines and what we have done for Alaska and what is proposed to be done for Alaska now. If the white man in Alaska during the last 10 years could have received but a fraction of the assistance the brown man in the Philippines has been given, Alaska would be paying annually many millions and we would not have had in that Territory a population whose loyalty to the flag is to be measured by the number of American soldiers in sight, and whose gratitude is in inverse ratio to the favors received. What have the people of the United States received from Alaska in return for the \$20,000,000 invested? What wealth has Alaska added to the world since the flag of the United States went there? Since 1867 Alaska has produced as follows:

More than \$200,000,000 in gold. More than \$150,000,000 in fish. More than \$75,000,000 in furs. More than \$10,000,000 in copper.

To say nothing of other products. In all, she has produced more than \$500,000,000. It has given more than \$25 for every one paid by the Government. Surely, in view of this showing, we can afford to invest a little more Government money in that

And remember that this vast sum of \$500,000,000 has been produced by but a small number of white inhabitants. For several years past the annual production of Alaska has been more than \$40,000,000, and this in spite of the fact that its resources have been locked up as absolutely as it was possible for the authorities to do, with an utter disregard for both law and justice. This vast wealth has been produced by a population containing but 35,000 white inhabitants. This is probably by far the greatest per capita production of any country in the world and demonstrates the natural wealth and great resources of Alaska. And this wealth, as I have stated, has not only been produced without Government aid or encouragement, but in spite of lawless Government interference and opposition and under circumstances that would have brought discouragement and complete ruin to any other land. With the building of railroads there will within the next 10 or 15 years certainly come to Alaska not less than 250,000 people. Her annual production will not be less than \$300,000,000. The output of gold alone will surely not be less than \$100,000,000 a year. These figures are not only conservative, they are far below what every present fact and circumstance would warrant.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield? The CHAIRMAN. Does the gentleman from Washington yield to the gentleman from Texas?

Mr. HUMPHREY of Washington. I will have to refuse to

The CHAIRMAN. The gentleman declines to yield. GOLD,

Mr. HUMPHREY of Washington. Basing my predictions upon known facts, I believe that Alaska will not only produce more gold during the next 50 years than any other country but in all probability that she will produce more gold than all the rest of the world.

Generally speaking, Alaska may be divided into 12 great gold districts, based upon the discoveries already made. This does not include many small fields that have been worked to some extent. Four of these fields are near the seacoast in southeastern Alaska, seven are in the interior, and one faces on Ber-

The most important on the Pacific side is the Juneau ing Sea. region. There are at present in this field four great producing The Treadwell group has been producing for many years. They have produced a total of about \$55,000,000 up to They- estimate that their annual productions hereafter will be between five and six million dollars. Their ore runs in richness from \$2.50 to \$3 per ton.

Near the Treadwell group is the Alaska Gastineau mine. Between four and five million dollars has already been expended in getting this mine ready for operation. This will be, when completed, the largest mine in the world, so far as the amount of ore used is concerned. The ore will be low grade, running about \$1.50 to the ton. The capacity of this mine will be 20,000 tons per day. They expect to produce, when running at full capacity, about \$10,000,000 per year.

The Alaska Juneau mine is another group that will handle about 12,000 tons of ore per day. Its annual production, it is estimated, will be about \$6,500,000.

The Ebner group estimate that their annual output will be

about \$4,000,000.

The total annual output of these four mines within the next four or five years will therefore be over \$25,000,000. This will make the Juneau field the second largest gold-producing region in the world, and yet all of these mines are situated within 5 miles of each other in the center of a ledge 25 to 30 miles long, 500 feet wide, and running up to 2,000 feet above sea level. How far it goes below the sea no man knows.

The Treadwell ore has increased in richness gradually with

the depth of the mine.

In estimating that the future output of this region will be \$25,000,000 per year, I have not taken into account that other mines may be established along the 20 miles or more on the same vein, containing practically the same kind of ore. Each of those now there that I have mentioned have in sight suffi-cient ore to run them at full capacity for 100 years. One of the great mining engineers of the world has said that the amount of ore in this Juneau region is practically without limit and its value beyond computation. And yet how little the people of the United States know of this marvelous region and of its stupendous riches. You do not find much about it in the popular magazines—too much gold and too little scandal. The facts concerning it can only be had from technical mining journals.

The next region on the coast includes the mines near Ketchikan, at Berners Bay, Eagle River, and Chichagof Island. All these mines are producing, but the output I do not know, although it is not large.

The next field is around Prince William Sound. Here there are two or three producing mines. These mines are small, but the prospects are very favorable, the ore being far richer than that in the Juneau region.

The Willow Creek district is situated 30 miles from tidewater. In this field is to be found some of the most promising gold mines in Alaska, but the transportation problem so far has prevented much development.

There has also been considerable mining done in years gone by on Kodiak Island both in the ledges and along the beach. There is little, however, being done there at the present time.

INTERIOR REGION.

The greatest of the interior regions measured by our present knowledge is that great section lying between the Yukon and Tanana Rivers. The vastness of this region may be better understood when you know that it is approximately 400 miles long and 100 miles wide. This region has already produced \$75,000,000. In this vast region everywhere is found in immense quantities gold-bearing gravel. Its inaccessibility makes impossible the working of any but the very richest. None can be profitably worked to-day that carries less than \$1 a square yard. The average so far has been \$3 per yard. It is a conservative estimate that there is ten times as much gold in the low-grade gravel below \$1 a yard as there is in the gravel that will produce above that amount. This gives you some conception of how much this region may produce, after transportation facilities are provided, from the gravel already known, especially if you will but remember that that gravel has already produced \$75,000,000 from gravel that averaged \$3 to the yard, and that in California gold is now being profitably produced from gravel bearing only 6 cents per yard. The prophecy of mining men that the now known gravel in this great region will in the future years produce a billion dollars seems to be based on a certain foundation. But this region is no richer or greater in its gold-bearing gravels than it is in its gold-bearing ledges. These ledges contain unlimited quantities of ore, some of them of great richness, but in this interior region some ores from gravel bearing only 6 cents per yard. The prophecy of

develop it.

known to contain \$20 to \$25 per ton remain untouched because its inaccessibility makes it unprofitable to work. In many places in this great gold field ore containing less than \$100 per ton can not be mined. And yet remember that while this rich ore containing \$20 to \$25 to the ton under present conditions is of no value, still on the seacoast at tidewater ore carrying \$1.50 a ton is being worked with profit, and the only difference between this rich ore inland and the low-grade ore at Juneau is

the difference in transportation facilities.

Out of this great region between the Yukon and the Tanana alone will come enough gold every year, after reasonable transportation facilities are established, to pay in full the amount expended by the Government in the construction of all the railroads in Alaska contemplated by this bill. Many mine experts claim that this region will prove to be the greatest mining region in future years in the world. A man who has had the actual experience of constructing and operating railroads in Alaska and who knows this great gold-bearing region from personal knowledge and who is as well qualified to give an opinion as any living man told me the other day that if the Government would give him a lease on the gold properties in this field for a period of 50 years and charge him a 10 per cent royalty, that he could secure \$75,000,000 in 60 days to build railroads to

In this region to-day are found the towns of Fairbanks, Hot Springs, Rampart, Eagle City, Fortymile, and Tenderfoot.

NORTH YUKON REGION.

The known gold-bearing region north of the Yukon contains about 30,000 square miles. It has produced about \$5,000,000. This region has gold-bearing gravel and ledges of enormous extent, but only the bonanzas can be worked, owing to its remoteness and the tremendous cost of transportation. This region will not be penetrated, but it will be touched and greatly assisted by the proposed railroad. In this section are found the camps of Coldfoot, Wiseman, and Bettles.

IDITEROD REGION.

The Iditerod district contains only about 5,000 square miles. It has produced about \$15,000,000. Like the other regions of the interior already mentioned, it contains everywhere goldbearing gravels and ores. This region is handicapped, as are the others, because of inaccessibility, but it will be penetrated and greatly helped by one of the proposed railroads.

MOUNT M'KINLEY REGION.

The Mount McKinley or Bonnifield district contains about 20,000 square miles. It has produced about \$1,000,000. This field will certainly have a rapid development after the construction of the proposed railroads, as it will be cut into by one of the great trunk lines. Its gravels are similar to those of the other interior districts. Its gold-bearing ledges are the greatest that have yet been found in all of Alaska. No other region in the Territory promises greater results or more rapid development from the building of the railroads. This region contains the greatest coal fields of Alaska. Nothing but transportation is needed to develop the wonderful riches of this wonderful district.

THE CHILLISTONE DISTRICT.

The Chillistone district is a small one, containing only about 100 square miles. It has both gold and gravel ledges. been producing about \$250,000 per year. Lack of transportation alone prevents its development.

SLATE CREEK.

The Slate Creek field has an area of 1,000 square miles. Its production has been small, but it contains very extensive tracts of gold-bearing ledges and gravel. Owing to the lack of transportation facilities and its remoteness, its ledges can not be worked at all and only its richest gravel.

CHISANA.

The new Chisana district is very similar to the Slate Creek district. It is destined to develop great riches if it can but secure transportation facilities. Under present conditions its production is small.

SEWARD PENINSULA.

The regions that I have mentioned complete the list of the best-known gold fields of Alaska, except those on the Seward Peninsula. These are among the greatest of the Territory. This region, however, contains only about 15,000 square miles. It has one of the richest fields in all Alaska, and has already produced \$70,000,000. The gold-bearing gravel of the Seward Peninsula in extent is about the same as that of California. Some think its ultimate production of gold will equal that of California. Two-thirds of all that this region has produced has come from a little crescent-shaped stretch of sea beach at Nome, about 25 miles long and 2 or 3 miles wide. Mr. F. A.

Richards, of London, a very eminent engineer, estimates that this small crescent-shaped strip will give an average yield of 25 cents per cubic yard. The average yield for the three dredges now at work there during the past season was 50 cents per cubic yard. If Mr. Richards's estimate is right, then this beach at Nome alone contains a billion dollars. There are many gold-bearing ledges on the Seward Peninsula.

Mr. COOPER. Will the gentleman point out the location of

Nome on the map?

Mr. HUMPHREY of Washington. It is here at the point I indicate. I have tried to sketch in brief outline the promised riches in gold that Alaska holds. The tidewater mines along the Pacific coast are a factor to be considered in the construction of railroads into Alaska, for with the railroads built, the coast cities built up by these mines can get their coal from Alaska for much less than they now get it, when they are compelled to purchase it from various parts of the world.

There is also a factor to be considered in regard to freights, not only on the railroads but also in relation to water transportation lines. To some extent the development of the interior may also enter into the question of the future food supply of the

seacoast communities.

But the vast riches of the great interior regions must remain locked up and of no value until the railroads come. Only the most meager development can possibly take place without them. At Johannesburg, in South Africa, \$170,000,000 in gold is being annually produced from ore running \$8 per ton. Countless millions of tons of far richer ore is already known to exist in the interior of Alaska. Johannesburg lies 500 miles from the seashore, in a barren, sun-scorched desert. It has to import all of its fuel, its timber, and its food.

In mining gold at Coolgardie, in Australia, situated in a waterless, treeless waste, the entire water supply is pumped

from wells situated 350 miles away.

Alaska possesses every advantage over Johannesburg in producing gold from ore except transportation and cheap labor. Out on the coast of Alaska millions are being taken from ore that runs from \$1.50 to \$3 per ton, while in the interior an almost unlimited amount of ore running from \$5 to \$25 per ton can not be worked. The sole difference between these interior regions and Juneau is one of transportation. There is no gold field in the whole world where gold can be taken from the ore under conditions as favorable as those in Alaska, except only California. There are millions of acres of gravel in the interior of Alaska containing from 25 cents to \$1 per square yard of gold that can not be touched to-day solely because of the lack of transportation. Yet, in California, fortunes are being made from gravel bearing 6 cents per yard.

Mr. WILLIS. Will the gentleman yield?
Mr. HUMPHREY of Washington. For a brief question.
Mr. WILLIS. The gentleman has used the expression square yard." Does the gentleman mean square yard or cubic

Mr. HUMPHREY of Washington. I mean cubic yard.

With railroads in Alaska transporting supplies at a reasonable rate, there will be many Treadwells spring up in the interior, and it is probable that another Johannesburg will be duplicated, while from the gravels will come more of the precious minerals than California has yet produced.

To the public mind gold mining is a transient business, surrounded with romance and glamor, and suggests only sudden great riches. It is true the bonanzas are short lived, produce prodigiously for a time, attract great attention, and then end. But this is only the romantic side of gold mining and furnishes but a small part of the world's great gold supply. Generally speaking gold mining may be called a permanent business. California has been producing gold for 64 years and taking her total production last year gives its average quota about \$20,-000,000. It is also worthy of note that out of 75 counties in California, 35 of them last year produced gold.

Gold mining in Spain has been carried on continuously for a thousand years, and it is reported that the mines of Solomon

are again to be worked.

Of course, no man can mathematically measure what the gold production of Alaska will be under proper development, but if we can forecast the future of Alaska by the history of the other gold-producing regions of the world, then it seems certain that with a reasonable system of transportation and with those who go there to develop her mines receiving the same encouragement and assistance that men have received in every other part of the earth under similar conditions that within a few years the production of gold in Alaska will be \$200,000,000 annually, and that this production will continue for a century to come.

Shall we now hesitate to commit the Government to spend a

sum that is a mere pittance compared with the wealth that the

return upon it promises? Wealth in its most attractive form, for which, from the dawn of civilization, nations and men have dreamed, struggled, and suffered, have endured every hardship and privation, dared every danger and obstacle, defied every law, endured every anguish and agony, betrayed every trust, violated every obligation, worshiped and cursed every god, perpetrated every cruelty, and committed every crime.

COPPER.

Around Prince William Sound and along the Copper River, all forming one district, is one of the largest, if, indeed, it be not the largest, copper region in the world, both in extent and richness of its ore. The mines on Copper River are not producing, owing to the lack of transportation facilities either to ship their ore or to secure coal to smelt it. The Kennicott and Beatson, the Elmar, and the Midas are all producing mines and all are situated at or near tidewater. There are also other mines that operate.

Last year the value of the copper produced by the Alaska mines was \$5,000,000. It is most remarkable that they produced anything. Only the richness of the ore and being located on tidewater made it possible. Here in this region we have the only known copper mines on earth located at the ocean's edge.

A few years ago I visited the Beatson mine. We walked up the hillside a few rods from the beach. There we saw the face of a great cliff, solid copper ore, millions of dollars worth in plain view. The miners placed the ore in small tramcars. These cars were then released and they ran by gravity to the side of an ocean steamer-something that can not be duplicated in all the world except in Alaska. These mines on Prince William Sound ship about 4,000 tons a month. Part of this is shipped to Tacoma, 1,200 miles, where is meets coal brought from the Atlantic Ocean, 12,000 miles, which is used to smelt it. Some of this ore is brought to Seattle, 1,200 miles, then shipped by rail 3,000 miles to New Jersey to be smelted, yet the coal for smelting this copper is within a few miles of the copper mines producing it. But for seven years any man who even dared suggest that Alaska coal be used for this or any other purpose has been regarded generally by Government officials as an undesirable citizen and immediately suspected of being a criminal, and was, indeed, fortunate if he escaped with his reputation and without being prosecuted.

Under such conditions only high-grade ore, even when mined at the side of an ocean-going ship, can be handled. No Alaska ore giving less than 200 pounds of pure copper to the ton is used. Even ore this rich is handled but little, and only that giv-

ing 300 pounds or more is generally shipped.

In Montana, Utah, and Arizona ore giving 40 pounds to the ton is worked with profit, and yet the natural conditions for producing and handling ore in Alaska are more favorable than in any of the States named. Alaska has equal advantages in the way of coal for smelting and better advantages in the way of transportation.

There can be no question that the building of the proposed railroad will be the direct cause of great copper production in this region. Transportation will produce the only thing necessary to handle the copper ore with great profit, and that is coal. Experts who have given the matter attention predict that within a very few years Prince William Sound will become one of the great copper-producing centers of the world. They believe that on its shores within the next 15 years will be a city containing a population as great as that of Butte, Mont., and producing as much copper. We may call this a dream, but the facts known demonstrate that it is almost certain to be a wonderful reality.

OTHER MINERAL RESOURCES.

Petroleum has been found in many parts of Alaska, the bestknown region being the Katalla fields, near Comptroller Bay. This region contains about 100 square miles and is producing in considerable quantities, sufficient to meet local uses. The oil is of the highest quality, having parafine bore. This type of oil, of which gasoline is a product, is constantly becoming more valuable.

Tin occurs in many places in Alaska, both as placer tin and in lodes. On the Seward Peninsula alone tin is said to occur over an area of more than 450 square miles. There are many other places in Alaska where tin is found. The official report says that Alaska exported in 1912 \$90,831 worth of tin.

Iron has been found in several places in the Territory, but under present conditions none has yet been found that can be profitably worked.

Mercury occurs along the Copper River Valley and in the Iditared regions. It has also been discovered in the Kuskokwim Valley

Lead has been discovered in the Ketchikan district, and also on the Seward Peninsula, but none of it has been mined.

Antimony of high grade has been found in the Seward Peninsula and in the Chitina Valley, being associated with native gold. It is, however, of practically no present value, owing to the absence of smelting facilities.

Platinum has been found in small quantities in the sluice boxes of the many placer camps. It is probable that this very valuable metal will be found in considerable quantity when the country is more thoroughly explored.

AGRICULTURE.

When you ask what are the agricultural possibilities of Alaska, the best possible answer is to see what has been done in other parts of the world under similar conditions. We have a most striking and convincing example of what may be done in Alaska in what has been done in the countries of Norway, Sweden, and Finland. Take the map of these countries and put it on the map of Alaska and you will find that their combined area is about four-fifths of that of Alaska. The latitudes are identical. The general climatic conditions are almost the same. The southern part of Sweden has some land along the coast that is probably better for agricultural purposes than any in Alaska. On the other hand, the great territory in Alaska along the Copper and Tanana Rivers is far better for agricultural purposes than any of the interior portion of either of the three countries named. In these European countries the interior is largely mountainous, and there is nothing that compares with the great stretch of territory of low and comparatively level land in the valleys of the Yukon, the Kuskokwim, the Copper, and the Tanana Rivers, and their tributaries.

In all the European countries mentioned there are about 6,000,000 acres under cultivation and a like amount in grass or pasture, making in all 12,000,000 acres of agricultural land in the three combined.

In Alaska there are a hundred million acres of the same character of land under practically the same climatic conditions, or more than eight times as much.

Prof. J. W. Neal, of the Department of Agriculture, after a reconnoissance survey, reports that in the valley of the Tanana alone, including tributary valleys leading therefrom, there are 9,700,000 acres of agricultural land, or an amount two-thirds as great as all of the cultivated and grass lands combined of Norway, Sweden, and Finland.

In view of these comparisons in size and climate of agricultural lands, it is interesting to note what these three countries of northeastern Europe have done in the way of agriculture with one-eighth of the land suitable for this purpose that Alaska possesses and of no better quality. Their annual crop, judged by that of 1906, is approximately as follows:

Wheatbushels_	6, 200, 000
Ryedo	29, 500, 000
Barleydo	21, 900, 000
Oatsdo	97, 000, 000
Potatoesdo	95, 500, 000
Haytons_	5, 934, 000

In the same year these countries possessed the following live stock:

ı	Horses	1, 056, 000 5, 214, 000
1		
1		3, 319, 000
1	Hogs	4, 118, 000
1	Goats	368, 000
1	Reindeer	584, 000

Of course, it is not contended or expected that the agricultural products that will be produced in Alaska within a few years after railroads are built will be eight times as great as those of the countries named, but it certainly should within a reasonable time, with eight times as much land, equal that which these countries produce.

which these countries produce.

These countries have about 10,000 miles of railroad. I have been informed that 80 per cent of the freight traffic of these railroads consists of coal and wood, mostly coal, and all of it imported. Think of the great handicap in the way of fuel that these countries are under as compared with Alaska with its inexhaustible coal supply!

They have a population of 10,000,000.

Seward, Cordova, Valdez, and Skagway are along the sixtieth parallel of north latitude. They are mere villages. Along the same parallel is found Christiania, with 200,000 population; Stockholm, with 275,000; and St. Petersburg, with over 2,000,000.

But to continue the comparison between Alaska and the Scandinavian Peninsula. While the conditions for agriculture, except in the amount of land, are practically the same, here the equality ceases. In all other resources, except timber and water power, there is no comparison. In its fisheries Alaska surpasses those of these countries beyond all computation. There is no coal, no copper, and no gold in these countries. In all these Alaska is perhaps as rich as any other portion of the world. Alaska is what may be termed "a country of re-

markable balance." It has diversified resources widely scattered. Gold and coal are found over a vast area. This fact must not be overlooked in considering the development of Alaska, and especially its agricultural resources. When a gold camp is established, especially of low-grade ore, or a copper mine opened up, near them will always be found coal to furnish the heat and light and power. Around these mines a town or city will spring into life, and around these towns are agricultural lands that will produce the vegetables, the grain, and the live stock to largely meet all local demands. Each of these industries wait on each other and all wait on transportation. The very moment that the products of the mines can be economically transported, that moment all Alaska problems are easy of solution. All that will then be necessary will be for the Government to remove the ban now placed on private enterprise in Alaska and treat the people of that Territory as it treats its citizens in other parts of its domain and Alaska will develop and prosper beyond the hopes of its most enthusiastic friends. All over Alaska will spring up towns and vilages, their inhabitants engaged in wresting from the earth its wealth of copper and gold. Around each of these communities will be found gardens and fields and meadows.

In the development of Alaska agriculture will wait on mining. Here lies the great value of Alaska from an agricultural standpoint. Alaska will not raise for many years to come products to help feed the rest of the world, but she can largely feed her Alaska in the development of her inexhaustible mineral wealth will be largely self-sustaining. Her coal mines will furnish the light and the heat, her forests the timber, her fields and her waters most of the food. It is true that agricultural products for many years to come will directly furnish but little of the tonnage of her railroads; indirectly it will play a great The mines will furnish most of the tonnage in Alaska, as they do in the United States. Even in agricultural portions of our country agricultural products are but a small part of the railroad freight. Only 14½ per cent of the total freight on the Great Northern Railroad, an agricultural road, is agricultural products. Mining products furnish 381 per cent of all its Only 181 per cent of the freight hauled by the Burlington Railroad is made up of agricultural products, while 63.77 per cent is furnished by the mines. It is estimated that 50 per cent of all the freight tonnage in the United States comes from

REINDEER.

I believe that the reindeer is destined to be one of the great factors in the future settlement and development of Alaska. well remember 20 years ago, when Dr. Sheldon Jackson first talked of getting reindeer for Alaska. It was treated very facetiously by most people. It is quite natural for the human species to mistake their own ignorance for ludicrous actions in others. A small herd of reindeer was sent to Alaska in 1892. A small nerd of reindeer was sent to Alaska in 1892. As a recall, this was partly paid for by private contributions. All told, 1,280 head have been sent into Alaska. This number has now increased to over 38,000. The herd has a value of \$930,000. The total income has been over \$200,000, and this does not include the 3,700 owned by the Government. The 24,000 owned by natives brought them last year a return of \$44,885 in additional to the state of \$40,000 owned by natives brought them last year a return of \$44,885 in additional to the state of the properties. tion to the meat and hides that they used themselves.

The total amount so far expended by the Government in relation to the reindeer has been \$292,000. Certainly this has been a most wise and paying investment, when it is remembered that these natives constantly require support from the Government. There are literally millions upon millions of acres in Alaska suitable for raising reindeer. All that great portion of the Territory around the Kuskoquim River is especially fitted for this purpose; also the great territory in the Seward Peninsula; in fact, almost anywhere in Alaska. It would be a modest estimate to say that 10,000,000 reindeer could find room to feed in Alaska on land that will probably never be used for any other purpose. animal can be raised, and no feeding or shelter is required, either winter or summer. They appear to thrive best in winter and to grow fattest at this time from the moss they dig from under the snow. There are countless thousands of wild reindeer in Alaska to-day, generally called caribou. Herds of caribou consisting of from two to three hundred thousand are often reported, while herds have been seen, according to most reliable witnesses, containing more than 1,000,000.

The reindeer is destined to not only help settle the question of a food supply in Alaska, but it is also an animal that can be raised in Alaska and sold to the outside world. The meat is of high quality. A good many carcasses of reindeer could be shipped to the Pacific Coast States now if some adequate provision was made to properly handle and slaughter the animals. The supply has already outgrown the local demand, and the

a number each year. Last October, when I was in Seattle, this meat brought from Nome was on the market and sold readily at good prices. Here is a promise of an almost inexhaustible meat supply, and the demand for it is practically without limit.

It is imperative, however, that there should be a change in the system of raising reindeer in Alaska. Up to this time only natives, the missions, the Lapps, and the Government have been permitted to own or raise reindeer. The time has come when this system must be changed. White men must be permitted to engage in this industry. When the white men commence the raising of reindeer, then will come proper methods of breeding and herding.

To raise this meat-producing animal costs nothing, winter or summer, for feed or for shelter—the only cost is in herding. With modern methods sure to be introduced if the whites are permitted to engage in this business, I regard as certain that Alaska will in the future send this choice meat, as she now sends her fishes, to every part of the world.

COAL FOR THE NAVY.

One direct benefit that would come to the Nation by the construction of these railroads in Alaska would be to furnish coal for the Navy. To-day we send coal from the Atlantic to the Pacific for the use of our Navy. This costs a million and a quarter annually more than it would if the Navy used Pacific coast coal. This coal is carried in foreign ships, manned mostly by Chinese crews. These foreign vessels in the beginning carried coal for the Government for from \$3 to \$4 per ton; but, as the American vessel has now entirely disappeared, these foreign vessels fix the rate by agreement, and at present the charge is from \$6 to \$8 per ton.

This use of foreign vessels is in direct violation of the law. The Government openly violates here a law that it compels its citizens to obey. By this disregard of the law it has succeeded in placing the Navy Department absolutely in the power of this foreign monopoly. These foreign ships take their coal to the Pacific coast, discharge it, and are then turned loose to become legalized pirates, by the direct act of the Government, to destroy the legitimate shipping of the Pacific. But the commercial side of this transaction is not the worst side. In time of war these foreign ships could not be used to carry coal for our American ships for this purpose do not exist. If hostilities should come upon the Pacific coast, the Navy would be useless and helpless if it has to rely on coal from the Atlantic. Here alone is sufficient justification for the building of these railroads. We never have sufficient coal on hand for war purposes on the Pacific coast, and we never will have unless a complete change of policy is adopted, which is not probable. Even if the Navy so desired, the coal deteriorates so rapidly as to make keeping a war supply on hand impracticable.

Of all the stupid and inexcusable policies ever pursued by this Nation, the stupidest and most inexcusable has been the policy of the Government in using Atlantic coast coal for naval purposes on the Pacific. Admit all the naval experts claim as to the quality of the Pacific coast coal; that does not change the situation. No matter how bad it may be or how good the Pocahontas coal may be, it is the Pacific coast coal that we will have to use in time of war. It is useless to talk about the qualities of the coal either upon the Atlantic or the Pacific; that is entirely outside of the question, for in case of hostilities there will be no choice. In such an event the Navy must either use Pacific coast coal or go in under the protection of our fortifications. Is it not criminal folly to refuse to learn in time of peace how to make best use of the coal that we must use in time of war?

The coal on the Pacific coast requires a different method in handling from that on the Atlantic in order to develop its highest efficiency. Different grates, different apparatus, and different methods of firing are required. Yet it is impossible to get the Navy to use this coal even in time of peace. Merchant vessels handle this coal; they know how to get the greatest efficiency out of it. The great trans-Pacific liners all use it emelency out of it. The great trans-racine liners all use it successfully, but the Navy persistently and absolutely refuses to use it at any time or under any circumstances. For years I have urged that this coal be used in time of peace, so as to know, if the emergency arises, how to best use it in time of

I also urged that while Pacific coast coal be used in time of peace, that a supply for war purposes of the best that could be obtained anywhere be kept always on hand against the day of national necessity, but the only answer that I have ever re-ceived to my request that Pacific coast coal be used was the reply that "it made too much smoke; that it heats up the flues and melts the paint from the smokestacks." But what enemy in the "piping days of peace" is going to see the smoke from a best interests of the herds would be served by the killing of naval vessel as she makes her regular runs up and down Puget

Sound, or as she coasts along the Pacific shores between Seattle and San Francisco? But would it smoke any less, or would the eyes of the enemy be to any extent dimmed, or the flues be kept any cooler, or the smokestacks retain their paint any better, if in time of peace we spend millions annually using a coal that

we can not use in time of war?

It has been charged here upon the floor of this House that the Pocahontas coal combine has an undue influence over those in authority in the Navy Department. This charge has not been made by me. At least once it has come from the Democratic side of the House. I do not make that claim, although I do assert that this combination is always active against the proposed use of Pacific coast coal. Of course, in doing this they are simply looking after their own interests. I do think that the officials of the Navy are blinded to the real facts by their rigid adherence to their unchangeable rule that they must have the best, and that the cost is not to be considered. The best coal that can be obtained on the Pacific, however poor it may be, is the best naval coal that we can possibly procure, for that is what we will have to use if the time ever comes when we have any real use for the Navy. In time of peace the interest of the Nation demands that we should learn how most effectively to

This proposition of using Pacific coast coal because we must is entirely aside from the saving to the Nation of millions of dollars in time of peace by the use of the cheaper coal. believe that high-class coal will be found in Alaska, coal that equals, for naval purposes, that of any other coal in the world. Frankly, I doubt if any naval test will so show it. that there has never been any real, sincere attempt by the Navy Department to demonstrate the efficiency of Pacific coast coal I do know that there have been exhaustive, thorough, and gennine attempts to demonstrate its inefficiency. The Navy has never attempted to properly equip its vessels to make the test. It has always used vessels and men adapted for Pocahontas coal. One time when the test was being made I insisted that a different grate bar be used, as coal experts had told me that unless this was done that there would be no real test as to the efficiency of the coal used. The officer at San Francisco wired the department that he would not recommend that a different grate bar be tried, because it would cost \$2,500 to make the change. He found \$2,500 a sufficient reason to refuse to try to get the real facts in a test that involved a possible saving to the Government of \$1,250,000 a year.

I remember that not a great while ago I was notified that notices had been published asking bids on a certain amount of coal to be used at the Puget Sound Navy Yard. This coal was not for use of naval vessels, but, as I recall, for power purposes

The notice stated that coal from only one mine would be considered. I found that this mine was entirely owned by a certain corporation. I concluded that under the circumstances it was highly probable that this particular owner would furnish the coal. This was the idea of the officer of competition in furnishing coal. Investigation proved that this one company was a foreign company. I protested to the Secretary of the Navy. He ordered an investigation and afterwards a readvertisement for bids, and the coal eventually was furnished by an American company. After the transaction was closed I asked the Assistant Secretary what reason the lieutenant who had the matter in charge gave for restricting his bids to this one British Columbia coal. His reply was that the lieutenant said that "the Washington coal dirtied his shirt." There is too much tendency in matters of this kind to look to the convenience of the officials and to appearances rather than to the real interests of the Government. There is just a little too much inclination to keep the shirt clean at Government expense. [Applause.]

To sum up, we must use for naval purposes Pacific coast coal, and it is of the highest national importance that we get the best

that we can. The best to be obtained is in Alaska.

For the common defense we must have a naval station in Alaska. The nearest way to the Orient from the Pacific coast is along the Alaska shore. This is the most direct route, and in the future it will be the most important route. It is largely used now. The nearest way to the Orient from the Panama Canal is by way of Alaska. Do you realize that Seattle is exactly half way between Panama and Yokohama and almost exactly on the line of shortest distance? In case of war after the Panama Canal is completed, if our fleet was in the Caribbean Sea a fleet from Yokohama could beat it into Puget Sound. After the canal is completed any enemy from the Orient wishing to strike the Pacific coast would not come by Hawaii. In the first place, they would find Hawaii fortified, and in the next place it would be 1,500 miles out of the way. They would come in a short line along the Alaska coast, where they could, if they wished, find

always convenient a safe and unfortified harbor where they could recoal or rest without danger.

Alaska is the place where, above all others to-day, we need a new naval station. The great difficulty is in getting from the map the real situation of the countries on the Pacific and the real distance between them. A battleship fleet in Alaska is in a far better position to strike an enemy in the Orient than one at Hawaii. It is in a far better position to protect the coast of the United States. It is in a better position to intercept a fleet from the Orient.

For naval purposes alone the construction of a railroad in Alaska is fully justified.

Coal is the key to Alaska. All other industries wait on this. Gold mining, copper mining, agriculture, and all other industrial developments will follow the coal development. The Geodetic Survey estimates that there are over 8,000,000 acres of coal land already known in Alaska, more than is contained in Pennsylvania, West Virginia, and Ohio combined. This coal is of all grades. Coal is found everywhere throughout the entire Territory of Alaska, from the southern part on the Pacific to

Point Barrow, on the Arctic Ocean.

For the purpose of this discussion it is only necessary to discuss the three most important fields, all of which will be made accessible by the building of the proposed roads. First, nearest tidewater and most accessible, is the Bering River field, and it is also the smallest of the three. It contains about 50,000 acres. The coal is of high grade-high-class bituminous, fit for steam and coking purposes. This field also contains some anthracite. This region can be reached by rail from Cordova by two routes, the distance by one way being 76 miles and by the other 90 miles. Thirty-eight miles of road that can be used by either route is already constructed. The remaining distance by either way can be constructed in a single season.

The Matanuska field contains coal of the same quality and kind as the Bering River. It is reported, however, to be more valuable in this, that it is less broken. This field from Seward by the proposed railroad route is 155 miles. Seventy-two miles of this proposed road are already constructed. It is reported that this field can be reached from a fine harbor on Prince William Sound by 100 miles of railroad, and at the same time by going this way the 1,700-foot grade now crossed by the present railroad would be avoided. The Matanuska field con-

tains about 65,000 acres.

The two fields mentioned contain enough coal to supply not only all Alaska but all the Pacific coast with coal for centuries

The third field, known as the Bonnifield region, lies along the proposed route of the road that would connect Seward along the Copper River Valley with Fairbanks. This field is only about 70 miles from the city of Fairbanks. It is the largest of all the known coal fields of Alaska and contains more than all other known fields combined. Its extent is about 100,000 acres. The Geodetic Survey has estimated that the 122 square miles which they have surveyed contains 10,000,000,000 tons; and they add that this probably is not one-third of the actual amount. Natural cross sections in this field have shown seven or eight veins, with an aggregate thickness of 231 feet. This coal is lignite. It is suitable for power and domestic purposes and, owing to its accessibility and the ease with which it can be mined, it is destined to play a great part in the development of the interior regions of Alaska.

It must not be forgotten in considering this proposition of railway building that there is a wide market for Alaskan coal outside of Alaska. Alaska coal is suitable for naval purposes, and the Government, if these fields are developed, will save more than a million dollars annually in time of peace, even if they continue the policy that they have pursued in the past of keeping practically all of the Navy on this side of the continent. In time of war the development of the Alaska coal mines would certainly mean millions to the Nation, and they might be of

value beyond all money computation.

There is a great market for coal in the States west of the Mississippi beyond what they produce. Last year the States west of the Mississippi produced 58,400,000 tons of coal. They consumed 125,000,000 tons; or, there was a shortage of 66,600,000 tons. True, most of this coal comes from eastern fields, and would probably continue to do so even if the coal in Alaska is developed. But the competition with Alaska coal would tend to reduce the price in most of this territory, and it would be a direct and strong competitor in the Pacific Coast States. Last year the Pacific Coast States bought 864,000 tons of foreign coal. If the coal mines in Alaska were developed, undoubtedly they would furnish the most of this coal and would force a great reduction in price. I understand that this foreign coal, bituminous in quality, the same as may be produced from Alaska mines, sells in Alaska from \$14 to \$25 per ton, in San Francisco from \$10 to \$12 per ton, and in Seattle from \$0.50 to \$10 per ton. If Alaskan mines are opened, it can certainly be bought in Alaska for from \$4 to \$5 per ton and in the cities of Seattle and San Francisco from \$6 to \$7 per ton. If we look only at the public good, the coal alone that will come from the development of the Alaskan coal mines would justify the Government in building the proposed road.

Last year, with coal everywhere, with men ready and willing to develop her mines, Alaska produced less than 2 per cent of the coal she consumed. With coal at their very threshold, the people of Alaska have been denied the right of use of it, even for domestic purposes, and have been compelled to purchase their ceal from various parts of the world at exorbitant prices. Last year the people of Alaska consumed 125,000 tons of coal and produced 355 tons. Gov. Strong, of Alaska, in his report, just submitted, calls attention to the fact that people within 50 miles of the greatest coal field in the world are paying \$15 per cord for a very inferior quality of wood,

Why has not private enterprise opened these mines? If there is a market for Alaska coal and it can be profitably mined, why has it not been done? Why have not railroads been built to develop these great coal resources? This is a most pertinent question. This is really the heart of controversy involved in this question of the construction of railways. Gov. Strong, in his report recently submitted, answers this question in the following words:

The obstacles that have been placed in the way of developing the Territory by the means of railroads resulted from a mistaken conception of conservation principles and the popular fear that somehody would profit by commercial development of Alaska. Private initiative is practically barred from the Territory under present conditions.

That statement fully and fairly states the situation. Strong is a Democrat; he is a man of courage and ability; he speaks from conviction formed from long residence and experience in Alaska.

The curse of "conservation" fell on Alaska, and she was

doomed. In this bill we are called upon to contribute some \$35,000,000, the result of this hysterical craze, but it is a small contribution compared to what we have lost by it in Alaska, to say nothing of the great western part of the United States. There can be no railroad building in Alaska without opening the coal mines. Without this Alaskan development is completely strangled.

In 1906 an Executive order was issued suspending the coalland laws of Alaska. There was no more power or authority to suspend this law by Executive order than there is power and authority to-day to suspend by Executive order the Sherman antitrust law, or any other law that Congress has written upon the statute books. President Taft, recognizing the fact that there was no power in the Executive to make this order, asked Congress to give him the authority to ratify it. After long consideration of a bill for this purpose, Congress refused to give such authority. As I recall, the House did pass a bill containing a clause to that effect. However, after Congress refused to give him the power that he recognized that he did not possess, President Taft then solemnly proceeded to do it without au-In a royal edict he proceeded to ratify an order that was made without authority by issuing another absolutely without authority.

Mr. MONDELL. Mr. Chairman, will the gentleman yield? Mr. HUMPHREY of Washington. No; I do not want to get

into any controversy. It takes too much time. Mr. MONDELL. But this is not a matter of controversy. The gentleman means that he had no authority to issue the

order. He had the power, because he did issue it.

Mr. HUMPHREY of Washington. That is true. He had the power. There is no question about that. He did not have the authority.

The history of this country furnishes no parallel to this Executive usurpation of power in the attempt to wipe from the statute books laws in relation to Alaska that Congress had But for fear that for some reason or other these Executive orders might be withdrawn or modified and that there would then exist a possibility that some of the coal of Alaska might be used, the Ferest Service, under the sham and pretense of wanting to protect the timber of Alaska, created a forest reserve, including all of the known high-grade coal fields of Alaska. This great forest reserve contains practically no timber. It was not intended to in any way protect or conserve the timber of Alaska, but it was issued for the sole purpose of making impossible the development of the coal mines of that country. The Forest Service wanted to be absolutely sure that if for any reason the President of the United States should reverse his policy upon the coal-land question that they would still be in a position to prevent all development.

For seven years it has been absolutely impossible under any

condition or under any circumstance to own, control, or operate any coal mine in Alaska. Probably there has been nothing in the recent years in this country about which there has been so much hysterical declamation or so many lurid articles published in saffron-colored magazines as there have been about the imaginary conspiracy to steal the coal fields of Alaska.

If it be to my credit, I am not one of the recent converts to

the Government keeping some control over the great coal mines of the country sufficient to prevent oppressive monopoly, to prevent such conditions as have existed in Pennsylvania for years. I so expressed myself more than 10 years ago, at the time of the great coal famine here in Washington City and other parts of the East. I have not changed my mind. But most of the stories told about the conspiracy to seize the coal lands of Alaska are not exactly a tale told by an idlot, but by the credulous and ignorant, "full of sound and fury, signifying

The total number of all the coal claims that have been filed in all parts of Alaska is 1,129. The majority of these have been voluntarily abandoned. Out of all this number, two—and two only—have been approved. One of these contains 65 acres, the other 130 acres; or, out of more than 8,000,000 acres of known coal land in Alaska, 185 acres have been patented, and these two patents have only been granted within the last few months, and both these claims contain low-grade, inferior coal.

Contests were ordered against every coal claim, so far as I have been able to ascertain, that has ever been filed in Alaska.

Gov. Strong in his recent report makes this statement:

In Alaska patents have been granted to only two coal-land claimants. In Alaska patents have been granted to only two coal-land claimants. These patents were issued for claims carrying an inferior quality of coal. Patents for coal lands have been applied for in the Bering River and Matanuska sections, but none have been granted, while many applications have been canceled. Some of these applications were no doubt fraudulent, but it seems inconceivable that all were tainted with fraud, when it is a well-known fact that a number of those who applied for patents were reputable and honorable men.

I most emphatically indorse that statement of Gov. Strong. But the question as to whether the application was fraudulent or made in good faith, whether the claimant was honest or dishonest, whether he had or had not complied with the law had nothing whatever to do with the allowing or the rejecting of his claim. In this respect the scoundrel and the law-abiding were treated just alike. For the past seven years the Government has held the money of the honest and the dishonest and has refused to grant to either a patent or to return the money to them. To have fully complied with the law availed the applicant nothing; it only caused the Secretary of the Interior to exercise his ingenuity to think of some other reason for refusing his claim.

I was with a claimant myself who presented his case to Secretary Fisher personally. After the hearing I asked the Secretary if he were satisfied that the claimant had in all respects complied with the law. He answered, "Yes," said, "You will grant the claim." He replied, "No He replied, "No: not; I will wait and see if Congress will not change the law." That was his idea of keeping his oath of office to obey and enforce the laws of his country. There have been many violations of law in relation to the coal lands of Alaska, most flagrant and outrageous. But these acts were not all committed by the claimants, but some of them by public officials whose sworn duty it was to impartially enforce and administer the laws.

Poor, weak, unfortunate, defenseless Alaska, for seven long years any public official from the President down to the fuzzyfaced forester set aside her laws at will.

Soon after the issuance of these Executive orders referred to another great statesman occupied the office of the Secretary of the Interior. He promulgated his justly famous doctrine, in one of his reports, that an executive officer had the authority to do anything not expressly prohibited by statute, a proposition so idiotic that it is beneath the contempt of any lawyer and so monstrous in its tyranny and injustice as to shock all rightthinking men when they stop and study what it means.

The spirit shown by these Secretaries seemed to permeate the entire Department of the Interior and the Forest Service down to the lowest underling that held a Government job. This force of petty officials in these departments ceased to try to carry out the purpose of their offices and became an army of hostile spies—cheap sensational detectives with all the discreditable and reprehensible methods of that despised class. Under this régime conditions became intolerable. Any man in Alaska that picked up a piece of coal from the millions of tons lying on the surface of the earth was liable to arrest and prosecution by these self-appointed guardians. Two prospectors away on its

north shores, on the Bering Sea, on that great plain, hundreds of miles from human habitation, just under the Arctic Circle, in the most bleak and barren part of Alaska, where there are no trees but scrubby willows, one day picked up a few lumps of coal and made a camp fire to cook their food and to keep them warm. They were threatened with arrest and prosecution by one of these zealous guardians of the public interest who happened to learn of their action.

A man by the name of Whorf, who had lived with his family on a claim for many years, where three of his children had been born, sold to a Government revenue cutter out of fuel \$500 worth of coal from a little mine that he had been working for many years. He sold it for half what the Government had been paying for coal. One of these Government-paid spies learned of this transaction. Whorf was arrested and fined by the Government he had accommodated \$500. Whorf's claim is one of the two in all Alaska that has been accepted. This acceptance occurred recently.

For a Government official to help an honest applicant to secure his claim became a serious offense. To charge him with fraud, to trap him into damaging admissions, to annoy and harass him, and to defeat his claim brought attention, publicity, approval, and hope of preferment. Under this influence this army of petty Government emissaries, failing to find in the language of the law the specific words "thou shalt not bear false witness," proceeded, under the hypocritical pretense of protecting the public, with the cry "conservation" on their lips, to make charges of fraud and crime against every coal claimant in Alaska—every one, the honest and dishonest alike, regardless of the character of the claimant or the facts in the case. The result was industrial paralysis of the entire Territory. This is what is the matter with Alaska. The responsibility rests with the Government, and the Government alone can now bring relief.

In spite of all the clamor and noise that has been made about the attempt to steal coal lands in Alaska, no one has yet been convicted in any court of wrongdoing in connection therewith, notwithstanding that in one case at least the judge on the bench was an ardent assistant prosecutor. Many of these coal claimants who have been arrested and prosecuted have been charged with the crime of doing what the law now expressly permits them to do.

This thought has sometimes occurred to me: Suppose a thief should procure a coal mine in Alaska, he could not run away with it or take it out of the country. The very worst thing that he could possibly do with it would be to let it alone, pre-The very worst thing vent its development, just as is done to-day. If a man wanted a claim badly enough to steal it, possibly he would want it badly enough to work it. If he worked it he would at least furnish somebody with coal. Would that be more of a crime than to keep it forever from the use of men. It has sometimes occurred to me that even coal from a mine owned by a thief will burn. That even coal from a mine owned by a thief would warm the honest. That coal from a mine even owned by a thief would furnish heat to keep a family from freezing. It has sometimes occurred to me that coal from a mine owned even by a thief might furnish the necessary fuel to keep warm some lonely prospector who was working and struggling to wrest from the earth a little of its riches to care for the loved ones at home. It has sometimes occurred to me that coal from a mine even owned by a thief, sold to the patient and long-suffering people of Alaska for from \$3 to \$5 per ton, would be as great a blessing to them and to the world as to compel them to pay from \$15 to \$25 per ton for the same character of coal brought from some foreign country, in a foreign ship, or even to compel them to pay that price to the Pocahontas Trust here on the Atlantic. It has sometimes occurred to me that it would be better to have

coal produced even by a thief than not to have coal at all.

If I could utter words that would writhe and hiss like slimy serpents, I could not express my resentment of the infamous insinuation continually made that every man that Las sought to secure a coal claim in Alaska is a thief and a crook. There are no more courageous, stronger, better men, and there never will be, than the men that have gone into that great Territory and tolled and struggled and given their all to develop it. There are no truer, manlier men, and there never will be, than the Alaska pioneers.

GOVERNMENT OWNERSHIP.

I am opposed to Government ownership, and always have been, as a general proposition. I know that the Government way has always been the most costly way. Government control and operation of business generally will destroy the initiative of the individual, dwarf the common intellect, and weaken the race. I believe that Government ownership as a

policy faces toward darkness; that eventually it would destroy government, lead back to the rule of the stronger few in each community, and finally end in tribal savagery. But I am not opposed to the Government constructing these railroads in Alaska, for this reason—because private ownership can not do it. The Government must build these railroads or they will not be built. It is Government ownership or nothing. It is the only way, and we must face this fact.

only way, and we must face this fact.

Under these circumstances, I do not know that it will be profitable to enter into any extended discussion of the question of Government ownership. However, ownership by the Government of a railroad I do not regard as having but few of the objections that can be urged against Government operation of railroads. In the operation lies the greatest objection, and I trust that Congress will never permit the Government to operate these railroads unless all other methods are demonstrated to be failures. [Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. MONDELL. Mr. Chairman, my entire life up to the time I was first elected to Congress was spent in the trans-Mississippi West, most of it in new and developing portions of that great country, a considerable part of it on the extreme frontier and in the active prosecution, under the roughest and hardest of frontier conditions, of development enterprises. This experience gave me a knowledge and understanding of the difficulties which the pioneer in a new and frontier country encounters. The recollection of that experience naturally quickens my sympathies for those engaged in the heroic work of blazing trails, prospecting for and developing resources, and laying the foundations of civilization and industrial enterprise amid the trying conditions which surround new and frontier development.

This experience, these sympathies, naturally incline me to favor any legislation the avowed object of which is to aid, encourage, or assist in the settlement and development of the newer portions of our country. My sympathies are particularly aroused when such aid, encouragement, or assistance is proposed on behalf of those whose courage and enterprise have led them to cast their lot with and attempt the development and settlement of our farthest and most inaccessible territory. The courage and hardihood, the unflagging faith and optimism of those who are contending with adverse conditions in Alaska, appeals to us all. They appeal with peculiar force to those who by reason of their own experience are fully able to realize and intelligently judge of the difficulties which distance, lack of facilities, mountain barriers, and a rigorous climate present to every attempt at settlement and development.

In addition to these considerations which incline me to the support of legislation the avowed purpose of which is to make easier the pathway of the pioneer in Alaska is the fact that the measure has much support among those with whom I like to agree and is being urged by many from the general region from which I hail. This legislation presents to me one of those problems frequently met in the discharge of the duty of a legislator; one's sympathies are aroused; one's inclinations are favorable to the realization of the object sought; public opinion, so far as there is any on the subject, locally and possibly generally, is either actively favorable or passively acquiescent. The easy way, the pleasant way, and the temporarily satisfactory way is to follow one's sympathies, one's inclinations, and to drift along with what seems to be the present public sentiment. But unless the action proposed commends itself to the judgment and to the conscience of the legislator it is not the honest way nor the wise way.

I have not come to the conclusion that it is my duty to oppose this legislation without full and earnest consideration of what it proposes and what its immediate and ultimate effect is likely to be both on Alaska and the balance of the country. I have not arrived at this conclusion without having fortified what knowledge and information I had in regard to Alaska, her resources and her conditions, by reading carefully the report of the Alaskan Railway Commission and the record of the hearings before the House and Senate Committees on Territories on bills proposing Government aid to railroads in Alaska.

There are three classes of men on the floor of the House who may be somewhat justified in support of this legislation: First. Those, like the gentleman who has just spoken, who come from that Puget Sound country, that will be greatly benefited by the expenditure of \$35,000,000 under this bill and by the additional millions which must inevitably follow. Whether Members fully believe in the wisdom of a proposition or not, the fact that great sums are to be spent for the development of industries

that are appurtenant and of regions that are adjacent to our

districts has a persuading influence upon us all.

Second. Gentlemen can perhaps afford to support this legislation with a clear political conscience who are so utterly opposed to Government ownership and operation of railroads, now or in the future, that they support this legislation in the hope that its passage and execution will forever scotch the idea of Government ownership, by reason of the failure that is likely to result from the expenditure of this money.

Third. Gentlemen may feel justified in supporting this legislation because they favor the system of private ownership of coal lands in Alaska, and believe this legislation will forever

fix and perpetuate that system.

REASONS FOR OPPOSING THE LEGISLATION.

I find it my duty to oppose this legislation, first, because I do not believe that Government ownership and operation of railways would be economically beneficial to the people, and because I do believe it would be exceedingly unfortunate in its effect politically.

Second, I oppose the legislation because, if I did believe in Government ownership and operation of railways, I should certainly not want to try it out under the necessarily unfavorable conditions of a region of high cost of construction, of uncertain tonnage, and of difficulties of operation more trying than any

which railways in the States have ever met:

Third, I am opposed to the legislation because I am fully convinced that it is entirely unnecessary to expend Government money in order to secure the building of railroads in Alaska connecting the coal fields with tidewater. I am also quite well satisfied that it is equally unnecessary to do anything more than extend reasonable and inexpensive aid and encouragement to secure the speedy building of at least one and probably two lines of railroad connecting central tidewater Alaska with her interior navigable rivers. I am fully satisfied that with proper and reasonable legislation and departmental action, which will make possible the mining of coal in Alaska, private enterprise will build the short connections necessary to bring the coal to tidewater more speedlly than it could possibly be accomplished under the provisions of this bill. Relief from taxation for a few years will probably be all that will be necessary to insure prompt construction of lines to the interior.

If I believed there was a condition, however created or maintained, which made it a matter of extraordinary difficulty or of practical impossibility to secure for Alaska the short lines necessary to bring her bituminous coal to tidewater and the building of at least one line to connect the central valleys with the coast, and that the conditions thus existing placed an obligation upon the Government to afford the aid necessary to overcome the difficulty, still I could not favor this legislation. I could not, because under the guise of building two comparatively short lengths of road, primarily for coal transportation, and two lines connecting the interior with the coast, it in fact proposes the inauguration of a system of complete Government ownership and control of transportation in Alaska, the ultimate cost and effect of which no man can possibly foresee or judge.

The measure on its face, interpreted in the light of the report of the Alaskan Railway Commission, on which it is based, and of the views expressed in the hearings by those who favored it, and in the majority report, which supports it, contemplates the construction of about 735 miles of standard-gauge railroad line, or the building of less mileage and the purchase, condemnation, or lease of privately owned roads. It also provides for the acquisition of terminals, port facilities, and all those things which are necessarily a part of, or appurtenant to, railway lines such as those contemplated. The proposed bond issue of \$35,000,000 can not, in the nature of things, pay for all that is loosely proposed in the bill, and would be but a beginning, the end of which we can not possibly foresee, of additional construction, purchase, and expenditure.

THE ALASKA PROBLEM.

Alaska is a long way off; there is a certain glamor of romance about that far-away land, with its towering mountain ranges, its wonderful coast line, its vast resources, its rock and ice barriers, and its generally rigorous climate. A great deal has been written of its resources and of its conditions, much of which is highly colored and considerably exaggerated. A fierce controversy—partly economic, largely personal and political—has raged around the question of the disposition of certain resources of the country. Out of all these things has come this proposition, which, applied to any other part of the country or suggested under any other conditions with regard to any portion of our territory, would not be favorably considered for a moment.

There must be very extraordinary and unusual conditions if we are warranted in embarking on a policy that few of us approve or would tolerate anywhere else; upon an expenditure of the people's money which, large as it is, is but the beginning of vastly greater expenditures; on behalf of a Territory of sparse population, at a time when given opportunity private enterprise will carry on the work contemplated, or such part of it as is justified by conditions. This vast and questionable expenditure is proposed at a time when the people within our continental boundary are insisting upon larger expenditures by the Federal Government for purposes which they believe would beneficially affect great numbers of our ninety-odd millions of people. Before we embark upon this enterprise, questionable as to its necessity and as to its effect, we should at least give some consideration to demands on behalf of all our people for expenditures along lines the benefits of which can not be doubted.

THE ALASKAN SITUATION.

In order to form an intelligent idea of the conditions upon which this unusual proposition of legislation is predicated it is necessary to briefly review the situation in Alaska for the last few years. The development of Alaska began with the Alaskan purchase and continued slowly but steadily, mostly along its southeast coast and particularly in connection with the fisheries. One very large and profitable gold mine had been developed on Treadwell Island, and a number of small properties were in the prospecting or developing stage. Copper had been discovered at various points along the coast and, to a limited extent, in the interior. Vast deposits of lignite coal had been found at various points along the coast and utilized in a small way for local use. Provision had been made by Congress for securing lands for purposes of trade and transportation. Then came the discovery of gold in the Klondike in 1896, the great rush to that region, the building of the White Pass Railway from Skagway, the extension of gold discoveries into American territory in the Yukon Valley, the establishment of transportation on that river, and a remarkable era of prospecting throughout all the American territory as far north as the Arctic Circle and beyond.

Following this activity came the demand for needed legislation, to which Congress gradually responded. By the act of June 6, 1900, the coal-land laws of the United States—providing for entries by individuals in tracts of not to exceed 160 acres at the price of \$10 or \$20 an acre, depending upon the distance from railroad—were extended to Alaska. As there were no railroads near the coal fields the act in effect fixed a \$10 selling price on

all Alaskan coal lands.

The act thus extended contemplated entries on surveyed lands, but there were no official surveys in Alaska and none were executed. Congress met this situation by the act of April 28, 1904, providing for special surveys to be executed at the expense of the entryman. Under this act many claims were filed in the Bering and Matanuska coal fields, which contain highgrade bituminous and some anthracite coal.

The discovery of rich gold placers in the interior, valuable deposits of copper, and coal suitable for industrial purposes not only led to a great influx of prospectors and investors, but it brought a boom in the location of town sites on available harbors and in the promotion and construction of railroads. The summer of 1906 saw great activity along these lines. Railroads were projected or under construction from Cordova, Katalla, and Valdez looking to the development of the Bering River coal field, the rich mineral territory along Copper River, and extension to the valleys of the Tanana and Yukon. A line was building from Seward, on Resurrection Bay, headed for the Matanuska coal fields and the valleys of the Susitna, the Tanana, and the Yukon. Various other lines were suggested, promoted, or under construction; in fact, there seemed to be an abundance of capital ready and willing to embark in railway construction in the Territory. Competition was, in fact, so intense as to lead to more or less serious contests in a few instances between rival claimants for the right to build over the same route. Alaska was booming and investment in Alaska mines and railways was quite the fad and the fashion.

THE WITHDRAWAL ORDER.

Upon this condition of affairs came the Executive orders of November 12, 1906, as modified by the order of December 17, 1906, withdrawing all coal lands in Alaska from entry. These orders did not have the effect of immediately suspending railroad building, by reason of the fact that a considerable number of coal entries had been made, and it was generally supposed that patents would issue in due course for such as were found regular and valid. On a number of claims work of development progressed, and in the case of at least one, the McDonald claim

in the Bering River coal field, some coal was taken out. Such operations were, however, soon suspended by the action of the local land agents, presumably acting upon orders from Washington. Even then, however, it was not generally assumed that this suspension in development was to be permanent, and a considerable number of entrymen proceeded to the work of perfecting their claims.

On the assembling of Congress in December, 1907, a year after the withdrawal orders, the attention of the committees of Congress having to do with land matters was called by a considerable number of Alaskan entrymen to the difficulties they were having in making and securing approval of the surveys of their coal claims. It was insisted and proved to the satisfaction of the committees that many of the entrymen being men of limited means were unable out of their own resources to make the necessary surveys and prosecute their entries to patent. Attention was further called to the fact that it was not practical under the conditions which existed in Alaska, owing to the topography of the claims and the necessity of large expenditures in opening and developing a mine, to open and operate a mine upon each 160 acres. In order to relieve this situation and make development possible, and at the same time fully protect the public from monopoly in ownership or excessive charges, the act of May 28, 1908, was passed.

This act legalized a consolidation of 2,560 acres of coal lands,

or sixteen 160-acre claims. This act is still in force, and provides among other things that the United States shall have a preference right at all times to purchase so much of the product of the mines opened upon the consolidated claims as may be required for the Army and Navy, at a price to be fixed by the President, and also contained, as section 3, the most drastic antimonopoly clause ever written into a land statute. It is as follows:

Sec. 3. That if any of the lands or deposits purchased under the provisions of this act shall be owned, leased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever so that they form part of or in any way effect any combination, or are in any wise controlled by any combination in the form of an unlawful trust, or form the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, or of any holding of such lands by any individual, partnership, association, corporation, mortgage, stock ownership, or control in excess of 2,560 acres in the District of Alaska, the title thereto shall be forfeited to the United States by proceedings instituted by the Attorney General of the United States in the courts for that purpose.

Prior to the passage of this act, but some months after the withdrawal order, the 33 so-called Cunningham claims had been entered and paid for, receiver's certificates issued, and soon after the passage of the act the agitation over these claims, which has become historical, began. Some claimants have attempted to secure title under the act of 1908, but so far have failed. In fact, after agitation in regard to the Cunningham claims became acute all action looking to approval or patenting of coal entries in Alaska was suspended. This is the situation at the present time, though my understanding is that the Interior Department is now investigating certain claims with a view of passing upon their validity, and patents for a few acres of lignite coal lands have been issued.

A NEW LEGISLATIVE POLICY DEMANDED.

The tying up of the coal lands, which occurred by reason of the withdrawal orders of 1906, and the attitude of the Interior Department in refusing to issue patents on entries made prior to withdrawal led to an almost total suspension of railroad building along the central Alaskan coast line. The line projected from Seward to the Matanuska coal fields brought its construction to a halt 72 miles from Seward and 115 miles from Matanuska coal fields. The contemplated 38-mile Bering River coal branch from the Copper River & Northwestern after some grading had been done was abandoned. The only standard-gauge line in the entire Territory which was continuously constructed after 1906 was the main line of the Copper River & Northwestern to Chitina and the Kennicott copper mines, 196 The condition thus created was, of course, intolerable and not to be contemplated as a permanent condition. coal fields, the Bering and Matanuska, are the only fields so far discovered in American territory near the Pacific which contain coal in considerable quantities fit for the making of firstclass coke for smelting and suitable for naval and general steaming purposes. It was highly important that something be done whereby these coal fields could be developed and their product utilized. The Interior Department was pressed to issue patents, for some of the claims at least, and the Public Land Committees of the House and Senate were urged to pre-sent legislation dealing with the situation. The President, the Secretary of the Interior, and heads of Government bureaus urged legislation that would provide for the leasing of the coal lands remaining in public ownership. There seemed to be a

general public sentiment against continuing the policy of alienating the title to coal lands and in favor of the establishment of a policy of granting the right to mine coal on the public lands under lease.

I chanced to be chairman of the Committee on the Public Lands of the House at the time when these demands for new legisla-tion radically different from our former legislation affecting coal lands became particularly insistent. This was at the beginning of the session of the Sixty-first Congress, which began in 1910, four years after the order of withdrawal. At that time it seemed probable that the Interior Department would ultimately hold that a large number, if not most, of the coal claims in Alaska were invalid. Personally I had not been particularly enamored of a Federal coal-leasing system. I was favorable to the retention of coal lands in public ownership if they could be leased under local or State control, but I had some doubt of a Federal leasing system. I felt it my duty, however, to defer to what seemed to be the general public opinion of the country and of Members of Congress with whom I talked, and set about the drafting of legislation for the leasing of the public coal lands of Alaska under limitations, terms, and conditions that would fully safeguard the public interest.

THE LEASING BILL INTRODUCED AND REPORTED.

Such a bill was drawn and introduced by me in January, 1911, during the last session of the Sixty-first Congress, as House bill 32080. After long and careful consideration and some amendment the bill was unanimously indorsed by the Committee on the Public Lands and reported on February 17, 1911. When I reported the bill I confidently expected that opportunity would be given, by special rule or otherwise, for full consideration of the measure, with opportunity for amendment, but the session was drawing to a close, many appropriation bills remained unacted upon, other legislation deemed of great importance was demanding right of way, and no opportunity for such consideration seemed possible. In this condition of affairs I felt it my duty to present the bill in any way possible in order that the Senate might, if it desired, pass it before the cession ended. I was therefore compelled to bring it up under suspension of the rules, which I did on February 23, 1911.

There was then before the House, unacted upon, the report of the joint committee in the so-called Pinchot-Ballinger contro-Versy. Feeling ran high in regard to all matters relating to coal in Alaska. Furthermore, the Pinchot-Ballinger episode was good political capital; the passage of a workable and satisfactory coal-leasing bill would have tended to eliminate it from public controversy and political campaigns. I desire to now emphasize the fact that the measure then presented was a good, workable coal-leasing bill, which thoroughly safeguarded every public interest, and that those who were interested in such legispublic interest, and that those who were interested in such legislation had abundant opportunity to inform themselves as to those facts. There are, no doubt, some who took no special interest in the subject who were doubtless misinformed as to the provisions of the bill, but no one who cared to be had any excuse for not being informed. In order that those who are sufficiently interested to investigate may know how fair and workable a measure it was, how thoroughly it protected the public interest, I shall insert in the Record, as a part of my remarks, a copy of the bill as agreed upon and as presented to the House for passage. It is as follows:

remarks, a copy of the bill as agreed upon and as presented to the House for passage. It is as follows:

A bill to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes.

Be it enocted, etc., That all lands in the Territory of Alaska containing workable deposits of coal are hereby reserved from all forms of entry, appropriation, and disposal, except under the provisions of this act: Provided. That nothing herein contained shall in any manner affect any claims or rights to any such lands heretofore asserted or established under the land laws of the United States, and all such claims and rights shall be treated, passed upon, and disposed of as though this act had not been passed.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized, for and on behalf of the United States, to issue licenses granting the holders thereof the right to prospect and explore for coal on the vacant public lands in the Territory of Alaska and to execute leases authorizing the lessee to mine and remove coal from such lands. No license shall pertain to an area of more than 3,200 acres, and no lease shall pertain to an area of more than 3,200 acres, and no lease shall pertain to an area of more than 2,560 acres, and all such areas shall be in reasonably compact form and conform to the public land surveys in all cases in which said surveys have been extended over the lands. No prospecting permit shall be issued for a longer period than three years. All licenses shall pay in advance a fee of 25 cents per acre for the first year covered by their license, 50 cents per acre for the second year, and to less than \$1 and not more than \$4 per acre for the first calendar year, or fraction thereof, 50 cents per acre for the third year. Lessees shall pay in advance a rental of 25 cents per acre for the first calendar year, or fraction thereof, 50 cents per acre for the second year, and to less than \$1 and not more than \$4 per acre for the succeeding year. The sums paid for rent by a lessee shall

granted for such period as the lessee shall designate, but in no event for more than 30 years; but all lessees who have complied with the terms of their leases shall have a preferential right to an extension of their lease for a period not to exceed 20 years upon such conditions and the payment of such rents and royalties as Congress may prescribe.

SEC. 3. That any person over the age of 21 years, who is a citizen of the United States, or any association or corporation composed of such persons, may apply for a permit to prospect for or a lease to mine coal in the Territory of Alaska, and upon compliance with the provisions of this act and the rules and regulations promulgated thereunder, shall be granted a license or lease, as provided herein; but no person, association, or corporation, or stockholder therein, shall during the lifetime of such permit or lease receive or be permitted to hold, directly or indirectly, any other permit, lease, or license, or any interest therein, to coal lands in Alaska under the provisions of this act.

SEC. 4. That applications for prospecting licenses and mining leases, and all payments on same, shall be made to such officer and in such manner as the Secretary of the Interior may designate, and in all cases where more than one application shall be received for a license or lease covering the same area, in whole or in part, preference shall be given to the qualified applicant who shall show legal prior possession in good faith with a view of acquiring title to coal lands or prospecting for or mining coal, and reasonable diligence in applying for such license or lease; but the holder of a prospecting license shall have a preference right, during the period of his license, to apply for and obtain a mining lease to the lands covered by his license, provided, That the Secretary of the Interior may adjust the boundaries of conflicting applications in such manner as will best promote the public interest.

SEC. 5. That all applications for licenses or leases shall describe the lands ap

a preference right, during the period of his ilcones, to apply for and obtain a mining lease to the lands covered by his license: Provided, That the Secretary of the Interior may adjust the boundaries of conflicting applications in such manner as will best promote the public linterest.

SEC. 5. That all applications for licenses or leases shall describe the lands applied for according to the public land surveys or private surveys or surveys and reference to natural objects or permanent monuments as will readily identify the same. No license or lease shall be issued until a survey and private surveys of the lessee, by or under the authority of the Secretary of the Interior permanently marking the outboundaries thereof and sudvividing the same according to the rectangular system of surveys. Licenses may be canceled by the Secretary of the Interior after reasonable notice for fallure to pay rent when due.

SEC. 6. That all leases issued under the provisions of this act shall be successed and the surveys of the surveys of the surveys of the private surveys of the surveys

limitations and uniquations content of the act.

SEC. 9. That a license or lease may be terminated at any time on the application of the licensee or lessee and the payment of all rents and royalties which may be due, but no lease shall be ferminated until the Secretary of the Interior shall have had an opportunity to have an examination made into the condition of the property and such reasonable provision shall have been made for the preservation of any mine or mines which may have been opened on same, as he may require. Upon the cancellation of the lease or its expiration, or upon the forfeiture thereof and the satisfaction of any judgment rendered in the decree of forfeiture and the payment of all rents and royalties due, the retiring

lessee may, under the supervision of the Secretary of the Interior, remove or dispose of all of the machinery, buildings, or structures upon the leased premises, except such structures as may be necessary for the preservation of the mines.

SEC. 10. That no prospecting license issued under the provisions of this act shall give the licensee the exclusive use of any of the lands covered by his license, except for the purpose of prospecting and exploring the same, but all lessees under the provisions of this act shall enjoy the exclusive use of the surface, providing that this exclusive use shall in no wise interfere with the establishment and use of all necessary roads and highways, so located as not to interfere with the mining operations, and the granting by the Secretary of the Interior of such rights of way across such lands as may be necessary for use in the production, handling, or transportation of coal or other products of the District of Alaska.

SEC. 11. That 75 per cent of all the moneys derived from licenses and leases granted under the provisions of this act shall be paid into and constitute a part of the "Alaska fund" in the Treasury of the United States, provided for and created by the act entitled "An act to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane persons in the Territory of Alaska, and for other purposes," approved January 27, 1905, and may be expended for the purposes described in said act; and the residue of the moneys derived from such licenses and leases shall be paid into the Treasury of the United States and constitute a part of the general fund of the Treasury.

Sec. 12. That the reservation contained in section 1 of this act shall not prevent the location and patenting of lands containing workable deposits of coal under the mining laws of the United States with a view of extracting metalliferous minerals therefrom; but licenses and leases provided for in this act may be issued without regard to

NO OTHER LEGISLATION OFFERED.

I was naturally somewhat chagrined that the earnest effort of myself and my colleagues to provide such legislation as we believed public sentiment demanded, such legislation as the gentlemen who call themselves conservationists were insist-ing should be had, should fail of enactment, but I never dreamed that those who had been clamoring for leasing legislation for coal lands in Alaska, but who did not see fit to support the bill that was offered, should themselves fail utterly to propose or urge any legislation to clear up the situation or open the coal resources of Alaska, and thus make possible the development of the central coast region and the interior valleys. Three years have elapsed since that time. I and my colleagues of the committee, after having attempted and failed, have naturally felt that it was not seemly for us to make a second attempt, but we have waited in vain for those who insist that coal lands in Alaska shall not be alienated to bring in some legislation under which the coal may be utilized and the title retained in the Government.

WHO IS RESPONSIBLE?

During the course of his testimony before the Committee on Territories in May last, in connection with a bill similar to the one before us, Mr. Pinchot was asked by Senator Hitch-COCK this question:

Suppose it comes to the question whether development in Alaska shall be permitted to go on under the laws as they now exist, where private individuals may acquire the great resources the Government has, or whether the development shall be delayed until leasing laws can be provided under which resources may be retained in the hands of the Government, which would you prefer?

To which Mr. Pinchot replied:

I should say that the man who checked the development of Alaska under reasonable laws ought to take the responsibility, and that the resources ought not to be given away in perpetuity to private interests because certain other private interests were not willing to let legislation pass.

I commend these words of Mr. Pinchot to the gentlemen who, in February, 1911, refused to allow the passage of a perfectly sane and carefully safeguarded leasing law, and who have not since made the slightest apparent effort to secure the passage of leasing legislation that would be acceptable to them.

I am perfectly willing to agree that the condition of stagna-

tion which now exists along the central coast line of Alaska, and the unfortunate handicap to the development of the interior basin which that stagnation produces, is not necessarily altogether the result of the Executive order withdrawing coal lands of Alaska from entry. That Executive order followed like orders affecting many of the Western States, with a view of classifying coal lands and unsing leasing legislation. It of classifying coal lands and urging leasing legislation. It was not issued, in my opinion, with the idea that it would of itself in anywise affect the patenting of lands upon which claims had been filed. Action looking to the perfection of entries, the receipt of money by the Government for coal claims, and the issuance of certificates continued after the order of withdrawal. The Alaskan order of withdrawal was

issued as an afterthought following a suggestion of the Acting Director of the Geological Survey, in a letter to the Secretary of the Interior, dated December 3, 1906, to the effect that the reasons for withdrawing the coal of Alaska from entry were as urgent as in the Western States and Territories.

The present condition of suspended railway construction in Alaska, which is used as an excuse for this legislation, is due partly to the fact that during the excitement incident to the discussion of the so-called Cunningham claims no coal-land patents were issued in Alaska, and with a few unimportant exceptions none have been issued up to this time, notwithstanding the fact that there are some claims still under consideration which are claimed to be entirely regular and free from any charge of fraud. This situation is, however, mostly due to the fact that in February, 1911, a sound, sane, sensible, and carefully guarded leasing bill was defeated by a combination of those who do not believe in any leasing legislation and want to continue coal-land sale laws in force, and those who, claiming to favor leasing legislation, defeated a good leasing bill, and have offered nothing in lieu of it.

FIRST FRUITS OF ALASKAN CONSERVATION.

This legislation, which proposes to spend \$35,000,000 of the public money for the inauguration of a policy of Government ownership of transportation in Alaska, the limit or ultimate cost of which no man can see, is the first fruits of a theory of conservation which finds its expression in a complete tying up of resources. This is the first dividend on Alaskan conservation, It is the kind known as an Irish dividend, and not at all the sort that the people have been promised by those who, having applauded the locking up of Alaska's coal resources, have presented no plan, proposition, or policy under which they can be unlocked. In the days of the Ballinger-Pinchot contest I have no doubt many people got the idea that the coal fields of Alaska would eventually bring large revenues to all of the people of the country. I can imagine the disgust of such folks when they come to understand that the first fruits of the policy is an immediate addition of \$35,000,000 to the public debt, in the inauguration of a plan involving vastly greater expenditure in the future. We may obtain some faint notion of what is involved from the enthusiastic and optimistic declarations of certain Alaska people, in connection with the hearings, to the effect that 10,000 miles of road instead of 750 will be eventually required for the development of that great Territory, and that great naval bases, Government ports, wharves, and docks and possibly steamship lines would follow. Freight rates based on a lower percentage of return for the investment than are enjoyed by the people in any part of the Union is one of the anticipated blessings, with a recital of which various gentlemen embellished the record of the hearings.

ALLEGED TRANSPORTATION MONOPOLY.

An effort was made during the hearings to create the impression, as an excuse for this legislation, that Alaska is in the grip of a transportation monopoly and will have no more railroads unless the Government builds them. Some most remarkable statements were made to bolster up this theory, but unfortunately for the gentlemen the facts, even as they presented them, are against them. Much has been made of a statement by a Mr. Ballaine, a resident of the State of Washington and a town-site boomer of Seward, who had something to do with the building of the first 20 miles of railroad from Seward, headed for the Matanuska coal fields and the Tanana Valley, purporting to be conclusive proof of the existence of a conspiracy to prevent construction of railroads in Alaska. This engaging tale is to the effect that, after the Alaska Northern had gotten into financial difficulties, he (Ballaine) wrote J. P. Morgan to ascertain whether Mr. Morgan would back him in a project to secure the road and extend it north to the coal fields and the Tanana Valley as a narrow-gauge road. He claimed to have interviewed Mr. George W. Perkins on this behalf, and that Mr. Perkins looked upon the proposition with some favor, but said that he would have to confer with Mr. Morgan and with the Guggenheims, with whom Mr. Morgan was interested in the Copper River & Northwestern, which was also planning an extension into the Tanana Valley.

Mr. Ballaine's story, as continued, is that later Mr. Perkins informed him that the Guggenheim Bros. had refused to give their approval of Morgan & Co. taking over the financing of this project for a narrow-gauge railroad from Seward into the Tanana because they contemplated an extension of their own standard-gauge Copper River line. Mr. Ballaine went on to say that Mr. Perkins also informed him that Mr. Guggenheim had expressed the opinion that there would be no more railroad building in Alaska until the coal fields were open. Mr. Ballaine admits that it is his understanding that Mr. Per- cessful. What gentlemen from Alaska have in mind in urging

kins denied ever having had any negotiations of any kind with him-denied even having met him-and Mr. Perkins, let it be remembered, is the angel ever bright and fair of an optimistic political organization and held up by them as a fine example of a truly good rich man. I am perfectly willing, however, if it will please anyone, to admit that perhaps Mr. Perkins is mistaken; that perhaps he did listen to the suggestions of an optimistic town-site boomer that he get Mr. Morgan and the Guggenheims to put many millions into his hands to build a railroad, and that Mr. Guggenheim said in this connection what Mr. Ballaine says Mr. Perkins said, for what does it all

The Guggenheim Bros., Mr. Morgan, and others, known as the Alaskan Syndicate, own the Copper River & Northwestern, on which they have spent, it is said, upward of nearly \$20,000,000. The first 132 miles of their standard-gauge road from Cordova reaches Chitina, the point from which it is contemplated under this bill that the Government shall build an extension of the Guggenheim line, as the Guggenheims have themselves contemplated, 313 miles, to Fairbanks, on the Tanana. Along comes an impecunious stranger who, through various intermediaries, proposes to the Guggenheims that they turn over to him millions enough to build a narrow-gauge road from the end of the line out of Seward to the Matanuska coal fields and on to Fairbanks. Assuming, if one can stretch his credulity enough to imagine such a proposition, that Mr. Perkins or anyone else gave serious thought to this proposition, would anyone imagine that any business man, no matter who he was, would, in the first place, give millions to a man of limited financial resources and unknown to them, and particularly for the building of a narrow-gauge road where a standard gauge ought to be built, that narrow gauge to tap the very territory which the parties from whom the money was requested were proposing to reach by a road from another direction? The final clincher of this alleged argument is to the effect that Mr. Perkins, who claims he never saw Mr. Ballaine, said to Mr. Ballaine that the Guggenheims said that no more railroads would be built in Alaska until the coal fields were open. Would any sane man, having in mind roads that were to tap the coal fields, have said anything else? Is not the fact that this bill is here proof that private enterprise will not build to coal fields unless there is to be some assurance of tonnage after they get

In order to prove conclusively, as they apparently imagine, that there is or was a horrible conspiracy to keep anyone except the members of the Alaska Syndicate out of Alaska they rehash the story of a conflict which occurred years ago a short distance out of Valdez between some employees of the Alaska Syndicate and some people interested in the so-called Home Railroad. The curious thing about this is that in all the lively contests there were at that time in Alaska to secure the best railroad locations this is the only serious case of actual vio-lence. There is not a State in the mountain West, scarcely a State anywhere, that has not had its cases of conflict over rights of way. While in this case the Alaska Syndicate was rights of way. held by the court to be responsible for the acts of its employees, the fact remains that the Alaska Syndicate was actually first on the ground and had done a very considerable amount of work before the Home Railway was organized. This does not justify the acts of violence, but makes it very clear that this single, solitary isolated case was in nowise part of a conspiracy to monopolize railroads in Alaska. The efforts made during the hearings to excuse those responsible for the opposition to legislation that would open the coal fields and thus lead to railroad building and to give an appealing excuse for this legislation fell very flat, as anyone will discover who will take the trouble to read the record. It was clearly brought out that private capital has been ready and willing to build the lines to the coal fields; is now ready to do so; not only that but claims to be ready to build on to the Tanana and the Yukon, if a coal tonnage can be secured and fuel can be obtained for the running of engines.

FREIGHT RATES.

There is a great deal in the hearings with regard to freight rates in Alaska. The gentleman from Alaska [Mr. WICKER-SHAM | complained bitterly of the freight rates of the Copper River & Northwestern, a road whose rates are supervised by the Interstate Commerce Commission. When asked if any complaints had been made to the commission, his answer was in the negative. When asked if the road was paying expenses or making money under these rates, he stated he did not know. The gentleman also complained of the high river rates, and yet all admit that there is a bone yard on the banks of the lower Yukon containing about 50 boats that have been unsuc-

this legislation is not a freight rate based on a fair return for the capital invested but a freight rate based on a 3 per cent Government interest rate at the most, and a still lower rate if a rate based on 3 per cent interest should be a little higher than they like. In the part of the country in which I live we are very glad to get railroads, and would be delighted if their rates were based on nothing higher than a 6 or 7 per cent return. We are expected to do much better than that for the people of Alaska under this bill.

AGRICULTURAL POSSIBILITIES.

The passage of this legislation is further urged on the ground that there are great agricultural possibilities in Alaska, and that we should spend great sums of the people's money in order to afford opportunity for agricultural settlement. I am an agricultural optimist. I have great faith in the possibilities of ultimate agricultural development in many portions, not only of Alaska but on millions of acres now untilled in the Rocky Mountain and Coast States of the Union, but to talk of interior Alaska as a land inviting early agricultural settlement and development is utterly ridiculous. Great areas of the Tanana and Yukon Basin, the Valley of the Susitna, and even of the Kuskokwim, in spite of the eternal frost that penetrates them to great depths, will in all probability, under proper treatment, produce in the clear short summer crops of hardy grains and vegetables. Such crops are being successfully grown to a limited extent in a number of places to supply local demands in localities whose isolation renders prices abnormally high.

The testimony is that \$7.50 per day was the wage paid on the Government experiment station at Rampart on the Yukon, and at this rate of wage \$200 per acre was the estimate of Government experts on the cost of bringing an acre into condition Settlers are not overkeen to take up 320-acre free homesteads on lands in some of our mountain States having about the same rainfall as the interior valleys of Alaska. Settlers on rich lands under national irrigation projects in many parts of the West, reasonably accessible to markets and in a temperate climate, are finding it difficult to meet a cost of from \$45 to \$75 an acre for their lands completely reclaimed, though these payments are without interest and are extended

over a long period of time.

The fact is that the building of Government railroads to the center of Alaska, if the low freight rates anticipated were realized, would retard rather than encourage agriculture in many sections by reducing the high prices for farm products which now make the limited production of the present profitable. A certain amount of agriculture may be carried on where potatoes sell for 5 or 10 cents a pound on the farm, and hay from \$60 to \$100 a ton, which would not be at all profitable if, by the competition of products brought in by rail, the price was reduced greatly below that figure. There is a future for agriculture and agricultural settlement in certain districts of the interior of Alaska in spite of the rigor of the climate, the briefness of the growing season, the frozen condition of the ground, and the high cost of preparing the soil for crops, but it is a future dependent entirely upon local markets and high prices and not to be hurried or advanced by railway construction.

WHAT THE BILL PROPOSES.

Having considered briefly some of the arguments brought forward in behalf of the pending legislation, let us consider for a moment what the bill proposes. The President is authorized to locate and designate and to build and construct standard-gauge railroads with branches so as to connect one or more of the harbors on the southern coast of Alaska with the navigable rivers in the interior and with a coal field or fields. He is also authorized to lease, purchase, or condemn railway lines already built with wharves, docks, and terminal facilities, and in carrying out and accomplishing these purposes he is authorized to borrow on the credit of the United States \$35,000,000, provided he can sell bonds at 3 per cent. There is no limitation whatever on the number of miles of road which may be constructed or contracted for, leased, purchased, or condemned, and no provision as to where these lines should be located except the very general one which I have quoted. In fact, one would be very much at a loss to understand just what is proposed or contemplated if it were not for the fact that the legislation is based on the report made by the Alaskan Railway Commission and transmitted to Congress January 20 last, and published as Document No. 1346 of the Sixty-second Congress. This commission recommended the construction of 733 miles of railroad. The first item of construction, and that which is particularly urged and vigorously defended by the commission, is a line 313 miles in length extending from Chitina, on the Copper River & Northwestern, to Fairbanks. This line, to cost approximately \$14,000,000, would be a branch of the Copper River & North-fields at less than a million and a half, but it adds two and

western, and all freight over it would be carried over the Copper River & Northwestern from Cordova to Chitina, 132 miles. The next line proposed is a branch, or feeder, 38 miles in length, from the Copper River & Northwestern to the Bering River coal fields, at an estimated cost of about \$2,000,000. The third line proposed is a 115-mile extension of the Alaskan Northern into the Susitna Valley, costing about five and a quarter million. The fourth line, a branch from the last-mentioned line, 38 miles in length to the Matanuska coal fields, at a cost of approximately one and three-quarter million. Last but not least is a line 229 miles in length from the end of the Susitna Valley line to an uncharted locality on the Kusko-kwim River, to cost \$12,750,000. Three hundred and fifty-one miles, costing about \$16,000,000, are feeders of the Copper River & Northwestern, and 382 miles, costing about \$19,000,000, feeders of the Alaska Northern.

No one, I think, will attempt to defend, as a whole, the plan of construction thus outlined by the Alaskan Railway Commission, which this bill virtually approves. Mr. Ballaine, who has been referred to here as a warm supporter and a defender of this legislation, seems to have had difficulty in finding language strong enough to express his disapproval of much of the commission's report and recommendations; "suppression of facts, jugglery, misrepresentation," are among the mildest terms used by him repeatedly in his statement before the House committee with reference to the commission's report and their recommendations that a feeder line for the Copper River & Northwestern, "the Guggenheim road," as he calls it, 313 miles in length, from Chitina to Fairbanks, be built by the Government. The report also contemplates the building by the Government of another important fee er for the Copper River & Northwestern of 38 miles in length into the Bering River coal fields. However little or much benefit the people and the Government might derive from these great feeders to a privately owned road, it is certain that the road over which the tonnage that these Government lines would develop and provide would be greatly benefited. The Copper River & Northwestern, it is understood, is not paying at this time; with the expenditure of some fifteen millions of public money to build feeders it probably would pay well.

The extension of the Alaskan Northern from its present terminus to the Matanuska coal fields with Government money would uncoubtedly, if those fields were opened, make valuable the constructed line of that at present wholly unprofitable property. The proposition of building 229 miles of road from the vicinity of the Matanuska coal fields into the Kuskokwim Valley at a cost of nearly \$13,000,000, while recommended by the commission, is admitted by the members of the commission to be a questionable enterprise at the best. Thirteen million dollars expenditure would serve a population, estimated by Mr. Brooks, of the commission, at about 4,000. Outside of the lines to the coal fields, which would cost, according to the reports of the commission, a little less than \$9,000,000, the remaining authorized e penditure of \$26,000,000 would serve at the outside a present white population in the interior of not

to exceed 10,000 people.

WANT TO DO SOMETHING FOR ALASKA.

There are no doubt gentlemen who have worked themselves into such a state of mind with regard to Alaska that they will insist that conditions exist in this region under which it can not have proper transportation facilities unless the Government furnish it, and that therefore we must build these roals and embark on this enterprise without regard to the cost or the population to be served. I deny the soundness of the premises on which such an extreme contention is based. If provision be made whereby the two coal fields which have been mentioned can be developed, there is not the slightest excuse for the Government building railroads into the fields. I say this I do not have in mind action that would result in the alienation of the title to those coal lands, but rather legislation providing for the leasing, on any workable or practicable basis, of lands to which legal and equitable title has not passed; and judging from the past action of the Interior Department, that would constitute the major portion, or nearly all, of these lands.

Let us see what the situation affecting private construction is or would be if coal mining were possible. The railroad commission estimates that it would cost approximately \$2,000,000 to build a branch from the Copper River & Northwestern to the Bering River fields by way of Lake Charlotte, 38 miles in length, including the necessary rolling stock, and it recommends such a line. It estimates the cost of constructing a road 25

one-half millions to this estimate on account of cost of terminal facilities. Mr. Richard Ryan, president of the Controller Bay Railway, scouts at the estimate of two and one-half millions for terminal facilities, and he has the best of the argument, because he knows all about the situation, while the Alaskan Railway Commission knew nothing of the proposed terminus except by hearsay. Mr. Ryan says that he can build his road and terminals for a million and three-quarters, and says, as do his backers, that they stand ready to give a bond to build the railroad and to haul coal for 50 cents a ton, or less if they can have considerable tonnage, from the Bering River coal fields to tidewater at Controller Bay.

No one appeared before either the House or Senate committees during the hearings to speak for the Copper River & Northwestern Railway, but no one can doubt, who has any knowledge of the situation, that the Copper River & Northwestern would build a branch to the Bering River coal fields, which they could probably do at a much less cost than the \$2,000,000 estimated by the commission, if there were assurances that there was to be coal to haul. The saving of \$8 to \$10 a ton on coal bills on their present line would in itself warrant them in building the branch. The situation, as I imagine, is in no wise different, so far as the Copper River & Northwestern is concerned, than it was late in 1908 when the secretary of the company assured the Secretary of the Interior, and later the Commissioner of the General Land Office, in writing that they were ready to complete the branch from their line to the Copper River coal fields "as soon as they could obtain a reasonable assurance that the coal fields would be worked and developed."

THE MATANUSKA COAL FIELDS.

So much for the Bering River situation; now as to the atanuska. The Alaskan Railway Commission estimates the cost of a line from the present terminus of the Alaskan Northern to the Matanuska coal fields at about \$5,000,000 for 115 miles, this to include equipment. The management of the Alaskan Northern estimates the cost at somewhat less for a shorter and more direct line to the Matanuska coal fields, and they reiterated in their hearings before the House and Senate committees their desire, anxiety, determination, and ability to build not only the line to the Matanuska coal fields but on through the valley of the Susitna to Fairbanks on the Tanana, if they can secure a right of way and get coal for their engines and for haul to the seaboard. They stand ready to build if the coal fields are opened for development under any conditions that will secure tonnage.

They have not built because they can not even get coal for their locomotives, and are compelled to run a gasoline tractor in a land with more coal in it than any like region in the world. Twenty-four thousand dollars' worth of timber they had cut for construction purposes, under an act authorizing them to do so, was seized by the forestry officials and held until it was washed out to sea and was lost. At the time of the hearing before the House committee on this bill the Alaskan Northern had been challenged by action of the Forest Service to show cause why certain of the company's station grounds and other rights of way along its completed section should not be rejected, because the Chugach Forest Reserve had been extended over the territory. Mr. Patrick, the attorney of the road, was led by these acts to express the opinion that the forest reserve had been established primarily for the purpose of preventing their extension.

In the midst of the difficulties which had been placed in the way of the further extension of this line by the acts to which I have referred by reason of the continued embargo on coal development, by reason of a decision that they did not succeed to the enjoyment of the right of way granted to the original organization that built the first part of the road, the Alaskan Northern, still desiring to build, applied to Congress for an extension of their time for filing maps of definite location and for completing their road. A bill was introduced and passed the House and Senate providing for such extension. It reached President Taft just before the close of the session of the summer of 1912, and at the instance of Secretary Fisher, who objected on the ground that it might in some way interfere with Government railway construction in Alaska, the President failed to give the measure his approval. In February, 1913, another bill was introduced granting an extension of three years for the filing of maps and of two years thereafter for final completion of the road. In order to meet the objections which had been urged by Secretary Fisher to the former bill, it was provided that in case the United States desired to acquire by purchase or condemnation the road contemplated, the extension granted and the right of way secured under it should not be held to constitute any asset of value

owned by the company. As thus amended the bill passed the House without objection. The bill reached the Senate on March 4, 1913, and Senator Nelson asked for its present consideration. Senator La Follette asked that the bill be read. After the reading of the bill the proceedings of the Senate indicate that the following took place:

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. LA FOLLETTE. Mr. President, believing that the railroads constitute the key to the control of all the great wealth of that country, and believing, as I do, that the Government should own and operate the railroads of Alaska, I must interpose an objection to the present consideration of this bill.

The PRESIDENT pro tempore. Objection is made.

There are gentlemen urging this legislation with the claim that private enterprise will not build railroads in Alaska, therefore the Government must. The record I have just read and the record of the hearings do not bear out any such contention.

During the Senate hearings on Alaskan railroad bills last summer Mr. Jemmett, treasurer of the Alaskan Northern Railway, quoted Delegate Wickersham as having said:

We have power to build railroads in Alaska, but after the President of the United States in 1908 withdrew all the coal lands in Alaska every incentive for building railroads was taken away and all the railroad building was stopped.

Mr. Jemmett, speaking for the Alaskan Northern, said that if they could know something definite even late this fall—meaning the fall just passed—they could have their road into Matanuska by the end of 1914—by the beginning of 1915 at the very outside. Mr. Boland, of the Alaskan Northern, made a statement before the House committee to the effect that private capital could have the road built, if they were permitted to build it, before the Government machinery could complete its plans for construction. All through the hearings Messrs. Patrick and Boland gave every assurance that could be reasonably asked, assurance confirmed by the logic of the situation, that their railroad would be promptly extended if right of way were granted and there could be any assurance of tonnage from the coal mines.

THE LINE TO FAIRBANKS.

I have briefly outlined the reasons why I feel confident that private enterprise will build promptly into the coal fields if they are opened for development. I am frank to say that there is not equal assurance of the immediate construction of a line through to Fairbanks or some other point on the navigable waters of the Tanana or the Yukon, but the fact that the Alaskan Northern seeks a right of way into that region, that those in position to speak on behalf of its owners say they will build into the region, while not conclusive, is reasonable assurance of such construction. The Copper River & Northwestern has always had Fairbanks or some other point on the interior rivers as its objective point. The people behind that road unquestionably have funds at their command for construction. The growing importance, not only of the Yukon and Tanana Basins but the development of the intervening country prompt and urge building of the extension, and seem to make it reasonably probable, if not absolutely certain, that, with coal mines operating, this line which the commission recommended

will be built by private capital at an early day.

But assuming for the sake of argument that, with the opening of the coal fields, the building of the lines, which would be certain to follow to tap them, there should be no immediate construction into the Tanana or Yukon Valleys, that would be time enough to consider the necessity or the advisability of Government aid or construction. If it vere deemed wise that we should clinch the matter immediately, there can be no sort of question but what assistance in the way of relief for a few years from taxation, possibly the guaranty of interest for a time on half of the cost of construction, would be all that would be necessary to assure construction into the interior. As to construction into the valley of the Kuskokwim, as contemplated by the commission on whose report this legislation was based, such construction, for the present at least, would be the wildest and most foolish extravagance-hundreds of miles of road, millions of dollars of expenditure, for development of bleak regions having less population than many communities in western States now without railroad facilities to which such facilities could be afforded for one-tenth the cost.

BAILROAD SAID TO OBJECT TO IT.

Some gentlemen have urged this legislation on the ground that the railroads already in Alaska were opposed to it, as though that constituted a good argument in its favor or clinched the fairy tale that there is a monopoly which prevents further railroad building. What are the facts in this regard, as shown by the hearings? Mr. O. L. Dickeson, president and general manager of the White Pass & Yukon Railway, does not like the idea of the Government building a railroad into the interior of Alaska to connect with the Yukon, because his railroad, only 20 miles of which is in American territory, reaches the upper Yukon and by boat partly serves and expects to further serve the country of the central Yukon and Tanana. Mr. Dickeson was very frank in his statement that he did not like to compete with a Government railroad. He had a perfect right to make that statement; but no one would, I assume, consider that statement either as an argument for or against the building of the proposed roads by the Government if it were otherwise considered wise to do it.

Richard Ryan, of the Controller Bay Railroad, expressed no objection whatever to the building of Government railroads in Alaska, provided he was not compelled to compete with a Gov-If it were absoernment-owned road into the Bering coal field. lutely necessary to build a Government road into the Bering coal field in order to properly develop it, then we could very properly disregard Mr. Ryan's protest, but as Mr. Ryan has every confidence that he can raise the million and three-quarters necessary for the building of a road into the Bering coal fields, and as, in any event, he would probably have the competition of a road built by the Copper River & Northwestern, Mr. Ryan's protest as to the lack of necessity for Government expenditure in a way that would defeat his enterprise is entitled to consideration, not so much on account of Mr. Ryan as on behalf of all the people whose interests would be best served by having privately owned roads whose rates we have the right to fix. The officials of the Alaskan Central Railroad protest, and very naturally, against a proposal that the Government shall build a feeder to the Guggenheim road 313 miles in length, at a cost of \$14,000,000, extending into a region into which they expect to build and which they can reach, in their opinion and in mine, by their line, to the greater advantage of Alaska. These officials also very naturally resented the assumption that it was necessary for them to give up their enterprise and for the Government to extend their line because they could not do it themselves. They took occasion to point out how the tying up of the coal fields, the difficulties with regard to securing material from the lands adjacent to their road, and the prohibition on their securing right of way had been the obstacles to their extension, and that they were willing and ready to build on if allowed to do so.

Furthermore, when Secretary Fisher suggested to them that the Government buy their road, they expressed willingness to sell it, if the Government should insist upon it, the price to be fixed by three appraisers appointed in the usual way. So far as the Copper River & Northwestern road, the so-called Guggenheim and Morgan road, is concerned, as I have said, no representative of the road appeared at the hearings; no statement was made with regard to their position relative to this legislation. I can imagine, however, how the owners and projectors of that line enjoy themselves as they read of the efforts being made through the passage of this bill to make a property, on which they are said to have expended nearly \$20,000,000, and which is currently reported has never paid, very valuable to them by the expenditure of \$16,000,000 of the people's money to build feeders to bring grist to their mill. Some of the gentlemen who appeared before the committees were quite emphatic in their statements about some of the things proposed under this legislation. Mr. Boland, of the Alaska Northern, the Seward road, made the following observation relative to the refusal to allow the passage of the bill for a right of way for his road. After saying that the failure to allow them a right of way penalized their road as no other road

on the continent, he said:

Not only would this road (the Alaska Northern) develop all Alaska, but letting it alone, letting it enjoy the same rights and privileges that go abegging to all other roads, would build up, without one cent of expense to the Public Treasury, the only business rival capable of wresting Alaska from the Guggenheim control, if that syndicate be, in fact, the menace to the life of the Nation so graphically pictured in this and other hearings. (See p. 342, House hearings.)

Mr. Ballaine, who has been quoted as favoring this legislation, makes this observation with regard to the recommendations of construction on which it is based:

In that very recommendation is the snare that has been set to lead the Government to buy the Copper River & Northwestern Railroad and thereby take a white elephant off the hands of the Guggenheims at an exorbitant figure.

I have no disposition to embarrass the proposed legislation by appealing to prejudices against wealthy men or successful corporations, but I can not help remarking how extraordinary it is that gentlemen who have made something of a specialty of baiting certain corporations in Alaska should be such stanch supporters of a proposition which, if carried out, would be of such vast benefit to corporations like the Alaskan Syndicate and the Alaska Northern Railway. I could easily imagine what

some of these gentlemen would say were the case reversed; had others stood in the way of granting a right of way to the principal rival of the Alaskan Syndicate; had others proposed building great feeders for the Alaskan Syndicate road at the expense of the people.

WHAT OUGHT TO BE DONE.

I would not oppose this legislation if I believed there was no other way under which Alaska could secure, within a reasonable time, needed railway facilities; I oppose it because it is wrong in principle, because, if the principle were correct, it proposes a plan unbusinesslike and dangerous to the last degree, and because it is entirely unnecessary. What Alaska needs is the opening of her coal mines; they must be opened, no matter who builds the railroads. The propositions of this bill could not be carried out without coal, therefore the first thing to do is to open and develop the coal fields. Let the Interior Department patent such lands as individuals have asserted legal claim and title to under the law, if any such there be, and report adversely on the balance of the cases and let us know where we stand in Without waiting for this to be done let Congress pass a workable leasing bill without prejudice to the claims heretofore asserted. Let such a bill provide, as the coal-leasing bill to which I have heretofore referred did, that the United States should have the right to take, for the use of its Army and its Navy at a reasonable price, such coal mined from the leased lands as it may need. Let the bill contain every necessary safeguard and protection for the public, the Government, and the consumer. Pass such a bill and the transportation question will promptly settle itself.

There are gentlemen who are supporting this legislation who claim to believe that the Government ought not to part with its title to coal lands in Alaska; that the coal should be mined under a leasing system; and who fail to grasp the fact that if this legislation passes the hope of securing a leasing bill has gone glimmering and we shall be right back, so far as Alaska s concerned, to the old system of individual ownership, against which such a furore has been raised in the past few years. I do not make this statement without full and sufficient reason for doing so; the logic of the situation is conclusive evidence. The gentlemen from Alaska who are pressing this legislation do not believe in, do not want leasing legislation. It is proposed to pass this legislation through a combination of those who do and those who do not believe in leasing legislation. If the bill passes and railway construction begins, the cry will go up that these railroads must have coal. How are they to get it? If in the meantime the Interior Department has not issued patents on the few claims which are currently reported as being free from taint or fraud so that coal can be mined from them, or if such claims are not immediately accessible, or the coal entirely satisfactory, where is the coal to come from? Who is to get it out?

The gentlemen who have been clamoring for years for lease legislation will perhaps introduce bills which, under conditions then likely to exist, will in all human probability be defeated in one body of Congress or the other. But they must have coal in Alaska for these Government railways. Will the Government open a mine and mine coal for the use of the Navy and for the use of the Government and privately owned railroads? That is the next step in Government socialism and paternalism being proposed, and it would be infinitely more logical than the action now proposed. Of course the project would be expensive, wasteful, unsatisfactory, inadequate, and then what? a demand, which would ultimately be successful, that the coal laws now on the statute books of Alaska be allowed to operate; that the claims which have heretofore been denied be reconsidered or new claims allowed or asserted to the same lands, and thus restore exactly the condition of private ownership which would have resulted had there never been any excitement over the coal fields of Alaska.

WHAT THE LEGISLATION WOULD ACCOMPLISH.

This, then, Mr. Chairman, is what the passage of this bill will accomplish: It will embark the Nation on a limitless and extravagant scheme of transportation, ownership, and operation, including terminals, wharves, ports, and steamship lines, greatly to the benefit of those now owning lines in Alaska, to which the Government lines would be feeders. It would result in the opening and operation of Government coal mines for a time, at least; it would eventually restore conditions of private ownership of coal lands in Alaska against which there has been a great popular movement for years. As a necessary corollary and result of these things, it would involve the Nation in bickerings and scandals, in criminations and recriminations, compared with which the so-called Ballinger-Pinchot controversy would appear as a tropical zephyr beside an Arctic hurricane.

The only portion of our people who can be benefited by this legislation would be those communities in the Pacific northwest whose trade and business would be temporarily increased; some communities in Alaska that would temporarily boom; the owners of the present railways in Alaska. As for the balance of the country and the remainder of our people, there never could be a moment after the legislation became a law, if it did, that its effects, direct and indirect, present and remote, would not be harmful and regrettable.

[Mr. SMALL addressed the committee. See Appendix.]

JOHN T. CHANCEY.

Mr. MANN. Mr. Chairman, I ask unanimous consent that I may extend my remarks in the RECORD for the purpose of inserting in the Record addresses delivered by Dr. Couden and by Rev. John T. Huddle at the funeral exercises of the late Capt.

Chancey.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks by printing certain addresses delivered at the funeral of Capt. Chancey. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

RAILROADS IN ALASKA.

Mr. FALCONER. We have had a fine line of entertainment by gentlemen who have spoken on this measure, and the gentleman [Mr. SMALL] who has just resumed his seat has been somewhat engaging, in that he still continues to labor under the spell produced by the eloquence of the gentleman from Oklahoma [Mr. Ferris]. As a matter of fact, the speech of the gentleman from Oklahoma characterized a number of speeches that have been delivered against this bill, and the common characteristic, Mr. Chairman, is that the facts applied, whether from governmental sources or not, were so far-fetched that they had lost their identity in the application, and I think they were generally misapplied.

The previous speaker asked very pointedly and repeatedly "Why advocate Government-built railroads in Alaska when it has never been done in any other part of the United States? My reply, sir, is that if the gentleman knew anything about the topographic and the geodetic features of the country and the conditions obtaining that prevent return for individual effort in Alaska he would know one good reason for the passage of this Further, does the gentleman not know that a vast land empire has been dedicated to railroad pioneering in the United

I wish to observe in opening, sir, that the chief feature of the opposing arguments suggests that one of the prime objects of attack on the bill is to oppose the principle involving Government ownership of railroads. Not a Member who has spoken in opposition has concluded his remarks without holding up to the House the dangers of even an experiment in the matter of Government ownership of transportation lines. The minority report opposing the passage of this bill, which was so thor-oughly "Lenrooted" by the gentleman from Wisconsin, indi-cates that its authors are fearful of the uncertain things which might happen should the Government embark on railroad building in Alaska.

Mr. Chairman, I want to say to these gentlemen that their solicitude is very light when compared to the interest and solicitude of the Alaska Syndicate. I should not find it necessary to remind the gentlemen that the United States Government now owns and operates the telegraph lines and wireless stations in and the marine cable running to Alaska, and without injury to the country

It is my desire, Mr. Chairman, to analyze the situation here

in Congress as it now presents itself to me.

I believe the Member who exercises the final vote on this measure votes either for the interests of the country or for the

interests of the Guggenheim-Morgan syndicate.

I do not impugn the motives of any Member of this House. I do believe, however, irrespective of any Member's opinion or however honest any Member may be in his opinion, in the final analysis a vote for this bill is in the interests of the people of this country and a vote against this bill is in the interests of the Alaska Syndicate.

The statement may seem extraordinary, but Alaska, with her

extraordinary experiences, justifies the assertion.

We read much these days in condemnation of the anarchistic tendencies of the times, and no man who possesses the elements of true American citizenship condones the offense, but for double-distilled, concentrated, and truly focused anarchy the history of Alaska refers us to the record of the Alaska Syndicate and its vicious and law-breaking operations in the vicinity of Katalla and Valdez.

When the gentleman from Wisconsin was delivering his able address on this subject and reciting some of the outrages of the Alaska Syndicate and the extraordinary means employed by that company in shutting out a competitive company from building a road east from Valdez, Members of the House were amazed that such arrogance and defiance of law would be

I will now read letters written by men who were eyewitnesses and who were on the ground when the notorious conflicts between opposing right-of-way interests took place:

KENT, WASH., September 12, 1913.

. J. A. FALCONER, House of Representatives, Washington, D. C.

House of Representatives, Washington, D. C.

My Dear Sir: I hope you will see your way clear to support the Alaska railroad bill for the opening of Alaska for the benefit of people of humble means.

I spent eight years in Alaska, and can truthfully say that the United States Government is the only party that can build and operate a railroad in that country, for the simple reason that the United States is the only one that has or can afford a standing army to protect the builders.

I was in Katalia in 1907 when certain powerful interests had an army of several hundred men, armed, which destroyed and confiscated property of people trying to build a road to the Bering coal fields, Representatives of the same interests found it necessary to commit murder in Valdez the same year to keep another road from building to Fairbanks. These statements can be verified by anyone familiar with that country.

* *

Fairbanks. These statements can be verified by anyone familiar with that country. * *

I will close by admonishing you to remember, in making appointments for the judiclary and other offices in Alaska, that there is positively no difference between a Guggenheim Democrat and a Guggenheim Republican. Yours, very truly,

CHAS. H. RUDD.

SEATTLE, WASH., January 7, 1914.

Hon. J. A. FALCONER, Washington, D. C.:

Hon. J. A. Falconer,

Washington, D. C.:

July 3, 1907, the Guggenheim forces, under Superintendent of Construction McClure, assisted by Mike Sullivan and Black Sullivan, attempted to build a railway trestle through the center of the Bruner properties, being about 1,000 feet from the original Guggenheim right of way. The Bruner employees, under orders of Superintendent Dwyer, superintendent of construction, and Hampton, civil engineer, repulsed the Guggenheim men with cables, 300 feet long, with rails attached. One end of the cables was anchored to what is known as a "deadman"; the other end of the cables was operated by a donkey engine. On July 5 Superintendent McClure and a force of Guggenheim men commenced building blockhouses and breastworks preparatory to taking possession of the "deadman." On the evening of the same day Black Sullivan, with 700 men, receiving from \$5 to \$10 per hour, charged the Bruner employees who were defending the "deadman." Mike Sullivan, with about 200 men, charged from the rear, resulting in a pitched battle, in which numbers of men were so badly injured that they needed hospital attendance. The Bruner forces were armed with pick handles; the Guggenheim forces with firearms, dynamite, and pick handles. Peterson, a house carpenter for the Bruner side, an expert swordsman, put Black Sullivan in the hospital for several weeks. Hoover, master mechanic for the Guggenheims, attempted to throw dynamite among the Bruner employees. Oscar Breedman, known in Alaska as Crooked Ole, furnished the Guggenheims and cutting all cables, Mike Sullivan and the Guggenheim men under him took possession of all the Bruner pile drivers, and also put men to destroy the Bruner mess house and other buildings. On July 6 the Guggenheim "man catcher" (employer of labor) offered all the Bruner employees work at increased wages. Bruner then ceased construction. In the following October the Guggenheims closed down at Katalla and moved to Cordova, immediately reducing the wages of their employees work at increased w

VALDEZ, ALASKA, January 8, 1913.

Hon. J. A. Falconer, House of Representatives, Washington, D. C.:

House of Representatives, Washington, D. C.:

The Copper River & Northwestern Railway did considerable grading and tunneling in Keystone Canyon in 1906, then transferred its operations to Katalia in the spring of 1907. In August, 1907, the Alaska Home Railway started from Valdez. Soon afterwards the Copper River & Northwestern Railway Co. put about 75 men at work in Keystone Canyon. Early in September, 1907, Edward Hasey was appointed special deputy United States marshal at the request of George C. Hazelett, general agent of the Copper River & Northwestern Railway Co., and was sent to the canyon under pay of that company, which also paid several guards with him. Hasey was known as a guman. He had killed two men. Soon after going to the canyon he wrote Hazelett, asking for four Winchester repeating rifles, with ammunition. Hazelett sent the guns, with a letter instructing Hasey to hold the canyon at any cost. Hasey and General Foreman O'Neill were instructed to post notices sent them by General Manager Hawkins, warning all but employees out of the canyon and to keep out all but employees. O'Neill and Hasey chased out several men. The Alaska Home Railway grading forces approached Keystone Canyon, 14 miles from Valdez, late in September. Entrance to the canyon is by a railroad through a cut 200 feet long through a headland that projects from the mountain side into Lowe River, about 150 feet beyond the inner end of the cut. Hasey had living tents and had erected a barricade about waist high. The

cut contained "a survey" (a lookout), and is reached from an open valley on a filled grade. In the forenoon of September 25, about 140 of the Alaska Home Railway men, led by a foreman and an engineer of the party, marched into this cut with working tools, intending to go past the Copper River & Northwestern Railway operations and work beyond until the differences were settled. The Alaska Home Railway forces had no firearms. O'Neill, leader of the Copper River & Northwestern Railway forces, warned them back, but they proceeded, and when the van of the squad rounded the curve in sight of the barricade, Hasey began shooting with a Winchester. The Alaska Home Railway men turned and ran back. Hasey continued shooting. Five men were shot, and one died afterwards. Phillips was shot in the back and permanently crippled. Hasey was indicted for murder in the second degree, and four indictments were returned against him for assault with intent to kill. The cases were taken to Juneau on account of prejudice in Valdez. Hasey was acquitted of the murder charge, but was later convicted of the Phillips assault. He served 18 months at the United States penitentiary on McNeills Island. The liability of the Copper River & Northwestern Railway Co, in the Phillips case was fixed by showing that Hasey, though a deputy marshal, was paid by that company, and that he acted under its orders as its agent. He admitted that the company paid all the costs in Hasey's defense in the criminal cases. The verdict for Phillips was \$15,000, later reduced to \$10,000. There are many other striking details on file with the circuit court of appeals at San Francisco. For the printed record and brief, see case 1941, decision 198, Federal 328.

E. E. RITCHIE, Attorney for Phillips.

Note.—Mr. Ritchie is ex-mayor of Valdez and was attorney for Phillips.

Mr. Chairman, these outrages occurred in the years 1906-7, and it might be suggested by the opposition that such conditions could not exist at the present time. I will read an article appearing in the Seattle Post-Intelligencer, under date of January 8, 1914, which indicates that the same lawless tactics, embracing disregard for court decisions and the rights of men, are still the chief weapons of the Guggenheims in Alaska:

AW AND GUNS FIGURE IN FIGHT FOR GOLD CLAIM—CORPORATION'S ARMED GUARDS DRIVE MINERS FROM CHICAGO BENCH ON FLAT CREEK—MEN HALED TO COURT ON TRESPASS CHARGE—DISCHARGED, THEY RETURN AND ARE ROUTED IN BATTLE WITH YUKON GOLD CO,'S POSSE—WITH DOG TEAM ONE OF THE PARTNERS TRAVELS 600 MILES, COMING TO ENGAGE COUNSEL.

The story of a fight for a \$1,000,000 gold claim between two miners and a great corporation, in which armed guards, gun fights, long trails traveled by dog team, and alleged false arrests figure in a manner reminiscent of "The Spoliers," by Rex Beach, has reached Seattle from the far north. The contenders in the legal and physical battle being waged for possession of the 40-acre area of ground on Flat Creek in the Iditarod, said to contain \$1,000,000, are William Knox and Samuel Adams, two well-known Alaska miners, on one side, and on the other the Yukon Gold Co., of New York, owners of the great Dawson dredges, which have climinated the pick and shovel miner from the golden mecca of 1898, and in which the Guggenheims are heavy shareholders. TRAVELS 600 MILES BY DOG TEAM.

Adams arrived in Seattle January 5 on the steamer Northwestera from Valdez, after a 600-mile trip from Iditarod city to Seward, making the journey to consult legal talent here and plan for the coming legal battle in the North. He has retained William A. Gilmore, the former mayor of Nome, who is spending the winter in this city, as his chief attorney. Mr. Adams is now in Spokane.

According to friends of Mr. Adams, the following is a brief skeleten of the story:

The Chicago bench claim on the right limit of Flat Creek is one of the richest unworked claims in Alaska, to judge from development already done. Last full Adams and Knox relocated this claim, alleging forfeiture in 1911 by Tom Aiken, the original owner, through his full-ure to do the annual assessment work. In the meantime, Aiken and his associates had leased the ground to the Yukon Gold Co.

REPULSED BY ARMED GUARD.

On October 14 of last year Adams and all his men then at work on the rich claim were arrested at the behest of officers of the corporation and haled into court at Iditarod on a charge of trespass. After trial, during which feeling ran high and physical violence was imminent, Adams and his associates were acquitted.

Jubilant over their legal victory, they returned to the claim on Flat Creek to resume work, only to find the property surrounded by armed guards of the Yukon Gold Co. There was a pitched battle, in which Adams and his men were routed. Adams returned to Iditarod city and on December 3i last filed suit in the district court there to oust the Yukon Gold Co. from possession of the claim.

In November Adams started from Iditarod city by dog team and traveled 600 miles over the snow to Seward to catch a steamer for Seattle. Word was received in the city by his friends yesterday that suit had been filed for him and his associates by lawyers in Iditarod city for \$100,000 damages for false arrest.

MINE UNDER ARMED GUARD.

MINE UNDER ARMED GUARD,

The legal battle for the possession of the mine will be contested in Iditared city next July.

Attorney Gilmore will return to Nome on the first steamer up, and go at once from there to Iditared to take personal charge of the case. At present the mine is in possession of the Yukon Gold Co., which maintains an armed patrol there.

KETCHIKAN, ALASKA, January 10, 1914.

Hon. J. A. Falconer, House of Representatives, Washington, D. C.

Dear Sir: I have been away from my office on a criminal suit at Wrangel, Alaska, and hasten on my return to answer your wire of the 7th instant. The boat is due here in a few minutes, and I inclose you herewith copy of a petition which was filed in the office of the Secretary of the Interior, which gives a running account of the matter.

Also certificate of register showing that the said company had forfeited all rights in the canyon.

I was not associated with the company at the time of the fracas at Katalla and can not give you the history of that affair.

The man Ed. C. Hasey, who shot and wounded the men, was afterwards convicted for manslaughter and sentenced to five years. The report is that he was under pay of the Alaska Syndicate during all the time he served. I am, time he served. I am, Very truly, yours,

CHAS. E. INGERSOLL

Note.—This man Hasey stood behind a stone barricade and fired soft-nose bullets from a 30-30 Winchester rifle into the 150 men massed together in the narrow canyon without warning. There was not a gun in our party, and such an act was not anticipated.

relation to the application to cancel the right of way of the Copper River & Northwestern Railway Co. from Valdez through Keystone Canyon to the interior of Alaska. Canyon to the interior of the Interior,

To the honorable Secretary of the Interior,

Washington, D. C.:

In relation to the application to cancel the right of way of the Copper River & Northwestern Railway Co. from Valeez through Keystone Canyon to the interior of Alaska.

To the honorable SEGETTARY OF THE INTERIOR.

Your petitioners appear aminen were all the contended by which a realizad can brief, and represent that there is but too route by which a realizad can brief, and represent that there is but too route by which a realizad can be a composed to the contended of the conten

Wherefore your petitioners pray that said survey of said Copper River & Northwestern Railway Co. be canceled and that notations of such cancellation be placed on the records of said survey of said road in the office of the Secretary of the Interior, Commissioner of General Land Office at Juneau, and thus prevent further trouble.

Respectfully submitted this —— day of October, 1907.

UNITED STATES OF AMERICA, District of Alaska, ss:

Charles E. Ingersoll, being duly sworn, upon his oath deposes and

says:
That he is a petitioner set forth in the foregoing petition; that he has read the foregoing petition, is familiar with the contents thereof, and the same is true to his own knowledge and belief.

- day of October, 1907. Subscribed and sworn to before me this -

Register of applications for right of way, etc., under act of May 14, 1898. United States Land Office at Juneau, Alaska.

Register of applications for right of way, etc., thuer act of applications for right of way, etc., thuer act of applications 1598. United States Land Office at Juneau, Alaska.

R. and R. No. 23.

Name of parties: Copper River & Northwestern Rallway Co.; George C. Hazelet, agent, Valdez; Henry Deyo, chief engineer.

Description of tracts, sec. T. R.—right of way: Beginning at a point near Valdez on the shore of Valdez Bay, from which the flagstaff at Fort Liscum bears S. 3° 52′ W., 14,519.7 feet; then in an easterly direction to sta. 82–10; thence from sta. 90–51 to sta. 95–85; thence from sta. 100–21 to sta. 102–85; thence from sta. 110–82 to sta. 118–50; thence from sta. 144 easterly, behind the town of Valdez, along Lowe River, to Dutch Valdey, a distance of 19.125 miles.

Terminal ground at Valdez Bay. Between the shore of Valdez Bay on the south, survey No. 495 on the east, sur. No. 635 on the north, and sur. 643 on the west. Containing 39.90 acres.

Station grounds at station 375, Robe River. Containing 20 acres. When filed: June 20, 1905.

When transmitted to the General Land Office: June 20, 1905.

Final action by General Land Office: Approved by Secretary of the Interior January 17, 1906; G. C. Hazelet notified February 9, 1906.

Station grounds at station 590, 20 acres. Approved by Secretary January 27, 1906; G. C. Hazelet notified February 19, 1906.

UNITED STATES OF AMERICA, District of Alaska, ss:

INITED STATES OF AMERICA, District of Alaska, 88:

I. J. W. Dudley, register of the United States Land Office at Juneau, Alaska, and custodian of the records thereof, do herewith certify that the foregoing is a full, true, and correct copy of the records of the filing and approval of the definite map of location of the said right of way of the said Copper River & Northwestern Railway Co. and the field notes thereof, and the whole thereof, as the same appears of record in the said office.

Witness my hand this 10th day of September, 1907.

Register.

THIS LEGISLATION GENERALLY DEMANDED.

Mr. Chairman, there are thousands of men in my State who know of and recite obstacles to individual effort in Alaska, and they urge as the most effective remedy Government ownership of railroads in Alaska.

This Territory is so exceedingly rich that little niches in the mountain crevice or a few acres of placer, coveted by combinations and syndicates, have been the objects over which armed conflicts have taken place between uneven forces, to the exclusion of the individual.

The country is calling on this Congress to adopt this measure, and, Mr. Chairman, I wish here to insert resolutions adopted by labor and commercial organizations of the West and a joint memorial resolution by the Legislature of the State of Washing. ton; and in this connection I wish to say that other resolutions received have been presented from time to time to the committee and to the Department of the Interior:

Resolutions adopted by Central Labor Council of Seattle.

Whereas bills have been introduced in both Horses of the American Congress providing for the governmental construction of railway lines in the Territory of Alaska; and Whereas the President of the United States and the Secretary of the Interior have publicly indorsed the principle involved in these bills; and

whereas the wonderful resources of the Territory of Alaska can never be developed nor brought into use for the benefit of mankind without proper transportation facilities; and Whereas we are convinced such facilities will not be provided by private enterprise or private capital; Now, therefore, be it

enterprise or private capital: Now, therefore, be it

Resolved, That the Central Labor Council of Seattle and vicinity
hereby indorse the attitude of President Woodrow Wilson and Secretary
Franklin K. Lane in their attitude toward these measures, and we
earnestly recommend that the Senators and Representatives in Congress from the State of Washington lend their active and aggressive
support in favor of the passage of these bills, which we believe will
result in great benefit to the people, not only of the State of Washington and Alaska, but of the entire United States; be it further

Resolved, That a copy of the above be mailed to each Senator and
Representative from the State of Washington.

[SEAL]

R. LOEWE,

R. LOEWE, Secretary of Labor Council.

SEATTLE, WASH., December 17, 1913.

Resolutions adopted by the Trades and Labor Council of North Yakima, Wash., December 31, 1913.

Whereas Alaska is conceded to be a land of great but undeveloped resources; and

Whereas first among these resources are vast fields of coal—authracite, semibituminous, and bituminous—as good as any coal in the world and suitable for the use of the battleship fleet or the Navy of the

semblituminous, and bituminous—as good as any coal in the works semblituminous, and bituminous—as good as any coal in the works and suitable for the use of the battleship fleet or the Navy of the United States; and Whereas the coal now used by the Pacific Fleet is brought from the Atlantic coast around Cape Horn in foreign ships at great expense or is imported from Japan and Australia at enormous cost; and Whereas the opening of the Panama Canal and the coming expansion of the commerce of the United States on the Pacific Ocean and the more extended operations of the Navy on the waters of the Pacific Ocean will necessitate the assembling of vast quantities of coal for use not only in time of peace but as supply in preparation for possible war; and Whereas these fields are now owned by all the people and are now being opened up by the Department of Mines for the use of the Navy; and Whereas because of these facts we believe that the first great necessity in the opening up and development of Alaska is the building and operation of a railroad to her great coal fields, in order that the coal from the same may be made available for governmental purposes, as well as for the commerce of the world, and the second great necessity is the continuation of such a railroad connecting one of her open ports with her great interior river systems, and thus by adequate transportation provide the foundation upon which to develop her vast dormant mineral and agricultural possibilities for the benefit of the whole country: Therefore be it

Resolved, That we hereby indorse the plan of railroad construction in Alaska in general as embraced in the bilis on this subject in the House of Representatives and the Senate of the United States, which have already been recommended for passage, having received the approval of the Committee on Territories in both the House and Senate, respectively, believing the plan so authorized to be such as all broadminded men interested in the development of this country can approve.

[SEAL.]

MARCH 18, 1

MARCH 18, 1913.

Representative J. A. FALCONER, Washington, D. C.

Sin: I have the honor to transmit herewith a certified copy of house joint memorial No. 13, relating to the matter of railroad construction and development in the Territory of Alaska, the subject matter of the first message to Congress of the United States.

The members of the Senate and the House of Representatives of the State of Washington respectfully ask that you present the matter before the proper authorities and that you exercise your influence toward securing a proper recognition of the request embodied in the memorial. Respectfully,

C. R. Maybury,

C. R. MAYBURY, Chief Clerk House of Representatives.

TILIKUMS OF ELTTAES, Seattle, Wash., November 13, 1913.

Hon. J. A. FALCONER, House of Representatives, Washington, D. C.

DEAR SIR: The Tilikums of Elttaes, an organization consisting of 3,000 of Seattle business men, at its last meeting unanimously adopted the following resolution:

3,000 of Seattle business men, at its last meeting unanimously adopted the following resolution:

"Whereas bills have been introduced in both Houses of the American Congress providing for the construction of railway lines in the Territory of Alaska by the Government; and
"Whereas the President of the United States and the Secretary of the Interior have publicly indorsed the principles involved in these bills; and
"Whereas the wonderful resources of the Territory of Alaska can never be developed nor brought into use for the benefit of mankind without the proper transportation facilities; and
"Whereas we are convinced that such facilities will not be provided by private capital or enterprises: Now, therefore be it

"Resolved, That the Tilikums of Elttacs, in lodge assembled, hereby indorse the attitude of President Woodrow Wilson and Secretary Franklin K. Lane in their attitude toward these measures, and we earnestly recommend that the Senators and Representatives in Congress of the State of Washington lend their active and aggressive support in favor of the passage of these bills, which will result in great benefit to the people not only of our own State of Washington but to Alaska and to the people of the entire United States."

We carnestly hope that you will give this matter, which is of such great concern to our people, your most careful consideration.

Respectfully, yours,

[SEAL.]

JOHN C. SLATER,

Type Kopa Konaway,

D. G. Invernatury.

JOHN C. SLATER,

Tyee Kopa Konaway.
D. G. INVERABITY, Secretary.

SEATTLE, December 9, 1913.

Hon. J. A. FALCONER, Washington, D. C .:

Whereas the Yukon Order of Pioneers, of Seattle, are a body of men who have spent the better part of their lives in Alaska and the British Yukon, whose experience in prospecting the placer fields of Alaska and general knowledge of the conditions of the country have been gained by years of arduous toil, and whose efforts looking to the development of Alaska are not actuated by any selfish interest or subservience to any corporate or political influence: Therefore be it

or subservience to any corporate or political influence: Therefore be it Resolved, That this body call the attention of Congress to the fact that the high-grade placer diggings are being worked out; that there are vast areas of placers as well as quartz lodes only awaiting a new condition whereby transportation of supplies and machinery may be placed at reasonable cost; and be it further

Resolved, That ir the opinion of this body a railroad from the west coast of Alaska to the Yukon River is an urgent necessity to the welfare of Alaska and its people. Such a line would traverse a gold belt for the entire distance and would enable the miner to transport his outfit from salt water to the high lands of the Coast Range at a reasonable rate and from there to the valleys below at little labor and expense. Now, therefore, we in convention assembled pray the Senate and House of Representatives to expedite the necessary legislation looking to the immediate construction of a Government railroad along the lines suggested above; and we further indorse the recommendations set forth in the message of President Wilson with reference to legislation for Alaska before Congress recently convened; be it further

Resolved, That a copy of these resolutions be mailed to the President of the United States, the Delegate from Alaska, the Members of Congress for the State of Washington, and Senator Key Pittman, of Namedon. gress for Nevada. Attest:

GEO. T. SNOW, President, JAMES O'NEILL, Secretary.

Resolution from Seattle Rotary Club.

Resolution from Seattle Rotary Club.

Whereas Alaska is conceded to be a land of great but undeveloped resources; and

Whereas first among these resources are vast fields of coal—anthracite, semibituminous, and bituminous—as good as any coal in the world and suitable for the use of the battleship fleet of the Navy of the United States; and

Whereas the coal now used by the Pacific Fleet is brought from the Atlantic to the Pacific coast around Cape Horn in foreign ships and at great expense; and

Whereas the opening of the Panama Canal and the coming expansion of the commerce of the United States on the Pacific Ocean and the more extended operations of the Navy on the waters of the Pacific Ocean will necessitate the assembling of vast quantities of coal for use not only in time of peace, but as supply in preparation for possible war; and

Whereas these fields are now owned by all the people and are now being opened up by the Department of Mines for the use of the Navy; and Whereas because of these facts the people of the Pacific coast are unanimous in agreeing that the first great necessity in the opening up and development of Alaska—the one thing which would be of the greatest material benefit not only to the people of Alaska and the Pacific coast, but to the people of the whole country—is the building and operation of a railroad to her great coal fields, in order that the coal from the same may be made available for the battleships of our country as well as the commerce of the world, and that the second great necessity is the continuation of such a railroad connecting one of her open ports with her great interior river systems, and thus by adequate transportation provide the foundation upon which to develop her vast dormant mineral and agricultural possibilities for the benefit of the whole country: Therefore be it

Resolved, That the Rotary Club of the city of Seattle does hereby indorse the plan of railroad construction in Alaska in general as embraced in the bills on this subject in the House of Represent

further

Resolved, That the Rotary Clubs of the United States be requested to take such favorable action in regard to the purpose of these resolutions as may be deemed advisable, and to make such action known to all of the Members of Congress from their respective States.

CLAUDE H. ECKART, President.

W. A. GRAHAM, Jr., Secretary.

WM. T. PERKINS, Chairman,
C. G. HEIPNER,
E. G. SHORROCK,
O. L. CHAPMAN,
Committee.

Committee.

Mr. Chairman, I wish here to quote from a report of Mr. Seth Mann, the personal representative of the President, who made a special trip to Alaska in 1913. Regarding the advisability of building a Government railroad in Alaska, Mr. Mann states:

special trip to Alaska in 1913. Regarding the advisability of building a Government railroad in Alaska, Mr. Mann states:

There are two primary requirements for the opening up and development of Alaska—first, the construction of railroads, roads, and trails, and, second, the opening up of the coal fields. These two projects should go forward with equal steps, since each is dependent upon the other.

I am convinced that this work of the building of railroads, as well as the construction of roads and trails, should be carried forward by the Government directly. There is nothing definite or certain in regard to the building of railroads by private enterprise, either unalded or with Government assistance. The traffic to support Alaska railroads must be in large part developed by the road itself through the settlement of the country, induced by increased transportation facilities. When the Bering River and Matanuska coal fields are opened by appropriate legislation, railroads to these fields would no doubt be constructed by private enterprise. The opening of these coal fields is, however, a separate problem, and until that problem is satisfactorily solved there will not be sufficient coal traffic to induce the building of railroads to the fields. It may take some considerable time to enact legislation that will result in the satisfactory working of these great deposits. In the meanwhile it must be assumed that railroad development by private enterprise to the coal fields would be delayed until it became apparent that the legislation would result in the immediate opening of the coal measures.

Alaska needs at once one and probably two railroads. One should run from the coast to the Tanana and the Yukon, and the other from the coast in a northwesterly direction at least as far as the valley of the Kuskokwim River. I can not believe that any railroads of this length will be constructed by private enterprise for many years to come. If this be true, such development of that portion of Alaska beyond the Chugach Mountains

remain in the field, if not twice as long, at least two months longer than he can at the present time. He must enter the field under present conditions late in the year and return again from a month to two months earlier than would be necessary if these railroads were built, since he can not risk the severities of the Alaskan winter which may prove fatal if he starts out too early and returns too late. The principal resources of the interior of Alaska are its mineral wealth. It is the universal opinion of all Alaskans and of the Government scientists that this wealth is prodigious. It is also evident that it can not and will not be developed until railroad transportation through the country is afforded. It is also the general opinion that the building of the road will cause this development to proceed at once. In other words, the building of a railroad must precede the mineral development of interior Alaska.

Transportation by river is closed for about seven months in the year; the transportation is had only by dog team or in some cases by stage line, but the expense of this method is so great that no freighting to any extent is performed during these seven months. The construction of railroads would open up transportation all the year round.

The harbors of Seward, Valdez, and Cordova on the south central coast of Alaska are open during all of the year, and any or all of them may be used as coast terminals.

Mr. Chairman, I am informed by reliable men who have spent

Mr. Chairman, I am informed by reliable men who have spent years in Alaska and who are familiar with the coast that Haines Mission and Portage Bay both present excellent locations for coast terminals.

SAN FRANCISCO, CAL., January 24, 1914.

SAN FRANCISCO, CAL., January 24, 1914.

Hons. J. A. Falconer,

House of Representatives, Washington, D. C.:

The Associated Chambers of Commerce of the Pacific Coast, representing every substantial business and commercial interest thereon, views with gratification the relief which Congress is about to give the Territory of Alaska in the shape of legislation permitting of the development of its resources, a development which is vital and of tremendous importance to the commercial welfare of the entire Pacific coast. This organization urges you to exert your utmost influence to unlock the vast wealth of that Territory by the support of a program which will insure transportation facilities, and without which no material development can take place. We believe that this is a moral obligation fairly resting upon the Government, in view of its previous attitude to that Territory.

ASSOCIATED CHAMBERS OF COMMERCE OF THE PACIFIC COAST.

From the perspective of distance in foreign governmental affairs, it appears the height of wisdom on the part of the United States to engage in this enterprise.

Premier Richard McBride, in the New York Times of August 20, 1913, discussing railroad building in Alaska by the United

States Government, said:

States Government, said:

Of course I am not in a position to criticize any action Congress might take in the matter, but as I have been associated with the Government of a country that borders on Alaska for some 13 years, I have come to know something of the value of that Territory. I have always said that the American people had not risen to a true appreciation of the wealth of Alaska.

Our Government is helping to build the Pacific & Great Eastern Railway from Vancouver northeast directly across British Columbia. Over 4,000 men are working on the line. The money for the work is all in the banks. I can conceive of no circumstances that might arise to obstruct its completion. This will be extended from Fort George to the Peace River country, approximately 700 miles north of the fortyninth parallel.

ALASKAN RESOURCES.

Mr. Chairman, the resources of Alaska are exceptional. The land which in the sixties was referred to as "the frozen North" was rejected by men of affairs as a great frigid, ice-covered district. Later man obtaining brought district. Later, upon obtaining knowledge of the country, its great possibilities fired the imagination of alert men and started a great movement to obtain possession of the riches of the district

After a few years of extraordinary activity some of the richest mineral deposits in the country were in the hands of great corporations, and it was evident that if their activity continued Alaska would be in the grip of a few cruelly cold and grasping men. It became necessary for the administration to investigate. Information obtained through the Forestry Department, at the head of which was Mr. Pinchot, led to an Executive order by Mr. Roosevelt, in 1906, withdrawing all coal lands from entry; and I am of the opinion that had that order not been issued we should not to-day be considering Government ownership and control of railroads in Alaska, but the country as it turned to its dictionary of economics would find the term "Alaska resources" to be a synonym for "Alaska Syndicate interests."

Alaska, with her magnificent distances, placed on the map of

the United States, with Ketchikan at Charleston, S. C., and Juneau at Knoxville, Tenn., places Skagway in southern Kentucky, Cordova at St. Louis, Mo., Fairbanks in northern Iowa, Nome in South Dakota, Point Barrow in northern Minnesota, Seward in western Missouri, and the western extremity of the Aleutian Islands northwest of Los Angeles, Cal. In other words, distances in Alaska embrace the distances involved from the northern to the southern boundary of the United States and from the Atlantic to the Pacific coasts.

Alaska, with an area of 586,000 square miles, equal to that of 20 States; with more than twice as much water line as the Atlantic and Pacific coasts of the United States; with her vastly

greater open harbor shore line than the Scandinavian Peninsula; with agricultural possibilities that are a revelation to the average person—the great Susitna Valley alone being 80 miles wide and 125 miles long—and greatly in excess of those of Norway, Sweden, Denmark, and Finland, which countries have 12,000,000 population; with grazing lands north of the Yukon for 10,000,000 reindeer, and south of the Yukon for as many cattle; with coal fields of extensive areas, exceeding 12,000 square miles, and with a probable area of several times that amount, as suggested by Dr. Brooks before the Senate committee; with merchantable timberlands exceeding 20,000,000 acres (see Kellogg, associate forester, Forest Service Bulletin No. 81, pp. 13); with fisheries, the greatest in the world, 4,450,000 cases of salmon in 1913, each case having forty-eight 1-pound cans, besides quantities of salted and frozen salmon, herring, and halibut; with seal-fur products, running into fortunes every year-Alaska with these untold riches is waiting development.

Preliminary estimates of Alaska mineral production for 1913, made by Alfred H. Brooks, of the United States Geological Survey, are at hand. Final figures will not make much change in

the estimate. They are as follows:

Total mineral output for the year is \$18,900,000. Of this sum \$15,450,000 was in gold and \$3,014,000 in copper. The silver product was \$220,000; that of marble, gypsum, tin, and so forth, about \$220,000. The total figures show a slight decrease from the yield of the previous year, due not to a shrinkage in mine

values, but to unusual conditions.

Eight copper mines and 27 lode gold mines have been in sucresult copper mines and 27 lode gold mines have been in successful operation during the year. New placer districts of great promise have been discovered. Coal in quantity for thorough testing as to quality has been brought out, both from the Bering River and the Matanuska fields. Government tests are in progress. Some oil wells operating pumping plants near Katalla have produced petroleum which was refined locally and marketed for local area. keted for local use. The report is an encouraging one and emphasizes the need of early railroad construction so that the development of such large and well-tested sources of national wealth may go rapidly forward.

Mr. Chairman, with such reports as this available and with conclusive evidence that Alaska excels in vast riches, still there are gentlemen who fail to grasp the importance of this Terri-

tory.

The gentleman from Maryland [Mr. SMITH] some time ago introduced a resolution to the effect that the United States open negotiations with Great Britain to consider the advisability of selling or exchanging southeastern Alaska with Great Britain for a consideration.

Southeastern Alaska: Treadwell mine, 5,000 tons daily capacity, has paid \$55,000,000 and has ore blocked out that will last 50 years and net over \$100,000,000.

Three prospects developed to the point of certain operation, with a daily tonnage of twenty, twelve, and ten thousand tons, respectively, and the largest mine with ore blocked out guaranteeing 100 years' run, are located within 4 miles of Tread-

gross output of these combined properties will equal \$35,000,000 per year, and is all in southeastern Alaska, which the gentleman from Maryland would trade off to a foreign

THE COAL PROBLEM.

One of the great resources of Alaska that is now engaging the attention of the people of the country is coal, and as it is an important factor in the commerce of the country and soon to be a subject for consideration at the hands of Congress, I wish to present some views on the subject. Alaska has the only anthracite coal on the Pacific coast and the only high-grade coking coal. The data gathered in the Interior Department would indicate that Alaska has the largest coal fields in Amer-ica, and the importance of the fuel question and its bearing on the commerce of the country demand that this resource be not placed in the possession of combinations of capital, but that it shall be retained in ownership by the United States Government and developed under the direction of the United States Government by leasing or other systems. In this connection I wish to quote from the Progressive Party platform:

The coal and other natural resources of Alaska should be opened to development at once. They are owned by the people of the United States, and are safe from monopoly, waste, or destruction only while we demand that they shall neither be sold nor given and

We demand that they shall neither be sold nor given away, except under the homestead law, but while held in Government ownership shall be opened to use promptly upon liberal terms requiring immediate

development.

Thus the benefit of cheap fuel will accrue to the Government of the United States and to the people of Alaska and the Pacific coast, the settlement of extensive agricultural lands will be hastened, the extermination of the salmon will be prevented, and the just and wise development of Alaskan resources will take the place of private extortion or

Regarding this subject, I wish to quote Mr. Seth Mann:

Regarding this subject, I wish to quote Mr. Seth Mann:

Two of the most important coal fields in Alaska, the Matanuska and the Bering, lie comparatively near the coast, and are readily accessible by railroad line without meeting serious difficulties of construction. Following a policy of intense conservation, these coal fields were withdrawn from location in 1906, and no development of these fields has been made, with the exception of what has been done by the Naval Department in the Bering field and what is now being done by the same department in the Matanuska field. An investigation is being made to ascertain whether this coal can be used effectively by the Navy. Coal has been brought to the coast at great expense for these experimental purposes. The high character of the coal from both of these fields, much of it approaching anthracter in quality, is vouched for by many reports from the Geological Department of the Government.

The instant question concerns the character of legislation which should be emacted in order to open these coal fields to development, it is generally conceded that the monopolization of these coal fields in the hands of a very few great operators would inevitably result if the fields were opened to location and allenation. One method of preventing this is to provide for the leasing of these coal lands by the Government, with conditions against the assignment of the leases and requiring active prosecution of the work of coal mining under them. The Government would thus retain control of the coal fields and could prevent their monopolization. The opinion is expressed by a number of Alaskans that these fields could be profitably worked under the leasing system. I am convinced that the leasing system is the best one that can be devised to prevent the monopolization of the Alaskan coal fields. At the present time, with monupalism of high-grade coal within 100 miles of the coast, the coal used in Alaskan coal is to be had.

Mr. Chairman, the leasing system is in force in New Zealand

Mr. Chairman, the leasing system is in force in New Zealand and Australia, and, although remote from commercial centers, with poor transportation facilities, it is a success, and coal from these leased fields is now being sold in American markets on our Pacific coast.

Much has been said, Mr. Chairman, regarding the quality of the coal tested on the cruiser Maryland, and gentlemen have persistently emphasized the significance of the unfavorable report. They have gone to the extreme of making it appear that coal was the only great natural resource and all other resources

were merely incidental.

Why, sir, coal is only one factor; but since so much time has been spent on the subject, emphasizing every unfavorable feature of the report, I want to insist on getting exact information, and will now read a letter from the Bureau of Mines, signed by Mr. J. A. Holmes, Director; also a statement made by Mr. Thomas G. White, of Katalla, Alaska, regarding the mining of this coal; and further, a report of a test of Katalia coal used on board the battleship Nebraska, by Mr. Arthur Crenshaw, lieutenant, United States Navy, senior engineer, to the commanding officer:

DEPARTMENT OF THE INTERIOR, BUREAU OF MINES, Washington, January 20, 1914.

Hon. J. A. Falconer, House of Representatives.

House of Representatives.

My Dear Mr. Falconer: In reply to your inquiry concerning the mining in the Bering River region of the coal tested on board the cruiser Maryland during the summer of 1913, and other matters, I beg to report as follows:

The point selected for obtaining this sample was on a single claim (the Tenino claim) on Trout Creek. This coal was taken out during October and November of 1912 and lay in sacks at the mine until the spring and summer of 1913, when it was carried down Bering River and delivered on board the cruiser Maryland for test.

The selection of this site was decided upon after a considerable amount of preliminary investigation in different parts of the field. Nevertheless the limited extent to which excavations have been made into the different coal outcrops in different parts of this field made it difficult to decide upon what might be considered the most promising location.

into the different coal outcrops in different parts of this heid made it difficult to decide upon what might be considered the most promising location.

In excavating the sample of coal (about 800 tons) to be tested on board a naval vessel the coal was taken as "run-of-mine" coal, no special effort being made to select the best and leave the other coal behind. The screens taken with the expedition for separating out the "slate," or "bone coal," were lost by the sinking of a barge off Controller Bay, and the miners therefore had neither screens nor any washing apparatus for separating the small carbonaceous slate or dirt from the coal, and hence a considerable quantity of such material was unavoidably left in the coal brought out for test.

I have no detailed information concerning either the method of testing or the results of the tests made of this "run-of-mine" coal on board the cruiser Maryland or of the washed coal at Annapolis, except that I understand that the results of the tests on the Maryland showed only about 40 per cent of the efficiency, and the test of the washed coal at Annapolis only about 75 per cent of the efficiency of Pocahontas coal. I understand, furthermore, that while this coal proved satisfactory from the standpoint of being a smokeless coal, the low efficiency which it showed, as compared with Pocahontas coal, was due mainly to the large percentage of ash resulting from the large amount of carbonaceous slate and other earthly material with the coal, and to the fact that this ash formed a slag on the grate bars which interfered with the draft.

The result of these tests should not be considered as a basis for condemning the Bering River coal field, for the reason that the black shale and other earthy material can be removed easily by washing af a cost ranging from 15 to 30 cents per ton of coal, and for the further reason that while the site from which this sample was selected was chosen with care, the coal field is undervloyed, very few excavations into the beds of coal have been made,

evidence that the ash in the coals from other beds—even near-by beds—in this field would behave in a similar manner. I have known of a number of cases in other coal fields where of two beds of coal located near each other, one could could not be used in certain furnaces because the ash formed a slag on the grate bars, and the other could be used as a high-grade coal in furnaces with a forced draft and high temperature because its ash did not form a slag on the grate bars.

For these reasons, the fact that the tests on board the cruiser Maryland did not show the coal from this particular claim to be satisfactory for the purposes of the Navy, can not be considered as indicating that all the coals in the Bering River region are unsuited for use on board ships of the Navy or ordinary commercial ships. On the other hand, I feel certain that there is in the Bering River region much coal suitable for use on ships, and a larger amount of coal suitable for ordinary commercial purposse—coal of a higher grade than can be obtained elsewhere on the Pacific coast, except in the Matanuska coal field.

If the washing of most of the coals in the Bering River field proves to be necessary, an ample supply of water and favorable climatic conditions in the region will make this operation entirely practicable.

In the Matanuska coal field there is a large quantity of high-grade coal which will probably not require washing. The explorations made in that field for the Bureau of Mines during the summer and autumn of 1913 indicate the probablility that the Navy Department will be able to secure in that region a supply of high-grade coal ample for all its future needs. A sample consisting of 900 tons of coal from one of the most promising outcrops of coal in the Matanuska field was brought down to navigable waters during the present winter season. It will be ready for test on naval vessels early in the summer of this year.

There is also to be found in the Matanuska coal field a large quantity of high-grade coal suitable for coking and o

80,000,000 to 100,000,000 tons of coal yearly for nearly a century more.

In addition to the Bering River and Matanuska coal fields there are, as you know, in northern Alaska, one or more areas of bituminous coal, and in many parts of Alaska areas of lower grade or lignitic coals which will serve a useful purpose in connection with the development of local industries. Furthermore, so large a part of Alaska is still unexplored that the chances are good for discovering not only new coal fields but also other resources far beyond our present knowledge.

In response to your inquiry with reference to agricultural possibilities in the interior of Alaska, I may say that while I have not given special study to that phase of Alaskan development, yet I have seen in the valleys of the Yukon and Tanana Rivers, as in the vicinity of Fairbanks, considerable patches of wheat, oats, barley, and hay, where these crops had matured and had been harvested, where the potato crops were as fine as—and where the yield and quality of the cabbage, celery, turnip, and other market garden vegetables were superior to—those I have seen in any other country.

It is almost unbelievable to persons who have not traveled through that far northern Territory, as I have done, even up into the Arctic Circle, where the midsummer sunshine is almost continuous, that on these lands where the ground may be frozen to a depth of several hundred feet and may be covered with a considerable thickness of moss, this moss may easily be burned off, and the warm sunshine of these long Alaskan summer days will thaw out the upper part of this frozen ground and make it not only possible but practicable to grow these splendid crops during the next and succeeding years.

After seeing in many parts of Alaska what before seeing I did not believe possible, I am more confident of agricultural development in the heart of that big Territory than any of us were 30 years ago of the agricultural development, since realized, of some of our great Western States.

Respectfully,

Respectfully,

[Extract from report of a test of Katalla coal used on board of battle-ship Nebraska.]

U. S. S. NEBRASKA, San Quentin, Cal., May 3, 1908.

To COMMANDING OFFICER.

To COMMANDING OFFICER.

SIR: In accordance with a request from the equipment officer at the navy yard on Puget Sound, I have the honor to submit the following as a result of the test of 30.5 tons of Katalla coal on board this vessel, There was not enough of the coal on board to make a test in all steaming boilers, so two boilers under one stack were used for this coal, and the three remaining steam boilers under another stack were using contract coal supplied from the navy yard (Pocahontas).

The Katalla coal is a smokeless coal of a fair steaming quality. It did not clinker and will stand very little working. This coal must be fired very light and worked with a light hoe, as it will not stand slicing: 15.2 tons of Katalla coal was used to a boiler, as compared with 18.7 tons of contract coal to a boiler during the same period of time.

time.

In my opinion, this coal is well worth a further and more extensive test, as the quantity tested on board here was not sufficient to determine its efficiency as a steaming coal.

Very respectfully,

ARTHUR CRENSHAW,

Lieutenant, United States Navy, Senior Engineer.

[Statement of Thomas G. White, of Katalla, regarding mining of coal for the Government test on the Maryland.]

KATALLA, ALASKA, August 8, 1913.

The coal taken out by the Bering River coal expedition, under the charge of the Navy Department, has been delivered at Chilkat, at the mouth of the Bering River, ready for the naval test to be given it by the first-class armored cruiser Maryland.

The harbor of Controller Bay has been buoyed to define the channel, and the cruiser came into protected water behind Kanak Island on the last of July and lay there several days taking on the coal and at the same time conducting a "port test."

RECORD—HOUSE.

It is expected that the 700-odd tons of coal brought down will be sufficient to make the harbor and steaming tests under the varying well coal for naval use.

It is not thought by those here who know the way in which the coal was mined that the test is going to prove satisfactory on account of the large amount of dirt and surface debris mixed with the coal and sa indeed that the test is going to prove satisfactory on account of the large amount of dirt and surface debris mixed with the coal as it is understood here, the Bureau of Mines, under the Department of the Interior, mined the coal for the Navy Department, the latter department having no facilities for the mining of coal the mining of the coal, as well as a number of mining engineers and geological experts to make an examination of the veins and select the points where the entries were to be driven.

They proceeded at one of the Cumingham claims, in the center of the coal, as well as a number of mining engineers and the coal to make an another of the coal and the coal as the coal and the coal and

in the test—not unless it is sorted and screened on board, which is not likely to be. It should, however, demonstrate, if the facts in regard to the mining are disclosed, that the coal is suitable for the use of the Navy.

I do not wish to cast any reflection on the Navy Department or those representing this department in the field on account of the apparent willful carelessness in the mining of the coal. As I understand it, the Navy Department had nothing to do with this part of the work.

The mining and transportation of coal from the veins in the mountains, some 20 miles back from the sea, to tidewater, where it can be loaded on shipboard without the construction and development of lines of water or land transportation, or both, is not an easy task. The difficulty will be better appreciated when the cost per ton of the coal delivered to the Maryland is known.

The hardship experienced by those who have discovered and prospected and developed this coal field will be better understood if the history of the Bering coal expedition is ever published.

However, the difficulties of transportation afford no excuse for the mining and sacking of 'ons of rocks, shale, and dirt, and the masquerading of this as con!

It is thought that the well-known preference of ex-Secretary of the Interior Fisher for the Matanuska coal field and his plans for the building of 200 miles of Government railroad to reach this field have had something to do with the poor sample of coal furnished to the Maryland for a test, upon the result of which will depend in some considerable measure the plans of the Navy for the future use of this coal. Undoubtedly a much better sample of coal can be mined from the very opening from which this coal was taken, and if it is found that there has been any intentional effort to depreciate the value of the coal

from this field it is to be hoped that the facts will be brought to light and the scheme traced to its source. and the scheme trace Yours, truly,

THOS. G. WHITE.

TEMPERATURE.

The gentlemen who signed the minority report, together with other gentlemen opposing this measure, were greatly exercised by certain reports involving temperature, climate, and agricultural features of the country.

For the benefit of these gentlemen I will say that Point Barrow, the northernmost point of Alaska, is the warmest place on the globe the same distance north of the Equator, and Sitka, in southeast Alaska, is the warmest place on the globe the same distance north of the Equator.

The following table will make interesting comparisons. The lowest temperature of which the United States Weather Bureau has any official records in the following places are:

	Trogress.
Point Barrow, Alaska (on Arctic Ocean)	-59
That Valley Alaska (on Artic Occas)	70
Fort Yukon, Alaska (north of Arctic Circle)	
Fairbanks, Alaska	
Miles City, Mont	
Fort Benton, Mont	-59
Pembina, Minn	
remoins, Milli	
Willow City, N. Dak	
Forman, N. Dak	
Moorehead, Minn	
Gering, Nebr	
Ogdensburg, N. Y	
Frankfort, Kans	
Roswell, N. Mex	
Roswell, N. Mex	
Liberty, Mo.	
Beaver, Okla	
Kodiak, Alaska	-12
Seward, Alaska	
Juneau, Alaska	
Valdez, Alaska	
Sitka, Alasko	
Tallahassee, Fla	2
Cordova, Alaska (apove zero)	1
000000000000000000000000000000000000000	

Skagway, St. Petersburg, Seward, Cordova, Helsingfors, Stockholm, Christiania, and Bergen have practically the same latitude. The harbor of Christiania is a frozen harbor from 30 to 60 days a year, necessitating the use of an ice-breaking boat; whereas Cordova, Katalla, Seward, Portage Bay, and Haines Mission are never icebound.

These conditions of climate and temperature are due to the Japan current.

I call special attention of the gentleman from Florida to the above table

Mr. CALLAWAY. Is it your contention that you will grow oranges and grapefruit there?

Mr. FALCONER. No, sir; but I wanted to get into the convolutions of the gentleman's brain the fact that Alaska is not [Applause.]

Mr. CALLAWAY. I understood you to say that the thermometer goes lower in Florida than it does in Alaska.

Mr. FALCONER. The record of the Weather Bureau shows that there is no record of Cordova showing any weather below zero, and the record in Tallahassee, Fla., shows that it has been two or three degrees below zero.

And, Mr. Chairman, the gentleman from Wyoming [Mr. Mon-DELL] exercised himself greatly because there is frost and ice in Alaska. Why, I will say for the benefit of the gentleman that chart No. 5 of the Weather Bureau report for 1912, carrying the map of Wyoming, has written in large type across the west-ern half the words, "Liable to killing frosts any day in the year," yet this gentleman from that jack-rabbit-inhabited, cayuse-ridden country shudders at the thought of Alaska.

The United States Weather Bureau further reports:

The United States Weather Bureau further reports:

The most northerly agricultural valley in Alaska is the Tanana Valley, around Fairbanks, and the lowest temperature the Government has any record of is 65° below zero. That is the same temperature as at Miles City, Mont., and also in the Milk River country of Montana, where the Government is spending millions on irrigation projects, and eastern Montana has well demonstrated that it has one of the best agricultural stations in the United States. The lowest temperatures on the southern coast of Alaska are less than the lowest temperatures on the southern coast of the United States. It has been 25° below zero in Oklahoma, 29° below in Missouri, and 2° below in Florida, while at Cordova, Alaska, there is no record of even as low as zero.

The average length of the crop-growing season of Fairbanks, Alaska, in the last 5 years is 105 days. I mean by that the summer season between killing frosts. The average season at Ellensburg, Wash., Kittitas Valley, is only 90 days, and yet that is an agricultural valley. The county has a population of 23.000, with \$6.00,000 in bank deposits, and claims to be the richest county per capilla in the United States. Many other agricultural regions have a crop-growing season shorter than at Fairbanks, while in all Alaska they have the advantage of the long days, with almost continuous sunlight for the growing period in the Tanana Valley.

AGRICULTURE.

AGRICULTURE.

The gentleman from Oklahoma spent much of his fire in quoting data from the Agricultural Department to sustain his argument against the agricultural possibilities of the country. Mr. Ballaine while before our committee quoted from Mr.

Georgeson, too, and I insert the following, from page 8, Hearings before the House Committee on the Territories

Ings before the House Committee on the Territories:

Prof. Georgeson, who is in charge of the agricultural experiment stations in Alaska—one at Sitka, one at Fairbanks, one at Rampart, and one at Kodiak—has carried on experiments since 1898. Prof. Georgeson is a Dane, a man of fine education. He was connected with the Agricultural College of Kansas until he was assigned to this work in Alaska. He is an intelligent and conservative man. Prof. Georgeson has had not only the advantages of his investigations in Alaska, but also the experiences in his own country, Denmark, and in Norway, and Sweden, where he has traveled extensively. The climatic conditions in Alaska are identical with the climatic conditions in Norway, Finland, Denmark, and Sweden, in the same latitudes. We have here on the southern coast of Alaska the Japan current. They have there in northwestern Europe the Gulf Stream. Those are the tempering influences that control the climate.

ditions in Alaska are identical with the climatic conditions in Norway, Finnand, Deemark, and Sweden, in the same intitudes. We have here in northwestern Europe the Guil of Figure. These are the tempering influences that control the climate.

I have here a statement by Prof. Georgeson on the agricultural capacity where a statement by Prof. Georgeson on the agricultural capacity of the control of the National Geographic Agrants, published for an outribution to the National Geographic Magazine, published for an outribution to the National Geographic Magazine, published for the Control of the National Geographic Magazine, published for the Control of the National Geographic Magazine, published for the National Geographic Magazine, published for the National Geographic Magazine, and the Magazine, and the Control of the National Geographic Magazine, and the Control of the National Geographic Magazine, and the Control of the National Magazine, and the

Quoting again from report of Mr. Seth Mann, beginning on

Quoting again from report of Mr. Seth Mann, beginning on page 11:

The agricultural possibilities of the interior of Alaska are a revelation to one who visits the great valleys of the Yukon and the Tanana for the first time. There are agricultural lands also in the valleys of the Copper River, the Susitna, the Kuskokwim, the Innoko, and the Koyukuk Rivers. Great level stretches are visible from the boat as one steams down the Yukon 1 nd the Tanana. The initial expense in preparing the ground is in many places considerable, reaching as high as \$125 per acre. But when once prepared for cultivation the long periods of sunshine during the summer months operate like intensive cultivation and bring about rapid germination and quick maturing of the crops. The Government agricultural stations in various parts of Alaska have demonstrated many of the agricultural possibilities of the respective regions where they are located; and in the neighborhood of Fairbanks there are a number of commercial farms and gardens, which are operated at a profit and which supply the needs of the city of Fairbanks and the neighborhood, and also the demands of the steamer traffic. Excellent strawberries are grown and vegetables are raised without difficulty. The growing of various grains is as yet largely in the experimental stage. But crops of wheat, oats, barley, and rye are matured on the Government farms. The summer season is short for the maturing of wheat, but there is much less difficulty with the other grains mentioned. Some hay is cut by individual farmers. The interior of Alaska is more favorable for agricultural purposes than the regions along the coast, since there is more sunshine in the interior, and more cloudy and rainy days upon the coast. However, the city of Juneau is supplied with vegetables from local farms situated from 1 to 12 miles away from the town. It does not appear that Alaska will ever export the products of agriculture, but it seems fair to assume, with the growth of population which will result from the buildi

Mr. Chairman, if I had had the making of this bill I should have changed one feature of it. I do not believe that the President should have been directed to lease this railroad, and I hope the bill may be so changed that the Government can, if it so desires, operate the railroad, at least for some years, in order that there may be no opportunity for complaint against favoritism in service rendered. I believe the Government should operate this road and should see to it that the best possible service is given to the people of Alaska. Warehouses and dockage facili-ties should be provided, and in the event reasonable shipping rates from Alaska to the States can not be obtained, the Government should go one step further and provide a line of steamships.

Under no consideration should the coal lands be alienated from the Government, except in those individual cases when filings were made and development work done according to the spirit and letter of the law before the order of 1906 was given.

"ALASKA," "THE GREAT COUNTRY."

Mr. Chairman, "Alaska" anglicized is "the great country. Alaska, the storehouse of the people's treasure, untrammeled by advanced improvements, unhampered by transportation lines already constructed, unhindered by private ownership of lands valuable for town sites, shop and trackage facilities, and terminals, presents to the Congress of the United States the last opportunity on American soil having these advantages to build a Government railroad.

Alaska, free from all perplexing features usually attendant upon railroad building, is waiting the action of this Congress and the demand for action relative to the adoption of this bill

is emphasized by press and public alike.

The people of the country look upon this enterprise as good business. Mr. Chairman, it is good business from a substantial commercial standpoint and good business for the Democratic Party. For years Alaska has been the subject of discussion in the civic organizations and periodicals of the country. To the average American citizen it has been an interesting question, but to the Alaskan and to the people who are in direct touch with Alaskans it has been a vital question.

During the last national campaign the political parties, without exception, from every platform in the country proclaimed to the people that Alaska would get due consideration in the event of success at the polls. Sir, the Democratic Party won the election, and the people have a right to expect Alaskan legislation conducive to the common good. In active contrast to the phlegmatic and comatose action of the previous administration the new administration indicates that it is embracing the opportunity of placing on the statute books of the country a bill that will mean much to the Nation and more to the pio-

neers of Alaska.

Mr. Chairman, gentlemen on the minority side of the House have within the last few days indulged in the engaging entertainment of calling to the attention of the majority party certain reports and facts that would indicate that the industries country are suffering from the effects of Democratic legislation actually passed and the contemplated legislation touching on commercial lines. The old, old ghost of the last Democratic administration, in all its frightful aspects, has been held up to the Democrats of the country as a warning

of what is to be expected as the result of "tariff tinkering." But, sir, the man whose memory serves him in that connection also recalls the incident of gold discovery in Alaska, and he knows that Alaska, "the great country," acted as magic in giving fortitude and new endeavor to the disheartened and prosperity to the country.

The Progressive Party unanimously stands for advanced legislation in this connection, and definitely indorsed in its platform Government ownership of railroads in Alaska in these

words:

We demand, also, that extortion or monopoly in transportation shall be prevented by the prompt acquisition, construction, or improvement by the Government of such railroad, harbor, and other facilities for transportation as the welfare of the people demand.

The one thing more than any other that will result in enlivening business in this country is the Government ownership of railroads in Alaska and the general development of that

great and rich Territory. [Applause.]

Mr. CHURCH. Mr. Chairman, before expressing a few thoughts I have in reference to this bill, I desire to compliment the gentleman from Alaska [Mr. WICKERSHAM] upon the splendid and entertaining speech in support of this measure, which he delivered two weeks ago to-day. After listening to that speech and reading it once since, I am convinced he left nothing on the subject unsaid, and those of us who speak after him can but emphasize the arguments which he made. I am further convinced that whether this bill becomes a law or not-and I believe it will become a law-the people of Alaska owe a debt of gratitude to the man who so capably and earnestly represents their interests here in Washington. [Applause.]

When I heard him say he went into the heart of Alaska and builded his home at Fairbanks when there were but three other houses there and had lived there ever since, I said to myself, He is an iron man and one of nature's natural pioneers." when I observed his strength of mind and apparent strength of body I concluded he had drawn strength from the great trees, the great valleys, and the great mountains with which he has had companionship for years. The greatest and the strongest men of ancient or modern times have been reared in the mountains, and from the mountains have drawn courage, strength,

and character.

Last Wednesday the gentleman from Oklahoma [Mr. Ferris] pitted himself with his mirth, ridicule, and splendid talents against this bill and delivered a brilliant, telling speech, covering all the ground and leaving nothing to be said on his side of the question; and so I am convinced there is nothing of importance unsaid on either side of the subject, and in my remarks I will speak simply in a general way.

Mr. Chairman, I am in favor of this bill. I believe it is a

progressive measure and in keeping with the spirit of the times. believe the great storehouse containing the treasures of Alaska will one day be opened to all the people of this country, and I see no reason why it should not be opened now, for there are treasures up there which our people need, treasures of gold, treasures of silver, treasures of coal, treasures of copper, treasures of tin, treasures of marble, treasures of lumber, treasures of agriculture. There are treasures in its rivers and treasures in its mountains, all of which I want the people in general to enjoy. I want them to see its sunless days and its midnight I do not want our people to go to Italy to see volcanoes, I want them to go to Alaska. I do not want them to go to Switzerland to see sublime scenery, I want them to go to Alaska. I object to our people going to Europe to spend the summer months. I want them to spend their money and their summers in our own great northern summer land.

Gentlemen tell us of the hardships in Alaska and the difficulties of this railroad task. I call their attention to the fact that there are no difficult tasks for the American people. The harder the task the more we like it. You convince a real American that the way is difficult and he is sure to want to take it. One can not think of the great expositions we have had, of the building of the Panama Canal, and the Panama Exposition now under way in California without realizing the American people will not shrink from a task simply because it is hard. We certainly should be as progressive as Russia. Slow, indifferent, and sluggish as it is, yet I am told the Russian Government has 5,000 miles of railroad in Siberia, the twin sister of Alaska; that its cost and equipments amounted to over \$500,000,000; that in many places the tracks are double; that they have a branch track leading northward to the Arctic Ocean, and at that point large warehouses have been established, and when the ice breaks up in the summer wheat and many other products of the farm are carried from these to Europe and other lands; that from this great trans-Siberian railroad the Government has established stage routes into all

the big and little valleys of Siberia—cold, frozen, ice-bound, moss-covered Siberia—and that all the valleys are being settled, and that 2,000,000 people have moved from western and southern Russia to Siberia, and the farming classes are settling and making Siberia one of the large producing countries of the world; that the Russian Government is building another system of railroads across this frozen country, and that there are now two ports on the Arctic Ocean, both with railroad communications.

Mr. ELDER. Will the gentleman yield?

Mr. CHURCH. I have not much time, but I will yield to the

gentleman.

Mr. ELDER. Is it not necessary for Russia to do that in

Mr. ELDER. Is it not necessary for Russia to do that in order to get a seaport, which necessity does not exist in the

Mr. CHURCH. I do not know whether that is the reason Russia has built this railway or not, but I know it is necessary for this country to do what we propose to do in order to get up to the place where the mountains are filled with coal and gold that they tell us about, and the hills in general are full of wealth which we need and expect to get. They may have a particular reason for building their road. We have a particular reason to build ours, and I say to you the fact that they have succeeded in building their road is sufficient to convince me that the people of this great country can build ours if they want to, regardless of any difficulty. [Applause.]

Gentlemen who argue against the building of this proposed railroad in Alaska forget the strength of the American people and the times in which we live. They forget how youthful this country is and how much we have accomplished. We can no longer judge the future by the past; we must judge the future by the present. The measuring stick of yesterday will not measure with the conditions of to-day. It was only between four and five hundred years ago that the first Spanish ships landed on the North and South American shores; not more than six times the age of Members of this House. It was between two and three hundred years ago the Pilgrim fathers landed at Plymouth Rock; not more than four times the age of Members of this House. It was but a hundred and thirtyseven years ago the Declaration of Independence was signed; not more than twice the age of Members of this House. That gold was discovered in California in 1849, and but a few decades ago men traveled from here to California by means of ox teams; that it took a hundred and eighty days to make the trip which we now make in four and a half to five days. Are you aware there has been more development in labor-saving machinery during the last 50 years than during all the ages of the past?

Our fathers used to cut their grain with a sickle. They used to thrash it with a flail. They used to build their fire by means of punk and flint; and I am told the ignition was so slow they often did not get the fires built upon which to cook their breakfasts until 4 o'clock in the afternoon. They had flintlock rifles then, and a blind man could dodge the bullets. They had no railroad trains, no Pullman palace cars, no automobiles or flying machines; they had no telegraph wires that web the sky, no telephones that reproduced the human voice. They had no submarine cables; radium and X ray were unknown. They had no mighty ships as we have now. They had no wireless contrivances, the greatest boon of all, that enables newspapers to be published on the high seas, which is nothing compared to its advantage in saving human life, for when a wreck occurs and the waves are running mountain high and the storm is beating overhead and no light is seen save the frightful lightning's flash mingled with the waves, and all is lost, a faint cry, without a messenger, is whirled out in the storm and night, as if a cry to God for help, and other ships hundreds of miles away and stations on the shore hear and heed the awful plight, and relief, swift as an eagle flies, comes sure and soon. When wireless telegraphy was invented there should have been declared a universal day of thanks.

The other night I had a dream. I saw all the seas give up their dead. I saw the bleached and withered human bones lie piled in mountain heights upon the ocean's shore. They were as numberless as the sands, as countless as the stars on high. I saw all the shipwrecks since the dawn of time; strange ancient ships were mingled midst that monster fleet. I saw the hidden rocks, the maddened sea, and heard the billows and the thunder's roar. I heard the piteous shricks, the cry to God for help, for help; but no, the storm beat on, the walling ceased, and when daylight dawned strange wreckage tossed upon the waves beneath which had sunk the dead. I woke, then slept and dreamed again. I saw Jehovah sitting high upon his throne. I saw him lean and listen. I heard Him say it shall be no more. Old ocean's wrongs and cries at last had reached

his ears, and the Master of all the ships and storms and seas sent down to earth an angel clothed in white to impress the wireless device upon the minds of man, and thus was given to earth the sailors' and the seamen's friend; and I say to you, never since all the stars rejoiced above Judea's hills has so priceless a gift been made by God to the children of men. [Applause.]

This is a wonderful age. Look at our electric power and the myriads of machinery which it runs. I shall not be surprised if in a few decades annual fleets of flying machines pass from Alaska by the way of Siberia to visit all eastern lands, and I will not be amazed some day to learn that the glaciers and volcanoes of Alaska are harnessed like beasts of toil to perform services for man.

They tell us that somewhere on the shores of the Mediterranean is the birthplace of the human race. Be that as it may, since man has kept a record of events the human race has been pressing forward toward the west, guided by the setting sun. Humanity in its great march has crossed one river after another, one mountain range after another, one trackless desert after another. It has gone from one island to another, from one continent to another, until now the vanguards in this great procession of pioneers stand with lantern, ax, and pick in hand by the border of the great sea while its restless waves are beating against their more restless feet. They are dismayed. They can go no farther west. They have made the great circle, and as they watch the tide go out they know full well it will travel on and on until it beats against the land from whence they came. They watch the setting sun and know as it sinks behind the waves to them it brightens the horizon of the morning land from whence they came. Their old guiding master has sunk to rest. They can follow him no more. It is evening time, the stars are in the sky, and the northern star which shines so brightly in our western sky is full in view and it seems to beckon to the pioneer and say, "Come up. Come up to the northern land, close to where the starbeams fall, up to the great valleys and rivers, up to the sublime mountains, up to the last land, God's great reservation, the land of the midnight sun." [Applause.]

Mr. WATSON. Mr. Chairman, the people of Virginia, whom I have the honor in part to represent upon this floor, have always held very strong convictions concerning the character and functions of the Federal Government. Some of their opinions are out of fashion now. Some of them, subjected to that test which is the final argument of kings—the fiery crucible of war—have been swept down by the march of great events and are no longer of practical application. Some, well grounded in the history and logic of the Constitution, have survived, and have to-day able and noble advocacy in every part of our common country.

Holding to these views, both by inheritance and by education, I must confess that, as a member of your Committee on the Territories, I did not at first take kindly to the proposal that the Government of the United States should construct, own, and possibly operate a railroad in the Territory of Alaska: but the hearings before your committee, and the reflections to which they gave rise, overcame my predilections on that subject and I am here to-day to announce my adherence to the principal object of this measure, and to present to you in a brief way some of the considerations which have impelled me to that conclusion.

The legal authority of Congress to enact this bill has not been questioned by its opponents; and I pause here, not for the purpose of expounding that authority, but of suggesting that the right of the Government to construct a railroad in the Territory of Alaska is not to be found in the commerce clause of the Constitution, nor in any of its provisions under which internal improvements have been heretofore undertaken in the States themselves.

Your right to undertake such work comes, however, from the fact that the Federal Government is the only Government authorized to legislate for a Territory. The right to acquire territory, either by war or by treaty; implies the right to hold and govern it when so acquired.

In addition to these sources of authority, necessarily implied from the circumstances of the case, the Constitution expressly provides that—

The Congress shall have the power to dispose of and make all needful rules and regulations respecting the territory and other property belonging to the United States.

Thus it follows that no State having the right to legislate for a Territory, the powers of the Federal Government within its limits are sovereign; and its inhabitants, having no power to legislate for themselves, it is not only the right, but the duty, of Congress to enact such laws as their general welfare and progress may require. Your attention is called to this legal proposition, which no man disputes, because the authority for

this act should not be referred to the wrong constitutional

We admit, then, the right of the Federal Government to conduct this work. What is the duty of the people of the United States in regard thereto? The object, as you know, of this legislation is to develop the resources of this Territory. Mr. Chairman, are they worth developing? Is the game worth the candle? You gentlemen know that various views are enter-tained in regard to this country. I never saw it in my life. I will not undertake to discuss in detail questions with which other gentlemen are more familiar than myself. It used to be said that nobody could live in Alaska but a revenue officer and a polar bear. This was an exaggeration, of course.

I do not think that it is necessary for us to accept without allowance the views of that Territory which have been so well presented by the Delegate from Alaska [Mr. WICKERSHAM], nor do I think we need to take the view presented by the gentleman from Oklahoma [Mr. Ferris] on the opposite side of this question. I do not believe that the flowers of Florida will grow upon Alaskan soil, nor do I believe that the Irish potato can

not be grown there.

Mr. CALLAWAY. Will the gentleman yield?

Mr. WATSON. Yes.

Mr. CALLAWAY. The homestead laws in Alaska are such that a homesteader can go and sit down on 320 acres of land, and all he has to do to acquire title is to live on it for three

Mr. WATSON. Three and five.

Mr. CALLAWAY. Is it not a fact that there are fewer people

Alaska now than there were 15 years ago?

Mr. WATSON. Mr. Chairman, I am perfectly willing to answer questions propounded by the gentleman from Texas; the only condition I would impose upon him is to finish his question and tell me when he is through, so that I may attempt to answer.

Mr. CALLAWAY. I want to get an answer to that, and then

will ask another question.

Mr. WATSON. I will say that the population has not grown in Alaska in recent years; or if so, it has grown slowly. I do not remember the population 15 years ago.

Mr. CALLAWAY. Is it not a fact that a homesteader can

enter 320 acres of land and acquire title by residence?

Mr. WATSON. That is a fact.

Mr. CALLAWAY. And that they practically have not entered any homesteads in the last 15 years?

Mr. WATSON. That is a fact.

CALLAWAY. Notwithstanding the salubrious climate that has been described, better in some respects than in California or Florida.

Mr. WATSON. Mr. Chairman, I think all the suggestions

made by the gentleman from Texas are true.

Mr. CALLAWAY. Is it not a fact that in all parts of the United States where agriculture is possible at all all the public lands have been taken up where homesteaders can enter?

Mr. WATSON. I understand that there are 300,000,000 acres of public lands not yet taken up.

Mr. CALLAWAY. The gentleman does not understand that

they are agricultural lands?

Mr. WATSON. I understand that a part of this area is in I do not know whether it ought to be settled. haps it ought never to have been discovered. [Laughter.] Mr. CALLAWAY. I want to tell the gentleman that if he

has been informed that there is a foot of agricultural land in Texas open to homesteaders now, he has been misinformed.

Mr. WATSON. Well, Mr. Chairman, I have understood from the Texas people that there was territory enough in that State to support the population of the United States, but I do not know its quality or condition.

Mr. CALLAWAY. It is there all right, but it has all been entered and there is none open to homestead; whereas in Alaska. that splendid Territory which has been so beautifully depicted to us in which to build railroads, it is open to homestead entry and they may enter 320 acres.

Mr. WATSON. Now, if the gentleman is through with his

catechism

Mr. CALLAWAY. I have another question. Some man has said that they could not get to it. Can not they get to the coast line, washed by the splendid Japan current that makes the climate just as good as the climate of California, just as well as they could if we complete a railroad to the interior at a cost of \$35,000,000?

Mr. WATSON. Mr. Chairman, I hope that ample provision will be made for the gentleman from Texas to present his views to the House. If he had possessed his soul in patience,

he would have found out that I rose for the purpose of declining to subscribe to the extravagant claims made for Alaska; and further, to defend it from the unjust charges made against its climate, soil, and resources,

I was going to say that I believe the truth about Alaska, like the truth everywhere else, would be found somewhere about midway between the claims of the Delegate from Alaska [Mr. WICKERSHAM] and the Representative from Oklahoma [Mr.

Mr. CALLAWAY. Then the gentleman does not think anybody who has spoken on this question has told the truth about it?

The CHAIRMAN. Does the gentleman from Virginia yield

to the gentleman from Texas?

Mr. WATSON. Mr. Chairman, I always yield to gentlemen who desire to ask the any reasonable question. I do not think the gentleman from Texas ought to ask me to pass on the veracity of the gentlemen who have undertaken to discuss this question.

Mr. CALLAWAY. I wanted to get a clear statement. The gentleman said he did not think either of them had told the

exact truth.

Mr. WATSON. Mr. Chairman, my view about the question is that the Delegate from Alaska [Mr. WICKERSHAM], inspired, very naturally, by patriotic ardor or local predilections, has perhaps presented the natural resources of his country in a light more favorable than one not so much interested might have done. I do not question his honesty or sincerity. I simply mean that his views may have been colored by local environment; nor do I think that the gentleman from Oklahoma [Mr. Ferris], any more than myself, who never saw Alaska, ought to enter rapidly upon mere generalizations regarding things so far from home. I may say to the gentleman from Texas [Mr. CALLAWAY] I have no knowledge of Alaska but what came from the hearings of your Committee on the Territories and such lit-

erature as I have been able to secure upon the subject.

started to ask whether the resources of Alaska were worthy of development, and I want to say that after "the truth," if the gentleman so pleases, is told about Alaska, there is a plenty left of its resources worthy of the serious consideration of the people of the United States. I, for one, do not believe that Alaska will within the near future produce any considerable agricultural produce for export, nor do I believe that the suitability of Alaskan coal for naval uses has been established by the evidence. I might go a step further and say that I do not believe it has been sufficiently shown that the resources of that Territory have been within the control of the Guggenheims and the Morgans. So that my support of this bill is not based upon the belief that coal is to be found there for the use of the United States Navy; it is not based on the proposition that the agricultural resources of that country will afford any great export trade; nor is it based on the suggestion that unless the United States develops Alaska a great domain, amounting to one-fifth of the territory of the Union, is going to be turned over to Mr. Morgan or Mr. Guggenheim. I think everybody has purposed to tell the truth about Alaska, and I myself want to tell it as I conceive it to be; and after that is told enough is left, in my judgment, to amply justify the object proposed in this bill.

When agricultural experts in the employ of the Government, after years of investigation, express the conclusion that the valleys of the Tanana, the Susitna, and the Kuskokwim Rivers comprise in the neighborhood of 100,000 square miles of agricultural land, 30,000 of which is tillable, I say, Mr. Chairman, we ought to accept that statement, or, if we do not, we ought to go a little closer to Alaska than Oklahoma and Texas to find the evidence upon which to reject it. I have not the shadow of a doubt but that the soil of that interior country will support its population not only for the present but for all time to come.

I regret the circumstance, Mr. Chairman, that the naval tests have proved disappointing to gentlemen who hung their support of this bill in part upon that proposition; but of what practical value will coal be to the Navy in the years to come? We all know the fact that foreign fleets are now equipped with oilburning battleships, not coal-burning battleships. We have the statement of the Secretary of the Navy that all the ships being designed for the future will burn oil and not coal, so that this question will not long be of practical concern. If it be so to-day, it can be but a few years when it will cease to be so.

A community whose trade with the United States in the last fiscal year amounted to \$70,000,000, more than that of China, of Russia, of Spain, of Austria, or of Scotland, is no mean country and ought not to be laughed out of court.

By way of recapitulation, then, in consideration of the agricultural interests, which are deemed adequate to support a large local population; in consideration of commerce, which amounts to \$70,000,000 a year; in consideration of the fact that the products of that Territory during our occupancy have reached nearly \$500,000,000 in value; in consideration of the fact that the Territory is known to contain at least two large mines of high-grade bituminous coal, which is valuable for every known use except high-draft pressure on battleships; in consideration of the fact that the world's supply of gold, the basis of all credit money among the nations, has remained stationary for the past five years, and that Alaska contains the largest and most promising field of gold supply on this continent, will any man be found to say that great Territory is not worthy of our regard and that its immense resources should remain undeveloped? oped?

Mr. Chairman, we ought to consider that question not with reference to ourselves alone nor with reference solely to the people of Alaska. There are but a mere handful of them there, if that will satisfy the gentleman from Texas

Mr. CALLAWAY. Mr. Chairman—

The CHAIRMAN Does the gentleman from

The CHAIRMAN. Does the gentleman from Virginia yield?

Mr. WATSON. I do.

Mr. CALLAWAY. The gentleman spoke as if the main trade there was the fur and fish trade. Will the gentleman tell us how this railroad will help the fur and fish trade?

Mr. WATSON. I do not think the gentleman understood me

Mr. CALLAWAY. The gentleman did not? Mr. WATSON. That was not my statement, Mr. Chairman. I can not answer for his understanding. [Laughter.]

Mr. CALLAWAY. The gentleman stated something about how much the fish and fur trade amounted to.

Mr. WATSON. The value of those products since 1867 has aggregated over \$200,000,000.

Mr. CALLAWAY. I want to know how this railroad proposi-tion would help the fish and fur trade of that country? Mr. WATSON. Mr. Chairman, in the course of my remarks I

had intended to advert to that proposition.

Mr. CALLAWAY. That is all right, if the gentleman intends

to refer to that.

Mr. WATSON. In developing the country we can not develop it on the outside or on the inside or in one spot at a time; we must deal with it as a whole. I am speaking about the resources of the whole country. It may be that the fish and fur trade could be carried on by ocean vessels alone, and a railroad would be unnecessary for its conduct; but when the interior of the country is developed, there is no reason why it should not contribute to the prosperity of the seacoast, and they ought to be connected. A railroad would not be necessary to haul away the salmon nor the fur seals from Pribilof Islands, and we might transport many of the lighter products of the interior without building a railway.

Mr. GRAHAM of Illinois. They could haul the salmon into

the interior.

Mr. WATSON. It could, but I am speaking of the export traffic. Now, Mr. Chairman, the gentleman from Texas seems to attach great importance to the fact that population has developed so slowly in Alaska. I would like to call his attention to the fact that for 50 years after the Louisana purchase of 1803 the soil which now comprises the great States of Kansas, Nebraska. Colorado, Montana, and the Dakotas, located in the very heart of the continent, remained practically unsettled, with scare more population than that of Alaska to-day Nearly 40 years had passed before the fertile lands of Iowa had attracted as many as 40,000 people.

In fact, but for the lavish aid of the Government in building great railways to the Pacific much of our northwestern area would be unsettled to-day and perhaps as wild as the

area would be unsettled to-day and perhaps as wild as the valleys of the Yukon.

Mr. LOBECK. Will the gentleman yield?

Mr. WATSON. I do.

Mr. LOBECK. If we open up the mineral deposits in Alaska with these railroads, and even if they do not raise any grain to any great amount up there in that country, would not it open up a market for the grain that is raised in the western coast States and enable our farmers to sell a great deal of grain up States and enable our farmers to sell a great deal of grain up

Mr. WATSON. I think so. I think undoubtedly that would

Mr. LOBECK. Would not it open up a market for the farmers of the western coast States of the United States if we opened up

Alaska's mineral resources?

Mr. WATSON. I thank the gentleman for the suggestion. It will open up the market provided we had the population there,

about which the gentleman from Texas seems to be so skeptical, not only for the agricultural products of the western coast but for the manufactured products of the eastern coast. already in Alaska, according to the best estimates which can be made, some \$20,000,000 of commercial traffic which goes into the interior from the States of the Union.

With the increase of population, with the establishment of mining camps, with the development of towns there ought to be a much larger demand, particularly for the manufactured articles of the United States; and if the prophecy of the gentleman from Oklahoma should turn out to be true, that they can not raise even potatoes in that soil, the demand for breadstuffs from our western farms would constitute no mean trade. Now, gentlemen, I am in favor of this bill, in the first place because I think Alaska is worth developing. And who else thinks so? Two Presidents of the United States, Mr. Taft and Mr. Wilson, have thought so; two Secretaries of the Interior, charged with the keeping of your public domain, have thought so; your Agricultural Department thinks so; your Bureau of Mines thinks so; and the Democratic Party thinks so, if I properly interpret its platform declarations.

The only objection I know to this bill, based on principle, is that it involves Government ownership and, possibly, operation of a railroad; and I take pleasure in saying to the gentleman from North Carolina [Mr. SMALL], to whose interesting address I listened, that I am as much opposed to Government ownership and operation of railroads in the United States as he can be.

I regard the proposition as based upon a misconception of our Government. The theory of Thomas Jefferson was that the people who were the least governed were the best governed.

Mr. BARTLETT. May I interrupt the gentleman? Mr. WATSON. Yes, sir.

Mr. BARTLETT. We have gotten a long way from that in other things than the building of railroads.

Mr. WATSON. We have, sir. We have left that. Mr. BARTLETT. That is, a good many people have, and it looks like the party we belong to has

Mr. MANN. You have abandoned Jefferson entirely.
Mr. BARTLETT. I think so.
Mr. WATSON. That theory of government was that the individual ought to rely on himself. That when the Government had protected him in his life, liberty, and pursuit of happiness, its legitimate functions were ended; and the citizen should then be left to work out his destiny for himself.

There is another theory, which would make the Government the parent of the citizen, have it reach out and grasp all the agencies of transportation and production, and distribute their proceeds among the people. That system of Government I would repudiate; and, at the suggestion of my friend from Georgia [Mr. Bartlett], I will say that we have traveled a long way from the first theory, and many things are now considered functions of government which 50 years ago were unheard of in the United States.

But I am opposed to the Government ownership and operation of railroads also for practical reasons. First, because it. is more costly, as demonstrated by its operation in the older countries of Europe. Second, because of the fact—
Mr. GRAHAM of Illinois. You mean Government operation

of railroads?

Mr. WATSON. I mean Government ownership and operation. which in Europe generally go together. I am opposed to it because of the fact that it creates an "aristocracy of labor." a privileged class of Government employees, paid higher wages and working shorter hours than their fellow citizens working in other fields, whose wages would have to come out of the taxes of the people, and whose especial privileges would be out of harmony with the equality of free institutions. So vast an army of favored employees, conducting great public works, would by organization secure legislation which would be detrimental to society and in the end corrupt our political system.

Mr. CALLAWAY. Is it not a fact that the different organizations of this country to-day control this House now and get

such legislation as they demand?

Mr. WATSON. Mr. Chairman, obviously I can not answer

that question.

Mr. BARTLETT. May I interrupt the gentleman? Mr. WATSON. Yes, sir. Mr. BARTLETT. Is it not a fact, also, as demonstrated by Government ownership of railroads in Europe, that not only is it more costly to the people, but that the roads are less efficiently run and operated?

Mr. WATSON. I will say to the gentleman that the accommodations for the public are not equal to those supplied in the

United States, where private ownership prevails.

Mr. BRYAN. Is it not a fact that the accommodations on the public-owned railroads in Germany are just as good as on

the privately owned railroads in England?

Mr. WATSON. I can not answer that from personal knowledge. My travels and observation have not gone that far from But statistics show that the cost of operation and rates in Germany and Belgium and other countries where public ownership prevails are higher than in the United States; and travelers say that the accommodations afforded them are not equal to those of their own country.

Another objection to public ownership is that it places the Government in competition with the private enterprises and employments of its own citizens, thereby stifling their initiative and industry, and in the end undermining their independence.

It seems to me the proper rule is that where the individual can do a thing as well as the Government it ought to be left to him under such regulation as public safety may require, but where the thing to be done is essential to the public welfare but beyond the ability of the individual safely or efficiently to perform, then the Government, if it have the constitutional power, should do it.

Applying these principles to the situation in Alaska, we find that here is a great Territory of boundless area and great wealth lying dormant on our hands for half a century, and lacking only transportation to make it available to the uses of mankind; that this need, however, is beyond the strength of private capital to supply, on account of local conditions and natural obstacles; that there is little or no private business with which the Government would compete, no property to confiscate, nor private enterprises to destroy; no long-vested institutions, social, economic, or political, to alter or subvert; and, lastly, that here in a new part of the world we find demanded at the hands of civilization a great work attainable only by the united resources of a great Nation.

No pioneer people similarly situated were ever yet able, save through the tedious toil of centuries to provide facilities for the development of their country. In this day of progress and science why should we impose such a task upon our fellow

citizens in Alaska?

Is it because the relief proposed would be an "entering wedge" for public ownership of railroads in the United States?

After the construction of this road the bill does authorize the President, in one contingency, to operate it on Government account; but the bill contains a strong declaration of preferthe part of Congress against Government operation; and it is to be so operated only in the event of the failure to lease the same upon reasonable terms. Even should the burden of operation be, for a time, cast upon the Government by the unsettled state of affairs, it is earnestly wished and sin-cerely believed that the local development will soon reach a stage where the burden can be safely shifted to private hands for operation and ultimately for ownership.

Will this qualified example of Government ownership and

possible operation in a very exceptional case prove an "entering wedge" long enough to be driven into the United States?

I hope not.

Mr. Chairman, Alaska is a thousand miles from the nearest State in the Union; a foreign land and a great ocean separate it from us. The building and leasing of a railroad, and possiit from us. The building and leasing of a railroad, and possi-bly its temporary operation, in that remote and almost unset-tled country would have but little, if any, more effect upon our domestic policy than a practical experiment conducted in any other part of the world. Certainly we have not lacked for ex-amples on this subject. For a generation half the countries of Europe have furnished manifold examples of public ownership, and in most instances these have served as warnings rather than guides to be followed.

And if it be the "first step" that gentlemen fear to take, I would remind them that the Government took that first step some 10 years ago, when it bought the railroad across the Isthmus of Panama, and it took several other steps when it proceeded, as it has done, to operate the same and, in connection therewith, a line of steamships from Colon to New York. But this example has, I believe, in no way affected our general policy respecting our domestic railroads.

Now, Mr. Chairman, this bill does involve as one element the ownership and possibly the operation of a Government railroad; and the gentleman from North Carolina [Mr. SMALL] pertinently said that unless it could be shown that this case is an exception to the general rule it ought not to prevail, and to that I subscribe. Alaska is an exceptional case in every essential respect, as I have tried to demonstrate.

The reason why I am willing to admit Government ownership temporarily in Alaska is the fact, gentlemen, that I do not believe | railroads in Alaska.

the question before this House is whether the United States Government or the Guggenheims should own Alaska. I do not believe that the question is whether there shall be public ownership or private ownership in Alaska. But the question, as I understand it, is whether there shall be Government ownership in

Alaska or no ownership and no railroad. [Applause.]

Gentlemen, there are some things that private capital can not do. It could not build the Panama Canal. De Lesseps was a man of genius. He had the resources of the French nation behind him to a large extent, and yet he could not build the Panama Canal. Private enterprise is not able to keep intact the levees of the Mississippi River. The great Father of Waters can not be harnessed by private capital and controlled by private means. Does any man say the Panama Canal ought not to have been built because the Government had to build it? Is there any gentleman here from the banks of the Mississippi who thinks that the levee system ought to be abandoned because private capital could not alone maintain it?

Mr. BARTLETT. May I interrupt the gentleman? Mr. WATSON. Yes.

Mr. BARTLETT. The Panama Canal was built for governmental purposes, chiefly in order that we might have a nearer route from this part of our country to the western part of the

country, rather than to go around the Horn.

Mr. WATSON. I think that is true.

Mr. BARTLETT. And, therefore, it was for governmental

purposes purely.

Mr. WATSON. I understand it was for governmental purposes, but if the gentleman had followed my remarks be would have seen I was not discussing this from the standpoint of legal authority.

I was saying that there were some things in this world that ought to be done which private capital could not do, and that the Panama Canal was one of them, no matter what the specific

reason for the undertaking might be.

Mr. BARTLETT. Will the gentleman allow me one other

word?

Mr. WATSON. Yes.

Mr. BARTLETT. In reference to the control of the Mississippi River, the Government alone has the right to control the Mississippi, and it is a matter for interstate commerce, and nobody else can interfere except by permission of the Govern-

Mr. WATSON. Mr. Chairman, the question whether anybody could or could not interfere is a legal proposition. As a financial and physical proposition nobody would be able to undertake

work of that magnitude.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. WATSON. Yes.
Mr. CARTER. Will the gentleman say that if the French promoters of the Panama Canal had had Goethals and Gorgas, and their intelligence and genius, they could not have built the Panama Canal?

Mr. WATSON. Mr. Chairman, the gentleman has asked me an engineering question which I am unable to answer. All that can say is that they did not do it. And I want to say to this House that, in my humble judgment, if the Government of the United States does not construct this railroad into the interior of Alaska it will not be constructed, not because the Guggen-

Mr. SAUNDERS. Mr. Chairman, will the gentleman yield?
Mr. WATSON. In a moment. Not because the Morgans or
the Guggenheims have preempted the field, but because the great Creator has placed in Alaska physical obstacles which are be-yond the reach of private capital or any probable combination of private capital to surmount. Now I will yield to the gentle-

man from Virginia. Mr. SAUNDERS. I gather from what the gentleman says that the difficulty in the construction of the Panama Canal by private capital was that the amount of money required for its construction was so great that private capital could not com-

pass it.

Mr. WATSON. That is one of the reasons; yes.

Mr. SAUNDERS. And the suggestion is that the expenditures that we are asked to make in Alaska for these railroads are so great that private capital can not compass them?

Mr. WATSON. That is one of the reasons; yes. Still another reason is, I will say to the gentleman, not only can not so large an amount of private capital be got together easily, but because private capital requires quick returns on its investment, which would not have been forthcoming with respect to the Panama Canal, and in my judgment will not be forthcoming from Mr. SAUNDERS. Will my colleague answer me another question after that question?

Mr. WATSON. Yes.

Mr. SAUNDERS. As a member of the committee can you give us any estimate of the probable amount of money that will be ultimately required for the construction of railroads in Alaska? I gather from what the gentleman says that this is

only a preliminary or entering wedge of \$35,000,000.

Mr. WATSON. Mr. Chairman, the gentleman is a great gatherer [laughter], and he is gathering a great deal more than he ought to from the few things I have said. The committee took no testimony which I can recall as to the total amount of railroad mileage which would be necessary to develop all parts of the great Territory of Alaska. The proposition before this House is a specific one. It is to construct a railroad or railroads which shall connect the southern seacoast of Alaska with the navigable waters of the interior. If the gentleman will consult his geography, he will find that nature has put a barrier to the number of these railroads; it seems possible for only two roads to cross the mountains, and possibly one may satisfy all the purposes involved.

Amendments to the bill prepared by the committee will provide a limitation upon the mileage to be constructed and fix the amount to be expended at a maximum of \$35,000,000. The report of the commission sent to Alaska contemplates the utilization of the two railway lines already in existence, and thus two distinct connections with the interior of the Territory, comprising an aggregate construction of 733 miles of road. It is hoped and believed, however, by the friends of this measure that it may be found expedient and practicable to accomplish all the ends in view by the building of a single line to the interior, with a short road to one of the coal fields, at a total mileage not exceeding 500.

At first thought, \$35,000,000 may seem a large sum. But when we remember it is to be paid back from the proceeds of the road and from the sale of public lands in Alaska, the possibility of any loss to the Government is very remote. The revenue from the coal lands alone, when once open to development, will speedily extinguish the debt. Considering the resources of the Government and the great benefits to be obtained, no man ought to think the amount called for unreasonable.

This much in value, and many times more, did we contribute in railroad building in the States of the South and West; more than this we now appropriate each year to the improvement of rivers and harbors. But recently a single city of the United States expended over \$300,000,000 in subways for its citizens. Canada is at this time financing a trunk line across the continent to cost over \$200,000,000. England is pushing great transportation lines through Africa from Egypt to Cape Town.

Are we alone then, among great nations, to withhold from our own people and upon our own soil a great public improvement because a few million dollars stand in the way?

But, Mr. Chairman, the settlement and development of Alaska has a broader and higher meaning than any which may be drawn from the value of its commerce or from the influence of its industrial methods.

Hitherto in modern times the destinies of the world have been decided on the shores of the Mediterranean and the Atlantic; and it was to the revolutions of Europe and America that diplomats and statesmen have looked to determine the fate of governmental systems and of nations.

The Panama Canal has opened the way which Columbus sought to the east. The eyes of the world are now turned to the Pacific; in its bosom are held the secrets of the future. On its opposite shores two great segments of the human family, separated ages ago and differentiated now by countless vicissitudes of fortune, confront each other. Differing in language, in religion, in race, after the lapse of many centuries the Caucasian and the Mongolian, the Old World and the New, are met face to face.

That the greeting may be cordial and their rivalry confined to the friendly competition of trade is the patriot's devout wish. Yet is man ever driven onward by his own elemental wants—the unceasing struggle for bread, the longing for adventure and for gain, the greed for land and the space in which to pursue life, liberty, and happiness. The teeming millions of Asia, suddenly awake from the long lethargy of the past, conscious of their strength and inspired with zeal for a new and larger life, press for an outlet from the low wages and narrow confines of their native home. In the end they must find it somewhere. Where?

Within sight lie the comparatively helpless islands of the late Spanish archipelago, now a dependency of our own. Across the sea, to the north and east, stretch 2,000 miles of American coast line, for the most part unsettled and undefended. Already

have the doors of the mainland had to be closed to their everincreasing numbers, attracted hither by the higher wages and freer atmosphere of the great Republic

freer atmosphere of the great Republic.

This is one of the problems confronting us on the Pacific; and it is problems like this which invest Alaska with an interest of far more value than the coal of Matanuska or the gold of Treadwell.

The civilizations of different hemispheres can not be brought into long contact upon terms of equality. They will react upon one another with detriment to both until in the end nature's law asserts itself—when the weaker will perish and the fitter survive.

And if the fate of Caucasian civilization is to be worked, as we believe, in large part upon American soil, let us not delay to lay the foundations of a great white commonwealth against our gateway in the north. Let us plant there the civil liberty of the American, the language of Shakespeare, and the religion of Jesus Christ. [Applause.]

of Jesus Christ. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has expired. The gentleman from Ohio [Mr. White] is recognized.

Mr. WHITE. Mr. Chairman, a number of my colleagues, knowing that I had spent two years in the Territory of Alaska, have asked me to state my views on the pending legislation and my reasons for opposing the expenditure of thirty-slx millions of the people's money for the construction of a standard-gauge railroad from tidewater to the interior.

The United States purchased Alaska from Russia in 1867 for \$7,200,000, and 30 years later the American people seemed to realize for the first time the great mineral wealth contained in this vast area of 680,000 square miles. The news of a rich placer strike reached Seattle about August, 1807. The chamber of commerce of that city, with a fine appreciation of the advantage to be gained in exchanging the goods of her merchants for the gold seekers' cash, promptly gave the widest publicity to the somewhat exaggerated tales of fortunes to be quickly and easily made. The size of the nuggets increased as the report traveled, so that by the time the story reached the East the gold of Alaska could be found in large chunks, provided, of course, a man had the time to make the trip and was equipped with an outfit purchased in Seattle.

The attractive book on Alaska and her resources presented to Members of Congress, written by a man who was sent to the Territory at the expense of the Seattle Board of Trade, the lecturer who is at this time creating the proper atmosphere in Washington with his illuminated stereopticon views, and the moving pictures to which the gentleman from Oklahoma [Mr. Ferris] referred last week, reminds me of the continued activity and enterprise of Seattle's business organization.

When the boats landed us, with our outfits, on the beach at the head of Lynn Canal in February, 1898, there was not a mile of wagon or rail road in Alaska, and 6,000 of us packed our outfits—800 pounds to the man—over the Chilkoot or White Pass, carrying 50 pounds each trip. Three years later I traveled the distance on the White Pass & Yukon Railroad.

I have read the hearings before the House and Senate Committees on Territories and have listened to the debate, and have been unable to find sufficient proof of resources or population in Alaska to justify an affirmative vote for the bill under consideration.

The Delegate from Alaska [Mr. Wickersham], in a six-hour speech, gave an exhaustive description of the resources which in his opinion justify the expenditure of the public funds in the construction of the railroad, and I wish to congratulate him on his persuasive argument in behalf of congressional authorization for the expenditure of \$36,000,000 in the district he represents.

The statements that seem to me to most exaggerate the future possibilities of production in the Territory come from Members who have never been near Alaska; the minority report, on the other hand, has not given the land credit for the resources she possesses, and has, I think, pictured the climate worse than it is. I am conceding that Alaska is a wonderful country, and has, since its purchase by the United States, added approximately \$446,000,000 to the sum total of the world's wealth; but is not the burden of proof on the proponents of this legislation to show that conditions at this time or in the near future justify the expenditure of \$36,000,000 of the public's funds in the construction of a railroad into the interior?

The President, in his message to Congress submitted December 2, 1913, says:

Alaska as a storehouse should be unlocked. One key to it is a system of railways.

Every man familiar with conditions in Alaska knows that the free development of her resources has been very greatly retarded since the withdrawal of the Government lands in 1906; but as Members of Congress, responsible to the people for expenditures, we should fully satisfy ourselves that it is necessary to purchase a thirty-six-million-dollar key to open that particular storehouse.

Let us examine for a minute into the kind of economic wealth that has been developed in the past: The fisheries of Alaska have produced \$148,000,000 of the total \$446,000,000. The corporations send their ships up from San Francisco, carrying a great number of Chinese and Japanese to do the work; they bring the tin cans and the machinery with them, and when the season closes the entire product is shipped, and crews and workmen all disappear until the following year, and Alaska has been benefited only by the small amount paid in wages to some of the natives on the islands or at the mouths of the What possible bearing has this great industry on the need of a railroad into the interior?

Alaska has contributed to the world's wealth \$73,000,000 in fur, almost wholly from the fur seals of the Pribilof Islands. There is manifestly no argument in favor of the building of a railroad by the Government in the fish and fur production, aggregating \$221,000,000, nor is there anything in the figures to

develop the Territory and make it a great empire, Deducting the value of Alaska's fish and furs, we have remaining \$215,000,000 received from Alaska in gold, silver, and copper. The silver and copper and a large percentage of the gold is produced on the southeastern coast of Alaska and adjacent islands along the coast. Of the total gold production of 1913 of \$15,000,000, it is estimated that \$7,000,000 was the output from the interior of Alaska, and that amount represented practically the production of the great Yukon Valley and its many tributaries, embracing approximately 75 per cent of

Alaska's 590,000 square miles of area.

I wish to call the attention of Members of the House who are not familiar, except from the standpoint of some unprofitable investment, with mining operations to the two processes of mining used in the production of gold. Quartz mining involves heavy machinery to crush the gold-bearing quartz rock, and to profitably operate a quartz mine you must have transportation facilities either in the form of water or rail. The other process is placer mining, and a rich placer is a poor man's dream, because he needs no capital except good health, an optimistic temperament, and strength and endurance in handling a pick and shovel. The interior of Alaska is a poor man's country in that it is a great placer-mining camp. The Yukon Valley, including its tributaries, has produced and will produce the richest placer camps in the world. Nature has covered up the pay streaks, with the single exception of the beach at Nome, with from 10 to 60 feet of frozen ground, as we Klondikers discovered upon reaching the promised land. In place of finding nuggets in the grass roots, we found them after thawing and digging 8 to 10 inches a day through 60 feet of frozen dirt and muck. From the very character of placer operations you will at once realize why there are no placer miners strenuously urging the passage of this bill, either in person or by petition.

The mighty Yukon and its tributaries, and the White Pass & Yukon Railroad connecting the river at the head of navigation with Skagway on the coast, furnish adequate transportation facilities for the ten or twelve thousand placer miners who constitute the population of the interior. Many mining engineers have contended for a number of years that there must be valuable quartz ledges in a country so rich in placer gold, but so far the quartz mines have been located only along the coast and on the islands, and efforts to develop a paying proposition in

the interior have been unsuccessful.

I have tried to show, Mr. Chairman, that in the total production of the \$446,000,000 there is nothing to warrant the authorization by Congress of the appropriation or bond issue for the construction of the railroad in the interior, but Members urging favorable consideration of this bill are delightfully optimistic and persuasive in their statements and tables of tonnage resulting from the development of agriculture and cattle raising, foilowing the construction of the railroad. There was some tes-timony in the committee hearings touching the development of quartz mining in the vicinity of Fairbanks, and strangely enough the one or two small mines referred to were in the Tanana Valley. As to future development we are asked to be satisfied with prophecy born of day dreams.

The manifest difficulty in arguing against this Alaska railroad building proposition is presented when Members honestly make statements with regard to the tonnage to be developed in Alaska without furnishing trustworthy data, or at least any figures that are not contradicted by the very authorities they quote. Mr. OGLESBY. Will the gentleman yield?

Mr. WHITE. I will. Mr. OGLESBY. I asked purely for information, and because I want to ask some one who knows. We took a good deal of testimony, and I have read a good deal taken before the Senate committee, to the effect that a number of quartz mines near Fairbanks have been opened and tested and that gold had been found in considerable quantities, and that the quartz mines could be worked which produce gold and run very much higher in percentage to the ton than the mines of this country, but that the trouble was that the high cost of transportation made it unprofitable; that if better transportation facilities could be had so that the mines could be worked it would turn a losing proposition into a profitable enterprise. I would like to know whether the gentleman concurs in that idea or whether he has had sufficient experience there since the quartz mines have been opened up;

Mr. WHITE. Does the gentleman mean on the southern coast

or in the interior?

Mr. OGLESBY. I understand they are in the interior, in the vicinity of Fairbanks, and in other sections of the country.

Mr. WHITE. I will say that I am not familiar with the particular mines to which the gentleman has referred. The point I am endeavoring to make clear is that we have not been furnished with any authentic figures to show that quartz ledges have been developed which would justify us in authorizing the expenditure of \$36,000,000 for a railroad into the interior. have had assertions and statements with regard to the future development which, in my opinion, can be explained only by a natural enthusiasm for an unknown and undeveloped country. I can assure the gentleman of my personal acquaintance with a tendency of the average man to enlarge on the possibilities of wealth growing out of quartz ledges, and that I have smoked the same Alaskan tobacco used by some of the witnesses appearing before the committees. The gentleman asks about the quartz mines which could be worked if better and cheaper transportation facilities could be furnished. Does the gentleman realize that our rich and prosperous country could hardly finance a scheme to reach all the low-grade ores in the Western States, not to mention Alaska? If the advocates of this bill believe Congress should mortgage the future revenues of the people to go into the business of operating coal lands or gold-bearing quartz which individuals and corporations have found through years of practical experience can be operated only at a loss, then I am fearful for the future of the country's finances

The reason the average mining proposition does not pay dividends is because it costs \$1.25 to produce a dollar's worth of gold, and as'soon as the stockholders cease contributing the difference the mines close and operations are not resumed until a fresh class of tenderfeet are persuaded to invest in the stock. It appears to me that this bill inaugurates the policy of mortgaging the revenues of 95,000,000 people to experiment in the resources of Alaska. If the railroad is built and its operation does not prove too great a drain on the Treasury of the United States, there will undoubtedly be an urgent demand from owners of low-grade ore mines in the Western States for a Govern-

ment railroad to their property.

When the gentleman asks if the construction of this railroad at Government expense would not turn a losing proposition into a profitable enterprise I am forced to answer in the affirmative, but must decline to go on record in favor of such a governmental

Mr. HOUSTON. Is it not a fact that \$74,000,000 in gold have been taken out of the mines near Fairbanks.

Mr. WHITE. Quartz mines?

Mr. HOUSTON. No.

Mr. WHITE. I am talking about quartz mines. I made the statement a little while ago that it only took a pick and a shovel and a man's strength to get the gold out of the placer mines.

Mr. HOUSTON. I asked if it was not a fact that \$74,000,000 of placer gold had been taken out of the mines near Fairbanks. Mr. WHITE. I admit that, but you do not need a railroad to transport that gold. You can take all the gold out of that country without a railroad. We brought our gold out of the Klondike on a boat to White Horse Rapids and from there to

Skagway by train. Over fifty millions came out by that route in two years. It does not take much packing to transport gold. The point I am trying to make is that the returns from the interior of Alaska are from the placer gold of the country.

Mr. WICKERSHAM. Will the gentleman yield?

Mr. WHITE. I will.

Mr. WICKERSHAM. The gentleman states that it does not take much transportation to get gold out of the country. That is very likely because gold is in a small compass; but the gentleman ought to admit that, in respect to transportation, getting provisions in upon which the people who take the gold out live does take considerable transportation. Mr. Brooks says that it takes 50 per cent of the total output in the Fairbanks country to pay the freight bills. We took out \$75,000,000, and so it took thirty-seven and a half millions to pay the freight

within the last 10 years.

Mr. WHITE. I will say to the gentleman that I have said the fertility of the soil was great enough to support the population necessitated by the mining interests. I am not disputing that fact. I am simply stating that as a Member of this House from Ohio, representing 225,000 people, I refuse to mortgage the future to the extent of thirty-five or forty million dollars to go into and develop the Tanana Valley without their showing me-and I wonder what the Missouri Members will do-showing me what tonnage can be developed to justify the expenditure of

Mr. WICKERSHAM. Does the gentleman know that there have been large quartz veins opened in the last year, and that the output last year was more than \$400,000; that there are unlimited areas of quartz there that it is impossible to work under the present transportation methods, but if we had cheap rates we would have large quartz mines in that vicinity? Does

the gentleman know anything about that?

Mr. WHITE. I know something of it, and I know there has been some quartz gold produced there, but I am also somewhat familiar with the optimism developed in the average mining prospectus.

Mr. WICKERSHAM. That is not a prospectus of an average

mining district.

The gentleman says \$400,000 were taken out? Mr. WHITE.

Mr. WICKERSHAM. That is the report.

Mr. WHITE. Does that warrant this Congress appropriating thirty-five or forty million dollars to build a railroad into Alaska? I put that question even to the gentleman from Alaska. I will say to the gentleman that I have kept up my acquaintance with a few men whom I knew when in Alaska and who have continued their mining operations, and I meet them from time to time. I asked one man two years ago how things were getting along. He said, "White, Alaska is in great shape now. If you don't make a thing go and lose your money, you cuss the Government, cuss the Guggenheims and the Morgans, and support WICKER-SHAM for Delegate." That is a fine situation to be in for the gentleman from Alaska—on election day, at least.

But I am maintaining that we are asked to appropriate this

vast sum of money at a time when we are approaching the danger line in way of appropriations in general-in the development of a scheme which, as business men, I can say without fear of contradiction, if it were presented to us in a business office and we were asked to furnish the capital stock-and that is what the Government does-we would not pay 25 cents on

the dollar for the stock or bonds.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. WHITE,

Mr. WINTE. Certainly. Mr. JOHNSON of Washington. Would the gentleman be willing, in lieu of this appropriation of money, to do as was done in the case of the Northern Pacific Railroad—furnish every other section of land for 40 miles each side of the right of way the whole distance?

Mr. WHITE. I would not. Mr. JOHNSON of Washington. Then, if we can not have and do not want such a plan as that, and we all admit that that plan, as bad as it was, developed the West-

Yes. Mr. WHITE.

Mr. JOHNSON of Washington. Why is not the alternative then the building of a railroad with Government money?

Mr. WHITE. The gentleman asked me a question, and I answered him and said that I would not do as he suggested, but I have already said that the illustration of putting the railroad through the West is not applicable. The climatic condition and the condition of the ground enters into the consideration of the question, and I claim that you can not parallel the cases.

The railroads of the West were constructed over level country for the greater part of the distance west of the Mississippi, and the early settlers could haul their produce or drive their cattle to the railroads before the day of road building, but in Alaska your pioneer must have a road built or himself make one if his property is a quarter of a mile or over from your Government railroad. In other words, you meet entirely dif-ferent physical conditions in Alaska. Let me read you a part of the report of the United States Road Commissioners for Alaska for 1913, and in giving their opinion notice how guarded, for obvious reasons, the language is:

Our board specifically disavows any intent to set forth views in op-position or discouragement to railroad construction in the Territory under proper limitations, but after several years of careful observation

and study of the land transportation conditions and of the natural inducements to development and to settlement which exist, is convinced that no rapid or general development will follow the construction of trunk lines of railroad to the interior unless preceded or accompanied by the construction of numerous wagon roads and trails as feeders, and even then the development will be slow.

In making this statement our board may incur the suspicion of wishing to give undue importance to its own work, but the railroad commission itself recognized this fact, and no one acquainted with the true situation can fail to do likewise.

Unlike the great West in another respect, Alaska has a wonderful system of waterways, both coastal and interior, and while the interior system is open only about five months of the year, during this open period supplies can be distributed to almost every part of the Territory by means of its various ramifications.

Mr. JOHNSON of Washington. Does it not get just as cold in

Mr. JOHNSON of Washington. Does it not get just as cold in

Montana as it does in Alaska?

Mr. WHITE. Yes; but the ground is not frozen for 50 feet through in Montana and does not stay frozen the year around. Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. WHITE. Mr. Chairman, I can not yield any more of my time. How much of my time remains? The CHAIRMAN. The gentleman has yet five minutes re-

maining.

Mr. WHITE. I can not yield any more of my time. There have been long speeches delivered, Mr. Chairman, upon the agricultural future of Alaska, and by one side we have been shown the picture of a frozen area of arctic cold, suitable only to the habits of the polar bear and the Eskimo, while the other pic-ture has been painted in the color scheme of a tropical climate and fertile soil. During my experience in Alaska I did not see a polar bear nor an Eskimo, nor do I remember seeing any royal palms or orange groves in any of my travels. Yukon strawberries, it is true, 12 months in the year, but, let me explain, we applied the name of that delicious fruit to a dish of plain beans. A man can live in Alaska during the winter, though the temperature drops uncomfortably low at times, but when one is busy working in profitable pay dirt one does not stop to complain of the extreme cold or the 18 hours of night.

But is the climate and present condition of the soil suitable to agriculture and a growing population? I confess my inability to picture the honest farmer reaching north of the sixtieth degree of latitude to find land to till. One of the most important problems involved in the high cost of living at the present time is the movement from the farms to the city, and if, as is true, the number of deserted farms is increasing from year to year in New England and Ohio, what can be the basis for the statements we have heard to the effect that those farmers will follow the building of a railroad into the Tanana

Valley?

It is estimated that we have more than 300,000,000 acres of public land in the United States waiting for the homesteader to go on it with his family, turn over the soil, build a house, You can buy good farm land near a railand begin farming. road in Ohio, Indiana, and Illinois for \$100 an acre. then, go to Alaska, where the ground is frozen 100 feet deep, where the temperature goes down to 65° below zero, and take up land which the testimony shows costs \$200 an acre to clear, and will possibly yield a crop every second year?

The supporters of this legislation have presented elaborate figures to show that other territories in the same latitude support millions of population. Canada, Sweden, Norway, and Denmark have been cited as illustrations. I beg to call the attention of the gentleman to the fact that the land in Canada attracting a population at this time is two or three hundred miles south of that degree of latitude bounding the southern part of the interior area of Alaska, and that in Denmark, Norway, and Sweden the Gulf Stream tempers the climate and

makes possible agricultural development.

In some of the arguments in support of the bill we find Members diverting the Japan Stream so as to carry its beneficent effect to the interior of Alaska, and one Member referred to it as flowing up the Yukon. As a matter of fact, the Japan Stream comes from the south, crosses east at the Aleutian Islands, one branch flowing along the southern coast and tempering the climate during the winter months. As the Delegate from Alaska [Mr. Wickersham] has correctly stated, the warm-air currents coming from the Pacific and influenced by the Japan Stream strike the mountain ranges on the southern coast of Alaska and the moisture is precipitated in snow and rain-40 to 50 feet of snow and an excessive rainfall. The Japan Stream therefore has no appreciable effect on the climate of the interior.

I can not believe, Mr. Chairman, that the agriculture of Alaska can ever justify the expenditure on the part of the Government of \$35,000,000 in the form of a railroad.

There are mysteries connected with the natural conditions in the Territory which have never yet been solved. The ground, not excepting the region in the Tanana Valley, is frozen to bed-rock, in some places to 40 feet and in others to from 200 to 300

feet deep, the whole substance of earth between the surface and bedrock being glacial in character. In the next claim to the one in which I was working there was found at a depth of 25 feet a part of a mammoth's tusk solidly embedded in the frozen gravel. These subterranean ice fields could not have been formed under present climatic conditions.

The supporters of this bill say there are records of as low temperatures in Canada and New England as in the interior of Alaska, and the statement is undoubtedly true, but let me call to their attention the important fact that the ground in Canada, New England, Denmark, Sweden, and Norway is not frozen to a depth of 100 feet, and their agricultural areas are not underlaid

with a glacial formation.

The gentleman from Oklahoma [Mr. Ferris] has quoted very extensively from agricultural bulletins to show that the interior of Alaska is not suitable to an extensive development of agriculture, and I will not take the time of the House to repeat what he has so ably presented; however, I would like to quote Prof. Georgeson, who has been both criticized and praised in the discussion of this bill, and who was superintendent of the experimental station in Alaska. He tells us that they have been unable to find a wheat that will ripen there; they have found a rye, which is the earliest ripening of the grains, from which they have some very good samples; they have found an oat which they have ripened there, but in his report he advocates the policy of not attempting to ripen even those grains, but to cut them for hay purposes on account of the lack of forage. In his report for 1910, speaking of the Tanana Valley, Prof. Georgeson says:

Georgeson says:

Alaska soils are not rich. Frequently statements from travelers and other observers are seen to the effect that the soil must be exceedingly rich in plant food to judge from the height of the grasses and the luxuriance of some of the vegetation, but such a conclusion is not warranted. Grasses will sometimes grow rank on an almost barren gravelly soil, because they have plenty of moisture and they are adapted to the climate and to the conditions. The virgin soil in the interior is everywhere frozen to an unknown depth or to bedrock. In this state of refrigeration there can be no activity of the organisms which aid in the formation of mold and the manufacture of plant food from the organic matter, and what plant food the soil may hold is in a large degree insoluble, and therefore not available for plants except by a long and slow process of weathering. For this reason the soil soon becomes exhausted and fertilizers are necessary. This is particularly demonstrated by the results at the Fairbanks station the past season, which will be referred to later.

Now, the problem is how to render the soil fertile. Stock breeding in the interior will almost certainly be limited to the few animals on each farm necessary for domestic use. The feeding period is too long to make it practicable to maintain a herd of cattle on even a moderate scale. It will be a difficult matter to provide the feed. For this reason stable manure will never be abundant in that country. Therefore some other source of plant food must be sought, and it is hoped that this source may be some species of legume which is hardy enough to withstand the winters, which will yield fair crops of forage, and which at the same time has the property of enriching the soil with nitrogen, as do the clovers and alfalfas in more southerly latitudes.

I think that is a fair statement of the soil conditions in

I think that is a fair statement of the soil conditions in Alaska. It stands to reason that with such subterranean conditions there can not be the development which he says is so desirable and which the advocates of this bill promise upon the completion of the railroad. It is true that when the tundra, or Alaskan grass, is removed—and it must be removed at great expense—and the sun, which shines during the hundred days of summer for 23 hours a day, gets to the soil it does thaw the surface down to a depth of 3 or 4 feet. The soil, when the surface down to a depen of the thrown up into ridges so that it may be drained, raises a certain class of products—chiefly those that require a great deal of water and not much richness of soil. My estimate of the agricultural possibilities of Alaska is that they are sufficient to satisfy the needs of the placer-mining population of the interior, and that is all. And it occurs to me that the railroad might so lower the price of the products as to render unprofitable any farming in the interior.

In opposing this bill I am not unmindful of the deplorable condition of Alaska's resources at the present time; it is certainly a bottled-up Alaska when men are burning wood at \$20 a cord with coal in their back yards; but I believe her coal can be released without the Government expending the vast amount

of money proposed in this bill.

The Secretary of the Interior has suggested in his last report a plan by which the grasping corporations can be restrained from appropriating the people's wealth as represented in the coal fields. Secretary Lane has suggested a lease system, and I was very agreeably surprised to hear the gentleman from Wyoming [Mr. Mondell] a few minutes past, coming from the West, as he does, speak in favor of the lease system. As an oil man I am familiar with that system, and for the first time in the business came into contact with the Government as the agent of the Indians in the Oklahoma oil fields, and the Interior Department has been successful in preventing monopolistic control of the Oklahoma oil fields through this system.

I believe the United States Government can regulate whatever production of wealth may be found in Alaska through the lease system. There is coal in the Matanuska and Bering Sea fields, although it is rather unfortunate in the light of all the optimistic predictions made by the proponents of the bill that the report of the Navy test recently made was disappointing. But I believe there is coal and that it has been demonstrated beyond the question of a doubt, and further believe that should this bill fail to pass railroads will be built by private capital.

I am not afraid of this proposition from the standpoint of Government ownership, and if you can prove to me that that is the only solution of the problem I will be willing to vote for the railroad to the coal fields, which will involve some \$9,000,000. We can see that there is tonnage in coal, and to transport re-

quires a railroad.

The Alaska Northern can be extended and the Interstate Commerce Commission has the power to control railroad rates. Are we to say at this time, with a Democratic President who has already demonstrated his courage and great ability in restoring the rule of the people, that we will throw up our hands and give up trying to solve the question of the control of cor-porations in this country, and that the only solution of the problem is Government ownership of railroads? I do not be-lieve we are willing to admit that. I do not believe that the necessity exists for us to absolutely give up the solution of the problem of what to do with the Government land, except to enter into the building of Government-owned railroads.

I do not blame our Progressive friends for voting for this bill, because it is in their platform, but I can not see any obligation for a Democrat voting for it other than the words in the message of the President. Although I dislike to differ with the administration, I am unwilling to give up my fixed opinion with regard to the unwisdom of building the railroad. The wisest and most patriotic of men are sometimes mistaken, and I fear the President will regret his advocacy of this proposition.

Mr. WICKERSHAM. Will the gentleman yield?

Mr. WHITE. I will.

Mr. WICKERSHAM. The gentleman has referred several times to his long experience in Alaska. I would like to ask him in what part of Alaska he was?

I was in the Klondike, and said so.

Mr. WICKERSHAM. In Dawson?

Mr. WHITE. In Dawson City. Mr. WICKERSHAM. In the Yukon territory?

Mr. WHITE. I only made one trip; yes; the Yukon territory, 40 miles from the Alaskan boundary line.

Mr. WICKERSHAM. About 300 miles from the Tanana Valley; and that is the nearest the gentleman was to it? Mr. WHITE. No; I went down the river to Rampart.

Mr. WICKERSHAM. But never was in the Tanana?

Mr. WHITE. Never was in the Tanana Valley.

Mr. WICKERSHAM. And never was in the coal-mining

Mr. WHITE. Never was in the coal-mining section. said I helped grubstake a man who went to the Tanana Valley for

us, and my statements are based on his reports.

In conclusion I wish to state that my conviction is there have been a great many exaggerated statements made in regard to I might very naturally be expected to favor legislation looking toward the future benefit of Alaska, because I got my start there, but I am a Member of Congress and voting the people's money raised by taxation, or that will be raised, and I look at this as I believe all other Members of Congress should consider the proposition—as if we were investing our own money. I do not propose to spend the money collected through Federal taxes from the people of my district and from every other district in the country for a railroad-building proposition in which I, as an individual, would not put, as I have said, 25 cents on the dollar of my own money. I appreciate that we can not estimate the functions of government exactly as we would an ordinary investment, but when you go into Government ownership of railroads you very nearly approach a governmental function, which should be estimated on the basis of dollars and

I believe Alaska has a bright future and that her problems will be solved without the Government building a railroad so soon as we have courage enough in Congress to face the situation

and pass the proper legislation.

I presume there is no use to oppose this bill, as with the administration behind the measure it will have a large majority; but I am convinced that some of the affirmative votes will be cast by those who are radically opposed to Government ownership of railroads in the belief that this one experiment in Alaska will cure the country for all time of the desire to go very far in Government ownership of railroads.

In my opinion the people will be taxed to keep up the operating expenses of this road after it is built, and if a Rockefeller or a Morgan were to build the road and pay for the construction I doubt very much whether I would even under such favorable conditions vote to accept the gift if they were to offer it to the Government. If there are any resources in Alaska to warrant such a tax, then let us build the railroad; but if, as I honestly believe, the advocates of this bill have failed to satisfy us as to any definite tonnage, we ought to think very carefully before appropriating the people's money for such a project. [Applause.]

Mr. SMALL. Mr. Chairman, I desire to make application for unanimous consent to extend my remarks in the RECORD.

Is there objection to the request of the The CHAIRMAN. gentleman from North Carolina? [After a pause.] The Chair hears none, and it is so ordered.

Mr. Chairman, I ask the same privilege. The gentleman from Pennsylvania asks The CHAIRMAN. unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. Mr. WHITE. Mr. Chairman, I ask the same permission.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. WICKERSHAM. Mr. Chairman, I make the same re-

The CHAIRMAN. Is there objection? [After a pause.] The

Mr. BRYAN. Mr. Chairman, I make the same request in

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. WATSON. Mr. Chairman, I make a similar request.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears

Mr. JOHNSON of Washington. Mr. Chairman, I am glad indeed to follow the distinguished gentleman from Ohio [Mr. WHITE], who has been out in Alaska. I live in the northwest corner of the United States, which is just as far as you can get to the nearest point of Alaska, but which is nearly 1,000 miles away from where he states he grubstaked a man to try some venture. And yet the gentleman from Ohio [Mr. WHITE] while he was in Alaska was as far away from where we want to build this railroad as my home is from the nearest point of that great Territory. So much for an intimate knowledge of the country by any of us. One might as well boat down the Ohio River and then say that he knows all about Colorado. I am glad to note, however, that the gentleman pre-tends to no general knowledge of Alaska nor of its present conditions.

I beg to say that I am a member of the Committee on the Territories and have given just as much study as possible to this problem, and I have based my own conclusions in behalf of Alaska railroad building on what happened to the country in the United States west of the Missouri River and north of Oklahoma when this Government gave, in 1862 and 1864, the great land grants which my friend from Oklahoma [Mr. Ferris], the distinguished chairman of the Committee on the Public Lands, called a hideous, ghastly, blighting precedent against the building of Government railroads. He said it was a blot on the Nation's history; but I will go further than that, gentlemen, and say it is still a blot on the Nation's history, for there still exists the lieu-land system by which we are being "horse traded" out of the very best lands in the forest reserves and elsewhere, which our people fondly think are being held for them. However, I will not go into that at this time.

But west of the Missouri River and north of Oklahoma 5,300 miles of railroad were built under enormous land grants, and out West we now have 58,000 miles of well-built railroads, and many large cities in every western State, and a prosperous and growing country that is the warehouse of this Nation.

Mr. HARDY. Will the gentleman yield for a question there?

Mr. JOHNSON of Washington. I will, gladly. Mr. HARDY. Would that 5,300 miles of road have been built unless the Government had either built it itself or given

the land to these private parties?

Mr. JOHNSON of Washington. The Government had to do either one thing or the other, if it intended that the country should become populated, and the same thing applies to Alaska right now. I will come to that, and if you will listen just a moment I am going to tell you what happened in the effort to build a transcontinental railroad under the greatest of all these land grants. About 5,300 miles of railroads-the Union Pacific,

the Central Pacific, and the Northern Pacific-were built west of the Missouri River and north of Oklahoma with Government aid. That is all. And yet there are to-day out there in the West more than 58,000 miles of well-built railroad, and not a Government dollar for any above the original 5,300 miles. Is not that the answer to the charge that if we start in Alaska with 700 miles we will have ultimately to construct 10,000 miles? It is the answer. [Applause.]

WHAT HAPPENED 27 YEARS AGO.

We are told that we should not build the Alaska railroad because the Territory is barren and unpeopled. And yet the Northern Pacific ran through more than 1,500 miles of country so barren and so desolate that when Henry Villard took the foreign contributors to his famous "blind pool" of investors out to see driven the golden spike that united the eastern and western ends of that long line, they were disgusted with the aspect of the country. They said it was barren; that it could never produce tonnage for a railroad, which would be nothing but a streak of rust from nowhere to nowhere, meaning from St. Paul, Minn., to Tacoma, Wash.

Note that they used almost the exact words used last week by the brilliant Member from Oklahoma: "A streak of rust from nowhere to nowhere." And they had been over the road from nowhere to nowhere." And they had been over the road and through the country. Mr. Ferris has not been in Alaska.

The foreign members of Villard's party cabled back to their

friends in Germany and England, and all hands dropped out of the pool—leaving Henry Villard to hold the sack and go broke. Think of it! The foreigners dropped out, Villard went broke, and the Northern Pacific went into bankruptcy, notwithstanding that enormous grant of every alternate section of land for 40 miles each side of the right of way, across half the width of the United States, including forests and fields worth the ransom of 100 kings. And this only 27 years ago.

Who cares for the extensive reports from the agricultural stations in Alaska? Would not reports from the Dakotas, from Montana, from Idaho, from Oregon, and from Washington have been just about as bad at the time the golden spike on the

Northern Pacific was driven?

The cities St. Paul and Tacoma, whose prospects seemed then hopeless, are now two of the grandest cities in all the orthwest. Tacoma, which after the Northern Pacific collapse looked as if it might fade from the map entirely, is now a city of 100,000, and with municipal electric power offered to manufacturers at a rate as low as one-fourth of a cent per kilowatt, bids fair to become one of the great centers of the Northwestif not the greatest-located as it is on the grandest harbor of all the Pacific.

And there are the other grand cities—Portland, Seattle, Spokane, Butte, Helena, and all of the cities of the Northwest east to Minneapolis and St. Paul, which are all great centers of industry and activity.

Who doubts that Alaska has not its full proportion of the

wealth of the Northwest, which less than 30 years ago seemed so desolate, so barren, so worthless, and so God forsaken?

We do not propose to exploit Alaska under a land-grant system. We will not let capitalists continue to exploit that Territory. What else is there to do but start things with a Government trunk line. It is land grant or the Government direct, as the gentleman from Texas [Mr. Hardy] has intimated.

And since it is inevitable that the pioneer trunk-line railroad in Alaska shall be built by the Government, why delay the initial step? Why hang back on a great venture that must come? [Applause.]

Mr. Chairman, marks in the Record. Mr. Chairman, I ask unanimous consent to extend my re-

There was no objection.

The CHAIRMAN. The gentleman from Washington [Mr.

BRYAN] is recognized.

Mr. BRYAN. Mr. Chairman, the gentleman from Ohio [Mr. WHITE] a while ago said he would not accord to Alaska a division of alternate sections as was done in the building of these western railroads, and by his entire argument he intimated if any such offer as that was made, capital would go up in Alaska and build these roads. Otherwise, a refusal to grant that kind of a permission to private capital would mean noth-

And so all these gentlemen who have asserted that there is nothing in Alaska, that Alaska is not fit for the building of this railroad, almost invariably assert they would not agree to the private capital concessions in Alaska that were granted when the building of the railroads to the Pacific Ocean was undertaken.

Mr. WHITE. Will the gentleman permit? Mr. BRYAN. Yes.

Mr. WHITE. I simply wish to reaffirm my statement, that I drew the line between the interior of Alaska and south of the range of mountains. My statement was with regard to the interior of Alaska.

Mr. BRYAN. I am glad the gentleman is unwilling to give away land for 40 miles on each side of the railroad to stimulate this building. It would be wrong to make such concessions.

The set and determined opposition to this bill in this House has come mainly from two sources: First, from the gentleman from Michigan [Mr. Fordney] and the gentlemen from Oklahoma [Mr. Davenport and Mr. Ferris]. Of course, there have been some reenforcements to-day.

These gentlemen have cast up considerable ridicule against Alaska as a natural resource and have expressed the opinion that the interior of Alaska is unfit for railroad development by the Government, and likewise all have called to the attention of Congress the great fallacy of the Government entering into private enterprise such as is involved in this act.

I shall devote most of my time to answering the argument directed against the Government ownership and operation of a railroad in Alaska by showing the absolute correctness and advisability of the Government ownership and operation of all railroads, both in the States and in Alaska.

The Government ownership of railroads was injected into the debate here and it was also injected into the debate over in the Senate, and was necessarily answered there; so I say we must meet that opposition here.

I shall accordingly dwell but briefly on the claim that Alaska is a gold brick on the hands of the United States Government and unfit for anything but to give away to the Alaska Syndicate. It very naturally devolves primarily on the able Delegate from Alaska [Judge Wickersham] and the Members of the House who are on the Committee on the Territories to defend this syndedid Territory, against these charges.

splendid Territory against these charges.

The gentleman from Oklahoma [Mr. Ferris] exceeded the speed limit in satirical ridicule of Alaska and its people, as well as of the business men of Seattle and the great West, who believe strongly enough in the resources of Alaska to come here with their exhibit and present an optical and truthful demonstration of its resources. My views have not always met the approval of the Seattle Chamber of Commerce or of all the business interests which are identified with the State which I have the honor to represent, in part, here in this House, but I think it comes with poor grace for a Member on this floor to impugn the motives of a lot of men as has been done by the gentleman from Oklahoma [Mr. Ferris] when they have only tried to show to the Members of this House the resources of property owned almost exclusively by the Government. The gentleman characterized them as town-site promoters and selfish boosters. Yet their efforts in this matter are as patriotic as could possibly be put forth. They come onto the scene after the President has urged the development of this land of promise, endowed as it is with wealth of mine and agricultural possibilities.

These gentlemen seem called of some supreme power to warn this Congress of the impending danger which lurks in the form of a cloud in the Northwest. They want to save the country from the fallacy of developing Alaska in the way that the best judgment of practically all who view the situation unselfishly dictates.

The Guggenheims were the first men to be fooled by Alaska by believing things which these gentlemen would make us believe are false. The Guggenheims, notwithstanding the eloquence and learning and satire and ridicule of these gentlemen, still believe they are right and stand ready to build the railroad in Alaska if Uncle Sam will only divide up a small share of the Alaskan resources with them.

It was Theodore Roosevelt and Gifford Pinchot who did the Government's part of the so-called locking up of Alaska. They slammed shut the door in the face of the Alaska Syndicate just in time to save resources which they believed were of inestimable wealth. They have not changed their opinion since the words of wisdom were "launched" from the mouths of these gentlemen.

William H. Taft and his administration held on fast to these resources, stimulated somewhat, I will admit, by public opinion. President Taft appointed a railroad commission and had the question of railroad construction in Alaska considered and take foundation for such construction. He thought the Alaska resources were fit to develop. He did not believe Alaska a gold brick, and we have before us the message of President Wilson, gaining by the experience of all that had preceded him, honest, sensible, conservative, urging the construction of this railroad by the Government.

To add to all this we have the vote of the United States Senate—46 to 16—in favor of appropriating \$40,000,000 for a Government railroad in Alaska. These venerable Senators elected by the State legislatures favor this proposition, despite the racing sarcasm of this winged Pegasus, the great Ferris wheel from the land of Buffalo Bill and the broncho-busting pictures. [Laughter.] So he concludes that these business men who have abandoned their usual duties to present to Congress the truth about Alaska are here in a town-site scheme. If such an accusation be just, what about the Presidents of the United States and their Cabinets—Roosevelt, Taft, Wilson? Are they all animated by selfish purposes? And the 46 Senators. Are the 16 rock-ribbed gentlemen who voted against this bill in the Senate the only Senators who have wisdom and are able to avoid town-site schemers and faking boomers, such as the gentleman from Oklahoma characterizes these men who are here in the interest of this bill?

It seemed to me that the gentleman had exhausted his supply of gall when he concluded his arraignment of Alaska and her people and her supporters. His position was like that of the old colored preacher who made a terrific run to catch a train for an engagement. He caught the last car as the train pulled out, and, sitting down in his fatigued condition, he soon dropped back his head and went to sleep, his mouth wide open. A doctor who sat near took from his pocket a capsule of quinine and dropped a few grains on the old darkey's tongue. He soon awoke, and upon tasting the quinine began to make terrible faces. "What is the matter, Tom," inquired the doctor. "Well, Doctor, I'se just dun busted my gall." [Laughter.]

Doctor, I'se just dun busted my gall." [Laughter.]

The gentleman from Oklahoma, with all of his affability and kindness, is, it seems to me, a victim of a similar accident.

LEASING CLAUSE SHOULD BE ELIMINATED.

I favor this bill and urge its presage with more than ordinary enthusiasm, although there are certain amendments which I shall urge Congress to make, the principal one being the elimination of the leasing clause, and in event of the leasing clause not being entirely eliminated I shall seek to have the provision moderated so as not to "direct" or force the President to lease the road to private parties.

I favor the bill because it is right in principle, is just in purpose, and because it will repay the Government a thousand to one on the investment—by the revenues of the road and the development of the property of the United States Government in Alaska.

I shall oppose the giving of the resources of Alaska to a private syndicate.

The slogan of the Arctic Club, at Seattle—a splendid. aggressive, virile organization—and the slogan of the people of the Northwest who have the interest of this Territory at heart is "Develop Alaska." It would be a poor citizen, indeed, either of the Territory of Alaska or the great Northwest or of the United States, who would not subscribe to that slogan.

About 50 years ago the slogan was "Develop the West."

About 50 years ago the slogan was "Develop the West." The old soldier, the people of the country generally, wanted the Western States developed. Then, as now, transportation became an essential feature. Tremendous concessions of public lands were made to the railroads, and under the impetus of such concessions the timber domain of the people and vast landed estates of inestimable value were acquired by a few people.

When the people began to realize that Alaska must be developed and that the time had come to apply business principles and methods to such development there was an attempt to use the same principle of subsidies of public property and rights; but a change had come over the public mind, and no argument of expediency or public necessity could prevail over the determination not to make such concessions in Alaska.

But in stating my views as to this Government engaging in general railroad construction, I represent no party and no organization; I speak my own views; and I understand that I am the only member of the Washington delegation here on this floor that believes in the acquiring and operating of the railroads of the country by the Government as a policy that ought to be adopted at this time.

If the Democratic Party, taking this matter into consideration at this time, refuses to build a railroad in Alaska after the President and others who have studied this matter have recommended it, the conclusion is necessary that they have done this because of their opposition to the Government operation of railroads. There can certainly be no other excuse presented. Then the issue will be clearly and fairly drawn, and the Democratic Party will have gone on record on that proposition in connection with this legislation, although, if this bill is passed, it does not commit the Democratic Party to Government ownership of railroads.

I believe the Government ownership of railroads will become a plank in the platform of the Progressive Party before we go to bat for the Presidency in 1916. No other party aside from the Socialist Party will adopt it as a party platform, but I sincerely hope and believe that the Progressive Party will.

This Alaska bill has brought on the most free discussion of the proposition. The advance that the idea has made in the Senate shocked conservatives. The debates in the Senate show that Government ownership of railroads is regarded as a feasible proposition by a large group of Republicans, including Senators CUMMINS, KENYON, NORRIS, BRISTOW, and BORAH, and CLAPP and POINDEXTER, Progressives, together with quite a number of Democrats.

I do not favor our acquiring one transcontinental line to compete with the others and keep up the present expensive system of exchanging cars and all the other ills associated with the present bungled method of management. I favor acquiring them all and consolidating them into a nationally owned menopoly.

Mr. Chairman, when the officers of the French Army were holding a council of war and laying the necessary military plans to capture Toulon and raise the flag of the Republic over the ramparts of that city, a lean and sallow captain of artillery arose and, dissenting from the opinion of the majority, placed his finger upon a point on the military map of the city and declared "Toulon is there." It was the genius of Napoleon Bonaparte asserting itself. He assured these mighty men around him that Toulon could never be taken for the Republic so long as the ships of the allies were permitted to remain at the strategic point he designated. He deemed it necessary to take the city from the front, rather than to attempt to take it from the rear.

In my opinion the struggle now going on in this country between the people and the special interests for the control of this Government of ours will not be won by side attacks, by compromises, or by mere sham battles. The citadel of power from which the special interests operate and through which they retain their powerful hold upon the Government and all of its functions is the money power, and the right arm of the money power is the railroads.

"Consent of the governed" is a fundamental constitutional slogan in this country. The right to tax is a prerogative of sovereignty. About election time our Democratic friends are heard to exclaim all over the country their favored slogan of "Equal rights to all and special privileges to none."

These slogans and catchwords are all right as long as there is any power to enforce them. But when we come upon an era in our national development when there is within the Republic an institution which can not be operated in any other manner than through the highest conceivable form of special privilege, to wit, as a monopoly, and when it must have as a necessary association of the right of monopoly the additional privilege to tax the public and to arbitrarily apportion the burden of taxation, the we must admit that our slogans, "Consent of the governed" and "Equal rights to all and special privileges to none," have become as sounding brass and tinkling cymbal.

The railroads of this country have assumed such proportions that the power of the Government, the authority of its officers, and the force of its governmental machinery is slight in comparison. This great transportation machine has a capitalization in stock and bonds of over \$20,000,000,000, and an annual expenditure for operation of over \$2,500,000,000. It collects from the people a transportation tax by direct methods of over \$3,000,000,000 annually and by stockjobbing and the devious tricks of the stock exchange they no doubt rob the people of another billion annually.

It has officers on its pay rolls receiving salaries in excess of that of the President of the United States, and so-called financial agents and trustees to whom a \$1,000,000 cash commission is a mere bagatelle. It has 250,000 miles of track, equaling two-thirds of the mileage of all the railroads in the world. Through its transportation levies it enjoys the sovereign and kingly right of taxing the consumers and users of every imaginable form of movable property. The Wall Street bankers that own the so-called empire builders, whose duty it is to collect the taxes according to instructions and make due return thereof, have reached a position where they can laugh at any city or any section of the country that objects to doing their bidding.

NONE TOO GREAT, NONE TOO SMALL, TO ESCAPE.

We see great sovereign Commonwealths exempting the railroads from taxes; counties and communities taxing themselves in order to encourage their construction, while Wall

Street bankers sell two or more dollars of stock and as much more in bonds for every dollar of assistance that is offered. Great daily newspapers, innumerable weekly newspapers, fall prostrate at the feet of the water boys of Wall Street, while they exchange their ill-gotten bonuses for the hard-earned dollars of the people. We find armies of men and women and children employees and beneficiaries dependent on the railroads for their support and compelled to aid the purposes of the railroads by ballot and by their word of mouth.

We find an army of trained lawyers throughout the length and breadth of the land, men whose intelligence and ability give them commanding position in the community where they live and mark them for leadership, on the pay rolls of the railroads at big salaries, which the people have to pay.

Such a tremendous organization as this has challenged our institutions, has challenged the sovereignty of our Government. It has the power; within it is the seat of sovereignty.

The farmers with their \$10,000,000,000 annual crops must depend on railroads for transportation, and when a good crop comes it is the favored ones who can get the cars first, and those who can not impress their demand for cars by pull or special influence often see their products rot and become a total loss.

It costs more than \$1,000,000,000 to run this Government. This sum is necessarily collected from the people. It is so collected that every individual in the United States pays a part of it. The people receive in return for the money paid into the Treasury the benefits the Government confers through its various departments and its many activities, involving education, agricultural training, cheap postage, the reclamation of arid lands, and the national defense by the Army and Navy.

The method of collecting this sum has varied from time to time, and it has ever been a struggle to prevent discrimination and special privilege from having undue influence in the assessment of these taxes. The tariff was used as a means of fostering special privilege to such an extent as to produce almost a revolution in the country. Through it certain sections were built up at the expense of other sections; certain industries were encouraged at the sacrifice of others; certain men were given princely fortunes taken out of the pockets of the public.

The transportation expense of the people is more than three times as great as the cost of running the Government. About \$3,000,000,000 annually is collected by the railroads for their product—transportation. Like education and the different functions of the Government, this transportation affects every individual in the Republic. There are none so poor who do not pay their part of the transportation. The method of collecting this transportation tax of \$3,000,000,000 has been generally left to the religendent the second of the religendent to the religion to to the railroads themselves. Every cent collected may be considered in exactly the same light as a tariff tax. In the collection of this gigantic tax certain sections have been favored. Certain shippers have received rebates. Princely fortunes have been made on account of unjust discriminations. If the people of this country were interested in the reform of the tariff with its few millions of contribution to the \$1,000,000,000 expense of running this Government, they should be ten times as deeply interested in the collection of the \$3,000,000,000 for transportation for the people. It must be remembered that it is not only the men who ride upon the train or the merchant or the manufacturer who pays the transportation tax, but every or the manufacturer who pays the transportation tax, but every individual pays a part of the tax whenever he eats a meal of victuals, buys a hat, or a paper of pins. The transportation tax is paid in part by everyone. The transportation tax is truly collected "at the source," the usual method being for the merchant to add 10 per cent for freight to every article as part of cost price before he offers it for sale.

THE RATE MAKER LEVIES THE TAXES.

The rate-making system of the railroads, instead of being a model arrangement, as the defenders of the special privilege of the railroads would have us believe, is the most gigantic travesty upon common sense or system in the world. It is said by Mr. Stickney, former president of the Chicago Great Western, quoted in the World's Work for November, 1910, that there are \$6,000,000,000 different rates in existence, and that these railroad tax collectors are changing these rates every minute in every working day.

If published-

Mr. Stickney says—
these rates would fill a bookshelf 1,530 feet long with books 8 by 10 inches in size. They would make 4,000 printed volumes of 1,000 pages each, an aggregate of 4,000,000 pages.

With this conglomeration the railroads have been able to cover up rebates and special privileges given to their particular

friends. As taxgatherers they have used this transportation tax to develop certain sections at the expense of other sections. The high-protection men here in Congress would build a tariff wall to protect an "infant industry." Factories would grow up in various sections of the country in a dozen or more cities. In time in one of these cities, where the "right people" lived, the railroad transportation-tax collectors would grant a special low commodity rate, and in a short time the other cities would find themselves short of orders, and the place that had the special rates would outstrip all other sections and become established as the great center for that particular product.

The railroads called it establishing "commodity schedules," and then these same captains of high finance would concentrate other enterprises at the same locations and continue to build up their own fortunes through unjust discrimination at the expense of the people of the rest of the country. The transportation discrimination became of infinitely more advantage than the tariff protection.

When the railroads propose to raise the rates they do not plan to raise the rates on the traffic of these great industrial combinations. It is not the commodity rates that they want to raise which involves the products of the trust. They pursue the line of least resistance and raise the class list and throw the burden upon the small merchant who gets a few crates of shoes for a retail store in the West or the immigrant who moves his household goods to a new section and on the necessaries of life.

GOVERNMENT OWNERSHIP CHEAPER AND SIMPLER THAN GOVERNMENT REGULATION.

Every department of railroad activity has been subjected to some form of regulation until at this time the United States Government, through its Interstate Commerce Commission and some 48 State boards, many times in conflict with each other, assume the right to tell the railroad's management how it shall operate its trains, how it shall construct its tracks, what kind of material it must use, the kind of cars and rolling stock, the number of hours it can work its men, the rate it must not charge for its traffic. The railroads have pretended to submit themselves to all these forms of regulation and management until we have reached a situation that is ridiculous. Now it is proposed by the President to say how much bonds and stock may be issued by the railroads.

It is seldom you pick up a daily paper that you do not read of some railroad management "fixing it up" with the Attorney General out of court and receiving permission to proceed under the "constitution of peace" if it will "go and sin no more." The Attorney General files a suit and accuses a lot of subordinates of a New York banking house who are operating the New Haven road with violating the reasonable provisions of the Sherman antitrust law. The railroad approaches the rocks of financial thralldom with \$45,000,000 of short-time notes due to the same Wall Street banking house. The banking house, ever ready to make a good turn, arranges to sell to the people—"widows and orphans"—for the consumers ultimately to pay, some \$67,000,000 of new bonds, out of which the said banking house—whose characteristic in lending money is that it lends on character only—is to receive at first hand a cash commission of \$1,670,000 for the payers of the transportation taxes also to ultimately pay, whether they have any "character" or not.

Powerful objection is made to the bond issue because of some alleged crooked jokers contained in its terms, and the banking house—founded on "character"—fails to get its commission. At once the underlings of the banking house, who have ostensible charge of the railroad, yield to the "reasonable" claims of the Attorney General under the "reasonable" provision of the Sherman Act, and it is agreed that the railroad will sell certain properties to some one else, to be again recapitalized at a higher valuation, no doubt, then all will be well, so far as the Attorney General is concerned; "but," says the Attorney General, "you will have to fix it up with the Interstate Commerce Commission as to the reasonable provisions of the Sherman Act in their application to the Sound steamers," although the Interstate Commerce Commission has no jurisdiction over water transportation.

What a monumental farce it all is. Does anyone suppose the payers of the transportation tax are going to be benefited by this arrangement? Does anyone dream that the banking house which operates on "character" will waive or lose its \$1,670,000 rake-off, or that the others who are to get the remainder of the velvet between the \$45,000,000 and the \$67,000,000 will be forgotten? No; the velvet and the rake-off will increase at every turn, at the expense of the ultimate payers of the transportation tax, whom the Attorney General is supposed to be representing.

PRIVATE MONOPOLY THE UNPARDONABLE SIN.

The natural trend, the inevitable end, of the railroad organizations of this country is concentration and consolidation. The Government can no more prevent it than it can alter the tides.

Railroad monopoly is essential and inevitable, and it is the desirable and proper solution for those who are to pay the transportation taxes—the Joneses who pay the freight.

But private monopoly can not be permitted in this country. It is the unpardonable sin; it is blasphemy against this Republic for any set of men to place themselves in position where they can say, "We constitute a \$20,000,000,000 monopoly, and in 20 years we will constitute a \$50,000,000,000 monopoly. We will have power to make and unmake cities and sections. We now collect and disburse \$3,000,000,000 of transportation taxes a year, which is paid in part by every living American citizen. Later we will collect \$6,000,000,000 a year. Whatsoever we bind in this country shall be bound and whatsoever we unloose shall be unloosed."

It is impossible to keep these railroad companies apart. The Government can not promote artificial competition. roads are the people's delivery wagons. They do not produce anything in the world; they carry from place to place freight and passengers. Now, if the Interstate Commerce Commission can figure out what is a reasonable return on the investment in a railroad from here to Chicago and adjust that amount to the rate schedules, I can not see any sense in attempting to promote competition, separate companies, separate offices, separate officers, double equipment, and double investment so the people can have-what? All the people want is transportation, and surely all this manufactured competition will not cheapen that. The tendency of the Interstate Commerce Commission surely is to cut out all duplications and unnecessary expenses, letting the roads do anything that will reduce the price of transportation, having due consideration for safety and efficiency. only duty of the Attorney General is to get them apart, and it is none of his department's concern whether such a "reasonseparation as appears to him adequate will save dollars for the people or promote safety and efficiency. I do not believe that the people are going to find any profit in such service. To the contrary, the natural tendency of these transportation agencies to consolidate will have its way.

CONFLICTING REGULATION POLICIES.

Chairman Howard Elliott, of the New England Lines, in a speech at New York December 11, 1913, made the following complaint against the inconsistent regulation the roads were receiving from the two branches of the Government:

receiving from the two branches of the Government:

There is another respect in which the people of this country are dealing at cross purposes with the railways, and this is a question of transcendent importance not only in the field of transportation but throughout industry and commerce. This is a question of competition versus combination. The New Haven road is a consolidation of 180 companies; the Boston & Maine and Maine Central of 200 companies. Before the consolidation of these lines, when it was desired to move a carload of freight from one end of New England to another, separate arrangements had to be made and varying instructions issued for each railway and endless bargaining and higgling over rates and schedules, as well as the expense of many separate organizations. In this combination of separate railways in one organic whole there is the possibility of efficiency, under proper management, both from the standpoint of economical operation of the railways and from the public's standpoint of improved service. Because of practices incident to the great construction period of American development and not confined to railways, the people created the Interstate Commerce Commission, which has pretty effectually not only restrained competition, but stifled it so far as rates are concerned. As the commission has the power to prevent the railroads from charging unreasonable rates and to prevent unjust discrimination, it is a grave question whether it is not an economical error to object to combinations of railways which, under suitable management, can be made to serve the ends of efficiency by more economical operation and better service. Here again we find an inconsistency on the part of the people, who insist that the railways shall practice the greatest economy and efficiency in operation, but who at the same time object to principles that will further such economy.

Of course, the New Haven management previous to Mr. Elliott's responsibility has been outrageous, but it seems to me there is plenty of food for thought in his comments. All the legislation against pools and combinations has been practically futile. We have the Rock Island system, the Pennsylvania system, the Harriman system, the Southern Pacific system, and so forth. Who wants these systems disintegrated? Not I. I want to see all the systems monopolized into one great national transportation system, a transportation monopoly owned by the Government.

There is no way to prevent combination and monopolization of railroads. There is no use trying to prevent it. But we must not allow the railroad monopoly to remain in private hands. The railroads were built for the public, to serve the people. The same intimate relations should exist between the

railroads and the people as between the postal system, the public roads, the great rivers and harbors, and the people.

Mr. Howard Elliott, of the New Haven road, in the same speech said the interests of the people and of the railroads are identical; that there should be no antagonisms. Certainly not; the people should own the railroads, just as they own the wagon roads, the highways, and the rivers. The railway corporations only live and exist by the consent of the people. The creator is greater than the creature.

MILD REGULATION SOUGHT AS ANTIDOTE TO OWNERSHIP.

About three decades ago a pronounced sentiment for Government ownership of the railroads developed and the railroads encouraged governmental regulation, intending mild regulation, sop. But now they are begging for less regulation. James J. Hill said two years ago that the roads were five years and \$5,000,000,000 behind. Now, they think they are seven years and \$7,000,000,000 behind. That they are poorly equipped and need to make tremendous expenditures everyone who has

studied the situation must admit is true.

Their record indicates, however, that they have already received \$20,000,000,000, which stands as a charge against the public as a basis for transportation taxes for all time to come. This \$20,000,000,000, if ever paid, must be paid by the people who buy things that have about 10 per cent added to their cost for freight; yet the railroads are owned by private individuals— Vanderbilt, Gould, Rockefeller, Morgan, and others.

Yachts, racing stables, millionaire sons, European dukes and duchesses-this group grows richer every year and the cost of living piles up. They reach out and take over the industries of the country on the credit of their railroad securities. By labor-saving machinery, by increased output, and through better management the cost of production of coal, of oil, and of manufactured articles is continually lessened, yet the rates must go up and the fortunes of these men increase.

With harmony profound they cry now for higher rates and the big business interests second their demand, it being well understood that the increased rates will fall most heavily on the small merchant, the buyers of bread and sugar and rice and coffee, and most lightly upon the trust-made articles, in the control of which the big bankers of Wall Street have pawned the people's savings, depending mainly on "character" for security.

DEMAND FOR HIGHER RATES SHOULD BE DENIED.

If the Interstate Commerce Commission permit the rates to be raised. I for one will consider the act a violation of fundamental justice. The rates ought to be reduced and they would be reduced if the Goulds and the Rockefellers and the Vanderbilts and the Morgans had not for the past 20 years been drawing down such princely and fabulous sums in dividends, in stock and bond issues to themselves and to each other, in rebates, and in tremendous salaries and discriminations.

The postal rate has not raised-it has been reduced. The cost of education has not gone up. A boy or girl can get an education to day with less outlay, from whatever way you consider it, than he could 20 years ago, and a boy in the high school is as well posted as many college graduates used to be. Transportation on the public highways is cheaper and better than ever before. The auto truck is cheaper than the oxcart, and the consumer gets the benefit. Lighting and electric power is better and cheaper, and becoming still cheaper and better every day. The incandescent light has supplanted the candle every day. The incandescent light has supplanted the candle and the oil lamp, to the economy of the public, and the public gets the benefit. Lighting rates, water rates, heating rates, have all been made cheaper by modern inventions, and the public participates in the reduction. Street car rates are going down everywhere, by 3-cent fares, or by better accommodations, or by longer rides, or more liberal transfer privileges, and they will continue to go down for the benefit of the people.

But the railroad magnates, cutting their melons and rolling in wealth, want to raise the railroad rates. It was reported the other day that a rich magnate's widow in New York City had purchased a half-million-dollar city lot merely for the purpose of giving her poodle room for exercise and sunshine.

Why should the railroads alone, of all these public utilities, notwithstanding mogul engines, immense cars, big trains, scientific loading machinery, and the many improvements in railroading, want higher rates, except that they may cut more melons and divide up more securities among themselves? It is admitted that the railroads are suffering from financial stringency in many cases at this time, but there is great difference of opinion as to why they have reached this condition. Higher rates now would merely pave the way for still higher rates later on.

HOW THE RAILROADS AND BANKS ARE INTERLOCKED.

The following table shows what has become of some of their money. It tells part of the story of how the railroads are interlocked into the greatest monopoly the world has ever known:

Summary of railway securities owned by railway companies included in statement No. 28, on page 34, of the Twenty-fourth Annual Report on the Statistics of Railways in the United States for the year ended June 30, 1911.

Railway stocks held outside of sinking and other funds. \$3, 301, 486, 527
Railway stocks held in sinking and other funds. 10, 982, 977
Railway stocks controlled through intermediaries not reporting to the commission. 67, 080, 200

Total railway stocks______Railway funded debt held outside of sinking or other 3, 379, 540, 704 1, 818, 916, 595 108, 244, 400

3, 360, 000 Total funded debt____ 1, 930, 520, 995 Total railway stocks and funded debt 1___ 5, 310, 070, 699

Miscellaneous railway securities not held in sinking or other funds. Miscellaneous railway securities controlled through in-termediaries not reporting to the commission. 80, 313, 015 928, 577 81, 241, 592 Total miscellaneous railway securities .___

Total railway securities owned by railways____ 5, 391, 312, 291 "PROGRESSIVE INCREASE" AND HIGH COST OF LIVING.

In 1910 the railroads wanted higher rates and the following is a part of the interesting testimony given during the six months' hearing wherein Mr. Louis D. Brandeis, of Boston, acted as counsel for the traffic committee of the trade organizations of the Atlantic seaboard:

Commissioner Lane. Is there any reason to believe that these increases would stop with the present increase if it should be allowed? President Willard (of the Baltimore & Ohio). Increases in rates? Commissioner Lane. Increases in rates; yes, sir. President Willard. No; I think not. I think the tendency of rates will be to continue upward.

Commissioner Lane. You think there will have to be a progressive increase?

President WILLARD. Yes, sir.

O you Mr. High Cost of Living! Here is where you reign supreme in your native heath; here is where you spread your-

self and laugh as the people try to stay your course.

"Progressive increase." Listen to the words of warning from the lips of Brandeis after he had listened to this testimony for six months:

Let the consumer beware of the vicious circle of ever-increasing freight rates and the ever-increasing high cost of living.

In that hearing Brandeis and the men he represented won. "Scientific management" was the admonition the railroads received.

The railroads urged that they needed higher rates in order to increase net income to meet demands for higher wages. They urged that increased rates were necessary because the possibilities of economics in operation had been exhausted.

A MILLION DOLLARS A DAY.

Mr. Brandeis opposed on several grounds, but he commanded the attention of the world when he told these railroad representatives that huge economies could be attained through scientific management that would save at least "\$1,000,000 per day." In the conclusion of his brief in opposition to the granting of the demand for increase in rates, Mr. Brandeis said:

In the conclusion of his brief in opposition to the granting of the demand for increase in rates, Mr. Brandeis said:

This investigation has developed clearly that the railroads to meet any existing needs should look not without, but within. If their net income is insufficient, the proper remedy is not higher rates, resulting in higher costs and lessened business, but scientific management, resulting in lower costs, higher wages, and increased business. If their credit is impaired, the proper remedy is not to apply the delusive stimulant of higher rates, but to strengthen their organizations by introducing advanced methods and eliminating questionable practices. Thus they will main aln credit by deserving it.

Let the railroads heed the judgment recently expressed by a wise and impartial observer:

"The distrust of American railways by the people at large is not due primarily to overcapitalization, to overcharges, to undisputed instances of overbearing administration, or to overswollen fortunes made from unjust if not illegal manipulation of railway properties. The distrust is founded upon the belief that in the past railway men as a class have not sought the truth with a determination to act upon it, but have fought the truth regarding the social and economic relations of the railway. Railway managers of the type which Mr. Willard represents to-day cordially accept the principle of Government regulation, the abolition of rebates, the withdrawal of the railways from the practice of legislative lobbying, and the enforcement by law of the use of safety appliances, such as air brakes and couplers on freight trains. But all these reforms when they were first introduced were persistently and bitterly fought by many, if not most, of the influential railway men of the country. Is it surprising that the public should wonder whether it may not be necessary to force the doctrine of efficiency upon the attention of the railways by some external suthority like that of the Interrate Commerce Commission, just as it has been

² See Item 2 of lower table on page 33 of the report above referred to.

necessary to force upon their attention by legislative authority the desirability of regulation, of the abolition of rebates, and of the extension of safety appliances?"

Two years have passed and the railroads are again urging their "progressive increase" in rates. While their big effort is at the climax and it looks like the Interstate Commerce Commission is about to act after the ordinary big business interpretation of the "constitution of peace" and give the railroads the help they seek, the humiliating details of the New Haven collapse are exposed with all its minute exposure of devious manipulations by the New York banking house, founded on "character" on "character"

Here is the way the New York World chronicles some of these details in its issue of December 11, 1913:

A LOOTED RAILROAD.

No stockholder in the New Haven Railroad can remember the time previous to this year when it did not pay dividends of 8 or 10 per cent, nor the time when the railroads it consolidated did not pay large dividends.

previous to this year when it did not pay dividends of 8 or 10 per cent, nor the time when the railroads it consolidated did not pay large dividends.

Its stock had come to represent accumulations of two generations of hard New England thrift. It was the premier investment security of that section. It was not a Wall Street stock and not a speculative stock. Dealings in it on the exchange were few and far between.

It had become widely distributed among small investors. More than 10,000 of its 23,968 shareholders by the last report were women. Over 9,000 were individual men. Trusts and guardianships holding the stock largely for women and children numbered 3,702. Corporation shareholders numbered only 784.

Ten years ago this stock was selling as high as 225½ and had sold as high as 279. In the semipanic of 1903 it never went below 187½. In the great panies before that it never went down so far as to cause serious alarm. By yesterday's action of the directors it is now paying nothing, it has become a football in Wall Street, and is selling down to 71½, with hopes and not realities to hold it there. The 10,474 women and other holders whose yearly incomes from this source, generally small, had been \$12,400,000, are now cut down to none at all, and large numbers of them have doubtless thereby been brought face to face with want at the start of winter.

Men and not events are responsible for this mighty wreck of a great investment property. These men were responsible for the Billard transactions which took away \$3,000,000 for nothing in the Rhode Island trolley purchases; for the \$12,500,000 which "vanished into thin air" in the Westchester & Boston deal; for the disappearance of other great sums in rounding up a perfected transportation monopoly of New England. These men made of this great property a never-ending source of huge bankers' commissions on new loans to cover these inflated acquisitions and fatten the pockets of the harpies of high finance. Their names are known. There is no mystery except the amount of

Before passing up the New Haven situation let all who are pleased with opera bouffe, who can pay their money for a fake and yet enjoy the farce, just look this way while Pierpont II, and yet enjoy the larce, just look this way while Pierpont II, in order to prove that character is the very foundation of the House of Morgan, resigns from the New Haven board and promptly notifies Attorney General McReynolds that he is aiding the Government by voluntarily dissolving interlocking directories, and asks to be admitted on the ground floor of the "constitution of peace."

Almost simultaneously the same Pierpont II is prevented by the hand of the law from gathering unto himself a \$1,670,000 commission for lending some money at exorbitant interest and discount charges to the same road, which money was to be paid back to him or his associates for notes signed in his favor by the company while he was a director. The court could stand for the exorbitant commission, but the terms of the loan were deemed unconscionable. In truth, they were downright crooked,

and revealed the character of a highwayman.
"I have resigned, Mr. Attorney General." The people will ask what good will that do. For my part I think there should be a law by which the House of Morgan could be compelled to stand by the little white slave it has ravished. The men who wrecked this magnificent property should be married to it and should be compelled to support it with their fortunes. They hold the bonds and mortgages, and the "widows and orphans" lose their dividends. Then, they issue more bonds and pocket more gigantic commissions and velvet, while their poor victim feels itself more and more debauched as it approaches the shoals of ruin and disaster. But the House of Morgan maintains its "character." "I have resigned, Mr. Attorney General."

GOVERNMENT OWNERSHIP ESSENTIAL AND INEVITABLE.

Without question, public ownership of the railroads is inevitable, and, for many reasons, the quicker it comes the better. Like the offerings of the Sybilian woman to Tarquin, the Roman Emperor, the price is ever increased, while the value and volume of the offering diminishes. The Government has already advanced far toward public ownership. The railroads recognize this fact. It is the universal claim of the railroads that unless the lines of regulation are relaxed, Government ownership will come, and the representatives of the people say to the railroads that unless they reform and submit to regulation cheerfully, the people will take the roads.

The Railway World, though strongly opposed to Government ownership, in March, 1909, said:

Government ownership is the inevitable consequence of the present system of regulation.

The late President Finley, of the Southern Railway, said in

I do not believe that the sentiment of a majority of our people is in favor of Government ownership, nor do I believe that Congress and our State legislatures are consciously moving in that direction; but I do believe that if some of the more extreme legislation already enacted is supplemented along the lines now proposed, the immediate result must be the breaking down of the system of private ownership.

Surely there has been no let up, and plenty of supplemental legislation has been enacted. Those who read the President's message yesterday will see that there is to be no let up in

Prof. Hadley, president of Yale, a firm believer in private ownership, sums up the situation in his work on "Railway and Transportation" as follows:

There is a strong popular feeling, to a large extent unsuspected by those in authority, in favor of Government ownership of railways as a system. No one can have much to do with the more thoughtful laboring man without finding out how strong the feeling is and what hopes are based upon it. The fact that the question is not now under discussion must not blind us to the fact that forces are at work which may prove all but revolutionary when the question does come under discussion.

Only a few weeks ago Chairman Thorne, of the Iowa State Railroad Commission, declared for Government ownership of railroads and expressed the opinion that Government ownership would lessen transportation taxes at least \$400,000,000.

The Railway Age Gazette, very partisan in favor of private ownership and an advocate of the railroads from every standpoint, in its issue of December 12, 1913, recognizes that the question of Government ownership is now a burning question before the American poorle and press the railroads to meet the before the American people and urges the railroads to meet the question with the best arguments that can be presented. It

question with the best arguments that can be presented. It says in part:

There recently has been a notable revival of the discussion of Government ownership of railways in this country. Two magazines, appealing to classes that can hardly be called the most intelligent, have been running series of articles advocating that policy. The chairman of one of the State railroad commissions recently has made an address and written letters trying to show that private ownership is costing the American Government \$400,000,000 a year, and his utterances have called forth vigorous replies from President Ripley, of the Santa Fe. In Iowa steps have been taken to start an organized movement for public ownership, and it is reported that one of the United States Senators from that State will introduce a bill providing for it.

It may seem unfortunate for the railways that just when they are making the hardest fight in their history for fair regulation the question of the desirability of Government ownership should be raised. The Railway Age Gazotte believes that this is not unfortunate, but fortunate for both them and the public, and that the railways should meet the issue squarely and aggressively.

It has been inevitable ever since the present policy of regulation was entered on that in time, and in a relatively short time, it, and the controversies to which it was bound to give rise, would force the question of Government ownership to the front. Every time since the present policy of public control was entered on that the railroads have opposed any form of regulation they have been warned by its advocates that unless they submitted the worse fate of Government ownership would befall them. They probably will continue to be thus warned and threatened until the question of public ownership itself has been thrashed out; and until then this form of threatening probably will tend to secure the adoption of public ownership has been more thoroughly discussed, to feel that so long as the public refrains from taking over the roads it w

GOVERNMENT OWNERSHIP BEING UNIVERSALLY ADOPTED.

Many do not realize that Government ownership of railroads has been accepted by the verdict of practically all the civilized nations of the world as essential. The soundness of the principle that railway transportation, just as the Postal Service, is a Government function, has been recognized by 50 out of 54 nations. Only 4 civilized nations refuse to recognize the principle. These are England, Spain, Turkey, and the United States.

In England it is admitted that public sentiment is strongly in favor of Government ownership, and a royal commission has just been appointed to study the matter. In commenting on the situation in England, the Railway Age Gazette of December 5, 1913, says:

The growing interest in the subject of railway nationalization is strikingly illustrated by the recent appointment in Great Britain of a

royal commission to inquire into the relationship between the railway companies and the State in respect of matters other than safety of working and conditions of employment and to report what changes, if any, in that relationship are desirable. The announcement comes almost simultaneously with that of the National Civic Federation in this country of its intention to undertake a national survey of social progress, which will include a study of the question whether regulation of railways and other public-service corporations is a failure, and whether State ownership should be substituted for that of private capital

Carl S. Vrooman makes the following comment on the progress of Government ownership of railways in England:

That a similar state of affairs exists in Great Britain, the only other first-class power which still holds firmly to the policy of private ownership and management of transportation facilities, is borne out by a statement which was made to the late Frank W. Parsons not long ago by Mr. W. M. Ackworth, the most conservative railroad authority in England, to the effect that nine out of every ten people in Great Britain would vote for public ownership if the question were submitted to a vote to-morrow.

In other foreign countries there were in 1910, 218,358 miles of Government-owned railroad to 98,786 miles of private owned. According to newspaper report, King Alfonso has agreed to a proposal of his cabinet that the Government should proceed

to the nationalization of the Spanish railroads, and that for this purpose a bill will soon be introduced in the Cortes

The fact of the matter is that the industries of England and Spain, and in France to a partial degree, are being paralyzed by German manufacturers and producers because of the advantages Germany's Government-owned railway system gives to the people of Germany.

Martin Johnson, page 260, says that India fills her passenger trains at two-fifths of a cent a mile. In Switzerland you can ride half a month for \$8.60 over all the steam, electric, and steamboat lines of Switzerland, or you can ride a whole year at a cost of 20 cents per day.

Quoting further from the same authority:

Quoting further from the same authority:

The public system of Belgium will carry you one-half a month for about \$4.50; so also the public system of Hungary will carry you at the same rate. Hungary will also carry you, third class, 944 miles for \$2.70, which is one-tenth of the charge here. The public system of Italy will carry you 963 miles for \$7; the public system of Sweden 1,400 miles for \$8.55; and that of Russia about 2,000 miles for \$6. The Belgian system, furthermore, grants weekly tickets to workmen, good for six round trips or twelve rides, for distances and at rates as follows: Three miles, 19 cents; 6 miles, 24 cents; 12 miles, 29 cents; 24 miles, 39 cents; 31 miles, 43 cents; 62 miles, 61 cents. It will thus be seen that the Belgian laboring man can go to his work 62 miles distant, or return, for 5 cents, or a rate less than one-twelfth of a cent a mile.

These rates of travel promote the mobility of labor by enabling a man to go from his suburban place to the shops to work, and in many other ways.

PRESIDENT WILSON FOR GOVERNMENT OWNERSHIP IN ALASKA.

But it is not only England and Spain that are taking steps toward Government ownership of railroads. What does President Wilson mean in his message when he says:

A duty faces us with regard to Alaska which seems to me very pressing and very imperative; perhaps I should say a double duty, for it concerns both the political and the material development of the Territory. The people of Alaska should be given the full Territorial form of government, and Alaska, as a storehouse, should be unlocked. One key to it is a system of railways. These the Government should itself build and administer, and the ports and terminals it should itself control in the interest of all who wish to use them for the service and development of the country and its people.

"These the Government itself should build and administer." Is not that strong enough? But President Wilson goes further and tells you the reason why, "In the interest of all who wish to use them."

Here you have the law and the prophets on this great question. Heretofore the idea of the railroads being built and administered in the interest of those who use them has not taken possession of the lawmaking power of the Nation. empire builders, so called, at \$100,000 per year salaries, have preached all over this country at \$100 per plate banquets, where they had been transported in luxurious apportioned palace cars at public expense, that the people and the traffic were for the railroads, not the railroads for the people. Spheres of influence were created, and the railroad genius, the traffic manager, would proceed to fleece the people under the rule of "all the traffic would bear.'

It was not left to the people to buy where they pleased and from whom they pleased. Not at all, the railroads picked the jobbing centers and named the jobbers. They did not allow little flour mills in small towns, but by their rates promoting more business and more profit for their lines they told the farmers where they must ship their grain to have it milled.

In this speech I can not go into details too much, but I will cite an illustration taken from an interstate commerce case and mentioned in Rankin on "An American Transportation System," page 460. Salt is one of the necessaries of life, and manifestly a tax levied on all salt products affects every human being. Salt is produced in Michigan and in Kansas and other places. In order to protect the salt mine in Michigan without any thought of making the railroads serve the people who used them rates were established as follows:

From Michigan to St. Louis, 611 miles, 10 cents per 100 pounds.

From Kansas to St. Louis, 575 miles, 234 cents per 100

From Michigan to a Nebraska point, 504 miles, 15% cents per 100 pounds.

From Kansas to same Nebraska point, 247 miles, 19 cents per 100 pounds.

Take the present rate on rice from New Orleans to Omaha, 44 cents per 100 pounds, while from New Orleans to New York and Philadelphia the rate is 30 cents per 100 pounds, although the distance is nearly twice as great.

The framers of the Constitution made it impossible for Congress to levy any such outrageous tax or establish such a discrimination whereby people would be penalized 14 cents per hundred pounds on food products for living in Omaha rather than in the City of Brotherly Love. But the railroads are more powerful than Congress, and the Constitution does not affect them in this particular, at least. What would you think of such a discrimination in parcel-post rates? What does the con-stitutional provision giving Congress the right to regulate commerce between the States amount to so long as the sail commerce between the States amount to so long as the rail-roads transport all the commerce and make all the rates?

President Wilson wants the railroad system in Alaska owned by and controlled in the interest of those who "use them." I would like to see the complexion of the Democrat who will say that President Wilson does not want the same ideals, the same principles of justice and decency, to apply in New York, in California, in Washington, and throughout the country.

Why should the railroad barons apportion this country of You can not control them here any more than you can in Alaska. They were just as brutal, just as criminal, just as heartless, and just as corrupting in the States when they had the power. Think of the New Haven outrages committed here before our eyes. I guess, though, I ought not to mention that, for that has all been cured now and atoned for since "I have resigned, Mr. Attorney General."

WILLIAM JENNINGS BRYAN FOR GOVERNMENT OWNERSHIP.

You say the President does not believe in Government ownership in this country. I refuse to believe such is the case; but I know a great Democrat who does believe in Government ownership of railroads. And if you Democrats do not stand with Woodrow Wilson and William Jennings Bryan in this you ought to join the old Republican Party. There are many vacant places in their ranks which they are so anxious to have filled that even Democrats would be welcomed.

Here is what our great Secretary of State, whom the people throughout the length and breadth of the land love so well, said after he had visited all the great capitals of Europe and had ridden on Government-owned railroads all over the world:

I have been slow in reaching this position and I can therefore be patient with those who now stand where I stood for years, urging strict regulation and hoping that that would be found feasible. I still advocate strict regulation and shall rejoice if experience proves that that regulation can be made effective. I will go further than that and say that I believe we can have more efficient regulation under a Democratic administration with a Democratic Senate and House than we are likely to have under a Republican administration with a Republican Senate and House, and yet I would not be honest with you If I did not frankly admit that observation has convinced me that no such efficient regulation is possible, and that Government ownership can be undertaken on the plan outlined with less danger to the country than is involved in private ownership as we have had it or as we are likely to have it. I have been brought to regard public ownership as the ultimate remedy by railroad history, which is as familiar to you as to me. Among the reasons that have led me to believe that we must, in the end, look to Government ownership for relief I shall mention two or three. First and foremost is the corrupting influence of the railroad in politics. There is not a State in the Union that has not felt this influence to a greater or less extent. The railroads have insisted upon controlling legislatures; they have insisted upon naming executives; they have insisted upon controlling tegislatures; they have insisted upon make a property in the representatives on tax boards that they might escape just taxation; they have watered their stock, raised their rates, and enjoined the States whenever they have attempted to regulate rates; they have obstructed legislation when hostile to them, and advanced by secret means legislation favorable to them.

Another reason which has led me to favor Government ownership is the fact that the people are annually plundered of an enormous sum by extortionate rates; that places are discriminated against and individuals driven out of business by favoritism shown by the railroads. You say that all these things can be corrected without interference with private ownership. * * Is there any Democrat who is not willing to go as far as President Roosevelt and admit the necessity of Government ownership in case the people are convinced of the failure of regulation? I can not believe it.

Later, in commenting on his utterances advocating public ownership of all railroads in this country, Mr. Bryan, at Louisville, Ky., in September, 1906, said:

In my speech at the New York reception I made a brief reference to the Government ownership of railways, and I thought I had expressed myself so clearly that my position could not be misconstrued even by those who desired to misconstrue it. The New York speech was prepared in advance. It was not only written, but it was carefully revised. It stated exactly what I wanted to state, and I have nothing to withdraw or modify in the statement therein made.

Notwithstanding these authorities, gentlemen on this floor become excited about the "Socialistic fallacy" of Government ownership. If you abhor such a doctrine as this, why do you hold up Woodrow Wilson as a supreme exemplar of perfect idealism?

If Government ownership of railroads is wrong, why did you delegates at Baltimore wait for the word of your peerless leader and accept that word when spoken as both vox populi and vox Del?

Yet the gentlemen from Oklahoma [Mr. Davenport and Mr. Ferris], the State where Government ownership is a fundamental constitutional principle of the people, would degrade Alaska by their unjust and unwarranted strictures in order to warn the Congress against "launching" into a Government-ownership enterprise.

The minority report of these gentlemen from Oklahoma indicates that they would favor stimulating private construction by concessions from Alaska's storehouse, although in their speeches they would have us believe Alaska has no storehouse and nothing to put in a storehouse if it had one. Whatever may be said about the wisdom of those who made these tremendous land grants and concessions to the railroads in a bygone day to stimulate construction in the Western States, surely none will deny that had it been possible for the men at the helm in that day to look down the vista and see the situation that prevails to-day, their concessions would have been wrong, for it is plain that the Government could have constructed the railroads, using the property and the subsidies that were granted, and have owned them without the outlay of any considerable sum in addition thereto, and surely without the stock jobbing and stock watering and political corruption that have prevailed.

The gentleman can not present any good reasons why the Government should not own the railroads of the country. Had not these gentlemen and the gentleman from Michigan injected into this debate the general proposition of Government ownership, this entire matter might have been considered from a different standpoint in Alaska, but the issue has been raised and it should be met.

Out in my home city there is an old picture faker—whose proclivities along that line are fully set forth in the Congressional Record of July 29, 1913, at page 3254, and of November 22. 1913, at page 6737—named Blethen, who publishes a big afternoon paper, the Seattle Times. In a recent issue of that quack-doctor-advertising sheet published by this curling-ironed, long-haired, old eccentric the following appears:

"In pretending to make an issue of the proposal to lease the Government railroad," said a prominent Alaskan this morning, "Bryan is dodging the issue and simply playing to the gallery. The bill dees not contain a direct proposal to lease the Government railroad, but in order to obtain the votes of those in Congress who sincerely oppose Government ownership and operation of railroads on principle, a clause providing that the President may lease the railroads was inserted."

I have no regard for the criticisms of this old man. But it tickles me to see the old fellow thus popping off at the mouth with wrath against Government ownership of railroads, but restrained from saying so because Alaska affords so plain and conclusive an argument for Government ownership, and the sentiment of the people at Seattle indorses the plan so heartly that he can not say what he wants to say. This is the situation in which the entire reactionary crowd find themselves on the Pacific coast. They can not make any points against Government ownership while the Alaska question is up.

"UNALTERABLY OPPOSED "-WHY?

But the situation is different here in Congress, and we hear one of the richest men in Congress, a wealthy lumberman from Michigan [Mr. FORDNEY], raise his voice against it.

Eirst_

Says the gentleman from Michigan-

let me say I am unalterably opposed to Government ownership of railroads.

Personally, I have no lack of confidence in the gentleman from Michigan, and I have no doubt that he won his wealth honestly under the rules of the game, which he had the honor of helping to make here in this House. He is plain-spoken and is out in the open in the fights he makes, but in considering his "unalterable" opposition to this proposition, we have a right, with-

out being considered personally offensive, to consider the gentleman's views on other subjects.

The gentleman from Michigan is a high protectionist by principle. He believes in that theory, and so votes whenever opportunity is presented. He was an Uncle Joe Cannon man here in the House. He opposed the amendments of the rules, and, with other high-protection men at the same time, stood with the manufacturers of this country on the tariff. He has always aided the beneficiaries of the high tariff to hold fast to the special privileges they had through the collection of this tariff tax of about \$300,000,000.

And here there are \$3,000,000,000 of transportation tax involved. Is it any wonder that these high-protection men should be opposed to the Government and the people taking over and owning the machine that collects these taxes? They do not want the transportation tax distributed equally among all the people. They did not want the tariff tax so distributed.

They do not believe in the people. They opposed the income tax, because through it their special privileges would surely be attacked. The gentleman from Michigan [Mr. Fordner] voted against submitting to the legislatures of the several States an amendment to the Constitution permitting Congress to pass an income tax. He did not want the initial step to be taken toward permitting the tremendous income of a few men, obtained in all these devious and uncertain ways, to be attacked. He did not want, by his vote, to permit the legislatures of the several States to have an opportunity to amend the Constitution of the United States and thereby make it possible for a Congress to pass an income tax in response to the demands of the people.

OPPOSED TO PUBLIC OWNERSHIP OF THE GOVERNMENT.

I say that these high-protection men, these men who have obtained for their friends and themselves so many special privileges in the past, are afraid of the people. They do not want the people to own this Government. And it is not surprising that they would not want the people to own the transportation system. Why, the gentleman from Michigan [Mr. Fordner] voted against submitting to the legislatures of the several States a proposed amendment to the Constitution of the United States providing for the direct election of Senators by the people. He did not want the people of the several States to have so good an opportunity to take a step as important as that in acquiring possession, not of the railroads but of the United States Senate. "No" was his answer to the roll call.

In his reference to the public building in his district, which I understand was at Owosso, the gentleman said:

I inderstand was at Owosso, the gentleman said:

I obtained, through the courtesy of Congress, an appropriation for a Government building within the district which I have the honor to represent here—in part, at least—of \$70,000. Ten thousand dollars of the money was used by the architect and superintendent. A prominent contractor in my home town told me he would take the contract for constructing that building for one-half the money it cost the Government, and believed he could make money out of it at that price. Those things create an impression upon the mind of a man who gives some attention to business affairs.

I notice in the first place that the gentleman says he obtained the appropriation for this building through the "courtesy of Congress." I understand this system has been abolished and that appropriations are now made on a different basis than courtesy. But this is not the only improvement that has been made since the "good old days" of "Cannonism and courtesy."

I have obtained the following figures pertaining to the building at Owosso:

Net cost of building Superintendence	\$3, 840. 35	\$52, 863. 91
Prorated share of cost of meeting overhead costs in Office of Supervising Architect	2, 100, 00 96, 71 72, 45	

Total costs referred to by the gentleman 6, 109. 51

Cost of building 58, 973. 42

Cost of site 6, 026. 58

Cost of building and site 65, 000. 00

It will be noticed that the gentleman's statement that \$10,000 was consumed by the department here involved an overstatement by the gentleman of \$4,000, in round numbers—663 per cent off.

It is fair to say for the Office of the Supervising Architect, which is being administered on a very efficient basis, that conditions have changed in this office since the erection of the building under consideration. Before the passage of the public-building act of May 30, 1908, the specific cost of superintending each public building was charged to the appropriation for that building and all the other costs of supporting the Office of the Supervising Architect each year were prorated among the buildings under construction. This gave rise to criticisms and com-

plaints, and Congress created, in the public-building act referred to, a new appropriation, since known as "General expenses of public buildings," which was made available for the support of the Office of the Supervising Architect, including the cost of superintendence.

After criticizing the Government in connection with the building of the Federal building, the gentleman from Michigan [Mr. FORDNEY] went after the Reclamation Service in his speech on the floor of this House. It seems rather natural that one should handle the subject of irrigation in connection with the discussion of the railroads, for there is more water in railroad stock than can be found in any other dry proposition in the world.

In May, 1879, when the St. Paul, Minneapolis & Manitoba Railroad was formed, the fixing of the amount of the capital stock was a much-discussed question. Jim Hill wanted to hold it at \$5,000,000. George Stephen wanted it \$25,000,000. He argued that they might as well put the stock up to begin with, for if they tried it later there would be raised the "demagogic"

cry of "water."
"Water," said Hill; "we've let the whole of Lake Michigan

in already!"

Their differences were compromised at \$15,000,000-for what was a difference of \$20,000,000—all excess water—between "empire builders," especially since the real builders of the West—the farmers, the artisans, the merchants, the home builders yet to come to the West—would have to pay the debt and the dividends and interest for all time to come and make it a source of revenue, not burden, to these private fortune

The gentleman from Michigan [Mr. Fordney] expresses the stock argument of opponents of Government ownership of the railroads and of public ownership, whether municipal or otherwise, when he makes the following statement:

I never knew anything built or operated by the Government that, in my opinion, was built or operated for as reasonable a sum as it could be built or operated by private enterprise.

Then he proceeds to attack the Reclamation Service. referring to the beginning of that great service, of such vast benefit to thousands of people residing in portions of the West, where are these one-time arid lands that have been made to blossom like the rose by the application of Government enterprise where private enterprise in many cases had fallen down, he makes this statement:

I want to call his attention to a report by ex-Secretary of the Interior Garfield and Mr. Pinchot, who was Chief of the Bureau of Forestry, under a law providing for the construction of irrigation projects to be begun in this country and paid for out of a certain fund created by receipts of money from the sale of public lands in the various States. The grandest corps of engineers ever gathered together in any country under the sun, so they said, were engaged by the Interior Department to estimate the cost. After the estimates had been completed Messrs, Garfield and Pinchot reported that 32 projects in this country, in the Western States, would cost \$48,000,000. The law provided that no one of those projects could be begun until there was sufficient money in the fund to complete the work. But instead, when there was less than \$25,000,000 in the fund, this work was commenced; and later on, when the representatives of those projects came before the committee, they admitted \$75,000,000 had been spent and not a single one of the projects completed, and that it would require \$75,000,000 more to complete the 32 projects estimated by the board of engineers to cost \$48,000,000.

I have inquired and sought diligently for the report and estimates referred to. I am quite sure that no such report or estimates exist, and that the gentleman from Michigan has become the victim of a faulty memory and a vivid imagination. The officers in charge of the Reclamation Service can give me no information, but have informed me that they believe the statement of the gentleman from Michigan is an error. I have inquired of Mr. Pinchot, and he asserts that the gentleman is entirely mistaken; that there is no such report in existence.

As to the statement by the gentleman that the reclamation law provided that no one of the projects could be begun until there was sufficient money in the reclamation fund to complete the work, it can be said that the reclamation act does not make such a requirement. It provides, in section 4—

That upon the determination by the Secretary of the Interior that any irrigation project is practicable he may cause to be let contracts for the construction of the same in such portions or sections as it may be practicable to construct and complete as parts of the whole project, providing the necessary funds for such portions or sections are available in the reclamation fund.

No portion or section of a project, usually called "unit" of a project, has been begun, according to information furnished me by the department, without having available in the reclamation fund the moneys to pay the entire cost thereof. The Reclamation Service has to date completed 26 separate units of 17 projects and is ready to furnish water for irrigation. There

are five projects on which the Reclamation Service is furnishing water to very large areas preliminary to the formal opening. GOVERNMENT CAN BUILD AND OPERATE ECONOMICALLY WHERE PRIVATE CAPITAL FAILS.

But the greatest error of the gentleman from Michigan is not in his details, but rather in his unfounded conclusions, for the Reclamation Service furnishes most abundant proof of the fact that the Government can build and operate enterprises both economically and with perfect efficiency; and, above all, this Reclamation Service exhibits a field in which private enterprise is futile and unable to meet the requirements of the situation.

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield

there for a question?

Mr. BRYAN. Yes; I will yield.
Mr. CAMPBELL. The gentleman from Washington has exhibited a good deal of information as to what other Members have said about public affairs. Did he ever hear of the gentle-man who offered to take over the running of the Government's affairs for about a million dollars less per day than is paid by the Government?

Mr. BRYAN. Yes; I have heard about Senator Aldrich's proposition; and I will say as to that that if anybody in the world was in a position to know about the Government's irregularities, certainly Senator Aldrich ought to know. I would not be a bit surprised if the gentleman told the truth. He is very able and very astute. The lieu-land proposition and the old methods of looting the public domain in former times and the placing of the public resources into private hands did waste a tremendous sum, and Senator Aldrich was perhaps right in his estimate of the sum.

Mr. CAMPBELL. That statement was not made in regard to

public lands. It was made in regard to the running of the mere administrative departments of the Government in Washington.

Mr. BRYAN. Well, I would not be surprised if the administrative departments could be run at a great deal less expense than they are run.

But right here is the point in question: Heretofore the Government has been devoting its attention purely to these matters of administering the departments. That is where the expense has come. No better specific illustration of the efficiency of Government operation can be had than in the administration of the Reclamation Service, where the questions of equalizing expense and income are involved.

Mr. MANN. Does the gentleman from Kansas [Mr. Campbell] or the gentleman from Washington [Mr. Bryan] or anybody else seriously think that Senator Aldrich made the state-

ment that has been attributed to him?

Mr. BRYAN. I read in the newspapers that the Senator made a statement as to the large amount of money that could be saved if the Government would take his advice. Does the gentleman from Illinois say that the Senator never made such a statement?

Mr. MANN. I do not think he ever made such a statement. Mr. LAFFERTY. If the gentleman made that statement it would be in the RECORD.

Mr. MANN. I am quite sure he did not make it. Mr. BRYAN. The Government of the United States, in the Reclamation Service, operates a railroad out at the Arrow Rock Dam, in Idaho. It is a standard-gauge road, and its construction through a rough, rocky country cost the Government about \$22,000 a mile, including equipment. I have it set out further on in my speech, and it shows how the Government operates a railroad when it is necessary to do so.

I may say also that the Government operates out there a coal mine. It is operating a mine and producing coal at about \$1.50 a ton. So that the Reclamation Service affords the very best illustration that the Government can do many things that involve the expenditure and collection of money where private enterprise fails.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?
Mr. BRYAN. Yes; although I have but a few moments left,
Mr. STEENERSON. How far does the gentleman carry the
principle of public ownership? Does he include the operation of coal and iron and copper mines?

Mr. BRYAN. I think the Government is doing right in min-

ing enough coal out there to supply the need of the Reclamation

Service.

Mr. STEENERSON. Does the gentleman believe generally in the management of coal mines and iron and copper mines and all the instruments of production by the Government? Mr. BRYAN. No; I do not believe in all that.

Mr. STEENERSON. Where does the gentleman draw the line?

Mr. BRYAN. I believe it would be sufficient for the present for the Government to mine enough coal in Alaska to supply the

Mr. STEENERSON. I am not asking the gentleman as to

Mr. BRYAN. As conditions develop it might be wise to go further in the matter, and I would be willing to mine coal and sell it to the consumer if necessary to reduce the cost of living. Mr. STEENERSON. How far does the gentleman want

Mr. BRYAN. During the early history of irrigation farmers and groups of farmers naturally confined their efforts mainly to diverting small streams in smooth valleys where the slope of the country and the topography were such as to make the work easy With the values of land then existing no expensive and cheap. development was practicable. Such development, proceeding for nearly half a century, irrigated in the aggregate a very large The farmers employed the cheapest class of conarea of land struction and seldom counted their own time in computing costs, which are hence reported very low.

As land values increased and the easier projects were devel-

oped, more and more difficult ones were taken up, sometimes successfully and sometimes not. As the more difficult problems were attacked, corporate capital and the district system were employed, and such projects as they could handle were grad-

ually developed.

The increasing difficulty of carrying out many large projects led to the passage of the reclamation act for the avowed object of enlisting national funds for the development of projects not feasible for private, corporate, district, or State enterprise. This policy, avowed in Congress and announced over and over again by various officials in public talks, was followed by the Reclamation Service.

Many of the projects undertaken by the Reclamation Service had been outlined by private or public interests who had endeavored for years to enlist private capital in their construction. To this class belong the following projects, since taken up by the

Reclamation Service:

Boise project in Idaho, Minidoka project in Idaho, Sun River project in Montana, North Platte project in Nebraska and Wyoming, Truckee-Carson project in Nevada, Rio Grande project in New Mexico and Texas, and Yakima project in Washington.

The Yuma project in Arizona and California was the successor of several unavailing attempts to place portions of the same land under successful irrigation. The Gunnison Tunnel scheme, Colorado, had been agitated for many years and efforts failed to raise private capital. Attempts were made to have it constructed with State funds, but without success.

Shortly after the passage of the reclamation act preliminary surveys were taken up on the Grand River project in Colorado. The data collected were considered by the Board of Engineers, who recommended the project as promising, and requested further surveys and data. Representations were made, however, that this project could be built by private capital or under the district plan, and for this reason the Reclamation Service suspended operation and withdrew from the valley for the announced purpose of permitting its construction by private capital. At the request of interested parties, the reclamation withdrawals of public land were continued for the purpose of holding these available for reclamation, with the understanding that they would be released in case private capital were enlisted in construction. After five years of effort the citizens of the valley petitioned Secretary Garfield to take up the project as a Reclamation Service project, representing that private capital could not be induced to enter the field. In the meantime an irrigation district had accomplished some partial development, by which a small portion of the best land situated nearest the water supply had been brought under irrigation and the project rendered far more difficult by the elimination of some of the most valuable lands and the increased value of the right of way necessary for the canal. Even with these increased difficulties the project was taken up by the Reclamation Service about a year ago and is now under construction.

GOVERNMENT SUCCEEDS WHERE PRIVATE CAPITAL FAILED.

The Government early made surveys on the Sun River project in Montana, and this was one to which attention was turned soon after the passage of the reclamation act. It was represented, however, by State officials that this project could be built by private capital under the Carey Act, and they preferred the public funds to be devoted to less attractive regions, such as the Milk River-St. Mary project. The Reclamation Service accordingly withdrew from the field. After protracted efforts

to finance this project under the Carey Act, the Reclamation Service was informed that it was impossible to secure capital for this construction and was requested to construct it as a reclamation project. Although in the meantime the cost of construction had greatly increased, the project was taken up and is now under construction, about 16,000 acres being under ditch.

Most of the projects undertaken by the Reclamation Service had been abandoned after unsuccessful attempts to finance them as private projects, or else were new projects, so difficult as not to attract even the attempts of the promoter. therefore, were projects unattractive to private capital.

The difference in cost between the private works and the Government works is further accentuated by the greater probability of the water users under the Government projects receiving an adequate water supply. This matter has in all cases been given more careful consideration and deficiencies guarded against with greater care than in the private projects, all of which adds

greatly to the costs.

Also on the projects of the Government, provisions have been made in some cases for drainage works, such as have not been covered by the costs of the private projects. As a rule, the water is brought nearer to the land to be irrigated under the Government projects than it is under the private irrigation projects. The character of construction work done by the Government is, moreover, superior to that done by the average private irrigation company. This difference consists in the use of concrete and steel instead of wood for construction, in the provision of numerous structures giving better facilities for distribution of the water, and substitution of concrete or steel structures for earthen structures where the former would be more safe and more serviceable, and in the lining of canals to prevent excessive seepage losses.

WASHINGTON FARMERS FAVOR GOVERNMENT ENTERPRISE IN RECLAMATION.

In the State of Washington, where I may speak with more familiarity of the work of the Reclamation Service, the engineers have already wrought a transformation which furnishes most convincing evidence of the efficiency and excellence of Government methods. In the great valley of the Yakima there are nearly a half million acres of land, the development of portions of which had been undertaken at various times by private interests. As a result of these activities, in which many organizations were engaged; an exceedingly unfortunate condition had arisen with respect to finances, and particularly in regard to grave controversies over water rights. As is only too often the case with enterprises undertaken for profit, the promoters had extended their works to cover areas far in excess of the water supply available. Without provisions for adequate and expensive storage reservoirs, there was always shortage of water This resulted in almost constant friction between the owners of canal systems, a heavy loss of crops, and, later, recourse to the courts. The statutes governing water were incomplete and the court calendar was crowded with litigation of contestants. Without the necessary legal machinery for adjudicating the appropriations of stream flow, a condition arose where the total appropriations exceeded the actual supply by a hundredfold. In fact, the situation at the time the Gov-ernment appeared in the valley was extremely critical, and actual violence occurred in the blowing up of dams and in frequent personal assaults. The key to the situation was the Sunnyside Canal, which was early secured by purchase by the service. By infinite tact and diplomacy, but only after several years of strenuous effort, the Government finally succeeded in obtaining an amicable adjustment of all the conflicting rights to the stream flow. It then proceeded upon the large engineering features involved in the utilization of a number of mountain lakes at the headwaters and in the construction of the large dams and several hundred miles of extremely difficult and expensive canals. By putting dams at the outlets of the lakes their capacity was enormously increased, the losses of flood waters eliminated, and an ample supply for irrigation guaranteed. Some of these works are monumental in character and are built in a manner to reflect credit upon the Government engineers. The Tieton Canal for 12 miles was excavated on the side of a steep canyon several hundred feet above the river. Twelve miles of it had to be lined with cement and 2 miles of it are in tunnel. The construction of the canal was attended with great difficulty.

The lining of the canal was accomplished by manufacturing the forms in several camps located along the Tieton River, and the forms were afterwards transported to the canal by cable and tramways. All the old ditches taken over by the Government were enlarged and extended and new lateral systems were constructed to cover additional areas. On the Yakima project the total investment, on June 30, 1913, was \$6,294,000. In 1905,

the first year water was supplied through the Government operations, the total acreage was 40,000, and the value of the crops was \$2,000,000. In that year the farms numbered 1,250. On June 30, 1913, the acreage had increased to 71,550, the farms to 3,290, and the value of crops to \$3,672,950. Since the Government entered the field crops to the value of \$22,200,872 have been produced. As a creator of values, it might be mentioned that the 3,290 farms included in the Yakima units have an estimated gross farmers' investment of \$18,305,000, including land, equipment, and live stock.

The gross value of an annual crop here is equal to 67 per cent of the total investment of the Government in reclamation works. The guaranty of an ample water supply has resulted in an average value of more than \$200 per acre.

It is safe to assume that the investment of \$6,294,000 of the Government to date has already increased the value of taxable property by 50 per cent, and this by no means measures the increase which will follow the continued development now assured this valley.

The Okanogan project in northern Washington occupies a remarkable valley, wherein the climatic and soil conditions are extremely favorable for the production of crops of special and high values. This region, owing to its freedom from early and late frosts, is often described as the California of the

Northwest. Delicate fruits, like peaches, pears, and other varie-Northwest. Deneate traits, the peaches, pears, and other value ties; English walnuts and almonds all do well here, while apples attain perfection in size, flavor, and color. On this project the Government has expended about \$632,000, and last year supplied water to 7,473 acres on 441 farms. The greater year supplied water to 7,473 acres on 441 farms. The greater portion of this acreage has been planted to orchards, only a fraction of which have yet come into bearing. Although the Government canals only began to supply water in 1908, the total value of crops grown to date is equal to 76 per cent of the entire expenditure for reclamation. The latest estimate of the reclaimable area, as proposed by the Government for these two valleys, is 328,000 acres, and the total estimated investment will probably exceed \$12,500,000. On the basis of the productive capacity of the land, when fully reclaimed, this acreage in a single year should at least equal the entire investment of the Government

The available storage on the Yakima project in 1913 was 276,000 acre-feet; on the Okanogan project, 15,600 acre-feet. Mileage of canals: On Okanogan, 48; on Yakima project a total of 772 miles of canals are in operation.

A total of 8,898 canal structures have been constructed.

The following interesting statement shows in part the stupendous work of the Government in the Reclamation Serv-

Data-Washington projects.

Okanogan project.—Construction authorized by Secretary of the Interior, December 2, 1905; first actual construction by United States Reclamation Service, about September, 1906; first irrigation by United States, season 1908.

Yakima projects, Sunnyside unit.—Construction authorized by Secretary of the Interior, December 12, 1905; first actual construction by United States Reclamation Service, about October, 1908; first irrigation by United States, season 1907.

Yakima projects, Tieton unit.—Construction authorized by Secretary of the Interior, December 12, 1905; first actual construction by United States Reclamation Service about February, 1907; first irrigation by United States, season 1910. Yakima projects. Okanogan project. Sunnyside unit. Tieton unit. Season. Irrigated. Irrigated. Irrigated. Value of Value of Value of crops. crops. crops. Farms. Acres. Farms. Acres Farms. Acres. \$2,000,000 2,961,000 3,000,000 3,326,220 3,537,258 3,158,857 1, 250 1, 275 1, 600 1, 818 2, 221 2, 441 2, 450 \$25,000 128,367 83,673 59,871 120,000 75,983 40,000 42,300 44,375 48,255 51,040 55,800 1, 400 3, 690 4, 421 6, 467 7, 260 7, 473 1,695 7,190 15,008 \$75,000 206,519 272,070 422,950 259 339 432 273 716 62,800 13,250,000 21, 233, 335 482, 894 976, 539 Total value crops to date.....

(소)(전) (설계 및 1) (전) 요. 1 전, 요. 1 전, 요. 1 전, 요. 2 전, 요. 1 전, 요.	Okanogan		
	project.	Sunnyside unit.	Tieton unit.
Building cost June 30, 1913	\$631, 594. 68 226, 954. 20	2 \$2,382,827.84 2 893,272.16	2 \$3, 028, 369. 72 2 176, 630. 28
Estimated completed cost.	858, 548. 88	2 3, 276, 100.00	2 3, 205, 000. 00
Estimated gross land investment Estimated live stock and equipment	1,318,000.00 160,000.00	13,631,000.00 1,470,000.00	3, 204, 000. 00 1 280, 000. 00
Total farmers' gross investment	1,478,000.00	15, 101, 000. 00	3, 204, 000. 00

² Exclusive of storage unit to be prorated later:
Storage unit: June 30, 1913
Estimated to complete Estimated total, complete

It therefore appears, in spite of the fact that the Government work is controlled by an eight-hour-law restriction and by considerations necessary for guarding the public interests, that the irrigation works of the Reclamation Service have been cheaper than have corresponding private irrigation systems. This is as it should be, because the private irrigation companies are in the business of constructing irrigation works for a profit, and this profit must necessarily be paid by the water

Yet the gentleman from Michigan, a noted advocate of the horde of "infant industries" which have always proclaimed that they could not live without Government aid and protection,

I never knew anything built or operated by the Government that, in my opinion, was built or operated for as reasonable a sum as it could be built or operated by private enterprise.

GOVERNMENT ENTERPRISE THE SOLE HOPE OF RECLAMATION.

Mr. C. J. Blanchard, statistician in the Reclamation Service, who has been very kind in supplying me with such data as I have requested in connection with this matter, recently made the following statement in an address:

An economic survey of the arid West at the close of 1913 furnishes interesting and indubitable evidence of the sound and substantial basis upon which the whole fabric of Federal reclamation now rests. The Government has demonstrated, first, that it can direct with skill and celerity and also with economy the prosecution of works of vast magnitude and costs; and, second, that in the special field of irrigation enterprises on a large scale it provides the only machinery to which the country may look for the development of the most important latent resources of 16 arid States.

GOVERNMENT GETS MORE FOR DOLLAR THAN HARRIMAN.

Mr. H. T. Cory, member of the American Society of Civil Engineers, in the course of a discussion by him of a paper by

Mr. John H. Lewis, State engineer of Oregon, on State and National water laws, makes the following statement relative to the work of the Reclamation Service:

The Reclamation Service has made not a few mistakes. It would be miraculous if it had not, considering the magnitude of its operations; and even many of its supporters feel that a frank admission of them would have made its position, among those whose opinions are worth while, stronger than it is. Nevertheless, based on a fairly complete knowledge of the Salt River, Yuma, and Orland projects of the service and the observation and study of data examined during eight years of the Harriman lines in California, Arizona, and Mexico—six years as a maintenance and operation official, with unusual opportunities to observe—the writer is convinced that in these three projects at least the Reclamation Service gets more actual work for a dollar than do the Harriman lines.

I am glad the gentleman cited the Reclamation Service as an illustration of the impotency of the Government. If the gentleman had referred to the way the Government has been euchered out of its timberlands by great timber barons in Michigan and throughout the West he, perhaps, would have touched a subject on which he is fully informed and one wherein he could make more headway than in the field he happened to choose. The Reclamation Service affords ample evidence to disprove his statement.

The opinion of Mr. Cory is as good as that of the gentleman from Michigan and he says he is convinced that the

Reclamation Service gets more actual work for the dollar than do the Harriman lines.

While we are on this phase of the subject, it is interesting to note that the Reclamation Service has already built two railway lines, one in Idaho, 19 miles in length, the other in New Mexico, 13 miles long. Both are standard gauge, and both are utilized in hauling enormous quantities of materials and sup-The Idaho railway for two years has been in operation with daily train service, passenger, freight, and mail bustbeing transacted. Both lines are in mountain country, with heavy rock cuts and bridges. On the Idaho railway the total cost was \$19,037 per mile, and for the New Mexico line \$21,085 per mile.

WATERED STATISTICS ARE CITED.

The gentleman from Michigan had a great deal to say about

cost of railroad construction. He said:
Statistics show that the original cost of construction of railroads in the United States is \$60,000 per mile.

No man who knows anything about the subject believes any such watered statistics. No intelligent engineer would listen for five minutes to such padded nonsense. The estimate for the Alaska Railroad is \$48,000 per mile. And here we have the statement of the cost of Government construction in mountainous country in Idaho and New Mexico, with heavy rock cuts and bridges, at an average cost of \$20,000 per mile.

The best authority on original cost of American railway construction is less than \$30,000 per mile. The gentleman dia not say he believed this construction cost \$60,000 per mile. He said "statistics show it." But perhaps the statistics consulted by the gentleman did not allow for the whole of Lake Michigan, which Mr. Hill said had been turned in.

The gentleman from Michigan [Mr. FORDNEY] laid great stress on the cost of construction in Germany, but it is well known that in Germany, where population is so dense, the right of way costs much more than all other items combined. Manistly such figures can not be considered as having any bearing on cost of construction in Alaska, for in Alaska the United States owns every foot of the water front and practically every square inch of the land over which the railroad will run, and for thousands of miles on each side.

A GOVERNMENT RAILROAD IN SOUTHERN IDAMO.

The Reclamation Service, to which the gentleman so fortunately referred, also refutes his cost-of-construction fallacies and provides an illustration of a Government owned and economically operated railroad. It is not generally known, but it is a fact, that the Government, in order to construct economically the Arrowrock Dam, a single-track, standard-gauge railroad, 19 miles in length, was built by the Reclamation Service from the terminus of a branch of the Oregon Short Line Railroad to the dam site. Previous to the construction of the railroad, the cost of hauling freight over the rough wagon road was \$8 per ton, and it was estimated that the saving in freight on the cement alone would very nearly pay for the cost of the railroad.

The road begins at Barberton, on the Boise River, 3 miles below the Boise diversion dam, 5 miles east of Boise, and lies on the north bank of the river for about half its length to Gooseneck, at a sharp curve in the river, where the road crosses and continues on the south bank to a point just below the Arrowrock camp, where one spur recrosses the river on a deck bridge

to the camp and another spur extends along the river to the dam site.

The main line is 17 miles in length, with maximum grades of per cent. The roadbed is 18 feet wide in cuts and 14 feet wide on fills. The track is laid with 60-pound rails, with tie-plates on chestnut ties 2 feet apart. The spur tracks at the Arrowrock camp and dam site aggregate 2 miles in length and have maximum grades of 3 per cent and maximum curvature of 12 degrees. There are three bridges on the main line, as follows: That across the Boise River at Gooseneck, M. P. 9, consisting of two 150-foot through Howe truss spans and nine trestle bents of 15 feet 9 inches span each, total length 442 feet; Highland Bridge, at M. P. 15, consisting of a 50-foot through Howe truss span and seven trestle bents, total length 166 feet; Arrowrock Bridge, across the Boise River a short distance below the dam site, consisting of four 64-foot deck spans of Howe type and seven trestle bents, total length 366 feet.
Surveys for the line were begun in October, 1910, and construc-

tion of the railroad was begun in the spring of 1911. Most of the grading was done by contract, and this work was completed in October. It involved the excavation of nearly a quarter of a million yards of material, of which 12 per cent was lava rock. The contract prices per cubic yard were 25 cents for class 1, 70 and 75 cents for class 2, and 90 cents and \$1 for class 3, with overhaul at 2 and 4 cents per cubic yard per 100 feet. All of the other construction work, including culvert and bridge building, track laying, ballasting, and so forth, was done by the Government forces. The tracks were completed to the dam the 1st of November and across the river into Arrowrock camp the 1st of December, 1911, and the ballasting, riprapping, fencing, and so forth, were completed in June, 1912.

Rails cost \$25.70 per ton f. o. b. Chicago, ties 62½ cents each delivered on the right of way. The wages paid per day of eight hours were: Labor, \$2.25; rockmen, \$2.25 to \$2.75; man and team, \$4.75 to \$5.

COST OF GOVERNMENT BAILROAD CONSTRUCTION.

The cost of construction per mile was: Grading, \$7,100; bridges, \$2,500; rails, ties, and switches, \$6,200; track laying and hauling, \$800; ballasting, \$1,000; and the total cost, including surveys, right of way, culverts, fencing, riprap, buildings, and so forth, was about \$20,000 per mile. The rolling stock consists of 2 locomotives, 2 passenger cars, 4 flat cars, 3 box cars, and miscellaneous equipment of hand cars, speeders, and so forth, costing about \$35,000.

Teaming on the wagon road was discontinued on November 9, 1911, when the tracks were completed to the dam site. The first train crossed the Arrowrock Bridge to Arrowrock Camp on December 8, 1911, and on January 1, 1912, the railroad was turned over to the operating department of the service. train is run from Arrowrock to Barberton and return each week day, and two trips are made on Saturdays. The train crew consists of conductor, engineer, fireman, and two brakemen. The conductor acts as superintendent, the section gangs reporting to him. The total number of ton-miles of freight carried is over three-quarters of a million and the number of passengers about 45,000 to date.

COAL MINING BY THE GOVERNMENT.

But the idea of Uncle Sam, "pickax in hand," mining coal seemed to be the very climax of inconsistency to the gentleman from Oklahoma [Mr. Ferris]. When he put his question to the House the following colloquy occurred:

Mr. Ferris. Is there a man in the Progressive Party, is there a man in the Republican Party or in the Democratic Party who would stand up here and advocate that the Federal Government ought to go up there with a pickax and dig that coal and load it onto freight cars? No good man would have the temerity to stand up here and advocate any such

man would have the temerity to stand up here and advocate any such thing as that.

Mr. Bryan. Mr. Chairman, I certainly believe it will be all right for Uncle Sam to do that.

Mr. Ferris. There is one lone Progressive. [Laughter.]

Mr. Bryan. And supply the market with coal—

Mr. Ferris. Brethren, are there any others?

Mr. Bryan. It will be so much better than the West Virginia scheme and the Colorado scheme that there will be no comparison.

Mr. Ferris. Can there be others? Mr. Chairman, there is a sample of the Progressive Party for vou. What do you think of that?

Mr. Bryan. We could at least mine coal without suspending the Constitution, as was done in West Virginia.

I was alone in standing up here in this House, and the RECORD shows that there was laughter on the part of the Members. I have no doubt that some sneered at the suggestion, but I say here to-day that the mockers at this proposition are going to change their attitude.

Why, before the gentleman got his speech revised and published in the RECORD the local newspapers chronicled the fact that two United States Senators had expressed views favorable to the taking of coal mining into the hands of the Government, as a

lesson growing out of the investigation of the West Virginia coal-mining situation. When men get possession of the fuel of the country and attempt to monopolize that necessary of life it is time for the Government to interpose its hand to promote

decent labor conditions and equity to all concerned.

Mining of coal is important, and a proposed method of handling that feature is included in the bill I have introduced, but it seems to have been agreed that it is impossible to consider all these features while the railroad bill is pending. When the time comes for considering the coal mining I shall insist on fair regulation in Alaska. If I have my way, such laws shall be passed as to coal mining in Alaska as will make impossible such hardships as have characterized the West Virginia situation, where we have seen men sentenced by a drumhead court to long terms in State prison, without jury trial, while outlaw op-erators shoot down the innocent and terrorize the families of the miners who are demanding better conditions.

The coal of Alaska will be mined under different regulations. Never will the rifles of the guards crack in the coal regions of Alaska to drive back to work half-fed, poorly clad, overworked miners. We are going to see to it that the rules of the game are fair and honest. The bill I have introduced, which will be considered later, makes safety arrangements compulsory. provides for a compulsory living wage, together with adequate housing, industrial insurance, compensation for injured workmen, and it prohibits child labor. [Applause.]

But even here the Reclamation Service, brought into this discussion by the gentleman from Michigan [Mr. FORDNEY], affords a living illustration of the folly of those who think this proposition ridiculous or that the Government is not able to execute private enterprises and own and operate its railroads.

A GOVERNMENT-OPERATED COAL MINE IN NORTH DAKOTA

About three-quarters of a mile north of Williston, N. Dak., the Government is daily mining coal. "Uncle Sam with pick in hand," if you please. The fuel is mined to supply fuel for the power house in which electricity is generated for the several pumping stations.

The main entry to the mine is about 2,000 feet in length, 6 feet wide, and 6 feet high. The underground workings are at an average depth of 100 feet. Ventilating shafts secure good air. Perfect drainage is maintained, and the mine is kept dry for the workmen.

ONE OF THE BEST ARRANGED MINES IN THE STATE.

The State mine inspector inspects the mine regularly, and in a recent report says:

This is one of the lest arranged mines in the State and is kept in safe condition.

The average output is 100 tons per day. About 12 to 15 miners are employed and paid 60 cents to 80 cents per ton, depending The average output of a miner is 6 to 10 tons upon location. per day. On December 31, 1913, the report showed that 34,365 tons had been mined.

The net average earnings after expense for explosives and supplies is deducted are \$3.50 to \$5 per day of eight hours. Laborers on track work, hauling, and so forth, are paid \$2.75 per day for surface and \$3 per day for underground work. Miners are furnished with permissible explosives at a slight advance above cost. A mess is maintained at the mine where meals can be obtained for 25 cents. Sleeping quarters are furnished free. A bathroom with individual lockers gives the men an opportunity of using hot and cold shower baths. During the six years that this mine has been operated no fatal accidents have occurred, and only two or three serious ones. One miner had his leg broken by the fall of coal immediately after a blast. His net earnings were \$4.72 per day, and he was paid this amount under the compensation act of May 30, 1908, during the period of disability.

The mine was opened in 1908, and up to 1913 was operated only during the irrigation season of about five months in each The average amount of coal mined has been about 5,000 tons per year, and on June 30, 1913, a total of 30,000 tons had been mined at a cost of \$1.78 per ton, including all maintenance costs. In future, due to the fact that electric current is being supplied to the city of Williston under contract, the mine will be operated continuously, and it is expected that about 10,000 tons of coal will be mined per year and that the cost will be reduced, as it will not be necessary to maintain the mine idle for seven or eight months of the year. In 1911, during the five months that the mine was in operation, the cost of mining coal was \$1.41 per ton, with a minimum charge of \$1.31 in July.

EFFICIENT CONSTRUCTION OF PANAMA CANAL.

Panama Canal is an eloquent refutation of the charge that the

Government is impotent when it comes to doing practical things. I do not believe any man with sense or patriotism would claim that the Government could have obtained as good results in this colossal undertaking through a contract let to private parties, or by granting a franchise to a syndicate. It became necessary for the Government to buy and operate a railroad in connection with this work, and no railroad in the world was ever operated with greater efficiency than that road is being operated. I commend to those who think the Government impotent in such matters the report of Col. Goethals. Is there a man living so devoid of national pride and fundamental patriotism as to take the position that Col. Goethals could not operate the railroads of this country, with all the systems consolidated into one national system, with the Government of the United States back of him, better than they can possibly be operated by the gang of lawyer presidents and banker trustees that now manage them for millionaire yachtsmen and dog fanciers that own them by virtue of voting trusts and bunco games and stockmarket tricks?

If such there be, go mark him well. He has a peculiar mental equipment.

THERE WILL BE A RUDE AWAKENING.

The trouble with some of these men is that they have had so much experience working the Government that they believe it impossible to introduce practical methods. They have seen the vast landed estate of the Government go to the railroads with an extravagance almost criminal. They have seen big timber barons get the timber without paying for it. They have observed the Guggenheims in the United States Senate helping to devote Alaska to their own interest, timbermen in Congress giving inside information, manufacturers and bankers on the floors of both Houses representing their special interests, all conspiring together under pork-barrel methods, until they believe the people themselves are imbecilic or crooked; but there is due to some of them a rude awakening.

The people of this country are going to level down some of these gigantic fortunes. They will take the railroads and pay for them. Then they will levy income taxes on the incomes to be made and will assess commensurate inheritance taxes on the fortunes already made. The idea of a \$20,000,000,000 railway system of 100,000,000 people in a Republic being passed from father to son as a family inheritance, and then we Americans boasting that the people rule. Government ownership of railroads may be delayed, but it will surely come. If the railroads raise the rates \$1, they will raise their capitalization \$2, and it will complicate the situation and make it harder for the people to acquire the roads, but the delay is only temporary.

The following are some of the benefits of Government ownership of railroads:

1. A great financial saving to the people in interest and dividends.

2. Greater efficiency from a unified national system.

3. An equalization of rates and elimination of unfair discriminations.

Saving and convenience for the Government in carrying mall, troops, officers, fuel for Navy, and so forth.

5. Saving in buildings and multiplicity of offices and printed matter.

TWO MILLION DOLLARS A DAY CAN BE SAVED.

Brandeis said the railroads could save \$1,000,000 a day by scientific management. The railroads pay over \$400,000,000 per year dividends and \$100,000,000 per year in excess of what the Government would pay in interest. Add these two items to the saving which Brandeis proposed and you will see that the people would save more than \$2,000,000 a day under Government ownership.

One great national system would save in bookkeeping, in exchange of cars, in direct haul. Cars would not have to be hauled by circuitous routes to get them back home and freight would move as nearly in a straight line as possible.

Rates would be equalized. Discriminations would be eliminated. Water transportation would be allowed to play its natural part in the movement of freight. Combinations in restraint of trade would obey the laws, for the railroads would not handle goods made in violation of the law.

In the carrying of the mail there would be no more private railroad corporations to consider, and the troops and fuel for the Navy could move without delay and holdups by the railroad interests.

RATES IN GERMANY LOWER THAN IN AMERICA.

A great deal was said about rates in Germany, but the fact The splendid efficiency and economy of construction of the of the matter is that rates in the United States will not stand a comparison with German rates, when consideration is given

to length of haul and other necessary features. It is conceded by all that the loading and unloading charges are the principal expense in freight transportation. In Germany the average haul is 70.7 miles; in the United States the average haul is 244.05 miles. Thus the rate per ton-mile averages lower in the United States than in Germany.

In Germany express is carried as regular freight. This is handled, of course, quite often and involves short local deliveries. Think of comparing the average rate per ton-mile on a carload of express packages hauled 100 miles and delivered at points along the line with a carload of coal or a trainload of wheat or lumber hauled 2,000 or more miles. In America we haul much more raw materials and mining products than in Germany, where more manufactured articles are handled.

Prof. Frank Parsons says:

After studying Government freight rates on the ground and comparing them with American rates for similar distances and shipments, I found that the German per ton-mile rates on local traffic are generally less than one-third of ours.

Local rates in Germany and America compared.

Ttem	Miles.	Average rate per ton-mile.	
		Ameri- can rail- ways.	German railways.
Iron ore	327 398 377	\$0.492 .73 .69	\$0.474 .45 1.28
Structural steel	63	2.22 5.28	1.17 1.56
Fertilizer	36	3. 33 2. 75	1.20
Raw cotton	22 44 39	4.55 3.18 3.08	2.75 2.16 2.24
Portland cement	65 69 42	2.15 1.96 3.81	1.16 1.13 1.39
Hay	98	2.45 3.53	1.04 1.21
	94 38	2.98 4.21	1.50
Linseed oil	39 43 78	3.59 3.72 2.05	1.50 1.46 1.34
	20 70	18.40 5.94	5.18 4.26
Milk	31	9. 68 7. 69	4.81

Is it necessary to call a magician, a soothsayer, a wise man to explain why the first four articles above fare so well on the trust-owned railroads of the United States?

RATE COMPARISONS IN ENGLAND AND GERMANY.

England and Germany are similarly situated, and a comparison of rates in those two countries would be a better test of the rates under private ownership and Government ownership under like conditions.

The following appeared in a recent English journal:

It costs \$5.72 to transport a ton of hardware from Birmingham to London, while the rate for the same class of goods over the same distance in Germany is about \$2.25. Cotton goods from Manchester to London cost, per ton. \$8.76; in Germany, the same distance, \$4.86 to \$5.60. General machinery from Leeds to Hull costs \$6.09; in Germany, over precisely the same distance, \$1.09 per ton.

I realize that the taking over of these railroads by the Government involves a great deal. It is said that the exchange of securities necessary would so disturb the money market as to create a panic. If we wait for a physical valuation of the roads, that will consume several years, and then we will not have anything definite enough to determine the then value.

I believe we will be compelled to pay for the stock outstanding what that stock is worth, and I would prefer to take over the roads by the acquiring of the stock than in any other way. It is not necessary to acquire a majority of the stock in order to control the railways; it is only necessary to acquire a major-

ity of the voting stock.

In the reorganization of these companies wheels have been created within wheels, corporations within corporations, pools, voting trusts, and every conceivable trick or device to place the control of the original mother corporation within easy grasp of the yachtsmen and the magnates. For instance, it is said that the Rock Island system, capitalized at about \$770,000,000, may be controlled, and that it is actually controlled, by the owners of \$15,000,000. It is plain that if the Government should acquire this control and announce the policy of hereafter running the Rock Island system for efficiency and

for the benefit of the people who "use the road," as President Wilson says the Alaska road must be run, the remaining stockholders would abandon all hopes of speculation with the stocks they own. Of course it would be immaterial what the other stockholders cared to do so long as the Government owned the control and had a free hand.

control and had a free hand.

It is said that "every evil has in itself the germ of its own destruction," so I propose to destroy this private monopoly by

taking advantage of its own methods.

WHY UNSCRAMBLE THE EOGS? LET US EAT THEM AS THEY ARE.

It has been asked by the senior Morgan, "Can you unscramble eggs?" The answer I propose is, "We do not want them unscrambled. The American people like scrambled eggs. They will make a splendid breakfast just as they are." I propose to condemn for the Government for public use all stock of all the railroads that has the voting privilege attached to it, which was owned by any other railroad or was in any pool, voting trust, banking house, or in any way pledged to any person or group of persons on January 1, 1914, for the purpose of controlling the policy of any railroad or railroads, and in case the stock in such condition shall not be found sufficient to control the policies of the railroads that in such event as much additional stock possessing the right to vote as may be necessary to vest control be condemned and acquired by the President and turned over to the department of transportation, which will be created. That a secretary of such department be provided. That such secretary be a man of ability such as that displayed by Col. Goethals, for instance. That he proceed at once to reorganize the railroads as a monopoly, and that the policy of absolute complete Government ownership be announced so as to shut off at once all further stock speculation, it being made plain that the Government will buy any outstanding stock at its actual value, but that there will never be any more dividends than 2½ per cent on actual value, the amount of reasonable interest on Government bonds.

I do not want a lot of delay. I would rather get the railroads now, even if we do have to pay something more than they are worth. By stopping the dividends and the most of the interest and the \$100-per-plate banquets and the private-car managers and the cutting of melons and the granting of Morganatic commissions and the lieu-land crookedness and extortionate mail contracts we would save for the people \$2,000,000 a day. We have the right to level down the big fortunes by income tax and by inheritance tax; so if we pay more for the railroads than they are worth, we can take whatever may be necessary from the abnormally large fortunes to make up for the dif-

rerence.

Two millions a day sounds like a tremendous sum, but it is only one one-hundredth of 1 per cent of twenty billions—the railroad capitalization. We have already seen that Brandels has proposed to save \$1,000,000 a day by scientific management, without touching the dividends or lessening the interest.

I would authorize the issuance of certificates of ownership for actual cash value of stock to all holders of stock after the Government had acquired the control of the voting stock. These certificates would waive all right to participate in management of the railroads, leaving that to the Government, and the Government would guarantee $2\frac{1}{2}$ per cent interest. Of course, if the stockholders did not want these certificates they could hold their stock till the Government saw fit to condemn it in court.

The total amount of railroad stocks now owned by railway companies in other companies is \$3,379,549,704, besides a little over \$2,000,000,000 of bonds. The condemnation of these stocks would cause a large sum of money to be paid into the treasury of the Government railway organization and would enable the department to begin at once to bring the roads up to date by purchasing necessary equipment, adopting safety appliances, laying double tracks, and doing all other things necessary to make the roads efficient. Of course these purchases would stimulate business and bury the calamity howlers.

But whatever the plan, Government ownership of railways is inevitable, and the quicker it comes the better it will be for the country.

CONSERVING OF COAL LANDS INDORSED.

We have heard about conservation here on the floor of this House. It has been said that injustices have been perpetrated in the name of conservation in Alaska—a great President has been censured for withdrawing certain lands from entry. I grant that justice in administration has not always prevailed. But the policy of conservation has come to stay, and the people have every reason to rejoice that the coal lands of Alaska were retained. We say we all believe in conservation, but the rub comes when we attempt to define conservation.

The people of this country indorse the action of Theodore Roosevelt and Gifford Pinchot in preventing the private entry of the coal lands in Alaska and in stopping the robbing of the timber domain of the West. There would not be much sentiment in favor of a Government railroad in Alaska if those faithful public officials had not stayed the hand of the Alaska Syndicate in its almost accomplished efforts to acquire control of some of the principal deposits of coal in Alaska. wanted us to give them the coal. If we had done so, the syndi cate would have built the railroad to their coal mines, and with consideration only of their own needs would have forgotten the slogan "Develop Alaska" for the slogan "Exploit Alaska,"

The railroad policy of Alaska must be thorough; it must be constructive. It must involve the development of the agricultural as well as the mining resources of the country. Alaska will not be passed over to the Guggenheims. It is bad enough to have it temporarily bottled up, with Uncle Sam holding the cork, but it would be infinitely worse to have it permanently bottled up, with the Guggenheims holding the cork.

I am opposed to the leasing of the road. Alaska presents the last opportunity which the United States will have to deliberately adopt a public-land policy for a new country. ever public-land policy is adopted for Alaska will determine the basis of the industrial system for that Territory. So that the United States now has an unusual power in Alaska. If the Government built a railroad and then turned it over to private interests to operate, it would be a policy similar to the landgrant and subsidy schemes of the past.

It may prove profitable for the Government to operate the road to develop the country rather than for immediate profits and traffic. In case, however, the Government leases it to a private concern the lessee would have to pay a rental to the Government and would have to make also a direct and certain profit on operation. This would mean that the users of the road would have to pay rates which would be sufficient to pay a rental to the Government plus a profit to the private operators, on a large capitalization, to men assuming the risk. In short, the people would be forced to pay a transportation tax, first to the United States Treasury and second to the treasury of the private corporation.

In Alaska, particularly, this would work a hardship to men least able to bear it. They should not be asked to contribute any more than necessary to the United States Treasury and still less to the treasury of a private corporation. To build roads in Alaska and lease them to private persons or corporations to operate would be the equivalent of turning over to private interests the operation of the Panama Canal now that we have spent nearly \$400,000,000 to construct it.

The following tribute to the worth of Gifford Pinchot is convincing as to the appreciation of President Roosevelt both of the Reclamation Service and of Mr. Pinchot:

ROOSEVELT PAYS HIGH TRIBUTE TO GIFFORD PINCHOT—SAYS HE IS THE MAN TO WHOM THE NATION OWES MOST FOR WHAT HAS BEEN ACCOMPLISHED AS REGARDS THE PRESERVATION OF THE NATURAL RESOURCES OF THE COUNTRY—COLONEL STATES THAT RECLAMATION WAS THE FIRST TASK HE TOOK UP WHEN HE BECAME PRESIDENT.

TASK HE TOOK UP WHEN HE BECAME PRESIDENT.

When governor of New York, as I have already described, I had been in consultation with Gifford Pinchot and F. H. Newell, and had shaped my recommendations about forestry largely in accordance with their suggestions. Like other men who had thought about the national future at all, I had been growing more and more concerned over the destruction of the forests.

While I had lived in the West I had come to realize the vital need of irrigation to the country, and I had been both amused and irritated by the attitude of eastern men who obtained from Congress grants of national money to develop harbors and yet fought the use of the Nation's power to develop harbors and yet fought the use of the Geological Survey, was the first man who fought for irrigation, and he lived to see the reclamation act passed and construction actually begun. Mr. F. H. Newell, the present Director of the Reclamation Service, began his work as an assistant hydraulic engineer under Maj. Powell; and unlike Powell, he appreciated the need of saving the forests and the soil as well as the need of irrigation. Between Powell and Newell came, as Director of the Geological Survey, Charles D. Walcott, who, after the reclamation act was passed, by his force, pertinacity, and tact, succeeded in putting the act into effect in the best possible manner. Senator Francis G. Newlands, of Nevada, fought hard for the cause of reclamation in Congress. He attempted to get his State to act, and when that proved hopeless, to get the Nation to act, and was ably assisted by Mr. G. H. Maxwell, a Californian, who had taken a deep interest in irrigation matters. Dr. W J McGee was one of the leaders in all the later stages of the movement.

GIFFORD PINCHOT, LEADER.

But Gifford Pinchot is the man to whom the Nation owes most for what has been accomplished as regards the preservation of the natural resources of our country. He led, and, indeed, during its most vital period embodied, the fight for the preservation, through use, of our forests. He played one of the leading parts in the effort to make the National Government the chief instrument in developing the irrigation of the arid West. He was the foremost leader in the great struggle to coordinate all our social and governmental forces in the effort to secure the adoption of a rational and far-seeing policy for securing the con-

servation of all our national resources. He was already in the Government service as head of the Forestry Bureau when I became President; he continued throughout my term not only as head of the Forest Service but as the moving and directing spirit in most of the conservation work, and as counselor and assistant on most of the other work connected with the internal affairs of the country. Taking into account the varied nature of the work he did, its vital importance to the Nation, and the fact that as regards much of it he was practically breaking new ground, and taking into account his tireless energy and activity, his fearlessness, his complete disinterestedness, his single-minded devotion to the interests of the plain people, and his extraordinary efficiency, I believe it is but just to say that among the many, many public officials who under my administration rendered literally invaluable service to the people of the United States, he, on the whole, stood first. A few months after I left the Presidency he was removed from office by President Taft.

RECLAMATION-THE OLD, NARROW VIEWS.

invaluable service to the people of the United States, he, on the whole, stood irst. A few months after I left the Presidency he was removed from office by President Taft.

RECLAMATION—THE OLD, NARROW VIEWS.

The first work I took up when I became President was the work of reclamation. Immediately after I had come to Washington, after the assassination of President McLinley that the house of my sister, Mrs. Cowles, before only the staying at the house of my sister, Mrs. Cowles, before only the staying at the house of Princhot called upon me and faid before not the Bureau of Forestry.

At that time a narrowly legalistic point of view toward natural resources obtained in the departments and controlled the governmental administrative machinery. Through the General Land office and other Government bureaus, the public resources were being handled and dispose of a accordance with the small considerations of petty legal ment, and the head of for the large purposes of constructive development, and the head of for the large purposes of constructive development, and the head of for the large purposes of constructive development, and the head of for the large purposes of constructive development, and the head of for the large purposes of constructive development, and the head of for the large purposes of constructive development, and the head of for the large purposes of constructive development, and the law as a stay of the constructive development, and the law was all that was required.

The relation of the land grabbers. A technical compliance with the letter of the law was all that was required.

The idea that our natural resources were inexhaustible still obtained, and there was as yet no real knowledge of their extent and condition. The relation of the conservation of natural resources to the problems of national welfare and national efficiency had not yet dawned on the public mind. The reclamation of arid public lands in the West was system, with its relational proposes of the conservation of natural resources to t

[Mr. ANSBERRY addressed the committee. See Appendix.]

Mr. BAILEY. Mr. Chairman, it is not my purpose to take sides with either party to the controversy over Alaska as a field for development. I listened with equal interest to the entrancing stor, told by the gentleman from Alaska [Mr. Wickersham] and to the very sharply contrasting one related by the gentleman from Oklahoma [Mr. Ferris]. If even half of what the gentleman from Alaska told us is true, then Alaska is indeed a land of opportunity. And I confess that I am inclined to believe that within a territory so vast there must be riches of one sort or another to invite the adventurous and to stimulate the activities of those looking for fresh fields of enterprise and endeavor. Whether Alaska can ever become self-supporting from an agricultural standpoint is perhaps much less important than the question whether her resources other than agriculture are of such a character as to justify the huge expenditure which is contemplated in the pending bill.

I am inclined to accept the contention of those who stand for development and who assert that with the building of railroads Alaska will rapidly increase in population and in economic importance. For this reason it is my purpose to give the measure my support, although I believe it ought to be amended in a quite vital particular. I am willing to take it for granted that the game is worth the candle: that in building railroads in that for northern clime we shall be contributing in a large way to the sum of wealth. And, taking this for granted, I shall offer an amendment to the bill which I believe will make it acceptable to some who are now violently opposed to it, while it should not alienate a single one of those now its supporters.

As the bill has been reported from committee and as it now stands before the House, a redemption fund is provided into which shall be paid 50 per cent of the proceeds from the sale or disposal of any of the public lands in Alaska or the coal or mineral therein contained or the timber thereon. This is undoubtedly a better proposition from the standpoint of the people than that which prevailed in building the transcontinental railroads 40 or 50 years ago. In the case of the latter we made a present to the railroads of vast areas of land, running into the scores of millions of acres. It was the theory that from the sale of these lands by the grantees money would be derived sufficient to cover the cost of the construction of the railroads, This was a most generous dealing with the private corporations which undertook the work of providing highways between the East and the West. It was enormously profitable for them, yet it can not be said with truth that they showed any considerable appreciation of the favor bestowed, as it took many long years for the people to wring from the railroads a final settlement of what was due from them to the Government.

In the proposition embodied in the pending bill the people are to sell a part, or perhaps all, of the public land in Alaska, the minerals and the timber, for the purpose of reimbursing the Federal Government for the advance which is to be made for the construction of the contemplated railroads, one-half the proceeds of such sales to be so applied. But why the necessity of selling for such a purpose this asset of all the people? If the railroads are to prove a benefit rather than a mistake, their mere building will create values equal to if not far greater than their cost. In the reclamation of arid lands and in the drainage of swamps we have applied a principle which seems to me quite as applicable to the development of Alaska. What I intend proposing to do is not dissimilar from what we do when we bring water to a rainless region; it is not dissimilar from what we do when we cut ditches and dig canals for the drainage of swamps. We have never—or, at least, we have not often—asked the people at large to bear the cost of such improvements. Instead, we almost invariably have said that those who derived the benefits should pay the cost. We have subjected the lands redeemed to a special assessment, this assessment being in proportion to benefits. In other words, we made one hand wash the other, and only those were required to contribute who derived a pecuniary advantage.

I can see no reason why we should not go about the development of Alaska in much the same way. Why should we not take the values which the building of railways in Alaska will undoubtedly create and apply these values to the cost? We have found in practice in the United States that the building of a permanent highway enhances the value of the land adjacent to it in a very handsome way, running from \$5 an acre to \$25 or higher. This has been so well understood in come States that the cost of building permanent Lighways entirely by a special assessment on the lands affected.

The plan I shall propose will offer no particular encourage ment to the town-lot boomer, to the land-grabber, or to the forestaller of mineral and timber opportunities. It will hold out instead an invitation to the improver, to the man with capital, to the man able and willing to work, to enterprise and industry and thrift. While I believe in conservation, I do not believe in that sort of conservation which locks the door of opportunity and denies admission to nature's laboratory on any terms.

Alaska ought to be wide open to every man who seeks to derelop its resources. For that matter, all the rest of America should be wide open to enterprise and industry, yet much of it is under lock and key. Much that is in use is being put to less than its best use. Within sight of our greatest cities we shall find rich areas producing nothing except suburban town-site booms and advertising signboards. Not half of the land of the country is contributing to the sum of production. It is as tightly locked against labor and enterprise as the land of Alaska under a stupid policy which confesses its impotency to deal with a great problem—the problem of opening opportunity without inviting monopoly.

The plan which I shall propose will open opportunity and at the same time make monopoly of it impossible. Under this plan the very largest encouragement to use would be afforded. Under it the very least encouragement to speculative forestalling would be given. Opportunities would be sought only for use and only for their best use. It would be unprofitable to seize upon mineral or other territory merely for the purpose of holding on in expectation of a rise. For every increment of value due to the growth of population and the development of social activities and enterprise would flow into the Public Treasury rather than into private coffers; and since this fund would meet all public charges, the private property of the individual would remain inviolable and beyond the reach of the taxgatherer.

What I plead for in connection with the opening up and development of Alaska through the construction of railroads is neither new nor strange. The principle is as old as the hills. Nor is the proposed application so novel as it may seem. As I have intimated, it was resorted to in the construction of the land-grant railways, but in a reverse fashion. We first gave the lands away to private corporations, allowing these to enjoy the increment of value due to the growth of population and to apply a part of it to the cost of construction.

Undoubtedly, improved facilities of transportation in Alaska will be accompanied by an inrush of capital and labor; and, undoubtedly, this inrush will be attended by a rapid and widespread enhancement of the value of Alaska land. This enhancement will not be due to any individual effort; it will be due rather to the effort and enterprise and cooperation of all the people of that vast Territory; and so I propose that here is the proper source of revenue, here the reservoir from which the cost of

building the iron highways shall be drawn. Mr. Chairman, I may not have made myself clear. But it is hoped that what has been said has been at least suggestive. might have called attention to some of the things which certain cities of Canada have been doing along lines not unlike the one I have ventured to mention. Within a year or two one of the most enterprising of the thriving cities of western Canada has annexed 20 square miles of territory. It was mostly unoccupied land. Into this new territory a network of interurban railway was projected and is building, the cost of this extensive and quite unprecedented improvement being assessed against the lands benefited in proportion to benefits. The results, according to unprejudiced observers, have been remarkable. The owners of the land found that they could no longer afford to have it lie idle.

The burden was too great. They must use their holdings themselves or dispose of them to some one else for use. Nothing less profitable than the vacant-lot industry in Calgary was to be found, and so the vacant-lot industry in that bustling center of enterprise and initiative fell upon evil times and sank into a speedy decay. I might also have referred to some of the experiences of New South Wales in the extension of her railway system, owned by the people, yet sometimes bent to the satisfacsystem, owned by the people, yet sometimes bent to the satisfaction of private greed, but time does not permit. I can only add that the plan I shall propose will apply the acid test to the whole scheme of Alaskan development. If that scheme be sound, if indeed Alaska be the land of promise pictured by the proponents of this measure, if indeed it be the treasure house we are told that it is, the building of railroads will be no mistake, will involve no costly blunder, will prove an investment rather than a profligate waste of public funds; and resulting therefrom will be a growth of values which we ought to take year by year as they accrue for the purpose of extinguishing the debt which we are intending to authorize.

The amendment I shall propose is as follows:

The amendment I shall propose is as follows:

Strike out all of section 4, beginning at line 20, on page 12, and ending with line 8, on page 13, and insert in lieu thereof the following:

"Sec. 4. That there is hereby created a redemption fund in the United States Treasury to be known as 'the Alaska railway redemption fund,' into which shall be paid the proceeds of an annual tax on the value of the land in Alaska, both publicly and privately owned, which shall be benefited by the construction and the operation of the railroad or railroads herein authorized, this tax to be assessed and collected under regulations made by the Treasury Department and approved by the President, the value of all improvements in or on the land being hereby specifically exempted from taxation as far as 'the Alaska railway redemption fund' is concerned: Provided, That the value attaching to the land of Alaska by reason of improvements other than the construction and operation of the railroad or railroads herein authorized shall not hereby be exempted from taxation for local and general purposes in the Territory of Alaska: Provided further, That into the redemption fund hereinbefore created shall be paid the net earnings of said railroad or railroads above maintenance charges and operating expenses; the said redemption fund, or any part thereof, to be used from time to time upon the order of the President to pay the interest on the bonds authorized and issued under the provisions of this act, and to redeem, cancel, and retire said bonds under such rules and regulations as the President may establish, in accordance with the provisions of this act."

[Applause.]

Mr. J. R. KNOWLAND. Mr. Chairman, the people of California and other Pacific Coast States welcome legislation that will make available the vast resources of Alaska. We have for years waited patiently for the announcement of a governmental

policy that would result in unlocking that great storehouse for the benefit of all the people of the country. It is not surprising that we have grown restive at the exasperating delays, and our restiveness has increased as we have witnessed year after year the spectacle of foreign ships bringing to our coast coal which had to be transported around Cape Horn while the coal of Alaska, at our very doors, remained untouched.

In our great anxiety to see Alaska developed we have not been unmindful of the necessity of protecting that Territory against exploitation by those who might seek to monopolize its resources, thus depriving the people of the expected benefits. If the policy of delay has resulted in thwarting the designs of those who may have sought to control Alaska's wealth, then there is ample recompense for the seeming procrastination on the

part of the Government.

There are no doubt many who will vote for this bill without committing themselves to the policy of Government acquisition of the transportation facilities of the country. They vote for it in the belief that it is probably under all the circumstances the only method that can be agreed upon at this time for the development of Alaska. This is the feeling of many people upon the Pacific coast.

I will frankly state that I vote for the bill with no delusions as to the ultimate cost of the projected road, believing that it will entail expenditures on the part of the Government far exceeding the estimates. I was a Member of this body when we voted for a lock type of canal at Panama, estimated by Government experts to cost \$135,000,000, and have seen the cost grow to nearly \$400,000,000, but few American citizens can be found who criticize the expenditure, because of the conviction

that every dollar was honestly expended.

Mr. SHERWOOD. Will the gentleman yield?

Mr. J. R. KNOWLAND. I do.

Mr. SHERWOOD. Will the gentleman give his estimate of

Mr. SHERWOOD. Will the gentleman give his estimate of what he thinks it will cost?

Mr. J. R. KNOWLAND. I do not dare to give an estimate.

Mr. SHERWOOD. Well, approximately.

Mr. J. R. KNOWLAND. I think probably more than double, but believe that every dollar expended by the Government in Alaska, as at Panama, will be honestly expended and result in opening up that great Territory. I listened very attentively last Wednesday to the very able address. Wednesday to the very able address—
Mr. HARDY. Will the gentleman just yield for one question

there on the line of expenditure?

Mr. J. R. KNOWLAND, Yes,

Mr. HARDY. Is the gentleman speaking, in his estimate that it will be doubled, as has been stated, just from a general idea that such things generally exceed the estimate, or has the gentleman any reason to believe that this estimate is really under what is reasonable?

Mr. J. R. KNOWLAND. I have nothing to guide me but past experience, which has demonstrated that in practically every Government undertaking the cost has far exceeded the original

Mr. HARDY. That has been sometimes the case.

Mr. J. R. KNOWLAND. Generally, I think. Mr. HARDY. It has been frequently the case; but in this undertaking is it not possible, and even probable, that the engineers and the estimating people for the Government are capable of being a little more accurate than they were at Panama?

Mr. J. R. KNOWLAND. Well, I think in the case of the Panama Canal we had not only one expert, but a board of the most eminent engineers that we could secure, not only in the United States but in Europe,

Mr. HARDY. But was not that also a problem of unknown

dimensions?

Mr. J. R. KNOWLAND. Not any more unknown, I take it, than the problems facing us in Alaska.

Mr. HARDY. I am rather of the opinion that it was more unknown.

Mr. J. R. KNOWLAND. But, notwithstanding that, I will say I believe the money should be expended and will eventually prove to be a good investment. I have faith that every dollar will be honestly expended. After all, there is not a very great distinction between voting vast land grants, as was the policy in years past, and directly appropriating the money in the first instance.

Mr. HOUSTON. Will the gentleman allow me to interrupt him? Mr. J. R. KNOWLAND. I have but a few moments, would like to yield, but I must continue,

I listened very attentively last Wednesday to the very able speech of the gentleman from Oklahoma [Mr. Ferris]. It was strong speech from the standpoint of those who oppose the bill. I can not resist the temptation, however, of comparing some of the pessimistic predictions of the usually cheerful and

optimistic gentleman with those uttered upon the floor of the House 46 years ago when an appropriation of \$7,200,000 was made for the purchase of Alaska, this being the amount agreed upon in the treaty of March 30, 1867, negotiated by Secretary Seward on behalf of the United States and by Baron Stoeckl representing the Emperor of all the Russias.

It is somewhat of a coincidence that the gentleman from Oklahoma had a namesake in Congress nearly half a century ago, and when I read the speech of the then Representative from New York, Mr. Ferriss, I was inclined to believe that our friend from the West was a descendant of the former New York Congressman and received his inspiration from this possible ancestor. Comparing their speeches, drawing the deadly parallel, I am constrained to believe that they are of the same kin.

Nearly half a century ago, on July 1, 1868, to be exact, Mr. Ferriss, of New York, on the floor of this House, when the purchase of Alaska was pending, said:

Alaska, with the Aleutian Islands, is an inhospitable, wretched, and God-forsaken region, worth nothing, but a positive injury and encumbrance as a colony of the United States.

That was an 80° below zero speech. But our genial friend bearing the same name, and in the year 1914, was not to be outdone by the early Ferriss statesman. On Wednesday last he gave vent to the following:

They have eight months' darkness in Alaska and the thermometer goes down to 80° below zero. They need firewood more than anything else. * * In the lowlands, where the soil is rich, the frost gets the potatoes, and on the high mucky soil they die for want of fertility.

After reading these two extracts I am tempted to suggest a Ferris coat of arms with some suitable design representing incredulity, pessimism, and lugubriousness. For instance, there might be a heroic figure standing amid snow and ice, bearing in one hand a thermometer registering 80° below zero, representing the Ferris conception of Alaska weather, and in the other hand holding a shriveled-up potato, portraying the family idea of agriculture in the Territory. Underneath I would inscribe, with apologies to Shakespeare, these words: "This is the perpetual winter of our discontent." [Laughter.]

But there were others who did not belong to the family Ferris who apparently emitted pessimism from every pore. Representative Washburn, of Wisconsin, another doubting Thomas, who, addressing the House on July 1, 1868, was extremely skeptical as to the existence of gold in that land of perpetual ice. Listen

to what he said:

I defy any living man upon the face of the earth to produce any evidence that an ounce of gold was ever extracted from the Territory of Alaska. * * When I asked him (Representative Banks, of Massachusetts) to show where there was any gold, he read a statement from some Frenchman, 15 years ago, who had never been there, but reasoning from analogy, because there was gold in Siberia. He said there was no doubt gold, silver, diamonds, rubies, amethysts, sapphires, and everything precious on or in the earth would be found in Alaska. But, sir, none of these things has ever been found, and I defy any man in this House or on the face of the earth to produce any testimony that the precious metals have ever been found there.

In the light of the history of the Territory since acquisition, this statement is now interesting. During 1912 alone the Alaska gold output was \$17,145,951. The amount of gold produced by Alaska from 1880 to 1913 totals in value over \$213,062,471.

Others denied the existence of coal or copper, now known to abound there. Mr. Loan, of Missouri, who had to be shown, like all Missourians, voiced his protest against the purchase, as

That it is an utterly barren waste, wholly incapable of supporting a population of civilized people, is substantially admitted by those who speak most earnestly in favor of its acquisition, and that it is entirely worthless for any useful purpose is not seriously denied.

It is true that we have had most glowing descriptions given us by some who favor this appropriation of the beautiful scenery of Alaska; of the salubrity of its climate; of the productiveness of its soil; of its azure skies and balmy breezes; of its boiling springs and brimstone vapors; of its vast mineral wealth; of its great deposits of coal, iron, and copper; of its mines of cinnabar, silver, and gold, and of the brilliant dlamonds of the largest size and purest water lying around in the utmost profusion; and I acknowledge the pleasure derived from listening to these graphic descriptions drawn from the prolific imaginations of some of our most gifted orators. * * * Why buy Alaska for the sake of its contingent mines, that could, if they exist, only be worked in eternal snow and lee? Alaska is utterly worthless, and if it were otherwise, we have no earthly use for it.

The fish taken from the waters of Alaska since we have owned the Territory up to 1912 amounted in value to \$147,953,077; but yet there were those who when the purchase was debated in Congress expressed doubt that the waters abounded with the many varieties now found there. Hon. Hiram Price, of Iowa, was one of those who questioned the fish stories. for on July 1, 1868, an Alaskan field day in the House—a sort of Calendar Wednesday, no doubt-the Iowan became facetious and sarcastic when, referring to Representative Banks's speech of the day before, gave utterance to the following:

There, the gentleman from Massachusetts pointed out to me, the fish with which these waters swarm—no, sir; I beg pardon; not swarm;

there is no room for them to swarm; they are piled up, fish upon fish, pile upon pile, solid columns of fish; no human arithmetic can compute their numbers. And, sir, such fish—shad, salmon, cod—according to the description a foot and over through the shoulders, with sides and tails to match. As I stood there, Mr. Chairman, listening to the gentleman from Massachusetts, with fish to the right of me, fish to the left of me, fish that in front of me, rolling and tumbling, I had to acknowledge that the picture as painted made Alaska a good country—for fish.

To-day we find those on the floor of this House proposing that instead of expending the vast sums necessary to build these roads for the development of Alaska the money be spent within the States, claiming a better return. These men had their prototypes 50 years ago. As far back as that the advocates of Mississippi Bison in the states and the back as the state of Mississippi Bison in the state of the stat of Mississippi River improvement were busy, as they have been ever since and even now are not quiescent, I am told. One of these pioneer Lakes-to-the-Gulf enthusiasts, Congressman Price,

It is far better to expend the \$7,200,000 in improving the Mississippl River in order that breadstuffs may be transported cheaply from the West to the seaboard.

I have referred to history to demonstrate that every forward movement, each attempt to take an advanced step, from the time of the formation of this Government has met with strong oppo-In my opinion, in the light of future history, it will be found that the critics of this bill were as much in error as those who 46 years ago voiced their opposition to the purchase of that great Territory to the north, abounding in wealth but as yet undeveloped, a Territory whose possibilities promise much to the entire Nation, and particularly to the Pacific coast. [Ap-

Briefly the pending bill empowers the President of the United States to locate and designate a route or routes for a line or lines of standard-gauge railroad in Alaska, which line or lines shall be so located as to connect one or more of the open Pacific Ocean harbors on the southern coast of Alaska with the navigable waters in the interior of Alaska and with a coal field or fields yielding sufficient for naval base. The bill further provides that the President shall exercise the power of eminent domain in acquiring property for the uses of the said railroad. All the usual duties of a common carrier shall be performed by this railroad at rates subject to the supervision of the Interstate Commerce Commission.

The issuance of \$35,000,000 registered bonds is authorized bearing 3 per cent interest per year. One million dollars is made immediately available to pay the expenses of advertising, preparing, and issuing these bonds, said \$1,000,000 to be returned to the Treasury from the first receipts of the sale of the bonds.

The bill also provides a redemption fund to be known as "the Alaska redemption fund," which fund shall consist of 50 per cent of all receipts from the sale of public lands in Alaska, coal or mineral contained therein or timber thereon, and also the net earnings of the railroad or railroads. This fund, subject to the President's order, shall be used to pay the interest on the bonds issued or redeem the bonds themselves.

The purpose of the act is to aid in the development of the agricultural, mineral, and other resources of Alaska and to increase the settlement of public lands in the Territory.

Patiently we have awaited the opening of the Panama Canal, and this dream of years is soon to become a reality. With greater patience, but no less expectantly, have we looked forward to the unlocking of Alaska, and now Congress is about to insert the key and throw open the doors, with Uncle Sam standing on grand to prevent exploitation. Great years are ahead for California and the entire Pacific coast. [Applause.]

I will publish in connection with my remarks extracts from a report made by Mr. Seth Mann, of San Francisco, Cal., personal representative of the President on a tour through Alaska June 21 to July 29, 1913:

There are two primary requirements for the opening up and development of Alaska: First, the construction of railroads, roads, and trails; and, second, the opening up of the coal fields. These two projects should go forward with equal steps, since each is dependent upon the

should go forward with equal steps, since each is dependent upon the other.

I am convinced that this work of the building of railroads, as well as the construction of roads and trails, should be carried forward by the Government directly. There is nothing definite or certain in regard to the building of railroads by private enterprise, either unaided or with Government assistance. The traffic to support Alaska railroads must be in large part developed by the road itself, through the settlement of the country induced by increased transportation facilities. When the Bering River and Matanuska coal fields are opened by appropriate legislation railroads to these fields would no doubt be constructed by private enterprise. The opening of these coal fields is, however, a separate problem, and until that problem is satisfactorily solved there will not be sufficient coal traffic to induce the building of railroads to the fields. It may take some considerable time to enact legislation that will result in the satisfactory working of these great deposits. In the meanwhile it must be assumed that railroad development by private enterprise to the coal fields would be delayed until it became apparent

that the legislation would result in the immediate opening of the coal

that the legislation would result in the immediate opening of the coal measures.

Alaska needs at once one and probably two railroads. One should run from the coast to the Tanana and the Yukon, and the other from the coast in a northwesterly direction at least as far as the valley of the Kuskokwim River. I can not believe that any railroads of this length will be constructed by private enterprise for many years to come. If this be true, such development of that portion of Alaska beyond the Chugach Mountains and as far as the Yukon and the Kuskokwim Rivers must be indefinitely delayed. From the Chugach Mountains to the Yukon River is about 300 miles, and the distance to the Kuskokwim River, in a general westerly direction, is about the same. The country is rich in precious metals and other mineral wealth, which up to the present time have been but slightly developed. The construction of railroads through this country would at once give a sharp impetus to prospectors. The miners and prospectors of Alaska lay great stress upon the difficulties which surround prospecting in this ferritory at any distance beyond 100 miles from the coast or from navigable rivers. With railroad transportation into this country, the prospector could remain in the field, if not twice as long, at least two months longer than he can at the present time. He must enter the field, under present conditions, late in the year, and return again from a month to two months earlier than would be necessary if these railroads were built, since he can not risk the severities of the Alaskan winter, which may prope fatal if he starts out too early and returns too late. The principal fatal if he starts out too early and returns too late. The principal fatal if he starts out too early and returns too late. The principal fatal if he starts out too early and returns too late. The principal fatal if he starts out too early and returns too late. The principal fatal is also the general opinion that the building of the value and the present of the principal fat

trails should be in course of construction at the same time with the railroads.

COAL LANDS.

Two of the most important coal fields in Alaska—the Matanuska and the Bering—lie comparatively near the coast and are readily accessible by railroad line without meeting serious difficulties of construction. Following a policy of intense conservation, these coal fields were withdrawn from location in 1906 and no development of these fields has been made, with the exception of what has been done by the Navy Department in the Bering field and what is now being done by the same department in the Matanuska field. An investigation is being made to ascertain whether this coal can be used effectively by the Navy. Coal has been brought to the coast at great expense for these experimental purposes. The high character of the coal from both of these fields, much of it approaching anthracite in quality, is vouched for by many reports from the geological department of the Government.

The instant question concerns the character of legislation which should be enacted in order to open these coal fields to development. The generally expressed opinion in Alaska is that it matters little how these coal fields are opened, so long as they are opened. The more thoughtful opinion is expressed by drawing a distinction between conservation and reservation. And it is claimed that these coal fields have not been conserved but reserved. Conservation, but not reservation, is the cry. It is generally conceded that the monopolization of these coal fields in the hands of a very few great operators would inevitably result if the fields were opened to location and alienation. One method of preventing this is to provide for the leasing of these coal lands by the Government with conditions against the assignment of the leases and requiring active prosecution of the work of coal mining under them. The Government would thus retain control of the coal fields and could prevent their monopolization. The opinion is expressed by a number of Alaskans that these

I will also print as part of my remarks the following telegram: SAN FRANCISCO, CAL., January 24, 1914.

Hon. J. R. Knowland, House of Representatives, Washington, D. C.:

The Associated Chambers of Commerce of the Pacific Coast, representing every substantial business and commercial interest thereon, views with gratification the relief which Congress is about to give the

Territory of Alaska in the shape of legislation permitting of the development of its resources, a development which is vital and of tremendous importance to the commercial welfare of the entire Pacific coast. This organization urges you to exert your utmost influence to unlock the vast wealth of that Territory by the support of a program which will insure transportation facilities, and without which no material development can take place. We believe that this is a moral obligation fairly resting upon the Government, in view of its previous attitude to that Territory.

ASSOCIATED CHAMBERS OF COMMERCE OF THE PACIFIC COAST.

Mr. WILLIS. Mr. Chairman—
The CHAIRMAN. The gentleman from Ohio [Mr. WILLIS]

is recognized.

Mr. WILLIS. Mr. Chairman and gentlemen of the committee, I would not think of trespassing upon the good nature of the committee at this time were it not for the fact that possibly I will not be able to be present when the bill comes up for discussion the next time, and I wanted to say just a word relative to my position upon it before it is finally disposed of.

This bill should be considered entirely on its own merits and separate and apart from the larger and more general question of governmental ownership of all railroads, a question not in-

volved in this bill.

I had the pleasure of serving in the last Congress upon the Committee on the Territories. During that time the committee gave a good deal of attention to legislation touching Alaska. Extensive hearings were held relative to the railroad proposi-And I understand that the committee in this Congress has given the matter still further consideration. I know that extensive hearings have been held and the subject thoroughly investigated. I simply want to state, Mr. Chairman, that from the information I have been able to collect, starting upon a theory which was not inclined to be favorable to the idea of governmental ownership of railroads—and I am not now inclined to subscribe to the theory as applicable to the country as a whole standing upon the theory that the ownership and operation of the railroads of the whole country was not a necessary function of the Government at this time, yet from what information I have been able to collect and what facts I have been able to gather concerning Alaska, I am firmly of the opinion that this bill now under consideration, which undertakes to provide for the construction of railroads in Alaska, ought to pass, with certain amendments, and if I am here when the vote is taken I shall vote for it. [Applause.] I shall vote for it, providing there can be an amendment to the bill. I should not want to vote for the bill in its present form. On page 10 I find the following language, enumerating the powers that the President is to have under this proposed law. It says he shall have the power-

To lease the said railroad or railroads after completion upon such terms as he may deem proper, but no lease shall be for a longer period than 10 years, or, in the event of failure to lease, to operate the same until the further action of Congress.

Mr. BRYAN. Will the gentleman yield?

Mr. WILLIS. Certainly, Mr. BRYAN. Is not the gentleman mistaken when he says the bill says he shall have the power to lease? Does not the bill

say that he is authorized, empowered, and directed?

Mr. WILLIS. I was about to explain that a little bit further. I think the gentleman is correct in his quotation. In other words, as I understand this clause, after we have gone ahead and built this railroad at an expense of \$35,000,000, the Government is not to be authorized to operate that railroad unless it is unable to lease it.

Now, my position is that if we are to build a railroad I am utterly and absolutely opposed, after we have built it and paid for it, to leasing it to anybody. [Applause.] I believe the Government should build this railroad and own it and operate it. That is my theory on this matter, and consequently I hope that the amendment that I have referred to will be adopted, which will strike from the bill this clause which practically requires the President of the United States to lease the road after it

shall have been constructed.

Mr. Chairman, I think that there are only two possible ways in which we can open up Alaska. In the first place, there are two different ways in which we may look at this We may say that Alaska ought to be held here undeveloped, its resources untouched, a sort of great storehouse for future generations. The other theory is that we ought to take the immense resources of Alaska and develop them now for the use of the present generation. I am frank to say that it seems to me unwise and undesirable to leave that great empire of untold wealth practically untouched; to leave it there slumbering and awaiting development at the hand of future generations. In other words, I believe that this Congress ought to take some action now that will make it pos-

sible to develop Alaska.

Now, then, it is admitted by all those who are at all acquainted with the situation there that it is utterly impos-

sible to develop Alaska without some means of transportation. Personally, I am of the opinion that it will not be necessary at once to go as far in the construction of railway lines as has been contemplated in this discussion. I think that if the Government will build one railroad reaching from tidewater, say at Seward or Valdez, across somewhere to the great interior valleys—to Fairbanks, for example—that will be sufficient for the present, and this could be done for half the amount provided by this bill. But, however that may be, it is quite apparent that we can not develop Alaska without the construction of a railroad.

Now, if we are to construct railroads, shall we do that by means of subsidies or land grants or directly by the agency of the Government? I am of the opinion that this Government has had sufficient experience in the building of railroads by means of land grants. By that method we pay for the railroad, and then it belongs to somebody else. criticizing the policy that formerly obtained. Perhaps it was a wise policy so far as the transcontinental railroads are concerned. But it seems to me that now the only proper step to take is to pass this bill, amended as I have indicated, and build a railroad in Alaska and develop the great untouched resources of that mighty empire. [Applause.]

The CHAIRMAN. The gentleman from Texas [Mr. HARDY] is recognized.

Mr. HARDY. Mr. Chairman, what I shall say will be an unprepared discussion of this matter. But a few days ago I listened to the full-length discussion of the gentleman from Oklahoma [Mr. Ferris] with great interest, and with the belief, when he was through, that he had spoken the strongest word against the passage of this bill. And yet when he concluded there was this peculiar situation presented by the first part and by the last part of his speech: In the first part of it he succeeded in proving, if you admitted all his statements of fact, that there were no resources in Alaska worth developing, and that therefore the expenditure on the part of the Government of \$35,000,000, if made, would be thrown to the winds or into the sea. Then he wound up by proving, if you took his conclusions as correct, that if the Government would only adopt a proper system of leasing, so as to prevent monopolization, the wealth of Alaska was such that private enterprise would go in and develop it by the building of a railroad.

Now, those were the two contradictory positions which he undertook to sustain, and it just is not humanly logically possible to do it. His remedy and solution of the Alsakan problem was to provide an adequate and a properly restricted system of leasing. That, in his opinion, was the only thing proper to be done, the only thing necessary to do. So far as a proper system of leasing is concerned I thoroughly agree with him as to its desirability, but even he did not attempt to define what kind of a system that might be. Then he took up another question that appeals with peculiar force to many Democrats, and especially to southern Democrats, and that was the question of Government ownership of railroads. With some people it is like shaking a red rag in front of a bull to talk of the Government owning anything but a courthouse and a jail. The fact is, we now own the resources in Alaska. Ninety-five per cent of what is there belongs to the United States Government. If we convert some of it into a railroad, we do not increase the holdings, the ownings of the Government, except that by building the railroads we increase the value of every resource there is in Alaska. It would be commendable and wise for a private owner to develop his inaccessible property by making it accessible and multiplying its value and usefulness manyfold, but in the eyes of the gentleman from Oklahoma and of some others it would be a horrible thing for the Government to do this.

I believe it is true that private capitalists would build those roads if they were given half or much less than half the resources of the country. They would build the roads if you would do as you did when the transcontinental roads were built in continental United States. If you would give them a throttle hold upon the resources of that Territory, they would build the railroads there. They are not so skeptical as the gen-tleman from Oklahoma. They know the country is rich. They know it is worth developing, and if you let them develop it under their sole supervision and domination they will open up her mines, they will take out her coal, they will build her railroads, they will connect them with ship lines, they will transport coal to every part of the United States, and they will even perhaps reduce the price of coal below what we have to pay now for that common necessity coming now mainly from Virginia and Pennsylvania fields. I do not say positively they will reduce the price of coal; that depends on whether they can get control of both sources of supply.

If by some means we can open up a new supply of coal, we shall reduce the price to the consumer, even though we have to give this second source of supply to another combination of capitalists. This reduction of price will at least hold till the combination embraces both sources of supply. If the combina-tion has control of the transportation in Alaska, independent production there will be impossible. But if we can avoid the monopoly and open up that country under a proper system of leases, with freight rates fixed by the reasonable charges of a Government road that will not use the power of monopoly to rob and oppress the people, will you not surely increase the sup-ply of coal and decrease its cost to the consumer? But that is not all

Mr. DAVENPORT. I want to ask the gentleman if he will

vield for a question.

Mr. HARDY. I have very little time; but if the House will be patient, I will yield.
Mr. DAVENPORT. What would the gentleman's position be Mr. DAVENPORT. What would the gentleman's position be on the proposition of constructing a railroad into Alaska, but leaving the more than 1,200 miles of waterways to be controlled by privately owned ships? Will the gentleman vote for the Government construction of a steamship line to run from Seattle. Wash., to Alaska?

Mr. HARDY. The Committee on the Merchant Marine and Fisheries has before it to-day the investigation of the ship combine, which is perhaps the biggest question that the commerce of this world has ever encountered. What we may do in order to untie our hands, unshackle our ankles, and take the yoke from our necks in order that we may not be dominated by an absolute combination of all the ships on the sea, I do not know. That is a great problem for the future. Let us solve these problems one at a time, and let us not give over the mineral treasures of Alaska to what is fast becoming a world-wide transportation combination.

Mr. DAVENPORT. Will the gentleman vote for that propo-tion—for a line of Government-owned ships?

Mr. HARDY. Not under present conditions. If we had this road built by the Government and were trying under proper lease laws to develop Alaska's coal and copper and gold, and shipowners should begin to rob us by charging unreasonable rates, then I would say "yes," because if it comes to a question of whether the Government shall control its carrying facilities or the transportation companies shall control the Government, I am in favor of the former proposition, even though we have to ewn railroads and ships to do it; and I am no railroadownership man, either, though I do not fear it as some of my friends do. The gentleman forgets that in building the Panama Canal the Government bought and used some great freight and passenger ships rather than submit to extortionate prices by our patriotic private-ownership ship lines; and we saved millions by buying these ships, which we still own. But let us see what this whole question is, in calm, cool discussion. We have Alaska. They tell us the population has not increased there. They make this as an argument against this bill.

It is a wonder to me that the population has not decreased, when Irish potatoes, the cheapest bread a man can get there, cost a dollar a pound, according to the gentleman from Okla-Mr. FERRIS talks of developing Alaska under proper How can a man, under any leasing system, take out lease laws. coal and sell it at any price and make enough to pay a dollar a pound for bread or potatoes to live on? That is the result of the transportation system you have there now. That is the condition under which the population has not increased.

As a member of the Committee on the Merchant Marine and Fisheries, I had a little experience connected with Alaska. Somebody introduced a bill to authorize an American citizen to buy a ship-an ice breaker-to traverse the waters in those cold seas, and bring a little cheaper freight rates to the people of Fairbanks and the interior. The ship in question was foreign built. We had no American-built ship suited for the serv-That proposition was fought by another selfish interest. The patriotic American shipbuilders fought it and killed it. did not want these people, who were cut off from the world six months in the year, to have an opportunity, by means of an ice-breaking vessel, to world if they had not built the ship.

TOUNSON of Washington. Will the gentleman yield for

Mr. HARDY.

Mr. JOHNSON of Washington. In regard to the steamship matter—the question asked by the gentleman from Oklahoma [Mr. Davenport]-I want to suggest that the people of my locality-Grays Harbor, Wash.-want to build a steamship to run to Alaska. We have extensive shipyards in that lumber country on the north Pacific coast, and I have a letter in my

hand in which they say that if railroad transportation is opened in Alaska, so that all the people can benefit from that railroad, the people of Grays Harbor, Wash., will build ships and man them and put them into the trade.

Mr. HARDY. That will answer the question of the gentleman from Oklahoma, provided the shipping combine will let that ship live. Whether they will do that or not I do not wish to discuss at this time. But let me proceed with my statement.

The gentleman from Oklahoma and the gentleman from Alaska both show that freight rates are to-day high in that country, being absolutely dominated by a combination of railway companies; that every piece of machinery that may be sent into it for the purpose of developing it costs such rates that none except the syndicate can afford to ship machinery there.

The gentleman from Oklahoma shows that bread costs such prices that the country can not be populated. While we have a country there that might have been greatly developed in the 40 years we have owned it, and might now have had a population of 300,000, and perhaps double that, we only, in fact, have

a little measly population of thirty-odd thousand.

There are three ways of looking at this question in relation to Alaska. We may leave it for our children to say when the doors shall be opened, confessing thereby our inability to handle the question. Another way is to do as we have done in developing other parts of our country in the past-give it over to a private monopoly, the Guggenheims and the Morgans and that class, saying to them, "Enter thou in our stead into this new kingdom of ours; own, dominate, and control it until the children of the present generation, the future inhabitants of Alaska, shall break their chains by repudiating the legislation under which you went into possession." The third way is for the Government of the United States to say, since there is no other solution to the question, we will cut the Gordian knot, we will build the road, knowing full well that its cost will be repaid manyfold by returns from leasing or selling the property that will be developed, and then your children and my children will live to see another Norway and Sweden in this country, full of people and industries, and a thriving, God-serving, American citizenship.

Why, if we wanted an example, Old-World Russia gives it to us. She saw stretching across the far Siberian plain a great country, cold as it was, on the steppes of Asia, where wheat might grow and other agricultural products, and a great people live and prosper, but that country could not develop without

transportation facilities.

It had been a place of exile for criminals. Russia neither confessed her impotency nor gave away her rich domain to private monopoly. Russia concluded that she would build a great rail-way across that land, which the pessimists of this Congress would have declared not worth developing. Russia herself was timid. She started out, as I remember, with a single line of railway. Even this she justified to her people largely as a military necessity. She hoped she might find freight for this single line in products of the country. She hardly completed the first building before she had to build again. She had to double her tracks, and to-day in the Siberian steppes there is the greatest wheat field of the world. I believe when the Government builds this one road little towns will spring up around the railway stations and the mining camps. People will go there and dig the coal, the copper, and gold and redeem little by little the land in the vicinity of each settlement, throw it into truck patches, gardens, and small fields, and in the end they will develop no small agricultural resources. In not many generations we will have there a horde of industrious, intelligent, frugal, deserving citizens of the United States.

It may not be for a long time that it will equal the present population of Sweden and Norway. It may not be that you and I will live long enough to see that, but our children will.

I believe the evidence shows the mineral wealth of Alaska unsurpassed by any part of North America. Her coal is inexhaustible, her copper fields immense, and her gold mines per-haps equal South Africa. When these gold mines are made accessible they will probably give us a product greater than California did and the supply of basic money will be increased. There will be no chance for a contraction of the currency on the diminished supply of gold. The building of this road will in every way help the commerce and the general broad prosperity of this country, and am I, forsooth, simply because I am opposed to Government ownership of railroads, obliged to vote against this great beneficence to the whole American [Applause.]

Mr. HOUSTON. Mr. Chairman, I move that the committee

The motion was agreed to; accordingly the committee rose, and the Speaker having resumed the chair, Mr. HARRISON reported that that committee had had under consideration the bill H. R. 1739, the Alaskan railway bill, and had come to no resolution thereon.

INDIAN APPROPRIATION BILL.

Mr. STEPHENS of Texas, chairman of the Committee on Indian Affairs, by unanimous consent and by direction of that committee, reported the bill (H. R. 12579) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1915 (H. Rept. 199), which, with accompanying papers, was referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. MANN reserved all points of order.

WITHDRAWAL OF PAPERS.

Mr. HART, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, the papers in the case of James Dodds, Sixty-second Congress, no adverse report having been made thereon.

ADDITIONAL DISTRICT JUDGE FOR EASTERN PENNSYLVANIA.

Mr. CLAYTON. Mr. Speaker, some time ago the House disagreed to Senate amendments to the bill H. R. 32 and asked for a conference. On yesterday the Senate agreed to the conference. This is a bill providing for an additional district judge for the eastern district of Pennsylvania. One of the conferees appointed under the House action was the gentleman from North Carolina [Mr. Webb], who is now necessarily absent in Georgia taking testimony in the case of Judge Speer, against whom charges have been preferred.

I therefore ask that some one else be substituted for Mr. Webb, so that the conferees may have a session with the Senate conferees

The SPEAKER. This being Calendar Wednesday, it will take unanimous consent.

Mr. MANN. I suppose the request would take unanimous con-

sent at any time, but no one has any objection.

The SPEAKER. The Chair has a perfect right to appoint

another conferee without asking anyone's consent.

Mr. MANN. Mr. Speaker, it requires a message to the Senate. It requires action by the House. If the House changes the conferees, that fact must be messaged to the Senate.

The SPEAKER. The Chair looked that up yesterday, and he is absolutely certain he could do it; but it does not matter, because the gentleman is asking unanimous consent.

Mr. GARRETT of Tennessee. Mr. Speaker, is there anything in disagreement except that provision that the President shall make public the indorsements of the appointee?

Mr. CLAYTON. Nothing in disagreement, except that the President shall make known the indorsers of the appointee under this bill.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the Senate amendment be agreed to and that the bill be passed.

Mr. MANN. Why, we have instructions of the House that

the Senate amendment shall not be agreed to.

Mr. GARRETT of Tennessee. Does the gentleman object? Mr. MANN. In the absence of my distinguished friend from Indiana [Mr. Cullop] I certainly would not want to take advantage of him at this time of the day.

The SPEAKER. Is there objection to the request of the

gentleman from Tennessee?

I object. Mr. MANN.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none, and the Chair appoints the gentleman from Virginia, Mr. CARLIN, as conferee in the place of Mr. WEBB.

JUDICIARY COMMITTEE SESSIONS.

Mr. CLAYTON, Mr. Speaker, by direction of the Committee on the Judiciary, I ask unanimous consent for the present consideration of the resolution which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 392.

Resolved, That the Committee on the Judiciary be authorized to sit during the sessions of the House.

The SPEAKER. Is there objection?

There was no objection,
The SPEAKER. The question is on the resolution.

The resolution was agreed to.

THE LATE SENATOR SHELBY M. CULLOM.

Mr. GRAHAM of Illinois. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolutions, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 391.

Resolved. That the House has heard with profound sorrow of the death of Hon. Shelby M. Cullom, late a Senator of the United States from the State of Illinois.

Resolved, That the Clerk communicate these resolutions to the family of the deceased.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the resolutions.

The resolutions were agreed to.

ADJOURNMENT.

Then (at 6 o'clock and 18 minutes p. m.), on motion of Mr. Houston, the House adjourned until to-morrow, Thursday, January 29, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting report of rents received from properties located on sites of proposed public buildings, purchased by the United States Government in the city of Washington, D. C. (H. Doc. No. 666), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 11464) granting a pension to Thomas B. Lumpkin, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 12533) to amend section 1 of an act of Congress approved April 9, 1912, entitled "An act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park," and for other purposes"; to the Committee on the Public Lands.

By Mr. TUTTLE: A bill (H. R. 12534) to provide for the erection of a public building in the city of Rahway, N. J.; to

the Committee on Public Buildings and Grounds.

By Mr. LENROOT: A bill (H. R. 12535) authorizing the Secretary of War to deliver to the town of Eagle River, Wis., two condemned bronze or brass cannon; to the Committee on Military Affairs.

By Mr. METZ: A bill (H. R. 12536) to amend the income-tax

section of the tariff law approved October 3, 1913, so as to provide for the payment of the tax by the taxable person and not at the source of income; to the Committee on Ways and Means, By Mr. RAINEY: A bill (H. R. 12537) to amend an act en-

titled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. LANGLEY: A bill (H. R. 12538) to provide for the

survey of a portion of the Licking River, Ky.; to the Committee on Rivers and Harbors.

By Mr. LLOYD: A bill (H. R. 12578) authorizing the Secretary of the Treasury to make an examination of certain claims

of the State of Missouri; to the Committee on Claims. By Mr. STEPHENS of Texas: A bill (H. R. 12579) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1915; to the Committee of the Whole House on the state of the Union.

By Mr. RAINEY: Resolution (H. Res. 390) providing for an investigation of the Keokuk & Hamilton Water Power Co., the Mississippi River Power Co., and companies operating with said companies; to the Committee on Rules.

By the SPEAKER: Memorial from the General Assembly of the State of Rhode Island, protesting against the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions

were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 12539) granting an increase of pension to William L. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12540) granting an increase of pension to Ada Cummins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12541) granting an increase of pension to Nancy J. Culp; to the Committee on Invalid Pensions.

By Mr. ANDERSON: A bill (H. R. 12542) granting an increase of pension to Ormon W. Walsh; to the Committee on

By Mr. BELL of Georgia: A bill (H. R. 12543) granting an increase of pension to Jackson A. Watkins; to the Committee on

By Mr. CARLIN: A bill (H. R. 12544) granting an increase of pension to Anton Humm; to the Committee on Pensions.

Also, a bill (H. R. 12545) granting a pension to Samuel L. Hannon; to the Committee on Pensions.

By Mr. DONOHOE; A bill (H. R. 12546) granting an increase of pension to Mary Shelton; to the Committee on Invalid Pen-

By Mr. FAISON: A bill (H. R. 12547) for the relief of the heirs of Nancy Barfield, deceased; to the Committee on War

By Mr. FORDNEY: A bill (H. R. 12548) granting a pension to Anna Reid; to the Committee on Invalid Pensions.

By Mr. FREAR: A bill (H. R. 12549) granting a pension to James H. Fithian; to the Committee on Invalid Pensions. By Mr. GARDNER: A bill (H. R. 12550) granting a pension

to Frances M. Gooding; to the Committee on Pensions.

Also, a bill (H. R. 12551) granting a pension to Anna F.

Willis; to the Committee on Invalid Pensions.

By Mr. GILLETT: A bill (H. R. 12552) granting an increase of pension to Patrick Beston; to the Committee on Invalid Pensions

By Mr. HAY: A bill (H. R. 12553) granting an increase of pension to Sarah Rebecca Jones; to the Committee on Pensions.

By Mr. HENSLEY: A bill (H. R. 12554) granting an increase of pension to Isabella Cordia; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12555) for the relief of Alfred Birch; to the

Committee on Military Affairs.

By Mr. HOUSTON: A bill (H. R. 12556) granting a pension to Nancy Brent; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 12557) granting a pension to

Lucy M. Cook; to the Committee on Invalid Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 12558) granting an increase of pension to Joseph F. Wheeler; to the Committee on Invalid Pensions.

By Mr. MONTAGUE: A bill (H. R. 12559) for the relief of the legal representatives of the estate of Henry H. Sibley, deceased; to the Committee on Claims.

By Mr. O'BRIEN: A bill (H. R. 12560) granting an increase of pension to John M. Wilson; to the Committee on Invalid Pen-

By Mr. PAYNE; A bill (H. R. 12561) to reimburse the firm of Towlerton, Cuyler & Co., of Lyons, N. Y., for money expended by them in repair of and damage to safe in the United States post office at that place; to the Committee on the Post Office and Post

By Mr. RAUCH: A bill (H. R. 12562) granting an increase of pension to Nathaniel Krauss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12563) granting an increase of pension to

George Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12564) granting an increase of pension to B. Frank Paris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12565) granting an increase of pension to William Henry; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut; A bill (H. R. 12566) for the

relief of John C. Shea; to the Committee on Military Affairs.

By Mr. ROTHERMEL: A bill (H. R. 12567) granting an increase of pension to David Henry; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 12568) granting an increase of pension to Thomas S. Todhunter; to the Committee on Invalid Pensions.

By Mr. SINNOTT: A bill (H. R. 12569) for the relief of C. C. Graham; to the Committee on Claims.

By Mr. SMITH of Maryland: A bill (H. R. 12570) for the relief of Joseph Sedlack; to the Committee on Naval Affairs.

Also, a bill (H. R. 12571) granting a pension to Richard Thomas Lusby; to the Committee on Pensions.

Also, a bill (H. R. 12572) for the relief of Joseph B. Girault, late paymaster's clerk, United States Navy; to the Committee on Naval Affairs

By Mr. SMITH of New York: A bill (H. R. 12573) granting an increase of pension to George C. Chatman; to the Committee on Invalid Pensions.

By Mr. STONE: A bill (H. R. 12574) granting a pension to Mary R. Franklin; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 12575) granting a pension to Edward T. Evans; to the Committee on Pensions.
By Mr. GILMORE: A bill (H. R. 12576) for the relief of

Elizabeth M. Flynn.; to the Committee on Claims. By Mr. SLOAN: A bill (H. R. 12577) granting an increase of pension to Eugene Schilling; to the Committee on Invalid Pen-

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of citizens of Atlantic City, N. J.; Philadelphia, Pa.; Harrisburg, Pa.; Leominster, Mass.; Steubenville, Ohio; Keene, N. H.; Newark, N. J.; Springfield, N. Y.; and New York City, against the immigration

bill; to the Committee on Immigration and Naturalization.

Also (by request), petitions of citizens of Stamford, Conn., and of New York City and Brooklyn, and Biddleford Hebrew Synagogue Association, of Blissford, Me., protesting against the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also (by request), petitions of sundry societies and citizens of Brooklyn and New York; the B'rith Abraham Society of New York; citizens of Newark, N. J., Amesbury, Mass., and Stamford, Conn., protesting against the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also (by request), petitions of citizens of Attleboro, Mass., Union Hill, N. J., Carnegie, Altoona, and Philadelphia, Pa., and Brooklyn and New York protesting against the literacy test in the immigration bill; to the Committee on Immigration and

Also (by request), petitions of citizens of Philadelphia, Hazelton, and Holladaysburg, Pa.; Lewiston, Me.; Bayonne, N. J., and citizens of New York, protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Naturalization.

Also (by request), petitions of citizens and societies in Troy,
N. Y.; Elmira, N. Y.; Bridgeport, Conn.; Burlington, Vt.; Providence, R. I.; Keene, N. H.; Suffern, N. Y.; Albany, N. Y.; Baltimore, Md.; Portsmouth, Va.; Putnam, Conn.; Greater New York and Brooklyn; Tyrone, Pa.; Scranton, Pa.; Philadelphia, Pa.; Steelton, Pa.; Braddock, Pa.; Harrisburg, Pa.; Montrose, Pa.; Windber, Pa.; Paterson, N. J.; Camden, N. J.; Newark,
N. J.; Rochester, N. Y.; Holyoke, Mass.; Leominster, Mass.; and Attleboro, Mass., protesting against the literacy test in the Burnett bill; to the Committee on Immigration and Naturali-

Also (by request), petitions of citizens of New York City, Rutherford, N. J., Washington, D. C., Scranton, Pa., Martins-burg, W. Va., and the First Catholic Slovak Union of America, at Wilkes-Barre, Pa., against the literacy test in the Burnett bill; to the Committee on Immigration and Naturalization.

Also (by request), petition of the George Washington Branch of the American Continental League, of McKeesport, Pa., against the appropriation of funds for the celebration of "One hundred years of peace among English-speaking peoples"; to the Committee on Foreign Affairs.

Also (by request), petitions of citizens of New York, Connecticut, Boston, Mass., Holyoke, Mass., Newark, N. J., North Adams, Mass., and Johnstown, Pa., against the literacy test in the Burnett bill; to the Committee on Immigration and Naturalization.

By Mr. BURKE of Wisconsin: Petitions of organizations of the State of Wisconsin, protesting against the passage of House joint resolution 168, relative to manufacturing, etc., of intoxicating liquors; to the Committee on the Judiciary

Also, memorials of Local No. 875, Brotherhood of Painters, etc. of Watertown, and Lodge No. 234, International Association of Machinists, of Milwaukee, and Local No. 620, International Brotherhood of Electrical Workers, and Brewers' Union No. 277, of Sheboygan, Wis., favoring an investigation into the trouble in the copper regions of Michigan; to the Committee on

Also, memorial of the California State Federation of Labor, favoring the passage of the seamen's bill (S. 136); to the Committee on the Merchant Marine and Fisheries.

By Mr. CARY: Petition of the Workmen's Circle, protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petitions of citizens of Milwaukee, Wis., protesting against the passage of the Sabbath observance bill; to the Committee on the District of Columbia.

By Mr. DANFORTH: Petition of the Merchants' Association of New York City, N. Y., protesting against the passage of the anti-injunction bill (H. R. 1873); to the Committee on the Judi-

By Mr. DIFENDERFER: Petitions of citizens of Pennsylvania, favoring House bill 6060; to the Committee on Immigra-

tion and Naturalization.

Also, petition of Royersford (Pa.) Council, No. 521, Order of Independent Americans, and Southampton Council, No. 946, Order of Independent Americans, favoring House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. DRISCOLL: Petition of the Erie County farm bureau of the Buffalo Chamber of Commerce, favoring the passage of the Smith-Lever bill, relative to appropriation for the State col-

lege of agriculture; to the Committee on Agriculture.

By Mr. EAGAN: Petition of the Federazione delle Società Italiane, of Hoboken, N. J., containing the signatures of the presidents of 18 societies, representing nearly 3,000 members thereof, as well as the individual signatures of about 225 other individuals, protesting against the Burnett literacy-test bill; to the Committee on Immigration and Naturalization.

Also, petition of Reliable Council, No. 159, Junior Order American Mechanics; Chester A. Arthur Circle, No. 12, of Hohoken, N. J., favoring increase in pay of letter carriers on account of parcel post; to the Committee on the Post Office and

Post Roads.

Also, petitions of Kearney Branch Socialist Party of Kearney, and Labor Lyceum Association of Hoboken, N. J., favoring an investigation of strike in mines of Michigan and elsewhere; to the Committee on Rules.

By Mr. EDMONDS: Petition of General Knox Branch of American Continental League of Philadelphia, protesting against the "one hundred years of peace" celebration; to the Committee on Foreign Affairs.

Also, petition of Philadelphia Maritime Exchange, favoring acquisition of Chesapeake & Delaware Canal; to the Committee

on Rivers and Harbors.

By Mr. ESCH: Papers to accompany House bill 12351; to the

Committee on Pensions.

By Mr. GRAHAM of Pennsylvania: Petition of Media Council, Junior Order United American Mechanics, of Delaware County, Pa., favoring the passage of the Burnett immigration bill (H. R. 6060); to the Committee on Immigration and Naturalization.

By Mr. HAY: Papers to accompany bill (H. R. 12553) granting an increase of pension to Sarah Rehna Jones; to the Com-

mittee on Pensions.

By Mr. HAYDEN: Petition of citizens of Arizona against the Sabbath-observance bill; to the Committee on the District of

Also, petitions of Socialist Party of Paradise Valley, Gold Road, Benson, and Yuma, Ariz., favoring Government investiga-tion of strike conditions in Michigan; to the Committee on

By Mr. HINDS: Memorial of Pine Tree Lodge and Star of Maine Lodge, Independent Order B'rith Abraham, protesting against the passage of the Burnett immigration bill; to the Com-

mittee on Immigration and Naturalization. Also, petitions of John P. Sewell and other citizens of Cliff Island, Me., protesting against the passage of the Sabbath observance bill (H. R. 9674); to the Committee on the District of

Columbia Also, memorial of sundry citizens of Portland, Me., protesting against exclusion from the mails of a publication called "The Menace"; to the Committee on the Post Office and Post Roads. By Mr. HULINGS: Petition of citizens of the twenty-eighth

congressional district of Pennsylvania, protesting against the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. JOHNSON of Utah (by request): Petition of citizens of Utah favoring House bill 5308; to the Committee on Ways

and Means.

By Mr. JOHNSON of Washington: Petition of citizens of the second district of Washington, favoring the passage of the pure fabric and leather bill to be introduced by Mr. LINDQUIST; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Rhode Island: Memorial of New England Lodge, No. 292, Independent Order of B'rith Abraham, of Woonsocket, R. I., protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Natu-

Also, petition of Ninth Ward Italo-American Democratic Club, of Providence R. I., against the immigration bill; to the

Committee on Immigration and Naturalization.

By Mr. KEY of Ohio: Memorial of the Farmers' Institute, at Agosta, Ohio, favoring the passage of bill for the prevention of mittee on the Merchant Marine and Fisheries.

hog cholera in United States; to the Committee on Agricul-

By Mr. LEE of Georgia: Papers to accompany a bill (H. R. 12153) granting an increase of pension to Allen Philpot; to the Committee on Pensions.

By Mr. LEWIS of Maryland: Petition of Mountain City Council, Junior Order United American Mechanics, of Frostburg, Md., favoring the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. LINDQUIST: Petition of D. B. Voorheis and others, of Chase and Reed City, Mich., protesting against the passage of the Sabbath day observance bill; to the Committee on the Dis-

trict of Columbia

By Mr. MAHAN: Petition of the German-American Alliance of Connecticut, protesting against the passage of House joint resolution 168, relative to the sale, etc., of intoxicating liquors; to the Committee on the Judiciary.

By Mr. MAHER: Petition of Merchants' Association of New

York, protesting against House bill 1873; to the Committee on

the Judiciary.

Also, petition of Workman's Circle of New York, protesting against the Burnett immigration bill (H. R. 6060); to the Committee on Immigration.

By Mr. METZ: Petition of the Merchants' Association of New York, against House bill 1873; to the Committee on the Ju-

diciary.

By Mr. MOORE: Memorial of board of directors of Maritime Exchange of Philadelphia, Pa., favoring the purchase of the Chesapeake & Delaware Canal by the Government; to the Committee on Rivers and Harbors.

By Mr. PATTEN of New York: Memorial of the Merchants' Association of New York, protesting against the passage of House bill 1873, the anti-injunction bill; to the Committee on

the Judiciary

By Mr. PAYNE: Petitions of citizens of Cayuga and Ontario Counties, N. Y., favoring an amendment to the Constitution of the United States to prohibit the sale, etc., of intoxicating

liquors; to the Committee on the Judiciary.

By Mr. PLUMLEY: Petitions of the Windham County Woman's Christian Temperance Union, the Woman's Christian Temperance Union of Bellows Falls, and Rev. A. B. Enright and 45 others, of Chelsea, Vt., favoring the passage of House bill relative to closing of Panama Exposition gates on Sunday;

to the Committee on Industrial Arts and Expositions.

Also, petition of Albert Fields and 21 others, of Gallups Mills, Essex County, Vt., favoring the passage of the Lindquist pure fabric and leather bill; to the Committee on Interstate and

Foreign Commerce.

Also, petitions of Lucy F. Getty and 33 other ladies of the Grand Army of the Republic of the State of Vermont, favoring a national home for the widows of Civil War veterans; to the

Committee on Military Affairs.

Also, memorial of the Woodstock Socialist Branch; Barre Local, Quarry Workers' International Union of North America; Bethel Branch, I. U. I. N. of N. A.; and Green Mountain Lodge, No. 461, International Association of Machinists, favoring the operation of the mines by the United States Government; to the Committee on Rules.

By Mr. RAKER: Resolutions of Branch No. 60, United National Association of Post Office Clerks, of Oakland, Cal., favoring House bill 5139, providing for the retirement of superannuated post-office employees; to the Committee on the Post Office

and Post Roads.

Also, resolutions of the Federated Trades Council, of Eureka, Cal., favoring House bill 1873; to the Committee on the Judiciary.

Also, resolutions of the Merchants and Manufacturers' As sociation of Oakland, Cal., protesting against House bill 1873; to the Committee on the Judiciary.

Also, letter from the J. K. Armsby Co., of San Francisco, Cal., opposing House bill 9832. relative to cold storage; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the National Orders of Railroad Conductors, Brotherhood of Locomotive Firemen, and Brotherhood of Locomotive Trainmen, opposing the proposed workmen's compensation law; to the Committee on the Judiciary.

Also, letter from the California Retail Harness Dealers' Association, of Oakland, Cal., favoring 1-cent letter postage; to

the Committee on the Post Office and Post Roads.

Also, resolutions of Branch No. 60, United National Association of Post Office Clerks, of Oakland, Cal., favoring full pay to post-office employees during disability received during service; to the Committee on the Post Office and Post Roads.

Also, resolutions of the Watsonville Apple Annual Association, protesting against the passage of the McKellar cold-storage bills (H. R. 9266, 9530, 9987); to the Committee on Interstate and Foreign Commerce,

By Mr. REILLY of Connecticut: Petition of New Haven (Conn.) Lodgé, No. 131, Independent Order B'rith Abraham, protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of George Washington Branch of American Continent League, of New Britain, protesting against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

By Mr. SCULLY: Petitions of America Council, No. 17, Daughters of Liberty, of Belmar, N. J., and other citizens of New Jersey, favoring House bill 6060; to the Committee on Immigration and Naturalization.

Also, petition of citizens of New Jersey, against Senate bill 136; to the Committee on the Merchant Marine and Fisheries.

Also, petitions of Locals Nos. 4 and 17, United Hatters of North America, of Orange, N. J., favoring House bill 1873; to the Committee on the Judiciary.

the Committee on the Judiciary.

By Mr. TOWNER: Petition of citizens of Osceola, Iowa, protesting against the passage of the Sabbath-observance-day bill (H. R. 9674); to the Committee on the District of Columbia.

By Mr. TREADWAY: Petition of Rudpha Shulin Lodge, No. 322, of Holyoke, Mass., in opposition to the Burnett immigration bill; to the Committee on Immigration and Naturalization. By Mr. TUTTLE: Petitions of United Hatters of North

By Mr. TUTTLE: Petitions of United Hatters of North America, Local Union Nos. 4 and 17, and Phoenix Lodge, No. 315, of Orange, and International Association of Machinists, of Elizabeth, N. J., favoring the passage of House bill 1873, antiinjunction bill; to the Committee on the Judiciary.

By Mr. UNDERHILL: Petition of voters of Tompkins County, N. Y., favoring a national prohibition amendment; to the Committee on the Judiciary.

By Mr. WILLIS: Petitions of the Brotherhood of Locomotive Firemen and Enginemen, Order of Railway Conductors, and Brotherhood of Railroad Trainmen, against the enactment of torkmen's compensation law; to the Committee on the Judicians.

By Mr. WILSON of New York: Petitions of the Workmen's Circle, of New York City, and Louis Heywean Lodge 633, Independent Order B'rith Abraham, of Brooklyn, N. Y., protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petitions of 751 citizens of Wrightsville, Pa., favoring the continuance of Free Mail Delivery Service; to the Committee on the Post Office and Post Roads.

SENATE.

THURSDAY, January 29, 1914.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, this day is Thine, in Thy hands. This great Nation is Thine, led out into national life, as we believe, according to some great divine purpose. Thou hast surely had Thy hand upon us for good. Thou dost lead us on to the accomplishment of some wise and blessed design. While we can know but little of Thee, we can not doubt that Thou art mindful of us and that Thou art a rewarder of them that diligently seek Thee. We come to commit ourselves into Thy hands, and pray that more and more we may recognize Thy right to rule in all that we have to do as a Nation.

We remember to-day, our Father, with sad hearts the passing away of one illustrious in life, who in the strength of his manhood was called into leadership of our national life, and for many years a Member of this distinguished body. We thank God for enabling him to pitch his life upon so high a plane and for all of his ministry and influence among us as a Nation. As Thou dost call such men—great and wise and true—into that vast beyond, we pray Thee to lay Thy hand upon others that our Nation may yet press on for the accomplishment of the divine plan and purpose in us. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had appointed Mr. Carlin one of the conferees on the part of the House on the bill (H. R. 32) to provide for the appointment of an additional district judge in and for the eastern district of Pennsylvania, in the place of Mr. Webb.

The message also announced that the House insists upon its amendments to the bill (S. 832) granting pensions and increase Naval Affairs,

of pensions to certain soldiers and sallors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. Adair, Mr. Russelll, and Mr. Langham managers at the conference on the part of the House.

The message further announced that the House insists upon its amendments to the bill (S. S33) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ADAIR, Mr. RUSSELL, and Mr. LANGHAM managers at the conference on the part of the House.

The message also announced that the House insists upon its amendments to the bill (S. 834) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. Adair, Mr. Russell, and Mr. Langham managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented memorials of General Shields Branch, American Continental League; of General Reynolds Branch, American Continental League; of General Israel Putnam Branch, American Continental League; of Martin Van Buren Branch, American Continental League; of the Samuel McAllister Club; and of the County Galway Men's Social and Beneficial Association, all of Philadelphia, in the State of Pennsylvania, and of the Wolfe Tone Association, of River Point, R. I., remonstrating against any appropriation being made for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which were referred to the Committee on Foreign Relations.

Mr. FLETCHER presented resolutions adopted by the Board of Trade of Miami, Fla., favoring an appropriation for the protection, drainage, and reclamation of the overflowed swamp lands of the country, which were referred to the Committee on Agriculture and Forestry.

Mr. BRISTOW presented a memorial of sundry citizens of Shawnee County, Kans., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. SHIVELY presented a petition of Local Union No. 107, American Flint Glass Workers' Union, of Dunkirk, Ind., praying for an investigation into existing conditions in the mining district of Michigan, which was referred to the Committee on Education and Labor.

He also presented a memorial of Ezra Lodge, No. 434, Independent Order of B'rith Abraham, of Indiana Harbor, Ind., and a memorial of Zion Lodge, No. 221, Independent Order of B'rith Abraham, of Indianapolis, Ind., remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which were referred to the Committee on Immigration.

He also presented memorials of sundry citizens of Elwood, Bloomington, and Monroe County, all in the State of Indiana, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia

Mr. NORRIS presented a memorial of the German-American Alliance, of Lincoln, Nebr., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. PERKINS presented a memorial of the Chamber of Commerce of San Jose, Cal., and a memorial of the Chamber of Commerce of San Francisco, Cal., remonstrating against the proposed separation of the Central and Southern Pacific Rall-roads, which were referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Richmond Presbyterian Church, of San Francisco, Cal., and a petition of the congregation of the Methodist Church, of Yolo, Cal., praying for the suspension for one year of the naval programs of the great powers, which were referred to the Committee on Naval Affairs

He also presented a petition of Pacific Council, No. 3, Daughters of Liberty, of San Francisco, Cal., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented a memorial of members of the Turn Verein, of Oakland, Cal., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. McLEAN presented petitions of sundry citizens of Ansonia, Derby, and Shelton, all in the State of Connecticut, praying that an appropriation be made for the construction annually of two new battleships, which were referred to the Committee on Naval Affairs.

He also presented a memorial of the German-American Alliance, of Hartford, Conn., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was

referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Hartford; of Charter Oak Lodge, No. 610, Independent Order of B'rith Abraham, of Hartford; and of Pride of New Britain Lodge, No. 544, Independent Order of B'rith Abraham, New Britain, all in the State of Connecticut, remonstrating against the en-actment of legislation providing an educational test for immigrants to this country, which were referred to the Committee on Immigration.

He also presented resolutions adopted by the Connecticut Retail Jewelers' Association at a meeting held in Hartford, Conn., January 27, 1914, favoring the enactment of legislation providing protection for legitimate dealers from fraud resulting from use of time guaranties on gold-filled watchcases, which were referred to the Committee on Interstate Commerce.

Mr. DU PONT presented memorials of sundry citizens of Elsmere and Wilmington, in the State of Delaware, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. BRANDEGEE presented a memorial of Pride of New Britain Lodge, No. 544, Independent Order of B'rith Abraham, of New Britain, Conn., and a memorial of New Haven Lodge, No. 131, Independent Order of B'rith Abraham, of New Haven, Conn., remonstrating against the enactment of legislation providing an educational test for immigrator to the contract of the contract o viding an educational test for immigrants to this country, which were referred to the Committee on Immigration.

He also presented a memorial of Thomas Jefferson Branch, American Continental League, of Bridgeport, Conn., remonstrating against any appropriation being made for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which was referred to the Committee on English Polystone Foreign Relations.

He also presented resolutions adopted by the Connecticut State Retail Dealers' Association at a meeting held at Hartford, Conn., praying for the enactment of legislation to protect the public and legitimate dealers from frauds resulting from time guaranties on gold-filled watchcases, which were referred to the Committee on Interstate Commerce.

Mr. POMERENE. I present resolutions adopted by the City Council of Columbus, Ohio, which I ask may be printed in the RECORD, without reading, and referred to the Committee on Banking and Currency.

There being no objection, the resolutions were referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

LEGISLATIVE DEPARTMENT, OFFICE OF THE CITY CLERK, Columbus, Ohio, January 5, 1914.

Hon. ATLEE POMERENE, Washington, D. C.

DEAR SIR: At a meeting of the council of the city of Columbus, State of Ohio, held Monday evening, December 29, 1913, the following resolution was adopted:

"Whereas for the year 1912 the city of Columbus paid for interest on bonded debt \$463,583.97 and for sinking-fund purposes the sum of \$322,111.82; and
"Whereas the bonded indebtedness must be greatly increased for flood protection, and the system which demands such an excess of interest is wrong and unjust; and
"Whereas it is the sense of this council that the general system of financing the municipalities of the United States is not on a basis for the best interest and prosperity of these municipalities; and
"Whereas the Congress at Washington may enact laws which will greatly remedy these conditions and make it possible for municipalities to adopt a system of finance that will be economical and not a tribute to the Money Trust: Now therefore be it

"Resolved by the council of the city of Columbus, State of Ohio:
"(a) That the Congress of the United States be urgently requested to
enact legislation necessary to allow municipalities the right to deposit

bonds and other securities in the Treasury of the United States, receiving issue of currency for the same under a system of safeguards and limitation as now controlling such issues through national banks or under such other conditions and limitations as Congress may deem advisable.

visable.

"(b) That a copy of these resolutions be sent to Senator ATLES POMERENE to be presented to the Senate and one to CLEMENT BRUMBAUGH to be presented to the House of Representatives, and that a copy be spread on the journal of this council.

"Dayid T. Logan, "President of Council.

"Attest:

Very truly, yours

"JOHN T. BARR, Clerk."

JOHN T. BARR, Clerk.

RAILROADS IN ALASKA.

Mr. PITTMAN. I have received a telegram from the governor of Alaska, sent to me as chairman of the Committee on Territories, relating to legislation recently enacted for that I ask that the telegram may be printed in the

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

JUNEAU, ALASKA, January 26, 1914.

Hon. Key Pittman,
United States Senate, Washington, D. C.:
Thanks of the people of Alaska due you and other friends in Senate for magnificent work in Territory's interest. Construction railroad will mark beginning of era of marvelous development and industrial progress in Alaska, whose vast storehouses of mineral and other resources will be thus unlocked and added to the national wealth.

Strong, Governor.

AGRICULTURAL CREDIT.

Mr. FLETCHER. On behalf of the United States Commission appointed by the President "to cooperate with the American commission assembled under the auspices of the Southern Commercial Congress to investigate and study in European countries cooperative land-mortgage banks, cooperative rurals credit unions, and similar organizations and institutions devoting their attention to the promotion of agriculture and the betterment of rural conditions," as provided in the act making appropriations for the Department of Agriculture approved March 4, 1913, I respectfully submit its report dealing with the subject of land mortgage or long-term credit. I ask that the

letter of transmittal may be read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the letter of transmittal.

The Secretary read as follows:

[United States Commission "to investigate and study in European countries cooperative land-mortgage banks, cooperative rural-credit unions, and similar organizations and institutions devoting their attention to the promotion of agriculture and the betterment of rural conditions."]

WASHINGTON, D. C., January 29, 1914.

To the Senate and the House of Representatives:

We have the honor to submit herewith Parts I and II of the report of the United States Commission, appointed by the President and authorized by an act approved March 4, 1913, "to investigate and study in European countries cooperative land-mortgage banks, cooperative rural-credit unions, and similar organizations and institutions devoting their attention to the promotion of agriculture and the betterment of rural conditions," and "to submit a report to Congress as early as practicable, embodying the results of its investigations and such recommendations as it may see fit to make." Parts I and II relate to land-mortgage or long-term credit. Part III, relating to personal or short-term credit, will be submitted to Congress at an early date.

onal or snort-term etem, under the date.

The information and evidence relating to agricultural cooperation and rural credit in Europe secured by the United States Commission cooperation with the American Commission assembled under the auspices of the Southern Commercial Congress as provided by law was ordered printed as Senate Document No. 214 on October 20, 1913.

Alespectfully,

DUNCAN U. FLETCHER, Chairman.

DUNCAN U. FLETCHER, Chairman. THOMAS P. GORE. RALPH W. MOSS, Vice Chairman. HARVIE JOEDAN. JOHN LEE COULTER, Secretary. KENYON L. BUTTERFIELD. CLARENCE J. OWENS.

Mr. FLETCHER. I presume the order will be that the report be received and ordered printed.

The VICE PRESIDENT. That action will be taken.

Mr. FLETCHER. I will ask that the report be printed in the Congressional Record. It is a matter of very great importance throughout the country. It is not a very long report, and, while I have asked to have it printed as a document also, it seems to me that it is a matter that would reach wider circulation and be of more value if printed in the RECORD. I therefore ask that the report be printed in the RECORD.

The VICE PRESIDENT. Is there objection to printing the report in the RECORD? The Chair hears none, and it is so or-

The report referred to is as follows:

[Senate Document No. 380, Parts I and II, Sixty-third Congress, second session.1

> AGRICULTURAL CREDIT. PART I .- Introduction.

WASHINGTON, D. C., January 28, 1914.

To the Congress:

To the Congress:

The last paragraph of the act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1914, appreved March 4, 1913, authorized the creation of the United States Commission and defined its duties as follows:

"That the President of the United States shall appoint a commission composed of not more than seven persons, who shall serve without compensation, to cooperate with the American Commission assembled under the auspices of the Southern Commercial Congress to investigate and study in European countries cooperative land-mortgage banks, cooperative rural-credit unions, and similar organizations and institutions devoting their attention to the promotion of agriculture and the betterment of rural conditions; and for the purpose of its investigations the commission shall be authorized to incur and have paid, upon the certificate of its chairman, such expenses in the city of Washington and elsewhere for the payment of the salaries of employees, clerks, stenographers, assistants, and such other necessary expenses as the commission may deem necessary: Provided, That the total expenses incurred for all purposes shall not exceed the sum of \$25,000; and the sala commission shall submit a report to Congress as early as practicable embodying the results of its investigations and such recommendations as it may see fit to make."

In pursuance of the authority conferred on him by this act, President Wilson paned as the manhare of this averagistic.

purposes shall not exceed the sum of \$23,000; and the said commission shall submit a report to Congress as early as practicable embodying the results of its investigations and such recommendations as it may see fit to make."

In pursuance of the authority conferred on him by this act, President Wilson named as the members of this commission:
United States Senator Duncan U. Fletcher, of Florida.
United States Senator Thomas P. Gore, of Oklahoma.
Col. Harvie Jordan, planter, of Atlanta, Ga.
Br. John Lee Coulter, agricultural expert of the Census Bureau, Washington, D. C.
Dr. Kenyon L. Butterfield, president of the Massachusetts Agricultural College, Amherst, Mass.
Dr. Clarence J. Owens, managing director of the Southern Commercial Congress, Washington, D. C.
The members perfected an organization with Senator Duncan U. Fletcher as chairman and Congressman Ralph W. Moss to act as chairman in his absence, and with Dr. John Lee Coulter as secretary.
Complying with the letter of the act, which instructed the commission "to cooperate with the American Commission," five of the members, together with a small clerical staff, sailed for Europe April 26 in company with the members of the American Commission.

While in Europe one or more of the members visited Italy, Hungary, Austria, Russia, Germany, Demmark, Belglum, Holland, France, England, Wales, Scotland, and Ireland.

Engagements were made to consult the leading authorities in each country; and through interviews with all classes—leading authorities, farmers, officers and employees of institutions—reports submitted, and visits to institutions, all types of "land-mortgage banks, cooperative rural-credit unions, and similar organizations, and institutions devoting their attention to the promotion of agriculture and the betterment of rural conditions, and similar organizations, and institutions devoting their attention to the promotion of agriculture and the betterment of commerce, but also by representatives of the Governments in the countries visited and by private cit

States which should and must affect any proposed system of agricultural reform.

Owing to the limited time at its disposal and to the limited appropriation, this commission has devoted its investigation to the question of agricultural credit and to recommending a plan for reform in the methods of financing farmers and farm operations in the United States. Various phases of agricultural reform, including cooperative purchasing, cooperative production and marketing of farm products, and a study of rural conditions have been covered to some extent by this commission and by the American commission, and much of the information secured during the investigation into these matters is reproduced in the public document above referred to as Senate Document No. 214. This commission, however, has confined its report to a consideration of rural credit, to suggestions looking toward the creation of an adequate system of agricultural banks, and to an extension of the facilities offered by existing financial institutions, so as to meet the pressing needs of our farming population.

Agricultural credit naturally divided itself into two great classes, namely, long-term or land-mortgage credit, which may be briefly defined as "credit to meet the capital requirements of the farmer," and short-term or personal credit, which may be defined as "credit to meet the current or annually recurring needs of the farmer." In the European system of agricultural banks the distinction between these two classes of credit is sharply drawn. To meet the requirements of the two classes of organization and operation. These different institutions, however, naturally fouch at many points. They have grown up by a slow process and have been adapted and adjusted to meet conditions as they arose. They still preserve their separate identity, and their operations are largely confined to their separate fields. Whether the conditions in our country demand a segregation of institutions designed to meet both needs, has been a matter of serious consideration and s

furnishing long-term, or land-mortgage, as well as short-term, or personal, credit for farmers is also necessary as a preliminary to reaching any decision on this point.

In considering this question the commission has attempted to define, in the first place, the needs of the American farming population in a financial sense. As noted above, a careful consideration of this point has resulted in its defining these needs as being two in number, as follows:

First. The farmer's capital requirements, by which is meant the

follows:

First. The farmer's capital requirements, by which is meant the need of the farmer for large sums of money to be used in aiding to pay the purchase price of the farm, in improving his farm, such as erecting new farm buildings, draining, irrigating, or clearing, or in equipping the farm so as to bring his operations to the highest state of efficiency.

The money needed for these purposes must be in the shape of a more or less permanent investment, or in the shape of loans extending over such a long period of time that they can be gradually reduced and paid off out of the increased carnings derived from the improvements made or the equipment added by the farmer with the proceeds of such loans. This is generally referred to as long-term or land-mortgage credit.

and paid off out of the increased carnings derived from the improvements made or the equipment added by the farmer with the proceeds of such loans. This is generally referred to as long-term or land-mortgage credit.

Second. The farmer's temporary or annually recurring requirements, by which is meant the money needed by him to finance his operations during the time that the crops are being produced. These temporary requirements recur every year and embrace the financial needs of the farmer for the purpose of preparing the land, sowing and cultivating the crops, and harvesting the same. This is generally referred to as personal or short-term credit. But the short-term credit of the farmer should be distinguished from the short-term credit of the merchant or manufacturer. The merchant requires banking accommodation for 30, 60, or 90 days, during which period he can dispose of the stock acquired and repay the loan; in confrast, the farmer may require short-term credit extending from the time the crops are planted until they are harvested, and this may be fixed approximately at from 90 days to 1 year. After the crops are harvested and stored in a barn, elevator, or warehouse, the need of agricultural banking is largely removed, as the financial handling of the crops so stored then comes under the province of commercial banking. The questions, therefore, to be considered resolve themselves.

The questions, therefore, to be considered resolve themselves in the methods of furnishing for the farmer long-term or land-mortgage credit and short-term or personal credit. For convenience in discussing these two systems of credit, long-term or land-mortgage credit will be hereafter referred to as mortgage credit must necessarily be based on the security of the land owned by the farmer and because such mortgage credit must for convenience be again subdivided into long-term mortgage credit and short-term mortgage credit.

In the opinion of this commission these two general classes of credit must be largely segregated, although

sonal credit.

In the opinion of this commission these two general classes of credit must be largely segregated, although the two systems will naturally touch at many points. Further, in the judgment of this commission, the development of a system of farm-land banks is the most important and the primary step to be taken in order to improve our agricultural-credit conditions. It naturally and necessarily precedes the development of personal credit. The history of European systems has shown that the land-mertgage banks preceded the personal-credit banks. In this country it is urgently necessary to create a land-mortgage security which will be entirely liquid by reason of having a ready market, which will run for a long time, which can be paid off in small annual or semi-annual installments, and which will enable the land-owning farmer to use most advantageously his best banking asset, land, as the basis of credit.

annual installments, and which will enable the land-owning farmer to use most advantageously his best banking asset, land, as the basis of credit.

In this part of the report the problems of mortgage credit will be first considered, since definite recommendations have already been carefully prepared suggesting important national legislation. The problems of personal credit will follow in a separate section of the report to be submitted at an early date.

In discussing the bearing of the experience of the European countries upon this question, special reference may be made to Germany as an illustration, since both systems of credit have attained very great efficiency in that Empire and remarkable results to the farmer have been secured, doubtless to a large extent as a result of the growth of agricultural credit. If space permitted, this comparison could be extended to other countries which were visited by the commission to good advantage, but probably additional and extended comparisons would make this report too voluminous.

In considering the conditions in Germany, as applying to the conditions in the United States, the essential points of difference between the two countries should always be borne in mind. In size the German Empire is about equal to the area of the State of Texas after cutting off from Texas an area as large as the State of Alabama. In population the German Empire contains about 68,000,000 people, or more than two-thirds of the population of the whole United States. In intensive farming the Germans are far ahead of our own farming population, and the average production in Germany has increased greatly, while our average yield per acre has increased but slowly. In Germany the population in a given district is largely homogeneous, and the individual is, so to speak, attached to the soil, the same farms continuing in the same families for generations. In this country such a condition is seldom found. In Germany, on account of the known productivity of each piece of land, the value of that land

PART II .- Land-mortgage or long-term credit.

DESCRIPTION AND ANALYSIS.

Mortgage credit, organized into a special system of banking, has existed in Europe since the reign of Frederick the Great. Beginning in Prussia, this system of banking has grown until mortgage institutions have been organized under authority of law in practically even

European State. Neither in method of organization nor in detail of operation does there exist uniformity in type. The banks of one country doing precisely the same character of business may differ widely from those of another country, and it is possible to find divergent types in successful operation under the laws of the same country. Agricultural conditions do not vary more widely in the different States in our country than do conditions in the several States and Provinces in Europe where these banks have been successfully operated over long periods of time. Therefore, a careful study of European experience with mortgage banks forces the conviction that the basic principles of mortgage banks are well adapted to meet the necessities of American agriculture. It is a question of wisely applying well-established principles rather than of copying methods of organization. organization.

Cand-mortgage bonds: One general principle which underlies all mortgage banks of Europe is the issue of bonds which are based on the collective value or security of many individual mortgages on real estate. It is the merging of the credit demands and the property resources of many individuals, somewhat similarly situated, into one financial transaction. States, municipalities, counties, and other organized communities in the United States have adopted this principle. Public improvements of all kinds are commonly constructed from the proceeds of bonds issued against the total taxable wealth of a political division and are sold in the open markets. These bonds are justly popular and have made possible the construction of many mighty works of civilization.

Similarly, one of the chief advantages which corporate laws have

Public improvements of all kinds are commonly constructed from the proceeds of bonds issued against the total taxable wealth of a political division and are sold in the open markets. These bonds are justly popular and have made possible the construction of many mighty works of civilization.

Similarly, one of the chief advantages which corporate laws have conferred is the cheap credit which the concentration of resources has made possible. For this reason, principale organization have made marvelous growth during the past few decades in the United States.

Hut agriculture is best adapted to individual ownership and management. The laws making possible cheap credit to political communities and to corporations have been of no advantage to agriculture. It is not singular that agriculture should languish in comparison with the store of these other itend the scope of these laws so as to meet the business requirements of farmers whose calling prevents them from adouting corporate methods of transacting business.

Short-term and long-term mortgages and amortization: Mortgage credit is generally divided into short and long term loans. This distinction is based upon the duration of the loan and also upon the method of repaying the principal sum. Short-term loans. This distinction for repaying the principal sum. Short-term loans, the principal being repayable at the maturity of the loan. All loans exceeding five years are classified as long-term loans, the principal sum being repayable in small annual or semiannual payments. The latter method of repayment is technically known as "amortization," The issue of land-mortgage bonds and the method of amortization payments. The latter flow of the principal and the bank scharges thirty-flow one-tundrediths of 1 per cent for administration, then an amortization are the distinctive features of Europa system loans, the principal sum being at pay and the bank charges thirty-flow one-hundredths of 1 per cent for administration, then an amortization. If the prace of the borrower is de

rate on money.

Tax exemptions: To place these collective farm loans at as low a rate of interest as the community is able to secure, the securities must be freed from taxation. This principle has been recognized generally in all legislation authorizing the issuing of bonds based on the taxing power. Both in Federal and in State borrowing such bonds are generally freed from taxation. In the matter of real-estate mortgages, however, this principle is not so generally recognized. In some States mortgages are freed from taxation if the money is loaned at a rate not higher than that specified by the act granting immunity from taxation. In other States only a certain sum is relieved from taxation. In each of these exemptions, the State recognizes that a

low rate of interest on mortgages is in the interest of the general welfare.

low rate of interest on mortgages is in the interest of the general welfare.

It can not be denied that taxation by a State of the mortgage and of the real estate on which the mortgage is predicated is double taxation. A farmer can not with safety go in debt for 60 per cent of the value of improved real estate and pay taxes on both the land and the mortgage. President Taft, in his letter to the governors of our States, asserted that farmers are paying higher interest rates than any other class of business men. It can be asserted with entire confidence that they are also paying a higher taxation in proportion to their property holdings than any other class of citizens. In the Middle West, where land values range from \$100 upward per arcre, if the land be mortgaged for 50 per cent of its value, and if the mortgage is taxed, the debtor owner is investing \$50 per acre and paying interest on \$50 per acre. He is also paying directly the tax on the land and paying indirectly the tax on the mortgage. Under these conditions—rising land values and cumulative taxation—the land is slowly but surely passing away from resident ownership to landlord ownership. Farm tenancy is undenibly on the increase.

cumulative taxation—the land is slowly but surely passing away from resident ownership to landlord ownership. Farm tenancy is undenlably on the increase.

Without a modification of our taxation laws, however, the substitution of the European system of land mortgage will materially increase the possibilities of taxing fictitious values. Under that system the lender and the borrower have no direct relation with each other. The lender creditor does not receive the obligation of the borrower debtor, who issues his obligation—the mortgage—to a bank, and this bank in turn issues a second obligation—the collateral trust bond or land-mortgage bond—to the real creditor, the man who invests his money. If all these values are taxed—the land, the mortgage, and the bond—we will have increased the burden of taxation, which, under present conditions, rests so heavily on the owners of mortgaged real estate.

One of the leading purposes of a rational system of mortgage credits is to enable any honest, industrious agricultural laborer or tenant to acquire, by a part payment of the purchase price, immediate control and ultimate ownership of a tract of land, and thereby check the growing evil of tenancy. At the same time the system should enable any owner of agricultural real estate to secure capital on terms which will enable him to improve his holding and to render his land more productive. In either instance, the terms must be such as 40 prevent temporary crop failure from driving the owner from his farm and from causing the loss of all savings. These are worthy purposes, and they will promote in the largest and best sense the general welfare of our Republic. These ends can not be attained in the highest degree except by a recognition of their public character and a remission of taxation on the paper values which are created, in order to encourage the acquisition of farms by their operators and also the improvement of farm properties. The public retains all real values of property for taxation purposes, and these real values wi

or farms by their operators and also the improvement of farm properties. The public retains all real values of property for taxation purposes, and these real values will be largely enhanced by the investment of large sums of capital which will be attracted to the farms under such legislation.

Land titles, exemptions, and foreclosures: The titles to land, exemptions from execution, and legal processes for foreclosure in default of payment are important considerations in the operation of any system at the control of the control of the payment are important considerations. In the operation of any system at the control of the process of foreclosure. Moreover, these banks usually grant special process of foreclosure. Moreover, these banks usually grant special process of foreclosure. Moreover, these banks usually grant special process of foreclosure. Moreover, these banks usually grant special process of foreclosure. In the principal in small semiannual amounts; but if he neglects or refuses to keep his contracts as to these payments, then he must speedily forfeit his property. There are no long, expensive processes of foreclosure. But in the disposal of property by auction under foreclosure proceedings the creditor takes only the amount of his debt plus foreclosure expenses, the balance of the proceeds of sale being returned to the debtor as his right.

Under our form of government these important matters are under State source of the severelegarity and are subject to State legislation. Every student of State guarantee of title, as, for instance should adopt some system, against the best interest of the general public to have possible legal disputes over the ownership of land. The loss incident to such uncertainty falls primarily on the landowner, but in the end this loss is transferred to the general public, because the food and shelter of the Nation is secured from the soil. It is a recognition of this economic fact which justifies and sustains wise legislation to promote the best interest of agriculture. Europe

this volume to 15 times their resources, which would seem to be a better ratio. At this proportion, banks reported to this commission that they were declaring annual dividends at from 12 per cent to 14 per cent, so that no just complaint can be made on the basis of earnper cent, s

The capital and surplus of the mortgage bank should not be entirely invested in long-term mortgage loans, but should be invested in other securities. The resources of the bank may very properly be advanced in loans for short periods, pending an issue of its collateral trust bonds, or they might be temporarily invested in its own securities. The full success of a mortgage bank can not be assured unless a market is always present for its bonds. The desirability of a security, from an investment standpoint, does not depend wholly on the rate of income; the question of a ready cash market at a fixed value—its convertibility into cash at the will of the holder—is an important feature of an investment. The land-mortgage bond is an invention to render liquid the value of real estate; and, therefore, the bank which issues these collateral trust bonds should be prepared to repurchase them when they are offered on the market. Much of the capital of the bank should be available for this purpose and should not be tied up in long-time loans.

when they are offered on the market. Much of the capital of the bank should be available for this purpose and should not be tied up in long-time loans.

From its nature, mortgage business is distinct from commercial banking. In mortgage banks the money to be loaned is derived from the sale of bonds, and the capital of the bank is to be largely invested in interest-bearing securities. Short-time personal loan business should be avoided or minimized, deposits should be restricted, either in amount or kind. Yet experience has demonstrated that mortgage banks should accept a limited volume of such business. The nature of their business dealings with their clients lead the latter to desire to leave money in their care for short periods and for special purposes. The bank should collect bills, drafts, and other similar paper. Thus, for the convenience of its clients, mortgage banks should be permitted to receive deposits of money, but careful restrictions along this line are desirable.

Type of institution: There can well be honest difference of opinion as to the style of corporation which is best adapted to promote long-time rural credit. European experience can give but little help to solve this question. The oldest form is the landschaft, which is a purely cooperative association of borrowers. Originally the landschaft was a mutual association, in which the borrowers assumed an unlimited mutual liability. A member owning real estate mortgage his lands and was given the amount of his mortgage in landschaft bonds based on the collective value of all the lands of the members of the association. He then sold the landschaft bonds to whatever customer he could find. The association simply issued bonds against a collective security and delivered these bonds to the borrower in exchange for his mortgage, but it gave no assistance to the borrower in either selling the bonds or sustaining their value in the market after the sale. The landschaft was a pure association of borrowers. These bonds, while perfectly sound, were not

surplus funds.

whereas the landschaft do not have share capital and do not declare dividends. Both organizations, however, make profits and accumulate surplus funds.

Landschaft associations can loan only on rural real estate within the Province where they are chartered, whereas joint-stock banks loan on both urban and rural property. Both types are in successful operation, and, in our opinion, either type can be successfully operated in different parts of this country with varying degrees of success.

We recommend, however, as best suited to our people, a bank with a foundation share capital limited to loans on agricultural real estate within a circumscribed area. The minimum capital should not be less than \$10,000, with compulsory increase, either by accumulation of surplus funds or sale of capital stock in proportion to the increase in the volume of its business.

Cooperative banks: The general spread of cooperation among the farmers of the United States should be fully recognized and every opportunity should be given for the growth of these cooperative principles. In the judgment of the commission, any legislation providing for the establishment of land-mortgage banks should authorize the establishment of force all institutions into one form would probably fail. There should, however, be no differences in the methods of doing business, the only difference being in the form of organization.

Both types of institutions should without doubt be required to have a foundation capital. Even the landschaften have, during the last quarter of a century, found it advantageous to have landschaft banks organized as sister institutions. This follows American practice in business generally, since even farmers' cooperative societies almost uniformly start with at least a small share capital.

The American people are so thoroughly accustomed to the principle of double liability that no attempt could advantageously be made to reduce it. Mortgage banks organized by farmers are likely to be small at first in many parts of the country, and fo

while in other banks each share of stock would have one vote; (3) in order to banks, after a small rate of interest had been paid, the results of the paid of the

commercial stocks and bonds. Frem English consols have declined from 113 in 1896 to 90 in 1912. Other prominent commercial securities have recorded an even wider range in price. No such variation in price can be found in any series of mortgage bonds which were issued under Government regulation.

Such securities justin merit a wide investment field on account of extending a generous recognition to these bonds, because they are issued to ald and develop agriculture. All commercial banks, savings banks, insurance companies, and other like institutions should be permitted and can develop agriculture. All commercial banks, savings banks, insurance companies, and other like institutions should be permitted and cancer and the saving of the control of t

INTERPRETATION OF LEGISLATION SUGGESTED OR A STATEMENT OF THE CONSIDERATIONS WHICH HAVE LED THE COMMISSION TO SUGGEST THE BILL SUBMITTED HEREWITH.

GENERAL STATEMENT.

As indicated in the discussion contained in this report, the commission was confronted from the beginning with several questions, fundamental in their character and requiring decision before any definite plan could be agreed on.

MORTGAGE CREDIT AND PERSONAL CREDIT.

Foremost among these was the question as to whether any system of banking could properly provide for the needs of both mortgage and personal credit or whether it should be limited to the former. Some of the members of the commission were at first strongly imbued with the idea that both phases of the problem should be combined in any proposed legislation. A bill looking toward this end had been introduced in the Senate by one of the members of the commission, and this bill received the most careful consideration. But, after a more careful and thorough study of the two problems, the commission decided to draft a bill dealing exclusively with mortgage credit, and that the requirements of personal credit could be more suitably met by a separate measure.

The commercial banking system, as outlined in the Federal reserve act, is essentially a system designed to meet short-time credit requirements. Unquestionably, the commercial banking bill recently adopted will largely extend the facilities now afforded for stable condition in banking, for an avoldance of the panics which have heretofore threatened our whole financial structure, and, through the system of rediscounting provided, will provide for an increase or decrease in the volume of our currency to correspond with the requirements of business.

These provisions will benefit the farmer as well as the other great industrial classes of the country; and while it would seem that many of the requirements of the farmer could not be provided for in a pure system of commercial banking, yet it was felt that with the changes in the commercial banking system the needs of the farmers would be partially met, while those not specifically covered in that system could be best dealt with through additional legislation.

CENTRAL BANK V. INDEPENDENT BANKS.

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A second great question which confronted the commission was the question as to whether it should recommend a central bank, which alone should issue land-bank bonds based on mortgages guaranteed by local institutions and forwarded to the central bank. The arguments in favor of such an institution were elaborately presented and carefully considered. It was urged, with great force, before the commission that a single central bank of issue, having a large capital and alone emitting land-bank bonds, would create a confidence in the investing public which would tend to improve the market for mortgage loans, which would standardize the farm bond as an investment, and which would in many ways redound to the interest of the farmer. The plan of creating a number of small banks, limited in their operations to subdivisions of the State, controlled and operated by local people, paying restricted dividends, and ultimately becoming mutualized, was worked out in detail and carefully considered. The plan of having these institutions guarantee the mortgage loans made in the community and of forwarding them through a State institution owned by these small local institutions (and which, in turn, would guarantee such mortgages) up to a national institution, which alone should issue land-bank bonds, was fully considered. The advantages and disadvantages of such a plan were thought to be worthy of such serious consideration that a bill outlining this method and providing for every detail of the operation of such banks in connection with mortgage credit was drawn up and fully discussed.

But, after a most careful consideration of this suggested plan, the commission was convinced that this was not the best system. Recognizing the public sentiment which seems to exist against a central institution in any banking proposition, and yet feeling that the matter merited the fullest consideration on its merits, the commission gave to it the most careful study. As a result it became convinced that the system

ADVANTAGES OF INDEPENDENT BANKS.

AS against the central bank idea, the bill suggested by the commission affords competitive banking. It is founded on American models. It is based, to a large extent, on the plan of our national banking system, changed as the commission deemed wise to overcome the difficulties which had heretofore been shown to attach to the national banking plan. Under the provisions of this bill any 10 people can organize a separate and independent bank with a minimum capital, with a fixed ratio between that capital and the volume of land-bank bonds which the banks may issue, and with an area of operations as wide as the State in which they are organized. Competition is invited in the organization of such institutions. The right to organize such institutions is given to everyone, and the greatest latitude in operation is afforded that is thought to be consistent with soundness and safety.

The commission recognized that mortgage credit deals of necessity with land; that the laws affecting land are State laws; that there are 48 States in the United States in which the laws governing conveyancing, registration, foreclosure, exemption, taxation, and other subjects relating particularly to land are under State control and differ in various particulars. It recognized that while the Federal Government might exercise supervision over the land-bank bonds issued by banks organized under Federal charter, yet the problem must of necessity be largely controlled by State laws and State requirements. It believed that every latitude should be allowed to enable the incorporators of such a bank to meet these local conditions, provided that a strict Federal supervision over issues of land-bank bonds and over the rules governing such banks which were not affected by specific State laws was adequately provided for. RECOMMEND FEDERAL CHARTERS WITH OPERATIONS LIMITED TO STATE AREA.

In consequence the commission has concluded that, while competitive banking should be encouraged, yet the loans of each bank should be limited to one State. The land-bank bonds issued by such a bank, based on mortgages or deeds of trust upon lands in a single State, where the general provisions regarding conveyancing, registration, fore-closure, taxation, exemption, etc., are the same, would form an ideal kind of investment at home and abroad.

That it would be unwise to extend the area of loan operations of a single bank beyond the confidence of a given State must be apparent. In order to secure the confidence of the investing public, the mortgages or deeds of trust held by the banks issuing them as a security for their land-bank bonds must be governed by the same general laws. It would tend to destroy the confidence of the investor if he should feel that these mortgages were subject in part to the laws of one State and in part to a differing set of laws of a different State. It is obvious that the land-bank bonds of the banks issuing them should be based on mortgages or deeds of trust which are similar, certainly in so far as these fundamentals are concerned.

VARYING INTEREST RATES IN DIFFERENT STATES.

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The commission also recognized that conditions in the various States are different, that the rates of interest paid for money vary in different localities between large extremes, and that the legislatures of the various States have recognized these varying interest rates by establishing widely varying legal rates of interest on loans. In one State the legal rate will be 6 per cent, while in another State it may be as high as 10 per cent, but the same legal rate exists all over a given State.

In view of this it could hardly be hoped that the land-bank bonds sold by a bank and based on mortgages in a State where the legal rate

was 10 per cent could be sold on the same basis as similar bonds issued by a bank against mortgages in a State where the legal rate of interest was 6 per cent. The problem in some of its phases remains, and must remain, a State problem, owing to our dual system of government. Obviously, any attempt to force by Federal legislation one rate of interest in all the States would be futile. The law of demand and supply will control these rates, and legislation which attempted to enforce a single rate all over the country would result in making it difficult to sell land-bank bonds issued in a State where the current interest rates were higher than those attempted to be enforced through such legislation. On the other hand, once the system of national farmland banks is in operation in the various States under Federal law and the bonds are recognized as safe investments, the tendency would be to reach not only a common but a lower level of interest rates.

COMPETITIVE BANKING THE SOLUTION.

A full consideration of these and many other phases of the problem convinced the commission that the proper method of meeting these various conditions was to authorize competitive banking and to permit a given number of men in any State to organize a banking institution, with power to act within that State and subject to Federal control—mainly in the way of supervision and an enforcement of regulations—so as to prevent the misuse of the powers granted. Under the bill proposed any number of banks may be organized in a given State. Each bank can extend its operations over the whole or any part of the State. The amount of land-bank bonds which may be issued by the bank is fixed at a sum not to exceed fifteen times its capital and surplus, so that the maximum ratio between the capital and surplus on the one hand and the outstanding obligations on the other is maintained. Thereby the percentage of reserve held against these obligations, over and above the real estate security, is the same for the small bank as for the large bank, thus enabling the small bank to compete with the large bank in the sale of the land-bank bonds issued by it and based on real estate loans.

INDEPENDENT BANKS SUITED TO AMERICAN EXPERIENCE,

Moreover, the commission became strongly convinced that the individual institution is best suited to the American people, and that the exercise of governmental activities should be largely confined to a rigid supervision, after allowing the widest latitude to individual effort and initiative. Permission to organize separate and distinct institutions with a limitation as to the minimum amount of capital, with a fixed maximum ratio between capital and outstanding land-bank bonds, and with a careful Federal supervision seemed to be better suited to American methods of procedure and to American experience in banking than would a centralized bank which alone should issue and market landbank bonds based on mortgage loans.

THE SYSTEM PROPOSED PROTECTS THE BORROWER, YET ATTRACTS CAPITAL.

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The banks provided for under the bill suggested by the commission will attract the investment of capital, because of the adequate and ample returns which that capital can obtain. On the other hand, the borrower is fully protected, because the amount of interest which the bank can charge the borrower is limited to 1 per cent more than the bank pays on its land-bank bonds. The administrative charges of the bank are confined to a given maximum. In these and other ways, the bank is prevented from taking advantage of the borrower and must content itself with a reasonable profit on each individual transaction; while, on the other hand, the volume of the transactions permitted is sufficiently large to provide a reasonable return on the money invested in the bank. The borrower, in case of falling interest rates, has the privilege of paying off his loan, so as to take advantage of such reduced interest charges; and the whole system is designed primarily in the interest of the farmer, and secondarily so as to offer a return on the capital invested, which will justify and bring about the establishment of these banks in all parts of our country and the investment of money in these institutions.

COOPERATIVE INSTITUTIONS ALSO AUTHORIZED.

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While the commission did not believe that the pure Landschaft as originally organized in Germany, or even the modified Landschaft as it now exists in that country, was suited to the conditions and requirements of the American people, it yet recognized the value of cooperative effort and the wisdom of permitting cooperative institutions to be organized. In consequence, provision is made in the bill for the organization of banks on a cooperative basis wherever desired. In such cases the general principles of cooperation become applicable to institutions working under this plan, and they cease to be purely private money-making organizations.

GOVERNMENT FINANCIAL AID UNWISE AND UNNECESSARY.

GOVERNMENT FINANCIAL AID UNWISE AND UNNECESSARY.

In considering the question of the establishment of institutions under Federal charter, naturally the question of Government ald came under discussion. The commission, from the beginning, has been convinced that not only was Government ald unnecessary, but that it would be unwise. The farmers of the country do not desire any special privileges, and the idea of special privilege is, moreover, antagonistic to the spirit of our institutions. Government subvention is not needed. The security of our farms, the value of which is reported to be over \$40,000,000,000 and yielding an annual product of the gross value approaching \$10,000,000,000, is ample for the creation of a liquid security, which will be readily accepted by investors and which will enable the farmer to use his asset of land as readily as the merchant uses his stock of goods. The farmer needs no special privilege and wants no special privilege, and none should be extended to him.

BUT NO DISCRIMINATION SHOULD BE MADE AGAINST FARM BANKS.

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BUT NO DISCRIMINATION SHOULD BE MADE AGAINST FARM BANKS. While this is true, the commission believes that it is equally true that there should be no discrimination against the farmer, or against the bond issued on the security of his land. Inasmuch as the basis of our national wealth lies in the farms, the commission has felt that landbank bonds created under this act should be recognized as being of the same class and as entitled to the same standing as the very highest grade of railroad or industrial bonds.

LAND-BANK BONDS A PROPER INVESTMENT FOR SAVINGS.

The greatest accumulations of money in this country are to-day contained in the mutual savings banks, in the great insurance companies, and in our commercial banks. The commission has, therefore, provided that the land-bank bonds, proposed to be issued by the banks organized under this act, should be placed in the same class with the highest grade of railroad and industrial bonds, and should be made available as legal investments for all classes of savings and for insurance reserves.

serves.

It has also recognized that these land-bank bonds, based on farm lands at 50 per cent of their value, are essentially an investment for

trust funds and for postal savings deposits, and has provided for legalizing their use as an investment for trust funds under the charge of the courts, and for the savings of the people at large, as evidenced by the postal savings deposits. The commission has attempted to place these bonds, when issued under Federal supervision by banks created under a Federal act, in the class of the very best investment securities. It has attempted to encourage their acceptance by the general public and by the average investor, through the plan of having them officially recognized—as they should be—as a legal investment for savings, for insurance reserves, for the money of widows and orphans controlled by the courts, and for all those funds around the investment of which the greatest and most rigid safeguards are thrown.

THE CONTROLLING ARGUMENT IN FAVOR OF FEDERAL INCORPORATION.

And it is just have that one of the greatest advantages of Federal

And it is just here that one of the greatest advantages of Federal incorporation is shown. As heretofore stated, our 48 State sovereign-ties represent a large number of differing methods of conveyancing, registration, foreclosure, taxation, and exemption. The difficulty of securing uniformity of laws in these respects is obvious. The efforts that have heretofore been made to secure uniformity in laws governing negotiable instruments, in divorce laws, and in other directions, have shown that it is at best a slow process, and that, however wise the proposed legislation may be, it is extremely difficult to arouse the people to the necessity of prompt action.

FEDERAL INCORPORATION WILL HASTEN AND ENCOURAGE UNIFORM STATE LEGISLATION—OTHER ADVANTAGES.

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But, through a Federal incorporation of farm-land banks, it would seem that this problem can be greatly simplified. The bill provides that any 10 persons can organize such a bank in a given State. It authorizes the banks so organized to issue land-bank bonds against mortgages in that State. It gives to every such bank organized the same general powers and makes them subject to the same general restrictions. But it goes further and provides that the supervisory officer of the Federal Government may, by general rules, permit the land-bank bonds issued by such banks to be used (1) as security for the deposit of postal savings funds, or (2) as a legal investment for funds accumulated as time deposits in national banking associations, or (3) as a legal investment for trust funds under the charge of United States courts, or in other ways, provided (1) the laws governing registration, conveyancing, and foreclosure are simplified, or (2) provided exemptions as regards farm mortgages are abolished, or (3) provided such land-bank bonds are made available as legal investments for savings funds, insurance reserves, and trust funds in that State. The object of these provisions is to encourage the passage of laws which will bring about uniformity in State methods of conveyancing, registration, foreclosure, taxation, and exemptions, and which will induce the States themselves to recognize these land-bank bonds as legal investments for savings-bank funds and trust funds under their control, thereby fixing their status as high-class investment securities.

EXEMPTION FROM TAXATION.

thereby fixing their status as high-class investment securities.

EXEMPTION FROM TAXATION.

Finally the commission has recognized that, in order that the farmer shall get the benefit of the lowest interest rates, these land-bank bonds, as well as the mortgages or deeds of trust held by the banks as security for the same, must be exempted from taxation. It will be conceded that the tax upon a mortgage ultimately comes out of the borrower, either directly or in the shape of an increased interest rate on the loan. The proposed securities are based on land, and land is the one asset which is always taxed and which can not evade taxation. The farmer must pay his proportion of governmental charges, because his land is always there and the assessor can always reach it. The Federal Government has no control over this tax on land and does not attempt to control it. But it is recognized that a tax on the mortgage created by the farmer upon this land or a tax upon the land-bank bond issued by the farmer in the shape of increased interest charges. As an essential to the carrying out of any reform which will meet the farmer's requirements, this species of double taxation must be done away with. Consequently, the bill provides for the exemption from taxation not only of the capital stock of the banks to be so organized, but also of all the mortgages and deeds of trust held by the bank and of all the land-bank bonds issued by the bank against such mortgages and deeds of trust. In exempting the capital of the bank from taxation, the bill follows the Federal reserve act, on the theory that the same privilege in this respect should be extended to agricultural banks as to commercial banks. And in exempting from taxation the mortgages and deeds of trust, and the land-bank bonds issued against the same, the commission has recognized that such a tax is simply an additional charge against the farmer who has already paid the direct tax on his land. It will be impossible to secure money for the farmer on the best terms unless and until

DETAILED REVIEW OF THE BILL.

Section 1 creates a short title, which is essentially descriptive, and which indicates the principal object of the bill.

Section 2 creates a bureau in the Treasury Department for supervising the operations of these banks. The bureau is to be headed by a commissioner of farm-land banks, whose position and duties largely correspond to those of the Comptroller of the Currency in commercial banking. The commissioner of farm-land banks is under the direction of the Secretary of the Treasury.

Section 3 provides for the appointment, the term of office, and the salary of the commissioner of farm-land banks, which in general correspond with the provides for the cath to be taken and the bond to be given by the commissioner of farm-land banks.

Section 4 provides for the appointment, the duties, the oath, and bond of a deputy commissioner of farm-land banks.

Section 5 provides for the seal of office.

Section 6 provides for the seal of office.

Section 7 prohibits the commissioner, the deputy commissioner, or any clerk from being interested in any farm-land bank. The wisdom of a prohibition of this kind is apparent, when this bureau is to supervise the operations of such banks.

Section 8 provides for the making by the commissioner of an annual report to Congress, and specifies what such report shall contain.

Section 9 provides for the adoption by the Secretary of the Treasury of the plans, rules, and regulations to govern the bureau of farm-land banks and requires their enforcement by the commissioner.

Section 10 gives to the commissioner to issue charters to national farm-land banks and to withdraw or forfeit such charters or

Inquidate such banks whenever necessary (in accordance with the rules of the burean) and to exercise supervision and control over, and make Section II authorizes the commissioner, by general rules approved by the Secretary of the Treasury, to specify the conditions under which certain privileges control gives to the commissioner the power to lay down seneral rules by compilance with which these privileges may be secured. The privileges themselves are more fully specified leges is to bring about a uniformity in State laws governing convenience, the commissioner is given and foreclosure and to secure recognition of the commissioner is given the power to specify when such rules shall go into effect. Section 11 simply confers this power upon the commissioner is given the power to specify when such rules shall go into effect. Section 11 simply confers this power upon the commissioner is given the power to specify when such rules shall go into effect. Section 11 simply confers this power upon the commissioner is given the power to specify when such rules shall go into effect. Section 11 simply confers this power upon the commissioner is provides for the publishing by the commissioner, with the approval of the Secretary of the Treasury, of the amortization principles in all long-term mortgage loans. By this means the loans will be paid of in small curly not unificiently conversant with this matter to correct any error in amortization tables which in the provision is in the interest of both the borrower and of the banks. It assures to the landowner and to the purchaser of the banks. The provision is in the interest of both the borrower and of the banks. It assures to the landowner and to the purchaser of the banks. It assures to the landowner and to the purchaser of the banks. It assures to the landowner and to the purchaser of the banks. The provision is in the interest of both the borrower and of the banks. The provision for the organization of national banks under the national banking act.

The provision of the purc

the reason that many farming communities which would desire to take out charters under this act would be unable to provide this amount of capital. On the other hand, the commission recognized the necessity of careful and adequate supervision by the Government, and did not wish to create institutions so small that the burden and cost of examination and supervision would be proportionately too great. The amount of \$10,000 was finally arrived at as the wise minimum under the circumstances.

stances.

Fourth. That the names, residences, and number of shares of stock-holders shall be shown, as in the case of national banking associations, so that the double liability hereinafter provided may be enforced when

necessary.

Fifth, That the certificate is made for the purpose of organizing a national farm-land bank.

Section 15 provides for the method of acknowledging and preserving the organization certificate.

Fifth. That the certificate is made for the purpose of organizing a national farm-land bank.

Section 15 provides for the method of acknowledging and preserving the organization certificate.

Section 16 defines the general powers of national farm-land banks. This includes the usual and ordinary powers of similar corporations. The period of duration and ordinary powers of similar corporations. The period of duration and ordinary powers of similar corporations. The period of duration and ordinary powers of similar corporations. The period of duration and ordinary powers of similar corporations. The period of duration and ordinary powers at the period of creditors are not thereby affected. Provision is made at the rights of creditors are not thereby affected. Provision is made at the rights of creditors are not appeared to the provision that certain specific powers are given to such farm-land banks, with the provision that certain specific powers shall appertain to each such bank. In these specific powers are outlined the distinguishing characteristics of farm-land banks as distinguished from commercial banks. Among these powers are:

(a) The power to accept deposits only to the extent of 50 per cent of their capital and surplus. The farm-land banks are not Intended to do a commercial banking business. The great volume of commercial banking business is based on the deposits in the commercial banks. Deposits are not a proper basis for mortgage loans, because deposits, being payable within a short time or on demand, are not suitable for investment in bonds maturing from 5 to 35 years from their date.

On the other hand, in making farm loans on mortgages, these banks will undoubtedly frequently have to hold as a deposit the money so loaned. Moreover, in carrying on a business incidental to farm-land banks and are in accord with the general rules governing land banks the commission considered very carefully the question with commercial banks and are in accord with the general rules governing land banks the commission

These provisions are:

(1) That such loans be made for not more than 35 years. In some of the European countries the loans run for a longer term, sometimes as long as 75 years. It is fundamental that the longer the loan at a given rate of interest, the smaller the amortization payment. On the other hand, it was ascertained that in some of the countries where these very long time loans prevail the unwisdom of the course was recognized and efforts were being made to provide for the repayment of the loans within a generation, by attaching to the loans life insurance policies payable on the death of the borrower. The wisdom of extending a large volume of farm loans as a burden upon succeeding generations is at least questionable. The commissioners believed that the American people would not approve of the creation of a large body of farm loans running over two or three generations before maturity. They, moreover, were convinced that the reduction in the amount of amortization payments, in the case of a very long time loan was not sufficiently great to justify the burdening of future generations with such a debt, and that the American people could easily meet their farm mortgages within a period not greater than 35 years on the amortization principle, and that the earnings of the farmers would justify this shorter term. An examination of amortization tables seemed conclusive that the term of 35 years gives ample time for the repayment of these loans at a rate of amortization which the American farmer can readily meet.

meet.

(2) That all farm-mortgage loans shall be on first mortgages and that second and third mortgage loans are prohibited. This serves to insure to the investor that the national land-bank bond purchased by him is secured by an absolute first mortgage on farm lands. With this assurance the national land-bank bonds will sell on better terms, with resultant benefit to the borrowing farmer.

(3) Almost any institution can be used for purposes not intended by those who organize it. Every effort, however, should be made to restrict abuses wherever possible. In order that the institutions provided in the bill may not be used successfully by those whose principal purpose is to speculate, certain limitations have been made as to the use of the loans. No farmer interested in the upbuilding of agriculture and the extension of production will desire to negotiate a loan except to complete the purchase price of agricultural lands mortgaged, or to improve

and equip his farm in order to extend agricultural production, or in order to refund contratanding mortgages.

The proved farm lands or 40 per cent of other lands, the value to be determined by an appraisal. This proportion was arrived at after a careful conditions. Moreover, the proportions used follow those in reference to loans on farm lands provided in the Federal reserve act.

(5) That every such farm-mortgage loans all contraction. The investor in the antional land-bank bond will know that every mortgage led by the bank of issue contains a mandatory provision for amortive land of the land of t

are credited as each payment falls due, the debt must be wiped out

are credited as each payment falls due, the debt must be wiped out at its maturity.

This section also provides that the land-bank bonds must be refired as the amortization payments are made, and thereby the amount of national land-bank bonds outstanding is always kept at a parity with the mortgages held as security for them.

(3) That the mortgages held as security for national land-bank bonds shall be in the joint possession of the bank and of the special cuch nortgages shall be kept by the bank; and that the register of only be made with the approval of the Federal fluidiary agent. This provision is essential and throws the greatest safeguard around the operations of the bank. A specific Government agent is given joint possession with the bank of the mortgages securing the national land-bank bonds and is given control over the registry of such mortgages. The necessity and widom of this provision are obvious, as this insures the necessary of the provision are obvious, as this insures the necessary of the securities on which the national land-bank bonds are based.

(6) That no national land-bank bond shall be issued against any mortgage running for less than five years. The reasons for this have been fully explained above.

(a) The fourth specific power of the national farm-land bank is the power to use its capital, surplus, and deposits as a revolving fund secure the mortgage and thereafter to issue its national land-bank bonds against the same. This provision gives the bank the working capital with which to conduct its operations. Moreover, the bank is authorized to use this same fund to buy in temporarily its national land-bank bonds, so as to maintain the price of the same.

It is obvious that these national land-bank bonds will undoubtedly deprecate in times of deposits, and as subsequently to sell them again, thereby maintaining the market. This is a most important provision, for unless the market is maintained the bonds will undoubtedly deprecate in times of deposits, and every market to purchase tempor

vided.

The commission believes that to a large extent future development of rural banking will proceed along lines of cooperation. We have therefore extended the powers of the proposed national farm-land banks, cooperative, so as to permit these institutions to do a full banking business, under the laws of the United States, exclusively for their own membership. This provision, were it enacted into law, will not confer the advantages of an unlimited Federal charter but it will give great encouragement and opportunity to the development of cooperative business organization among farmers. It is presented by the commission as being the smallest advance which should be granted by the Federal Government at this moment to this new movement in the rural life of our Nation. as being the Government our Nation.

SPECIFIC LIMITATIONS UPON FARM-LAND BANKS.

SPECIFIC LIMITATIONS UPON FARM-LAND BANKS.

There are contained in this bill four specific limitations imposed upovery national farm-land bank. These are more particularly as follows:

(a) The amount of national land-bank bonds that may be issued and outstanding at any one time must not exceed 15 times the capital and accumulated surplus of the bank.

The whole theory of the farm-land bank is based upon a use of its credit rather than of its cash resources. The commercial bank does its business on the basis of its cash resources or of its deposits. It does not use its credit except to a very limited extent. As an illustration, no national banking association is allowed to execute a pure contract of guaranty. But the farm-land bank primarily uses its credit rather than its cash resources, and consequently some limitation must be put upon this use of its credit.

In Europe some of the land banks have been allowed to issue collateral trust bonds to the extent of 20 times their capital and surplus; but the general trend is toward a reduction, and the best thought on the subject seems to indicate that 15 times the capital and surplus will represent a fair amount of collateral trust bonds to be issued by the bank. This means that against the national land-bank bonds issued by the bank there are deposited in the joint custody of the bank and of the Federal fiduciary agent first mortgages on farm lands at not to exceed 50 per cent of their appraised value to an amount equal to the face value of the national land-bank bonds issued, and that the

farm-land bank, in addition, holds in the shape of capital or surplus \$1 in cash or in quick assets for every \$15 of national land-bank bonds outstanding.

(b) The charges of administration imposed upon the borrower shall not exceed an annual charge of 1 per cent upon the amount unpaid on the loan. This limitation is in the interest of the farmer as a borrower. It fixes the charge which can be made by the bank for handling the loan at not exceeding 1 per cent of the loan. This 1 per cent is not 1 per cent of the original loan, but 1 per cent of the amount unpaid on the loan. As heretofore explained, this 1 per cent represents the excess of interest charged the farmer over the rate of interest put by the bank on its national land-bank bonds. It must cover the entire profits of the bank in the transaction, though, of course, the amortization payment for the retirement of the principal of the debt is in addition to this amount.

(c) The periodic payments by the borrower must be sufficient in all cases to pay the interest charge upon the loan, to cover the administration charge of the bank, and to include an amortization payment sufficient to retire and pay off the amount of the principal borrowed at its maturity. If a farm-land bank can sell its 4 per cent national landbank bonds at par, then the farmer wishing to borrow from the bank \$1,000 can be charged by the bank the rate paid by it, namely, 4 per cent plus 1 per cent to cover charges of administration and the profits of the bank plus an amount which will be sufficient to retire the loan at maturity. If the loan ran for 30 years, for illustration, the payment of 1 per cent per year or less would be sufficient to pay off the principal within that time, and in the case suggested the farmer by paying \$30 every 6 months would be able to pay the interest on the loan and wipe out the loan by the end of the 30 years. Every loan must provide for these three specific items—namely, interest, administration charges, and amortization bayments.

(d) The wisdom of the prov

HOLDINGS ON REAL ESTATE.

Section 17: This section is practically identical with the provisions contained in the national banking act, and it is particularly desirable that some such provision preventing large real estate ownership by a bank whose principal business is lending on real estate should be

EXEMPTION FROM TAXATION.

EXEMPTION FROM TAXATION.

Section 18: In so far as this section refers to the exemption of capital stock and income, it is similar to the provision contained in the Federal reserve act. The necessity for exempting the mortgages and deeds of trust held by the bank as security for its national land-bank bonds and for exempting from taxation these national land-bank bonds themselves has been fully dealt with in the general statement above. Taxes upon mortgages, deeds of trust, and otter evidences of indebtedness secured on real estate mean simply the payment of an increased rate of interest by the borrower, who already is taxed upon his land. It can not be expected that loans for farmers can be obtained on advantageous terms unless and until these evidences of debt are exempted from taxation, for the amount of the tax will unquestionably be evidenced by an increased interest rate, and the farmer who has paid his taxes on his farm must ultimately bear this additional burden unless the collateral is exempt.

FEDERAL FIDUCIARY AGENT.

FEDERAL FIDUCIARY AGENT.

FEDERAL FIDUCIARY AGENT.

Section 19: As heretofore stated, the Federal fiduciary agent provided for in this act constitutes one of the most important methods of Government supervision and control of farm-land banks. This agent is the direct representative of the bureau of farm-land banks. His duties are, first, to certify to each national land-bank bond issued. In this respect he takes the place of the trustee under the railroad mortgage, who certifies to the bonds issued by the railroad, and his signature forms a guaranty to the investors that the bonds are what they purport to be. Second, he has joint possession and control with the bank of the mortgages and deeds of trust deposited to secure the national land-bank bond. By this means the Government assures to the investor that the mortgages held as security for the land-bank bond bought by him can not be destroyed or made away with, because they are in the possession and control of a Government representative. Holding such joint possession and control, no change in the security for the national land-bank bond can be made without his consent in writing. Third, he has supervisory control of the mortgage ledger, in which the statements of the mortgages and deeds of trust are contained. This is necessarily an incidental power to his joint possession decontrol of the mortgages themselves, and is in the interest both of the borrower and the investor, as well as of the stockholder of the bank, whose stock would be liable in case any loss were sustained by the destruction of the mortgages held for the national land-bank bonds.

It is provided that the Federal fiduciary agent shall execute a bond and that his salary and expenses shall be paid by the bank under proper regulations.

CAPITAL STOCK.

Section 20: The shares are placed at \$100 each except in the case of cooperative institutions, in which case they may be \$25 each. Otherwise this section corresponds to the national banking act.

Sections 21, 22, 23, 24, and 25 are exactly similar to corresponding sections in the national banking act and need no special explanation.

Section 26 follows the national banking act, except that the stock ownership of the directorate is placed at 5 shares instead of 10 shares. Sections 27, 28, 29, and 30 are similar to corresponding sections in the national banking act.

Sections 31 and 32 are exactly similar to corresponding sections in the national banking act, and provide for double liability of stock-holders, thereby giving to the national land-bank bonds the security, not only of the mortgages or deeds of trust specifically deposited to secure them, but also the security of the capital stock of the bank, and in addition the double liability of the stockholders.

Section 33 substantially follows the provisions of the corresponding section of the national banking act.

PRIVILEGES GRANTED TO NATIONAL FARM-LAND BANKS.

Section 33 substantially follows the provisions of the corresponding section of the national banking act.

PRIVILEGES GRAYED TO NATIONAL PARM-LAND BANKS.

Section 34: To the consideration of this section the commission has decorated and the section of the section of the section of the section of farm-land banking was a State problem, and it still believes that State believes the section of the section of farm-land banking was a State problem, and it still believes that State bill herewith submitted. The difficulty, however, was, as stated aproblem, and it still believes that States of the Union, and it was existing in the 48 States of the Union, and it was existing in the 48 States of the Union, and it was existing in the 48 States of the Union, and the States and of security legislation of any character in many the the security of the States. In consequence, the commission has recognized that the States of the States and of security legislation of any character in many the security of the States and of security legislation of any character in many the security of the States of

In the postal savings banks, then the national land-bank bond will become a recognized security of the highest class and the farmer will become a recognized security of the highest class and the farmer will become a recognized security of the highest class and the farmer will country, use as the big corporation of large merchant now has access to these or similar fands. The country has a scene to the control of the control

and shall not be changed during the term of the mortgage. This provision is in the interest of the borrower and of the investor.

Section 46 provides that a borrower may pay off his indebtedness by presenting to the benk its national land-bank bonds of the same series as those issued against his mortrage.

The farmer who has borrowed \$1,000 on mortgage from a national farm-land bank has delivered his mortgage to the bank, and the bank has issued a series of perhaps \$100,000 of national land-bank bonds against his mortgage and other mortgages. These national land-bank bonds against his mortgage and other mortgages. These national land-bank bonds against his mortgage and other mortgages. These national land-bank bonds of this series at 95; he purchases these bonds at 98 and presents them to the bank in settlement of his indebtedness at par. Inasmuch as the amount of mortgages held by the bank is of the par value of the amount of national land-bank bonds outstanding, the bank can lose nothing by this transaction, because it receives \$1,000 par value of its own land-bank bonds of the same series in payment of a mortgage of \$1,000, held as security for those bonds. Upon receiving its national land-bank bonds, it thereupon cancels the same, and likewise cancels and delivers up the \$1,000 mortgage of the farmer. This provision encourages the farmer to buy the national land-bank bonds of that bank when they fall below pay, because thereby he can pay off his mortgage at less than its face. Such a provision will tend to maintain the market for the national land-bank bonds of the same, and thereby release a proportionate part of the mortgages securing such issue. This likewise tends to encourage the bank to invest its surplus funds in its own national land-bank bonds, and tends to maintain the market. But all of these cancellations of mortgages securing such issue. This likewise tends to encourage the bank to invest its surplus funds in its own national land-bank bonds and tends to maintain the market. But all of these ca

APPENDIX.

SUGGESTED LEGISLATION.

A bill to provide for the establishment, operation, and supervision of a national farm-land bank system in the United States of America, for the creation of depositaries for postal savings and other public funds, and for other purposes.

national farm-land bank system in the United States of America, for the creation of depositaries for postal savings and other public funds, and for other purposes.

Be it enacted, etc., That the short title of this act shall be "National farm-land bank act."

SEC. 2. That there shall be in the Department of the Treasury a bureau charged with the execution of all laws passed by Congress relating to the creation and supervision of farm-land banks, the chief officer of which bureau shall be known as the commissioner of farm-land banks, and shall perform his duttes under the general direction of the Secretary of the Treasury.

SEC. 3. That the commissioner of farm-land banks shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold office for the term of five years, unless sooner removed by the President upon reasons to be communicated by him to the Senate; and he shall be entitled to a salary of \$6,000 a year.

The commissioner of farm-land banks shall, within 15 days of notice of his appointment, take and subscribe the oath of office, and he shall give to the United States a bond in the penalty of \$50,000, with surety or sureties to be approved by the Secretary of the Treasury conditioned for the faithful discharge of the duties of his office.

SEC. 4. That the Secretary of the Treasury, at the request of the commissioner of farm-land banks, may appoint one deputy commissioner, who shall penses such powers and perform such duties under the commissioner, or during his absence or inability, the deputy commissioner as he shall direct. During a vacancy in the office of the commissioner, or during his absence or inability, the deputy commissioner of the commissioner. The deputy commissioner shall take the oath of office, and shall give a like bond in the penalty of \$30,000.

Sec. 5. That the commissioner of farm-land banks shall adopt a seal of office to be approved by the Secretary of the Treasury, a description of which seal, together with an impression thereof and a certi

office.

The commissioner shall employ from time to time the necessary clerks to be appointed and classified by the Secretary of the Trensury, to discharge such duties as the commissioner shall direct.

SEC. 7. That it shall not be lawful for the commissioner or deputy commissioner, or for any clerk employed in the bureau of farm-land banks, either directly or indirectly, to be interested in any farm-land bank formed pursuant to the provisions of this act.

SEC. 8. That the commissioner shall make an annual report to Congress at the commencement of its session, exhibiting:

First. A summary of the state and condition of every farm-land bank from which reports have been received during the preceding year, at the several dates to which such reports refer, with an abstract of the whole amount of mortgages or deeds of trust held by them and collateral trust bonds (hereinafter described as national land-bank bonds) issued by them, the whole amount of their other assets and liabilities, the amount of their capital stock, and such other information in relation to such companies as in his judgment may be useful or as may be requested by Congress.

Second. A statement of the companies whose business has been closed during the year, with the amount of their mortgages or deeds of trust and of their national land-bank bonds redeemed and the amount outstanding.

Third. Any other information which he may deem desirable to present and such special information as may be called for by Congress.

Fourth. The names and compensation of the clerks employed by him, and the whole amount of the expenses of the bureau of farm-land banks during the year, together with a full and complete list of all officers, agents, clerks, and other employees of his office, including examiners, receivers, and attorneys for receivers, and clerks employed by them, or any other persons connected with the work of said bureau in Washington or elsewhere whose salary or compensation is paid from the Treasury of the United States or assessed against or collected from existing or failed companies under supervision or control.

When the annual report provided for in the last section is completed, or while it is in process of completion, if thereby the business may be sooner dispatched, the work of printing shall be commenced, under the superintendence of the Secretary of the Treasury, and the whole shall be printed and ready for delivery on or before the 1st day of December next after the close of the fiscal year to which the report relates. There shall be printed not to exceed 10,000 copies—1,000 for the Senate, 2,000 for the Hou

POWERS OF COMMISSIONERS OF FARM-LAND BANKS.

SEC. 10. That the commissioner of farm-land banks is authorized and empowered, upon proper application, to issue charters or certificates of incorporation for the establishment of national farm-land banks as herein provided for, and to exercise supervision and control over, and make examinations of, all of the national farm-land banks established under this act, under such general rules and regulations as may be provided; and to withdraw or forfeit such charters or liquidate such banks whenever necessary, in accordance with rules to be provided, subject in all respects to the requirements and provisions herein contained.

partial respects to the requirements and provisions herein contained.

Sec. 11. That the said commissioner of farm-land banks is hereby authorized, by general rules and regulations to be approved by the Secretary of the Treasury, applicable alike to all the national farm-land banks organized hereunder, to specify the conditions under which the privileges herein authorized to be granted to all said national farm-land banks organized hereunder, to specify the conditions under which the privileges herein authorized to be granted to all said national farm-land banks shall be extended to such banks; and particularly to provide for the extension of such privileges only to national farm-land banks operating in those States which, by the passage of suitable laws, have met the requirements of the said commissioner of farm-land banks (1) as to the simplification of land-title registration and conveyancing, (2) as to the simplification, promptness, and economy of methods of securing farm-land loans and of foreclosing the same, and as to other matters as more fully set out in section 34 of this act. And the said commissioner of farm-land banks shall, by like general rules and regulations to be approved by the Secretary of the Treasury, have the power to specify the time when such rules and regulations or certain of them must be complied with, and to extend such time, and to withhold such privileges or certain of them from the national farm-land banks operating in any State failing to comply with the required provisions and regulations until the same are fully compiled with.

Sec. 12. That the commissioner of farm-land banks, by and with the approval of the Secretary of the Treasury, shall from time to time prepare and publish amortization tables, covering periods of from 6 to 35 years, at varying rates of interest, to meet all the requirements of the banks organized hereunder. Such tables shall be adopted and used by all of such banks as the basis of all repayments of long-term mortgage loans herein provided for.

Incorror

INCORPORATION OF NATIONAL FARM-LAND BANKS.

loans herein provided for.

INCORPORATION OF NATIONAL FARM-LAND BANKS.

SEC. 13. That the associations for carrying on the business of farmland banking under this act may be formed by any number of natural persons, not less in any case than 10. They shall enter into articles of association, which shall specify in general terms the object for which the association is formed, and may contain any other provisions not inconsistent with law which the association may see fit to adopt for the regulation of its business and the conduct of its affairs. These articles shall be signed by the persons uniting to form the association, and a copy of them shall be forwarded to the commissioner of farm-land banks to be filed and preserved in his office.

SEC. 14. That the persons uniting to form such a national farm-land bank shall, under their hands, make an organization certificate, which shall specifically state:

First. The name assumed by such association. The words "national farm-land bank" shall be a part of the title of every such institution, and these words shall not be used by any institution other than those incorporated under this act: Provided, however, That if the persons uniting to form such a national farm-land bank shall wish to apply cooperative principles in the formation and management of the same, the words "national farm-land bank, cooperative," shall be a part of the title; and the word "cooperative" shall not be used by any national farm-land bank other than those which accept the following principles and provide in their by-laws that—

(a) No stockholder shall own more than 10 per cent of the share capital at any time.

(b) At all meetings of the stockholders of such banking corporation each stockholder shall have one vote and only one on all matters pertaining to the organization or management of the institution, irrespective of the number of shares of stock owned by such stockholder.

(c) The net earnings of such banking corporation available and set aside for the payment of interest and dividends sh

To each owner of stock of such corporation may first be paid a dividend in the form of interest upon the par value of the shares of stock owned by such owner of stock, computed at the rate of interest generally prevailing in the community where such bank is located, but not exceeding the legal rate of interest in the State where such banking corporation is situated, if said earnings are sufficient for that purpose; otherwise, to be paid to each owner of such stock pro rata computed upon the par value of such stock. The balance of such net earnings, if any, shall be distributed among the patrons of such banking corporation in proportion to the amount of business transacted with such bank: *Provided, however*, That in such distribution the share-owning patrons may, if approved by a two-thirds vote, take dividends at a rate twice as great as that paid to the nonshare-owning patrons.

(d) The shares of stock of such national farm-land banks, cooperative, may be of the par value of \$25 each.

(e) In all other respects such national farm-land banks, cooperative, shall conform to and be governed by the general laws as herein provided.

vided.

The words "national farm-land bank" or "national farm-land bank, cooperative," shall be prefixed by such descriptive title or name as the applicants may indicate, subject to the approval of the commissioner of farm-land banks. Each said national farm-land bank shall be designated by an official number provided by the commissioner of farm-land

nated by an official number provided by the commissioner of farm-land banks.

Second. The State in which the operations of such national farm-land banks are to be carried on, and the place in said State where its principal office is to be located, which place may be changed from time to time upon the request of such national farm-land bank, with the approval of the commissioner of farm-land banks.

Third. The amount of capital stock and the number of shares into which the same is to be divided: Provided, That such capital stock shall in no case be less than \$10,000: And provided further, That such capital stock may be increased or decreased from time to time, subject to the approval of the commissioner of farm-land banks, but at no time to be less than the minimum herein set forth.

Fourth. The names and places of residence of the shareholders and the number of shares held by each of them.

Fifth. The fact that the certificate is made to enable such persons to avail themselves of the advantages of this act.

Sec. 15. That the organization certificate shall be acknowledged before a judge of some court of record, or before a notary public, and shall be, together with the acknowledgment thereto, authenticated by the seal of such court or notary public, transmitted to the commissioner of farmland banks, who shall record and carefully preserve the same in his office.

POWERS AND LIMITATIONS OF NATIONAL FARM-LAND BANKS.

GENERAL POWERS.

Sec. 16. That upon duly making and filing the articles of association and an organization certificate, the association shall become, as from the date of the execution of its organization certificate, a body corporate; and as such, and in the name designated in the organization certificate, shall have power:

First. To adopt and use a corporate seal.

Second. To have succession for the period of 50 years from its organization, unless it is sooner dissolved according to the provisions of its articles of association or by the act of its shareholders owning two-thirds of its capital stock; except that, in the case of cooperative farm-land banks, a vote of two-thirds of the stockholders shall be necessary, or unless its franchise becomes forfeited by some violation of law: Provided, That the charters of all national farm-land banks shall be at all times subject to change, amendment, or repeal under general laws enacted by Congress: Provided, That no such change, amendment, or repeal shall in any way affect the rights of the creditors of such national farm-land banks.

Third. To make contracts.

Fourth. To sue and be sued, complain and defend in any court of law and equity as fully as natural persons.

Fifth. To elect or appoint not less than five nor more than nine directors, and by its board of directors to appoint a president, vice president, and other officers, to define their duties, require bonds of them, and fix the penalty thereof, dismiss such officers or any of them at pleasure, and appoint others to fill their places: Provided, That the officer herein described as Federal fiduciary agent shall not be subject to removal by the board of directors or officers of said bank, but shall be subject to removal only by the commissioner of farm-land banks.

Sixth. To prescribe by-laws not inconsistent with law, regulating the

banks.

Sixth. To prescribe by-laws not inconsistent with law, regulating the manner in which its stock shall be transferred, its directors shall be elected or appointed, its officers elected or appointed, its property transferred, its general business conducted, and the privileges granted to it by law exercised and enjoyed, except that in the case of cooperative farm-land banks the by-laws shall be approved by two-thirds of the stockholders before being adopted and put into effect.

Seventh. To exercise by its board of directors or duly authorized officers or agents, subject to law, all such incidental powers as bubect to law, all such incidental powers as the necessary to carry on the business of farm-land banking: Provided, That the powers of such association shall include the following specific powers and shall be subject to the following specific restrictions:

A. SPECIFIC POWERS.

A. SPECIFIC POWERS.

Every national farm-land bank shall have the following specific

Every national farm-land bank shall have the following specific powers:

(a) To accept and pay interest on deposits to an amount not exceeding 50 per cent of the amount of its combined paid-up capital and surplus; to receive deposits of postal savings funds to the same extent and to pay interest thereon at the rate required of other banks receiving such deposits. The trustees of the Postal Savings System are hereby authorized and empowered to select national farm-land banks as depositories for such funds, which banks, when required by the Secretary of the Treasury, shall act as fiscal agent of the United States.

(b) To make loans upon farm lands anywhere within the State in which such national farm-land bank is operated: Provided,

(1) That such loans are made for not more than 35 years.

(2) That such loans shall be made for any of the following purposes:

(a) To complete the purchase of the agricultural lands mortgaged.

(b) To improve and equip such lands for agricultural purposes.

(c) To pay and discharge debts secured by mortgages or deeds of trust on said lands.

(4) That such loans do not exceed 50 per cent in amount in the case of improved farm lands, and do not exceed 40 per cent in amount

in other cases, of the value of the said lands; to be determined by an appraisal, as provided in this act.

(5) That every such farm-land loan contain a mandatory provision for the amortization of such loan, or reduction of the same by annual or semiannual payments on account of principal: Provided, That the loan extends over a period exceeding five years.

(6) That every such loan may be paid off in whole or in part by the borrower, in accordance with rules to be prescribed by the commissioner of farm-land banks, at any interest period, after such loan has continued for five years, by the payment of the whole or a part of such loan, with interest to such date, after crediting the amortization payments on the same as and when they were made.

(c) To issue, sell, and trade in its own collateral trust bonds which shall be known and described as "national land-bank bonds" secured by the deposit, as elsewhere herein provided, of first mortgages or first deeds of trust (and of notes or bonds secured thereby) in an amount equal at least to the face value of the national land-bank bonds so issued and sold by the said bank: Provided,

(1) That the rate of interest upon the farm-land loans evidenced by the mortgages or deeds of trust held by the bank as security for its own national land-bank bonds shall not exceed the rate of interest paid on such national land-bank bonds by more than 1 per cent annually upon the amount unpaid on the loan, which said 1 per cent shall cover all charges of administration.

(2) That all national land-bank bonds issued by the said bank shall be payable on a date specified and shall be subject to call at par, at any interest period, after the date of issue, or after a specified time, by such proper notice and advertisement as may be provided by the commissioner of farm-land banks.

(3) That such national land-bank bonds shall be always protected by the deposit, as security therefor, of at least an equal amount in face value of first mortgage or first deed of trust farm loans (and of notes o

by the deposit, as security therefor, of at least an equal amount in face value of first mortgage or first deed of trust farm loans (and of notes or bonds secured thereby), maturing not less than five years after their date.

(4) That as the amortization payments are credited upon the first mortgage or first deed of trust farm loans so deposited as security, the national land-bank bonds issued by the bank and secured thereby shall be called and paid, or purchased in the open market and retired, to the extent of the credits made upon such first mortgage or first deed of trust farm loans held as security for the same, under rules and regulations made by the commissioner of farm-land banks.

(5) That the first mortgage or first deed of trust farm loans (and the notes and bonds secured thereby) held as security for such national land-bank bonds shall at all times be in the joint possession and under the joint control of the said bank and of the Federal fiduciary agent hereinafter provided for, and that a register of such first mortgages or first deeds of trust shall be at all times kept by the bank, entries or cancellations in which shall only be made with the approval in writing of such Federal fiduciary agent.

(6) That no national land-bank bond shall be issued against any mortgage, deed of trust (or notes or bonds secured thereby), which falls due earlier than five years after its date.

(d) To use its capital stock, surplus, and deposits as a revolving fund for the temporary purchase or holding of such first mortgage or first deed of trust farm loans; or to use the same for the purpose of buying in its national land-bank bonds and of holding them temporarily, so as to maintain the price of the same; or to loan its capital and surplus on first mortgage or first deed of trust farm loans, and the remainder of the capital and surplus can be permanently invested in such national land-bank bonds and in first mortgage or first deed of trust farm loans, and the remainder of the capital and surplus can be permanently i

B. SPECIFIC LIMITATIONS.

Every national farm-land bank shall be subject to the following spe-

Every national farm-land bank shall be subject to the following specific limitations:

(a) The amount of national land-bank bonds that may be issued and outstanding at any one time by such national farm-land bank shall not exceed fifteen times its capital and accumulated surplus.

(b) The charges of administration imposed by such national farm-land bank upon the borrower for handling such loan shall not in each instance exceed an annual charge of 1 per cent upon the amount unpaid on the loan.

(c) The payments to be made annually or semiannually by the borrower shall in all cases be sufficient to pay the interest charge upon the loan, the administration charges of the bank, and an amortization payment sufficient to retire and pay off the amount of the principal borrowed (as evidenced by the face of said first mortgage or first deed of trust and the notes or bonds secured thereby), at its maturity.

(d) No national farm-land bank shall at any time loan any money upon the faith or credit or upon the assignment of its own stock or of the stock of any other national farm-land bank; nor shall any national farm-land bank loan to, or on the credit of any one individual or institution, either on the security of land or on any other security, an amount in excess of 20 per cent of the sum of its then paid-in capital and surplus.

Fight But no national farm-land bank shall transact any breines.

amount in excess of 20 per cent of the sum of its then pand-in capital and surplus.

Eighth. But no national farm-land bank shall transact any business except such as is incidental and necessarily preliminary to its organization until it has been authorized to commence business by the commissioner of farm-land banks.

HOLDINGS OF REAL ESTATE,

Sec. 17. That a national farm-land bank may purchase, hold, and convey real estate for the following purposes and for no others:

First. Such as shall be necessary for its immediate accommodation in the transaction of its business.

Second. Such as shall be mortgaged to it by way of security for loans made by it, as elsewhere herein provided.

Third. Such as shall be conveyed to it in satisfaction of debts contracted in the course of business dealings.

Fourth. Such as it shall purchase at sale under judgments, decrees, or mortgages or deeds of trust held by the bank, or shall purchase to secure debts due to it.

But no such bank shall hold the title and possession of any real estate conveyed to or purchased by it to secure any debts due to it for a longer period than five years.

EXEMPTION FROM TAXATION.

SEC. 18. That every national farm-land bank incorporated under the terms of this act and the capital stock and surplus therein and the income derived therefrom and the mortgages and deeds of trust (and the notes and bonds secured thereby) held by said bank and the national land-bank bonds issued by the same shall be exempt from Federal, State, and local taxation, except in respect to taxes upon real estate.

FEDERAL FIDUCIARY AGENT.

and local taxation, except in respect to taxes upon real estate,

FEDERAL FIDUCIARY AGENT.

Sec. 19. That the commissioner of farm-land banks shall at the time of organization of each national farm-land bank designate some individual who is not an officer or director of the bank, and who is not objectionable to the directors of the bank, as a "Federal fiduciary agent" for that bank, who shall also be the representative of the bureau of farm-land banks. As such Federal fiduciary agent he shall have the following powers and perform the following duties:

First. He shall certify to each national land-bank bond issued by the said bank, and no national land-bank bond issued without his signature shall be binding upon the said bank.

Second. He shall have joint possession and control with the bank of the mortgages and deeds of trust (and of the notes and bonds secured thereby) which are deposited as security for the national land-bank bonds issued by the bank, and no mortgage or deed of trust (or note or bond secured thereby) so placed in the joint possession of himself and the said bank shall be withdrawn or changed or have any credit made thereon except by and with his consent in writing.

Third. He shall have the supervisory control of all entries in the mortgage ledger kept by the bank, in which ledger shall be kept a detailed statement of each issue of national land-bank bonds made by the bank, and of all the mortgages or deeds of trust (and notes or bonds secured thereby) held by the bank and himself jointly, to secure the national land-bank bonds of the bank, as well as such other information as may be required by the bureau of farm-land banks. And no entry shall be made in the said mortgage ledger indicating either the deposit of mortgages or deeds of trust, or credits on mortgages or deeds of trust so held by the bank, except by and with his approval in writing, which approval may be signified by signing his name on the margin of the page in the mortgage ledger where such entries are made.

Fourth. He shall

CAPITAL STOCK.

SEC. 20. That the shares of stock of each national farm-land bank shall be of the par value of \$100 each, and each stockholder shall be entitled to one vote for each share of stock standing in his name: Provided, however, That in the case of national farm-land banks, cooperative, each stockholder shall be entitled to one vote and only one, and the shares of stock may be of the par value of \$25 each. Shareholders may vote by proxies duly authorized in writing; but no officer, clerk, or employee of such bank shall act as proxy, and no shareholder whose liability is past due or unpaid shall be allowed to vote. Any national farm-land bank may, in its by-laws, authorize cumulative voting for directors.

SEC. 21. That at least 50 per cent of the capital stock of every national farm-land bank shall be paid in before it shall be anthorized.

or employee of shed bank shall act as proxy, and no snarenoider whose liability is past due or unpaid shall be allowed to vote. Any national farm-land bank may, in its by-laws, authorize cumulative voting for directors.

Sec. 21. That at least 50 per cent of the capital stock of every national farm-land bank shall be paid in before it shall be authorized to do business, and the remainder of the capital stock of said bank shall be paid in, in installments of at least 10 per cent each on the whole amount of the capital, as frequently as one installment before the end of each succeeding month from the time it shall be authorized by the commissioner of farm-land banks to commence business, and the payment of each installment shall be certified to the commissioner of farm-land banks, under oath, by the president or cashier of the bank.

Sec. 22. That whenever any shareholder or his assignee falls to pay any installment on the stock when the same is required by the preceding section to be paid, the directors of such bank may sell the stock of such delinquent shareholder at public auction, having given three weeks' previous notice thereof in a newspaper of general circulation published in the city or county where the bank is located (or if no newspaper is published in said city or county, then in a newspaper published nearest thereto), to any person who will pay the highest price therefor, to be not less than the amount due thereon, with the expenses of advertisement and sale; and the excess, if any, shall be paid to the delinquent shareholder. If no bidder can be found who will pay for such stock the amount due thereon to the association and the cost of advertisement and sale, the amount previously paid shall be forfeited to the association, and such stock shall be sold as the directors may order, within six months from the time of such forfeiture; and if not sold, it shall be canceled and deducted from the capital stock of the association. If any such cancellation and reduction shall reduce the capital of the associ

such reduction shall be allowed which will reduce the capital and surplus of the association below one-fifteenth of its outstanding national land-bank bonds as herein provided; nor shall any such reduction be made until the amount of the proposed reduction has been reported to and approved by the commissioner of farm-land banks.

BOARD OF DIRECTORS.

and approved by the commissioner of farm-land banks.

BOARD OF DIRECTORS.

Sec. 25. That the affairs of each bank shall be managed by not less than five nor more than nine directors. All directors shall be elected by the shareholders at a meeting to be held at any time before the association is authorized by the commissioner of farm-land banks to commence business, and afterwards at meetings to be held on any such date in January of each year as is specified therefor in the articles of association. The directors shall hold office for one year, and until their successors are elected and qualified.

Sec. 26. That every director must, during his whole term of service, be a citizen of the United States; and at least three-fourths of the directors must reside in the State or Territory in which the bank is located for at least one year immediately preceding their election, and must be residents therein during their continuance in office. Every director must own, in his own right, at least five shares of the capital stock of the bank of which he is a director. Any director who ceases to be the owner of five shares of stock, or who becomes in any other manner disqualified, shall thereby vacate his place.

Sec. 27. That each director, when appointed or elected, shall take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of such bank, and will not knowingly violate or willingly permit to be violated any of the provisions of this act, and that he is the owner in good faith, and in his own right, of the number of shares of stock required by this act, subscribed for by him or standing in his name on the books of the bank, and that he same is not hypothecated or in any way pledged as security for any lean or debt. Such oath subscribed by the director making it, and certified by the officer before whom it is taken, shall be immediately transmitted to the commissioner of farm-land banks, and shall be filled and preserved in his office.

Sec. 28. That if, from any cause, a

LIABILITY OF STOCKHOLDERS.

SEC. 31. That the shareholders of every national farm-land bank shall be held individually responsible, equally and ratably, and not one for another, for all contracts, debts, and engagements of such bank, to the extent of the amount of their stock therein, at the par value thereof, in addition to the amount invested in such shares, unless, in the case of national farm-land banks, cooperative, by a two-thirds vote of the stockholders a larger liability shall be undertaken.

SEC. 32. That persons holding stock as executors, administrators, guardians, or trustees shall not be personally subject to any liabilities as stockholders; but the estates and funds in their hands shall be liable in like manner and to the same extent as the testator, intestate, ward, or person interested in such trust funds would be if living and competent to act and hold the stock in his own name.

CONVERSION OF EXISTING LAND-MORTGAGE COMPANIES AND OTHER STATE

ward, or person interested in such trust funds would be if living and competent to act and hold the stock in his own name.

CONVERSION OF EXISTING LAND-MORTGAGE COMPANIES AND OTHER STATE INSTITUTIONS INTO NATIONAL FARM-LAND BANKS.

Sec. 33. That any land-mortgage association or corporation, or any similar institution, including building and loan associations or savings and loan associations lending exclusively on farm mortgages, now incorporated under the general or special laws of any State, may become a national farm-land bank under this act, under a suitable name, upon complying with the provisions of this act; and in such case the articles of association and the organization certificate may be executed by a majority of the stockholders of the existing institution, and the certificate shall declare that the owners of two-thirds of the capital stock of the old institution have authorized the directors to make such certificate and to change and convert the institution into a national farm-land bank. The majority of the directors, after executing the articles of association and organization certificate, shall have power to execute all other papers and to do whatever may be required to make its organization perfect and complete as a national farm-land bank. The directors of the old company may continue to be the directors of the national farm-land bank until others are elected or appointed, in accordance with the provisions of this chapter. When the commissioner of farm-land banks has given to such association a certificate under his hand and official seal (after the provisions of this bill have been compiled with), and after it is authorized to commence the business of farm-land banking, the bank shall have the same powers and privileges and shall be subject to the same duties, responsibilities, and rules, in all respects, as are prescribed for other banks originally organized as national farm-land banks; but no such bank shall have a less capital than the amount or prescribed for national farm-land banks organ

PRIVILEGES GRANTED TO NATIONAL FARM-LAND BANKS.

Sec. 34. That the national land-bank bonds of any national farmland bank shall be available for the following purposes:

First. As security for the deposit of postal savings funds in such
national farm-land banks and all other banks authorized to receive
such deposits.

Second. As a legal investment for time deposits of national banking
associations, as provided in the Federal reserve act, and for the funds

accumulated in savings banks organized and doing business in the District of Columbia.

Third. As a legal investment for trust funds and estates under the charge of or administered by any of the courts of the United States.

Fourth. As a security for loans from national banking associations to national farm-land banks or to individuals, for not exceeding five years, to an amount aggregating not over 25 per cent of the capital and surplus or to one-third of the time deposits of the national banking association making the same, as being within the provisions of section 24 of the Federal reserve act, so as to permit national banking associations to lend to national farm-land banks, on their obligations secured by their national land-bank bonds, in place of making the loan directly on farm lands, as provided for in said section.

The foregoing privileges (or such of them as the commissioner of farm-land banks, with the approval of the Secretary of the Treasury, may, by general rules applicable to all banks organized hereunder, from time to time designate) shall apply to national land-bank bonds issued under authority of this act only as and when the following conditions (or such of them as the commissioner of farm-land banks, with the approval of the Secretary of the Treasury, may from time to time by like general rules designate) are likewise put into effect in any State or States.

(a) That laws decided to be sufficient by the bureau of farm-land banks have been enacted by the Secretary by the secretary of the bureau of farm-land banks have been enacted by the Secretary by the secretary of the bureau of farm-land banks have been enacted by the Secretary by the secretary by the secretary by the secretary of the secretary by the se

like general rules designate) are likewise put into effect in any State or States.

(a) That laws decided to be sufficient by the bureau of farm-land banks have been enacted by the State in which such national farm-land bank is operating withdrawing or canceling the right to claim exemption or providing for the waiver of such exemption, whether homestead or otherwise, against the mortgages or deeds of trust (or notes or bonds secured thereby) held as security for the national land-bank bonds of such national farm-land bank: Provided, That if the right to waive such exemption is given, then that all the mortgages or deeds of trust (and bonds or notes secured thereby) deposited as security for such national land-bank bonds contain such waiver.

(b) That in the judgment of the commissioner of farm-land banks the State laws providing for registration of land titles, conveyances, and foreclosures in any given State are such as to give reasonable protection to the holders of first mortgages and first deeds of trust on lands located within that State.

(c) That the national land-bank bonds of all national farm-land banks which are accepted under this law as security in the various matters above set out shall be likewise accepted under the State laws of the State in which such national farm-land bank is operated as a legal investment for the funds of savings banks operating in that State, and of trust funds and estates held by or under the laws of that State, and of trust funds and estates held by or under the laws of that State.

EXAMINATIONS.

EXAMINATIONS.

Sec. 35. That the commissioner of farm-land banks, with the approval of the Secretary of the Treasury, shall, as often as shall be deemed necessary or proper, indicate a suitable person or persons to make an examination of the affairs of every national farm-land bank, and shall have power to make a thorough examination into all the affairs of the bank, and in doing so to examine any of the officers and agents thereof on oath, and shall make full and detailed report of the condition of the bank to the commissioner of farm-land banks. The person assigned to the making of such examination of the affairs of any national farm-land bank shall have the power to call together a quorum of the directors of such bank, who shall, under oath, state to such examiner the character and circumstance of such of its business as he may designate. The expense of the examinations herein provided for shall be assessed by the bureau of farm-land banks upon the banks examined in proportion to assets or resources held by such banks upon a date during the year on which such examinations are held, to be established by the bureau of farm-land banks. The provisions of section 26 of the Federal reserve act prohibiting the making of any loan or granting any gratuity to the examiner of a national bank shall apply with equal force to examiners of national farm-land banks, and the penalties and punishments therein provided shall be equally applicable to such examiners of national farm-land banks.

SEC. 36. That the commissioner of farm-land banks shall require statements showing the condition of each bank to be published in a newspaper or newspapers published in the vicinity where the bank is located at such times as calls for such statements may be made by him, and in general conformity with the practice as to call for statements from national banking associations by the Comptroller of the Currency: Provided, That, in the discretion of the Secretary of the Treasury, any or all examinations of national farm-land banks may be made

DIVIDENDS.

who are commissioned to examine national banking associations.

DIVIDENDS.

Sec. 37. That the directors of each national farm-land bank shall be authorized to declare a dividend upon the outstanding and paid-up capital stock of such an institution out of the net earnings of the same: Provided, That in no case shall any dividend be paid which will impair the capital stock of the said institution, nor shall any dividend be paid which will reduce the amount of capital and surplus of each bank to less than one-fifteenth of the outstanding national land-bank bonds of the said bank: Provided, however, That in the case of cooperative farmland banks the net earnings of such banking corporations available and set aside for the payment of interest and dividends shall be distributed as follows: "To each owner of stock of such corporation may first be paid a dividend in the form of interest upon the par value of the shares of stock owned by such owner of stock, computed at the rate of interest generally prevailing in the community where such bank is located, but not exceeding the legal rate of interest in the State where such banking corporation is situated, if said earnings are sufficient for that purpose; otherwise, to be paid to each owner of such stock pro rata computed upon the par value of such stock. The balance of such act earnings, if any, shall be distributed among the patrons of such banking corporation in proportion to the amount of business transacted with such bank: Provided, however, That in such distribution the share-owning patrons may, if approved by a two-thirds vote, take dividends at a rate twice as great as that paid to nonshare-owning patrons ": Provided further, That a special reserve fund shall be maintained by each national farm-land bank, which special reserve fund shall be created out of the net earnings of the bank and shall at all times be equal to 5 per cent of the total annual interest charge on the land-bank bonds which are outstanding against such bank at the close of the last fiscal year.

DIRECTORS' MEETINGS.

SEC. 38. That the directors of each national farm-land bank shall meet at least once in each month and at such other times as are

necessary. They shall have power to appoint committees and to delegate to such committees such portion of their powers as may be necessary for the convenient operation of the bank, subject to the approval of the bureau of farm-land banks.

APPRAISEMENT COMMITTEE.

SEC. 39. That the board of directors of each national farm-land bank shall immediately upon its organization, and before making any loans upon farm lands, appoint an appraisement committee, which shall be composed of three members of the board of directors. The names of said appraisement committee shall be at once delivered to the commissioner of farm-land banks, and any change in the said committee shall be at once communicated to him. The duty of said committee shall be to appraise, or cause to be appraised, and report on the value of real estate offered as security for loans. All reports of the appraisement committee, and shall give a description of the property, the value at which it is appraised by them, the value at which it is appraised by them, the value at which it is appraised by them, the value at which it is appraised by them, the value at which it is appraised by the directors of the bank or by the commissioner of farm-land banks. Such report shall be filed and preserved with other papers relating to such loan, and no loan shall be made on any farm land unless and until such report in writing has been filed with the said bank.

POSTAL SAVINGS DEPOSITS—DEPOSIT OF STATE FUNDS—RESERVES—LOAN

POSTAL SAVINGS DEPOSITS—DEPOSIT OF STATE FUNDS—RESERVES—LOAN OF CURRENT DEPOSITS.

POSTAL SAVINGS DEPOSITS—DEPOSIT OF STATE FUNDS—RESERVES—LOAN OF CURRENT DEPOSITS.

Sec. 40. That all national farm-land banks shall, upon the request of the board of trustees of the Postal Savings System, receive deposits of postal savings' funds to the extent of one-half their capital and surplus, and pay interest thereon at the rate required to be paid by other banks on similar postal deposits.

Sec. 41. That the limitation on the amount of deposits which shall be received by national farm-land banks, by which they are prevented from receiving deposits in excess of 50 per cent of their capital and surplus, shall not apply to deposits made with said banks by the Government in the shape of postal savings deposits, or other governmental deposits; nor shall it prevent the said banks from receiving deposits of State funds. On all time deposits of whatever character the national farm-land banks shall maintain a cash-reserve of at least 5 per cent, and on all check deposits shall maintain a reserve of at least 12 per cent, either in cash or in balances with other banks, under rules and regulations to be prescribed by the commissioner of farm-land banks. The postal savings deposits held by any such bank, except the 5 per cent reserve, may be invested only in first mortgage or first deed of trust loans on farm land, being secured to the Government by the deposit with it of the national land-bank bonds of any national farm-land banks, approved by the Secretary of the Treasury, as prescribed in pursuance of the provisions of this act. The funds held on deposit by such banks for the State in which they operate may be invested as provided by the laws of such State.

DESTRUCTIBLE PROFERTY TO BE INSURED.

DESTRUCTIBLE PROFERTY TO BE INSURED.

Sec. 42. That wherever the value of buildings or destructible property attached to the land is a part of the security for any loan, such buildings or destructible property shall be properly insured against loss by fire, and policies representing such insurance shall be properly assigned and deposited along with the mortgages under the joint control of the said bank and the Federal fiduciary agent. In such case provisions shall be made in the mortgages or deeds of trust for the payment by the borrower of an amount sufficient to pay the premiums on such insurance policies, in addition to the interest, amortization, and administration charges to be paid by him as herein set out. In appraising property for loans, the buildings and destructible property shall not be valued at more than 20 per cent of the total appraisement.

BRANCH BANKS.

BRANCH BANKS.

SEC. 43. That no national farm-land bank shall be authorized to operate branches, but each said institution may, with the approval of the commissioner of farm-land banks, employ and maintain loan agencies throughout the State in which it is operated.

SALES AGENCIES.

Sec. 44. That any national farm-land bank may, with the consent of the commissioner of farm-land banks, maintain either within the State in which it is operating, or elsewhere, sales agents or agencies for the sale of its national land-bank bonds or for trading in the same.

HOW PERIODIC PAYMENTS MADE BY BORROWER ON MORTGAGE TO BE DETERMINED.

Sec. 45. That to the rate of interest to be borne by the national landbank bonds to be issued by the bank shall be added the administration charge, together with a charge sufficient to amortize the loan by the time of its maturity, and in this way the periodic payment to be paid by the borrower on his mortgage shall be fixed, and this shall be set out in every mortgage and shall not be changed during the term thereof.

LOANS MAY BE PAID WITH NATIONAL LAND-BANK BONDS OF SAME SERIES—BANK MAY BUY IN ITS NATIONAL LAND-BANK BONDS AND HAVE CORRESPONDING AMOUNT OF MORTGAGES RELEASED.

SPONDING AMOUNT OF MORTGAGES RELEASED.

SEC. 46. That any borrower shall be entitled to pay off the amount of his mortgage or any portion thereof by presenting to the bank, on any interest period after the first five years, the national land-bank bonds of the bank of the same series as those issued against his mortgage. To the extent of such national land-bank bonds presented and canceled at such time, the borrower shall be relieved of his mortgage indebtedness and proper credits shall be made upon his mortgage. The Federal fiduciary agent shall evidence such credit. The bank issuing such national land-bank bonds shall also have the right at any time to buy in the open market its national land-bank bonds and to cancel the same, and thereupon to release a proportionate amount of the mortgages securing such national land-bank bonds. But in case any of such national land-bank bonds of the bank are called for payment by the bank, as hereinbefore provided, then the same must be paid off by the bank at par.

Sec. 47. That whenever the borrower pays his debt in full the bank shall promptly satisfy and discharge the lien of record.

GENERAL POWERS GIVEN TO COMMISSIONER OF FARM-LAND BANKS.

GENERAL POWERS GIVEN TO COMMISSIONER OF FARM-LAND BANKS.

SEC. 48. That the commissioner of farm-land banks, by general rules and regulations, shall prescribe the methods of keeping the mortgage register; of holding and preserving the mortgages and the bonds secured by deed of trust in the joint possession of the bank and of the Federal fiduciary agent; of crediting payments on mortgages; of canceling mortgages; and of releasing the liens of mortgages in whole or in part;

and the general rules and regulations for the conduct of the institutions provided for under this act. Such rules and regulations, not in conflict with the provisions of this act, shall be binding upon all the banks created under the same.

SEC. 49. That all matters relating to the organization and operation of said national farm-land banks created under this act shall be under the direction and control of the commissioner of farm-land banks, except as herein specified.

PENALTIES FOR VIOLATION OF LAW.

Sec. 50. That any officer, clerk, or agent of any national farm-land bank or any Federal fiduciary agent herein described, who commits any offense or malfeasance, such as described in sections 5208 and 5209 of the Revised Statutes of the United States, and section 13 of the act approved July 12, 1882, being the law relating to national banks, shall be punished upon conviction as prescribed in the said laws relating to national banks.

Sec. 51. That all acts and parts of acts inconsistent herewith are barably revealed.

That all acts and parts of acts inconsistent herewith are hereby rerealed.

Mr. FLETCHER. I introduce a bill to provide for the establishment, operation, and supervision of a national farm-land bank system in the United States of America, for the creation of depositaries for postal savings and other public funds, and for other purposes, which is recommended by the commission. I ask that the bill be read and referred, with the report, to the Committee on Banking and Currency.

The bill (S. 4246) to provide for the establishment, operation, and supervision of a national farm-land bank system in the United States of America, for the creation of depositaries for postal savings and other public funds, and for other purposes, was read twice by its title and referred to the Committee on

Banking and Currency.

Mr. FLETCHER. I ask that as many copies as the limit of \$500, the amount allowed by law, will furnish of the report and of the bill be printed and placed in the Senate document room.

The VICE PRESIDENT. Is there objection to the request of the Senator from Florida?

Mr. SMOOT. And the bill itself.

Mr. FLETCHER. My request includes the bill and the report also, and if granted about 22,000 copies will be printed. There will be a very great demand for the document.

The VICE PRESIDENT. Is there objection? hears none, and it is so ordered.

Mr. FLETCHER. The subject of personal or short-term credit is still under consideration by the commission, and we will, as soon as practicable, submit our report thereon.

The commission concluded that whatever it might recommend respecting a short-term, personal credit plan or system it should be embraced in a separate report and measure.

The report will outline the views of the commission, and, assuming it will be carefully read, I will not discuss the subject further now.

On the 14th day of this month, at the invitation of the National League of Commission Merchants, held in Jacksonville, Fla., I had occasion to make some remarks on this subject, which their stenographer reported, and he afterwards presented me a copy. The speech was made without notes or preparation, and therefore is not as finished a production as I would like, but which touches upon some of the main points in the problem, and seemed to appeal to the convention, composed of very intelligent business men, who immediately adopted resolutions indorsing the idea and purpose of the bill which I have introduced. I am inclined to ask that this speech may be made a part of these remarks.

Mr. SMOOT. My attention was diverted for a moment. Do . understand that the speech was delivered outside of the

Mr. FLETCHER. It was delivered by myself at this convention when I discussed these problems. It would save my repeating it here; and I ask that it be made a part of my remarks

now, without taking the time of the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The speech referred to is as follows:

ADDRESS OF HON. DUNCAN U. FLETCHER, UNITED STATES SENATOR, DEFORE THE NATIONAL LEAGUE OF COMMISSION MERCHANTS, IN JACKSONVILLE, FLA., JANUARY 14, 1914.

Senator Fletcher. Mr. President and gentlemen, as a Floridian I feel first like expressing my gratification at the splendid attendance from all portions of the country on this convention.

We are always glad to meet the stranger within our gates, and we hope you will enjoy your stay and that we will be able to furnish you a sample of that climate which we believe surpasses any to be found elsewhere on earth. We sometimes tell our friends, by way of illustration of Florida climate, the story of the man who came from the far Northwest to locate in Florida. He was said to have grown tired of having his ears and his nose bitten by the frost and the blood freeze in his veins in the winter, and he came to Florida. After he had been here about 10 years he wrote back to his friends that he was feeling 40 years younger, his health was fine, and he was enjoying life for the first time. When he had been here 20 years he wrote back and said he felt 60 years younger, and so on down, until finally he passed away, suffering from the complaint known as cholera infantum. [Laughter.]

My task this afternoon is not to entertain you, but to talk to you briefly, as I know business men would prefer and as due respect for a bad throat caused by a severe cold will permit, upon a plain, practical, business subject.

I have just heard forcefully presented the objects and purposes and an account of the work of your league. Your league, I know, must be in sympathy with those other people of whom I shall more particularly speak.

I consider that you are absolutely essential to the producer. [Applause.] I consider that the producer is essential to you. While reference was made to the shipper, I take it there would be no shippers if there were no producers. So that linked together must be your league and its work with those who produce the commodities which humanity needs and which are in search of a market. There is no use to produce from our soil beyond what the growers absolutely need for themselves if we can not get the products to the markets. There is no use to produce if the cost of transportation and handling will consume the entire proceeds of the products; so that the welfare and prosperity of all depends upon production and upon economic distribution. The distribution is as important almost as the production.

As I say, I am to speak with reference to some work in connection with those who produce our foodstuffs—the farmers of the country—and the subject assigned to me is that of "Rural credits."

Perhaps it would be worth while to give you briefly an outline of that movement which has spread over this country as well as a large portion of Canada. Nearly three years ago, as president of the Southern Commercial Congress, I had some correspondence with Mr. David Lubin, who is the American delegate, as you might know, to the International Institute of Agriculture, which has its headquarters in Rome, Italy. Mr. Lubin founded that institution, originated the idea, back in 1905. He endeavored to establish it in this country, but he received so little encouragement that he finally went abroad, and there he was able to enlist the King of Italy. The King has erected a magnificent building for its use, and he contributes out of his own funds \$60,000 a year toward the work. Fifty-two nations participate in that institute under treaty. We pay our delegate \$10,000 a year, and he stays there engaged in that great work. In brief, it sustains to all countries participating—the 52 nations—relations similar to that the respective departments of agriculture sustain to the people of each particular country.

Mr. Lubin wrote me that there was no better work that the Southern Commercial Congress could engage in, in connection with its other activities, than to encourage a movement which would result in providing a workable, practicable, wise system of finance to meet the needs of the agricultural interests of the country. I invited him to attend our convention at Nashville and deliver an address on the subject. He finally said:

If you will get the permission of the State Department granting me leave of absence and will give me one week to speak to representatives from the various States, I will go to Nashville.

• That was a good big undertaking, but I went to the Secretary of State, Mr. Knox, who said he would be very glad to give Mr. Lubin leave of absence; that he would like to have him come here and give his views about his observations of the financial plans and systems of certain European countries.

We undertook to assemble as many representatives from as many States as possible, and we had 27 States represented at that conference in Nashville, and Mr. Lubin did give them one solid week covering the various systems in successful operation in those various European countries.

The result was that a resolution was passed putting upon the Southern Commercial Congress the task of raising a commission of two men from each State to go to Europe and to study, on the ground, these systems which have done so much in those countries. It was a tremendous undertaking, and many said we were undertaking something that was impossible of execution, but I said the farmers of the country and the governors of the various States will favor this movement; it is a tremendous thing for this country, and I believe when the country understands it we will raise that great commission.

We were not discouraged. We submitted the proposition to the farmers' unions, and they indorsed it. We took it up with the National Grange men, and they indorsed it. When I say "we," I mean the managing director of the Southern Commercial Congress, Dr. Clarence J. Owens, and myself. We took it up with the national conventions. We got the plank in the

platform of the Republican Party indorsing this movement for rural credit. We followed that up with the Progressive Party, and then went to the convention of the Democratic Party at Baltimore, and they wrote it in their platform; and we went to the governors of the various States and laid the matter before them, and we prepared bills for the various legislatures appropriating \$1,200 apiece to pay the expenses of delegates to Europe on this great commission. The governors generally favored the idea. Some of the governors had funds out of which they could use this amount for this puropse, and others recommended the appropriation to their legislatures. California, Oregon, Washington, Ohio, and other States passed special laws appropriating funds to carry out the work of this commission.

We kept constantly at it. We had plenty of applications from people who wanted to go on a junketing trip; plenty of people who were willing to pay the expenses out of their own pockets as tourists and pleasure seekers. Those were not the people we were looking for. What we had in view was the actual education of two good, serious-minded, capable men in each State who could come back home and tell the story to the people of those States, and that was the object of having the commission as large as it was.

Senator Newlands introduced in the Senate the joint resolution accrediting this commission to the foreign powers, which was passed by Congress, and the Secretary of State followed it up with letters, and the result was that when they went abroad they were received by the King and Queen of Italy, by the President of France, got a special train through Germany, and by all the countries, 14 of which they visited, were given the highest consideration that any official commission from the United States might expect.

Not only that, but in the agricultural bill went a provision for a Federal commission, to be appointed by the President, composed of seven men; and the language was, in substance, to cooperate with the American commission in the study in European countries of this subject of rural credits and agricultural finance. The President appointed that commission of seven. The commission appointed by the President was organized, and I was elected chairman of that commission and of the American commission, which assembled in New York April 25, although I was not able to go to Europe on account of the tariff and the currency and other matters, but I kept in weekly—almost daily—touch with the commissions and studied their report.

And we have finally prepared a report of the American commission, which we will submit to the various States and organizations directly concerned, and the Federal commission has its report ready to submit, as we are required to do under the law, to Congress. The first part of that report I have here, and, as you will see, it is quite a considerable volume. Following this will be a volume nearly as large, covering the observations of the commission. This gives the actual study on the ground of the operations of the financial systems in 14 European countries; and, as I say, following this will be the observations by the commission, embodying recommendations for the United States. The American commission, cooperating with the Federal commission of seven, has prepared this report, which reviews these various financial systems and seeks to point out wherein they may be adapted to conditions in this country. We can not adopt the systems exactly as they are found in Germany, because our conditions are somewhat different, but we can get many ideas from these systems and from the history and workings of these systems, and we have utilized those ideas in the preparation of a bill which is attached to this report, which is about completed, and which we will shortly submit to Congress.

Before submitting that bill to Congress and before completing our report we thought it best to submit them to the President, because we did not think it would be quite the right thing to have a report and a bill which we would recommend submitted to Congress and referred to a committee and then referred to the various departments before we had the President's views.

We thereupon submitted, just before Congress adjourned, three copies of this report to the President; one he sent to the Secretary of Agriculture, the other to the Secretary of the Treasury, and the other he took with him to Pass Christian, Miss. I have his letter in which he said on account of his illness there in Washington he had not been able to examine it and he had taken the papers with him to Mississippi. To-day I am in receipt of a letter saying, in effect, that he had carefully gone over this report and he approved the bill except in two or three minor respects, and he promises to see me shortly in Washington about them. Those suggestions which he submits I am sure the commission will be entirely pleased to accept.

That movement has stirred the country and from the beginning has been kept constantly before the people. We took it up with these various organizations, and upon every stump and upon the huskings in the last election the subject was discussed; and why not? What do we find upon the slightest investigation? I was perfectly astounded when I came to dig into the question. For 50 years we have been operating in this country under a banking and currency system which was purely and solely a commercial system, absolutely created and adapted and used for the business man and the merchant, the manufacturer, and other industries than agriculture. It is not that we are asking anything unusual or anything special for the farmer. I believe that gentleman is pretty well known as being opposed to special privileges, and he is not asking any favor in his own case, but he is asking for a square deal. He is asking to be put upon the same basis as those engaged in other great industries in the country-nothing more, nothing

In that system, which we created and which the United States Government established and which it supervised and controlled, it was written in the body of the law that no loans could be made upon real estate. Real estate was prohibited as security for loans by every national bank established under our financial system.

Now, what does that mean? It meant, of course, that real estate, being the farmer's chief asset, was absolutely condemned as security for loans in this country, and he was deprived of

that asset as a basis for credit.

Did you ever think about it? It seems preposterous, when you stop to consider it, that land, real estate, the very basis of all our wealth, was one thing that no bank could loan money on. That was the one most substantial and valuable asset that the farmer had, and we have gone on for 50 years discriminating against the farmer under the only system established in this

What was the effect of that? Naturally, business men, financiers, would hesitate to loan upon real estate, because they said the United States Government will not permit its banks, which it supervises and controls and directs, to loan upon real estate, we better not touch it. Consequently that has been a handicap and a hardship imposed upon the agricultural inter-

ests of the country.

The farmer has been, generally speaking, without adequate facilities for financing his operations, and when he had such means he could make them available only on such terms and at such rates as to be the most burdensome imposed upon any people engaged in any industry. [Applause.] And for 50 years,

I say, that has continued.

Not until the recent act of Congress, establishing the Federal reserve system, was it permissible for national banks to loan upon real estate. Not until the recent Federal reserve act could his promissory note running over 90 days be classed as commercial paper available for discount, because he had no goods moving in trade or that he could handle and turn over daily; he had to wait on the seasons. He had his cash coming when the crops matured, and he could not pay anything until then, whereas the merchant is able to carry on his business depositing

Now, I am not blaming the banks in that connection, because the system was such that the banks had to be ready to meet the demands of their depositors on the instant, consequently they could not have their money tied up in long-time notes or loans. This is true under any commercial banking system

standing alone.

That was the reason, a very good reason, and it means that system needs to be supplemented by another system under which the farmer can get accommodations to meet his needs, and that problem has been worked out in Germany. It is not a mere theory, it is a practical demonstration. For 30 years they worked on it over there, and for over 50 years it has been established and in successful operation, and we may learn something from the experience of other countries. to do something in order to feed their people. They had to revive agriculture; they had to take care of the farmer because they had to supply the food, and Germany, not as big as the State of Texas, by an area as great as Alabama, is supplying 95 per cent of the food to feed 68,000,000 people. [Applause.]

Here in the United States, this great country of ours, the best country on the face of the earth, we are actually importing beef from Argentina and corn from Buenos Aires. For shame!

What do we find? The tendency is from the country to the cities and towns. We find the tenants increasing and the occuperfectly well that if the farms of this country were idle for one year that the grass and weeds would grow in these streets, and bats and owls would inhabit these buildings? You have got to come back to that, you have got to look after the man out yonder in the woods. We are all dependent upon him.

We should begin, then, at the very basis of his operations because he needs capital, just like every other business man needs capital. Farming is something more than the mere growing of stuff. It is a business, it is an industry; and proper scientific farming to-day requires just as much business capacity, just as much judgment, as any other business to be successfully conducted. It is a business as well as an occupation, as well as an industry.

We heretofore regarded the farmer as not needing to know about business methods and practices, because his business was expected to be attended to by his factor or banker, while he did the plowing and hoeing and hard work in the fields.

It is claimed that it has got so in some parts of the country that as the farmer rears his family-one is a bright boy, and he says of him: "John here is a pretty bright boy; he has a bright mind. I am going to send him off to school and will make a lawyer of him or a doctor. Here is one who has a particular genius for mechanics. I will send him off to school. I will make an engineer of him. Here is Jim, he was always lazy, indolent, and thick-headed and never would learn anything. I will keep him on the farm and make a farmer of him."

Now, that has got to stop. We are going to prosper in this country. We have got to make it worth while to be a farmer. There must be fair remuneration for the toil and the chances. Farming must be placed on a business as well as scientific footing. Country life must be made attractive socially and in-

dustrially.

We are not producing the amount of foodstuffs we could produce; we are not taking care of our farms; we are letting them grow up in weeds or waste away; we are not adding to the attractiveness and the beauty and the proper social conditions in the country as we should. If we are to prosper, we are not to neglect these things.

And why should we? There are 12,000,000 engaged in agricultural pursuits. There are 30,000,000 people directly dependent upon the farms for a living, and we are all indirectly dependent upon them. The estimated value of the farm prop-

erty of this country amounts to \$40,000,000,000.

Some people say, "Look here; you do not need to make it easy for the farmer to go into debt. You do not want to assist him in incurring any obligations, for he is too much prone to do that now. We are opposed to that. We do not want any plan whereby mortgages will be put on the farm and sent up to Wall Street." It was charged recently that this scheme was a Wall Street proposition. Of course, the complete answer to that is the stand of the President of the United States, when he indorses the very idea we have been contending for. plan proposed does not encourage but prevents getting in debt.

But our good friends who are so solicitous about the farmer not getting in debt fail to realize that the farmer is already in debt. The farmers of this country owe \$6,000,000,000, according to Government statistics, \$3,000,000,000 of it secured by mortgages on their farms; and I have on my desk in Washington stacks and stacks of letters from people in every State in this Union, and especially from the Northwest, and in many instances they tell me that the farms are mortgaged up to the assesed valuation of the property; and if it had not been for the natural and actual increase in the value of lands in this country many of our farmers would have been bankrupt years ago. It has been simply the natural rise in the value of lands that has saved them.

Now, that is the condition. There is no use to try to get away from that. On that \$3,000,000,000 they are paying an average of 10 per cent, including commissions and expenses-\$300,000,000 a year in interest, nothing going to liquidate the principal at all. If we can do nothing more than save the farmers of this country \$150,000,000 annually, we will have done something worth while. [Applause.]

But they are paying that 10 per cent on \$6,000,000,000, which means \$600,000,000 of interest, while here is a possibility of saving \$300,000,000 for the farmers of this country every year. Not only that, but it means giving them financial facilities so they can go on with their plans and develop their properties and beautify their homes and improve and make desirable country life. We can do this. It is being done in other countries; for instance, the interest paid in Germany is 3½ to 4½ per cent by farmers. The bonds based upon farm mortgages are sold pying owners decreasing in the country. We find exports of by farmers. The bonds based upon farm mortgages are sold foodstuffs decreasing and imports increasing. Is that a safe in the market at just as high rate as the Government bonds and sound condition for a country to face? Do we not know themselves. Three and one-half to 4½ per cent is the interest

at which those people get their money, and the ordinary commercial rate, I am told, is as high there as here.

The farmer finds this condition—and here is where your work comes in, it seems to me-the estimate is that the value of the farm products annually on the farm amount to \$9,500,000,000. Assuming that the farmers use one-third of that, we have \$6,000,000,000 as the value of the annual product of our farms, on the farms, going to market. It is estimated further that the consumers of this country pay \$13,000,000,000 for those products, so that we have \$7,000,000,000 disappearing annually between the farm and the breakfast table. Part of it is taken up in transportation; part of it is taken up in distribution; and there, I say, it seems to me, is the problem to which this league could well address its splendid minds—the solving of this as yet unsolved problem of distribution in this country.

What is the best way? The farmer, of course, can not take his product to the consumer. He can not do that to any considerable extent, at least; he can not get in touch with the market places, but he can get in touch with honorable men like yourselves, who can help save him money on his transportation; who can get the best prices for his products; and who can, with him, and with the means you can command, enable some of that \$7,000,000,000 a year to go to benefit the consumers of the country, and some to benefit the producers of the country at the same time. [Applause.]

A tremendous amount of money for the farmers, owing \$6,000,000,000. We can not comprehend what it is. You may get an idea of it by this illustration: There have been just about one billion minutes since the birth of Christ, so that the farmers of this country now owe \$6 for every minute of the Christian era. You must relieve that situation.

And here is what the President says, in his powerful address delivered on the 2d of December, to both Houses of Congress:

delivered on the 2d of December, to both Houses of Congress:

I present to you, in addition, the urgent necessity that special provision be made also for facilitating the credits needed by the farmers of the country. The pending currency bill does the farmers a great service. It puts them upon an equal footing with other business men and masters of enterprise, as it should; and upon its passage they will find then selves quit of many of the difficulties which now hamper them in the field of credit. The farmers, of course, ask and should be given no special privilege, such as extending to them the credit of the Government itself. What they need and should obtain is legislation which will make their own abundant and substantial credit resources available as a foundation for joint, concerted local action in their own behalf in getting the capital they must use. It is to this we should now address ourselves.

ourselves.

It has, singularly enough, come to pass that we have allowed the industry of our farms to lag behind the other activities of the country in its development. I need not stop to tell you how fundamental to the life of the Nation is the production of its food. Our thoughts may ordinarily be concentrated upon the cities and the hives of industry, upon the cries of the crowded market place and the clangor of the factory, but it is from the quiet interspaces of the open valleys and the free hillsides that we draw the sources of life and of prosperity—from the farm and the ranch, from the forest and the mine. Without these every street would be silent, every office deserted, every factory fallen into disrepair. And yet the farmer does not stand upon the same footing with the forester and the miner in the market of credit. He is the servant of the seasons. Nature determines how long he must wait for his crops, and will not be hurried in her processes. He may give his note, but the season of its maturity depends upon the season when his crop matures—lies at the gates of the market where his products are sold. And the security he gives is of a character not known in the broker's office or as familiarly as it might be on the counter of the banker.

nis crop matures—lies at the gates of the market where his products are sold. And the security he gives is of a character not known in the broker's office or as familiarly as it might be on the counter of the banker.

The Agricultural Department of the Government is seeking to assist as never before to make farming an efficient business, of wide cooperative effort, in quick touch with the markets for foodstuffs. The farmers and the Government will henceforth work together as real partners in this field, where we now begin to see our way very clearly and where many intelligent plans are already being put into execution. The Treasury of the United States has, by a timely and well-considered distribution of its deposits, facilitated the moving of the crops in the present senson and prevented the scarcity of available funds too often experienced at such times. But we must not allow ourselves to depend upon extraordinary expedients. We must add the means by which the farmer may make his credit constantly and easily available and command when he will the capital by which to support and expand his business. We lag behind many other great countries of the modern world in attempting to do this. Systems of rural credit have been studied and developed on the other side of the water while we left our farmers to shift for themselves in the ordinary money market. You have but to look about you in any rural district to see the result, the handicap and embarrassment which have been put upon those who produce our food.

Conscious of this backwardness and neglect on our part, the Congress recently authorized the creation of a special commission to study the various systems of rural credit which have been put into operation in Europe, and this commission is already prepared to report. Its report ought to make it easier for us to determine what methods will be best suited to our own farmers. I hope and believe that the committees of the Senate and House will address themselves to this matter with the most fruitful results, and I b

That is the position of the President. Bills have been pre-pared. I submitted one last August, and that was referred to & committee; but I am not so wedded to it that I am not per-

fectly willing to take any other measure that will bring about this relief. The measure will provide for the establishment of a system of farm-land banks, whereby the farmer can get financial accommodation for productive purposes, on long term, with a low rate of interest and with the privilege of reducing the principal by small payments as he pays his interest. For instance, if he gets a loan at 4% per cent and pays 6% per cent semiannually, he will pay off and discharge the entire debt in 25

Now, gentlemen, I want to appeal to you as intelligent business men, who want to see the country prosper and grow, as it should and as it will, in spite of hampered conditions-do not you favor a proposition like that? If you do, do not you think it is worth while to indorse it by some resolution which would have its weight in Congress? I think it will help if you will favorably consider it.

I am not going to detain you longer. I have in as condensed way as possible endeavored to outline the origin of this movement and the extent and scope of it and to indicate how this great economic question of rural credits ought to be dealt with. The Federal reserve act does not and could not be made to meet the situation. No strictly commercial banking system can. A supplementary system is required. The Federal reserve act goes as far as safety would permit. But under the privilege to loan on farm lands not over \$200,000,000 would be available. This amount would be decidedly inadequate to serve the interests of agriculture. The rediscounting privilege is so restricted as to be of somewhat uncertain value and surely is insufficient. A wise system of agricultural credit will undoubtedly be a highly effective instrument of economic and social conservation.

I am going to leave the subject with you with this further thought

England might take first place in the naval world, Germany might take first place in the military world, but the United States takes first place in the commercial world. And that is more important than the other two, for the simple reason that peace lasts longer than war. And that nation which is in that position, supreme in its commerce and its trade, is in position, without bullying, to dictate in peace or in war. Its weapon is trade, and it will not likely need any other. That nation which produces a surplus of the prime necessities of life, which other nations must come to it to get or go hungry and naked, is in position of supreme power—and that Nation is the United States. So long as that condition continues her position is assured while civilization endures.

Mr. WILLIAMS. Mr. President, in immediate connection with this matter and as relevant to it, I ask that there be printed in the Record some resolutions adopted by the fifth annual convention of the Federation of Jewish Farmers of America, held in New York City November 16, 1913, and also a little leaflet of three pages, being the third annual report of the Jewish Farmers' Cooperative Credit Unions.

These people have worked out a system of farm credits which

they put into actual operation and which I thought, perhaps, might be useful to Senators. I think it would be well for it to go into the Record, if there is no objection.

There being no objection, the matter was ordered to be

printed in the RECORD, as follows:

Resolutions adopted by the fifth annual convention of the Federation of Jewish Farmers of America, held in New York City November 16 to 19, 1913.

Whereas agriculture in the United States has long been handicapped because of the lack of adequate rural credit facilities—both land credit and personal credit;
Whereas it has come to be generally recognized that the inauguration of proper systems of both kinds of rural credit will be of inestimable benefit not only to the farmers, who are the producers of our foodstuffs, but also to the urban population, the consumers;
Whereas the land-credit system which was inaugurated by the Baron de Hirsch Fund in 1890 and carried on by it until 1900 and since then by the Jewish Agricultural and Industrial Aid Society, its subsidiary, has proved to be an incalculable blessing to the Jewish farmers in this country and demonstrated the possibilities of land credit in the United States;
Whereas the system of cooperative credit introduced into the United States by the Jewish Agricultural and Industrial Aid Society and the 17 agricultural credit unions organized by that society has proved the usefulness and adaptability of this form of credit to American agriculture; and

proved the usefulness and adaptability of this form of credit to American agriculture; and
Whereas the President of the United States has in his first annual message directed the attention of Congress to the need of the early enactment of proper laws to deal adequately with the subject: Therefore be it

Resolved, That we, the members of the Federation of Jewish Farmers of America, in convention assembled, most heartily extend our thanks to the President of the United States for his efforts in behalf of the country's agriculture, and that we memorialize the Congress of the United States to give its earliest consideration to this most important

question;
Resolved, That a copy of these resolutions, together with the third annual report of the Jewish Farmers' Cooperative Credit Unions, be forwarded to the President and members of his Cabinet, to all the

Members of Congress, and to the governors of all the States in the Union; and be it further Resolved, That the thanks of this convention be tendered to the Jewish Agricultural and Industrial Aid Society for its many educational activities for the benefit of the Jewish farmers in this country and for pointing to the solution of the pressing problem of rural credit

THIRD ANNUAL REPORT OF THE JEWISH FARMERS' COOPERATIVE CREDIT UNIONS.

The Jewish Farmers' Cooperative Credit Unions—the first and, so far, the only cooperative agricultural credit banks on American soll—were created by the Jewish Agricultural and Industrial Aid Society.

LAND CHEDIT.

This society is an offshoot of the Baron de Hirsch Foundation, which came into existence in 1890. From its very inception the Baron de Hirsch Fund, among its other activities, made loans to Jewish farmers. Ten years later the Jewish Agricultural and Industrial Ald Society was incorporated, specially to look after the agricultural end of the Baron de Hirsch Fund work. All agricultural and Industrial Ald Society was incorporated, specially to look after the agricultural end of the Baron de Hirsch Fund work. All agricultural matters were then turned over to the newly organized society. It can therefore be said that the Jewish Agricultural and Industrial Ald Society, together with the loans made by its parent organization, has been engaged in the land-credit business close to 24 years. The land-credit system of that society is, accordingly, the oldest extant in the United States.

With the exception of the manner of raising its funds, the land-credit system of the Jewish Agricultural Society is not unlike that of the Credit Foncier and other corporate land-credit institutions of the type prevailing on the European Continent. Loans are secured by real estate mortgage and are repayable by amortization in moderate annual installments. The interest rate is 4 per cent. Although the funds of the Agricultural Aid Society are limited to a stated annual income and its operations are confined to a special class, its work shows the possibilities of land credit and its adaptability to American conditions. In the 14 years the society has been in existence it has granted 2,800 loans, aggregating about \$1,800,000. These loans were made to 2,500 Jewish farmers in 31 States and in Canada. The operations of that society thus embrace a much larger territory than those of all the land-credit banks in continental Europe taken together.

COOPERATIVE CREDIT.

The cooperative credit system of that society is a direct outgrowth of its land-credit system. The need of short-time personal credit by the American farmer was long recognized by those at the head of the society. But with a clientele scattered over practically the entire country direct extension of personal credit was not deemed practicable. Accordingly, as early as 1907 serious consideration was given to the question of releving the situation by the adoption of one of the European cooperative systems. But progress was not very rapid. The wealth of literature which is now at everybody's command was wanting then, and it was necessary to go to original sources for information. Legislation on the subject, too, was nonexistent, and it was a question whether such associations could be legally organized. In 1909 the society was prepared to attack the problem definitely, and it was then and there decided to organize these credit unions as unincorporated or voluntary associations. Meanwhile the spirit of cooperation was growing among the Jewish farmers, and the groundwork was being laid for these credit unions through the organization of many local Jewish farmers' associations and their federation into the Federation of Jewish Farmers of America.

PIONEER CREDIT UNIONS.

The first credit union commenced business in May, 1911; 3 were organized that year, 5 in 1912, and 9 in 1913, making a total of 17 in operation. Eight of these are located in New York, 5 in New Jersey, and 4 in Connecticut. Each of them raised \$500 or more from the sale of shares to members, and the aid society loaned them each \$1,000 with which to begin operations. The form of organization of these credit unions is similar to that of the Raiffeisen banks—after which most cooperative credit institutions the world over are patterned—in so far as that system could be adapted to American conditions and to the peculiar needs of the situation.

The following table contains a report of the operations and financial statement of these credit unions for September 30, 1913. As will be observed, they have an aggregate membership of 517 and a capital of \$9,165. They have been in operation for periods averaging a little over 13 months, during which time they loaned out \$73,624.66—about eight times their capital. Their net profits amount to \$1,317.93; that is at the rate of 132 per cent per annum on their capital.

Table showing the operations of the Jewish Farmers' Cooperative Credit Unions since their organization, [Compiled by the Jewish Agricultural and Industrial Aid Society.]

Name.	Com- menced business.	Num- ber of mem- bers.	Num- ber of shares out- stand- ing.	Number of loans granted.	Amount of loans granted.	Num- ber of loans repaid.	Amount of principal collected.	Amount of loans out-standing.	Interest col- lected.	Ex- penses.	Total assets.	Total liabilities.	Assets over lia- bilities.
Fairfield, Conn. Ellington, Conn. Rensselaer, N. Y. Briggs Street, New York City Lebanon, Comn. Colchester, Conn. Fallsburg, N. Y. Hurleyville, N. Y. Hightstown, N. J. Parksville, N. Y. Woodbine, N. J. Carmel, N. J. Flemington, N. J. Perrineville, N. Y. Maplewood, N. Y. Stevensville and Ferndale, N. Y.	May, 1911 May, 1911 May, 1911 Mar, 1912 Mar, 1912 Apr., 1912 Apr., 1912 Jan., 1913 Feb., 1913 Feb., 1913 Feb., 1913 Apr., 1913 Apr., 1913 Apr., 1913	29 23 29 46 24 26 24 32 82 22 24 28 28 22 26 36 22 36 36 32 33	108 112 84 117 117 101 113 119 100 120 100 144 100 97 100	108 92 109 86 86 63 78 129 34 42 60 67 27 42 21	\$6, 930. 90 7, 555. 90 6, 513. 90 6, 035. 00 4, 070. 90 5, 384. 90 2, 750. 90 2, 930. 90 4, 097. 94 1, 835. 90 1, 925. 90 1, 905. 90	87 72 86 67 64 38 61 102 9 17 23 33 43 13 20 8	\$5, 630. 00 5, 905. 00 5, 907. 00 4, 553. 50 4, 021. 85 2, 535. 00 4, 204. 00 6, 326. 79 830. 00 1, 690. 90 2, 080. 00 2, 782. 97 1, 040. 00 1, 210. 00 675. 00	\$1,300.00 1,650.00 1,496.00 1,481.50 1,503.05 1,535.00 1,180.00 1,708.03 1,300.00 1,150.00 1,240.00 1,450.00 1,314.97 705.00 1,265.00 1,265.00	\$189, 64 231, 54 208, 32 160, 63 191, 13 140, 48 140, 19 152, 45 70, 00 53, 12 65, 35 62, 43 37, 70 49, 83 49, 75	\$138, 37 91, 29 105, 12 41, 30 57, 93 35, 88 59, 99 33, 93 15, 41 34, 59 10, 92 16, 38 23, 03 24, 47 24, 47 6, 97	\$1,601.77 1,709.98 1,544.35 1,704.33 1,704.33 1,613.40 1,687.57 1,723.42 1,538.94 1,634.91 1,542.20 1,773.22 1,544.51 1,498.23 1,552.78	\$1,540.00 1,580.00 1,420.00 1,585.00 1,585.67 1,506.06 1,565.96 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00	\$61. 77 149. 98 124. 33 119. 33 171. 11 107. 44 121. 61 126. 42 38. 69 34. 99 42. 22 53. 22 44. 53 42. 73 44. 24 44. 73 44. 74 44. 24 44. 75 44. 75 44. 75
Total		517	1,833	1,103	73, 624. 66	754	50, 816. 11	22, 808. 55	1,900.35	726.93	27, 487. 56	26, 169. 63	1,317.93

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Industrial Expositions, to which was referred the bill (S. 3971) to provide for a permanent exhibit of the resources of the States of the Union in or

near Washington, D. C., reported it with an amendment and submitted a report (No. 197) thereon.

Mr. LANE, from the Committee on Claims, to which was referred the bill (S. 2069) for the reimbursement of Jacob Wirth for two horses lost while hired by the United States Geological Survey, reported it without amendment and submitted a report

(No. 198) thereon,
Mr. MARTINE of New Jersey, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 3610) for the relief of C. E. Moore, reported it without amendment and submitted a report (No. 199) thereon.

Mr. SMOOT, from the Committee on Public Lands, to which

was referred the bill (S. 2068) to authorize the allowance of second homestead and desert entries, reported it with amendments and submitted a report (No. 200) thereon.

He also, from the same committee, to which was referred the

bill (S. 474) to authorize the issuance of absolute and unqualified patents to public lands in certain cases, reported it without amendment and submitted a report (No. 201) thereon.

Mr. CLARK of Wyoming, from the Committee on Public Lands, to which was referred the bill (S. 65) to amend an act entitled "An act providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretoentitled "An act providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain hears none. The question is on agreeing to the resolution:

in lieu thereof," approved April 12, 1910, reported it without amendment and submitted a report (No. 202) thereon.

LAWS OF THE PHILIPPINES.

Mr. SHAFROTH. On the 26th instant the Senate received a message from the President of the United States transmitting a set of the laws enacted by the Third Philippine Legislature during its first session, and the message and accompanying papers were referred to the Committee on the Pacific Islands and Porto Rico. I move that the committee be discharged from the further consideration of the message and accompanying papers and that they be referred to the Committee on the Philippines

The motion was agreed to.

THE TELEGRAPH AND TELEPHONE AS ADJUNCTS OF POSTAL SERVICE.

Mr. BANKHEAD. I report back from the Committee on Post Offices and Post Roads Senate resolution 242, and I call the attention of the Senator from Nebraska [Mr. Norris] to it.
The VICE PRESIDENT. The resolution will be stated.
The Secretary. Senate resolution 242, directing the Post-

master General to send to the Senate the result of the investigation he has been making regarding the Government ownership and control of means of communication, with a view to the acquisition by the Government of telegraph and telephone facilities.

Mr. NORRIS. I ask unanimous consent for the present con-

Is there objection? The Chair

Mr. BACON. I beg pardon of the Chair; I do not know exactly what the resolution is.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 242) submitted by Mr. Norris on the 12th instant, as follows:

Resolved, That the Postmaster General be, and he is hereby, directed to send to the Senate the results of the investigation he has been making regarding Government ownership and control of means of communication wifth a view to the acquisition by the Government of the telegraph and telephone facilities, to be operated as an adjunct to the Postal Service, and that in connection therewith he send to the Senate all of the data and information that has been acquired by means of such investigation, together with a copy of all reports that have been made thereon by any committee or persons appointed by him for the purpose of making such investigation.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred

A bill (S. 4247) to increase the efficiency of the United States Navy, by the appointment of six vice admirals; to the Committee on Naval Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 4248) to place the name of George W. Peters upon the unlimited retired list of the Army; to the Committee on

Military Affairs.

A bill (S. 4249) to amend the act of June 30, 1906, entitled

"An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes"; to the Committee on Manufactures.

By Mr. JONES: A bill (S. 4250) to authorize the county commissioners of Skagit County, Wash., to construct a bridge across the Swinomish Slough opposite the town of La Conner; to the Committee on Commerce.

(By request.) A bill (S. 4251) in aid of reclaiming arid lands, and for other purposes; to the Committee on Irrigation and Real Revolution of Arid Lands.

By Mr. ROOT:

A bill (S. 4252) for the relief of the Plant Investment Co., of New York, N. Y.; to the Committee on Claims. A bill (S. 4253) to authorize the Secretary of the Navy to erect a suitable monument over the remains of Rear Admiral Charles Wilkes, United States Navy, in the National Cemetery at Arlington, Va.; to the Committee on the Library

A bill (S. 4254) to enable the Secretary of War to pay the amount awarded to the Malambo fire claimants by the joint commission under article 6 of the treaty of November 18, 1903, between the United States and Panama; to the Committee on Foreign Relations.

A bill (S. 4255) to mark the approaches to the Cape Cod Canal, in Buzzards Bay and Barnstable Bay; to the Committee on Commerce.

By Mr. PITTMAN:

A bill (S. 4256) to provide for the acquisition of a site and the erection of a public building thereon at Tonopah, Nev.; to the Committee on Public Buildings and Grounds.

By Mr. CLAPP:

A bill (S. 4257) granting an increase of pension to Peter Gavin; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 4258) granting a pension to Emma F. Ackerson (with accompanying papers); to the Committee on Pensions. By Mr. O'GORMAN:

A bill (S. 4259) granting a pension to Blanche Wood; to the Committee on Pensions.

By Mr. BRISTOW:

A joint resolution (S. J. Res. 104) for printing as a public document the publication of the State Department known as the Documentary History of the Constitution of the United States; to the Committee on Printing.

AMENDMENT TO POST OFFICE APPROPRIATION BILL.

Mr. JONES. I submit an amendment proposing to increase the compensation of rural-delivery carriers by 20 per cent intended to be proposed by me to the Post Office appropriation bill (H. R, 11338). I move that the amendment be printed and referred to the Committee on Post Offices and Post Roads.

The motion was agreed to.

OMNIBUS CLAIMS BILL.

Mr. BRYAN submitted an amendment intended to be proposed by him to the omnibus-claims bill, which was referred to the Committee on Claims and ordered to be printed.

CONDITIONS IN MINING DISTRICTS IN MICHIGAN.

Mr. SMITH of Georgia. Mr. President, the Senate had under consideration and referred to the Committee on Education and Labor a resolution (S. Res. 243) providing for an inquiry into the strike of the mine workers in the copper-mining district of Michigan. The committee received informally from the Secretary of Labor the results of an investigation and a report by a special agent of the department, and also a report by two mediators who were appointed to investigate the matter

I was directed by the committee to confer with the Department of Labor to see if it were practicable to abbreviate the report, so that we could print it under our \$500 allowance by a resolution of the Senate alone. But after conference with the department we reached the conclusion that it would be very difficult to abbreviate the report without leaving out matter which parties interested might feel ought not to have been omitted

I feel that the proper course will be to ask for the adoption of a concurrent resolution for printing the entire document, for it will cover probably 200 pages and will cost more than \$500. I think its substance will be very important, both for the use of the Senate and the House in connection even with the consideration of the question of an investigation.

I submit a resolution directing the Secretary of Labor to formally furnish the Senate with a copy of the reports of the inves tigation. I ask for its immediate consideration, although ordinarily, I think, such a resolution should go to the committee. I ask it because the Secretary of Labor has already informally sent the report to us. It is now in the possession of the committee; but before submitting a concurrent resolution to print the report it seems to me it ought to be officially furnished to the Senate

Mr. SMOOT. Mr. President, I simply wish to ask the Senator if the Department of Labor expects to print it as a departmental document?

Mr. SMITH of Georgia. They advise me that they have not the funds to print it.

Mr. SMOOT. That is exactly what I wanted to understand, because if the investigation was made by the department with an understanding that they were to publish it as a departmental document, then, of course, I do not think Congress ought to order it to be printed before ascertaining that they have not a sufficient appropriation for the purpose. But if the committees of Congress request that this be printed for their information and for their consideration I am not going to object. I do not want this to be understood, however, as establishing a precedent for the publication by Congress of something that the Depart-ment of Labor ought itself to publish.

Mr. SMITH of Georgia. Mr. President, I agree with the view of the Senator from Utah, and I would not ask that this report be printed in any sense as simply being the work of the Department of Labor and for the use of the Department of Labor. I do so because each House has taken up the question of making for itself an independent investigation of this sub-ject, and because the Committee on Education and Labor of the Senate felt that before they determined whether or not an investigation was even necessary they ought, as individuals, and that the Senate also ought, to have the opportunity of see-ing what has already been done. We conferred with the Department of Labor and found that they were not in a position to print it and furnish it to us. The resolution which I shall subsequently submit is intended to publish it solely because the committees of the two Houses need it for their own use.

Mr. SMOOT. The document has not been printed by the de-

Mr. SMITH of Georgia. It has not been, and we did not wish to ask for it if the department could print it; but as we wanted it and felt that we really must have it and could not use it with any effectiveness simply in manuscript—although it was promptly furnished—we felt that it would become necessary for us to take the proper steps to have it formally furnished to the Senate, so that we might have it printed for our own use. When I present the concurrent resolution authorizing it to be printed I shall then emphasize the fact that I only ask it be-

Cause we need it.

Mr. SMOOT. There is an effort, Mr. President, on the part of some of the departments to get a great deal of their printing done by Congress that ought to be done by the departments themselves. It is for that reason I called the attention of the Senate to the matter. I fully agree with the Senator from Georgia and have no objection to the plan he suggests being

Mr. SMITH of Georgia. I offer the following resolution and ask for its present consideration.

The resolution (S. Res. 255) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of Labor be directed to furnish to the Senate all information he may have resulting from investigations made by the Department of Labor and reports furnished to the Department of Labor with reference to the strikes of workmen in the Michigan copper districts.

FLORIDA EVERGLADES ENGINEERING COMMISSION (S. DOC. 379).

Mr. FLETCHER. I submit the resolution I send to the desk, and, on account of the widespread interest in the subject, I ask

unanimous consent for its present consideration.

The resolution (S. Res. 256) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the report of the Florida Everglades Engineering Commission to the board of commissioners of the Everglades drainage district for 1913 be printed as a Senate document, with accompanying illustrations.

PANAMA RAILROAD CO.

Mr. NORRIS. Mr. President, I submit a request for unanimous consent to print, as a Senate document, the last report of the Panama Railroad Co. Heretofore, I understand, such reports have always been printed, but this report was not ordered printed. For use in the debate in the Senate we were unable to get more than a few copies, which, I think, were published by the railroad company itself. Most of us have calls for it, and, as I have said, I think it has always been published as either a House or a Senate document.

Mr. SMOOT. I should like to ask the Senator if that docu-

ment has not been heretofore printed by the railroad company

itself rather than by Congress?

Mr. NORRIS. No; as I understand, that is not the case. In endeavoring to obtain copies I have come in contact with a great many officials, and they have told me, in substance, what I have just stated to the Senate, that heretofore the reports have been printed as public documents; but that the last one was not ordered to be printed.

Mr. SMOOT. Does the Senator from Nebraska know how much it will cost to print the report or how large a volume it

will make?

Mr. NORRIS. I had a copy of it during the debate here the other day. I have it at my office now, and do not happen to have it here. I would say it would make a document the size of documents usually printed, not exceeding 30 or 40 pages.

Mr. SMOOT. I again ask the Senator who had printed the

document heretofore?

Mr. NORRIS. Does the Senator from Utah refer to the document for which I am making the request?

Mr. SMOOT. I refer to the document to which the Senator

has been calling attention.

Mr. NORRIS. It has heretofore been printed by the board of directors of the railroad company. Copies of the document can not be obtained, unless from the railroad company, and they only have a limited supply, so far as I know. During the debate here, when a great many Senators were trying to get copies, there were only two copies available, as I have been told by employees of the Senate.

employees of the Senate.

Mr. SMOOT. I should like to see the document.

Mr. NORRIS. The document which I hold in my hand [exhibiting] is not the document. However, the one to which I refer is about the same size as this, but it has not, I think, so many pages as are contained in this one. If it were printed as our documents usually are, it would not make as many pages as the document which I hold in my hand.

Mr. SMOOT. Mr. President, I will ask the Senator from

Nebraska if he will not let the matter go over at this particu-

Mr. NORRIS. So far as I am concerned, I am willing to let the matter go over or that it be referred to the Committee on

The VICE PRESIDENT. It will be referred to the Commit-

tee on Printing.

Mr. NORRIS. I presume I ought to submit a formal resolution on the subject, or will the request which I have made be

The VICE PRESIDENT. The Chair thinks the request is sufficient to refer the report of the Panama Railroad Co. to the Committee on Printing to determine whether or not it ought to be printed as a public document.

Mr. NORRIS. That is satisfactory to me.
The VICE PRESIDENT. The report will be referred to the

Committee on Printing for consideration,

THE UNITED STATES STEEL CORPORATION.

The VICE PRESIDENT. Morning business is closed.
Mr. NEWLANDS. Mr. President, I ask unanimous consent that Senate resolution 241, regarding the institution of suits for that senate resolution 241, regarding the institution of suits for the recovery of fines, penalties, or forfeitures from the United States Steel Corporation be now taken up. The VICE PRESIDENT. Is there objection? There being no objection, the Senate proceeded to consider the

Mr. NEWLANDS. I suggest the absence of a quorum.
The VICE PRESIDENT. The Secretary will call the roll.
The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Newlands	Simmons
Bacon	Hollis	Norris	Smith, Ariz.
Bankhead	James	O'Gorman	Smith, Ga.
Brady	Johnson	Overman	Smith, S. C.
Brandegee	Jones	Page	Smoot
Bristow	Kern	Perkins	Stephenson
Bryan	Lane	Pomerene	Sterling
Chamberlain	Lee, Md.	Ransdell	Stone
Clapp	Lippitt	Robinson	Sutherland
Clark, Wyo.	Lodge	Root	Vardaman
Cummins	McCumber	Saulsbury	Walsh
Dillingham	Martin, Va.	Shafroth	Warren
Fall	Martine, N. J.	Sheppard	Williams
Fletcher	Myers	Shields	Works
Goff	Nelson	Shively	VULAS

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present.

Mr. NEWLANDS. I ask that the resolution may be read.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution, submitted by Mr. Lane on the 12th instant and reported, with amendments, from the Committee on Interstate Commerce on the 20th instant, as follows:

Committee on Interstate Commerce on the 20th instant, as follows:

Resolved, That the Interstate Commerce Commission is hereby directed to conduct an examination and inquiry for the purpose of ascertaining whether there exist facts or evidence that in the opinion of the commission would justify the Government in instituting suits or legal proceedings for recovery of fines, penalties, or forfeitures from the United States Steel Corporation, its subsidiaries, or any common carrier because of unlawful rebates, offsets, and preferences received and accepted by the above-named corporation or its constituent companies within the last six years.

The Interstate Commerce Commission is hereby directed to hear all witnesses and testimony in pursuance of this resolution at open public hearings to be held before one or more members of the commission.

The Interstate Commerce Commission is hereby further directed to forthwith subpæna and bring before it William H. Green, of Creighton, Nebr., to give testimony before said commission relative to unlawful rebates, offsets, or preferences received and accepted by the United States Steel Corporation and its subsidiary corporations from common carriers as aforesaid.

And should said William H. Green when before the commission name any other person or persons as having knowledge of facts or evidence showing payments of unlawful rebates, offsets, or preferences to said United States Steel Corporation or subsidiary thereof as aforesaid, then the Interstate Commerce Commission is hereby directed to forthwith subpæna and examine before it any such person or persons: Provided, That nothing in this resolution shall be construed as affecting the discretion of the commission with respect to the taking of the testimony of any witness or causing such witness to produce books or papers when it appears that such witness is an employee, agent, officer, or director of the United States Steel Corporation, any subsidiary thereof, or of any common carrier.

The commission shall within 30 days afte

Mr. NEWLANDS. I ask for the reading of the report of the Committee on Interstate Commerce-simply the report, without

The VICE PRESIDENT. The Secretary will read the report. The Secretary read as follows:

Report No. 162, to accompany Senate resolution 241, by Mr. NEW-

Report No. 162, to accompany Senate resolution 241, by Mr. New-LANDS:

The Committee on Interstate Commerce reports that it first sought to ascertain whether any investigation was pending covering the subject matter of the resolution (S. Res. 241), presented by the Senator from Oregon (Mr. Lane), and with this view it sought information from the Bureau of Corporations, the Attorney General, and the Interstate Commerce Commission. The Bureau of Corporations reported that its inquiry regarding the United States Steel Corporation had not covered the question of rebates. The assistant to the Attorney General reported that there is a suit now pending for the dissolution of the United States Steel Corporation as an organization in restraint of trade; that the Government has already put in its case, and that the defendant is presenting its testimony; that evidence of rebates would be material evidence in the suit for dissolution, but that none has been presented upon that point; and that if material testimony upon this subject were secured, the Government could probably obtain a reopening of the case for the taking of such testimony.

The chairman of the Interstate Commerce Commission reported that David H. Lamar had appeared before the commission and proposed to furnish it evidence of rebates and preferences similar to those referred to mploy an attorney whom he (Lamar) would designate, and that the commission had declined this proposal.

The Senator from Oregon [Mr. Lane], who introduced the resolution appeared before the committee and stated that the resolution as drawn had been presented to him by William H. Green, of Creighton, Nebr., and that David H. Lamar had accompanied Green to his office; that he himself had no knowledge of the rebates and preferences other than the assurance of Mr. Green that testimony regarding such rebates, etc., would be presented; and he also stated that Mr. Green was unwilling to appear before the committee, but that he would endeavor to secure his attendance if desired.

On a subsequent day the Senator from Oregon secured the attendance of Mr. Green before the committee, but Mr. Green declined to state either what the facts were or the names of the witnesses upon whom he relied, insisting that he desired an open investigation before Commission under the law to prosecute such investigations upon the facts being presented to it, and that he had the privilege of appearing before the commission and presenting his facts and witnesses, he replied that he wished to obtain the backing of the Senate in the matter. Upon being pressed by the committee to give it such a statement of facts as would enable it to form some judgment as to the necessity for and the good faith of the investigation, he again declined to give such information.

The committee therefore reports the resolution back with certain amendments, so that when amended it will read as follows:

Mr. NEWLANDS. I should like to have the Secretary read

Mr. NEWLANDS. I should like to have the Secretary read the amendments contained in the report.

The VICE PRESIDENT. The Secretary will state the amend-

The SECRETARY. On page 3, line 5, after the word "thereon," the committee propose to add the following words:

be referred to the Attorney General and to the Interstate Commerce Commission for investigation and for such action as shall be deemed advisable by them, or either of them, in the public interest.

Mr. NEWLANDS. The Secretary has not read the first amendment, at the commencement of the first page.

The SECRETARY. On page 1, line 1, it is proposed to insert: Resolved, That Senate resolution No. 241, reading as follows:

Mr. NEWLANDS. I will state that it is unnecessary to read the entire resolution as amended by the committee. The amendment is in the first two lines and in the last four lines. The amendatory parts are:

Resolved, That Senate resolution No. 241, reading as follows

Then comes the resolution offered by the Senator from Oregon [Mr. Lane], and then, after that, the following amendment: be referred to the Attorney General and to the Interstate Commerce Commission for investigation and for such action as shall be deemed advisable by them, or either of them, in the public interest.

Mr. NORRIS. Mr. President, will the Senator yield for a question?

Mr. NEWLANDS. Certainly.

Mr. NORRIS. I should like to ask the Senator just where that amendment comes in in the printed copy of the resolu-tion. Is there a print of the resolution as the committee has amended it?

Mr. NEWLANDS. Yes.

Mr. NORRIS. All right; I can get it from that. I had not that copy

Mr. NEWLANDS. The Senator will observe that the amendments are in the first two lines and in the last four lines.

Mr. LANE. Will the Senator state what change is contemplated in the first two lines?

Mr. NEWLANDS. Simply the insertion of the following

Resolved, That Senate resolution No. 241, reading as follows-

Then comes the Senator's resolution, and then comes the other amendment at the close

be referred to the Attorney General and to the Interstate Commerce Commission for investigation and for such action as shall be deemed advisable by them, or either of them, in the public interest.

Mr. President, the first question that was presented to the committee was as to whether such a resolution as that presented by the Senator from Oregon could be passed by the Senate alone; whether it did not require action by joint resolution. It will be observed that the resolution directs the Interstate Commerce Commission to conduct an examination for certain purposes, and also requires that the examination shall be an open examination. It also directs the Interstate Commerce Commission to bring before it a certain witness by the name of Green, and to subpœna before it any witnesses that may be named by Mr. Green.

The interstate-commerce act provides for investigations of this kind by the Interstate Commerce Commission. It does not declare whether they shall be open examinations or not. As a matter of fact, the commission conducts examinations according to its discretion, sometimes conducting them through agents and at other times before the full commission, some of the examinations being with publicity and others without publicity. The interstate-commerce act gives the commission the power to subpæna witnesses. Here is an effort, by a resolution of the Senate only, practically to legislate upon this subject, to compel

the Interstate Commerce Commission to subpæna witnesses, and to conduct the examination as an open examination.

If the Senate has the power to compel the Interstate Commerce Commission to subpæna certain witnesses, it can forbid it to subpoena certain witnesses. If it can direct it to hold an open investigation, it can direct it to hold a secret investigation. The mere statement shows that thus, by the action either of the Senate or of the House, individually, if such a resolution as this is to be passed, legislation can be enacted materially varying or modifying the terms of the interstate-commerce act.

Another difficulty was presented to the Interstate Commerce Committee, and that was the naming of a certain witness, Mr. Green, in the resolution, with a direction to the Interstate Commerce Commission to compel the attendance of that witness. Not only that, but the resolution contained a direction to the commission to subpæna any other witnesses whom the witness named might point out.

It was feared, in the first place, that this might result in immunity; that if the Senate had the power to direct this to be done it might result in bringing before the commission certain witnesses whose testimony would give them immunity regarding grave offenses.

The procedure of naming a witness also was unusual. Under the law it is made the duty of the Interstate Commerce Commission to make such investigations. The chairman of the Interstate Commerce Commission informed the committee that they would be willing and desirous, upon proper cause being shown, to conduct such an investigation. He stated that an approach had been made to the commission by David H. Lamar, known as "the wolf of Wall Street," with a view to an investigation covering this very subject matter, but that Mr. Lamar attached as a condition to the disclosure of the facts which he contended were important facts that the commission should allow him to select and designate the attorney to conduct the investigation.

It appears, therefore, that under the law William H. Green or any other person, without the intervention of Congress or the intervention of the Senate, can go before the Interstate Commerce Commission at any time and secure such an investigation, and that an attempt was made to secure such an investigation, but upon terms which, of course, the Interstate Commerce Commission could not accept.

Mr. SMOOT. Is there any reason why the Senator can not

say what those terms were?

Mr. NEWLANDS. The terms were that the applicant should be allowed to name the counsel or attorney who would conduct the inquiry for the Interstate Commerce Commission.

Mr. SMOOT. The Senator believes, then, that the Interstate Commerce Commission did right in refusing to undertake the investigation under that condition?

Mr. NEWLANDS. Without question.

It also appears that under the law it is the duty of the Attorney General, whenever facts regarding the collection of rebates or preferences by anybody are presented to him, to commence a suit against the offender for three times the amount received. It is therefore entirely within the power of this complainant to appear before the Attorney General at any time, and upon presenting his facts it is made the duty of the Attorney General to institute a suit.

Mr. Green appeared before the committee, after a number of efforts were made to secure his attendance, and declared that he had important information indicating that the United States Steel Corporation had received rebates in a very large amount; that this information was not of his own knowledge, but was derived from others; and he refused to disclose the source of his information or to state facts constituting his information, claiming that he was regulated in this matter by a board of strategy which had control of the situation, and that it was not deemed wise to disclose the facts. In this board of strategy were named Mr. Martin and Mr. Schulteis, of the Anti-Trust League, and David H. Lamar, against the latter of whom there are now pending in New York indictments for the false impersonation of Congressmen.

Mr. BACON. Mr. President—
The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Georgia?

Mr. NEWLANDS. I do.

Mr. BACON. As the Senator is giving considerable notoriety to this man under the name of Lamar, I think it is very well to state, right in that connection, that he is bearing n name to which he is not entitled—an assumed name.

Mr. NEWLANDS. I know the name is a very honored one

in Georgia, and I do not wonder that the Senator is jealous of its dignity.

Under all the circumstances, Mr. President, the committee thought the best disposition to make of this resolution was not to report it unfavorably, but to report it with an amendment providing that the resolution should be referred to the Attorney General of the United States and to the Interstate Commerce Commission for investigation, and for such action as should be deemed advisable by them, or either of them, in the public

Mr. LANE. Mr. President, I introduced this resolution on the 12th day of this month. My object was to get prompt and speedy action upon it, and the contingency that it might be referred to a committee did not enter my mind at the time. I supposed that I could secure action on it here and have it either

adopted or voted down.

It is but fair to myself and to the members of the Committee on Interstate Commerce to give a brief résumé of the history of the case so far as I know it. But incidentally and before I go further. I should like to direct the attention of the senior Senator from Nevada, the chairman of the committee, to a statement which he has made here to the effect that this man Green stated to the committee that he knew nothing of these facts personally

Mr. NEWLANDS. That is my understanding. Mr. LANE. I understood Mr. Green to correct it afterwards and state that he did know something personally.

Mr. NEWLANDS. That latter statement did not impress me.

If it is a fact, it must be in the record.

I noticed that it did not seem to impress the Mr. LANE. chairman of the committee, and that is what attracted my attention. If he did say it, and it is in evidence—I do not have it here—that fact should be conceded.

Mr. NEWLANDS. Will the Senator refer me to the state-

ment of Mr. Green on that subject?

Mr. LANE. I do not know where it is to be found. It was in connection with a query propounded, I think, by the Senator from Michigan [Mr. Townsend].

Mr. SAULSBURY. I can call the Senator's attention to the matter to which he refers. I have it before me. On page 20 of the report the Senator from Michigan [Mr. Townsend] said to Mr. Green:

All you know about this is what somebody has told you? Mr. Green. Yes, sir. I did not receive any of these rebates.

Mr. LANE. But, if the Senator will pardon me, there is another place, or there should be another place, in the report in which Mr. Green made the statement that he did know of his knowledge certain facts, but that he had not participated in the rebates. He said he did not have that sort of information, but he did know facts of his own knowledge which would prove his case; and, in addition to that, he did not ask that the commission should subpæna more than five or six witnesses. He also said that the case was not dependent in anywise upon Mr. Lamar or his evidence, and he did not care whether he was called or not; that his advice was merely as to the manner in which the case should be presented. That is my understanding

Mr. ROBINSON. Will the Senator yield for a statement in this connection?

Yes, sir.

Mr. ROBINSON. On page 26 of the report Mr. Green was asked by a member of the committee as to whether he himself had personal knowledge of the transactions to be investigated. He then stated that he had no such knowledge and did not himself intend to be a witness; that he meant to have others testify. Subsequently during the hearings he did modify that statement and said there were some things as to which he might testify himself. Mr. LANE. Where

Where does the Senator find that in the report?

Mr. ROBINSON. It is his first statement.

Mr. LANE. I know what was his first statement; but I ask as to his latter statement.

as to his latter statement.

Mr. ROBINSON. I have not found any other statement than that on page 26. The Senator may proceed, and I will direct his attention to it later, if I find it.

Mr. LANE. There are a great many people of all sorts who

come to a Senator's office on one errand or another. One day a gentleman came to my office-two men or three, I think, came I do not remember now what the circumstances were. None of them did I know personally, either by appearance or by name. I think they came back a second time. The question was asked of me whether or not, if certain facts existed, as they alleged they did, to the effect that this large steel corporation had been giving rebates or accepting rebates or had been engaged in that sort or manner of doing business, which is an unfair method of dealing, I would take the matter up and present it and endeavor

to see that that method of doing business was stopped. I assured them that I would if it were true. I said if they could give me evidence or bring to me a reputable person who would state to me he knew such to be the fact, so that I might present it in good faith, I would in good faith present it without any

hesitancy; and I did so.

When I presented the resolution, that was all I knew about it. A man by the name of Green stated that he knew the facts existed in part and that he could prove the balance by reputable witnesses. He referred to a number of eminent men in his country who knew him personally, and asked me to inquire into what his reputation was. I made inquiry of a number of men, and I found his reputation to be that of an honorable man, a truthful man, and a good citizen. I found, in addition, that some time in the past he had taken an interest in the investigation of the Harvester Trust and had been of use to the Government. I know nothing of the history of the Harvester Trust, except in a general way, nor what procedure was afterwards taken concerning it, but it struck me, if this were true, if those people are practicing this method of doing business, it is wrong, for aught I know it may be criminal, and it should be stopped. I will present it to the Senate, and I am quite sure it will be received there with due respect, and we will take it up and see what can be done in order to put a stop to it. So I brought the matter here.

Mr. SUTHERLAND. Mr. President— The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Utah?

Mr. LANE. I yield.

Mr. SUTHERLAND. I have been reading over this resolu-My attention had not been called to it before. I wanted to ask the Senator from Oregon upon what theory he thinks the Senate of the United States can direct the Interstate Commerce Commission or anybody else to inquire into a matter of this kind with a view of determining whether or not legal proceedings ought to be instituted?

In order that the Senator may see the point of my inquiry, I wish to call his attention to this: The Constitution of the United States devolves upon Congress the legislative power. It devolves upon the President the executive power. pressly provides, among the executive duties of the President, that he shall take care that the laws be faithfully executed. Therefore it is purely an executive duty to see that the laws made by Congress are carried out. If a law of Congress has been violated, as I understand it, it is not the duty of the Senate or the business of the Senate to direct that an investigation shall be had or that a prosecution shall be instituted. That is a duty and a responsibility which belongs wholly to the Executive and does not in any way belong to Congress.

I am at a loss to understand upon what theory the Senate can within its powers direct any officer of the Government or any body constituted by the Government to investigate the subject as to whether or not a particular law has been violated, or to institute proceedings if it has. If the Senator has any information which leads him to suppose that this law has been vio-lated, he has the same right that any citizen has to call it to the attention of those officers who are charged with the duty and responsibility of seeing that the laws shall be executed; but it does occur to me that the Senate has no more business to pass a resolution of this kind than it would have, as a body, to direct an investigation before a grand jury.

I should like to have the Senator's view as to the theory

upon which he proceeds in asking that the Senate shall pass a

resolution of this character.

Mr. LANE. I will answer that by stating my theory of it. I hold the theory that Congress enacts laws and gives instruction to those of the executive department as to what shall be Then, Congress having passed a law which forbids this method of carrying on business, when for some reason the practice is continued-a criminal one in restraint of trade, an unfair method, a theft, if you please-and the executive officers take no notice of it, and it is brought to the attenion of the law-making body, I thought it would be nothing more than our right, and even an act of courtesy upon our part, to call the attention of the executive department to the fact that such a condition did exist, and to give them the information, and to let them get to work and seek a remedy. Now, what is wrong with that theory?

Mr. SUTHERLAND. Mr. President, suppose the Senator had information which led him to believe that a murder had been committed under such circumstances that it would be within the jurisdiction of the Federal courts and that no steps were being taken to prosecute the murderer, would the Senator think

that the Senate had any right to pass a resolution directing the district attorney or the Attorney General to make inquiry into that matter? In other words, how can a thing of that kind be

within the legislative power?

Mr. LANE. It may be that it is not, but that is the theory I hold. When I brought the resolution in here and introduced it the chairman of the Committee on Interstate Commerce immediately asked that it be referred to his committee. He is an older and more experienced legislator than myself. He has been longer a Member of this body than myself, and he is an able attorney. It seems to me that if this was out of order and was not properly in here he would have been saving us a whole lot of time and much trouble if he had first asked the Senate to throw it out. I do not want to bring anything in here which does not properly belong here, nor do I wish in any way to create a situation which will cause any reflection upon any Senator or upon the Senate or upon myself in being

connected with it in any of its various proceedings.

This man Lamar, the "Wolf of Wall Street," has been brought into the case. I believed, when my attention was called to it by the committee, that perhaps he was associated with it. I found that he was, that Lamar, the "Wolf of Wall Street," if you please, was connected with this matter. I did not know the "Wolf of Wall Street." It did not seem to me that it made much difference who gave the information if it were true. I do not see now what difference it makes. If there is any man who can go out and wolf Wall Street, he ought to be made welcome to the job. I never knew of any lone wolf attacking a whole pack before—and I have traveled around in the country where there were many wolves. I have slept out at nights-many nights-both in good weather and bad weather, and I have heard them howl all night. I have traveled over the trail with a big gray wolf ranging alongside of it with me. I did not do that without having good protection. I had a 30-30 carbine with me, and was able to take care of myself. I am not so much afraid of a wolf as some seem to be. I do not care anything about wolves or about this wolf. If the man did anything to Wall Street by the wolfing process, as far as I am concerned, he is entirely welcome, for then the wolf has been wolved, as I understand it.

As to this other matter, if these rebates are being given and the people have been defrauded out of hundreds of thousands and millions of dollars by the members of the Steel Trust and there is a gang of criminals who are engaged in wolving the people, it seemed to me important to bring the facts out into the open and have an investigation, fairly and justly to all, and without any prejudice to anyone. If they are not guilty, I do not want to do them any harm; I would not be a party to taking a copper penny away from them-not a copper cent with a hole

I have no animosity against them.

On the other hand, if they are engaged in this practice, and I am assured by others besides Mr. Green that they are and have been for years, and that they have cost this country millions of dollars, it seems to me that as public servants it is our duty to assist any other branch of the Government in getting these

facts before them.

It is not a matter with me of securing fines from them for past misdemeanors, although it would be nothing more than right that they should be recovered, and, for that matter, I think it is perfectly proper for the Government to attempt to do it. My sole object, and the only object I have, is to get this matter out in the open and try it on its merit fairly. It is my belief that the condition exists. I am perfectly convinced that Mr. Green has facts within his possession which will prove it, if he is given a hearing. It would take but a few hours for that hearing to be held before the Interstate Commerce Commission and everything would be settled. If he has not the facts, throw him out. I am not asking for immunity for him or anybody else.

You saw an article published in the papers yesterday to the effect that the report of some commission on one of the sub-sidiary companies of this great corporation states that these facts do exist and to the extent of millions of dollars.

I will say that I prefer to have it before the Interstate Commerce Commission rather than have it go to a subcommittee of the Senate for trial or into the legal department of the Government—the Attorney General's Office. I did not wish it sent to the legal department for the reason that there are so many delays, so many quibbles in the method of procedure, that even at this time there is a bill pending in Congress to remedy that condition, which has grown to be well-nigh a curse to this

the resolution go straight where I ask it to go, and for the reasons which I have given that it be placed there.

I want to direct attention to the fact that the chairman of the committee and the committee itself have made a report here which does not state all the proceedings of their hearings. chairman of the Interstate Commerce Commission I understood

was there at the time. Is that right?

Mr. NEWLANDS. Yes; the first day.

Mr. LANE. The chairman of the commission was there the first day, and I was introduced to him. He told the committee very plainly, as I understood him, that this matter was quite within the province of his commission and a matter over which they had jurisdiction, and that they would be glad to hear it and cheerfully hear it if presented by the Senate through the action of this committee.

I myself asked him that question, but that statement does not appear in the report; for some reason or other it is left out.

appear in the report; for some reason or other it is left out. It was important. There is there the reference to Lamar, but not this other one. It was a verification—

Mr. ROBINSON. Mr. President—

Mr. LANE. Just one moment, if you please. That was a verification and indorsement, as it seemed to me, of my position. There was to be but a brief hearing. The Interstate Commerce Commission are willing to take the case and to investigate the commerce commission are willing to take the case and to investigate the commerce commission are willing to take the case and to investigate. Then, why should they not have it, they assenting and being willing to have that course taken?

Now I yield to the Senator from Arkansas.

Mr. ROBINSON. Mr. President, calling attention to the statement made by the Senator from Oregon that the testimony given by Mr. Clark, the chairman of the Interstate Commerce Commission, does not appear in the record, that is accounted for by the fact that informal hearings were had on the first day the committee was in session to consider this resolution, and no stenographer was present. I believe it was upon my suggestion that a stenographer was called to take the testimony that was subsequently heard. The chairman of the Interstate Commerce Commission did say, in response to questions asked him by the committee, that the matter had never been called to the attention of the commission, unless and save by the appearance of Mr. Lamar, who offered to submit evidence concerning the matter on condition that he be permitted to control the selection of the attorney to conduct the investigation. He also stated that, if the matter had been called to his attention by Mr. Green or by any one else, it would have been given consideration without any formal resolution on the part of the Senate. As I have said, the explanation as to the testimony of Mr. Clark not appearing in the record is that there was no stenographer present to take the testimony on that day of the witnesses from the Department of Justice.

Mr. LANE. Were there no stenographic notes taken on that

day at all?

Mr. ROBINSON. There was no stenographer present, and I myself suggested that a stenographer be called. That was done as to the testimony afterwards taken.

Mr. LANE. Mr. President, that accounts—
Mr. McLEAN. If the Senator from Oregon will give way for a moment, out of order I should like to introduce a joint resolution and move its reference to the Committee on Foreign Rela-

Mr. SMOOT. Mr. President, I simply wish to say that that is out of order and can not be done while a Senator is addressing the Senate.

Mr. LODGE. The Chair is required to call attention to the rule in such cases.

Mr. SMOOT. I call the attention of the Chair to the rule, which says that the Chair himself must object in a case of this kind. Morning business can not be presented at this time under the rule. The rule reads:

It shall not be in order to interrupt a Senator having the floor for the purpose of introducing any memorial, petition, report of a com-mittee, resolution, or bill. It shall be the duty of the Chair to en-force this rule without any point of order hereunder being made by a

Mr. McLEAN. If I am not in order, I withdraw the joint resolution for the present.

The VICE PRESIDENT. The Chair is very sorry that he failed to enforce the rule.

Mr. McLEAN. I do not care to delay the proceedings of the

Mr. SMOOT. I desire to say that I care nothing about the matter at all. If Senators do not care particularly about the

Mr. LANE. Mr. President, the statement of the Senator from Arkansas [Mr. Robinson] is that upon the first day the country.

Mr. LANE. Mr. President, the statement of the Senator from Arkansas [Mr. Robinson] is that upon the first day the the amendment reported by the committee be rejected, and that

no stenographic notes taken. I am willing to concede that that is true, but I know nothing about it. Personally I do not know whether or not such notes were taken; I did not see them; but it so happened-incidentally, as it were-that a part of those informal proceedings of which no notes were taken and those which in a manner minimize the presentation of this resolution by me got into the committee's report, and that struck me as being peculiar. If a part of the proceedings, informal or otherwise, are to be published, I do not see why all of them should not be published and let them lie as they fall. This idea of having a most excellent memory for part of the proceedings and a total absence of it for another portion, which to me is important, which I wanted in the report, which substantiates my position and gives me the courage to come before this body and ask for a plain, open, public hearing, is a thing which I do not exactly like. I cut that out, I will say; I do not find it pleasing, and so I withdraw my first remark.

The case has been presented to the Senate, and I make the statement that it has been presented to me on honor by a man who is certified to me by eminent gentlemen, known all over the country as an honorable man, an honest man, one who has been heretofore engaged in this work, who has previously appeared before committees and before the legal department of the Government and not foresworn himself, and it has been presented to me by others who do not know Mr. Green and do not know the "Wolf of Wall Street." They heard of the matter entirely independent of him. The condition exists now.

What is the objection on the part of the Senators of this committee that he be allowed to take the subject to the Inter-state Commerce Commission, present it there, and let the commission have an open hearing upon it? They say they are willing to do it. I do object, and I am going to continue to object, to this proposed dive into the intricacies of the legal department of this Government. It is not from lack of confidence in our Attorney General nor in his assistants. They are involved and tangled in legal wheels. It impedes the business of this country, and has done so to an extent that the people are beginning to lose confidence in it. It has occasioned interminable delay. I want this matter settled promptly, quickly, fairly, and justly to all.

I am going to ask the chairman of the committee if he will consent to strike out that part and let me take this to the Interstate Commerce Commission and present it on merit without prejudice to anybody and without gulle. If this man Green does not "come through" with the information, I do not ask for any immunity for him. I say it is our duty as servants of the people to help the people secure their rights. The "wolf of Wall Street" is not what is harming this country. The passage is not what is harming this country. The passage of tariff acts and of currency acts such as we have passed here are not the measures that are going to relieve the distress of the people of this country. They are palliative, limping efforts forward, yes; but they will fall far short of accomplishing the desired result if the servants of the people of this country, such as Members of this body, do not assist other branches of the Government in their efforts to relieve them from illegitimate graft and the tribute that is being levied upon them.

There is where we will have to strike home in order to pro cure results, and the man who does not care to enter upon such an undertaking or is overparticular in the methods which he pursues as to the details of his procedure and walks through his job with mincing feet is not doing his duty by the country. am asking the Senate, in good faith, to allow me, free of the "Wolf of Wall Street," without his evidence or his influence—if he does any good, I am willing to give him credit for it; I have nothing against the man and know nothing about himpresent this case to the Interstate Commerce Commission. ask the Senator from Nevada if he will consent to striking out the amendment?

Mr. NEWLANDS. Mr. President, I have to say that the action presented by this report is the action of the committee, and it would be entirely without my power to grant the Sena-tor's request. Besides that, I have to say that my judgment would be against granting it. The amendment which the Sen-ate committee has reported refers this entire resolution to both the Attorney General and the Interstate Commerce Commission for investigation and for such action as may be deemed advisable in the public interest. We have confidence, and the Senator undoubtedly has confidence, in both the Attorney General and the Interstate Commerce Commission. He and the gentlemen whose names he presents here can easily appear before both or either of them after this resolution is referred to them; they will undoubtedly get a full hearing, and the Senator's purpose will be accomplished.

I am aware of the fact that very valuable information often comes from questionable sources, and I do not propose on that ground to condemn any information. I have not the slightest idea of doing that. I want to further the purpose of the Sena-tor in getting all the facts before the Interstate Commerce Commission, which has the power to investigate them, and before the Attorney General, who has the power to bring suit and whose duty it is, if probable cause is shown, to institute a suit. The Senate committee has acted entirely in furtherance of public justice on this subject.

Mr. NORRIS. Mr. President-

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Oregon yield to the Senator from Nebraska?

Mr. LANE. Certainly.

Mr. NORRIS. I want to suggest that if the resolution which has been reported by the committee is passed by the Senate without amendment, at least, as I understand the parliamentary situation, it would not necessarily require an investigation as contemplated by the resolution itself. It would not be equivalent to the passage of the resolution.
Mr. NEWLANDS. No.

Mr. NORRIS. Suppose we should pass without amendment the resolution as reported and the Interstate Commerce Commission should investigate the matter a little, report it back to the Senate, and recommend that the resolution be passed; then if we passed the resolution it would go back to the Interstate Commerce Commission, and they would take the evidence. If the committee have sufficient information to cause them to believe that there is reasonable ground to think that these charges will be sustained, why is it not better to pass the resolution itself instead of referring the resolution to the Interstate Commerce Commission?

The Senate has referred the resolution to the committee, and the committee has reported it back to the Senate with the recommendation that it be referred to another body. Then, if we ommendation that it be referred to another body. Then, if we refer it to that other body, they will refer it back again. It strikes me that it is the duty of the committee to ascertain—and that was the purpose in referring it to the committee whether there is sufficient evidence to warrant an investigation, and, if so, for the committee to recommend it, and then we could pass the resolution, either as it was introduced or with such amendments as might be necessary to have the investigation take place.

Mr. NEWLANDS, Mr. President. I have to say that the committee has no information upon which to base any action. On the contrary, Mr. Green expressly refused to give the committee any information, and no information whatever was given to the committee by anyone upon which it could form a judgment as to the importance or the necessity of this resolution. On the contrary, the parties who appeared before the committee declared that they did not desire to give the committee the facts, and demanded of the committee that the resolution be passed without information.

Mr. NORRIS. Yes; I understand that. Mr. NEWLANDS. It seems to me that the committee, under all the circumstances, has acted in a very tolerant way in reference to this resolution-

Mr. NORRIS. I am not disputing that.

Mr. NEWLANDS. And they did so out of regard to the Senator from Oregon [Mr. LANE], for whom they have the highest respect and whose motives in this matter they do not for a moment doubt. They have no doubt that he is actuated by the most worthy motives. So they thought that the best way was to amend this resolution so as to refer it both to the Attorney General and to the Interstate Commerce Commission for investigation and for such action as they deemed advisable in the public interest. What could that action be? If these witnesses give them the testimony which they refused to give to our committee and put them in the possession of the facts, and the facts warrant it, doubtless the Attorney General will immediately commence the suit which they desire to have instituted. f the facts are presented to him and they require legal action, failure to bring such a suit would constitute an impeachable So also with reference to the Interstate Commerce Commission. If they were simply put upon the trail of the facts, which would be likely to indicate a receipt of rebates and preferences in violation of the law, it would be their duty under he law to investigate this matter.

Mr. NORRIS and Mr. BORAH addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator

Mr. NEWLANDS. I merely want to add a word. It would be the duty of the Interstate Commerce Commission to go on

with the inquiry. What right have we, as only one branch of the legislative body, to determine the method of investigation by that commission when the law prescribes it? What right has the Senate, acting alone, to determine whether their meetings shall be open or secret, when it is their privilege under the law to determine that question? If the Senator wishes to change the law, let an act of Congress be passed providing that all the sessions of the Interstate Commerce Commission shall be open; and when that law passes both Houses of Congress and is signed by the President then it will be operative; but the Senate alone is called upon by him to change and modify the law and to create a new law with reference to investigations.

Mr. NORRIS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Oregon yield further to the Senator from Nebraska?

Mr. LANE. I yield. Mr. NORRIS. The Senator from Nevada [Mr. NEWLANDS], I think, misapprehends the suggestion I have made, because I have not intimated that the committee should be criticized for its action or that it did not act with the proper respect toward its action or that it did not act with the proper respect toward the Senator from Oregon. I have not suggested anything of that kind; but the idea that struck me was this: The committee say, "We know nothing about the matter; we can not find out anything about it, and we will refer it to the Interstate Commerce Commission." The commission will not investigate under a reference like that. If we pass the resolution as amended, it would not be their duty, and we could not expect them, to conduct the investigation. If this resolution should be passed, the only question which would be before the Interstate Commerce Commission would be, Ought this resolution to be passed by the Senate; ought it to be amended and, as amended, pass, or by the Senate; ought it to be amended and, as amended, pass, or what action should the Senate take? They will refer it back with their conclusions, and then perhaps it will be passed if they recommend that it shall be passed, and then the Interstate Commerce Commission could undertake a full investigation.
Mr. NEWLANDS. Mr. President, may I suggest to the Sen-

ator from Nebraska that the purposes of the amendment reported by the committee is not to get a report from the Interstate Commerce Commission on this resolution, but it refers the subject to them for investigation and for such action as they deem advisable under the law and in the public interest. They have the entire field of judgment and of discretion regarding

Mr. NORRIS. Does the Senator contemplate that, if this resolution were passed, the chairman of the commission would make a report back to the Senate?

Mr. NEWLANDS. No; not at all; it does not contemplate

Mr. NORRIS. Then I do not understand the meaning of the resolution.

Mr. NEWLANDS. It merely calls their attention to the facts stated in the resolution as the basis of an inquiry by them. Mr. Green, who is named here, can appear with his witnesses before the commission, and then they will doubtless proceed with the inquiry if the facts warrant it.

Mr. BORAH. Mr. President—
The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Idaho?

Mr. LANE. I yield.

Mr. BORAH. Mr. President, as I gather the situation from the discussion, the Senator from Nevada, representing the committee, desires to refer this resolution to the Interstate Com-merce Commission without any specific direction at all to them-simply to send the resolution to them. Would that be doing anything more than the committee itself might have Might not the committee of which the Senator is chairman have sent the resolution to the Interstate Commerce Commission for advice as to whether or not it should be passed, as we often do with reference to matters coming before us relating to the public lands, for instance? We send them to the Secretary of the Interior, and so on.

I do not see that we shall gain anything by simply sending this resolution to the Interstate Commerce Commission without any instructions or authority or direction on our part. may consider it or they may not. They may make an investi-gation or they may not. In other words, it would be no more than if the Senator from Oregon had taken the resolution and

sent it down to them. Is not that correct?

Mr. NEWLANDS. It would be nothing more than that, and that is all that is necessary under the law. It is the right of anyone to go before the commission and make complaint that rebates are being received, and it is the duty of the commission to make an investigation of such a complaint; and it is the duty of the Attorney General, if facts showing the payment of re-

bates are presented to him, to institute an action for three times the amount of the rebates. All that the Senate of the United States can do is what any individual can do, what Mr. Green could have done, what the Senator from Oregon could have done-communicate with the commission, either orally or in writing, present the complaint and demand an investigation. All that we are called upon to do is to bring to the attention of the commission the allegations made in the resolution presented by the Senator from Oregon.

We are anxious that this matter should be speeded. I have been endeavoring to bring it up for days. I think it likely that facts exist such as are alleged here, though no proof of them has been presented to us, and though proof of them was demanded. So far as I am concerned, I want to see public justice accomplished, and I think this is the best and speedlest way of

doing it.

Mr. WORKS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from California?

Mr. LANE. I yield. Mr. WORKS. Mr. President, to me this is rather a singular proceeding. The Senate has determined nothing with respect to it. The Interstate Commerce Commission will not be informed as to whether or not the Senate believes an investigation of this kind should be made. It gives no direction, it makes no recommendation, with respect to it. It is simply an idle ceremony by which the Senate gets rid of a resolution offered by the Senator from Oregon.

If the Senate is going to deal with this matter at all, it ought to have the courage to deal with it effectively one way or the If it feels that this investigation ought not to be made, it should say so. If, on the other hand, it has determined through its committee that the investigation should be made, again it should say so and either make the investigation itself

or direct the proper authority to make it.

Neither of these things has been done in this case. simply handing this resolution over to the commission to do with it as it pleases. The commission can do that without any direction or any request on the part of the Senate. Therefore, I say again, it is purely an idle ceremony that amounts to absolutely nothing.

Mr. LANE. Mr. President, I shall be brief.

I am of the fixed and firm opinion that there will be no relief to the economic conditions in this country, that the peo-ple will neither secure their rights nor secure their liberties nor even secure justice, until their affairs which are intrusted to the hands of their servants are dealt with openly and publicly.

I am opposed to secret hearings, to caucuses, and to executive meetings, both of the Senate, as a rule—there are exceptions in this case—and of the committees of the legislative branch of the Government.

I presume I am a bit prejudiced on that subject. I am willing to concede that I am not very patient with such proceedings. I fear them. They are what some irreverent people term "legislative rat holes," down which disappear the rights of the people and the property of the people.

I wanted an open hearing. That is all I ask. I wanted the

Senate, if it felt it should do so, to ask for one. I wanted the Senate, if it did not believe the thing to exist, or that I had not properly presented it, to vote down the resolution. are going to have any hearing at all, however, let us have it

out in the open. That is all I ask.

I am going, before I close-and this is not a pleasant task; it is a thankless task-to call attention to something which is of as much importance, perhaps, as the resolution, and that is these committee meetings held behind closed and locked doors, the reports of which do not present all the proceedings, but are gone through and edited, and printed documents go upon the records of this Government in which the proceedings are only in part presented.

I have heard of "senatorial courtesy," and I realize the gravity of making a statement such as I do; but a half presented and illy presented, and, as it seems to me, an unfairly presented report, does not meet with my approbation, and I question it.

I therefore make my assertion, and wish to protest against this report. I protest against it on the ground that it is only in part true; that it does not give a full relation of the circumstances, as it should have done, in fairness.

I am asking only for fair treatment. I would give the Steel Trust just as fair treatment as I would this man Green, who is a witness against them. I do not want any punishment put upon them which does not belong to them. I would fight to

help them preserve their rights, and I ask the same treatment

The PRESIDING OFFICER. The question is on agreeing

to the amendments proposed by the committee.

Mr. NEWLANDS. I suggest the absence of a quorum.
The PRESIDING OFFICER. The Secretary will call the

roll. The Secretary called the roll, and the following Senators answered to their names:

Smith, Ariz. Smith, Ga. Smith, S. C. Smoot Stephenson Sterling Ashurst Bacon Borah Bradley Norris Hollis James Johnson Jones Overman Page Perkins Pittman Pomerene Ransdell Robinson Saulsbury Shafroth Sheppard Brady Brandegee Bristow Jones Kenyon Kern Lane Lee, Md. McLean Martine, N. J. Myers Nelson Newlands Thompson Vardaman Bryan Chamberlain Walsh Warren Williams Clapp Cummins Cummins Dillingham Sheppard Shields Works Shively Simmons du Pont Goff

Mr. SHEPPARD (when Mr. Culberson's name was called). I wish to announce the unavoidable absence of my colleague, the senior Senator from Texas [Mr. Culberson], and to say that he is paired with the senior Senator from Delaware [Mr. DU PONT]. I ask that this announcement may stand for the day.

Mr. RANSDELL (when Mr. Thornton's name was called). The senior Senator from Louisiana [Mr. Thornton] is absent

on account of sickness.

The PRESIDING OFFICER. Fifty-four Senators have responded to their names. A quorum of the Senate is present. The question is on agreeing to the amendments of the committee, which will be stated.

The SECRETARY. On page 1, lines 1 and 2, it is proposed to

Resolved, That Senate resolution No. 241, reading as follows-

Mr. CUMMINS. Mr. President, I desire to say just a word. I am opposed equally to the resolution as introduced by the Senator from Oregon and to the resolution as reported by the Interstate Commerce Committee. I do not believe Congress ought to meddle with the jurisdiction of the Interstate Commerce Commission.

The commission is authorized, under the law, to initiate a proceeding against any railroad company guilty of discrimination through rebates or any other sort of favoritism. The proceeding can also be instituted by an interested person. either event it is an adversary proceeding. Notice must be given, and the hearing must go forward as an ordinary proceeding at law. If Congress or the Senate can assume the right-I am now speaking of the original resolution-to direct the Interstate Commerce Commission to initiate a legal proceeding, it can also assume the right to direct it to discontinue

a proceeding already instituted.

I would no more join in a direction to the Interstate Commerce Commission to originate a legal proceeding than I would join in a resolution that commanded it to abandon a proceeding. I would no more attempt to command the Interstate Commerce Commission in the exercise of its unquestioned jurisdiction than I would attempt to command a court to dismiss or to continue a

proceeding that had been brought before it.

It must be understood, of course, that the Interstate Commerce Commission is much more largely a judicial tribunal than it is an administrative tribunal. We give it, of course, its power as an administrative tribunal; but the real character of its work is judicial. If any railroad has given rebates—
The PRESIDING OFFICER. The hour of 2 o'clock having

arrived, the Chair lays before the Senate the unfinished busi-

ness, which will be stated.

The SECRETARY. A bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

Mr. SMITH of Georgia rose.

Mr. NEWLANDS. May I ask whether the Senator from Georgia will not temporarily lay aside this measure so that we may dispose of the pending resolution? I think it will take but a few moments longer.

Mr. SMITH of Georgia. If I were sure that the resolution could be disposed of in the next 15 minutes, I would not object to temporarily laying aside the unfinished business, but-

Mr. CUMMINS. Of course I can give the Senator from Georgia no assurance on that point. I can give an assurance in regard to the length of time I shall occupy, but what time others may occupy it is impossible for me even to conjecture.

Mr. BORAH. In view of the suggestion of the Senator from Georgia, I wish to say that I want to disentangle this thing—in my own mind, at least-before we vote upon it. I do not see that we are getting anywhere, that we are arriving at any place

Mr. SMITH of Georgia. Then, Mr. President, I ask that the unfinished business be proceeded with.

Mr. BORAH. The Senate is going through the form of doing that which the Senator from Oregon could have done without the Senate at all.

Mr. CUMMINS. I want the Senator from Idaho to know that I am just as much opposed to the resolution reported out of the committee as I was to the resolution submitted by the Senator from Oregon.

Mr. SMITH of Georgia. I do not think that, under the circumstances, I should yield the position which the agricultural extension bill occupies. It will be entirely practicable to-morrow morning to go on with the discussion of the resolution. It seems that there are several Senators who still wish to participate in it. Under the circumstances, I feel constrained to ask the attention of the Senate to the regular order.

Mr. CUMMINS. I wish to say that I will resume, if I can get the recognition of the Chair, the discussion that is thus interrupted when the resolution again comes before the Senate.

With the permission of the Senator from Mr. NEWLANDS. Georgia, I will state that I will bring the matter up for further action to-morrow at the close of the routine morning business.

COOPERATIVE AGRICULTURAL EXTENSION WORK.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture, the pending question being on the amendment of the Committee on Agriculture and Forestry, in section 3, page 3, line 20, after the words "sum of," to strike out "\$300,000" and insert "\$600,000," so as to read:

That there is also appropriated an additional sum of \$600,000 for the fiscal year following that in which the foregoing appropriation first becomes available.

Mr. SMITH of Georgia. Mr. President, the Senator from North Carolina [Mr. SIMMONS], just before the Senate adjourned on yesterday, referred to what he thought was an understanding with me. Even before that time, in the debate, he had referred to the amendment of the Committee on Agriculture and Forestry, increasing the appropriation to \$600,000 annually, beginning with January 1, 1916, as something in the nature of a compromise. I am sure the Senator did not intend it, but yet these suggestions do injustice to the committee, and they do injustice to me. We did not understand that we were compromising, and I did not understand that I sought from anyone an understanding which would check the amount of these appropriations.

On January 16, 1912, I introduced a bill in the Senate which was substantially the present bill. The next day it was introduced in the House by Mr. Lever. The members of the Committee on Agriculture of the two Houses, and certainly Mr. Lever and myself, have been quite industrious for the past two years to bring this measure to public attention, to bring it to the attention of agricultural organizations, to bring it to the attention of those who would give it support, to bring it to the attention of Congress, to bring it to the attention of the public at large.

We began with the appropriation of \$300,000 annually in our bill, and with the limit of \$3,000,000 added to the \$480,000, giving \$10,000 to each State. It was not that we would not have preferred a larger amount, but because we felt that the public mind must be educated somewhat to the importance of this measure and that a conservative request would strengthen our earlier efforts.

I welcome at this late-day the Senator from North Carolina into the active support of this measure, but it would hardly be just to those of us who have been working upon it so long and so earnestly to be put in any sense in the attitude of being forced by him into a compromise or being forced by anyone to give more, when we ourselves all the time have desired all that

Congress thought proper to give.

Furthermore, we not only believe that this measure is most important, beginning at once, but that it will permanently be of great value. We think that permanently the full amount of great value. We think that permanently the full amount or \$4,800,000 a year would in no sense be too much. We see a vast permanent work for these trained leaders in agriculture to do throughout the country when we will have one in every county,

not alone to demonstrate the scientific truths developed at the colleges and experiment stations and the truths developed at the Agricultural Department, but one of their most important functions will be, when the Agricultural Department fully develops its market division, to aid in the cooperation of farmers toward the better preparation of their crops for market, toward bringing closer together consumers and producers, toward not only helping to increase the volume of products, but toward bringing that produce into a condition where the farmer himself will receive a higher profit, and yet at the same time the consumer be able to obtain his food supply even at a less cost.

Mr. President, on yesterday I called attention to the difference of view which I entertained from that of the Senator from North Carolina upon the subject of the permanency of this fund, and I replied to his statement that they will not need quite so large a sum as they do now 10 years hence. He said, "I do not think that the farmers will need quite as much money for agricultural demonstration purposes 10 years hence as they need to-day." I was a little embarrassed this morning when I read the RECORD to see the Reporter had not caught the language of the Senator from North Carolina just as he had used it and had reported him in such a way that it almost made the remarks I made on the subject impertinent. The Reporter quotes the Senator from North Carolina as saying, "I do not think, speak-Senator from North Carolina as saying, "I do not think, speaking relatively, that the farmers will be as much in need of this demonstration work 10 years hence as they are to-day," when, as I heard the Senator, he said, "I do not think the farmers will need quite as much for agricultural demonstration purposes 10 years hence as they do to-day." Not having heard the words "speaking relatively," the remark of the Senator conveyed to my mind an entirely different meaning. Had I understood the Senator as the report has represented his language, my reply would have been useless.

Mr. SIMMONS. Mr. President.—

Mr. SMITH of Georgia. In one moment, Mr. President, I

Mr. SMITH of Georgia. In one moment, Mr. President, I will be through, and then the Senator can have the floor.

Now, with reference to this increase. I do not object, and, so far as I can learn, the committee do not object, to the suggestion of the Senator from Iowa [Mr. CUMMINS] that the figure "4" be stricken out and the figure "7" inserted, so that the increase of \$600,000 a year shall continue for seven years. the Senate is ready to accept that sum, I am sure the committee would be gratified; and I want to be distinctly understood, both for myself and the committee, that we do not object, and we never did object. We came with a more modest sum, and we are gratified that Senators, convinced even at this late day of the wisdom of our measure, should come into the Senate and suggest an increased amount. We for two years have sought to build a public sentiment behind this measure which would fortify it in the House and Senate, and we accept with satisfaction, not as a matter of compromise, but we gladly accept the sup-port of Senators converted by this public feeling in behalf of this measure to the enlarged sum.

Mr. SIMMONS. Mr. President, I do not think in anything I have said I have been claiming any credit or denying to the committee full credit. I know that the Senator from Georgia has for several years-in fact, ever since his advent into the Senate-been profoundly interested in this subject. While he has made very many excellent speeches since he has been a Member of the Senate, I think about the best speech I have ever heard him make was, probably something like a year ago, in de-fense of the principle of this bill. He deserves, and the country, especially his constitutents in Georgia, will give him great credit for the excellent work he has done in this behalf.

I am sure that the Senator was no more satisfied with the amount which the bill brought in by his committee allowed for this work than I was myself. But, Mr. President, the fact remains that the committee brought in its bill for \$300,000, the initial increase, and \$3,000,000, the ultimate increase, and I offered, very modestly, an amendment to it. At that time I understood the Senator from Georgia to oppose the amendment. I do not and I did not then think he opposed it because he thought the amount carried by his bill, was sufficient or because he did not believe a more liberal appropriation ought to be made for this great work, but because he thought there might be some embarrassment at the other end of the Capitol.

Now, the Senator from Georgia, I think, is unduly sensitive this morning. Nobody is going to try to take any of the credit from the Senator. Everybody in the Senate and in the country acknowledges his great labors in this behalf and knows how greatly interested he is in the farmers of the country

Mr. President, I had not meant to put the Senator or the committee in the light of compromising with me and as a result of any agreement with me bring in the amendment increasing the initial appropriation. By what I said yesterday I meant

rather that I would compromise with myself. The facts are that before the Senator offered his amendment he had stated to me that his committee had met and had authorized him to offer an amendment which increased the initial appropriation from \$300,000 to \$600,000, but retained the ultimate amount of I stated to the Senator that that would be reasonably satisfactory to me, because, in my judgment, there was greater necessity for liberal appropriations for the next 2 or 3 years for this work than there would be at the end of 5 or 6 or 10 years; and I was really compromising with myself in practically, as I stated yesterday, agreeing that I would give my support to his amendment and withdraw my amendment.

The Senator says that the words "speaking relatively" appear either interpolated into the RECORD or that the reporter understood me differently from the way which the Senator understood me. I want to say to the Senator very frankly that in correcting my notes I put in the words "speaking relatively," because that was what I meant, and the whole context of my statement, both before the time when the phrase the Senator refers to was used and afterwards, shows that I was speaking about the relative importance to the farmers of a large appropriation during the next 3 or 4 years and a large appropriation at the end of

In my statement here I did not put it in that way, but that was evidently the sense in which I meant it, and the context of my whole statement shows that that was the sense. I took the liberty, as I had the right, to make my sentence express the thought I had in mind and the thought the context shows I had in mind.

Now, Mr. President, these are more pleasantries than arguments tending to enlighten the Senate or to make clear anything that is not clear. I wish to inquire, before I take my seat, if the Senator's amendment is now before the Senate?

The PRESIDING OFFICER (Mr. ASHURST in the chair).

It is.

SIMMONS. I desire to offer an amendment to the Mr. amendment proposed by the Senator from Georgia for the committee. I move to strike out, in line 22, page 3, the word "four" and insert "seven," so as to read "seven years."

Mr. SMITH of Georgia. While I am not authorized by the

committee to accept the amendment, I do feel justified in voting for it. I am sure if the Senate is willing to accept the amendment it would be gratifying to the committee. I have no doubt about that.

Mr. WILLIAMS. I should like to ask the Senator from Georgia what good reason there is for such a provision. Congress will not cease to exist, and if provision is made here for four years, at any time after this scheme is tried and it demonstrates its own usefulness, as I believe it will, Congress can, from session to session, increase the length of time over which the work shall extend. Why should we want to mortgage before-hand, beyond the very reasonable period of four years, for seven years the revenues of the Government? It may happen that at the end of four or five years we may be in some great stress and strain of trouble. It has always struck me that it is bad policy as a rule for one Congress to project itself too far into the future. As to myself, I hope the amendment will be defeated for that reason.

Mr. McCUMBER. Mr. President, I want to address myself very briefly to the merits of this case. I shall vote for extending this sop to the American farmer. I shall vote for it because in their misery they are thinking that they will get some little solace or benefit from it, and I am willing to extend to them that little courtesy.

There was a gentleman in my State not many years ago who got into a battle with a man much bigger than he was, and after having been pounded to a jelly the stronger man went into a drug store and bought 5 cents' worth of arnica for the use of the fellow he had pommeled. This is about the condition of the other side of the Chamber toward the American farmer.

It rather seems to me that after you have just passed a bill by which, as I will show you by the figures I will give you in a short time, you have robbed the American farmer, or will have robbed him at the end of the year, of more than \$3,000,-000,000, possibly you could find a better way to assist him, if this impulse of generosity is from the depth of your heart.

While I shall vote for the measure, I do not want it to be understood that I believe in the principle of knocking a man down and robbing him of his money and then offering him a

penny stogy to solace his exasperated feelings.

Mr. SMITH of Georgia. Mr. President—

The PRESIDING OFFICER (Mr. ASHURST in the chair). Will the Senator from North Dakota yield to the Senator from

Mr. McCUMBER. With pleasure.

Mr. SMITH of Georgia. This measure originated long before the legislation of last year, and before even the election of year before last. So I trust the Senator from North Dakota will not connect it-

Mr. McCUMBER. It does not make much difference.

Mr. SMITH of Georgia. I trust the Senator will not advance the idea that it was intended in connection with any other

Mr. McCUMBER. The purpose of it is, if I understand it, to do some little kindness to the American farmer, who is suffering with severe aches and pains, after he got through the pommeling he received during the past summer, and if he is to get any benefit from it I will vote with the Senator to give him that meager benefit.

I agree with the Senator from North Carolina [Mr. Simmons] when he stated that the Senator from Georgia ought to have the very kindly approval of all the citizens of Georgia for his kindness to them in favoring this bill, and I can give instances why they should especially be very grateful to him, because I notice that under the method of distribution of these funds, while North Dakota and Georgia practically produce exactly the same value in agricultural products, Georgia gets \$4 to North Dakota's \$1 out of the sop that is to be handed to the American farmer. So I agree that the Senator ought to be complimented, at least, by his own citizens, if not by the citizens of my own State.

I am assuming that there is really a generous, kindly feeling on the other side of the Chamber for the American farmer; that you really want to do him some good. I am just going to show you briefly how you can do him great good, how you can do him a good a thousandfold greater than you can by the enactment of this legislation. Just give him back that which you robbed him of. That is all. You took from him the American market which by every principle of right and justice belongs to him. He is suffering because of the lack of that market. Now, just give him back the market, and you will put \$3,000,000,000 in his pockets before the expiration of nine months

from to-day.

You say that you are going to help him out by teaching him how to raise more. What is the use of instructing the farmer how to raise more when he has already such a surplus that he can not dispose of it at prices which will pay him the expense of raising it? If you increase by this method the farmers' produce 50 per cent, and then because of a policy which you adopt drive down the price of those products 75 per cent, by reason of a surplus which you create by your open-door policy,

tell me how you are particularly helping the American farmer? Nor is that all. Mr. President, I have heard many arguments here lately which, I think, indicate that some few Senators have a wrong idea of the American farmer. He is not the ignoramus that you think he is. He can read and write; he does understand the English language; and he can take an agricultural report which tells the results of experimentation and gives him the method of securing these results. He has the intelligence to know when he is plowing 6 inches deep just as well as he would if he had somebody over him and saying, "Your plow needs to go down an inch farther in order to turn up 6 inches of soil." He does not need this constant supervision. Give him the opportunity to help himself and you need not go to the trouble of sending any agricultural expert to watch over him. He knows what his trouble is.

It was only a little while ago that the meat packers in Chicago and Kansas City got together, and they concluded that they would present the American farmer with a hundred thousand dollars to teach him how to raise steers. meat packers and the American people give the farmer a for those steers that will enable him to raise them and he will not need their hundred thousand dollars to tell him how to raise them. He knows just as well as this Government expert how to raise them. But if you turn upon his market all the steers of the Canadian Northwest, if you turn on his market all the steers that can be raised down in Argentine, if after you secure your peace in Mexico, if that will ever be, you will then open the gate and turn upon his market all the steers that can be raised in Mexico, you need not spend a great deal of time in teaching him how to raise cattle. He will let those other people raise them for him, and they will get the money expended by the American people for beef.

Now, I say, if you want to help him, you should know what his needs are. I admit that the farmer is better off in the South than in the North this year. He raises cotton, in which there is practically no competition, and raises tobacco, which is protected by a very high internal revenue as well as import duty. I will admit that your farmers are better off perhaps to-day than they have been for a good many years and that

generally in the Carolinas and Georgia and in Virginia they are getting along very well, indeed. It is not so in the Northwest, where the prices of all our products have gone down from 50 to 100 per cent during the last year.

Mr. SMITH of Georgia. Are you giving some of them away? Mr. McCUMBER. Are we giving some of them away?

Mr. SMITH of Georgia. Those that have fallen 100 per cent suppose you are giving away.

Mr. McCUMBER. Suppose an article was worth \$100 and it has gone down to \$50, then it has gone down 50 per cent, has it not? Well, there are some of them that we can not sell at a profit at all; there are some of them we are virtually giving away when we estimate what they cost us. Some cereals have gone down 100 per cent; and if you are able to sell it for but one-half and only get one-half of what you before received, really the difference is fully the value on the present basis

of 100 per cent, is it not?

Mr. GRONNA. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to his colleague?

Mr. McCUMBER. In a moment. If you got \$2 for a bushel of flax two years ago and you get but \$1 for a bushel of flax now, I can see a loss of a hundred cents upon the present value. As to the value before received, of course, if you take the basis of \$2, the reduction is 50 per cent.

Mr. SMITH of Georgia. It has gone down 50 per cent. Mr. McCUMBER. Now I yield to my colleague.

Mr. GRONNA. I want to suggest to my colleague that, in his answer to the Senator from Georgia [Mr. SMITH] he might his answer to the Senator from Georgia (1811). Barley is produced well have taken barley as an illustration. Barley is produced by the brewer. The price of by the farmer and is consumed by the brewer. barley during the year 1913, before the passage of the tariff bill. in the State of North Dakota, was on an average 58 cents per bushel. I myself sold several thousand bushels at that price. The price of barley now is on an average 35 cents a bushel. My colleague, therefore, has well stated that it has declined 100 per cent. Any man who has produced barley, who is a farmer and not an agriculturist, knows, and will say to the Senate, that it costs at least 60 cents a bushel to produce barley. If it costs 60 cents a bushel to produce it, and the farmer receives but 35 cents a bushel, he loses very nearly 100 per cent on his transaction.

Mr. SHIVELY. Mr. President, will the Senator from North Dakota yield to me?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Indiana?

Mr. McCUMBER. I yield.

Mr. SHIVELY. I have just entered the Chamber and I was very much impressed with the statement of the Senator's colleague that there had been a decline in the price of barley of

100 per cent. I want to know if I understood him correctly?

Mr. GRONNA. Well, Mr. President—

Mr. McCUMBER. Let us suppose—we will put it in this form—that the prices of some of our products were 100 per cent more a short time ago than they are to-day. That will perhaps clear up the mathematics of the subject.

Mr. SHIVELY. That is, that the prices are 100 per cent less

now than they were before?

Mr. McCUMBER. As to some of the products, the prices were a hundred per cent above what they are now.

Mr. SHIVELY. I should think that would clear it up. Mr. McCUMBER. I want to get the result of your new tariff during two months and its effect upon the American farmer. I would really like the attention of the Senator from Georgia [Mr. SMITH] upon this point, for I know he sincerely wishes to help not only the cotton grower, but the wheat grower as

Mr. KERN. Mr. President-

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Indiana?

Mr. McCUMBER. I yield.

Mr. KERN. Mr. President, referring to the statement as to the great losses which have been sustained by the American farmer, I have in my hand an Indianapolis newspaper of yesterday, giving the market reports for that market, in which I find that the price of hogs yesterday in Indianapolis was 8.44 and 8.50; the price of cattle was 7 and 7.85; the price of wheat was 97; the price of corn, 67 and 68; the price of oats, 401; the price of hay in the wagon market, timothy \$17 and \$19 a ton, and of baled hay \$16.50 to \$18.50; and other prices in proportion. I ask if those figures indicate that the farmers have lost 100 per cent or 50 per cent during the last year or since the enactment of the tariff law? I am sure they have not so lost in that market.

Mr. McCUMBER. Mr. President, first, before we can ascertain what a farmer really is receiving when he gets a certain price for a product, we should have some sort of an idea of what it costs to produce that product. We should have to know that before we can really know whether or not he is prosperous. I know the prices in my own section of the country, which is contiguous to the great exporting country of the Northwest, and I know the influence that the tariff bill has had upon that section. I purpose to give some of the figures upon the importations alone, and then the Senator from Indiana can draw his own conclusion as to whether or not those importations were in any way responsible for the difference.

My colleague [Mr. GRONNA] has given the difference in price of a year ago of barley on the market and what the price on the market is to-day. I might also state that in his own section he was then receiving some fifty-odd cents a bushel for oats, and I think the same oats will now sell for about 23 cents, or only about one-half of what they sold for a short

There are a great many things that affect the value of agricultural products. I am going to discuss those that are affected directly by importations and indicate in that way how the Senator from Indiana and his party can grant a great boon to certain sections of the country, even though the influence will be less felt in Indiana, in Iowa, and in Ohio than it would be in my own section of the country.

Mr. KERN. Mr. President—
The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Indiana?

Mr. McCUMBER. With pleasure.

Mr. KERN. In view of the startling declaration made by the Senator from North Dakota, I simply want to call the attention of the Senator and of the Senate to the fact that the market quotations I have given show that the prices of all these articles of live stock and of grain which we raise in Indiana are substantially the same or greater than those prices were a year ago.

Mr. McCUMBER. How is it as to barley? Are the prices for

barley given? Will the Senator follow the quotations down and give the price of barley, so that we may compare it with the price of last year and see who is correct?

Mr. KERN. I find no quotations as to barley here at all. Mr. McCUMBER. Barley is one of the things that we raise. and one of the things as to which we are compelled to keep a little tab upon the quotations in our section of the country. While it may not be so material to the sections of the country that make beer as it is to the section of the country that makes the barley that goes into the beer, it is quite serious to us.

Mr. President, I want now to take the statistics for two

months. I tried to get those for December, but I was only able to get the statistics for October and November of this year. I want to compare them with the importations and the value of those imports with the corresponding two months of last year. Let us take October, 1912. This is from the summary of the Commerce and Labor report. In October, 1912, we imported but 27,662 head of cattle; in October, 1913, we imported 130,639 head of cattle. In the first instance, the value was but \$575,000, in round numbers, and in the last instance it was \$3,398,000.

Now, let us compare November of 1912 with November of 1913. In November, 1913, we imported 123,118 head of cattle, valued at \$3,306,723. All of this money in a single month—\$3,306,723 went out of the United States, out of the hands of the farmers of this country, and into the hands of the farmers of other coun-

In 1912 we imported 3,465 head of sheep; in October, 1913, we imported 26,035 head of sheep; in November of 1912 we imported 5,075; in November, 1913, we imported 46,955 sheep, an increase of nearly ten times the amount in a single month. some instances it runs all the way from five times as many up to one hundredfold. In October, 1912, we imported, what before we had scarcely ever imported into this country, 226,000 bushels of corn; in 1913 we doubled that, we imported 473,000 bushels; in November, 1912, we imported 25,819 bushels of corn; in In November, 1912, we imported 25,519 bushels of corn; in November, 1913, we imported 1,632,643 bushels of corn, valued at \$1,182,673. That is one month of the balance sheet of the corn producer in the United States. That many bushels of corn took the place of an equal number of bushels that were raised by the American farmer and shut him out of that much of a demand.

Mr. GRONNA. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to his colleague?

Mr. McCUMBER. I yield to my colleague.

Mr. GRONNA. Does my colleague believe that had any effect upon the price of corn in this country?

Mr. McCUMBER. I think the Senator, if he will state the prices in the two years, which he perhaps remembers better than I do, can show the Senate just what effect it has.

Mr. GRONNA. I am simply asking that question, because it was contended on the floor of the Senate during the tariff debate even by Republicans that it could not affect the price of corn, but in a single instance, when a million bushels of corn from the Argentine Republic were imported, corn dropped 6 cents a bushel.

Mr. McCUMBER. Of course that does not make any difference to our friends on the other side; it is only the farmer who

has to suffer.

Not only that, Mr. President, but since the tariff law went into effect we have imported more than 300,000,000 bushels of corn into the United States. You need not tell me that it will not have any effect upon the price of corn in the United States and will have no effect upon the American farmer. If supply and demand still affect or govern values, then these enormous importations must necessarily reduce the farmer's price, and, with a short crop, he is entitled to a higher price. deprive him of that right by allowing other countries to make up the deficiency, and thereby deprive him of his right to the higher price.

The importations for December, 1913, have not yet been filed with the department, but from press dispatches we learn that during the month of December importations of corn were exceedingly heavy and increasing all the time. It has been stated that on January 8 of this year more than 300,000 bushels of Argentine corn were received in New York City alone, and it is stated in the press reports that more than 3,000,000 bushels from Argentine alone have been received in New York since the enactment of the present tariff law.

Mr. GRONNA. Mr. President-

The PRESIDING OFFICER. Does the Senator from North Dakota yield to his colleague?

Mr. McCUMBER, I yield, with pleasure. Mr. GRONNA. Of course the reduction in price applies not only to the corn imported but to every bushel raised in this

ocountry.

Mr. McCUMBER. I thank the Senator. In October, 1912, we imported 52,213 bushels of wheat; in October, 1913, that 52.213 bushels jumped to 233,000 bushels. In November, 1912, we imported 2,187 bushels of wheat; in November, 1913, we imported 127,033 bushels of wheat. In October, 1912, there was not a single egg imported into the United States; in October, 1913, there were imported 21,594 dozen eggs.

Mr. GRONNA. Mr. President, before my colleague leaves the subject of wheat, if he does not object, I should like to read a

short extract from the Winnipeg Telegram.

Mr. McCUMBER. I will be glad to have the Senator read it. We are trying to get information as to how we can best benefit the American farmer, and any information that will show the cause of our broken markets will be useful.

Mr. GRONNA. Our friends on the other side evidently be-lieve that they have made warm friendships with the people of Canada. The Canadians do not look at it in that way, as I will show by reading this short extract from the Winnipeg Telegram under date of January 13, 1914. The Legislature of the Province of Manitoba had under consideration the question whether or not they should admit our flour free. Of course, if we admit their wheat free, they will have to admit our flour free; and we in the Northwest feel that we are under obligations to the chairman of the subcommittee who handled the agricultural schedule of the tariff bill, the Senator from Mississippi [Mr. WILLIAMS], because he coupled the question of free wheat and free flour, so that the Canadians can not send their wheat free into this country unless they also admit our flour We are under obligations to the Senator from Mississippi free: for that much.

But what I wanted to read, Mr. President, is a paragraph from the Winnipeg Telegram. They were discussing whether or not it would be for the best interests of Canada to have free wheat, and Mr. Norris, a member of Parliament, is quoted in part as follows:

As for Mr. Norris, he claimed to be of the same opinion now as he was then. He was in favor of a free interchange of all kinds of farm products. He suggested that the resolution under consideration should have taken the form of a memorial to the Dominion Government instead of being a mere expression of opinion, and suggested that it should have made mention of free oats, barley, flax, and agricultural implements. Free agricultural implements, he held, were next in importance to free wheat. Charging that some government members, including the premier, would not be able consistently to vote for the resolution, Mr. Norris proposed to read from a speech by Sir Rodmond Roblin on reciprocity, when the premier interposed to remark that it would not be necessary to convert him.

"Mr. Norbis. Of course, if my honorable friend is going to assure me that he is going to vote for the resolution, I won't read the speech. "Sir RODMOND. I am." Notwithstanding this declaration, Mr. Norris contined to read extracts from the speech and to make observations on it.

SUBJECT OF RECIPROCITY.

Turning again to the subject of reciprocity, Mr. Norris argued that under the Taft-Fielding agreement Canada would have had the markets of the North American Continent to themselves—

You see, they are not quite satisfied because we have given free trade to the entire world; they wanted it for themselves whereas under the existing United States tariff Canada would be in competition with the world in the United States market. He favored the admission of Canadian wheat free into the United States because the farmer would get better prices for his grain. Both producer and consumer, he held, would benefit.

Mr. McCUMBER. Now, Mr. President, I want to take up additional statistics as to eggs. In November, 1912, there was not a single egg imported into the United States; in November, 1913, there were imported 165,236 dozen eggs into the United States.

Mr. POMERENE. Mr. President-

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. McCUMBER. Certainly.

Mr. POMERENE. In view of the fact that we are now paying from 40 to 50 cents a dozen for eggs which are eaten by the consumer, how much higher in price does the Senator think eggs should go before any could be imported?

Mr. McCUMBER. I am very glad to have the Senator ask that question. Although the importation of eggs into the United States has been increased, what difference has it made to the ultimate consumer? He is the man you have been looking after We insisted every day of the tariff debate that the free introduction of any of these articles would make no difference in the price to the ultimate consumer, but that it would make a difference in the price to the producer; and in every instance our prediction has been verified.

Mr. POMERENE. Which position is about as inconsistent as

anything that could come from the same lips.

Mr. MARTINE of New Jersey. Mr. President, will the Senator yield to me a moment? Hearing this egg discussion—

Mr. McCUMBER. Just a moment before the Senator from Ohio [Mr. Pomerene] leaves his seat. I did not quite catch the import of his last statement. He says the two statements are inconsistent. The fact is that in the month of November, 1912, there were no eggs imported, while in the month of November, 1913, there were imported into the United States the considerable amount of 165,236 dozen eggs; and the Senator himself has now stated that, notwithstanding this importation, eggs are higher in price, and that we are paying from 40 to 50 cents a Wherein are we inconsistent, and who is dozen for them. inconsistent?

Mr. POMERENE. Mr. President, it does not yet appear from anything the Senator has said what the price of eggs might have been had these importations not been permitted. fess that I am not quite able to understand the humanitarian principles which actuate some men, when, as we know, in this country during the last four or five years the number of cattle has greatly decreased, the number of sheep has greatly decreased, the number of swine has greatly decreased, notwithstanding the beneficence of the great protective-tariff principle; and during all this time, when there are men, women, and children in this country by the hundreds of thousands who do not, because of the high prices, know what beef and pork taste like, yet, actuated purely by humanitarian principles, we want to increase these prices so that they can not get them in the future, as they have been deprived of them in the past.

Mr. McCUMBER. Mr. President, there are two errors in the hypothesis of the Senator. In the first place, for many reasons, which the Senator himself fully understands, there has been and probably will be no reduction whatever to the ultimate consumer because of increased importations. He understands the manner of fixing prices at the retail places, but the fact stares him in the face that in spite of increased importations there has been no decrease in cost to the ultimate con-

Now I will consider the case of the poor man who never tastes meat. I recall-

Mr. MARTINE of New Jersey. But the Senator is getting

away from eggs

Mr. McCUMBER. No; I will come back to eggs in just a moment. I recall a little verse in the school reader when I was a child. I can only remember a small portion of it. It made a reference to the poor family which I could not quite understand. It ran something like this: "They ate their bread and

drank their wine, but never tasted meat." Inasmuch as we had no wine, but plenty of meat, and were considered anything but rich, we could not quite understand what a punishment that was; and it is very much the same with the poor individual referred to by the Senator from Ohio [Mr. POMERENE]. I tell you, Senators, there is not a laborer in the United States, although he may receive the lowest amount that is paid for labor, who can not get more meat for a given hour of his labor than the farmer gets of the money that is expended in raising that meat. The agricultural reports for 1912, taking the average of five adult workers upon a farm, show that the average daily net wages of the adult worker-that is, the farmer, his wife, and the children who do a day's work—is 20 cents a day. That is his net. That is all he gets a day.

Mr. MARTINE of New Jersey. And that was during the

régime of Republican protection?

Mr. President, the egg question, which I heard the Senator discussing so earnestly, calls to mind an instance in my community. I knew an old fellow—a German, John Mulner by name—who used to say: "I have 18 hens and I control the egg market of the city of Plainfield. When my hens lay, eggs go down; and when my hens stop laying, eggs go up." It was largely a question of supply. The tariff unquestionably has something to do with the price, but it has not stimulated the production of the hen, the Republican theory to the contrary production of the hen, the Republican theory to the contrary notwithstanding.

My friend talked earnestly about the wage of the average farmer and the wage of the American workingman. I ask him and other Senators to let memory run back to a few months ago when an investigation disclosed the fact that in Lawrence, Mass, the workers were paid hardly enough to buy eggshells, let alone eggs. All of this came under the régime of the Re-

publican policy of protection.

The tariff has been reduced and we believe we are going to relieve the general conditions of the community; at least, a Republican tariff will never make things cheaper to the con-We have believed in and have brought about a reduction of the tariff. The public have believed in and have ratified that action, and, in my judgment, will ratify it again in the near future. If our friends can get any comfort out of eternally thrashing this subject over and over again, in God's name,

let them proceed. Mr. McCUMBER. Mr. President, I will agree with the Senator that, in anticipation of a Democratic administration, the hens have not added to their supply as perhaps they ought to have done. I will also admit that, with the free importation of products, while you have hurt the producer, you have not benefited the consumer in any way of which I know; at least, I have not heard of anything being any cheaper to the ultimate consumer. I will follow this argument right down by stating another proposition, in which perhaps the Senator from Ohio [Mr. POMERENE] and the Senator from New Jersey [Mr. MAR-

TINE] may find an inconsistency. Take meats. Are meats any cheaper to-day than they were a year ago to the ultimate consumer in the city of Washington? If they are, I have not found it out. Let us see what the importations are. In October, 1912, we imported no fresh meats; in October, 1913, we imported 5,752,207 pounds of fresh meats, valued at \$474,657. Did the importation of nearly 6,000,000 pounds of beef in a month reduce the price to the ultimate con-It did reduce the price which the farmer was receiving all along the northern boundary for the stock he sold. My colleague [Mr. Gronna], a short time ago, told the Senate of a farmer who started with several carloads of cattle to market. It was a rather small market for stock, but it was at a time when the price seemed fair to him. When he got to St. Paul, as I understand, he found about 40 carloads of Canadian cattle in competition with his, and his price went down 2 points, but the beef did not go down in cost to the ultimate consumer.

Mr. President, in November, 1912, we imported no fresh meats; in November, 1913, we imported 10,998,733 pounds of fresh meats—not cattle, but fresh meats. We imported in that single month nearly 11,000,000 pounds of beef, but the price did not go down one cent to the ultimate consumer, although the importation did mean a great many dollars loss to the farmers of the entire Northwest in the value of their stock.

I know that stock is higher than it was years ago. know that there is a decrease in our production. Why? Because our ranges have been taken up for agricultural lands; because our ranges have been taken up for agricultural rands; because it takes labor to produce cattle and care for them where land is worth \$40 and \$50 an acre, and you can not range them; and because the labor price, running from \$3 to \$5 a day, has been so high during the last few years that it was impossible for the western farmer to hire the labor to take care of his stock; so that with the big prices he was getting

there was but little profit on account of the excessive labor price of producing.

in October, 1912, we imported the small amount of 9,881 bushels of potatoes. In October of 1913 we increased that 9,881 bushels to 80,000 bushels. In November of 1913 we imported free of duty—now, this is not from Canada, but from other countries-401,063 bushels of potatoes. There were other importations, but owing to the countervailing clause of the tariff act a duty was paid on them.

Now, I want to get down to the oats question. That is quite

In October of 1912 we imported 379 bushels of oatsvery big amount; about one wagonload. In October of 1913, with a duty of 6 per cent, we imported 2,524,793 bushels. That is to say, in a single month there was that increase from one wagonload to nearly 3,000,000 bushels.

Oats have gone down. They have decreased from fifty-odd cents a bushel to only twenty-odd cents a bushel up in my State, and you can not raise them for twenty-odd cents or 30

cents a bushel and pay expenses.

One of the products made of these oats is Quaker Oats. down to one of the department stores, or any store here in the city, and see if you get a package of Quaker Oats any cheaper to-day, with oats at twenty-odd cents a bushel, than you got them when oats were fifty-odd cents a bushel. It is but another them when eats were fifty-odd cents a busner. It is but another illustration of the fact that while you may kill the producer, while you may destroy his prosperity by your reductions, you not beloing the ultimate consumer. What the producer are not helping the ultimate consumer. What the producer loses is gathered up either in the pocket of the foreigners or in the pocket of the intermediate man between the producer and the consumer.

You can benefit the farmer of the Northwest a hundredfold as much as you will by the bill you now seek to introduce if you will just give him the American market for his oats. He has earned the American market. He paid pretty good prices for everything he purchased for a good many years, in order that he might build up your great manufacturing industries of the East. He did build your mighty cities. He did give you the wonderful commercial and manufacturing prosperity you have had in this country, and he did it at the cost of some suffering to himself. He did it in the hope that by building up your industries, while he got an indirect benefit in finding a better home market, when he had reached a point where he could get a direct benefit, when he had reached a point where the production and consumption equalized each other, you would then be equally generous with him, and say: "Inasmuch as you have builded up these great populous centers, and have given work to millions upon millions of people through your protective system, the time has now arrived when you can be put upon a plane of exact equality, and when you can receive as much for your work as we receive for ours." Yet, instead of doing that, you immediately threw open the doors to the entire world and said: "Come in and crush down the prices of farm products. living higher than formerly and we must recoup by keeping down food prices.'

Mr. President and Senators and you people who live here in the great cities, if you will just start your economy at the right end you will not need to complain about the prices you pay for your beef, your potatoes, and so forth. Let the good lady who pays forty or fifty dollars for a hat that has not \$3 worth of material and work in it just pay what it is worth and she will have forty or fifty dollars with which to buy potatoes that will last her for two or three years. She need not complain of

the few cents a bushel she is paying.

Let the American people of the cities, who are paying twice as much for their liquor as they are paying for their meat, just cut down their liquor bill one-half and they will get their meat free. It will not cost them a cent.

Why, the young ladies here in the cities pay more in a year for chewing gum than is paid for all the potatoes that are con-

sumed by them in a single year.

Let us begin our economy at the right place and cut out the You people of the cities who are complaining because you pay 30 cents a pound at retail for some splendid beef just cut down your theater bills when you pay \$5 a seat to hear Madame Bodjugowisky sing, when in the old country she sings the same songs for 25 and 50 cents a seat. Just pay the prices that are paid in the other country and you will have enough money saved to buy all the flour you consume. Are you aware of the fact that you pay more for your amusements and for your travel than you do for all the cereal food products in the United States?

Mr. President, the farmer is not receiving any too much for his products. If he were receiving an honest price for them, you would get an equal benefit, because, if he gets a fair and

honest price, he will spend his money; he will buy your things. It will pay you better in the long run to make your consumer prosperous than it will to make him poverty stricken and then depend upon your export trade for your surplus manufactures.

I have not finished my quotations. In November of 1912 we imported 4,266 bushels of oats, valued at \$2,000. In November of 1913, when the duty had been brought down to 6 per cent, we imported 5,132,308 bushels. That is one single month. You can multiply that by 12. Take the 12 months in the year and you will readily see why the farmer is not receiving a living price for his oats; but do you get your Quaker Oats any cheaper? Are they not selling at the same old price that they have been for 5 or 10 years? If we are injuring the American farmer for the benefit of somebody else, if there really is a benefit, we who have suffered more than any other people are willing to suffer more if it is going to benefit you. But it benefits no one.

Mr. MARTINE of New Jersey. Mr. President, will the Sena-

tor yield for a moment?

Mr. McCUMBER. I am always glad to yield.

MARTINE of New Jersey, I will ask the Senator whether he realizes the fact that the establishment or concern or corporation that manufactures the so-called Quaker Oats is a giant trust? Now, we have fixed the tariff, we think, fairly well. The next chapter in the history of this land, and the next step the Democratic Party will take, will be to deal with the trusts. After we have gotten through with the trusts we will be able to feed our Senator and his babes on cheaper Quaker Oats. Just let us round it out.

Why, great heavens, you tried your policy here for years, and the price of 10 cents a package for Quaker Oats was established under the iniquitous rule of your high-tariff policy. When we get through with the trusts you will have no fault at all to find.

I think

Mr. McCUMBER. Mr. President, we would rather have the iniquitous policy by which we paid 10 cents a package for our Quaker Oats and got 50 cents a bushel for our oats than to pay 10 cents a package for our Quaker Oats and get 20 cents a bushel for our oats.

Mr. MARTINE of New Jersey. Yes; but the people have decreed otherwise. To-day the Democratic Party is in the saddle, pledged to lighten the burden as far as it can by legislation. That pledge we will carry out, as surely as there is a God in heaven.

Mr. McCUMBER. The groans of the farmers in the Northwest will show that they realize that the Democratic Party is in the saddle.

Mr. CUMMINS. Mr. President—
The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Iowa?

Mr. McCUMBER. I yield. Mr. CUMMINS. I do not want the statement made by the Senator from New Jersey to pass entirely unchallenged. sume that he agrees with me that oatmeal is the same edible product that Quaker Oats is?

Mr. MARTINE of New Jersey. It is all of the same char-

Mr. McCUMBER. And every little mill in the country manufactures oatmeal.

Mr. CUMMINS. In our State we have the largest mill of the so-called trust that there is in the country; but we also have, I think, three large independent mills, turning out the same product every day. While I have no word of excuse for the so-called Oatmeal or Quaker Oats Trust, the fact is that there is in my part of the country, anyhow, substantial competition that will not permit the trust to raise its price above a

reasonable point. I will ask the Senator from New Jersey whether there are now pending any proceedings intended to punish the officers of

the Oatmeal Trust?

Mr. MARTINE of New Jersey. I can not speak directly as to the Oatmeal Trust. I am willing to admit that there may be an independent mill or two manufacturing oatmeal, if you choose. Doubtless it is true; but the Senator will agree with me that the large majority of the millions of pounds of oatmeal that are turned out in various shapes, Quaker Oats or otherwise, are manufactured by great organizations like the Oatmeal Trust, and not by the two or three independent mills in the Senator's State.

Whether or not any immediate steps are being taken to prosecute the Oatmeal Trust I can not say, but I do know that part of the plan and policy of the Democratic Party is to go for trusts, and we will go for them, dealing with them fairly,

honestly, and justly, but not tenderly nor timidly.

Mr. CUMMINS. I hope it is the plan of the Democratic Party to destroy monopoly in this country. I must confess, however, that the plan is being carried out with a deliberateness that sometimes discourages me.

Mr. MARTINE of New Jersey. It has only been six or seven

months.

Mr. CUMMINS. I want the Senator from New Jersey to know, however, that there is a good deal of competition in that particular field, although I think it is true that the concern which he calls the trust, and which I think is a trust in every proper sense of the word, does manufacture probably more than one-half of the entire product of the country. I say to the Senator from New Jersey that I hope we shall speedily reach a time when it can be dealt with, and when, if the American people are suffering from its exactions, they may be relieved from them. We are going very, very slowly, however; and I have no great confidence in the effort to readjust industrial conditions in the administrative offices of the country. There is but one way to punish a man for having violated the law, and that is to bring him to the bar of some court and, finding him guilty, to punish him. I have not much faith in these preliminary negotiations and these quiet adjustments that seem to have been favored, not only in a former administration but in this one as well.

I will say that they are not Mr. MARTINE of New Jersey. quite as rapid as I myself should like. I can not recall just now how the last tariff bill carries oatmeal, but I do know that I was one of those in our party who were in favor of putting oatmeal on the free list. I believe, however, that the Senator's heart and my own beat very nearly in unison in respect to the wish to relieve the necessities of the people.

Mr. McCUMBER. Mr. President, I appreciate all the Senator says about his party going after the trusts. Of course he can speak for his party and I can not. I can only get the vague rumors we get in the headlines of the press, which say that the Democratic Party is going after the trusts, but add below: "We are going very gently, so please do not get scared and bring on a panic." I do not know how gently you will be able to handle them.

Mr. MARTINE of New Jersey. I am very glad the Senator thinks we are pursuing a slow and conservative policy. A month or two ago he was complaining that we were rushing blindly on with the tariff agitation and the so-called regulation of trade and that we were going to bring about ruin and chaos and bring the structure tumbling down on our heads.

Mr. McCUMBER. No, Mr. President; it is the gentle policy

of which I complain-not that the Senator's party is going too slowly, but that it is dealing so gently with the matter, going very quietly and telling the trusts that they need have no fear of being hurt.

Mr. BRISTOW, Mr. President— Mr. McCUMBER, I want to say one word further about the oats question, and then I will yield to the Senator from

The Senator from New Jersey always speaks from his heart, and it is always full of generosity for the public. Of course he would give them free oatmeal; but as a matter of fact, while he practically takes the tariff off oats, reducing it to 6 cents a bushel, which is a mere bagatelle, he leaves a tariff of about 333 per cent upon the oatmeal that is to be consumed by the dear ultimate consumer.

Mr. MARTINE of New Jersey. That can not be charged up to me. As I tell the Senator, I was in favor of free oatmeal; and, so far as the farmer is concerned, the pittance of 6 cents

a bushel is folly and nonsense.

The Senator talks very glibly about the farmer. I think I can give him spades and aces and everything else and beat him as a farmer to-day. We do not want any of your trash and cheap-gruel tariff reforms. We have starved to death under that infernal policy. We hope to bring it to a broader and a freer basis.

Mr. McCUMBER. I will admit that with cards and spades the Senator can get the best of me, but on the tariff I am willing to take my chances with him. I now yield to the

Senator from Kansas.

Mr. BRISTOW. I wish to suggest to the Senator from North Dakota, for his information, that while this gentle process of dealing with the trusts is being inaugurated their stock is continually rising in price under the beneficent sunshine of the

present trust policy.

Mr. McCUMBER. Possibly I should call attention to one or two more importations that are alleged to be for the benefit of the dear public through which the farmer suffers, but from which I can not find that the public has yet received any

henefit.

I notice that in October of 1912 we imported 84,000 gallons of cream. In 1913, when cream was free of duty, we raised that importation to 136,000 gallons. In November of 1912 we imported 65,000 gallons; in November of 1913 we imported 161,000 gallons of cream.

I could follow up these things at considerable length. where you will find a general reduction of the farmer's price for all of these articles, except close to the great cities, where he can haul his product into the city and can reach up to the

price of the retail merchant.

I will admit that the farmer who can drive into Washington, and can get 60 cents a dozen for his eggs, will not cut them to a lower price when the merchant is selling fresh eggs for 60 or 70 cents a dozen. He may not suffer materially; but where the eggs are bought out in the country, 1,500 or 3,000 miles away from the great consuming section to which they must be shipped, the price has been very materially reduced, and the producer as suffered accordingly.
Mr. BRISTOW. Mr. President—
The PRESIDING OFFICER. Does the Senator from North

Dakota yield to the Senator from Kansas?

Mr. McCUMBER. With pleasure, always

Mr. BRISTOW. Let me suggest to the Senator that when the farmer has an abundance of eggs for sale, when the commodity is being produced, the price is down; the competition materially reduces the price to him; but when the price goes up and the consuming public is paying these extravagant prices, the farmer does not have the eggs for sale, but they have passed into the hands of the dealer. So the present tariff is used by the cold-storage men to reduce the farmer's price, and then they put the price up to what the market will stand when they go to sell the eggs.

Mr. McCUMBER. Of course some of the farmers have a few eggs to sell, but the Senator is absolutely correct in the general

statement.

The Senator from Indiana [Mr. Kern] quotes the prices of beef and hogs in Indiana. When he considers the ravages of hog cholera and about how many hogs and beeves are left in the country, he will see that naturally they get a fair price when they have but a few to sell; but the farmer, especially in the cereal-raising section of the country, is entitled to have a decent price when he is raising a fair quantity. When he has but a very small quantity, indeed, the prices ought to be just so much better.

Does the Senator realize that our 1911 crop of wheat, which was a rather small crop, brought us in very much more money than the 1912 crop, which has been sold along in 1913, and more than the 1913 crop, which is much bigger, will sell for? The reason was that at that time we had the American market for American produce, and that was of considerable benefit.

Now, however, when in some sections of our country our wheat crop was almost wholly destroyed and when the production is a great deal less, and under natural conditions, in which the farmer would have the American market for his produce, he would receive a compensation that would partially repay him for his loss, he can not receive it because of the importations that come in to fill the deficiency.

Our 1912 crop, as I have stated before, was so enormously above the consumptive demand of the country with reference to our northern wheat that the protection of 1912 gave us practically no benefit. Then, by reason of this great oversup-ply, amounting to more than 100,000,000 bushels of surplus in three States, we were forced upon an export basis, and we suddenly had to find our market across the ocean for crops which

we had not exported for 15 years.

Of course whenever we are forced down to that our prices will not be benefited at all by the protection; but that is only in the case of a phenomenal crop that may come once in 15 or 20 years. When we are producing the normal crop the consumptive demand is so great that we can not export any of the product. To-day we are on an export basis. We are bound to remain on an export basis until this law has been repealed.

Now, Mr. President, I wish to quote a little from some of the exchanges, which will explain this matter better than I can.

Here is something from a Minneapolis paper:

MINNEAPOLIS, MINN., December 9.

Minneapolis Chamber of Commerce firms to-day bought a half million bushels of Canadian oats that will come to Minneapolis and pay the 6 per cent import under the new tariff, thereby recording the largest business of the kind since the first Canadian oats began to trickle across the boundary after the Underwood bill went into effect.

A movement that the Great Northern, "Soo," and Northern Pacific roads have handled, wherein a car or two of Canadian oats have appeared on nearly every incoming grain train from the boundary line, has brought about 1,000,000 bushels into Minneapolis so far—

That is a single little city-

but trains arriving over the "Soo" and Great Northern in the last few days have had from 10 to 20 cars of Canadian oats. That the total importation by Minneapolis will have reached 2,000,000 bushels before the year ends was the prediction heard on exchange to-day. OFFSET OF 2 POUNDS.

Thirty-four pounds is a legal bushel in western Canada and 32 pounds is the legal bushel in Minnesota, and therein the west Canadian producer of oats finds an offset in part for the 6 cents a bushel duty that he has to stand.

Mr. President, there is an assertion that I am somewhat surprised to read. If I remember our tariff law correctly, it provides that a bushel of oats shall be 32 pounds; and, if an American bushel of oats shall be 32 pounds, I can not understand how they are importing 34 pounds of Canadian oats for a bushel and levying a duty on that basis. I am confirmed by the Senator from Kansas [Mr. Bristow], so I imagine that there must be an error in this statement, although it may be that in the change of administration we are getting a little different rule as applied to the number of pounds in a bushel of oats.

as applied to the number of pounds in a bushel of oats.

What the increasing movement will do to the Minnesota oats producer was of speculation on exchange to-day. The recent bringing in of a car of west Canadian wheat, which sold at Minneapolis prices after paying 10 cents a bushel import duty and freight from a Manitoba point, was interesting, grain-trade men said, not so much for its own importance as in the showing of what might happen if the Canadian Government takes off the countervailing duty in January, as some in the trade expect. But the Canadian Government may not do that, and no great inrush of Canadian wheat is expected while the 10-cent import duty remains in effect.

The oats, sold at 40 cents, or practically the same price as the Minneapolis figure for the corresponding quality, are coming in, with payment of freight and duty as a part of the calculation.

This was only in December. I will follow this proposition.

This was only in December. I will follow this proposition up a little closer. I take from the Fargo Forum, in my State, a dispatch from New York of January 8. The heading is:

Millions of bushels of Argentine corn are coming to the United States.

The dispatch is as follows:

New York, January 8.

Nearly 300,000 bushels of Argentine corn was unloaded to-day at this port, and millions more from South America are under contract. The importations are a direct result of the removal of the duty on corn under the recent tariff act. More than 1,000,000 bushels have been received in the United States since the tariff went into effect, the first from Argentina ever brought here.

Already competition with American corn has forced a decline in cash values. Thirteen ships are either en route here or loading with corn from Argentina.

One American manufacturing concern which uses corn sirups and kindred products has 5,000,000 bushels of the Argentine product under contract for delivery in the near future.

When the new Argentine corn crop is harvested importations will increase, according to trade authorities. The corn already here has found the raliroads unprepared to handle it, the port being without adequate docking facilities. These deficiencies are being remedied rapidly.

Lord grant that they may be delayed just as long as received.

Lord grant that they may be delayed just as long as possible for the benefit of the American farmer. Providence sometimes comes to our rescue a little when the Democratic Party forgets us, and we have it here in the lack of facilities in New York to handle the corn that is coming in, and that they must increase those facilities before we can get all the importations inland.

This is but an indication of what is coming, and that we may be prepared in some way to meet the condition. You need not tell me that this does not affect our price. It has affected our price. But you say that we are already getting a good price in the United States. Why? We are getting a good price because the farmers have not the produce to sell or have only so much to sell. We ought to have a very much better price when we have a half or two-thirds of a crop, but we will never get it so long as we open up our doors to the free importation of all the agricultural products of the world.

I will take another article from the Modern Miller, two days later, January 10, 1914:

Those who have been on the bull side of the corn market the past few weeks—those who overstayed the limit in order (as they believed) to be enabled to secure the last penny out of the shorts, have suffered no little. At least ole of them has been disposing of his cash corn to shippers and others that was taken in on December contracts. Argentine corn will continue to cut a big swath in the corn prices of the United States, and they are certain to prove quite bearish in character. That country will have a crop of corn of over 380,000,000 bushels, and the merchants there have already commenced to force their new grain on the markets for the Old World. During the past few days 1,000,000 bushels of Argentine corn arrived in ports of the United States, and there have already been 3,000,000 bushels imported since the duty was removed. According to most recent advices there are now 15 vessels en route to the United States either loaded with corn or loading. All advices from that far-away country are of most excellent crop prospects. One of the local elevator concerns bought a cargo of corn from Argentina c. 1. f. Galveston, Tex., at 3 cents under the Kansas City May price. It will be a difficult matter for the United States farmers to cope with the cheaply raised corn of Argentine Republic, as farmers wages down there, as well as the price of land, is greatly below that in the United States. There is already some talk among the grain men of the United States of rescinding the law which permits corn from the Southern Hemisphere coming in free of duty. This grain was admitted free because of the high cost of living and as well as the partial loss by drought of the corn crop in the United States.

I have here another article on the Argentine trade generally which is from the Modern Miller of January 24, only a few days ago. I will read it, Mr. President:

THE EFFECT OF ARGENTINE CORN.

As a corn producer Argentina is forging rapidly to the front and in 1912 was credited with a crop of 296,000,000 bushels. The great bulk of this goes for export, and home consumption is relatively very small, as compared with domestic consumption in the United States. Argentina is essentially a cattle and sheep country, and the 1912 census shows 29,000,000 cattle and 80,000,000 sheep. As a hog raiser it has scarcely begun, and while packers are stimulating the production of hogs, the census of 1912 shows only 3,000,000 head of swine. For this reason Argentina has jumped into first place as an exporter of corn, and having recently found a highly profitable market in the States there is every reason to believe that corn growing will be increased.

As to the effect of exportations to this market, Finley, Barrell & Co., of Chicago, recently said:

"Attracted by the high prices prevailing, Argentina will have shipped and sold in this country some 10,000,000 bushels of her old corn crop, and is planning on marketing her exportable surplus from the new crop, now rapidly approaching maturity, in amount 250,000,000 bushels. Some of this corn has even now been contracted for, and it is being freely offered at prices 8 cents to 10 cents a bushel under ours."

And ours is low enough, considering the small crop, consider-

And ours is low enough, considering the small crop, considering the price the American farmer has to pay for his labor and the value that he must invest in lands and other property.

Mr. BRADY. Mr. President—
The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. With pleasure.

Mr. BRADY. From what paper is the Senator reading? Mr. McCUMBER. From the Modern Miller. I believe

published in St. Louis. I continue the quotation from Finley, Barrell & Co., of Chicago:

Even should our market decline, Argentina would still be a strong competitor in eastern and southern territory.

Only about 20 per cent of our corn crop ever moves from the farm and the Argentina surplus is sufficiently large to menace the domestic markets, as it figures 40 per cent of our total movement from farms, Since November 1 through this cause we have lost a market for fully 15,000,000 bushels of our corn.

The size of the Argentine corn and the Argentine and Canadian oat crop will have great bearing on the future trend of values in our markets. We are facing the fact that our prices in this country are subject to world conditions as they never were before in the history of the grain trade.

The Modern Miller adds:

Had anyone suggested a few years ago that Argentina would be a national factor in our domestic corn trade the statement would have appeared substantially foolish.

It was said it was foolish even last summer. Not only that, but it was declared that it was foolish to presume that the farmer got any benefit from any tariff on any of his products, and that he ought not to be longer deluded with that folly. I think he is getting a little "undeluded," at least in my section of the country, now. The Modern Miller proceeds:

It would not now be safe to predict that Argentina in the course of a few years to come will not invade our markets with wheat, to the extent of making wheat prices on our coast very strong rivals of prices at the most remote interlor points. Millers may have some interesting developments from Argentine free wheat that will prove as surprising as the corn importations.

Mr. BRISTOW. Mr. President—

Mr. McCUMBER. I yield to the Senator from Kansas.

Mr. BRISTOW. I call the attention of the Senator from

North Dakota to the fact that Argentina has removed the duty on her wheat so as to get the benefit of the countervailing provision in our own law, and that now Argentine wheat can come into our markets free of duty. It was about 10 days or two weeks ago that the Argentine Congress adopted it and it is now the law

Mr. McCUMBER. I want to give but one more statement here. In November, 1912, we imported 43,726 head of cattle, valued at \$826,000; in November, 1913, we imported 123,118 head of cattle, valued at \$3,306,723; and they will be coming in much more rapidly in the near future.

Mr. President, I again appeal to the other side of the Chamber to give us the relief that we are entitled to as the farmers and producers of the country. It will not be charged up to the consumer whatever. Let us remember that the farmers in this country pay the taxes of the country. They are our own citizens. They have to live upon our American farms. They furnish us the best, the safest, the most patriotic of our American citizenship. We ought to increase and not decrease the number.

I do not care a continental what it costs to produce a bushel of wheat, a bushel of potatoes or corn, or a dozen eggs in Canada or in Argentina. What I want is that the American farmer shall have the American market until his condition is raised to an extent that it will square with the condition of other like intelligent labor in other lines of business in the United States, until a day or a month of labor upon the American farm will bring back in comforts and luxuries and the

necessities of life just as much as the same amount of equally intelligent labor will bring anywhere else in the United States. That is all the farmer is asking for, nothing more and nothing less, and that is what he is entitled to receive. With the inexhaustible fields of Mexico and of South America that have scarcely yet been touched with the plow, with the great surplus that lies to the north of us and must be there for years to come, we are at the mercy of all the cereal-producing countries of the world, and you will soon drive us down to a condition in which we will just be able to live.

Of course we will live. Of course as long as the farmer can raise wheat he is not going to starve. As long as he raises a sheep or a cow he will at least be able to dress himself in the skins of those animals. So he will probably continue to exist; but he is entitled to live just the same as you and I. He is entitled for the same number of hours to the same results. You have raised the wages of the trainmen so that they are getting from \$4 to \$5 per day for eight hours of labor, as compared with the farmer and his wife and his adult boy and girl, who are receiving a net of 20 cents a day. After you have raised these prices until the railways may not make enough to pay their dividends, then you will fall back and say "Now we will raise your freight, and give you a chance to get back." At whom? Get back at this man who has a net earning capacity of 20 cents a day. He will pay this higher freight.

We will not grumble if you will just modify your ideas a little

and give him the American market. He will not ask you for any bigger protection than you give to the manufacturer. If the manufacturer is entitled to 33 per cent protection, with the price he pays for his labor, give your farmer your 33 per cent protection. He is entitled to every cent of it, and a little more of it

than is the manufacturer.

Mr. President, I have suggested a way in which the Senator from Georgia can save the American farmer \$3,000,000,000 dollars in the next nine months, and it will give him more happiness, a thousand times over, than a hundred of these bills that will pat him on the back and tell him how deep to spade his garden in order to raise turnips or cabbages. Just give him an opportunity to have a market for the things that he sells and I think he will be able to take care of himself.

I am willing to help disseminate this knowledge; I have no doubt but that it is a good thing, but what I insist is that the other thing is worth so enormously much more to him that you ought to give him the benefit of that which he needs to-day rather than the superior knowledge that you are going to give

him some time from to-day.

Mr. President, I want to ask the Senator from Georgia another question, so as to get a little information about another feature of his bill. For instance, if you will take volume 26 of the Statutes at Large you will find the conditions of the grant to the agriculture schools. On page 418 of the law referred to in both the Lever bill and the bill introduced by the Senator from Georgia I find this provision:

Georgia I find this provision:

Provided, That in any State in which there has been one college established in pursuance of the act of July 2, 1862, and also in which an educational institution of like character has been established, or may be hereafter established and is now aided by such State from its own revenue, for the education of colored students in agriculture and the mechanic arts, however named or styled, or whether or not it has received money heretofore under the act to which this act is an amendment, the legislature of such State may propose and report to the Secretary of the Interior a just and equitable division of the fund to be received under this act between one college for white students and one institution for colored students established as aforesaid, which shall be divided into two parts and paid accordingly, and thereupon such institution for colored students shall be entitled to the benefits of this act and subject to its provisions as much as it would have been if it had been included under the act of 1862, and the fulfillment of the foregoing provisions shall be taken as a compliance with the provision in reference to separate colleges for white and colored students.

Now turning to the hill itself it will first he settled that the

Now, turning to the bill itself, it will first be noticed that the purpose of the grant to the agricultural colleges, which is specifically directed to the proposition that where any State has an agricultural college for colored as well as for white people which would receive the benefit under that act-that is, receive the funds that were derived from the sale of those lands. I would naturally assume that when the Senator's bill refers to the same act and assumes to add to it and carry out the beneficent intendment of the old law by extending the powers and benefits that might be derived under it, the provisions of the old law should be safeguarded. But I notice also a provision on page 2, a portion of which I will read:

The benefits of the act of Congress approved July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts" (12 Stat. L., p. 503), and of the act of Congress approved August 30, 1890 (26 Stat. L., p. 417), agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture—

Then comes the provision-

Provided, That in any State in which two or more such colleges have been or hereafter may be established the appropriations hereinafter made to such State shall be administered by such college or colleges as the legislature of such State may direct.

I would say from what I know of conditions generally that the purpose of this exception was that as a natural result the State would, of course, provide, where there are two colleges-one for white and one for colored—that this appropriation should go to the white school only and that the colored school would be cut off from the added appropriation.

Now, if the original grant, which was equally for the colored schools, has been beneficial, if the intendment of Congress at that time has proved to be for the best interests of the people of the State where they have those two colleges, it would naturally seem to me that the same rule ought to be continued.

I know that the Senator would naturally answer that the State can take care of that and use its own judgment; but I am assuming, which I think perhaps I am justified in doing, that if the State is allowed only a given quantity, in all probability the legislature of that State will deem that it is wise that the full sum should be expended by or for the college having only

I think that would be the natural result. It may be correct; but if it is correct, I should like to have some reasons or statistics or something given to me that will justify me in believing that it ought to be left with the State, believing, as I do, that the State will make that discrimination.

Mr. SMITH of Georgia. Will the Senator allow me to interrupt him?

Mr. McCUMBER. Certainly.

Mr. SMITH of Georgia. There is an amendement on that subject which will be presented later. I shall then undertake to show reasons why the amendment is unsound, and I think I can satisfy the Senator from North Dakota that the way to do the greatest benefit to negroes engaged in agriculture is to follow the provision of the bill as it is written. I will not at this time discuss it, because I think perhaps it will be better to wait until the Senator from Washington presents his amendment. He has an amendment to offer carrying out the suggestion of the Senator from North Dakota, and when he presents it I will show from the standpoint of one thoroughly familiar with the negro farmers of the State containing more negroes than any other State in the United States that our plan for handling this matter is the one which will benefit them most.

Mr. McCUMBER. Right on that point, if I may press the matter a little further to the Senator, I notice that he uses this negro population as a basis by which he is to secure a given sum of money; but it would rather look as though he would exclude them when it comes to the basis of the spending of the

money. Am I correct in that?

Mr. SMITH of Georgia. Not at all. On the contrary, we appropriate now in the State of Georgia about \$50,000 a year for demonstration work, and no class of our citizens receive a greater benefit from it than our negro population. We do the work fully and thoroughly, and we are doing all we possibly can with it, without discrimination, to make them better farmers. When I call attention to that a little more fully I think the Senator will agree with me.

Mr. McCUMBER. May I ask the Senator right now if they

are being advanced as farmers?

Mr. SMITH of Georgia. They are; but it is a difficult task. I believe that this demonstration work is the only way by which we can advance them-by having the work done in their presence, bringing them to see the demonstration work when it is tried on white men's farms, gathering them together and show-ing them just what is being done. That is now the policy that is being pursued by our farm demonstrators under our State appropriation.

Mr. McCUMBER. Is it being used upon the black man's

farm as well as upon the white man's farm? Mr. SMITH of Georgia. Oh, yes.

Mr. McCUMBER. I do not know to what extent the colored population are owners of farms in Georgia.

Mr. SMITH of Georgia. They are conducting farm work largely by what is known as the system of cropping.

Mr. McCUMBER. They are merely renters? Mr. SMITH of Georgia. Not exactly renters. are owners, they are given an opportunity to cultivate land under the direction of a demonstrator. Where they are croppers, the cropper is on his leased land. We have negro croppers who have been on the same land for many years. Under that system the landlord furnishes them, when they need it, their supplies to help carry them through the season. they can be induced to do so, they take an acre of their land

and work it under rules given by a demonstrator. Wherever the demostration is conducted, they are brought to see it and taught, to the extent they can learn, just as much as any other class of farmers. I believe that we are doing more to help them in my State by this work than by anything we have ever done for them.

Mr. McCUMBER. I confess I believe the Senator from Georgia is better able to determine, and the legislature of his State can probably better determine, what is for the interest of both the colored population and the white population of Georgia than I, who have never been in that State. I am willing to concede a great deal. I confess, however, that at the present time Congress, having intimated its purpose that a portion of the funds which arise from the sale of public lands in Georgia should be for the benefit of a colored agricultural college

Mr. SMITH of Georgia. The negro school-agricultural and industrial; and I will say to the Senator that the president of the colored agricultural industrial school has found it extremely difficult to induce the negro boys at his college to take up agri-I was very much disposed, when I was governor of the State, to urge legislation forcing agriculture upon them to a greater extent than they were choosing it.

Mr. McCUMBER. That is what I desire to know. I wish to whether it has been a success with those colored boys?

Mr. SMITH of Georgia. Not much in the line of agriculture, unless they are almost compelled to select it. They take the industrial side of the school; they take the varied lines of work—shoemaking, saddle making, handling leather, brick-making, and carpentering. They all, or nearly all of them, insist upon taking a trade instead of taking agriculture in the schools, to such an extent that I almost felt that we ought to force agriculture upon them. I was inclined to believe that we ought to force agriculture upon them and prepare them for teachers in the negro schools, where their knowledge of agriculture would make them more proficient in their work in the rural schools. I only yielded at the insistence of those connected with the school. Scarcely any of the students, or almost a negligible per cent of them, take the agricultural course.

The way in which we find we have to improve the negro farmer is through our farm demonstrations. We are doing a good deal of work. It is slow-to change any system of farming is slow-but one of the benefits that I hope is to come, and which is now coming, to the State in which I live from our farm demonstration work is through improving the negro farmer, and I think we are doing it slowly. We invite them to our agricultural trains; we especially make an effort to explain to them what is being done. We invite them to the demonstration fields; we encourage them to take an acre and try these experiments themselves. And in this demonstration work the negro farmer is getting benefit, though it is conducted exclusively from the State College of Agriculture, where there are many very able and very scientific students of agriculture.

Much of our land in Georgia is farmed by negroes and owned by white men, who own large tracts. They seek to obtain a class of negroes who will take a tract and stay on it perma-There are large farms in the State on which there are negroes who have been on the same land for a number of years. Men in control of these farms, whenever there is anything in the line of advanced agriculture in their neighborhood, almost require their negro croppers to go and see and study, so that they may improve in the work. The white landlord furnishes the live stock, he furnishes the supplies, and receives a percentage of the net returns of the farm. He is almost as much interested as is the negro himself that the negro may become a good farmer. Every effort is being made to stimulate the negro to a higher degree of proficiency upon the farm and to keep him from rushing to town.

Mr. McCUMBER. Well, if the Senator's views agree, as I suppose they do, with the views of the people of his State, that the agricultural feature of the colored institution is scarcely a success, and that better results would obtain if that school were made an industrial one, then why does not the State of Georgia itself make that change and take all of the funds that would come from the sale of public lands under the old law for the benefit of the white agricultural college?

Mr. SMITH of Georgia. We do not think so. We are hoping to stimulate a larger number who will take a course of agriculture in the schools. We think that they make a mistake not to give more attention to agriculture, but it is difficult to force the proposition on them. The opportunity is given. We have an experimental farm in connection with our negro agricultural school, and we encourage the students all we can to take a course in agriculture, and we find the predisposition with the large majority who go to school to take a trade in preference. I

We do not want to stop it, for we continue to hope that the number will increase who will learn more of the farm.

Mr. McCUMBER. I had hoped that the spirit of the law which I have quoted could be carried out in the State of Georgia and be carried out with our agricultural population, because, with the negro as well as with the white race, I think society is always benefited by getting as many of them as possible into the rural districts; and if the action of the legislature, under this proposed law, should deprive the negro college of the benefits that otherwise would accrue to it if the fund were divided between the colleges, and thereby keep more of their students within the city and send fewer of them out into the country, I should be greatly disappointed to see the bill pass in that form.

Mr. SMITH of Georgia. No benefit accrues to either college from this fund. None of this fund is spent at either of the The responsibility of the college is to select the colleges. trained demonstrators who, throughout the State, will in the counties do this work. Not a dollar of the money is to be spent to benefit the college itself. All the fund is to be spent on the men in their work alongside of the homes of the farmers.

Mr. McCUMBER. It certainly is in connection with the college.

Mr. SMITH of Georgia. Only in this way, that the faculty of the college will select the demonstrators and select their work, as they now do in the State of Georgia. The faculty of the agricultural college select demonstrators and assign them

to work in different parts of the State.

Mr. McCUMBER. Yes; that is a part of the work of that college, and the payment for those demonstrators will be borne by this fund.

Mr. SMITH of Georgia. As it is now borne by the State appropriation, but those demonstrators conduct demonstrations in the counties and give instruction both to blacks and whites.

Mr. CLARK of Wyoming. Will the Senator yield merely for

Mr. SMITH of Georgia. Just one word further. It would be utterly impossible to obtain from the negro college suitable men to do that work.

Mr. McCUMBER. Because of the incapability, lack of learning, or disinclination to adopt that line?

Mr. SMITH of Georgia. For two reasons: In the first place, a negro teacher could not successfully conduct the demonstrations in the counties. His own race would not accept his instruction nearly so quickly as they would the instruction of a trained white man.

Mr. McCUMBER. And the white race certainly would not. Mr. SMITH of Georgia. And, in the next place, there are not graduated from the negro college men prepared for the work. Among our negroes, whenever they take an advanced course, they always seek the classical colleges. There are several excellent colleges in our State, supported from outside our State largely, but wherever a negro advances the tendency is to seek that line of instruction.

Mr. STERLING. Mr. President, I offer the amendment which I send to the desk.

Mr. SMITH of Georgia. Mr. President, if the Senator from South Dakota will wait for a few moments, I should like to call attention to the fact that there are committee amendments pending. If we could dispose of them, then the bill would be open to amendment from the floor.

Mr. STERLING. I will say to the Senator that I was not aware of that fact.

The VICE PRESIDENT. The amendments reported by the Committee on Agriculture and Forestry will be stated.

The Secretary. The amendments reported by the Committee on Agriculture and Forestry are, in section 3, page 3, line 20, after the words "sum of," to strike out "\$300,000" and to insert "\$600,000"; in line 22, before the word "years," to strike out "nine" and to insert "four"; and in line 23, after the words "exceeding by," to strike out "\$300,000" and insert \$600,000," so as to read:

Provided further, That there is also appropriated an additional sum of \$600,000 for the fiscal year following that in which the foregoing appropriation first becomes available, and for each year thereafter for four years a sum exceeding by \$600,000 the sum appropriated for each preceding year.

The amendments were agreed to.

Mr. SMITH of Georgia. In section 3, page 4, line 2, after the words "sum of," I move to strike out "\$3,000,000" and to insert "\$4,800,000."

The amendment was agreed to.

Mr. SMITH of Georgia. That concludes the committee amendments.

Mr. STERLING. Mr. President, I now offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from South Dakota will be stated.

The Secretary proceeded to read the amendment, in the nature of a substitute, proposed by Mr. Sterling, and read to the end of section 1.

Mr. STERLING. If I may make the suggestion, I think there is hardly necessity for reading the remainder of the proposed substitute for House bill 7951, for the reason that the remaining sections follow the House bill, except as to the last committee amendments suggested by the Senator from Georgia, so that the remainder of the amendment is understood.

The VICE PRESIDENT. By unanimous consent, the further reading of this proposed substitute will be dispensed with and the entire amendment will be printed in the RECORD.

The entire amendment is to strike out all after the enacting clause of the bill and to insert the following:

The entire amendment is to strike out all after the enacting clause of the bill and to insert the following:

That in order to ald the college or colleges in each State now receiving or which may hereafter receive the benefits of the act of Congress approved July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts (12 Stat. L., p. 593), and of the act of Congress approved August 30, 1890 (28 Stat. L., p. 417), in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same in inaugurating and carrying on college agricultural extension work, appropriations are made as hereinafter specified: Provided, That such college agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or residents in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, lectures, publications, and otherwise: Provided further, That in any State in which two or more such colleges have been or hereafter may be established the appropriations hereinafter made to such State shall be apportioned to and administered by such colleges, respectively, as the legislature of such State may direct.

Sec. 2. That for the purpose of paying the expenses of said college agricultural extension work and the necessary printing and distributing of information in connection with the same, there is permanently appropriated, out of any money in the Treasury not otherwise appropriated, such as a such as a

legislature of such State, or provided by State, county, college, or local authority for the maintenance of such college agricultural extension work.

SEC. 3. That the sums hereby appropriated for extension work shall be annually paid in equal semiannual payments on the 1st day of January and July of each year by the Secretary of the Treasury upon the warrant of the Secretary of Agriculture, out of the Treasury upon the United States, to the treasurer or other officer of the State duly authorized by the laws of the State to receive the same; and such officer shall be required to report to the Secretary of Agriculture on or before the 1st day of September of each year a detailed statement of the amount so received during the previous fiscal year and of its disbursement on forms prescribed by the Secretary of Agriculture.

SEC. 4. That if any portion of the moneys received by the designated officer of any State for the support and maintenance of college agricultural extension work, as provided in this act, shall by any action or contingency be diminished or lost or be misapplied it shall be replaced by said State to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to said State, and no portion of said moneys shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings, or the purchase or rental of land or in college-course teaching, lectures in colleges, promoting agricultural trains, or any other purpose not specified in this act, and not more than 5 per cent of each annual appropriation shall be applied to the printing and distribution of publications. It shall be the duty of each of said colleges annually, on or before the 1st day of January, to make to the governor of the State in which it is located a full and detailed report of its operations in the direction of extension work as defined in this act, including a detailed statement of receipts and expenditures from all sources for this purpose, a copy

volved shall be kept separate in the Treasury until the expiration of the Congress next succeeding a session of the legislature of any State from which a certificate has been withheld, in order that the State may, if it should so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

SEC. 6. That the Secretary of Agriculture shall make an annual report to Congress of the receipts, expenditures, and results of the college agricultural extension work in all of the States receiving the benefits of this act and also whether the appropriation of any State has been withheld, and if so, the reasons therefor.

SEC. 7. That Congress may at any time alter, amend, or repeal any or all of the provisions of this act.

Mr. CUMMINS. Mr. President, of course, I do not desire to interrupt the discussion of the proposed substitute. I only want to say that before the substitute is voted upon I desire an opportunity to offer an amendment to the house bill, and I think, under our rules, either the bill we are now considering or the substitute offered by the Senator from South Dakota may be perfected. If I am in error about that, I would be glad to be advised.

The VICE PRESIDENT. The amendment proposed by the Senator from South Dakota is a substitute for the bill.

Mr. CUMMINS. It is?

The VICE PRESIDENT. The ruling of the Chair has uniformly been that amendments should be offered to the original bill before a substitute is in order.

Mr. CUMMINS. I remember a former ruling of the Chair to that effect. I have an amendment to offer at the proper time to the original bill, and I want it voted upon before the vote is taken on the proposed substitute.

The VICE PRESIDENT. If there are other amendments to the original bill, they will be considered before the substitute is acted upon.

Mr. ROBINSON. Mr. President, has the Senator from South Dakota offered his amendment as a substitute for the bill?

Mr. STERLING. As an amendment, in the nature of a sub-

stitute for the bill.

Mr. WILLIAMS. Mr. President, I understand the committee amendments have all been offered, and I wish to offer an amendment to the House bill now pending, which has been substituted for the Senate bill. I move that, on page 3, line 2, after the word "manner," there be inserted the words "and by such agents," so that it will read:

And this work shall be carried on in such manner and by such agents as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges receiving the benefits of this

Mr. SMITH of Georgia. Mr. President, I did not hear the

Mr. WILLIAMS. Line 2, on page 3, after the word "manner." I will read it again. If the amendment I have proposed is inserted, then the provision, beginning in line 1, page 3, will read

And this work shall be carried on in such manner and by such

The language I propose to insert is "and by such agents"as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges receiving the benefits of this

My object in that is, if the State agricultural colleges and their faculties at times should, in a thoroughly unjustifiable way, become the victims of political agitation, so that men should be put in or put out because of political reasons, changes of party, or changes of control by factions within a party, that there might not be built up a political machine in the State. I believe that if the Secretary of Agriculture and the colleges must agree upon the agents, there will then be no danger at all of its taking place, but there might be some danger of it if the naming of the agents were left entirely to the State agricultural colleges. Not in many States, I am glad to say—in very few, and perhaps in not any—is it true, but there have been some complaints made in some States that with a changing administration there would happen to be a changing faculty now and then. I think, upon general principles, it would be better, as this is a cooperative bill, anyhow, if the State authority and the Federal authority should agree upon the agents to do the

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Mississippi [Mr. WILLIAMS].

Mr. GRONNA. Mr. President, may I ask to have the amendment read at the desk? I did not hear it as stated by the Senator.

The VICE PRESIDENT. The amendment will be stated. The Secretary. On page 3, line 2, after the word "manner," it is proposed to insert "and by such agents," so as to read:

And this work shall be carried on in such manner and by such agents as may be mutually agreed upon by the Secretary of Agriculture and

the State agricultural college or colleges receiving the benefits of this

Mr. SMITH of Georgia. Mr. President, I can understand why the Senator from Mississippi offers that amendment. I sympathize very cordially with his earnest desire to keep politics out of this work. The committee were confronted with three lines of thought. One was the line represented by the Senator from South Dakota [Mr. STERLING], who urgently opposed even the requirement that the plans for the work should be submitted by the colleges of agriculture to the Department of Agriculture for approval before any part of the fund could be obtained by the State. I understand that the amendment which he has just offered makes such a change in this bill, and is intended to take away from the Department of Agriculture even the power to approve the plan of the work in each of the States before a State can receive the appropriation.

Mr. STERLING. Mr. President, I think the Senator from Georgia is mistaken in that respect; it does not take away the power of the Department of Agriculture to approve the plans or to pass upon the work proposed by the agricultural college or experiment station; it simply strikes out the word "cooperative," and in effect, I think, gives to the agricultural college the initiative in all this work. That is the plan and object of the proposed substitute.

Mr. SMITH of Georgia. It at least intends to lessen the connection of the Agricultural Department with the work. It is in the line of enlarging the power of the State college and lessening the power of the Agricultural Department.

Mr. STERLING. If the Senator from Georgia will permit me now

Mr. SMITH of Georgia. Certainly.

Mr. STERLING. I should like to address myself to the Senate for a little while on the proposed substitute, which I shall offer at the proper time, but after amendments to the House bill have been disposed of.

Mr. SMITH of Georgia. Mr. President, I think perhaps I had best proceed a little further in reply to the suggestion of the Senator from Mississippi [Mr. WILLIAMS], and then I will be glad to yield to the Senator from South Dakota.

In the discussion a few days ago the Senator from South Dakota read from Dean Davenport a criticism upon the line of objection, even to the power given to the Department of Agriculture by the bill as we had presented it. We were confronted with some of the professors, some of the men connected with the colleges, who preferred that unrestrained power should be given to the colleges of agriculture. On the other hand, there were those who agreed with the view of the Senator from Mississippi [Mr. WILLIAMS] that it would be best even that the agents employed should be subject to the approval of the Department of Agriculture. The final result of the conferences and study was the adoption of a middle course providing cooperation, with the power to supervise and approve the line of work by the Department of Agriculture, and leaving to the colleges the selection of the agents.

It was thought that the faculty of a college in a particular State, familiar with the men who had graduated from the college, familiar with the men in the State who had shown especial knowledge and especial skill in applying advanced methods on the farm, would be more capable of selecting the best men to do the demonstration work than the man whose vision must rest upon 48 States rather than upon one.

I would certainly be distressed if I thought it possible that the faculty of one of these colleges would be moved in the selection of a demonstrator except by the desire to procure the services of the man who could do the best work.

We finally framed the bill as it is, as the result of a concensus of opinion that we could rely upon the faculties of the colleges to make the selections free from any political influence, free from any influence except the spirit of an educational leader earnestly desirous of carrying the best information to those who are to be its recipients. We concluded that if the department here were to pass upon these men, then the idea would perhaps exist in the State that Senators and Representatives could be called on to confer with the department about it and to exercise some political influence over the selection, and, as we were seeking to take these selections entirely out of politics and to make them purely educational, we shaped the bill

Mr. WILLIAMS. Mr. President, I have listened with attention to what the Senator from Georgia has said. I think that the fairest way to select these agents, considering the fact that the State colleges of agriculture and the Agricultural Department are to cooperate in the work, is that the agents should be named by cooperation. It may be true that a faculty in no State would ever be controlled by political or factional reasons remaining instructors of the college.

in the selection of these men; I am not willing to admit that it is true; but suppose it were true; then I say it is equally true that the Department of Agriculture could hardly be expected to be controlled by any motive except that of getting the best men. If you put the two together, and the agent must be indorsed by both, then you have undoubtedly, as to both sides of the equation, prevented all possibility of any other motive controlling than that of getting the best man; one counteracts

The whole spirit of the bill is one of cooperation, and, therefore, the instrument of the work created by the bill ought to be an agent selected by cooperation. I hope the Senate will take that view of it and adopt the amendment. If my amendment were adopted, the Federal Agricultural Department being upon the one side and the State agricultural college upon the other, it would be impossible that they should ever come to any common agreement to select an agent for political reasons.

Mr. CUMMINS. Mr. President, I fear that the amendment proposed by the Senator from Mississippi would have the very effect he desires to avoid. These farm demonstrators are, in fact, professors of the agricultural college, carrying on a course of instruction, not within the college walls, but throughout the State. The character of their work, however, is not essentially different from that done in the college itself. I should be very sorry if the faculty of the college of agriculture in my State

Mr. WILLIAMS. Will the Senator pardon me for just a

second?

Mr. CUMMINS. Certainly. Mr. WILLIAMS. What part of the bill requires that they shall be professors in the agricultural college? If that is a part of the bill, I missed it.

Mr. CUMMINS. I say the demonstrators that are provided for here are in fact professors of the agricultural college.

Mr. WILLIAMS. I do not remember any provision of the bill that requires that they shall be. The present demonstrators,

in very many cases, are not.

Mr. CUMMINS. The Senator from Mississippi must allow me my own terminology, at least. When the agricultural college employs a man or a woman to go about the State teaching to the people of the State the science of agriculture or the science of home economy, and, indeed, when it establishes a chair of applied science in agriculture, the man or woman so employed becomes in fact a professor of that educational institution, carrying on the work, as I said before, in the homes of the people or on the farms of the people instead of carrying it on within the college campus.

If, in order to appoint one of the persons who is to carry on this work of education, the faculty of the college in my State were compelled to consult the Secretary of Agriculture, and could not appoint anyone to expend the joint money of the General Government and of the State without the sanction of the Secretary of Agriculture, immediately the Secretary of Agriculture would be surrounded with just those influences that now gather about his office whenever he seeks to appoint an employee who is not controlled by the rules of the civil service, and I am not suggesting that these demonstrators should be classified civil-service employees. It is a matter with which the agricultural colleges of the States ought to deal. If we can not trust them to appoint fit, competent people to give this instruction, then we ought not to make the appropriation at all; and if the agricultural college in Iowa were put under the Secretary of Agriculture to the extent of requiring its instructors to be appointed by the mutual authority of both the State and the General Government, I should have great doubt about the practical outcome of the bill. While I know the motive of the Senator from Mississippi is to exclude all improper influence, I fear the effect would be to excite it, and I hope the amendment will not be adopted.

Mr. WILLIAMS. I wish to ask the Senator from Iowa and the Senator from Georgia if there is anything in the bill providing how these demonstrators shall be selected, and by whom?

Mr. SMITH of Georgia. The bill leaves it to the agricultural

colleges to make the selection.

Mr. WILLIAMS. If they are to become professors in the colleges, how are the professors now appointed in the Senator's

Mr. CUMMINS. They are all appointed by the faculty in the college that is doing the work.

Mr. WILLIAMS. Does the Senator mean by the trustees of the college?

Mr. CUMMINS. No. Of course I do not know how it may be elsewhere, but in our State the faculty of the college appoints the instructors. The trustees appoint some of the chief professors who constitute the faculty. The faculty selects the Mr. WILLIAMS. There is nothing here which says that these demonstrating agents shall be selected by the faculty of these colleges

Mr. CUMMINS. Oh, no; I did not say so.
Mr. WILLIAMS. I am saying that there is not. The bill is silent concerning the question. It is indefinite as to who shall appoint. Then I should take it for granted that if the Senator's theory be true, and if upon their appointment they would become professors of the college, they would be appointed as the present professors are appointed.

Mr. CUMMINS. I suppose they would be appointed according to the rules which governed the particular college.

Mr. WILLIAMS. That is what I am talking about.
Mr. CUMMINS. If the rules of the college in Mississippi provided that all the employees of the agricultural college should be appointed by the board of trustees, then these demonstrators

would be so appointed.

Mr. WILLIAMS. Not all the employees; all the professors.

Mr. CUMMINS. If, on the contrary, the rules provided that the faculty should appoint these men engaged in agricultural extension work, then they would be appointed by the faculty. In our State these particular people are appointed by the faculty.

Mr. WILLIAMS. When there is a vacancy in the professorships in the faculty of the agricultural and mechanical college in

Iowa, how is it filled?

Mr. CUMMINS. A vacancy among the professors in the faculty of our agricultural college is filled by the board of trustees. Mr. WILLIAMS. That is what I thought. That is the case,

too, I think, in Mississippi. Now, who appoints the board of

Mr. CUMMINS. In our State the board of trustees was formerly elected by the members of the general assembly. is the way it was when I used to have anything to do with it. Since that time we have established a board of educational control, whose members are appointed by the governor and their appointments confirmed by the senate; and this board now appoints or selects the professors and all the other officers of the institution.

Mr. WILLIAMS. And that board itself is appointed by the governor, with the advice and consent of the State senate?
Mr. CUMMINS. Yes.

Yes.
That is just what I was coming to. Mr. WILLIAMS.

In some of the States, whenever one party succeeds another, or whenever one faction within a party succeeds another, com-plaint is made that there is a change in the personnel of these colleges-and in some of the States even in the State universities-to please the faction or the party which has gone into power. In other words, it is complained that this board, which is substantially a board which may be political, and frequently is, makes use of these institutions of learning for the purpose of advancing the interests of the party or the faction in power.

Now, suppose this man is to become a professsor in the col-There is nothing in the bill that says he is. Of course, I have no right to quarrel with the terminology of the Senator from Iowa, but I think I did have a right to ask him what it was in the bill that led him to that inference. As I first understood him, I misunderstood him. I thought he meant that these people who were to be demonstrators were already professors, and I thought clearly there was nothing of that sort in the bill. I find nothing in the bill that makes them professors. They are mere agents of the agricultural college to do certain work. They might, I suppose, appoint an existing professor if they thought he would be fit for the work, and if they were going to have the work done at a time of the year when the college was not in session, or they might select somebody else. In any event, I think my point is well taken, that if he is appointed in the manner I suggest you cut off all possibilities of either political or factional influence behind him. In order to have any, you would have to have a conspiracy existing between the appointing power at the State agricultural col-lege and the Secretary of Agriculture here. That, I take it, could not in the wildest imagination be conceivable as ever happening.

The Federal Government is furnishing the money. The State is furnishing a part of the plant and is doing its part of the work. The work is cooperative. The agent should be responsible to both parties in his appointment, at any rate, even if not

in his continuance in office later on.

If I do not make my point clear, or, rather, if I do not convince your judgment that my amendment ought to be adopted, I think it is clear that the bill ought to indicate somewhere how these agents are to be appointed. I should have no objection if it said that the agents were to be selected by the existing faculty or by the faculty of the agricultural and mechanical college, because they are so remote from the original political body

that constituted them that, although they may themselves be moved by political influences, it is hardly possible or hardly probable that they would exert political influence in the selec-tion of the agents; but I think it would be better to have them selected by both the State agricultural college and the Secretary of Agriculture.

Mr. CLARK of Wyoming. Mr. President, will the Senator yield for a moment?

Mr. WILLIAMS. Yes.

Mr. CLARK of Wyoming. When the bill recites that college extension work may be inaugurated in connection with certain colleges, does not the Senator believe that extension work becomes a part of the college work just as much as the work in the classroom?

Mr. WILLIAMS. I have no doubt of that.

Mr. CLARK of Wyoming. That is exactly what the bill says; and this is a college extension work through and through, under the direction of the college.

Mr. WILLIAMS. I have no doubt of that.

Mr. CLARK of Wyoming. Does not the Senator believe the college should have the appointment of the people or the agents, the teachers or the instructors, to carry on the college extension

Mr. WILLIAMS. If I had the view expressed by the Senator from Iowa, it would make me doubt it, because he says they become professors of the college. If so, then they ought to be selected as other professors are selected.

Mr. CLARK of Wyoming. That is a contortion of language.

Mr. CUMMINS. Mr. President

Mr. WILLIAMS. What I say is that they are the agents to do this work; they are the employees to do this work, and that is as far as I say I can go. They are the employees of whom? Or, rather, of whom ought they be the employees? They ought to be the employees of the two cooperating forces that create the work.

Mr. CLARK of Wyoming. Let me ask the Senator a question. We are already giving to these colleges in the various States certain amounts of public moneys to carry on certain work in the colleges. If the Government of the United States should be a party to the appointment of these agents or instructors or teachers, by the same reasoning, why should not the Government also have the oversight of the instructors of the agricultural colleges as they now exist and under the appropriations which we from time to time give them? I can see no difference.

Mr. WILLIAMS. I think that is not quite the same question as this.

Mr. CUMMINS. Mr. President, I want the Senator from Mississippi to remember that I said that these people became, in fact, professors because they became instructors for the college in carrying on its work. Of course the Senator from Mississippi did not understand me to say that by their appointment they became entitled to the rank of professors and thereby

became members of the faculty of the particular institution.

Mr. WILLIAMS. If the Senator says I ought not to have
so understood him, of course that is another thing; perhaps not; but I did so understand him, and I merely expressed my understanding of what I understood him to want me to understand. At any rate, he used the language that they were or became professors of these colleges.

Mr. CUMMINS. The Senator from Mississippi is simply turning away from the real point he desires to make in order

to criticize what he regards as a verbal mistake.

Mr. WILLIAMS. Oh, no, I am not. If I misunderstood the Senator, it was because the Senator said what made me misunderstand him. If the Senator does not mean that, and merely means that these people became the agents of the college for doing certain work of instruction, there would have been no question about that, of course. They do demonstration instruction work, and they are doing it not only for the college but for the Federal Government, and it seems to me they ought to be appointed by the cooperative voice of the two.

Of course there could have been no dispute between us upon the question that the character of their work is instructive, and that therefore they are instructors; but I misunderstood the Senator if that was what he meant. Having misunderstood him, and having confessed that I misunderstood him, and it being now confessed upon all sides that they will not become professors in the college, they are what I said they were—the agents to do this work. Being the agents to do this work, which is work of instruction and of college extension, as the Senator from Wyoming says, it seems to me that you ought either to provide that they shall be appointed by both of these parties, or else you ought clearly to provide that they shall be selected by the faculty of the agricultural college; one or the

Mr. CUMMINS. Mr. President, the difference between a professor and an instructor of a college may be a little difficult That will depend entirely upon the rules of the to define. particular institution. We usually speak of a professor as being a little higher in grade, as he is usually higher in pay, than an instructor. In some colleges all the professors are members of the faculty. In other colleges but a few of the professors are members of the faculty or governing board.

The point I was attempting to make was that these people became instructors for the college, and in so becoming they bore the same relation to the college that professors bear to the college, namely, it was their business to carry forward the instruction of the college. Now, whether or not they would have the rank of members of the faculty is entirely immaterial. One of these instructors might be a professor and might be a member of the faculty; another of them might not be a member of the faculty. That would depend entirely upon the choice of the college itself as to the person who should do the particular work.

In our State a great deal of this work is done by professors of the college who have been and who are members of the faculty of the college. That might continue to be true under The college could employ whomsoever it pleased, this bill. and it could give that person whatever rank it desired to give him, whether professor or instructor or tutor or any other appellation or name the college might see fit to bestow

Mr. WILLIAMS. But does not the Senator see that these agents-call them by whatever name you please, instructors or anything else-are not either professors or instructors in the college nor engaged in college work? They are engaged in extension work; and it is provided in the bill that they shall not be engaged in work at the college for the students in the college. They are, therefore, agents to carry on an outside work for the benefit of the farmers of the country. They may be instructors for the college, but they are not instructors in the college nor at the college

It may be that one who is already a professor at the college and in the college may be selected to do the demonstration instruction outside of the college in the extension work, but the probability is that, with the amount of money to be expended for this purpose, it is going to be found utterly impossible to do the work with the faculty and the instructors of the colleges, and they are going outside to get other men. They must do it. They can not do this work effectively in any other way.

So the question suggested itself to my mind, How are those men going to be selected? The faculty of the college will be an excellent judge of their fitness, their competency, their scientific attainments. So will the Secretary of Agriculture. It struck me, therefore, that the best way to select them would be by the mutual indorsement of the two bodies; but if that does not meet with the approval of the Senate I do submit that you ought to define here, somehow, the way in which they are to be selected, and not merely infer from the purposes of the bill that the faculty is to select them, because the faculty does not even select itself or fill vacancies in its own board.

Mr. GRONNA. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from North Dakota?

Mr. WILLIAMS. Certainly. Mr. GRONNA. Does the Senator from Mississippi suggest that these men should be appointed by the faculty or by the

trustees of the agricultural college?

Mr. WILLIAMS. My suggestion is that the work shall be carried on by such agents as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college. "The State agricultural college" means the faculty, of course; but if there is thought to be any trouble about that I will make it read "and the faculty of the State agricultural college.

Mr. GRONNA. I should prefer that those words be put in. Mr. WILLIAMS. I do not want the board of trustees to select them. I do not want the legislature to select them. I do not want a governor appointing them by and with the consent of a State senate.

Mr. GRONNA. If the Senator will permit me further, I be lieve there is a great deal of force in the argument made by the Senator from Mississippi. I am free to admit that I have known of political influences in agricultural colleges, and they were not Democratic institutions either; that is, the persons in authority did not belong to the Democratic Party. It perhaps might be better to have cooperation-to have the Secretary of Agriculture cooperate with the faculty of the college in making

the selections-because the men should be employed for that particular work as demonstrators. In my part of the country they are not known as professors; they are known as demonstrators. I know some of those men who have been in the employ of the college for four or five years. None of them are professors, nor are they known by the title of professor.

Mr. STERLING. May I ask the Senator from Mississippi whether he thinks the agricultural college authorities are not able themselves to select those who are to be demonstrators?

Mr. WILLIAMS. Does the Senator mean the faculty of the agricultural college?

Mr. STERLING. Yes; the faculty of the agricultural college

Mr. WILLIAMS. I am rather inclined to think they are. I know they are fully competent to judge, and I am rather inclined to think they would do it fairly; but this bill does not leave them to select them. The bill is silent as to how they shall be selected; and the bill at least ought to say who shall

select them, if it says nothing else,
Mr. STERLING. Does not the Senator from Mississippl think it would be safe and proper to leave the selection of the demonstrators to the agricultural college authorities, who are acquainted with the conditions in the State in which the agri-

cultural college is situated?

Mr. WILLIAMS. I have just a moment ago said that if my view of having these demonstrators selected mutually by the Secretary of Agriculture and the faculties of the colleges themselves was not adopted, then I thought we ought to adopt an amendment to permit them to be selected by the faculties of the agricultural colleges, so as to shut off all possibility of their being appointed by a governor by and with the advice and consent of the State senate, or selected by a legislature animated by factional or political motives,

I asked the Senator in charge of the bill, and he agrees with me that the bill is silent as to how they shall be selected. It ought to be made definite and specific. I would a good deal rather have the amendment I have offered adopted than to have them selected solely by the faculty; but if that amend-ment should not be adopted, I think an amendment ought to be adopted to let them be selected by the faculty. I think,

however, that my plan is better

Mr. STERLING. I call the Senator's attention to a statement made by Dr. Galloway, who, I think, is First Assistant Secretary of the Department of Agriculture, in the hearings lately had before the House committee.

Dr. Galloway was asked this question:

The men who go out to do this farm-demonstration work—will they continue to do that work under the appointment and direction of the Secretary of Agriculture, as now?

That is the question. Dr. Galloway answered:

Yes; that is the plan. It is thought, however, that that work can be made more effective if it is coordinated fully with the work now being carried on in the States or the demonstration work to be inaugurated by the States.

So it would seem that for a large part of this work the Secretary of Agriculture would select the demonstrator.

Mr. WILLIAMS. If that be true, the bill already provides for what I want; but the Senator is mistaken. Dr. Galloway. either did not understand the bill or the Senator has not understood the purport of the question and the answer.

I think what Dr. Galloway meant was that he thought, as a matter of fact, the men who are now out in the field, doing demonstration work, who are frequently detailed for that purpose from the Agricultural Department, would be employed to do so much of the work as they could do. Of course it would take two or three times the present force to do the work provided for under this bill.

Mr. CLARK of Wyoming. I do not think that is what Dr. Galloway meant.

Mr. WILLIAMS. What does the Senator think he meant? Mr. CLARK of Wyoming. I think he meant that this bill would not supplant the present activities of the department in that respect.

Mr. WILLIAMS. He may have meant that-that this bill. would be additional to the work already done by the department.

Mr. CLARK of Wyoming. Yes. Mr. WILLIAMS. I did not hear his testimony, and I do not know what it was, except by hearing what was read a moment ago; but clearly under this bill there is no provision that the Secretary of Agriculture shall select these demonstrators, and the object of my amendment is that he shall have a say in selecting them.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Mississippi.

The amendment was rejected.

Mr. CLARK of Wyoming. I offer an amendment, which I send to the desk, to come in at the end of the bill. I will say that this simply includes the Territory of Hawaii in the operation of the bill.

The VICE PRESIDENT. The amendment will be stated. The SECRETARY. It is proposed to add, at the end of the bill,

a new section, as follows:

That the word "State" wherever the same occurs herein shall be held to apply to and include any organized Territory of the United States which is now included under or is now receiving the benefit of the act of Congress approved July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts" (12 Stat. L., 503), and of the act of Congress approved August 30, 1890, being chapter 841, 26 Statutes at Large, page 417.

Mr. SMITH of Georgia. Mr. President, I have no objection to this amendment, but I think perhaps it needs an additional sentence, and it ought to read that \$10,000 additional shall be appropriated for each Territory. We have \$480,000 appropriated to the States.

Mr. CLARK of Wyoming. Of course, this would necessitate

a further amendment changing \$480,000 to \$490,000.

My purpose, Mr. President, was to have this extension work apply to all the work that is now being carried on under these That includes the Territory of Hawaii, which is now two acts. receiving the aid under the Morrill Act and the Hatch Act, and it was my purpose to have that included in the same general plan: in other words, that the plan should not be cut in two. Anything that will reach that end, of course, fills the purpose of my amendment.

Mr. SMITH of Georgia. I am not objecting at all to what the Senator desires to accomplish. If we regard the Territorial problem as one now settled, there being but one Territory, a change of the figures from \$480,000 to \$490,000 would cover it.

Mr. CLARK of Wyoming. If the Senator will read the amendment, I think he will see that that is provided for.

Mr. SMITH of Georgia. We have now but one Territory receiving the benefit of the land-grant fund.

Mr. CLARK of Wyoming. That is all.
Mr. SMITH of Georgia. Suppose we should have another?
Mr. CLARK of Wyoming. Then if this amendment were the law we would have to provide an additional appropriation. This is the language:

That the word "State," wherever the same occurs herein, shall be held to apply to and include any organized Territory of the United States which is now included or is now receiving the benefit of the act of Congress approved July 2, 1862, entitled, etc., and of the act of Congress approved August 30, 1890, etc.

It seems to me that language is sufficient, but if the Senator thinks it is not-

Mr. SMITH of Georgia. I merely wanted to be sure.

Mr. CLARK of Wyoming. At any rate, this will be a Senate amendment, and the principle being that which it is necessary to put in, the conferees can adjust it.

Mr. SMITH of Georgia. I do not myself object to the amendment. It seems to me to be wise to extend the benefit of the bill to Hawaii.

Mr. CLARK of Wyoming. I should like to call the attention of the Senator to another amendment, and I do it in the absence of the Senator from New Hampshire [Mr. Gallinger].

Mr. SMITH of Georgia. Had we not better dispose of the Senator's amendment first?

Mr. CLARK of Wyoming. I thought it had been disposed of. The question is on agreeing to the The VICE PRESIDENT. amendment proposed by the Senator from Wyoming [Mr. CLARK]. The amendment was agreed to.

Mr. CUMMINS. Mr. President, I offer the following amend-

Mr. SMITH of Georgia. Then, section 8 ought to be changed to section 9, and the figures "\$480,000," where they appear in the bill, should be changed to "\$490,000."

Mr. CLARK of Wyoming. Yes.

Mr. SMITH of Georgia. I move that those changes be made.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Georgia [Mr. SMITH]. The amendment was agreed to.

Mr. CUMMINS. I offer an amendment, and I offer it now, although I understand it is the purpose to adjourn immediately, in order that it may be printed.

The VICE PRESIDENT. The amendment proposed by the

Senator from Iowa will be stated.

The Secretary. In section 3, on page 4, line 12, strike out the words "rural population" and insert in lieu thereof the

words "acres of improved land in farms," and in line 13 strike out the words "rural population" and insert the words "acres of improved land in farms," so as to read:

Such additional sums shall be used only for the purpose hereinbefore stated, and shall be allotted annually to each State by the Secretary of Agriculture and paid in the manner hereinbefore provided, in the proportion which the acres of improved land in farms of each State bears to the total acres of improved land in farms of all the States as determined by the next preceding Federal census.

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 30, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 29, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the fol-

lowing prayer:

Eternal and ever-living God, our Father, look down from the heights of purity with compassion; bear with our infirmities, our weaknesses, our shortcomings, and impart unto us more of that quality of soul which lifts a man out of himself in times of stress and danger, that we may become heroes in the daily duties of life, sympathizing with each other's infirmities, and lend a hand. "Brethren, if a man be overtaken in a fault, ye which are spiritual restore such an one in the spirit of meekness; considering thyself lest thou be tempted. Bear ye one another's burdens, and so fulfill the law of Christ." In His sublime spirit. Amen.

The Journal of the proceedings of yesterday was read and ap-

proved.

Mr. MANN. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point

of order there is no quorum present, and the Chair will count.

Mr. SHERLEY. Mr. Speaker, I hope the gentleman will not

press that.

Mr. MANN. I will not press it; I will withdraw the point of order.

The SPEAKER. The gentleman from Illinois withdraws the point of order of no quorum.

FORTIFICATIONS APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12235, the fortifications appropriation bill.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R.

12235, the fortifications bill.

The question was taken, and the motion was agreed to.

The SPEAKER. Under a previous order of the House, general debate on this bill is limited to four hours. The gentleman from Indiana [Mr. Cullor] will take the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12235, a bill to provide for fortifications and national defense. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12235) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

Mr. SHERLEY. Mr. Chairman and gentlemen of the committee, your Committee on Appropriations, in presenting the fortifications bill, have attempted to have accompany it a report that would show you in detail a financial statement touching not only this bill, but touching all previous fortifications bills from the inception of the original plan, known as the Endicott Board plan, for seacoast defense. I shall not now take the time of the committee by restating what is there printed touching the details of previous appropriations. It is sufficient at the present time to call attention to the fact that Of this the estimates in this bill amounted to \$9,124,399.49. amount there has been recommended the sum of \$5,175,200. In addition to that there is a contract authorization of \$600,000 and a reappropriation of \$265,000. Exclusive of the amount authorized for contract and reappropriation, the bill is slightly under the bill that was presented to the Congress last year. The fortifications bill in size is not a great bill; it is one of the small appropriation bills, and yet in the magnitude of the subjects with which it deals, with the influence that it has upon

the military policy of this Government, it is second to no bill considered by the Congress. It not only carries provision for all the seacoast fortifications for the United States and its insular possessions, but it carries in addition provision for the mobile artillery and the ammunition therefor, for the Regular Army and Volunteer forces; and in the consideration of those questions, questions of fortifications for the United States and its insular possessions, in the consideration of questions touching the amount of field artillery for the Army, you have necessarily involved a consideration of the entire military policy of the United States.

Nearly every year we have a recurrence of war talk and what might be designated as war scares, usually coincident with the

consideration of the Army and Navy bills.

Now, I have very little patience with that confidence that has been well described as the "valor of ignorance." one of those who believe that this country can any more disregard the lessons of history than any other country. I am not one who believes you can rest secure in the assumption that there will never be war in which the United States of America will be involved. Neither am I one who is willing to accept in its entirety the dire prophecies that are constantly made by the Army and Navy touching the danger that the country is in and its lack of preparation for war. Between those two extremes, the extreme of the man who rests confident in his ignorance of his own country's condition and of other countries' intentions, and the unusual zeal of a man working out the technical viewpoint of a life profession, is the position that I think Congress and the people of America ought to take. that I should say to you that, in the judgment of the committee that has considered this fortification bill, continental United States is not only well fortified, but is perhaps better fortified than any country in the world; certainly better fortified when you consider the area and territory which has to be considered. We have practically completed the fortification of continental United States, with the exception of certain work that is now being done at San Pedro, Cal., certain work that is contemplated being done to fortify the lower Chesapeake, and perhaps the addition of slight armament at one or two other points. In point of fact, there are many places in the United States proper that are overfortified, due to the fact of the increased draft of vessels, which no longer permits warships of the first class to approach near these fortifications, and due also to the greater range of guns and the greater efficiency and rapidity of fire in using the guns.

As to the insular possessions, the situation is not quite as it is in the United States, but it is sufficient to put at rest the fears that are constantly given expression to each year in consideration of these various bills. I do not know how accurate the statement in the paper yesterday afternoon was touching the testimony that was given before the Naval Affairs Committee. But if the statement therein contained was accurate, and I am inclined to think it was not, it is far from presenting to the people of America the true picture touching the condition of our insular possessions. It is not true, and it is nowhere near to being true, that the Philippines or the Hawaiian Islands could be taken by any enemy without practically serious effort. The condition of the Hawaiian Islands touching seacoast fortification is this: There is now completed in its entirety and turned over to the Artillery all of the seacoast fortifications that have been contemplated for the Hawaiian Islands, with the exception, as I now recall, of two 6-inch guns. In other words, if the Hawaiian Islands are not now adequately defended from sea attack, then the fault lies in the scheme of fortification for those islands, because this Congress, following the recommendations of the Committee on Appropriations, has recommended every dollar that has been asked for, has provided for every gun has been stated would be required for the Hawaiian

Islands

Mr. GARNER. Will the gentleman yield?
Mr. SHERLEY. Certainly.
Mr. GARNER. And this scheme, as I understand it, was

worked out by the Army and Navy boards combined?

Mr. SHERLEY. The scheme was primarily the result of the Taft Board report, but has been modified from time to time, and has been modified with a complete knowledge of the view-point of the Navy and needs of the situation as voiced by both

Mr. GARNER. What I wanted to bring out was this point:
If the Hawaiian Islands are not now properly fortified, it is not
the fault of Congress, but the fault of their advisers in the

Navy and in the Army.

Mr. STAFFORD. I may anticipate the gentleman, but I believe his report indicates that you have added a supplementary

protection to the Hawaiian Islands in so far as land protection is concerned.

Mr. SHERLEY. If the gentleman will wait a moment, I

propose coming to that statement.

I have expressly stated that, touching the seacoast fortifications—the defense against sea attack—the Hawaiian Islands defense is practically complete, and when I say I mean in the sense that the guns are mounted, the ammunition is on hand, and the troops have charge of those fortifications. and are in a position to properly repel an attack from the sea.

There has, however, been presented to this committee, and there is recommended in this bill, provision looking to the land defense of the Hawaiian Islands. It was represented to the committee that we had expended something over \$12,000,000 in the fortification of the Hawaiian Islands and in the creation of a naval base at Pearl Harbor; that the idea that it would be impossible to land troops upon the island of Oahu except in a few stated places was a mistaken idea; that it was possible that there might arise conditions under which there would be found a hostile force now on those islands and capable of being turned into an efficient fighting force in the event of a loss of control by sea; and that therefore it was desirable to defend Honolulu, Pearl Harbor, and the seacoast defenses by certain land de-We have accordingly carried in this bill not only the ratification of the transfer of certain guns that were taken from continental United States, from forts that no longer needed the armament, and placed in the Hawaiian Islands, together with the ammunition for those guns, but we also recommend an appropriation of some \$457,000 for the purpose of constructing certain emplacements for guns in connection with this land defense. It is believed that the topography of that island is such as to permit of an inner line of defense in the form of what might be called a crescent that would embrace within its two points Honolulu, Pearl Harbor, and all of the seacoast defenses, and the project was one that appealed to the judgment of the committee and we have recommended all of the moneys that are asked in that regard.

But even without regard to the expenditure of this money there are now certain defenses, land defenses. improvised there that would make the taking of the Hawaiian Islands, even after the destruction of our fleet, a matter of considerable difficulty, and not the easy matter that is represented in various tales that are printed from time to time in the newspapers

Now, as to the Philippine Islands, we have completed the defense of Corregidor. Corregidor is one of the large islands that lie in Manila Bay, and which it is contemplated shall be made practically the Gibraltar of the East. The work on Corregidor is finished. The batteries there are in the hands of the Artillery, and all of the essentials that go to make those batteries efficient have been supplied, and there is practically nothing more to be done at Corregidor.

This is also true as to the fortification at Fort Wint, Grande Island, Subig Bay, which is a minor fortification, but which, to the extent that fortification was asked, has been granted and is completed in its entirety.

As to El Fraile, which is a little island about the size of a battleship, the top of which has been cut off, with the idea of putting thereon fortifications heavily protected by concrete and steel armament, the work is progressing rapidly; and it is only fair to say on behalf of the Congress that every dollar that has been asked in the past six years for the fortification of these islands in the Pacific has been given in its entirety, and the moneys have been supplied as fast as the physical work could go forward.

Mr. STAFFORD. Mr. Chairman, will the gentleman kindly indicate what is the program as to spending the \$10,500,000 unexpended of the original plan for the fortification of our in-

sular possessions?

Mr. SHERLEY. Briefly-because I do not desire to be diverted into that channel right now-it applies not only to the Philippines and the Hawaiian Islands, but also to the fortification of Guam, Guantanamo, and Alaska, as I now recall.

The work at Fort Frank, Carabao Island, is very nearly completed, and at Fort Hughes, Caballo, it is being advanced as

rapidly as may be.

Now, it is not true to-day, taking the physical condition of the fortifications in the Philippines as they exist now, that it would be a matter of but little trouble for any enemy to capture them. Of course, it is perfectly manifest that with the troops that we now have in the Philippines the islands as a whole could not be successfully held against any large invading army. Assuming that there was a destruction of our fleet, and that it was possible to put on those islands a hundred thousand men, or even a less number, of course it is manifest that we could not hope to hold those islands, and the defenses of the Philippines do not contemplate the defense of the entire archipelago; but they do contemplate a protection to Manila, and if that should be captured they do contemplate such a defense of Corregidor as would enable the Army there to hold out and to keep the flag flying from six months to a year, irrespective of

any aid that might come from the Navy.

I make this statement—and I make it with emphasis—because I do not feel that it is fair either to the Army or to the Navy, or fair to the Congress of the United States, that an impression should go abroad that we are totally unprepared for war and for any contingency, no matter how slight, that might

arise.

If it were true that the condition was as deplorable as is sometimes represented, it would be a tremendous indictment not only of Congress but of the Army and of the Navy, for in the 10 years that I have been in Congress we have expended for the Army over a thousand million dollars and for the Navy a sum in excess of that. In other words, we have expended over \$2,000,000,000 for the Army and the Navy in the past 10 years; and if now at the end of that time we are in as deplorable a condition as is sometimes represented, then certainly an indictment lies at the door both of the Army and of the Navy, as well as of the Congress of the United States.

Mr. CLINE. I want to inquire whether the gentleman understood from the testimony given in the Naval Committee yes-terday by Admiral Vreeland, that he based our unpreparedness in any way upon our insufficiency of fortifications, and if it did not go to another point in our military and naval defenses?

Mr. SHERLEY. I expressly declined to hold Admiral Vreeland responsible for what I saw in the paper, because I very greatly suspect that it did not accurately state the testimony of Admiral Vreeland. But this I do desire to repeat, irrespective of the testimony that may have been given, that the fortifications of the Hawaiian Islands and the Philippines are in such a state as not to cause anyone to have any undue alarm touching those fortifications. I do not pretend to say, and no man would say, that conditions might not arise under which those fortifications would be taken; but it is one of the curious facts in connection with modern warfare that there has been no recent instance of the taking of a fortification by sea attack. Port Arthur was never reduced except as the result of a land attack upon it, and not a sea attack.

Now, I repeat that we have made these tremendous expenditures of money in support of the Army and of the Navy. I do not believe that the expenditures in many instances have been I am forced to the conviction that we have expended a great deal more money upon the Army than our condition of preparedness for war seems to now justify. I think that we have been somewhat backward in the matter of field artillery and the ammunition therefor, and I shall now deal with that subject. And in connection with that I desire to say again if blame lies anywhere, it can not be placed entirely upon the shoulders of the Congress of the United States. The fortifications bill carries the amounts for the field artillery for the regular and the volunteer forces. The Army bill carries the moneys necessary for the field artillery for the militia and the ammunition therefor, as well as the harness for this material for the Regular and Volunteer Armies and militia. Now, he estimates that have been submitted to the Committee on Appropriations touching field-artillery material have until recent years been very much less than those that are now asked or than the need of the Army would have indicated as proper if the position now taken by the Army officers is sound. Their position is predicated upon an army of 500,000 men and upon a percentage of 3.16 guns to every 1,000 rifles and sahers. It is very difficult, if not impossible, for a lay mind to contemplate the need of an army of 500,000 men in continental United States. And yet it is fair to state that there is not an Army officer who appears before our committee but what is both sincere and pronounced in his opinion that we should be prepared to properly equip an army of that size. It will require approximately \$40,000,000 to supply the remaining amount of guns, ammunition trains, and ammunition for the Field Artillery on the assumption of supplying an army of 500,000 men. That contemplates 1,292 guns of various calibers.

Now, of those guns we have about 60 per cent, as I now recall. As to the ammunition, we are in a very much worse condition. For the guns now in the hands of the Regulars and the militia we have 48 per cent of the ammunition required; mark you, I say of the guns in the hands of the Regular Army and of the militia; because the number of guns that have been built or are building is considerably in excess of the number of guns in the hands of the Regulars and of the militia. We have, as I recall,

some 14 per cent of the ammunition that is required for the ultimate number of guns desired.

There was submitted to the committee an estimate of \$3,000,000 for ammunition for the Field Artillery. A similar estimate of \$3,000,000 was submitted to the Military Affairs Committee for

ammunition for field artillery for the militia.

The Committee on Appropriations has recommended the sum of \$900,000. That is the same amount that was recommended and carried in the bill of last year. This \$900,000 represents the largest amount of money that has ever been appropriated in a single year for ammunition for the Field Artillery, with the exception of one year during the Spanish War. Three years ago the fortification bill carried an appropriation of \$300,000 for this ammunition. The next year it carried an appropriation of \$600,000, and last year we carried an appropriation of \$900,000. This year, although the estimates were nearly three times what they were a year ago, the committee have not felt warranted in proceeding at a faster rate than last year, and again recommend the sum of \$900,000.

Mr. MANN. Are the appropriations for these purposes continuing appropriations until used, or are they covered back

into the Treasury?

Mr. SHERLEY. They are continuing appropriations, and in point of fact are expended practically during the fiscal year. Mr. MANN. As a matter of fact, have they been expended?

Mr. SHERLEY. Practically all, except when the maturity of certain contract obligations have gone over. In other words, we are doing that amount of work by manufacture or purchase, but the appropriations are continuing appropriations.

Mr. MANN. That is what I understood. My recollection is that several years ago when this matter was up complaint was made about the amount Congress was then appropriating, and I received the impression at that time that there was a large amount of unexpended appropriations from previous years.

Mr. SHERLEY. At that time I am inclined to think that the gentleman's impression was correct. It might not be amiss in this connection to call attention to the estimates for ammunition submitted for many years past. In 1902 the estimates were \$400,000; for 1903, nothing; for 1904, nothing; for 1905, In 1902 the estimates they were \$873,600; for 1906 the estimates were \$318,398; for 1907, \$250,000; for 1908, \$250,000; for 1909, \$250,000; for 1910, \$300,000; for 1911, \$150,000.

In that connection it is interesting to note that the testimony before our committee as to that particular estimate was that it was cut as low as it was on account of the desire of the then administration to make a showing of economy in the estimate submitted. I submit that if the situation is as bad as represented, that was a particularly poor item on which to make a show of economy.

The estimates for 1912 were \$500,000, and for 1913, \$1,500,000; for 1914, \$1,250,000, and now for this year \$3,000,000 is esti-

No matter that has been presented to the committee has had more serious thought or deserved more serious thought than this very item of ammunition for the mobile artillery. If we are to have war within the next year or two with a great power and are to need an army of 500,000 men, we ought not to appropriate \$900,000, but we ought to appropriate many millions for ammunition. If, on the other hand, we are not to have a war in the next 10 or 20 years, then the rate at which we are going on is not only adequate, but might be thought to be generous. In other words, on the basis of appropriations that will be carried in this bill and will be carried in the Army bill we will have supplied the entire ammunition estimated as required for 1,292 guns, the number of these guns being based on an army of 500,000 men, in about 10 years.

Mr. STAFFORD. Will the gentleman yield?
Mr. SHERLEY. Certainly.
Mr. STAFFORD. A pertinent query arises in my mind, in the eventuality of war and we should need the \$7,000,000 worth of ammunition, what would be the maximum capacity of the Government and the private plants to supply the needed ammunition?

Mr. SHERLEY. I have not immediately available those figures, but if the gentleman will make his inquiry later in the consideration of the bill I will give him the exact information. It would take a number of months-six months or more-to begin turning out in very great quantities guns and ammuni-tion. It is perfectly manifest, of course that the appropriations carried in this bill can have no bearing upon any immediate fear of war that may exist. I desire to present the situation in another way:

We have ninety-six 3-inch guns in the hands of troops in the United States and forty-four 3-inch guns in the insular possessions. Figuring on the Army's estimate of the number of rounds required for these guns in the United States, and then adding 50 per cent more—in other words, 150 per cent—for the guns that are in the insular possessions, you would require in rounds of ammunition for the one hundred and forty 3-inch guns 300,000 rounds of ammunition.

There is on hand 186,508 rounds. We lack, therefore, for these guns 114,864 rounds. Assuming the cost price of \$10 a round, you would have an expenditure of \$1,148,000 necessary to supply the entire amount of ammunition needed for the one hundred and forty 3-inch guns. Assuming the Army bill will carry an amount approximately the same as this bill, you will have enough money not only to supply these guns with all the ammunition they need, but to leave a surplus of more than half a million for ammunition for other guns.

For twelve 3.8-inch howitzers we have practically 71 per cent of the ammunition required. For the 24 mountain guns we have approximately 75 per cent of the ammunition required. For twelve 4.7-inch guns we have something like 60 per cent of ammunition. For twenty 4.7-inch howitzers we lack 29 per cent of the ammunition, or, in other words, we have 71 per cent of ammunition. For eight 6-inch howitzers we have the ammunition required. That number of guns would be the number practically requested for an army in the United States at war strength of 73,000 men, and for an army in the insular possessions of something like 20,000. Of course, I am speaking in round numbers, and without any intention of being absolutely accurate. If you consider not simply the picture that the Army officers present of a need of 500,000 men, but simply consider the needs of your Regular Army, the appropriations carried in this bill and in the Army appropriation bill will be sufficient to give them the ammunition that is needed for an army of ninety-odd thousand men.

In considering the question of amounts that should be appropriated for the materiel of the Field Artillery and ammunition for it, your committee considered not only the question of how rapidly we should supply the needed materiel and ammunition, but we considered another question of high importance, and that was the question of the cost in arsenals and by private manufacture, and in the consideration of that we met with the question of capacity of arsenals to turn out this matériel and this ammunition.

The committee found that there was a saving in arsenal costs over manufacturing costs of anywhere from 17 per cent to over 50 per cent in many instances, and with that saving being maintained over the entire amount of money that would have to be expended to complete the project for field guns and ammunition therefor, together with the practice ammunition that is used from year to year, there will be a saving of over \$4,500,000, a sum in no sense inconsiderable. Of course it is manifest that we would not be justified in doing the work exclusively in the arsenals, no matter how cheaply we could do it, if by limiting our output to the capacity of the arsenals we gave an output so small as to imperil the safety of the country. Manifestly, if we need to supply the guns and ammunition as fast as the Army says we do, then we ought not to consider simply arsenal manufacture, but we ought to go forward and put part of our work in outside manufactories.

The Ordnance Department presented in detail the cost of making guns, carriages, ammunition trains, and ammunition. There will be found in the hearings complete tables showing these costs, and showing the purchase price from private manufacturers, and I want to take occasion now to say that the unusual showing as to lessened cost of Government manufacture as against purchase price is a splendid tribute to the Chief of Ordnance, Gen. Crozier, and the men who are under him. He brings to the committee a detailed knowledge and a nicety of statement as to the entire matters under him that is not excelled by any person who comes before that committee in connection with any subject.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield? Mr. SHERLEY. Certainly.

Mr. STAFFORD. In that connection can the gentleman inform the committee whether in estimating the cost of manufacture of these Government implements and ammunition at Government works any estimate was taken as to depreciation of plants, insurance, and those elements that a business concern takes into consideration?

Mr. SHERLEY. I desire to say, and would have said in a moment, that in considering arsenal costs there was taken into consideration not only the cost of labor and of material, but every proper overhead charge that applies not only to the Government but many that apply to private manufacturers and from which the Government is free, and in giving you the statement of percentages we give you as to the manufacture of this material, just as we gave you last year as to the manufacture

of powder, a statement of cost that carries in it every proper charge that should be made against the arsenal, and in the judgment of the committee, if error has been made it has been made upon the side of charging too much instead of too little in arriving at these arsenal costs.

Mr. GOULDEN. The gentleman has very well answered the question about cost, but what I wish to know is the capacity of the powder plants controlled and run by the Government.

Mr. SHERLEY. I think I will reach all those matters if my time holds out. If the committee will take the report, they will find on page 8 a recommendation made by the committee in the form of a limitation, which is as follows:

Of each of the sums appropriated by this act, after deducting any amounts required to meet obligations authorized in previous acts to be entered into by contract, not more than 10 per cent may be used to purchase not exceeding 10 per cent in quantity or value of any article or material herein appropriated for that can be manufactured at the arsenals of the Ordnance Department, except when contract costs are less than arsenal manufacturing costs.

Now, the purpose and effect of that limitation is to require the entire manufacture of everything which the arsenals make in the arsenals and the purchase of none of them. It is true that the limitation gives a 10 per cent leeway, and that 10 per cent leeway was given in order not to unduly tie the department in the execution of its orders. If it was found impractical to do certain work or undesirable to do it in a small amount, then that leeway is given of 10 per cent of any amount carried in any item, with the further limitation of 10 per cent in quantity or value of any article or material. The testimony of Gen. Crozier shows that the capacity of the arsenals now is sufficient to enable them to take care of all appropriations that are car-ried in this bill and the amounts that I am informed will be carried in the Army bill for similar work.

In other words, we have not appropriated more money than the arsenals could take care of. It is only fair to say that we did not determine the amount that we have recommended by the capacity of the arsenals; but having determined the amount that we thought ought to be appropriated, we then inquired into the question of capacity of the arsenals; and finding that it was sufficient to take care of those appropriations, we have proposed to this House the limitation that I have indicated. Now, we have for the last year been making all the powder that the Army needs. When I first began inquiring into the cost of powder the Government was paying 67 cents a pound for the small-arms powder, and a limitation was put on it reducing the price to 64 cents, and the debates on this floor show that man after man charged that the limitation for that amount would prevent the procurement of powder by the Government by purchase. and yet the fact remains to-day that the Army is making its powder at a cost of a little over 39 cents, including all overhead charges. [Applause.] And the further fact remains that the Navy is to-day buying the powder that it does not manufacture at 53 cents a pound, although the statement was made that this limitation of 64 cents a pound would deny the Government any powder supply from private sources. Now, in view of these tremendous savings your committee did not feel warranted in continuing the policy of part manufacturing and part purchasing. The Ordnance Department presented, and properly presented, several reasons why, in their judgment, it might be thought desirable to purchase as well as manufacture. One of those reasons was they desired to have a method of comparison by which they could determine whether the Government was actually manufacturing economically or not, because, as well stated, they were conscious that there would never be any such investigation of methods in the arsenals as would determine primarily that question, and that the only basis of determination must be a comparison between the manufacturing cost and the purchase-price cost. They also presented the desirability of having a proper expansibility of output in case of need of a great supply owing to a war or threatened war, and they presented the fact that it could not be expected that private plants will keep idle part of their plants in order to have a surplus expansibility, and if we were to have such expansibility that it must be by using the Government arsenals only at a certain per cent of their total capacity, holding the rest in

Now, these arguments are not without weight, and it was proper that the ordnance people should present them. They occupied a dual position. By their skill, by their energy, they have made possible the splendid showing of cheapened cost of arsenal manufacture as against purchase from private manufacture, and to that extent they were properly interested in urging the continued and enlarged use of the arsenal.

Mr. BOOHER. Will the gentleman yield? Mr. SHERLEY. Not just at this moment.

But they felt that they ought to present these additional rea-Now, the committee recognizes the weight of those arguments, but they do not believe, not sharing the Army's viewpoint as to the tremendous need of a hurried supply of this matériel and ammunition, that the expansibility was sufficiently to be desired to offset the concrete economies and savings shown in the difference in the two prices. They, further, were more concerned with the fact than the demonstration of the fact of cheapened arsenal manufacture as against purchase price.

They have accordingly brought to the House for its consideration this recommendation, which is the unanimous recommendation on the part of the committee, and which they hope will be

acquiesced in by the House.

Mr. LINDBERGH. Does the gentleman know whether any of the foreign nations with which we might possibly come in conflict are prepared fully to equip an army in every respect imme-

diately?

Mr. SHERLEY. I have no personal knowledge, but it is understood and generally believed, and of course it is manifestly true as to certain of the great nations, that they not only are prepared to equip but have actually equipped standing armies of considerable size. It is believed by those who ought to know that all of the first-class powers are so supplied with guns and ammunition as to enable them to put into the field armies of considerable size.

Mr. LINDBERGH. One more question.

Mr. SHERLEY. Certainly.
Mr. LINDBERGH. It has been reported in the public press that there is a considerable foreign population in the Hawaiian Islands, and that an army might be created right there in opposition to our own. Does the gentleman know whether that is a fact or not?

Mr. SHERLEY. It is a fact that there are a number of Japanese in the Hawaiian Islands, employed there in connection with

the sugar and other industries.

Mr. STAFFORD. Can the gentleman, in a word, state the policy of foreign Governments toward the manufacture of their

guns, gun carriages, and ammunition?

Mr. SHERLEY. Why, the policy, generally speaking, is to buy the major portion of their material and their ammunition. France, I believe, has been in the past making some powder, which has not been altogether of a satisfactory character. I can not speak accurately about that, but I am sure this is true, generally speaking, that these Governments do buy large quantities from private manufacturers.

Mr. BARKLEY. The gentleman stated a moment ago that the Government was paying 53 cents per pound for a portion of the powder used by the Navy, and not manufactured by the Government. Can he state what proportion of the powder used by the Navy is bought and not manufactured by the Govern-

Mr. SHERLEY. I think about one-half. I will not be absolutely sure, but that is my memory now.

Mr. BARKLEY. Did the gentleman state a moment ago that

the Army manufactured its entire quantity of powder?

Mr. SHERLEY. It does; and expects to continue to do so, except the purchase of a very small quantity for experimental

Mr. BARKLEY. One other question. About what does the purchase of the powder in the Navy over and above what it manufactures amount to for a year?

I should not like to trust my memory as Mr. SHERLEY.

to the amount. I did know, but I have forgotten.

Mr. BARKLEY. If this is true, is it not the opinion of the gentleman that it would be a wise policy for the Government to adopt some means whereby they could manufacture the entire

supply of powder to be used by the Army and the Navy?

Mr. SHERLEY. In that connection it is proper to say that the naval arsenal is running now on three shifts in a 24-hour day and is manufacturing to its full capacity. Assuming that the position that has been taken by the subcommittee on fortifications is correct, it would seem to follow that it would be proper for the Navy to so increase its capacity as to make the additional powder required. But I say that the arguments that have been presented of the desirability of expansibility and of the competition of private manufacture, with the inventions and incentives of private individuals, may by some be thought to be sufficiently weighty to justify the present

The CHAIRMAN. Does the gentleman yield to the gentleman from Illinois [Mr. MANN]?

Mr. SHERLEY.

Mr. MANN. I will not ask the gentleman to yield unless he has finished his preliminary address.

Mr. SHERLEY. I have, except as to one other statement that I desire to make.

This policy in regard to arsenal manufacture is not new. It is but a continuation and an amplification of a policy that has been pursued by the committee for some years past. have not had the data heretofore that warranted pushing it further, nor the arsenal capacity, until recently that would enable us to do it, and that is the reason why for the first time we present the proposal of complete arsenal manufacture.

A year ago, in the sundry civil bill, we carried an item of \$250,000 for certain improvements to be made at the Rock Island Arsenal, by which it was expected that we would very greatly increase the output of that arsenal. The amount of small-arms manufacture is falling off. We are very near to the end of furnishing the supply requisite of small arms, and that enabled the Ordnance Department to use certain shops and machinery at Rock Island for the manufacture of mobile artillery materiel that heretofore there was no room for, and by the addition of this \$250,000 they were enabled to increase, as they then stated, their output about a third, manufacturing twothirds and buying one-third, instead of manufacturing one-third and buying two-thirds as heretofore. But it developed in the and buying two-thirds as heretofore. But it developed in the hearings that that was on the basis of not running the arsenals at their full capacity, and that by dispensing with the expansibility that I have spoken of, and running on a greater number of shifts, you could take care of this addition; and we propose accordingly to do so.

Mr. Chairman, I have already taken so much time of the committee that I shall not go into this matter further now by stating the actual figures as to savings of cost, but they will be found in the report of the committee.

Mr. TRIBBLE. The gentleman's committee seems to have done well on the question of powder. I will ask the gentleman as to the pay of officers assigned to this work, receiving \$2.50 additional to their salaries and the allowances that they already

Mr. SHERLEY. Well, we are setting no precedent, sir. That provision has been carried in the bill from the beginning, and if the gentleman from Georgia will call my attention to it when we reach it in the reading of the bill for amendment, I will be glad to give an explanation. I shall be glad now to yield to the gentleman from Illinois [Mr. Mann].

Mr. MANN. I simply wish to ask the gentleman a question

in reference to the ammunition for the Coast Artillery. That remains useful until it is used, does it? It is not used cur-

rently, is it?

Mr. SHERLEY. What happens is this, that the moneys appropriated, which amount to about \$425,000 for seacoast ammunition for target practice, are used for buying from the reserve supply the oldest powder they have there, and the money is then used in the manufacture of new powder, which goes into the reserve. In other words, by this method you are constantly turning over your powder supply and using to the extent of the annual practice the oldest powder you have on hand.

Mr. MANN. The amount that we appropriate for the Coast Artillery ammunition is not supposed to be used up in practice

during the year?

Mr. SHERLEY. No. We carry a special item of \$425,000, as I now recall, for practice ammunition, and that is all that is nsed.

Now we are constantly adding to our reserve ammunition; and I am glad of the gentleman's inquiry, because otherwise I would have forgotten to say that in the United States we are in a position where we have over 70 per cent of the total amount estimated to be required, and that total amount is estimated on the assumption of a supply of powder sufficient for the con-tinuous firing for one hour of all the guns in the United States, or a supply for two hours for all the guns on either coast, it being assumed that the guns on both coasts will not be imperiled at the same time.

Mr. MANN. As I understand, then, we are gradually build-ing up a reserve stock of ammunition? We are increasing the

amount constantly?

Mr. SHERLEY. Yes; and we have a reserve of ammunition for the seacoast cannon in the United States and in the insular possessions that is so nearly the maximum required as to be the occasion of no alarm to anybody. As to the Philippines, we had practically reached the total amount required when they came in with a new total, having concluded that they desired a certain character of ammunition for mortars and an additional quantity; thereby the total was increased, and of course by increasing our totals our percentage fell from practically a hundred down into the seventies.

I thank the committee for its indulgence.

Mr. HOWARD. Has the gentleman any figures or estimates as to the deterioration of smokeless powder by exposure to the atmospheric conditions and by reason of age?

Mr. SHERLEY. The testimony is that there is practically no appreciable deterioration in the modern powder that we are now making and using.

Mr. MOORE. Has the gentleman made any observation in regard to the fortifications of the Panama Canal?

Mr. SHERLEY. No: I did not, as the appropriations for the fortifications of the Panama Canal are carried in the sundry civil bill. I, however, have some knowledge of those fortifications, as I inspected the emplacements a little over a month ago.

Mr. MOORE. They are carried in the sundry civil bill?

Mr. SHERLEY. As a part of the canal estimates in the sun-

dry civil bill.

Mr. MOORE. The gentleman referred to the Endicott Board, which presented a scheme for general fortifications of the country and commented upon the modifications of that scheme by the National Coast Defense Board.

Mr. SHERLEY. Known as the Taft Board?

Mr. MOORE. Yes. Is the gentleman prepared to say whether the scheme of the Endicott Board, as modified by the Taft Board, has been carried out to the full extent?

Mr. SHERLEY. Oh, no.

Mr. MOORE. We are still behind, so far as some fortifications recommended are concerned?

Mr. SHERLEY. I made a statement in the beginning as to the United States proper. As to that, we are practically complete, except in some details of substitution of permanent system of fire control in place of what they designate as a temporary system, and additional searchlights, mine material, and cable in connection with the mines, and so forth, and the fortifications at the mouth of the Chesapeake and San Pedro; and we may have in the future to increase the armament at San

Mr. MOORE. The department estimated for about \$4,000,000 more than the committee has allowed. Were the department's estimates made in accordance with the recommendations of the Taft Board.

Mr. SHERLEY. As modified, yes. Mr. MOORE. To that extent, so far as this bill goes, we would be \$4,000,000 behind the scheme for the current year?

Mr. SHERLEY. No; because a good many items are maintenance items which have nothing to do with the program for defense and which we cut where we thought they ought to be cut—where we thought they could get along with less money we made those cuts. We made large cuts relating to mobile artillery which has nothing to do with the Endicott or the Taft Board report.

Mr. MOORE. There has been an effort to economize? Mr. SHERLEY. I hope not only an effort but an indication

and evidence of successful economy.

Mr. MOORE. The committee recommends appropriations slightly in excess of that of last year and for 1912 and 1911; but prior to that time the appropriations were heavier. Is not that the fact?

Mr. SHERLEY. The appropriations have been heavier at different times. Of course, it is perfectly manifest that you can make a bill three or four times what this is, depending upon the rapidity with which you want to do the work. As for the seacoast fortifications, the gentleman from Pennsylvania can possess his soul in patience, with the assurance that we are not only fortified but exceedingly well fortified.

Mr. MOORE. I am glad the gentleman feels that way.

Mr. SHERLEY. It is not simply the gentleman's feeling; it is based on the statements of those who know; and the gentleman will find in the hearings of this year and previous years that that is the actual state of facts.

Mr. MOORE. I notice by the testimony of Gen. Crozier that

he would like to have had more money.

Mr. SHERLEY. Oh, the gentleman from Pennsylvania is confusing the project for the mobile army with the project for a seacoast defense; they are entirely distinct.

Mr. MOORE. To a certain extent that is true; but the gentleman replied to my inquiry that we are not quite up to the recommendations of the National Coast Defense Board.

Mr. SHERLEY. If the gentleman means that we have not given the estimates asked for, the gentleman is right. I do not think we ought to give the estimates asked for. The effort in the inquiry is to try to ascertain whether we can dispense with some of the amounts asked for or not.

Mr. MOORE. And the gentleman answers that we have appropriated \$4,000,000 less than was asked for by the War

Department as necessary.

Mr. SHERLEY. I would not answer the gentleman that way. I do not say that we have appropriated \$4,000,000 less is necessary for the defense of the country, but it is \$4,000,000 less than the estimates. A large part of that is by reduction in the amount asked for ammunicion for field guns.

Quite a bit of it is in connection with maintenance items. Quite a bit of it is in connection with reserve supplies that did not appeal to the judgment of the committee as being urgently needed at this time. In the consideration of a bill of this character the committee must not only consider the value of a particular thing recommended, but if it is to perform its duty to the country and to Congress it must consider the relative value of things recommended, not only in the bill as to each other, but as to other requirements of the Government, and with the expenditure of \$1,100,000,000 annually I for one am not willing to press forward unduly matters that I think can wait.

Mr. MOORE. May I ask the gentleman another question?

Mr. SHERLEY. Certainly.

Mr. MOORE. Where are our small arms manufactured prin-

cipally; at what arsenal?

Mr. SHERLEY. That is not within my jurisdiction, but I can give the gentleman the information in a moment. Our small-arm ammunition is manufactured at Frankford Arsenal, Philadelphia. Small arms are manufactured at the Springfield Armory, Springfield, Mass.

Mr. MOORE. For what purpose was the appropriation of \$250,000 for Rock Island in the last sundry civil bill?

Mr. SHERLEY. To enable them to manufacture field artil-

lery matériel.

Mr. MOORE. To what extent are they manufacturing that matériel now as compared with our supplies acquired from private manufacturers?

Mr. SHERLEY. Under the provisions of this bill they will manufacture 100 per cent of the amount that they have money

Mr. MOORE. Then you have equipped the Rock Island Arsenal to do nearly all the work the Government requires in that

particular?

Mr. SHERLEY. No; there is a lot of work besides. For instance, the guns are not made there, and there is a good deal of other material. At Rock Island they manufacture gun carriages and artillery vehicles, as well as harness, saddles, bridles, personal equipment for enlisted men, such as meat cans, tin cups, and so forth. There is a small-arms plant there that is not being operated.

Mr. MOORE. Has the gentleman made any reference to the economies perfected by the Frankford Arsenal in manufactur-

ing small-arms ammunition?

Mr. SHERLEY. No; because that had nothing to do with the funds carried in this bill; but we have certain statements as to manufacturing costs at the Frankford Arsenal compared with purchase price.

Mr. MOORE. They have shown a material profit to the Government, have they not?

Mr. SHERLEY. I so stated.

Mr. COX. The gentleman is giving the committee some very valuable information. What per cent of the leather goods used by the Army, such as saddles, bridles, and harness, has heretofore been manufactured by the Army?

Mr. SHERLEY. I could not answer the gentleman. We have nothing to do with that. That is carried in the Army bill.

Can the gentleman state what tests, if any, have been made as to the powder made by the United States in resisting length of storage and climatic changes?

Mr. SHERLEY. I do not know what recent investigations have been made, but the testimony is that there has been no appreciable deterioration due to age.

Mr. ESCH. Does the gentleman know whether that has been the experience of foreign countries?

Mr. SHERLEY. No; and I would not think that information particularly valuable one way or the other. Our powder is different from that made in other countries, and according to the testimony is probably the best powder in the world.

Mr. ESCH. Does the gentleman refer to that which is made

at the Government powder factory?

Mr. SHERLEY. I refer to that made by the Government and that bought from the du Pont people. Both are exactly the same; that manufactured by the du Pont people being manufactured under the supervision of Government officials, it comes up to the same standards as that manufactured at the Government factory.

Mr. ESCH. Is it true that small-arms ammunition deteriorates to any appreciable degree from length of storage?

Mr. SHERLEY. I should say not, although my committee does not deal with small-arms ammunition.

I beg to thank the committee for their attention, and in the consideration of the bill will be glad to give any detailed in-formation as to any items concerning which I may be able to give it. [Applause.]

The following is the report of the committee on the bill:

I beg to thank the committee for their attention, and in the consideration of the bill will be glad to give any detailed information as to any items concerning which I may be able to give it. [Applause.]

The following is the report of the committee on the bill:

Mr. Suranz, from the Committee on Appropriations, submitted the following report, to accompany H. R. 12235:

The Committee on Appropriations, in paradiother works of defense, and for the armanent thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, submitted the following in control of the surangent thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, submitted for Estimates on which the bill is based will be found in the Book of Estimates of the fiscal year 1015, pages 429–440, inclusive, and aggregate \$81,24,309.49, of which sum there is recommended in the accompanying and the summary of \$43,050 less than was appropriated for the same purposes at the last session of Congress, and \$5,340,199.49 less than the estimates submitted. In addition to the specific appropriations, amount and accompanying the summary of \$60,000 is provided and reappropriations amounting to the further sum of \$600,000 is provided and reappropriations amounting to the further summary of the summary of \$60,000 is provided and reappropriations amounting to the proper summary of \$60,000 is provided and reappropriations amounting to the proper summary of \$60,000 is provided and reappropriations amounting to appropriations were made on account of fortifications, their maintenance and armament, and for the 2 fiscal years 1875 to 1880, inclusive, the appropriations were made on account of fortifications, in continuance and armament, and for the 2 fiscal years 1875 to 1880, including the proper summary of the support of the Accounting the proper summary of the summary of the summary of the summary of the summary of the

tory at Picatinny, N. J., the Ordnance and Fortification Board, the manufacture of mountain, field, and siege guns, and ammunition therefor, and for sundry other objects incident to providing and maintaining a system of seacoast defenses, and the amount returned to Treasury. In addition to the foregoing general statement as to the history of and appropriations for the scheme of seacoast fortifications adopted by Congress in 1888 and prosecuted by annual appropriations since that year, it is deemed pertinent at this time to discuss somewhat more in detail the subject of these very considerable expenditures.

By the act of Congress approved March 3, 1885, the President was directed to appoint a board to formulate plans for seacoast defenses. This board later became known under the name of the Endicott Board, and its report, transmitted to Congress on January 23, 1886, formed for many years the guide from which the Secretary of War determined the ports that should be fortified and the amount and type of armament required for each. It will be understood that these plans required many modifications of detail in accordance with the development of commercial and strategic importance of the different ports and emplacements and changes in modern armament. In addition, no provision was made for reserve ammunition, probably due to the fact that the development of satisfactory powder was at that time in an experimental stage. On March 5, 1906, the President of the United States transmitted a message to the Congress in which he finclosed a report of the National Coast Defense Board, which had been appointed by him on January 31, 1905. This report modified and brought up to date the report of the Endicott Board and added a scheme for the fortifications of the insular possessions of the United States, and is usually referred to as the Taft Board report. In pursuance of the plans and projects recommended in that report estimates are submitted annually by the Secretary of War of the sum needed to carry on the work, and the item

Under these three subdivisions of the first general division there has been heretofore appropriated for continental United States, including practice ammunition used in the insular possessions, \$124,024,137.86. Of this amount, under subdivision a, items pertaining to new armament and installation, there has been appropriated \$87,740,124.95; items relating to reserve ammunition, \$15,112,885.98. Under subdivision b—that is, the item for maintenance, repair, and alteration—there has been appropriated \$14,745,070.12. Under subdivision c, seacoast target-practice ammunition, there has been appropriated the sum of \$5,264,058. There has been covered into the Treasury unexpended \$1,043,99.81. Under subdivisions a and b there has been appropriated for the insular possessions \$19,656,386.88. This total includes under subdivision a items pertaining to new armament and installation, \$16,879,165; items for reserve seacoast ammunition, \$2,400,000. Under subdivision b, for maintenance, repair, and alteration, there has been appropriated \$377,221.88. So that the total of appropriations for both continental United States and the insular possessions, under heading No. 1, amounts to \$143,680,524.74.

The second general classification, to wit, supply of field artillery

The second general classification, to wit, supply of field artillery material, including ammunition, can also be subdivided into three classifications similar to that of item No. 1. In other words, (a) those pertaining to new material, including reserve ammunition; (b) those pertaining to maintenance, repair, and alteration; and (c) those pertaining to maintenance, repair, and alteration; and (c) those pertaining to maintenance ammunition.

The total appropriated has been \$9,880,800. The total of the above that is included under subdivision a, new material, including reserve ammunition, is \$8,563,800, of which \$3,001,600 was for such reserve ammunition, leaving \$5,562,200 as the amount that has been appropriated for new material. Of this latter sum \$830,000 is counted as being for new material, though it is literally for the purpose of making new batteries out of old ones.

Under subdivision b, for maintenance, repair, and alteration, there has been appropriated \$396,000. Under subdivision c, for target-practice ammunition, there has been appropriated \$21,000.

The third general classification, to wit, miscellaneous items related to the preceding but not strictly forming parts thereof, consists of the following items, totaling appropriations of \$16,599,999.63:

Board of Ordnance and Fortification————\$2,570,000,00

Board of Ordnance and Fortification—
Proving Ground, Sandy Hook—
Machine guns not used for seacoast defenses—
Ordnance establishments, buildings, gun factory, powder factory, etc.
Machinery for ordnance establishments—
Experimental guns, carriages, and ammunition—
Testing experimental guns and carriages, armor plates, 2, 570, 000, 00 1, 653, 478, 00 385, 073, 00 3, 376, 952, 00 413, 997, 83 653, 041, 03 etc
Implements, equipments, alteration and maintenance of old armament
Field material and ammunition of old designs
Returned to Treasury
School submarine defense
Amount expended for temporary batteries (national defense fund)
Construction of post buildings, act June 6, 1896
Repair and maintenance Fort Monroe, Va., acts Mar. 2, 1895, and June 6, 1896 148, 085, 84 6, 331, 819, 75 110, 928, 69 16, 500, 00 302, 817, 99 100, 000, 00

18, 207, 50 The following statement shows the funds that it is estimated by the War Department will be necessary for the completion of the various projects heretofore outlined:

2532	CONGRESS.	IONAL
Under the first classificatit is estimated that the it follows:	ion, and for continental United ems coming under subdivision	States only a will be as
For construction of emplassites for defenses. Electrical installations. Searchlights Sea walls. Submarine-mine structures. Fire control. Guns and carriages. Battle ammunition. Submarine mines.	1 1 2 2 2 2 1 1 1 2 4 5 6 6 1 1	,053,000,00 ,484,650,00 ,400,333,00 ,436,600,00 ,379,659,00 ,302,499,00 ,276,900,00 ,859,925,0 ,237,775,00
Under subdivision b as i	follows:	
Modernizing emplacements. Alteration of armament	\$1 2	, 041, 939. 3 , 116, 904. 0
Making, under the first g a grand total of \$38,213,9 In addition to the above required \$1,000,000 for ma \$425,000 for target practic For the insular possessivation	it is estimated that there will intenance, repair, and minor all	be annually terations and first classifi
For construction of emplace Electrical installation—Searchlights—Submarine-mine structures. Fire control—Guns and carriages—Battle ammunition—Submarine mines	ements \$2	2, 433, 000, 00 232, 059, 00 348, 000, 00 244, 000, 00 550, 000, 00 , 946, 950, 00 , 704, 071, 81 253, 488, 00 586, 000, 00
Total	10	, 597, 568, 8

It is estimated that no appropriations will be required under sub-division b for alteration or under subdivision c for target practice. In addition to the above it is estimated that \$70,000 will be annually required for maintenance, repair, and minor alterations, plus a propor-tionate increase due to the installation of new armament as it is

tionate increase due to the installation of new armament as it is supplied.

Under the second general classification, first noted, it is estimated that items coming under subdivision a will be as follows: For new materiel, including funds for the alteration of 3.2-inch batteries, \$5,612,102; for reserve ammunition, \$20,235,682.04, making a total of \$25,847,784.04.

\$5.612.102: for reserve ammunition, \$20,235,682.04, making a total of \$25,847.784.04.

In addition to the above, it is estimated that there will be required annually \$55,000 for alteration, maintenance, and repair, and \$140,000 for target practice.

It should be stated in connection with the foregoing items for Field Artillery matériel and ammunition that it is also estimated by the War Department that for such matériel and ammunition for the use of the militia there will be required a total of \$16,005,371.50, for which latter sum, however, it is expected that estimates will be submitted and appropriations carried in the Army bill.

In the present estimates there is asked, under the first general division for continental United States, subdivision a, new matériel, etc., \$1,576,800, of which sum there is recommended in the accompanying bill \$1,006,800, with an authorization of \$300,000; under subdivision b, maintenance, repair, etc., \$993,000, of which amount the bill carries \$558,000, and in addition reappropriations amounting to \$265,000; and under subdivision c, target-practice ammunition, \$425,000, all of which is recommended in the bill, making a total estimate of \$2,994,800, of which the bill carries \$1,898,800, with an authorization of \$300,000, as above, and reappropriations of \$255,000, all of which is recommended in the bill, and under subdivision b, maintenance, repair, etc., \$231,469, of which the sum of \$58,500 is recommended, making total estimates of \$1,543,469, of which \$1,370,500, as above stated, is recommended, making a grand total of estimates of \$4,538,269 for both continental United States and the insular possessions under the first general division, of which there is recommended \$3,360,300, with an authorization of \$300,000.

which th \$300,000.

Under the second general classification there is asked, under subdivision a, new materiel, etc., including alteration of 3.2-inch batteries, \$4,150,000, of which there is recommended \$1,525,000, with an authorization of \$300,000; under subdivision b, maintenance, repairs, etc., \$55,000, of which \$45,000 is given; under subdivision c, target-practice ammunition, \$140,000, of which \$130,000 is given; making total estimates of \$4,345,000, of which the bill carries \$1,700,000, with authorization of \$300,000 as above.

Under the third general division there are asked the following items:

Current expenses, ordnance proving ground, Sandy Hook, \$56, 200, 00 N. J. \$56, 200.00

Expenses of officers at the proving ground and compensation of draftsmen 18, 700.00

Board of Ordnance and Fortification 25, 000.00

Benicia Arsenal, replacing ordnance and ordnance stores 141, 230. 49

241, 130, 49

Of the estimates under the third general division \$89,900 is recommended, and in addition thereto a new item of \$25,000 for Coast Artillery war instruction.

The funds appropriated under the fortification acts are expended by or under the supervision of the Chief of Ordnance, the Chief Signal Officer, and the Chief of Engineers. In general terms the Chief of Ordnance has charge of those items pertaining to seacoast cannon, including their carriages, sights, implements, and equipments; montain, field, and siege cannon, including their carriages, sights, implements, and equipments; ammunition for mountain, field, and siege cannon; ammunition, subcaliber guns, and other accessories for seacoast artillery practice; ammunition, subcaliber guns, and other accessories for mountain, field, and siege artillery practice; alteration and maintenance of seacoast artillery; altera-

tion and maintenance of mobile artillery; current expenses of the ordnance proving ground, Sandy Hook, N. J.; necessary expenses of officers
at the proving ground, and compensation of draftsmen. In addition he
has charge of the accounts, although not of the disbursements, pertaining to submarine mines, and the Board of Ordnance and Fortification, and expends the funds allotted him by the Secretary of War for
fire-control instruments.

The Chief Signal Officer has charge of the operation and maintenance of
fire-control installation at seacoast defenses and the expenditure of
such funds as may be allotted him by the Secretary of War for the
procurement of wiring and instruments for communication service from
the appropriations for fire control.

The Chief of Engineers has charge of the construction, maintenance,
repair, and modernization of emplacements for seacoast armament;
installation and replacement of electric light and power plants and
searchlights at seacoast fortifications; procurement or reclamation of
land for sites for fortifications; preparation of plans for fortifications;
tools, electrical, and engine supplies for operating electric light and
power plants in seacoast batteries, and reserve lights therefor; construction, maintenance, and repair of sea walls and embankments;
construction, preservation, and repair of structures for torpedo defense;
land defenses of seacoast fortifications, exclusive of electrical communications and armament; and the expenditure of such funds as may be
allotted him by the Secretary of War from fire-control appropriations
for construction of fire-control stations and accessories and purchase of
lands and rights of way.

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The estimate for fire-control stations and accessories purchase o

LIMITATION ON PURCHASES.

the Chief of Coast Artillery and disbursed under his supervision; the accounts are kept by the Chief of Ordanace.

LIMITATION ON PURCHASES.

The following limitation not heretofore imposed on appropriations is recommended, namely:

On page 9:

"Of each of the sums appropriated by this act, after deducting any amounts required to meet foligations authorized in previous acts to be entered into by contract, not more than 10 per cent may be used to purchase not exceeding 10 per cent in quantity or value of any article or material herein appropriated for that can be manufactured at the manufacturing costs."

The purpose of this limitation is to require practically the entire materiel for seacoast defense and for the Field Artillery, together with the ammunition for the same, to be manufactured at the assensity of the arsenals and the facts touching costs of manufacture and purchase seemed to warrant. In the sundry civil act of a year ago provision was made for the expenditure of \$250,000 for alterations of buildings and equipment at the Rock Island Arsenal so as to enable that arsenal to very greatly increase its output of field-artillery materiel. As a result of a limitation upon the fortification act of last small arms powder, required by the Army. Due to the enlarged capacity of the Rock Island Arsenal and a lessening of the work at other arsenals in the manufacture or small arms, the Government is now in a position to manufacture practically all of the materiel and ammunition for seacoast camon and Field Artillery, and at a saving in cost ranging from 17 per cent to 50 per cent of the price asked by private minimum and the proposition of the materiel for the Field Artillery, and at a saving in cost ranging from 17 per cent to 50 per cent of the price asked by private price of the price asked by private and the proposition of the materiel for the Field Artillery, and at a saving in cost ranging from 17 per cent to 50 per cent of the price asked by private price of the price asked by private and the proposition of

tions in the sundry civil act for Panama Canal fortifications; a saving of 25 per cent on 52 per cent of this sum would amount to \$45,400 additional to the above.

The estimated cost of completing the mobile artillery ammunition supply for the guns already provided is approximately \$13,000,000, and for the guns provided and needed to complete the contemplated scheme is approximately \$19,700,000; 39 per cent saving on one-half of the first-named sum is \$2,535,000 and a similar percentage of saving on one-half the second-named sum is \$2,841,500.

The foregoing amounts include the ammunition and guns carried in the Army and fortification bills. The policy, therefore, of practically complete arsenal manufacture of mobile artillery ammunition in place of divided arsenal manufacture and purchase means an ultimate saving of nearly \$3,000,000.

The total estimated cost of armor plerging projectiles needed to complete the contemplate of the cost of the same projectiles needed to complete the cost of armor plerging projectiles needed to complete the cost of armor plerging projectiles needed to complete the cost of the cost

The total estimated cost of armor-piercing projectiles needed to complete the prescribed allowance for the guns in continental United States and the insular possessions is approximately \$5,000,000. If 52 per cent of this value was expended with private manufacturers, it would amount to \$2,600,000, and if this much work was done at the ordnance establishment at a saving of 25 per cent the corresponding saving would be \$625,000.

establishment at a saving of 25 per cent the corresponding saving would be \$625,000.

The corresponding values for ammunition for the fortification of the Panama Canal are \$866,000 to complete the armor-piercing projectile supply and a possible saving of \$112,580 through 25 per cent saving on 52 per cent of the supply.

These figures need only to be stated to warrant, in the opinion of the committee, the policy herein set forth—the policy of complete arsenal manufacture—and while it is possible that the price of manufacture in this material might become less there is an equal probability of additional economies in the manufacturing costs at the arsenals, and your committee did not feel that the desirability of expansibility in time of need that might result from using the arsenals now only to a limited amount of their capacity and add to the total output by private manufacture was sufficient to outweigh the very great economies referred to. It is very proper that in this statement reference should be made to the unusual skill and efficiency of the Chief of the Ordnance Department and the men under him, whereby the great saving of cost in manufacture has been made possible.

The policy of manufacturing practically all the powder needed will, as indicated, be continued. Powder for the Army, now manufactured at the Picatinny Arsenal, is costing the Government 40 cents per pound, whereas a few years ago, prior to the placing of a limitation upon the price, the Government was paying for this character of powder 67 cents a pound and is now paying for such powder for the Navy 53 cents a pound.

The only new project entered upon in this bill is that touching the land defense of the Hawaiian Islands, for which an appropriation of \$457,000 is proposed to begin the engineering work in connection with such defense. The total cost of this project, it is estimated, will amount to \$586,000.

Your committee felt constrained to recommend such appropriations, due to an appreciation of the tremendous importance of the Hawaiian.

Your committee felt constrained to recommend such appropriations, due to an appreciation of the tremendous importance of the Hawaiian Islands from a military and naval standpoint, coupled with the fact that we have already expended approximately \$12,000,000 in seacoast defenses and for the making of a naval base at Pearl Harbor, and that not to authorize the expenditure of this additional sum in protecting from land attack these defenses seemed to be for the committee to take a position that could in no way be justified.

Mr. CALDER. Mr. Chairman, I yield five minutes to the gen-

tleman from Kansas [Mr. CAMPBELL].
Mr. CAMPBELL. Mr. Chairman, war is a barbarous and inhuman way of settling international differences. It means the destruction not alone of the flower of the young manhood of a nation, but it goes home to the fireside and makes widows, it kills sons, maims sweethearts, and leaves brothers lying upon the field. It is for this reason that I protest against the consideration of annual appropriation bills for the defense of our country and for reasonable preparation for war with war imminent at every hour. I contemplate war with such fear and such horror that I have been scared stiff every year in the 10 years I have been here. Just at the time that we are taking up for consideration the Army and the Navy appropriation tills, some one is able to get into every newspaper that reaches Washington news, under glaring headlines, of impending war. contemplate appropriations for guns and ammunition that may be used in the destruction of life as I contemplate the appropriations for the maintenance of the Interior Department, the Department of Justice, or the Department of State, which after twenty centuries of Christian civilization ought to settle every international difference without resorting to the arbitrament of arms. I protest further against unjust criticism of our Army and Navy that is implied in the stories of unpreparedness for war, carried just at the time when we are preparing the Army and Navy appropriation oills. Have we in 10 years appropriated twenty thousand millions of dollars to no purpose? Is it true that all of the money that has been appropriated in the past 10 years leaves us to-day where it was said we were 10 years ago, unprepared to defend ourselves against any foe? If so, appropriations made this year and Lext and for the next 10 years to come will be alike of no avail. I protest, therefore, against the consideration of both the Army and the Navy appropriation bills under a manufactured sentiment giving rise to fear of impending war, and further I protest against the criticism that our Army and Navy have been unable to prepare to properly defend us with the money that has been appropriated in the past for this purpose. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. Houston having taken the chair as Speaker pro tempore, a message from the

Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3625. An act to authorize the Missouri, Kansas & Texas Railway Co. to construct a bridge across the Mississippi River near the city of Hannibal, in the State of Missouri;

S. 3742. An act to authorize the Hudson River Connecting Railroad Corporation to construct a bridge across the Hudson

River in the State of New York; and S. 4094. An act authorizing the construction of a bridge and approaches thereto across the Columbia River at or near Vancouver, Wash.

FORTIFICATIONS APPROPRIATION BILL.

The committee resumed its session.

Mr. CALDER. Mr. Chairman, I yield 25 minutes to the gen-

tleman from California [Mr. HAYES].

Mr. HAYES. Mr. Chairman, I shall not devote the time at my disposal to a discussion of the fortifications bill, but shall devote it to a discussion of District of Columbia affairs

It has lately been proposed by several gentlemen on this floor to repeal the act of 1878; to summarily end the payments made by the United States Government toward the maintenance of the National Capital. This proposition I earnestly and em-phatically oppose. The withdrawal of governmental funds from the District must inevitably lead to one of two results either the burden of taxation upon the District people must be doubled or the expenditures must be reduced one-half. would not only be a burden too grievous to be borne, but would be manifestly unfair. The people of the District, as I propose to show later, already do their full duty in the matter of paying taxes, and it would be unjust to compel them to maintain the National Capital at their own expense. Even if the question of equity did not enter into consideration, the people of the United States certainly have a pride in their National Capital, and I can not believe that they would willingly see its development and progress stopped by antagonistic legislation. Believing also that the plighted faith of the United States is involved in the contract which now exists under the name of the organic act, I shall take time to briefly consider two propositions:

First. The spirit in which the organic act was framed and enacted.

Second. Why the organic act should not be amended, altered, or repealed.

It must be admitted that conditions here are absolutely unique. Selected as the Capital of the Nation, the District of Columbia is under the absolute control of Congress. The people here are not only barred from any future hope of statehood, but they can never have complete management of their own affairs. Whatever they do will always be subject to the revision of Congress, and Congress will in the future pass laws affecting District interests, independent of action taken by any local legis-lature or council or influence, just as it has done in the past. We are not dealing with an ordinary municipality nor even with a city in which normal conditions exist. During its entire existence the District of Columbia has been kept free from commercial and mercantile invasion, although contiguous to the coal fields of Maryland and West Virginia, and with an adequate water front and harbor. A sense of pride has kept Washington a purely residential city-free from all the objectionable accompaniments to large manufacturing enterprises. The result has been, however, a marked lack of wealth among its citizens. There are no merchant princes or corporate barons in the District of Columbia. The handsome residences, not overnumerous, are owned and occupied by those who have been successful elsewhere. The population is, as a whole, composed of persons of moderate means, mostly Government employees, who, as every one knows, are not extravagantly paid. Washington has more homes paid for on the monthly installment plan than are purchased or built otherwise. Notwithstanding this, the area occupied by the National Capital spreads over the large area of 70 square miles, while the streets and avenues are abnormally wide, and thus unusually expensive to keep in proper condition. Its parks are very extensive and numerous and are correspondingly expensive to maintain.

Present conditions did not always obtain. For 70 years the District of Columbia existed upon its own resources. sult was lamentable. The city was an unkempt village, the laughing stock of every visitor, and a disgrace to the Nation. During these 70 years the people of the District spent over \$90,000,000 on the Capital, while the Nation contributed little or nothing. After the war Washington became the mecca of thousands of free negroes, and negro suffrage became a prob-lem which Congress solved by denying everybody the right to vote. In 1871 it gave the District a Territorial form of government, with a governor and board of public works appointed by

the President and confirmed by the Senate, and with the upper house of the Territorial legislature also appointed. It was these men, agents of Congress, and in whose selection the people of the District had no voice, who, by their comprehensive system of improvements-doing for the Nation what ought to have been done by the Nation—saddled a debt of \$22,000,000 upon the District, a debt still unpaid. The three commissioners whose appointment was authorized by law in 1874 were really the receivers of a bankrupt corporation.

For four years Congress gave earnest consideration to the best form of government for the District, a strange contrast to the methods of those who would to-day hastily and without consideration tear down a structure which took four years to plan, and which for nearly 40 years has been splendidly developing, without suggesting any adequate plan to take its place. During these four years the three commissioners served with such admirable efficiency that Congress concluded to make the system permanent. This brings me to the passage of the organic act, the vital principle of which is the half-and-half arrangement, by which the United States shares equally with the District taxpayers the expense of the local government. Since this arrangement went into effect Washington has been transformed from a veritable mudhole into a city which is already the pride of the American people and which bids fair, if its progress is not paralyzed by the success of the efforts which I am combating to-day, to become one of the most beautiful capitals in the

It is worth while, now that this organic act is being assailed, to glance for a moment at the spirit in which it was framed. Its inception was designedly nonpartisan and nonpolitical, "so that whatever system of government may be established, it will not be subject to the shiftings and changes of party poli-The report of the joint select committee to select a suitable form of government for the District of Columbia, submitted by Senator Morrill, of Vermont, emphasized what was called "the unity of interest" between the Nation and its Capital, and then declared that-

The demand for expenditures, as indicated in the disposition of its avenues and streets and numerous squares, will necessarily be upon a scale beyond what might reasonably be imposed upon or drawn from the resources of a business or resident population.

After repeating that conditions here "necessarily impose on Congress the duty of making provision for needful expenditures," the report contains this paragraph, which I earnestly commend to the attention of the House:

The fact that it is the Nation's capital justly inspires a national pride in its welfare; will, as the years come and go, commend it to the solicitous care of the representatives of the people of all parties; will make it, it is to be hoped, that common ground where the fervor of particisms will rise above the zeal of partisanship, and the laws, appropriations, and appointments to office will be made in relation to its wants and cease to be shaped by partisan aspirations or local interests.

It was in this broad and lofty spirit that Democrats like Blackburn, of Kentucky, and Thurman, of Ohio, joined with Morrill, of Vermont, and other Republicans in devising the organic act. There never was any question whether the United States should or should not contribute to the support of the capital. The only debate was over the percentage of the ratio.

The people of the District-

Said Mr. Blackburn-

have a right to demand that we shall fix permanently their relations to the General Government. It is the Federal Government on the one side treating with the Federal city on the other side. The people of the District have a right to protest against being left subject to the whim and caprice of Congress with each recurring session.

I commend that statement of the distinguished citizen of his

State to the careful consideration of the gentleman from Kentucky [Mr. Johnson]. Therefore, after some discussion, during which the ratios of 40, 33, and 25 per cent were rejected, a 50 per cent, or half and half, ratio was adopted. If there is any doubt that the organic act was intended to be a permanent contract, let it be stated that the following amendment was offered to the bill:

Congress reserves the right at any time to repeal, alter, and amend any and all provisions of this act.

This amendment, although advocated upon the ground that it gave judicial notice to all residents of the District that their investments or other interests were subject to "the whim or caprice of Congress," was deliberately voted down; and if this did not show the intent of Congress in dealing with the District, the Supreme Court of the United States gave its interpretation to the statute when, in the unanimous decision ren-dered by Associate Justice Brewer in the case of Eckloff against

the District of Columbia, referring to the act of 1878, it said:

The court below placed its decision on what we conceive to be the true significance of the act of 1878. As said by that court, it is to be regarded as an organic act, intended to dispose of the whole question of a government for this District. It is, as it were, a constitution for the District. It is declared by its title to be an act to provide "a permanent form of government for the District," The word "perma-

nent" is suggestive. It implies that prior systems have been temporary and provisional. As permanent it is complete in itself. It is the system of government. The powers which are conferred are organic powers. We look to the act itself for their extent and limitations. It is not one act in a series of legislation and to be made to fit into the provisions of the prior legislation, but it is a single, complete act, the outcome of previous experiments, and the final judgment of Congress as to the system of government which should obtain. It is the constitution of the District.

Despite all this, the effort is now made to take out of the organic act its essential paragraph of Federal partnership with the District-an effort not marked by serious deliberation of all the facts and arguments upon the subject, but characterized by remarkable feeling and blindness to facts. Granting, however, for the sake of the argument, that the United States Supreme Court was wrong and that the District is to be forever menaced by the shifting fancies of a congressional majority, let me meet squarely the question whether it would be wise, equitable, or patriotic to repeal the half-and-half provision of

the organic act.

I have read carefully the speeches delivered in this House recently by the gentleman from Georgia [Mr. CRISP] and the gentleman from Iowa [Mr. PROUTY]. The principal argument of the former is that the Democratic majority in the House should stand by its party platform and economize by cutting off \$6,000,000 from the District, thus keeping "our pledges to the people." I favor economy, Mr. Chairman, but I give the Democratic Party the credit of believing that its voters never intended that the first reduction should be at the expense of the beauty and growth of a National Capital which is our common pride. I do not believe that the time has come when the Nation will begrudge, out of its enormous revenues, a paltry five or six million dollars for the city where its seat of government is located. When I recall the vast sums which have been expended for public buildings, river and harbor improvements, and other public enterprises, it seems to me that the money which is devoted to the development of the National Capital is not ill spent.

The principal contention of both gentlemen is that their constituents are opposed to being taxed for the maintenance of the National Capital. With all due respect to the gentlemen, I do not believe that this opposition is either widespread or serious. If so, it has sprung up like a mushroom after a summer shower and after lying dormant for 39 years. The gentleman from Iowa [Mr. Proury] has submitted some figures showing the proportionate expense of the District as borne by the States. Let me take Iowa for an example. The tax upon Iowa, if it can be called a tax, is \$149,912, divided among 2,224,771 people. This means a "burden" of less than 7 cents a head—and where in Iowa or anywhere else in this Union will you find anyone complaining of contributing 7 cents toward the National Capital, especially when the contribution is an indirect one? In Georgia the proportionate cost is \$175,810, and as there are 12 congressional districts in Georgia the "burden" assumed by each district is approximately \$14,000. It is a sum which does not come directly out of the pockets of the people, and I take the liberty of doubting whether the people of Georgia are greatly exercised over the organic act. As for California, which I have the honor, in part, to represent, I know that there is in that State a patriotic and unselfish interest in the National Capital, even though the great distance across the continent makes it impossible for any great number of Californians to make frequent visits here.

There is still another grievance. It relates to real-estate transactions. The gentleman from Georgia [Mr. CRISP] says:

Since the act of 1878 the city of Washington has rapidly grown, and to-day many woodland tracts, many miles remote from the city of Washington, have been by real-estate speculators laid out into beautiful residence sections. Paved streets, lights, sewers, and all other modern conveniences have been brought thereto at the public expense. Millions of dollars have been spent in laying out streets and paving them, and half the cost paid out of the funds of the United States.

That, Mr. Chairman, would be a serious charge if it were true. It is not true in any particular. What are the facts? Under an act approved March 2, 1893, to provide for a permanent system of highways in that part of the District of Columbia outside of the cities of Washington and Georgetown, it is expressly directed that not one penny of the cost of establishing or improving a suburban street or highway shall come out of the Treasury of the United States. In the matter of the condemnation of property, one half of the cost is to be paid by assessments upon contiguous land and the other half is taken out of District revenues. The expense of improving the high-ways is taken entirely out of the District revenues. For the sake of accuracy I append the extract from the law, as follows:

Sec. 15. That the amount awarded by said court as damages for each highway or reservation, or part thereof, condemned and established under this act, shall be one half assessed against the land benefited thereby and the other half shall be charged up to the revenues of the District of Columbia; that one-half of the amount awarded by said court as damage for each highway or reservation, or part thereof, con-

demued and established under this act shall be charged upon the lands benefited by the laying out and opening of such highway or reservation, or part thereof, and the remainder of said amount shall be charged to the revenues of the District of Columbia. * * * That no expense for the improvement of any street, circle, reservation, or avenue laid out under the provisions of this act, outside the cities of Washington and Georgetown, shall be chargeable to the Treasury of the United States, but such expense shall be paid solely out of the revenues of the District of Columbia.

Water and sewers are put in in every case at the expense of the property owner

the property owner.

Mr. PAGE of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. HAYES. Certainly.

Mr PAGE of North Carolina. Is it the gentleman's contention that the appropriations made for the upkeep of highways in the District of Columbia are paid entirely out of the revenues of the District?

Mr. HAYES. It is not. I have not so stated. The upkeep of established highways in the so-called city of Washington, leaving out the suburban sections and the city of Georgetown, is paid just as the upkeep of all streets is paid in all cities I know of out of the general revenues.

know of—out of the general revenues.

Mr. PAGE of North Carolina. Are not the highways in the District of Columbia, outside of the city of Washington, or the old city of Georgetown, also paved out of the general appropriation, half of which is from the National Treasury and half from the District revenues?

Mr. HAYES. They are, after improvements have once been

Mr. PAGE of North Carolina. And is not the construction of them?

Mr. HAYES. No; they are not, nor have they been for 20

This act was passed 20 years ago and has been scrupulously administered by the District authorities. More than this, 10 years ago, on March 3, 1903, an act was approved making appropriations for the District of Columbia, and containing this provise:

Provided further, That nothing contained herein shall be so construed as to require the United States to bear any part of the cost of street extensions and all advances heretofore or hereafter made for this purpose by the Secretary of the Treasury shall be repaid in full from the revenues of the District of Columbia.

It is a common belief, but not based on facts, that the improvements made in the suburbs are at the expense of the people of the United States. The law is distinctly otherwise. As a matter of fact, most of these improvements are made by private enterprise. A notable instance of public improvement at private expense was the donation of Connecticut Avenue extended, from Rock Creek Bridge to Chevy Chase, to the District, and its grading and paving at a cost of between \$300,000 and \$400,000, not a cent of which was paid either by Federal or District taxpayers. The United States does not, as the gentleman from Georgia asserts, pay this bill for new streets nor any part of it.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. HAYES. Certainly.

Mr. MAPES. Does the gentleman make a distinction between the pavement of streets that are laid out and used and streets that are not laid out but are put in new?

Mr. HAYES. I make a distinction, and they do in all cities, between the first opening and improvement of a street and its

repair and upkeep after it is improved.

Mr. MAPES. If any community wishes to have paved a street which is now laid out and used but not paved, how is the expense borne?

Mr. HAYES. I understand that the first opening and improvement is made out of the District revenues absolutely and entirely, and not by the United States; after that, half the expense would be borne by the Federal Treasury.

Mr. MAPES. Whether it is condemned or not?

Mr. HAYES. Yes.

The claim is also made, as affording foundation for attacking the half-and-half principle, that the property owners of the District are underassessed. The main basis for this claim is a report from some members of the House District Committee, who accepted figures given to them by persons employed for the purpose. According to this report, which is quoted by the gentleman from Georgia, the total valuation of the real estate in the District of Columbia should be \$744,000,000, which is said to be \$414,000,000 below its true value. As a matter of fact, the total valuation of real estate made by the District assessors for the current year is \$517,000,000, with a revenue of \$1.50 per \$100 on two-thirds valuation, or approximately \$5,170,000.

Mr. MADDEN. Does that include the property owned by the Government of the United States?

Mr. HAYES. It does not,

Mr. MADDEN. Upon which, of course, there ought to be taxes paid?

Mr. HAYES. I will have reference to that later on.

It is, of course, inevitable that experts will differ as to the value of real estate. There is one way, however, to determine whether District real estate is underassessed, and that is by comparison with the figures from other cities. This comparison shows that Washington is over, rather than under, assessed. The following table gives the realty assessment basis and the realty assessments raised to the 100 per cent basis in the case of 18 cities most closely approximating Washington in size, the figures being taken from the census for 1910:

	Realt	у.		
City.	Assessed 100 per cent basis.	Assess- ment basis.		
Detroit Buffalo San Francisco Milwaukee Cincinnati Newark New Orleans Washington Los Angeles Minneapolis Jersey City Kansas City Seattle Indianapolis Providence Louisville Rochester St. Paul	\$259, 798, 330 406, 549, 653 866, 526, 486 314, 384, 458 321, 134, 383 271, 834, 269 207, 331, 067 427, 730, 656 493, 746, 512 293, 119, 538 184, 481, 409 193, 339, 880 333, 184, 833 204, 763, 216 190, 138, 040 153, 790, 913 196, 382, 481 159, 594, 066	Per cent. 100 75 50 60 60 100 75 666 50 100 50 45 60 100 70 80 60		

In this list there are only two cities—San Francisco and Los Angeles—where the total valuation is in excess of Washington, while Cincinnati, Buffalo, Detroit, New Orleans, and other large and flourishing cities are far below the National Capital. This would not be the case if Washington property was underassessed. As a matter of fact, Washington property is now bearing all the burden that ought in equity to be placed upon it.

Nothing could better illustrate the fact that the National Capital is the home of many people of moderate means than to state that the number of property owners who pay \$5,170,000 in taxes annually is 50,000. This is an average per capita of \$103.

Another indication of the comparatively small wealth in Washington and the almost entire absence of a commercial population is the fact that the Commercial Club, an institution organized especially by business men, has a modest home, with about 400 members, while the Cosmos Club, which appeals to Government officials, scientists connected with departmental bureaus and semipublic institutions, and others who are not in the highly taxed class, numbers fully 2,000 members. Illustrations to show that any increase of taxation in Washington would fall largely upon a very large number of residents who are already denying themselves in order to buy small homes could be indefinitely multiplied.

There is also another method whereby it can be determined whether the people of the District of Columbia are tax dodgers and shirkers of civic responsibility. This is the per capita tax.

With revenues from all methods of taxation aggregating about \$7,000,000, and the population being approximately 350,000, it will be seen that the per capita tax in the District is about \$20. The actual census figures are \$19.04. The per capita tax on the basis of real-estate revenues is high, as will be seen by the following table:

City.	Tax rate.	Per cap- ita tax levy on actual basis.
Minneapolis Newark Jersey City Cincinnati Milwaukoe Washington Buffalo Indianapolis Detroit Cleveland St. Paul New Orleans Louisville	\$3, 22 2, 04 2, 20 1, 48 1, 58 1, 50 2, 40 2, 12 1, 199 1, 36 2, 93 2, 20 1, 79	\$21. 38 20. 88 19. 83 19. 36 18. 55 17. 79 17. 53 17. 30 15. 68 15. 54 13. 65 12. 98

Mr. LINTHICUM. Will the gentleman yield?

Mr. HAYES. I will.
Mr. LINTHICUM. Does the gentleman have any figures in regard to the proportion of the colored population?

Mr. HAYES. I have—I have that here. Mr. LINTHICUM. I would like to hear that.

Mr. SIMS. Will the gentleman yield?
Mr. HAYES. I do.
Mr. SIMS. I want to ask the gentleman, because he has given this matter investigation, whether the rates the gentleman has given for the cities compared with Washington are for city purposes? Now, then, do not these same people in these State cities pay taxes to the State and county which is used after a fashion for strictly local purposes, and is not the Washington tax confined alone to city purposes?

Mr. HAYES. Technically the gentleman is correct as to some

of the cities I have named. As to others he is not.

Mr. SIMS. Those are the facts and that is the reason why

Washington is the cheapest taxed city in the world.

Mr. HAYES. In the case of Milwaukee, for example, the figures represent substantially the total taxes, as Milwaukee County is practically coterminous with Milwaukee city, and the revenues of the State of Wisconsin are derived almost exclusively from licenses and other income from corporations, and not from direct taxes on the people. When I lived there we had no State tax to pay, as a rule. When, once in three or four years, we had one, it was very small. The same thing is largely true of other States. Even in cities where a State tax is regularly collected, the amount per capita would be quite small, and would not very materially change the figures I have given.

The per capita tax in Washington, high as it is, must be considered in relation to all the facts in order to fully appreciate the price which the taxpayers pay for the privilege of residing here. The colored population of Washington is about 95,000, about 28 per cent of the total. While there are many thrifty colored persons here who own their homes or otherwise pay taxes, the fact remains that fully 90 per cent of the colored population does not belong to the tax-paying There are fully 90,000 more white persons who, be reason of poverty on the one hand, or transient residence on the other, belong in the same category. Consequently, there is a per capita tax of \$40 upon the tax-paying population, and it is proposed by the Crisp bill to raise this to \$80 per capita, a figure far in excess of any other city in the country. With taxes equitably and not excessively assessed, the National Capital may be expected to steadily progress. Increase taxation to the point of extortion and confiscation and immediately the accessions to the population will cease, while thousands of residents will seek refuge in places where they are not in danger of being taxed out of existence.

Mr. SIMS. Will the gentleman yield?

Mr. HAYES. I do. Mr. SIMS. Does the gentleman know of any Member of this House who wants to put the tax burden of supporting this city upon the local people?

That is the purpose, I understand, of the Mr. HAYES. gentleman from Georgia, the gentleman from Kentucky, and the gentleman from Iowa.

Mr. SIMS. I understand that to be entirely different,

Mr. HAYES. That is the way I see it.

The abolishment of the half-and-half plan does not mean the Government of the United States will not pay its proper proportion. It might be more than half or less than half. Mr. PAGE of North Carolina. Will the gentleman yield?

Mr. HAYES. I do.

Mr. PAGE of North Carolina. I desire to ask the gentleman if he is familiar with what is known as section 8 in the District appropriation bill recently passed by the House where provision was made by which the National Government is contributing to the upkeep of the city of Washington and District of Co-

Mr. HAYES. That is the usual course.

Mr. PAGE of North Carolina. Not at all the usual course. The principle written in that section that went to the House in the appropriation bill was to pay, out of the revenues derived taxes on property in the District of Columbia, supplemented from the Treasury of the United States, such amount as in the judgment of Congress might be necessary for the proper conduct of the District. What does the gentleman say about that section?

Mr. HAYES. I say that, after an experience with the present plan for 40 years last past, in my judgment there is no occa-

sion for changing the present policy.

Mr. PAGE of North Carolina. Upon what does the gentleman base the equity of the half and half or any other percentage basis of appropriation?

Mr. HAYES. I will tell the gentleman what I mean. the city of Washington, since I have been a Member of Congress, we have added quite a large extent of territory to the Capitol Park, extending to the Union Station, which will make the city very much more attractive when the visitor is landed here

Mr. PAGE of North Carolina. However, that was done from national appropriation and not the District appropriation.

Mr. HAYES. In that particular instance it was, though half the cost of other parks added has been paid by the District. But that park must be improved-it has to be kept upotherwise it will be an eyesore instead of an attraction, and half of this expense is paid for, as half the expense of all parks is paid for, by the District.

Mr. PAGE of North Carolina. It will be kept up just as the

Mall is kept up-by a national appropriation.

Mr. HAYES. But half of the amount is supplied by the District taxpayers. I would like to see all the south side of Pennsylvania Avenue in the control of the Government as a part of the Mall. I would like to see it added to the park system of Washington, and all that means an added expense to the District taxpayer, who must pay one-half of the expense of the improvement, care, and upkeep of these parks. I do not wish to see a niggardly cutting off of appropriations from the Federal Treasury, but, if necessary, more money appropriated from the Treasury to build up and beautify the Capital. I would like to see more appropriations and more money spent in enlarging the park system of this city, and thereby adding new beauties to it, but that means added expense for the care and upkeep of the parks, one-half of which is borne by the It would be most inequitable to ask the people of the District to stand all the expense of these improvements.

It is remarkable that after 40 years of conditions which have resulted in great progress an endeavor should be made to overturn them without offering even a substitute. If Washington had been the victim of maladministration, if its government had been inefficient and dishonest, or if the Government funds had not been expended wisely by Congress itself, there might be some reason for seeking a change. Such, however, is not the The District has prospered greatly under the system made legal by the organic act-a system which very properly recognizes the national character of Washington, appreciates that it is not a mercantile or manufacturing center, and provides for sharing the necessarily large expenditures due to the manner in which the city was originally designed. If the halfmanner in which the city was originally designed. If the half-and-half principle is abolished, is the United States to pay nothing, even though it owns land and buildings valued at \$300,000,000; even though its land holdings, the excessively wide streets, and the numerous and large parks make up onehalf of the area of the city? Is the United States to accept as a gratuity such police and fire protection as the District may be willing to afford? Are Senators, Representatives, Cabinet officers, Government officials, and the strangers who are constantly within its gates to impose upon Washington for the education now gladly accorded to their children? Are the people of the District to maintain in perfect order the wide streets and avenues, which not only cover broad areas of the city proper, but which, by act of Congress itself, are compelled to be projected upon the same generous lines to the very borders of the District, and which no people in possession of their senses would ever seriously think of imposing upon themselves, but which make the National Capital what it is and should be? These are questions which instantly arise when the suggestion is made that the half-and-half principle shall be abolished. They are questions not to be decided in a hasty discussion upon a report from a committee which has not had a hearing upon the subject. There is really no necessity for their considera-tion, because it is the part of wisdom to let well enough alone. If, however, we want substantial progress in the future, even though it be upon new lines, let us be afforded an opportunity to consider legislation which will construct and improve and not destroy what we already have. Let such legislation be considered and passed upon broad, patriotic, equitable lines and not be prompted by niggardliness or a spirit of enmity or unfriendliness toward the people of the District. [Applause.]

Mr. SHERLEY. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. Donohoe].

Mr. DONOHOE. Mr. Chairman, I deem this a proper and, I hope, a favorable time to bring to the attention of the House the great saving to the Government that is being effected at the Frankford Arsenal and the still greater saving that can be effected through the expenditure of a comparatively small sum in betterment of that plant.

In the short time allotted me I can not hope to touch more than the high points of this subject. I must therefore be content to speak briefly of the arsenal, its advantages, its economies, its needs. The story is an interesting one, especially to those whose duty it is to make appropriations of the public funds with a view to securing the best returns to the Nation.

Frankford Arsenal is located in northeast Philadelphia, in the congressional district which I have the honor to represent. It was established in 1814 and formally opened in 1817 by President Monroe. It has an area of only 63 acres, and the value of the land, buildings, and machinery is about three and a half million dollars. It manufactures most of the small-arms ammunition used by the Army, the Navy, and the Organ-ized Militia of the United States and a large part of the artillery ammunition used by the Army.

Its location as a manufacturing plant is most favorable. This

fact was recognized as far back as 1875, when a board of ordnance officers recommended that the plant be enlarged and that 75 acres of additional land be purchased for that purpose.

Being within the city of Philadelphia, it is easily accessible for 250,000 skilled workmen. It is within 275 miles of the softcoal fields of Pennsylvania, the source of its fuel supply; within 150 miles of Connecticut, from which it draws its brass for manufacturing; within 57 miles of Bethlehem, Pa., 58 miles of Reading, Pa., and 350 miles of Pittsburgh, Pa.; from which points, as well as from Philadelphia, it procures its steel; within 30 miles of Carneys Point, N. J., and 136 miles from Picatinny Arsenal, N. J., from which it gets its explosives for the manufacture of ammunition,

Its shipping facilities are unsurpassed. It has direct rail-road connection with the Pennsylvania Railroad, while the other railway lines that enter Philadelphia, the Reading and the Baltimore & Ohio, are within easy reach. In that great railroad center a supply of suitable cars for all purposes is procurable at all times on short notice. It has also a dock on the Frankford Creek, within a few hundred feet of its entrance to the Delaware River, so that shipments by water may also be made.

These advantages of location-unrivaled labor market, proximity to supplies, and adequate transportation facilities—are the main factors in the development of the remarkable economies of Frankford Arsenal. I will quote figures that have been obtained from the War Department and some of which have already appeared in the Congressional Record.

In the manufacture of artillery ammunition on orders issued between July 1, 1912, and April 25, 1913, and which will be completed by July 1, 1914, the total cost, had the contracts been placed with the outside parties who bid on the work, would have been \$2,879,904.99. As made in Frankford Arsenal, the total cost will be \$1,900,064.05, a saving to the Government of \$979,840.94.

In the purchase of artillery ammunition on orders issued between July 1, 1912, and April 25, 1913, and to be delivered before July 1, 1914, the Government will pay the sum of \$1,112,334.95, whereas if made in Frankford Arsenal the cost would be \$800,120.11, showing a loss of \$312,214.84 to the Government in the purchase of a part of its requirements in artillery ammunition.

In the manufacture of small-arms ammunition between July 1, 1912, and July 1, 1913, the price asked by outside contractors was \$2,267,840, while the total cost of its manufacture in the Frankford Arsenal was \$1,657,530, showing a saving to the Government of \$610,310.

In the purchase of small-arms ammunition during the period July 1, 1912, to July 1, 1913, the Government paid the sum of \$331,030, whereas if made in Frankford Arsenal the cost would have been \$242,054, showing a loss to the Government of \$88,976 in the purchase of small-arms ammunition.

It will be seen, therefore, that in the manufacture of both artillery and small-arms ammunition at Frankford Arsenal there has been a saving to the Government in 18 months of \$1,590,150, and in the purchase of such ammunition from outside concerns in the same period a loss of \$401,190, or a grand total of \$1,991,-340 in favor of Frankford Arsenal.

But this large sum is not all that has been saved to the Government in the past 18 months through its operations at Frankford Arsenal. Other articles of artillery ammunition are made there which are not procured from outside manufacturers and, hence, no comparison of their cost can be made and no savings The arsenal during the last fiscal year returned to the War Department over \$500,000, resulting from the utilization of surplus and scrap materials which were on hand or had been received from various sources during the year. And during the present fiscal year there has been returned to the War Department over \$190,000 resulting from utilization of the same character.

In other words, within a period of 18 months the Frankford Arsenal, out of the funds allotted to it, has been able to give back to the War Department over \$700,000 as a result of the

skill of the management and the men in utilizing in manufacturing operations materials which in many establishments would be disposed of as mere scrap.

As to the needs of Frankford Arsenal, I have frequently visited the place, and recently I made two inspections of it in company with some Members of this House. These inspections convinced all of us that there is urgent need of increased facilities in the way of buildings and machinery. In the manufacturing shops the forces were operating in two shifts and on some work in three shifts per day. We found men working in garrets that are entirely unfit for American workmen. We were unanimous in declaring that an arsenal that must be approximately considered. two or three shifts a day in times of peace is poorly equipped to take care of orders in time of war.

We saw frame structures that were erected almost half a century ago, and in which are housed the chemical laboratory the electrical shop, and other departments. These frame buildings were condemned by the Inspector General's Department of the Army several years ago, and they should certainly be replaced with one fireproof building, which can be erected at a

To bring the plant up to date there would be required for the erection of new buildings and for the improvement of old ones the comparatively small sum of \$140,000, and for additional machinery to increase the output there should be appropriated \$200,000. The buildings and machinery urgently needed would therefore cost \$340,000. Surely we should not hesitate to appropriate that sum when we know that the Government is losing \$312,000 this year on existing contract orders for ammunition from outside manufacturers.

The acquisition of about 25 acres of adjoining land is very desirable. On that land could be erected powder magazines, which are now too close to the shop buildings and magazines for the storage of explosive ammunition, which, for want of such storage facilities, is now required to be shipped to Picatinny Arsenal at a cost of \$18,000 per annum, which represents interest on \$300,000. This land can now be bought for \$154,000. In case it is bought by parties who may utilize it for sites for dwelling houses, it is highly probable that much of the experi-mental work now being done at the arsenal, such as test firing, will have to be abandoned.

Then there is need of increased fire protection, which would cost about \$35,000; an office building to cost \$75,000; a storehouse to cost \$45,000; new sidewalks to take the place of those that have been condemned by the municipal authorities, the cost of which would be about \$10,000; some low land to be filled in at a cost of \$10,000.

The additional land, buildings, machinery, and improvements that are needed would cost little more than \$750,000. The expenditure of even a smaller sum would save to the Government the \$400,000 which it loses this year in being obliged to purchase a portion of its ammunition from outside manufacturers. Would any level-headed business man hesitate to make improve-ments in his plant if it were demonstrated to him that such improvements would bring him a profit of over 50 per cent per annum on his outlay? The improvements which we ask for Frankford Arsenal would net the Government more than that rate of profit. Estimating the entire plant at \$3,500,000, it pays for itself, even now, in 30 months. An expenditure of \$800,000 would save the Government over \$400,000 a year in time of peace and would so far improve the facilities and increase the capacity of the plant that many times that sum would be saved

capacity of the plant that many times that sum would be saved in time of war. [Applause.]

Mr. SHERLEY. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. Logue].

Mr. LOGUE. Mr. Chairman, it would seem almost needless to add anything of a statistical character to the very full and complete statement given by my colleague from Pennsylvania [Mr. Donohoe].

It must necessarily strike us that we have at the Frankford Arsenal, in Philadelphia, a Government plant out of which great economies can be worked. The figures are generally stated as showing a saving of \$750,000 annually on the basis of ammunition manufactured at our local arsenal and that purchased outside. At the present time the desire of those responsible for the maintenance of the arsenal and its upkeep is the extension of the plant, in the way of establishing buildings, as detailed and set forth by my colleague [Mr. Donohoe]. It appears to me as presenting a condition that warrants careful consideration. Three-quarters of a million dollars in a single year saved in any manufacturing plant certainly directs the attention to the extension of that plant so that greater economies can be obtained. This appears manifest, in view of the proviso that we have in the bill as regards the manufacture of 90 per cent by the Government as against 10 per cent purchased from out-side. The high skill furnished by our locality, its close access to the source of supplies, and all the other matters referred to by my colleague manifest good ground upon which to base any appeal for the extension of work at Frankford Arsenal.

Another thought that strikes me is the fact that this work is carried on under three shifts in order to produce the output that at present comes forth from the Frankford Arsenal, which means both the working of the night and day shifts. The new buildings that have been suggested, the extension of the plant, would relieve that and would enable this work and greater work to be done under the natural hours of work, which is the daytime instead of the night.

There is also a sanitary necessity there for the extension which is asked. I feel, therefore, Mr. Chairman, that the Frankford Arsenal presents a subject that should appeal to us in our desire for the extension of economies, inasmuch as this plant, from an economical standpoint, is manifestly one of the

best in the United States. [Applause.]

Mr. CALDER. I yield five minutes to the gentleman from Pennsylvania [Mr. VARE].

Mr. VARE. Mr. Chairman, as a member of the Committee on Appropriations, I am especially gratified to see it place a provision in this bill providing that at least 90 per cent of the small arms shall be manufactured in Government arsenals. It is not my purpose to take up the time of the committee in order to go into detail as to the many opportunities for economy and the improvement of the efficiency of the service in existence at the Frankford Arsenal. On a recent visit to that institution I saw a splendid opportunity, which any business man would be glad to embrace, for the placing into execution of these proposed improvements. I am absolutely opposed to working three shifts a day in an institution of this kind during times of peace. It has been said by those who favor purchasing ammunition by contract that it is essential that these outside plants be en-couraged. I would so increase the size of this plant at the

Frankford Arsenal that a full amount of supplies could be manufactured by one shift. The purchase of the proposed additional ground and an appropriation for the erection of these buildings would furnish a plant of sufficient size to meet the requirements with one shift. And then, having that improved plant ready for emergencies, in time of war, if need be, these two additional shifts could be put on.

I have a statement which I am not going to tire the committee by reading at this time, and I shall ask permission to print it in the Record. Therefore, I yield back the balance of my time, and

I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. VARE] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The following is the statement referred to:

FRANKFORD ARSENAL-STRIKING ECONOMIES.

PYPLANATION

EXPLANATION.

The tabulated statements which follow show the savings made at the Frankford Arsenal in the manufacture of artillery ammunition and small-arms ammunition when comparison is made with the latest contract prices for the same articles procured from outside manufacturers, and these statements also show the additional savings that would be made if the Frankford Arsenal had the capacity to manufacture the articles of artillery ammunition so ordered from outside manufacturers. It must not be overlooked that the Frankford Arsenal manufacturers in quantity other articles of artillery ammunition which are not procured from outside manufacturers, and therefore in such case comparison of cost can not be made and no savings reported.

The contract cost of finished shrapnel case forgings for the 3-inch gun and of a limited number for the 4.7-inch gun comprise the cost of the shrapnel case forgings as procured from the outside manufacturer and the additional arsenal cost of machining them so as to place the finished shrapnel case in the same condition as the corresponding shrapnel cases manufactured at the arsenal, for otherwise in these cases no comparison of cost can be made.

The total arsenal costs include 15 per cent to cover administration, depreciation, insurance, and interest charges. The contract cost includes 3 per cent which is added to the contract price to cover the cost of inspection, such as compensation of inspector, cost of conducting firing tests, etc.

Table I.—Manufacture of artillery ammunition—Statement of total arsenal costs and total contract costs for ammunition being manufactured at the Frankford Arsenal authority provided for in orders issued between July 1, 1912, and April 25, 1913, and which will be completed by June 30, 1914.

Articles.	Quanti- ties un- der man- ufacture.	Total arsenal costs per unit.	Aggregate total arsenal cost.	Contract price per unit.	Contract cost per unit.	Total con- tract cost.	Saving over contract costs.
3-inch finished shrapnel cases. 3.8-inch finished shrapnel cases. 4.7-inch finished shrapnel cases. 6-inch finished shrapnel cases. 3-inch common shrapnel without fuses or base charges. 3.8-inch common shrapnel without fuses or base charges. 4.7-inch common shrapnel without fuses or base charges. 6-inch common shrapnel without fuses or base charges. 3.8-inch common steel shell. 4.7-inch common steel shell. 4.7-inch common steel shell. 2second combustible fuses. 3second combustible fuses. 3inch high explosive shrapnel, fixed. Fuse stocks. Rear plugs for fuses. Front plugs for fuses.	2,000 3,961 5,000 48,000 7,000 6,900 9,500 10,605 7,077 48,000 26,500 55,000 74,500 74,500	\$1. 75 4. 68 8. 80 17. 10 3. 55 7. 94 15. 45 30. 20 2. 39 4. 81 8. 30 16. 75 2. 16 2. 92 10. 15 1. 66 18 08	\$17,500.00 9,360.00 34,856.80 85,500.00 170,400.00 55,580.00 151,000.00 16,491.00 45,605.00 88,021.50 118,539.75 103,680.00 77,380.00 558,250.00 123,670.00 13,410.00 6,705.00	\$3.06 6.65 9.37 16.00 5.79 17.50 25.26 37.00 4.87 9.17 12.46 17.93 4.30 17.00	\$3.15 6.85 9.65 16.48 5.96 18.03 26.02 38.11 5.02 9.45 12.83 18.47 4.43 7.21 2.47 2.2369 1751	\$31,500.00 13,700.00 38,223.65 82,400.00 286,080.00 126,210.00 377,290.00 190,550.00 34,638.00 89,775.00 136,062.15 130,712.19 212,640.00 191,065.00 17,649.05 13,044.95	\$14,000.60 4,340.00 3,366.85 -3,100.00 115,680.00 70,630.00 183,255.00 18,147.00 44,080.00 48,040.65 12,172.44 108,950.00 113,685.00 10,345.00 4,239.66 6,339.95

¹This was the lowest and only bid received, but no contract was made.

²The shrapnel projectiles only were ordered abroad, and the contract cost includes the cost of assembling the projectile to the cartridge case and charge and of the necessary rounds for firing test based on a previous order.

979, 840. 94

TABLE II.—Purchase of artillery ammunition—Statement of total contract costs and of total arsenal costs for ammunition being purchased from outside manufacturers covered by orders given between July 1, 1912, and Apr. 25, 1913, and which will be delivered before June 30, 1914.

Articles.	Quanti- ties ordered.	Contract price per unit.	Contract cost per unit.	Total contract cost.	Total arsenal cost per unit.	Total arsenal cost.	Contract cost over arsenal cost.
2.95-inch shrapnel-case forgings. 3-inch shrapnel-case forgings 3.8-inch finished shrapnel cases. 4.7-inch finished shrapnel cases. 6-inch finished shrapnel cases. 3.8-inch common shrapnel without fuses or base charges. 4.7-inch common shrapnel without fuses or base charges. 6-inch common shrapnel without fuses or base charges. 3-inch common steel shell. 3.8-inch common steel shell. 4.7-inch common steel shell. 6-inch common steel shell. 3-inch fixed high-explosive shrapnel.	7,055 9,615 5,760 2,500 7,000 1,500 3,000	\$3.06 3.06 6.65 9.37 16.00 17.50 25.26 37.00 4.87 9.17 12.46 17.93 13.17	\$3. 15 3. 15 6. 85 9. 65 16. 48 18. 03 26. 02 38. 11 5. 02 9. 45 12. 83 18. 47 13. 17	\$12,943.35 80,397.45 48,325.75 92,784.75 94,294.80 45,075.00 182,140.00 57,165.00 15,060.00 85,673.70 136,062.15 130,712.00 131,700.00	\$1.75 1.75 4.68 8.80 17.10 7.94 15.45 30.20 2.30 4.81 8.30 16.75 10.15	\$7,190.75 44,665.25 33,017.40 84,612.00 98,496.00 19,850.00 108,150.00 45,300.00 7,170.00 43,607.48 88,021.50 118,539.75 101,500.00	\$5,752.60 35,732.20 15,309.35 8,172.75 -4,201.20 73,990.00 11,865.00 7,890.00 42,056.24 48,040.45 12,172.25 30,200.00

Loss

Table III.—Manufacture of small-arms ammunition—Statement of total arsenal costs and total contract costs for ammunition manufactured at the Frankford Arsenal provided for in orders issued and completed between July 1, 1912, and June 30, 1913.

Articles.	Quantities manufac- tured.	Total cost per thousand.	Aggregate total cost.		Contract cost per thousand.	Total con- tract cost.	Saving over con- tract cost.
Caliber .30 ball cartridges Automatic pistol ball cartridges Caliber .38 revolver ball cartridges	55,000,000 5,000,000 7,000,000	\$27.08 16.28 12.39	\$1, 489, 400 81, 400 86, 730	\$37.77 18.72 10.91	1 \$38.09 18.80 11.27	\$2,094,950 94,000 78,890	\$605,550 12,600 -7,840
¹ This cost includes the actual of	TE MARKET THE			2			
Grand total contract cost							\$2,267,84 1,657,53

Table IV.—Purchase of small-arms ammunition—Statement of total contract costs and of total arsenal costs for ammunition purchased from outside manufacturers covered by orders given between July 1, 1912, and June 30, 1913, under which deliveries were completed before Aug. 29, 1913.

Articles.	Quantities ordered.	Contract price per M.	Contract cost per M.	Total contract cost.	Arsenal cost per M.	Total arsenal cost.	Contract cost over arsenal cost.
Caliber .30 ball cartridges	8,000,000	\$37.77	1 \$38. 09	\$304,720	\$27.08	\$216,640	\$88,080
	800,000	18.72	18. 80	15,040	16.28	13,024	2,016
	1,000,000	10.91	11. 27	11,270	2 12.39	12,390	-1,120

¹This includes the actual cost of inspection.
¹The increased cost of caliber .38 revolver ammunition is due to the fact that the presses on which it is partly made are not equipped with automatic feeds, which was not done because of the probability that very little of this ammunition will be made in the future.

Grand total contract cost	\$331,030,00
Grand total arsenal cost	242, 054. 00
그 마음에 있다고 내용하다 보고 있는데 맛이 그렇게 그렇게 그렇게 그렇게 되었다.	

Recapitulation. FRANKFORD ARSENAL MANUFACTURE.	
Artillery ammunition, saving	\$979, 840, 94 610, 310, 00
Aggregate saving	1, 590, 150. 94
CONTRACT MANUFACTURE.	
Artillery ammunition, lossSmall arms ammunition, loss	312, 214, 84 88, 976, 00

Aggregate loss (the difference between the cost of the ammunition as manufactured by outside contractors when compared with what it would have cost had it been manufactured at the Frankford Arsenal is represented as a loss. Strictly speaking, this loss or excess cost also represents the amount that the Government pays for such ammunition, so that in time of war outside manufacturers may be in a position to supply ammunition)

401, 190, 84

Mr. CALDER. Mr. Chairman, how much time did the gentleman from Pennsylvania consume?

The CHAIRMAN. He consumed three minutes and yields

Mr. CALDER. I yield five minutes to the gentleman from Washington [Mr. BRYAN].

The CHAIRMAN. The gentleman from Washington [Mr.

BRYAN] is recognized for five minutes.

Mr. BRYAN. Mr. Chairman, the matter I desire to refer to may be considered as somewhat remote from the bill now pending, but I think it is not entirely foreign to its subject matter. I shall not in any way criticize the Secretary of War or the Secretary of the Navy. The matter I wish to refer to now has to do with court-martial proceedings and the method by which they are sometimes conducted. I think it is well worth while considering.

I picked up, the other day, a copy of The Public, which is a responsible paper, formerly edited by Mr. Post, of the Department of Labor, and in the issue of January 23, 1914, this statement is printed:

ment is printed:

POSSIBLE END OF A MILITARY CAREER.

For writing a letter to the President's private secretary, Mr. Joseph P. Tumulty, complaining that after seven years' service in the Army he had been denied a furlough, Clarence L. George, an enlisted man in the United States Army, is a convict in the Leavenworth Penitentiary serving a year's sentence. It is said that the letter never reached Mr. Tumulty, but somehow came to the knowledge of George's superior officers who ordered him court-martialed for going over their heads to make a complaint. If this were the only recent case of unjust treatment of private soldiers by officers it might not be worthy of much attention. But it is not. Not long ago a soldier named Waldo Coff-man, who, after his enlistment, had become a Socialist, was sent to the penitentiary after being court-martialed on a charge of insulting the flag. His release was ordered by the Secretary of War—after many protests had come to him—on the ground that the evidence did not justify conviction. Coffman claims that his political views were the real cause of his prosecution. There is at present at Fort Flagler an enlisted man undergoing punishment, a Roumanian by birth, named Lee Kosti Aryan. He had after enlistment become convinced of the correctness of Christian doctrine. He realized that his oath as a

soldier required violation of these principles and took for granted that his constitutional right to religious liberty would enable him to secure a discharge from the service. Instead he has been imprisoned, and, it would seem, must either agree to abandon his belief or submit to punishment for the rest of his term.

Now, that is a matter which is published by a responsible paper, and I understand further references later have been made to the George case, and the statement is made that the letter spoken of not only reached Mr. Tumulty, but after the inauguration was referred to the Secretary of War. I do not know whether this be true or not.

I have had some experience, Mr. Chairman, in connection with courts-martial out at the Puget Sound Navy Yard, and I do not believe that the system by which Army officers and Navy officers are permitted to incarcerate soldiers and sailors in Federal prisons at hard labor during time of peace for terms of years is right. I think that no man ought to be incarcerated at hard labor in a penitentiary without a jury trial.

Mr. CAMPBELL. The gentleman means in times of peace? Mr. BRYAN. Yes; in times of peace. Surely no such right as that ought to be given to a board of officers.

I attended a court-martial at one time as attorney for a young man who was up before such a court, accused of some military offense; in fact, I have appeared before such boards several times. But at the particular time I refer to the man who made the charge against the accused boy was one of the judges who tried the case. That is only one irregularity that I mention now, but there are other irregularities along that line that might be discussed.

There is another point that I want to present: Since my election to Congress, in the latter part of October, 1913-

Mr. MOORE. Mr. Chairman, will the gentleman yield? The CHAIRMAN. Does the gentleman from Washington yield to the gentleman from Pennsylvania? Mr. BRYAN. Yes; I yield.

Mr. MOORE. The gentleman did not state the result of the

trial in which he represented the boy.

Mr. BRYAN. The boy, I will say to the gentleman, was, in the first trial, convicted, but I had the verdict reversed by supe-They reversed it because I had challenged the right of the officer to serve as prosecuting witness and judge in the same case. There is generally no chance to save one of those boys by any exercise of legal intelligence, however. Later on they punished him just the same, and they made life miserable for him. I finally got him transferred to another vessel.

I had a talk not long ago with one of the young officers of the court, a graduate of Annapolis, and I mentioned the fact that I often met very bright young men of the Navy and marine enlisted force at meetings of the Odd Fellows and Masons. told me that he did not belong to any such organization, and he said that the reason why he did not want to join a lodge was because he was there likely to meet one or more of those boys and be thrown on an equality with them, and that it would be

ruinous to discipline. Of course, this view does not prevail with all the officers. For instance, I have many times seem Col. Pendleton, who had charge of the Marine Corps at Bremerton,

engage in conversation with the boys under his command at lodge meetings. He is a very splendid and efficient officer.

The other incident to which I referred a moment ago was that of a young man named Herman Fuerst, who had a record of "excellent" all along the line, who had been placed in charge of three we wiscomers do not have the placed in charge of the wearings who was presented along time. He add them of three marines who were prisoners doing time. He had them at work in a room that had a little alcove or L to it, and he was walking up and down his beat on the side of the room where these boys were at work. Two of them were at printers' cases. It was in the printing office at the Puget Sound Naval Station. On the opposite side of the room, in the entrance to the alcove, was the third prisoner, sweeping the floor, when, without warning, he went to a window and leaped out. By the way, he had been a good prisoner and was recommended for disciplinary barracks and clemency, and was the last one any guard would suppose would try to escape. When he leaped out the window Herman Fuerst, the guard, very quickly fired at him as he ran, but he got away, and they put this man Fuerst in prison for letting him escape. After Fuerst had been in prison 60 days, without trial, the matter was called to my attention and I wired the Secretary of the Navy as follows:

OCTOBER 25, 1913.

Hon. Josephus Daniels, Secretary of the Navy:

Secretary of the Navy;

Herman Fuerst, marine, has been held prisoner at Puget Sound Naval Station for 60 days on U. S. S. Philadelphia, awaiting instructions as to whether he should be tried for permitting a prisoner to escape on August 25. The record is at Washington and upon investigation it will be found that this man was very diligent and ought not to be seriously blamed for failing to kill the prisoner when he escaped. He had charge of three men in a printing office; one of them escaped through a window. Fuerst fired two shots and used all diligence. Yet he lies in prison without trial or consideration. He has an excellent record and is a model soldier. I believe he ought to be released at once. J. W. BRYAN.

I received the following reply:

DEPARTMENT OF THE NAVY, Washington, October 28, 1913.

Hon. J. W. BRYAN, M. C., Seattle, Wash.

My Dear Mr. Bryan: The receipt is acknowledged of your telegram relative to the trial by general court-martial of Herman Fuerst, private United States Marine Corps.

In reply you are informed that the department, having directed that Fuerst be brought to trial by general court-martial, as recommended by the Bureau of Navigation, charges and specifications have been preferred against him by the department for neglect of duty in suffering a general court-martial prisoner to escape from his custody and disobedience of a lawful regulation issued by the Secretary of the Navy, in losing sight of the said general court-martial prisoner, in violation of article 84 of the Rules and Regulations for Naval Prisons and Prison Ships.

Ships.

The statements contained in your telegram will be given careful consideration when the record of the trial is received in the department for review.

Sincerely, yours,

Franklin D. Roosevelt,

Acting Secretary of the Navy.

FRANKLIN D. ROOSEVELT, Acting Secretary of the Navy.

The CHAIRMAN. The time of the gentleman from Washing-

ton has expired.

Mr. BRYAN. I would like to have just a moment more.

Mr. CALDER. I yield two minutes additional to the gentle-

The CHAIRMAN. The gentleman from Washington [Mr. BRYAN] is recognized for two minutes.

Mr. BRYAN. Fuerst was then tried by a general court and ordered to the penitentiary at hard labor for two years, together with loss of pay and dishonorable discharge. Owing to my interest in calling the matter to the attention of the department here, as a Member of Congress, his punishment was mitigated to a year in disciplinary barracks, with restoration to honorable service at the end of the term.

Now, hard labor and dishonorable discharge is a terrific penalty on an honorable soldier. It blots his career for life. A convict and a disgraced man for life for absolutely nothing. From my careful investigation of this case of Herman Fuerst I am absolutely sure his negligence was of the very slightest degree. Every Member of this House commits as much negligence every day of the year in connection with official duty. He was not accused of any kind of collusion or moral turpitude. The officers told me he was a good soldier and they were sorry for him. He is a big brawny German, and all who know him would trust him to the limit. Yet if I had not intervened here this fine fellow would have gone to a felon's cell instead of serving, as he is now, in the disciplinary barracks at Bremer-No civil magistrate or jury in the country would have thought for a moment of punishing him. If a commissioned officer had been guilty of similar negligence and it had become of record, he would probably have been graded down two or

three points on his record. These cases make me ask why young naval cadets and Army officers should be clothed with the right to order men to Federal prisons at hard labor to be disgraced for life. This should not be done in time of peace without jury trial.

I believe yet that when this matter is again called to the attention of the Secretary of the Navy, and the details of it are further presented, he will assist in procuring further consideration for this young man, in order that he may be pardoned and restored to duty. He fills the very best requirements of efficiency in all that stands for good soldiery.

I ask unanimous consent to print as a part of my remarks the following letter, which I wrote to Fuerst in the discharge of

what I believed to be my duty.

The CHAIRMAN. The gentleman asks unanimous consent to

extend his remarks as indicated. Is there objection?

There was no objection.

The letter is as follows:

The letter is as follows:

Mr. Herman Fuerst,
U. S. M. C., Disciplinary Barracks, Bremerton, Wash.

Dear Fuerst: I am very sorry that the officers felt it their duty to inflict such heavy sentence upon you. The judgment was two years at hard labor and dishonorable discharge at the end of the term, together with loss of pay. The officers here, considering my pleas on your behalf, mitigated the sentence to one year at the disciplinary barracks. They assure me that this means that you will be saved from the dishonorable dismissal. Further, that at the end of six months you can apply to be put on the probation list, and if you are a good soldier you will not have to serve more than eight months at the barracks.

I felt a deep interest in your case, for I believe you to be a good man and a splendid soldier. It was too bad that this fellow was allowed to get out of your sight even for the one moment when he jumped through the window. Your past excellent record ought to be a commendation to you hereafter. I have investigated the record and I find you credited with excellent for proficiency, excellent for obedience, excellent for sobriety, and excellent for average standing. Your character is also recorded as excellent. It is true that your record shows one item of neglect, in that you were mildly disciplined for minor neglect while on sentinel duty on the Nipsic on one occasion.

Since your explanation of this incident, I do not believe you were really gullty of much of a breach on this occasion.

I talked with the officers who knew you, and from all I could gather they generally have confidence in you, and it was generally hoped about the ship that leniency would be shown you.

The record also shows that your man, Sowers, who escaped, was the last man any diligent officer would have supposed to have had any such intention, since he had been recommended with the disciplinary barracks and was about to be practically liberated. The record further shows that you were under a heavy burden in guarding these three men and k

man.

Hoping that I may hear from you again, and that you will render good account of yourself by being obedient to orders and discharging with care all duties devolving upon you, I remain,

Yery truly, yours,

Mr. SHERLEY. Mr. Chairman, the gentleman from New York [Mr. CALDER] has kindly agreed to give me 30 minutes of his time. According to my figures I had 35½ minutes remaining. I yield 40 minutes to the gentleman from Texas [Mr. Sumners]

Mr. SUMNERS. Mr. Speaker, there are a number of bills pending before the committees of this House touching certain phases of the general economic problems of agriculture. Congress will doubtless give consideration to some of them. In order to deal properly with this proposed legislation it is essential, of course, that Members of Congress understand the magnitude and scope of its importance. From the remarks which I have heard from time to time since I have been a member of this body it has become apparent that many Members consider agricultural problems as of concern only to those who No doubt this is due largely to the fact that these produce. matters have generally been discussed only from the stand-point of the farmer and the Government's obligation to him. Because I believe it not possible to deal properly with the situation while so restricted a notion is held as to the scope of concern involved, I shall endeavor to show the consumer's interest in this matter and to indicate the Government's duty to the whole people.

The thought and energy of the Nation has been so completely absorbed in city building, and agriculture has been so universally regarded as an inexhaustible commissary, useful only to feed business, that the importance to the whole people of its relative decline has not been appreciated. No general alarm has been felt, and no general understanding of the responsible causes is evidenced. I make no claim toward being an authority on this subject, but I hope to make some contribution toward an understanding of the situation, its causes, our duty in the premises, and at last to suggest some practical things which the Government should do. I shall not urge the just claims of the agricultural classes for economic justice. The time has

come when the present vital need of all the people can be met

only by giving to them that justice.

I submit, Mr. Speaker, that the fact that the world is consuming its surplus of agricultural products, and that the country is losing its producers, is of infinitely more concern to the millions in the cities who must eat to live than it is to those remaining on the farm who produce primarily to sell. The number of producers has become relatively so small, the current volume of production so small, the number of consumers so large, and the imperative demand so large that if we were to slip a cog in the machinery of production the problem would not be one of high cost of living merely, but this: Where at any price can we obtain the elements necessary to sustain life? When that time comes, as it must, unless we deal effectively with this situation, the people on the farms through whose hands these elements must pass can hold back enough for themselves and theirs, but what of the people in the cities with only a few days' supply?

It is true, Mr. Speaker, that the world is eating its surplus. In the United States there were 9,840,239 less cattle, aside from dairy cows, in 1910 than in 1900, and in the three years from 1910 to 1913 there was a further loss of 10,249,000. In 1913, therefore, we had 20,000,000 less beef cattle than in 1900. During the three years last mentioned we also suffered a loss of 7,734,000 sheep; from 1911 to 1913 we lost 4,442,000 hogs. So much for the meat stuffs. Now, what of the grains? In 1898 we exported 41 per cent of the wheat grown in the United States. Since that time our exportation has constantly decreased. In 1912 it was only 12.83. In that year our importation of wheat was greater than ever before. As for corn, our exportation of that staple for that year was 1.65. Now, the production of wheat throughout the world seems to have kept pace with the increase of population. But when the world's total of wheat, barley, rye, and corn is considered, I am certain it will be found that this total has not kept pace with the in-

crease of population.

The estimate of these crops for last year, as made by the International Institute of Agriculture at Rome, was 9,965,000,000 bushels, a total increase in bushels over the preceding year's crops of 51,000,000—in other words, a gain of only one-half of 1 per cent. In this connection the constant loss of food animals should be borne in mind. A few years ago it was not unusual for the South American packing houses to receive steers 7 years old; now the limit is about 4 years. The agent of this Government who recently conducted an investigation in that country says that the herds are decreasing. According to good authority the sheep holdings of the world have in recent years also decreased 100,000,000. Another feature which adds to the gravity of the situation is that the world's population is becoming removed from the basis of supply. In the event of failure of the principal crops the opportunities of each family to resort to some substitute are being lessened.

Here are some figures with reference to the decrease in the agricultural populations of other nations: From 1895 to 1907 Germany lost almost one-fifth of its percentage of agricultural population. From 1890 to 1911 Denmark lost one-thirteenth; from 1890 to 1900, Norway, one-thirteenth; from 1800 to 1900, Sweden, one-twelfth; from 1888 to 1900, Switzerland, one-sev-

I do not know the loss in the United Kingdom of Great Britain, but in 1907 I heard the statement made in the course of a debate in the House of Lords that during the preceding 25 years the number of rural laborers in England had decreased 25 per cent. Between 1900 and 1910 our urban population increased 34.8 per cent, our rural population only 11.2 per cent. In this estimate of residence of population towns of less than 2,500 inhabitants are classed as rural territory.

It is not my purpose to go further into the agricultural conditions of other nations. I merely want to make clear that we can not trust to any other country for a dependable supply for our people. It ought to be evident from what we know of our own condition that something must be done which has not heretofore been done. The poet, the orator, the publicists, and the efforts of the Government have all falled to turn back the tide sweeping in from the country upon the great centers of population. It is true that each individual who goes to your cities from the country adds one more name to some city directory; it is also true that he adds to the keenness of the struggle of those who live there, reduces the output of what they must have to sustain life, and adds his tax upon the diminishing production.

I grant, Mr. Speaker, that there was a time when the economic condition surrounding the business of agriculture did not greatly concern those who lived in the cities. Until comparatively recent times the children of those who farmed were as a gen-

eral proposition likewise compelled to farm when they grew to maturity, because they did not know how to earn a living except by doing that which their parents had taught them as they assisted in the farm work. But the extension of educational advantages to the rural districts is liberating the farmers' children from an ancestral vocation, while the spread of democratic notions has opened to them every door of opportunity, and the modern cities are bidding for them. Those who do not farm should recognize that men are no longer compelled to farm through lack of opportunity to choose among the vocations of the country. Let us clearly understand now that they can be induced to farm only by the payment of as much net profit as a like investment of time, capital, and ability in any other business would bring. There is another phase which concerns the nonfarming classes. There can be no hope of reducing the cost of living by reducing the profits of the farmers, for the very evident reason that they are quitting at the present profit.

The only place where we can hope to make a reduction is in the charges upon production and distribution. The movement from the country to the town is not the cause with which we must deal; it is not a primary cause; it is a result. We must deal with the cause which is responsible for that movement. We read a good deal about the superior advantages offered by the country. Most of these articles are written by people who live in the cities or by people who have recently gone to the country, and who celebrated their change of residence by getting into the public prints. I have watched a number of such people, and almost without exception it takes only a few years for them to absorb all of the joys of the country, and, needless to say, they willingly go back to the hardships of the city. The scenes of the countryside and the lights of the silvery moon have mighty strong competitors in the moving-picture shows and the arc lights of the city, especially among people who have once been accustomed to them. But I recognize that these are not the sort of things which control the movements of the masses of the people, unless their civilization be in process of decay. Individuals make mistakes with reference to the change of residence, but the mass of population moves under the operation of irresistible economic law toward the centers of best opportunity. This law has controlled the migration of all ages, and will control it until the end of time. It is absurd to rely on this back-to-the-country sentiment or on any other sentiment to establish and maintain balance of population as between the country and city. We had as well face the true situation and deal with it as it is. This matter is controlled by unyielding economic laws-laws as unyielding as the law of The movement of the mass of population shows gravitation. where the best opportunities are as unerringly as the current of a stream shows the direction in which the lower level is to be found. Agriculture and the vocations of the city have been bidding against each other for the capital, the brawn, and the brains of the Nation, and the vocations of the city have been outbidding agriculture.

If we would turn back the tide, we must help agriculture to raise the bid. That is all there is to it. We must ourselves pay more for what we consume, or we must help our farmers to get a larger part of what we pay. That is our only choice. The burden of high rates of interest, the loss of the thousands of carloads of food which rots in the fields and in the railroad yards while seeking a market, the robbery of the unscrupulous commission men, the amount of loss resulting from dumping crops upon an oversupplied market, are being shifted to consumers, and we are feeling this weight. We will feel it more. The time is at hand when we will pay every cent of these The relative abandonment of agriculture and the corresponding decrease of the volume of production, and with the resultant increase in prices, will not cease until farming yields as much net profit as any other business would yield. To pay the net profit, insure the farmer this net profit, would, of course, necessitate the payment of all losses and charges connected with the business. In the price of the things we eat, therefore, we must pay for the food products which rot after production; we must pay the high interest charged to the farmers; we must pay the profit of the speculator who purchases from the farmers; we must pay for the wasted energy resulting from the unscientific, chaotic method of sale and distribution of farm products. If we want to reduce the cost of the table, here is the place to do some effective work.

This is a new condition which never before existed on the earth. While population has always moved toward the centers of best opportunity, it has before this time moved slowly and with great difficulty. The lack of opportunity to equip for any other business bound the members of each succeeding generation to the business of their respective ancestors. The bonds are being broken rapidly now, and if we will take the trouble to inves-

tigate, we will find the rule to be that when education liberates the country boy he goes to the city. Read the story of your last census report. Notice in the examination of your jury panels how many men now living in your towns and cities were born in the country and how few now living in the country were born in the cities. This is one of the far-reaching problems of modern society. It is of interest, Mr. Speaker, and should be profitable to examine somewhat into the development of this problem.

In the first half of the last century—notably between 1830 and 1840—the utilization of steam and of electricity brought about an industrial revolution upon the earth. The business of the country began to adjust itself to the changed conditions resulting from the application of these forces to the activities of men.

But agriculture was not able to move forward with the pro-The reason is clear, and does not reflect discredit upon the country. The industrial cities took many of its educated, ambitious young men. Those engaged in agriculture were widely scattered. Their duties confined them to their respective farms. The consumers of their products came to be strangers, living far away. Effective business organization of agriculture was impossible under these conditions, and it came to occupy the position of a commissary in the economic relations of the country. Its products are not now sold in the sense that the minds of the producers and consumers meet in agreement are not now and consumers meet in agreement. ment upon the price. Agriculture is at an economic disadvantage; other businesses feed upon it. That we may clearly understand the situation with which we must deal, it is well to recall that before the application of steam and electricity to transportation and to manufacturing and other industries there existed throughout the world a condition of relative independence in so far as the several communities as entities were con-Each community produced from necessity most of what it used and used most of what it produced. The wool, cotton, and flax raised in the several communities became, through the process of home manufacturing, the finished garments. The hides from the carcasses of home-grown animals went to the local tanner, then to the local leather workers, who were largely paid in barter. The local blacksmith and woodwork man made most of the farming implements. The miller ground the grain into meal and flour and took his pay in grain, and so on through the whole list of the simple requirements of that It is also worthy of notice that because of lack of transportation facilities each family carried a large surplus. Practically all of the people lived in the country. New York City two centuries old, then had only 200,000 people; Boston had 60,000. Now over one-half of our families live in the cities and towns. They carry no surplus and no one is carrying any and towns. They carry no surplus and no one is carrying any for them. The surplus accumulated during those times is being consumed. The food level of the world is being lowered, and this can not be stopped under the economic conditions which now surround agriculture; the system of marketing agricultural products will not tolerate a surplus.

With the application of steam and electricity the manufacturing energy formerly distributed throughout the country became concentrated in the cities. The shoe cobbler, no longer able to compete with the equipped factory, with its cheapened modes of transportation, moved to such places as Boston. The spinning wheel and family loom became relics of a bygone industrial age and their operatives went to centers like Fall River. The ox-team driver, unable to compete with the railroads, left the country and became an engineer. Agriculture, unorganized, deserted by many of those equipped for leadership, was hurled into the vortex of an industrial revolution, one of the chief results of which was the organization of every other business, the producing end and the selling end as well not only deserted, but despised by public opinion, with the youth of the land taught that it was to be followed only as a last resort, when no other means of making a living could be found. When it goes to the market to buy it pays whatever price the other businesses ask, and when it takes its products to market to sell it accepts whatever price other businesses offer. It is compelled, by reason of its economic disadvantage, to do If anyone wants to unravel the mystery of the drift of wealth and of population from the country to the towns, let him swap horses a few times with the other fellow fixing the price of both horses. After a few trades he will be carrying his saddle home on his back, and the mystery will be solved.

This condition has had twofold influence upon the movement of population.

Before this revolution no employer had many employees, because the slowness and expense of transportation held him to a restricted market. With the opportunities for broader markets not only did the centers become successful bidders against agriculture for the labor to operate the industries of

the cities, but the opportunity to trade with the country at such an enormous advantage turned the drift of the Nation's wealth to the centers. The cities could bid more to have their churches and schools erected and operated than the country could. They could bid more to have their streets constructed than the country could bid for the construction of its highways. Thus the cities' better advantages attracted many who might not have been attracted by their superior money-making opportunities.

Mr. Speaker, I am not unmindful of the fact that the improvements of agricultural machinery released a part of the farming population that was natural—a natural and beneficial re-We are not dealing with the result of that improve-That improvement is not now giving motion to the stream of population from the fields of production which is flowing into the cities with increasing volume and momentum. We people of the cities must know that it is as necessary to have a surplus of grain in the Nation's granary, as it is to have a surplus of gold in the Treasury, and we should know that there is no way under existing conditions to build up or maintain such a surplus. It is not humanly possible under existing conditions to preserve equilibrium of population as between the country and the cities. There must be equality of advantage if there is to be a balance of population. When the products of the cities go to market they have marked upon them a price which incorporates the cost of the material, the cost of production maintenance of plant, and all other expenses, plus a profit. The farmer's products are sold at whatever price they will bring, regardless of cost of production, profit, or anything else. hear a great deal about the law of supply and demand controlling prices. No such law exercises control over bargainers who are not equally advantageously situated. Would this law control the labor market as between organized railroad operators and disorganized railroad operatives? Under modern conditions this law has but a limited determining influence upon current sales. It can not be depended upon to insure justice. If two men were upon an island and one had all of the water and the other all of the food, and if the necessity of one to have water in order to live was a present necessity, while the other's necessity for food was not a present necessity, this law would not insure a just bargain between them. How can farmers hope to be protected in the sale of their current products when they are forced by unavoidable circumstances to dump their crops upon the market in quantities in excess of the demand of the consuming market?

In this method of sale they can not hope to receive the protection of that law; they violate its provisions and must receive its penalty. I do not deny that that law is coming into control, but when it does the consumer will pay the price which the law would now decree were it in control, and the law of retribution will force society to pay with interest the penalties which the farmer's economic disadvantage now compels him to bear. The scramble of a hungry world for what he produces will soon take care of his profit, but will not improve any feature of the present situation. The present increase of prices does not indicate improved economic conditions surrounding agriculture. It is the herald of coming hunger widespread. If we will not divide the benefits of a bountiful harvest with the producer, we are going to the cupboard one of these mornings and there will be nothing for breakfast. We are working toward a lower food-supply level, because a small crop brings more money to the producer than a big one, and just a little surplus knocks the bottom out of prices. In 1910 the southern farmers produced 12,000,000 bales of cotton. The world said that was not enough. The next year they produced 16,000,000 bales. They had to get up early and work late to raise and gather it. It cost them millions of dollars more to respond to this demand. The world's appreciation was shown by penalizing them \$125,000,000. Is it any wonder that the country boy quits in disgust when a 16,000,000-bale crop brings \$125,000,000 less than a 12,000,000-bale crop. The corn crop of 1912 was considerably larger than that of the preceding year, yet it brought \$50,000,000 less money. It is all right to reduce the price per unit when the number of units is larger, but to make the total price for the larger number of units less than the price for a smaller number of units is to bid for the smaller number of units, for a shortage of supply in the country. The thing which augments the danger of this situation is the uncertainty of the volume of any year's production. The insects or the drought may come and the brightest prospects be blighted. No one can guess when they will come. We must make it economically possible as it is physically possible to create and carry a surplus as a protection against the hazards of seasons and insects. This is the problem of all of the people. All of the people must eat to live, while the farmer's greatest profit is when the people are hungry. If we

will remove the penalty now imposed for a bountiful harvest, the productive energy of the country, undiscouraged, will go on with its work, and when the years of low production come we can eat the surplus carried over from the more fruitful years. It is said that the man who makes two blades of grass grow where one grew is a public benefactor, but we are offering mighty poor encouragement for the two-blade production, if the two blades bring less money than the one would have brought. Farmers do not now produce primarily to feed their families, as they once did. They produce to sell for money.

Mr. PLATT. Will the gentleman yield for a question?

Mr. SUMNERS. Yes. Mr. PLATT. Is the gentleman familiar with the economic theory that people have not quit the job in the country because of low prices so much as because they were driven out by improved farm machinery? Do you think there is anything in

that theory?

Mr. SUMNERS. I mentioned that a little while ago. do think there is something in it, but not anything which affects the question which I am discussing. The gentleman was not in the House a while ago when I undertook to show, and I believe I did show, that the world's surplus, accumulated during those days when each family had to provide itself against the hazards of season and insects because of lack of transportation facilities-those days when each community had to be selfsufficient because it could not import from another section-is now being eaten by the world, and still the movement from the country to the town goes on. It is not the movement from the country to the town produced by improved agricultural machinery which is producing an acute danger. That is a patural movement and is in response to the demands of economic laws, but it is the movement of population from the country to the town because the citizens of the country and town can not trade with each other on a basis of equal advantage which I am discussing. That is the vice of the situation.

Mr. PLATT. I quite largely agree with the gentleman on that point. Does not the gentleman think it might reverse itself, and if the cost of living is high enough it might drive the people out of the cities and make them produce something

for themselves?

Mr. SUMNERS. Here is what I think of it: I think if we do not now remove the injustice that creates an abnormal differential in favor of the city as against the country, if we wait until this movement from the city back to the country begins, we will have widespread hunger in America before the tide is turned back. This tide from the country to the town is moving with tremendous velocity; and just as the tide that comes in from the ocean sweeps high on the shore before it begins to recede, that thing will happen. There will be people hungry in this country before it turns back.

Mr. GARNER. Mr. Chairman, will the gentleman yield?
The CHAIRMAN. Does the gentleman yield?
Mr. SUMNERS. I do.
Mr. GARNER. Lest the remarks of the gentleman might create the impression that he would have the Government fix the prices at which the farmer should sell his products, I want to ask him if he wishes to convey that idea?

Mr. SUMNERS. Certainly I do not.

Mr. GARNER. Let me ask the gentleman another question in relation to his marketing proposition, as to which he has not gotten down to details: The gentleman would have that, I presume, under the supervision of the Department of Agriculture? Is the gentleman familiar with the report of the Secretary of Agriculture, Mr. Houston, in which he recommends the abolition of the present bureaus and the giving to him of the opportunity to reorganize his department without any bureaus whatever, but retaining heads of different departments? Would it not be just as well to have his marketing division placed under the head of another department, as it ought to be, rather than in a bureau, as it now exists?

Mr. SUMNERS. In reply to that inquiry I will say to the gentleman that at this time my effort has been to show the general interest in this sort of remedial legislation rather than to discuss the details of legislation, because I realize that in the brief time allotted to me that would be impossible. It has occurred to me that in view of the fact that the National Government must deal with this question, it would be well for the Members of the American Congress to understand the general

scope of the interests involved.

Mr. GARNER. Now, may I interrupt the gentleman once more?

Mr. SUMNERS. Yes.

Mr. GARNER. I know the gentleman's intense interest in this subject and his splendid capacity to illuminate it. The Department of Agriculture, as I understand it, a year ago

started out to investigate this identical question, and it has been forecast that the Agricultural appropriation bill would carry about \$200,000 this year to continue that work. Does the gentleman know of any better method by which Congress could go about ascertaining the best remedy to apply to that state of

affairs which he has just outlined?

Mr. SUMNERS. No, sir; except that in addition to their investigation they would do well to listen to and accept these

views with reference to the matter. [Laughter.]

Mr. GARNER. I assume that the gentlemen having charge of this work will undoubtedly take cognizance of what the gen-

[Laughter.]

Mr. SUMNERS. Mr. Speaker, if we want to avoid the possibility of a bad harvest or a succession of bad harvests confronting us with an acute shortage of the elements necessary to sustain life, we must devise a system by which the farmer will be paid more upon the basis of value than now, and will not have to depend for a profit upon the nonexistence of a reasonable surplus and upon current production being so small as to result in sharp competition among consumers apprehensive that there is not enough for all. I want to call especial attention to the situation with reference to the sale and distribution of perishable products. As a rule these products go out into the dark to seek an unknown, unlocated purchaser. They may reach a profitable market or they may reach a glutted market and rot in the railroad yards, while somewhere equally accessible, if the conditions had been known, there is a need for these same products at a remunerative price. I speak more of the producing possibilities of the country, though the statement is true as to actual efforts to market, except in limited sections of the country, where the ability to specialize and other favorable features make it practical to form effective marketing agencies.

Frequently the intervening charges are so great that the producer can not get a price which would justify harvesting his product, while the prices charged the consumer prohibits the general use of that same product. Year before last, when I was in east Texas, I saw thousands of bushels of vegetables rotting in the fields; fields of cantaloupes ungathered, because a price could not be had sufficient to pay for marketing. I bought them retailed at the stores at 10 cents a dozen. Thirtysix hours away by fast freight they were selling at 10 cents apiece. This price charged to the consumer denied this luxury to the average man. Under anything like a proper method of distribution these melons could have gone to the table of the average family at a price which would have given the farmer some reward for his labor. Another instance which is typical: In the lower Rio Grande section of my State a man produced nine carloads of head lettuce; he was careful to bleach it; there was none better. He shipped two cars, and on one car he had to pay \$9 freight above the price the lettuce brought, and for the other car the commission man drew on him for \$13 above the price the car brought. The other seven cars rotted in the field. This was a loss to the farmer-a food and an economic loss to the country. Somebody wanted that lettuce, but the man down there on the Rio Grande did not know who wanted it. That man may have quit the country. He may not have been able to incorporate the value of the lettuce in the price of his products which reached the consumer, but as a general proposition these products which rot are being paid for in part at least in the price of products which are consumed.

The CHAIRMAN. The time of the gentleman from Texas has

Mr. CALDER. I will yield to the gentleman three minutes,

in order that he may answer a question.

The CHAIRMAN. The gentleman is recognized for three

minutes more

Mr. CALDER. I represent in part the great city of New York in this House. The subject that the gentleman is discussing is one of the most important things affecting our people that any man could discuss in any place.

Mr. SUMNERS. I thank the gentleman for his appreciation. Mr. CALDER. Two years ago our governor appointed a commission to investigate market and transportation conditions in our State, and one of the things they reported particularly, startled me. It appears that in one of our Long Island villages a farmer sent 25 bushels of string beans to market. At the end of two weeks he received back the large sum of 93 cents for those string beans. An analysis of what string beans were selling for by the quart or peck measure in Brooklyn at that time showed that they brought about \$2.25 a bushel by the quart measure. I hope when the gentleman concludes his remarks he will discuss that phase of the situation.

Mr. SUMNERS. How much time have I remaining?

Mr. CALDER. The gentleman has two minutes and a half.

Mr. SHERLEY. I yield to the gentleman five minutes addi-

Mr. CALDER. The gentleman has seven minutes more.

Mr. DIES. When the gentleman answers that question I hope he will also state whether he knows anyone engaged in the string-bean business who is making much money at it.

Mr. SUMNERS. With regard to the particular question asked by my colleague from New York [Mr. Calder], that being a purely intrastate matter, I imagine the people of New York will have to grapple with it. The most casual student of these matters knows that the time is at hand when consumers must pay it all. It is inevitable that society shall pay the farmer as much net profit as he could get in any other business.

Our fathers have given us no precedents with reference to this problem. The elimination of this waste, the maintenance of the balance of population as between the country and the city, and the creation of the ability to carry the surplus from the years of bountiful harvest to supplement the yield of the years of low production constitute a new problem which has come to challenge the genius of this generation, and we must deal with it upon the responsibility of our own judgment. None among the many problems which have come to us out of the evolution of matters is more difficult or more far-reaching in the extent to which it touches the yital interest of all of the people.

Gentlemen may hesitate to commit the National Government to new activities, and it is well to hesitate, to the extent of extreme caution. But we have no choice here. We are dealing with a problem as vital as life itself. To a large extent no generation can choose its activities. All of the generations of men who have lived before us have been shaping our task. Inversely, pressity drives us to its performance.

exorable necessity drives us to its performance.

Government had its genesis in necessity. It exists for no other purpose than to afford the individuals who constitute it, the machinery by which to promote the common good. When the necessities of a people change, the activities of their government must correspondingly change. When the individuals acting as such are not able to deal with a situation affecting the body of citizenship, the dealing with that situation becomes : solemn governmental duty. It is perfectly apparent that individuals acting as such can not deal with this situation. agricultural organization has been strong enough to do so. Were it possible to obtain it, the possession of such strength would give a power which the absolute monarchs of old never dreamed of having. Society will rue the day, if that day ever comes, when it drives the agricultural producer into such an organization as that. The several States are not equipped to deal with this situation because the movement of these products from producer to consumer is largely interstate, and the problem is national in its scope. Texas could not effectively aid its own truck growers in the distribution of their products, because products from other States could demoralize any market into which its shipments might be directed.

Mr. YOUNG of Texas. Will my colleague yield?

Mr. SUMNERS. With pleasure.

Mr. YOUNG of Texas. I presume the gentleman is approaching the question of the remedy. Will not the remedy we have just begun to embark upon of obtaining a better market for the agricultural division of our Government result in a better market system, so that the farmers may get reasonable prices for their products as a result of their work?

Mr. SUMNERS. I thank my colleague for that question. I do believe it.

Mr. Speaker, this is what the National Government should do. It should create that which for the purpose of designation we will call a sales department, perhaps a part of the Agricultural Department, but having close working relations with the Department of Commerce, the Consular Service, and the Treasury Department. Its duty should be to bring into coordination the Agricultural Department, and agricultural colleges of the several States, the cooperative organizations in the country and in the cities and towns, and all other agencies which might be utilized in bringing system into the sale and distribution of farm products. Practically all the parts of the necessary machinery now exist. The remaining parts should be supplied, the machine assembled and put in motion without delay. It should be a clearing house of information available to the seller and to the buyer. It should afford a facility in making sales similar to that which a real produce exchange could afford. Through its agency these products could be standardized. Sales could then be effected at the point of origin, and the congestion of some markets, while others are unsupplied, could be avoided. It is indispensable to success that the facilities afforded be so valuable as to attract general patronage. The service, therefore, of this department should be free, just as the activities of

the Agricultural Department in helping to improve cultural methods are free. If generally patronized, it could direct the distribution of farm products in compliance with the consuming demand. This would insure a dependable supply of fresh products during the shipping season, minimize fluctuations in prices, and avoid waste from decay in glutted markets.

prices, and avoid waste from decay in glutted markets.

With such a department in operation, in touch with and exercising great influence over every feature of crop movements and thoroughly advised as to production and demand, a safe plan could be devised and put into successful operation by which, during the marketing period of our staple crops, money could be loaned on them at a low rate of interest, and upon the surplus when the yield exceeds the necessities of the current year. I am not talking about any "corn-tassel" currency. I am not making any bid for the farmers' votes or having a wild dream. I know that with such an organization as I have partially outlined, working with an organization controlling rural credits, money could be advanced upon the staple crops while they are in process of being marketed without danger of loss, without violating any principle of economics, and in conformity with proven business principles. The advancing of this money during the marketing period would largely prevent the present dumping methods in the sales of these crops. By a more gradual system of marketing a larger part of what the consumer must pay would go to those who produce. The consumer therefore would not have to pay as high a price as under present and prospective conditions he must pay in order to induce the producer to continue his work. European speculators, who purchase two-thirds of our cotton crop now rushed upon the market, the bulk of it in three months, take from the American balance of trade between forty and eighty million dollars annually.

The movement of our crops in so limited a time is a severe tax upon our financial institutions and necessitates transportation facilities which during a large part of the year are not used. I remember in a cotton-rate hearing held in Texas a few years ago, in which I represented the proponents of reduced rates, the railroads established as against us that the movement of the cotton crop in a short time necessitated large expenditures at the various stations and at the seaboard terminals and much rolling stock which traffic did not require at any other time. This is a clear economic waste and an unnecessary strain upon the commercial aids of the country.

Mr. FESS. Will the gentleman yield?

Mr. SUMNERS. Certainly.

Mr. FESS. I want to ask the gentleman this question: In certain places he states that people do not get more than one-quarter on the farm of what the stuff is selling for in the cities. I am wondering whether there is not some fault with the farmer in the line of not adopting wide-awake methods. Yesterday I noticed near Boston in an orchard under an apple tree apples that had been allowed to lie and rot. Now, whose fault is that?

Mr. SUMNERS. I want to be entirely candid about it. I grew up on a farm.

Mr. FESS. I am a farmer, too.

Mr. SUMNERS. Yes; and let me make this suggestion to those of us who have gone to the city. The cities, when they began to bid against the farm, took many boys capable and equipped by nature for leadership. They left the boys in the forks of the creeks with whom we used to kill water moccasins, and when we have that interest on the one hand and the interest of the teeming millions in the city, who are crying to us as representatives of the National Government to protect them not only against a foe that may be coming with guns, but to protect them against hunger, we can hardly stop to say that the farmer has not done his duty.

Mr. Speaker, I hope the House will hear me at some later time for a more detailed discussion of what should be the Government activities. I have not attempted even a complete outline.

My purpose upon this occasion has been to make clear, if possible, that these matters are of general concern, to the end that a united effort may be made by Members representing cities, as well as those representing country constituents, toward stopping the food and economic waste resulting from the present method of sale and distribution of farm products; that we might try to establish a system under which the farmer would receive enough profit to prevent the industries of the cities attracting him from the farm, while his remaining on the farm would make certain the food supply of the millions in our cities. There is no other food supply on the earth upon which we can depend, but if there were with our vast agricultural possibilities we must not confess inability to utilize them for the Nation's support and seek among other peoples

for the bread to feed our own. The last thing which any Nation can afford to yield is the ability to feed its people.

As a representative of the people we must not confess our inability to grapple with this problem which in the evolution of time has come to challenge our genius. We are proud of our cities, but as patriots concerned for the future of our Nation we must recognize that great cities, though inevitable, do not add to a nation's strength, but are a tax upon its vitality. It is a fact proven by the history of every age, other things being equal, that nation is strongest the largest per cent of whose population pursues the productive vocations of the country. the great crises of the past, when Governments and civilization have withstood the supreme test, it was largely the conservative strength of the country people which saved from chaos and destruction. It is all right to build cities, but we must not sap the strength of the country to build them. We must not dig the stones from the foundation of our civilization and build them into fragile superstruction. The highest interests of the country, and of the city as well, cry out against this. These are matters which lift us above local consideration and partisan politics and challenge the best of thought and constructive action which this Congress can give.

I hope at some later time to have the indulgence of the House for a more detailed discussion of the necessary remedial legislation, both with reference to marketing and a practical system of farm credits

Mr. CALDER Mr. Chairman, I yield five minutes to the

gentleman from Tennessee [Mr. Austin].
Mr. AUSTIN. Mr. Chairman, I desire to call the attention of the House to the following clipping from the Journal of Commerce, of New York City, of January 20, 1914:

IMPORTING STRUCTURAL STEEL—HAMBURG-AMERICAN LINERS TO BRING 27,000 TONS INTO SEATTLE.

SEATTLE, WASH., January 19.

Twenty-seven thousand tons of structural steel from Europe will be shipped to this port within the next four or five months on vessels of the Hamburg-American Line, according to officers of the steamer Sithonia, which has finished discharging a 500-ton structural steel consignment. This heavy shipment of steel to United States markets is said to be due to the new tariff rates. It is to be brought in about 10 different lots.

It will be remembered that when we were discussing the metal schedule of the Underwood-Wilson tariff bill, attention was called to the fact that the result would work a great hardship on the American iron and steel mills and their employees, and in the end put them out of business on the Pacific coast. The information contained in this newspaper dispatch is a confirmation of the stand then taken by those who believe in the American protective-tariff system.

The 27,000 tons of structural steel is a large and attractive amount of business, and during the dull period now existing in the iron and steel industry it would furnish employment to a great many men now idle, simply because there is a lack of orders to keep the American mills running full time. Early in 1912 an investigation was made to ascertain the number of men employed in producing 1,000 tons of steel rails from the ore to the finished product. Although no formal statistics had ever been compiled on this feature, a careful review and study of the matter and the labor figures indicated the following:

Approximate number of employees in direct steel-making company, including allied departments, such as ore mining, coal and coke producing, and the rail-and-lake transportation of ore only:

For rails made in Pittsburgh district, per 1,000 tons of rails,

5,200 men employed for one day.

In the production of a ton of structural material I am reliably informed there is as much labor employed as there is in the production of a ton of steel rails and, on the same basis, the production of 27,000 tons of structural material would furnish direct employment to 140,400 men for one day; or, in other words, employment to 1,000 men for 4 months and 20 days. On the average basis of a family of five to each workingman, this 27,000 tons of material, if produced in this country, would support, house, feed, and clothe 5,000 people for practically half a year. In addition to the above, there are also workmen employed by interests not allied with steel manufacturers, engaged in furnishing service and material of some kind to steel companies used by the latter in connection with the production of finished steel products, but there is no means of estimating what this number might be.

When it is taken into consideration that the average wage paid to a steel worker in this country is two and one-fifth times that paid in European steel-producing countries, it will be readily seen that the diversion of such large orders to foreign manufacturers is not only a serious loss to the American manufacturer but a great blow at the prosperity and welfare of the American wage earner.

In this connection it is well to study the quarterly report of the United States Steel Corporation, published in the daily press on yesterday. During the last three months of 1913, under the present tariff law, that corporation had a deficit of \$1,002,-303, compared with a surplus of \$11,348,778 for the September quarter, \$13,619,365 for the three months ending June 30 last, and \$7,369,600 for the quarter ending March 30, 1913. The net earnings for the December quarter, 1913, showed a shrinkage of \$15,414,000, compared with the three months ending September 30, 1913.

The surrender of our Pacific coast market to foreign iron and steel mills and foreign workingmen is one of the numerous socalled blessings we have had inflicted upon us under the "New

[Applause on the Republican side.]

Mr. CALDER. Mr. Chairman, I yield such time as he desires to the gentleman from Ohio [Mr. Fess].

Mr. FESS. Mr. Chairman, a little less than a year ago it was my privilege to be down in the Canal Zone, and I had an opportunity to go over the fortifications in company with Lieut. Goethals, who is superintendent of this wonderful work. wonderful as is this part of the work in the zone, it is not the most interesting feature to me. The commercial significance of this completed world task appeals to me.

I have been a student of the probable trade routes of the country for many years, and I am convinced that the Pacific trade route, to connect the Occident with the Orient, with the North American Continent as a distributing point, is the greatest trade

route on earth.

Three hundred and seventy-five million dollars represents the probable cost of the Panama Canal to this Government. this, \$40,000,000 was paid to France, divided as follows: \$25,000,000 for usable excavations, which would have cost the United States that amount to have done it; \$10,000,000 for the Panama Railroad, which has earned the Government since its purchase \$7,000,000. This leaves \$5,000,000 to pay for the franchise and machinery secured from France.

For this vast outlay what does the canal visitor see that has been done? A water route 50 miles in length, with a minimum width of 300 feet at bottom in the Culebra cut and a maximum width of 1,000 feet of channel in the Gatun Lake. About 6 miles at either end below the locks is salt water and on sea level, with a depth of 45 feet. About 37 miles from the Gatun Dam and Locks up the Chagres River and through the Culebra cut to Pedro Miguel Locks the fresh water is 85 feet above sea level. The water is supplied by the Chagres River. From the Pedro Locks to the Mira Flores Locks the second lake is about 55 feet above sea level.

To lift the ships from sea level to three higher levels six locks are used, each 1,000 feet long and 110 feet wide. Three are at the Atlantic end-at Gatun Dam-and three at the

Pacific. However, these are not together.

The places of greatest interest are the Gatun Dam, with locks and spillway, and the famous Culebra cut. The dam is 115 feet high, 1½ miles long, and one-half mile wide at the bottom, gradually sloping to top, where it is 100 feet wide. The material to build it came from the Culebra cut as rock and silt pumped by steam dredges from the lake. It is said the excavations would make a tunnel 14 feet in diameter through the center of the earth 8,000 miles long, including that for locks. The cement used would build a wall 12 feet wide, 8 feet high, from New York to Washington.

The feats of engineering do not stop with excavations and constructions. The plan for controlling the flow of the Chagres River in the wet season, of operating the locks for the passage of ships, of guarding against possible accidents, all have chal-

lenged the admiration of the world.

The work of sanitation, without which the canal could not be built, is second only in importance to the engineering. This yellow-fever stricken country is one of the healthiest in the This situation is not confined to the American quarters, but to the native villages as well in the zone. The two cities Panama, the capital of the Republic, and Colon, once the typical town of filth and disease, are to-day, under the direction of Col. Gorgas, as clean as any city in the United States.

Much of the work being done here is not noticed at once. victory over disease is a feature, however. The hospitals, as fine as can be found anywhere, are object lessons. The commissary department, where from 35,000 to 40,000 workmen with families are provided with food and clothing, much of which must be brought 2,000 miles, and that into a tropical climate, is another mammoth work apt to escape the attention of the casual visitor.

The various departments have so attracted the attention of nations that most of them have sent experts to the zone to study the operations. I became acquainted with a visitor at

the Tivoli Hetal, one of the two Government hotels in the zone, who proved to be a British subject traveling from Australia to London. He was asked by his Government to go by the zone and study the system of sanitation and to report to the home Government. His enthusiasm was unbounded. I also fell in with the premier of Saskatchewan, who was there for a similar purpose. One of Russia's most famous engineers spent some time on the canal for the same purpose. In other words, the nations of the world are paying tribute to American genius and enterprise.

But the larger aspects of the canal are seen in its effect upon the world's routes of trade. As far back as 1867 William H. Seward predicted that the Pacific was to be the world's greatest trade route. Recent developments in the Orient give new meaning to his prophecy. Japan 50 years ago was unknown in the West. In that span of time this small nation, ambitious to become the Britain in the Orient, has developed a rank in government and commerce that has become the envy of the Far East and a subject of interest and comment in the West. Students of the oriental people declare what Japan has done China

can do more easily and better.

Here is a people—425,000,000—as it were, asleep, which within the last 30 years is showing signs of a wonderful awakening. As Japan was aroused by the invasion of western ideas, so is China, which is literally honeycombed by gradually taking on the western spirit of progress. In cities like Shanghai, which has an American quarter in which can be found all modern American conveniences, such as paved streets, trolley lines, automobiles, telephones, electric lights, can be found daily hosts of progressive Chinamen who are studying modern civilization, which is gradually percolating the Empire. The light of the modern world is breaking through Chinese superstition, and its people are beginning to respond to the possibility of this world Western ideas are taking deep hold upon the mind awakening. of the Celestial Empire, which, on February 12, 1912, abandoned its ancient Manchu dynasty, which has held control for 5,000 years, to give way to the National Assembly. This is following close in the steps of Japan. In the light of what Japan has done in the last 50 years, what will China do in the next 50 years? Her commercial significance can be predicted by what the Chinaman has done in the Philippines, especially since American invasion and control of the islands.

When these millions of people become the producers in the Orient they will be found the world's greatest market.

will control this?

Columbus was not the first nor the last man who longed to tap this rich treasure. England has pursued a consistent policy for 150 years to secure full control of the Orient. To accomplish this she has built Gibraltar, the most heavily fortified citadel, and likewise she has control of Hongkong, the most heavily fortified citadel on the Pacific, to command the Orient. She has planted her coaling stations at convenient places, has girdled the globe with her oceanic cables, and has built a fleet of commercial vessels many of which could be speedily converted into transports if necessary, until she has a line of ships which placed side by side would reach 14 miles. To-day she has so perfectly platted the sea that no great vessel with her bunkers filled with coal could be found anywhere on the civilized sea that it would not be at its own coaling station before its coal would be exhausted. This policy has enabled England to maintain her rank of mistress of the sea. As such she carries much of the world's commerce and has thus far controlled the route connecting the Orient with the Occident.

Russia for the past 75 years has steadily approached this prize. So far back as the Crimean War the purpose was announced. The movement of this giant of the north is to satisfy an ambition to command the earth, a suggestion easily discerned by a notice of the procedure of the past 150 years. mighty glacier this giant moved from the north until Europe is Russianized from the frozen north to the Danube Provinces The movement eastward is unchecked from the Baltic to the Ural Mountains, across Siberia to Lake Baikal, thence on to Harbin, then to Vladivostok—a contiguous terri-

tory comprehending one-sixth of the globe.

For the past 75 years the dream is to become a world power upon the sea. To do this an outlet must be secured in the Far Port Arthur was the objective point. The history of the building of the famous transcontinental railroad 7,000 miles long, to be owned and operated by the Russian Government, is familiar to all. To fortify Port Arthur securely and dominate Manchuria are told in the war with Japan, which has tempo-

rarily retarded this policy.

The movement is but temporarily checked. Russia's fear is not Japan. Her competitor is her long-time commercial rival. Great Britain, with an all year open port on the Pacific. Russia |

will connect the Occident with the Orient with a 7,000-mile haul; England, via Suez, must travel 13,000 miles. Russia can cover the distance overland in 17 days, while the fastest sailing vessels of England require 51 days. Time being an element in the control of the mails and the parcel post, it is evident that the latter will fall under the control of Russia.

The supreme question is, Will Russia likewise control the freight? This is the eastern question, and explains the great

freight? This is the eastern question, and explains the great interest the two countries—Great Britain and Russia—have in it. For the last 70 years she has steadily encroached upon England. She has already absorbed Turkestan, Afghanistan, the Pameer region, and Baluchistan. Russia is to-day the dominant power in Persia, with a central bank of \$25,000,000 capital at Teheran financing the enterprises of this Asiatic province. The last sensitive issue is that of Thibet, which has furnished for the last 10 years the sensation of the East. Here is the latest approach against England's dominancy in India, with her 300,000,000 fretful population. Whatever be the real source of this supremacy in the Far East, all will agree that commercial advantage is the basis for it.

With this in view, note the significance of the Panama Canal. Vessels loaded with the treasures of the Far East destined for western Europe can most easily turn their prows eastward across the Pacific via Panama route, touch upon North America, the world's greatest distributing center, and land in western Europe after having traveled a very little distance more than by way of Suez. Here is the most significant result to be expected from this gigantic enterprise. It will probably help solve the eastern question. In that case, it will give the United

States a new rôle as the world's greatest peacemaker.

Whether it is wise or unwise to fortify the canal there is a difference of opinion. I am inclined to favor the proposition. Whether it is wise or unwise to maintain a naval power beyond the necessity of policing the seas will continue to divide our public men, because our people are not a unit on the subject. However, it would appear that a majority of our people would indorse our embracing the opportunity afforded by the opening of the canal to tap this commerce of the Orient. people of this country, both the large and small Navy men, would favor the Government using the money required to build four modern battleships of the dreadnought type, the number recommended by the naval board, to build a line of steamships of the modern type to connect North America with South Amer-

ica and also the Orient.

With that outlay of money we could place a line of ships so that one could leave New York going to the Orient every 10 days and one leaving Manila for New York at the same time. This line would touch Cuba, Porto Rico, Colon, Panama, San Francisco, Honolulu, Yokohama, Shanghai, Hongkong, and Manila. Another line could touch the west coast of South America, with its growing trade. This amount of money would build enough ships of such type to be used as transports in time of war and enough to touch on each port named every 10 days, giving time to load and unload and still keep three ships in dry dock for emergencies. These ships can be built in American shipyards, where American capital is invested and where American labor is employed. It will not only begin the policy of re-viving our merchant marine by tapping this wonderful growing commerce of the Orient but it will start a campaign of sea power, from a commercial standpoint, which from the nature of the case is destined to be ours if we but embrace the opportunity.

Our past experience in our wonderful capacity for industrial organization, due to our genius in financial management and our skilled labor, the most skillful found anywhere in the world, lead me to the conclusion that we will not only build all of our own ships for this growing merchant marine but, as in other fields of world competition, we will soon enter upon the building of the ships for other nations as well. This policy of reviving our lost merchant marine would also bind our insular posses sions together by the strongest possible bonds-commercial

interests.

Here seems to me rests our great opportunity to make the completion of the canal a signal success from a commercial In that case our Nation might be justified in making a gift to the nations of the earth.

Mr. SHERLEY. Mr. Chairman, may I ask the status of the time on the respective sides; how much time has been con-

The CHAIRMAN. The gentleman from Kentucky has 20 minutes and the gentleman from New York has 36 minutes.

Mr. SHERLEY. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. Carr].

Mr. CARR. Mr. Chairman, I desire first to commend the work of the subcommittee on appropriations in preparing this

bill. The gentleman from Kentucky [Mr. Sherley] and his associates have labored long and tirelessly and have presented to this Congress a bill that is comprehensive in every detail. Those who are interested in this great work would have no trouble in finding the various items appropriated for fortification purposes, and they are analyzed in a manner that can be readily understood. I have been interested somewhat in the work this country has been doing in Panama. The gentleman from Ohio [Mr. Fess] has just said that he made a trip there some time ago and visited the fortifications. That was a pleasure that I have had also within the last two or three months, and I feel that this work, considering what other nations of the earth arc doing, is a work absolutely necessary. I hope the time may come when these fortifications will be no longer necessary, but that time is not here yet.

But I did not rise for the purpose of discussing the various provisions of this bill. I wish to call the attention of the committee to some remarks that have been made here by gentlemen who are interested in the arsenal at Philadelphia. I can heartily commend what has been said with reference to the Frankford Arsenal. If the Government of the United States is going to maintain arsenals at Philadelphia and Rock Island, as evidently has been its purpose, then those arsenals should be maintained in a manner befitting a great nation such as ours. I believe it is right that the Government should embark in the manufacture of materials necessary for its defense in time of war. I believe that we should manufacture what ammunition may be necessary, without leaving it to private enterprise. It is not only right but it is necessary.

Mr. Chairman, if the figures that have been given to me are

correct, and they are the figures that have been stated by the gentlemen who have discussed this question on the floor, I am satisfied that there would be an enormous saving to the Government of the United States if the Philadelphia Arsenal were given an opportunity to manufacture the ammunition now left to private enterprise, such as ammunition for the smaller guns. Upon a visit to Philadelphia I found on inspecting the arsenal that the facilities for manufacturing artillery are not adequate to the needs of the Government. Mr. Chairman, we pay out enough money to private enterprise in two years in excess of what it would cost the Government to do the same work to give to the Frankford Arsenal the money that is necessary to make the improvements there. I found that the construction of additional buildings would cost about \$210,000, and that to equip such buildings with machinery would cost about \$350,000 additional, making the total cost of about \$560,000. Mr. Chairman, if \$560,000 can be saved in a period of about two or three years by enlarging this arsenal and giving to it the contracts that are given to outside parties, is it not the part of wisdom to make these appropriations?

Mr. BARTON. Mr. Chairman, will the gentleman yield? Mr. CARR. Certainly.

Mr. BARTON. Would the gentleman follow that further and advocate the making of armor plate by the Government?

I would, sir.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield further for the statement that ought to go in in connection with his statement, that the capacity of the arsenals now is sufficient to take care of every bit of manufacturing that there will be

money appropriated for this year?

Mr. CARR. Mr. Chairman, I was about to add that statement—that the capacity of the arsenals is sufficient to take care of the appropriation in this bill. But it is not sufficient to take care of all the manufacturing required. Touching the question as to whether the Government should go into the armorplate business, stated as a general proposition, I believe this Government should take care of everything that may be necessary for its defense in time of war rather than leave it to private parties, and especially in view of the enormous saving that will result therefrom.

The CHAIRMAN. The time of the gentleman from Pennsyl-

vania has expired.

By unanimous consent, Mr. Carr was granted leave to extend

his remarks in the RECORD.

Mr. CALDER. Mr. Chairman, I yield 15 minutes to the

gentleman from Pennsylvania [Mr. Moore].

Mr. MOORE. Mr. Chairman, it is a very great satisfaction to one coming from Philadelphia to hear the remarks of the gentleman from Pennsylvania [Mr. Carr] indorsing the proposed improvements at the Frankford Arsenal. What he says with regard to the necessity for those improvements is true. They are badly needed, and they are wholly warranted by the splendid record that arsenal is making in saving the Government vast expenditures in the manufacture of small-arms ammunition. It has been pointed out here not only in the RECORD by me, on a previous occasion, but in the address made by the gentleman from Pennsylvania [Mr. Donohoe] a little while ago, that a saving of \$1,300,000 as between the arsenal cost and the manufacturing cost had been made at that institution in one year. If that is true, and we have the figures of the War Department to justify it, then it would not take three or four years' savings to make good such improvements as are needed at Frankford, but the savings of one year would be sufficient for all material purposes. I am very glad the gentleman has referred to this situation, because during the last two or three years the appropriations at that arsenal have not been kept up to the standard that many of us believe they should have attained. They have been falling off. This may be due partly to the peace policy of the United States, about which we hear so much in recent days, but nevertheless it is true that the appropriations for the manufacture of small-arms ammunition at this arsenal have been decreasing during the last two or three years

Mr. SHERLEY. Will the gentleman yield? Mr. MOORE. Yes. Mr. SHERLEY. What does the gentleman mean by small armsrifles?

Mr. MOORE. Small-arms ammunition.

Mr. SHERLEY. Ammunition for rifles?
Mr. MOORE. Yes; for rifles, revolvers, and so forth.
Mr. SHERLEY. We have approached very nearly a com-

plete supply of ammunition for such arms.

Mr. MOORE. I believe the hearings set forth that the smallarms appropriation is less this year than at any time since the

Spanish War—

Mr. SHERLEY. Yes; and the reason for that is we have approached the completion of the project.

Mr. MOORE. But evidently there is a reason for making the request for appropriations not only to continue a reserve to meet the actual needs of war, but in order to utilize the order to we have. It may be charged that I am criticizing appropriations made during the last two years. I am simply referring to the fact that the judgment of the War Department in this respect is not followed by the committee. I have some data here in regard to this question, but I shall not enter upon it at this time, because I want to speak upon another phase of the subject.

The country wants peace, peace from unnecessary legislation, peace from unnecessary and inquisitorial investigation. The country wants industrial peace, and the country also wants an assurance that we will have peace against any kind of foreign invasion. The President of the United States stands for peace, and it is altogether to his credit that he stands for peace. There is a peculiar condition of affairs prevailing along the Mexican border, in which he is exercising great forbearance in his desire to maintain peace, for there is a war on in Mexico and a war of annihilation, as it would seem to the observer. Yet the President of the United States sits calmly, demanding peace, though we hear from recent conferences that an embargo may be lifted by which those who are at war in Mexico may obthe anomalies of the present-day demand for peace in the United States.

The Secretary of State stands for peace, and it is wholly to his credit that he stands for peace. One of the most beautiful lectures delivered by mortal man was delivered by the present Secretary of State upon the subject of peace, and it interested and attracted all hearers; but the present Secretary of State is now engaged in negotiations with foreign powers that may or may not contemplate peace. We are discussing the question Japanese immigration at the present time. The Secretary of State would not have us imperil ourselves in any war with Japan; he stands for peace, for disarmament; but the Secretary of Labor, who also stands for peace—for industrial peace—is at variance with the Secretary of State upon this subject so far as it pertains to the Japanese.

He is in favor of involving us, if necessary, in a controversy with an otherwise friendly power by having us bar from the country the natives of Japan who seek an opportunity to obtain a livelihood in the United States. He stands for peace, but he does not want an Asiatic admitted into the United States, nor any other foreigner, in fact, unless he is qualified to fight. Rather an inconsistency in the Cabinet of a President who stands for peace.

The Secretary of the Navy stands for peace. He would not embroil us in any foreign controversy, and yet he sends us a message favoring the construction this year of two battleships, and one of his official staff appears before the proper committee of Congress to advocate four battleships this year.

Mr. SHERLEY. Will the gentleman add himself to the in-

teresting catalogue of inconsistent peace advocates, inasmuch as

he talks peace and wants to spend everything he can get at his

Mr. MOORE. I am coming to that. That is my very point. The gentleman from Kentucky himself, in bringing in his fortification bill to provide upward of \$5,000,000, although the department wanted \$9,000,000, is advocating war, though he stands for peace. But the Secretary of the Navy stands for peace, although he wants two battleships, and his representative on the naval board wants four.

This whole Congress stands for peace, and even went so far on a recent occasion as to pass a resolution declaring for peace, upon the say-so of a British statesman reported in the newspapers, and concerning which there was no official information. A resolution was passed by this House declaring for a certain cessation of naval construction for one year because it was said that Hon. Winston Churchill wanted it. I presume the gentleman who introduced the resolution was familiar with what he was doing when he said that the British statesman wanted to have the other nations of the earth cease building battleships in order that we might take a long step forward toward the great desideratum—peace. I happen to notice, however, that since the United States Congress passed this resolution the British Admiralty has been busy, and since we have officially declared for peace, though we have some contentions of our own, this same Winston Churchill, the Lord of the Admiralty, has been making a speed record in order to get constructed for the British Navy battleships that might qualify upon the high seas, and there is now a controversy throughout the Empire in regard to the expenditure of \$25,000,000 in excess of the amount appropriated for the purpose of building British bat-tleships. I shall ask leave to put this statement in the Rec-ORD. It indicates how freely and cheerfully we take newspaper reports as to the attitude of foreign nations in order to pass serious resolutions in the House of Representatives. It illustrates, moreover, how prone we are to fall in with a sentiment that is stirred up in certain sections of the country that induces us to pass laws that will be inoperative and that are, in effect, against our own judgment.

Now, the gentleman has asked me a very plain question as to whether I have not stood for the construction of battleships, while I, too, am contending for peace. I admit that that is the fact, and it is based not upon the mere sentiment that Mr. Winston Churchill wanted us to do something, but it is justified by the fact that after the Congress of the United States has passed a resolution complying with a sentiment we knew absolutely nothing about officially, we are now bringing in in the regular way a large appropriation bill to continue to fortify ourselves against foreign attack.

But we are standing for peace in this administration. We want peace with all the earth and amongst our own people, and we are not quite so foolish yet, even though we stand for peace and proclaim it from the housetops and from the platform, as to let go our hold upon such battleships as we have and such armament and such fortifications as may be useful,

I rose to talk upon this question of peace merely to call attention to the fact that those who have been advocating it here are of necessity compelled to bring in bills making large appropriations of the people's money, even a tax upon the farmer, to build up fortifications and maintain them in order to be prepared for war as a sure guaranty of that peace in which we believe.

The gentleman from Kentucky [Mr. Sherley] is entitled to much respect and honor for having worked out faithfully the much respect and honor for having worked out latenthly the problem of economy in this bill. I believe he has followed the true Democratic doctrine of this year our Lord 1914. How long he may be able to continue it I do not know, but it is a fact that he has brought in a bill here which is approximately \$4,000,000 less in the matter of our need for fortifications than the department itself has submitted we ought to have.

He has indicated that the plan of the experts upon this subject who desire to complete a scheme of fortification for the United States that would protect us against foreign invasion is not yet complete and that we are behind in that respect.

Four millions have been lopped off this year on general fortifi-What will be lopped off in other respects I do not know; but gentlemen are confronted, on the one hand, with their policy of economy, with which they want to convince the people that they ought to come back to Congress, and, on the other hand, they are confronted with the absolute necessity of doing the sensible thing, which they come in quietly to do when they can not do anything else.

They are bound to make appropriations for the Army and the Navy; they are bound to make appropriations for fortifica-tions; but they lop off a little here and they lop off a little there,

and then they tell their constituents back in the country that they are practicing true economy down here in Washington.

I call attention to the fact that the policy of the Nation with regard to the protection of the lives of its citizens and its industries must be maintained and that, although under the rule of a Democratic majority which professes peace from the platform and from the housetops, we must still have revenues sufficient to enable us to make our fortifications secure and to protect ourselves against foreign enemies.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield? The CHAIRMAN. Does the gentleman yield?

Mr. MOORE. I do. Mr. SHERLEY. I will ask the gentleman if he has ever read the estimates submitted for fortifications?

Mr. MOORE. I have read the gentleman's very interesting report on that subject.

Mr. SHERLEY. Have you ever read the estimates? Mr. MOORE. I have gone over the estimates hurriedly.

Mr. SHERLEY. Yes; hurriedly. Would you grant them in their entirety?

Mr. MOORE. I do not know that I would.

Mr. SHERLEY. Why are you criticizing the committee,

Mr. MOORE. Because the testimony shows that the committee differed from the judgment of the experts on the subject.

Mr. SHERLEY. Does the gentleman contend that we should accept the judgment and estimates of the experts and their viewpoint entirely?

Mr. MOORE. I think the committee is within its right in exercising its own judgment; but in this instance the committee has been brought to book.

Mr. SHERLEY. Is not the fact this, that the gentleman does not know anything about the estimates except for a little cursory examination, and has never read the Endicott Board scheme or the Taft Board scheme, and just for the sake of making a little political speech he is denouncing us for cutting the estimates?

Mr. MOORE. But the gentleman has cut the estimates, has he not?

Mr. SHERLEY. That is no crime. Mr. MOORE. It brings back directly to the gentleman the fact that whereas he and his party have brought in and passed here resolutions professing to make for international peace, they are still voting for large amounts for protection against

The CHAIRMAN. The time of the gentleman from Pennsyl-

vania has expired.

Mr. MOORE. Mr. Chairman, I will append to my remarks the newspaper dispatch I referred to a moment ago. It reads as follows:

FOUR DREADNAUGHTS CHURCHILL'S 1914 PLAN—HEAD OF BRITISH ADMI-RALTY BENT ON SPEEDING UP NAVAL CONSTRUCTION, DESPITE EXPENSE— LIKELY TO HAVE WAY.

The Cabinet will hold an important meeting to-day to decide upon the financial feature of the naval program for the coming year. Since Winston Spencer Churchill has been head of the Admiralty he has spent money lavishly in speeding up construction, with the result that the expenditures have exceeded the estimates by nearly \$25,000,000, and, by reason of this, David Lloyd-George, for the first time since he has been chancellor of the exchequer, is faced with a budget deficit. Hence his anxiety to bring about a halt in naval expenditure.

Mr. Churchill, however, insists upon four new dreadnaughts being laid down the coming year, together with further speeding of all naval construction, which will involve an additional expenditure of between \$10,000,000 and \$15,000,000.

The little-navy party consider two dreadnaughts sufficient, but the general belief is that the First Lord of the Admiralty will carry his point.

Mr. SHERLEY. Mr. Chairman, may I inquire of my colleague whether he desires to use more time on his side?

Mr. CALDER. There are no further speakers on this side. Mr. SHERLEY. At the present time there seems to be no one present on the floor who desires time; and, Mr. Chairman, in the absence of anybody desiring time, I will ask that the Clerk read the bill.

The CHAIRMAN. Without objection, the Clerk will read the bill for amendment.

There was no objection.

The Clerk read as follows:

UNDER THE ENGINEER DEPARTMENT.

For construction of gun and mortar tatteries, \$250,000.

For modernizing older emplacements, the sum of \$100,000 is reappropriated and made available out of the aggregate unexpended balance of the appropriations for repair and protection of defenses of Pensacola, Fla., made in the fortifications appropriation acts approved March 2, 1907, and March 3, 1909, respectively.

Mr. CALDER. Mr. Chairman, I move to strike out the last

The CHAIRMAN. The gentleman from New York moves to

strike out the last word.

Mr. CALDER. Mr. Chairman, this item carried an appropriation last year of \$75,000. In the estimates this year the amount asked for is \$175,000. In the examination of the officers of the Army who appeared before the subcommittee it was discovered that there was on hand \$265,000 that had been appropriated for the repair and protection of defenses at Pensacola. This fund was not needed for that purpose, and the committee determined to use \$100,000 of this unexpended balance of \$265,000 for the purposes of this paragraph. This is \$75,000 more than was appropriated last year, and for the item farther down on the same page the sum of \$165,000 is reappropriated out of this Pensacola fund to take care of estimates for the protection, preservation, and repair of fortifications. In these two items sufficient money is appropriated, and that itself makes \$375,000 that we have lopped off of the War Department's estimates. That is part of the \$4,000,000 reduction to which the gentleman from Pennsylvania refers.

The CHAIRMAN. The pro forma amendment is withdrawn,

and the Clerk will read.

The Clerk read as follows:

For preparation of plans for fortifications and other works of defense, \$5,000.

Mr. BARTON. Mr. Chairman, I move to strike out the last word, for the purpose of asking a question. This item is—

For preparation of plans for fortifications and other works of defense, \$5,000.

Is not the preparation of these plans made by the War Department, and are not the men in the service who do the work already paid for their time? In other words, what is this expenditure for?

Mr. SHERLEY. It is for certain clerical expenses and expenses incident to the preparation of the plans. I do not know that I can amplify; the language itself clearly indicates the purpose. It is an expenditure for drawings and detailed plans for defenses, and this is an annual item that has been carried in previous bills. It is a very small sum that about covers the extra expense incident to the preparation of plans.

Mr. BARTON. I am simply asking for information as to whether or not these men are not already under pay of the

Government.

Mr. CALDER. Mr. Chairman, I may amplify the answer of the gentleman from Kentucky. This fund has been used largely in the preparation of plans at New York. It is true that we in the preparation of plans at New York. It is true that we appropriate specifically for engineers, clerks, and draftsmen, but the department has found it necessary at times to have plans prepared away from Washington, and as I understand this fund is used for that purpose.

Mr. WOODRUFF. Mr. Chairman, I move to strike out the last two words. Is it not a fact that the department employs

its own engineers and draftsmen?

Mr. SHERLEY. Yes.

Mr. WOODRUFF. Is it not also a fact that this fund, when used at New York, for instance, is used in the renting of quarters and the purchase of supplies?

Mr. SHERLEY. There is a board of engineers in New York

who have not only the preparation of these plans but various other work to perform. The expense of their offices, including the clerical hire, is apportioned according to the amount of work that is done for fortification purposes and for other purposes, and the expense of the portion properly assignable to fortifica-tions amounts to about \$5,000 annually, and for that reason

this amount is carried.

Mr. WOODRUFF. I should like to ask if this money is being expended for the purpose of hiring ordinary clerks to work upon the plans of fortifications that this country is now com-

pleting?

Mr. SHERLEY. The statement in the hearings is to this effect:

The board has had allotted to it during the past year, for instance, in addition to the \$5,000 of this item, an amount of \$2,382.50 of appropriations made for fortifications in the Philippines from the specific item for Fort Drum, El Fraile.

The drafting of these plans is done by the board, and the board's expense is largely made up of draftsmen's salaries and expenses. This same group of officers is also the harbor-line board for New York City, and a part of its office expense is chargeable to river and harbor funds. The board has had allotted to it from such funds \$2,382.50, making a total for this year of \$9,765, the principal application of which has been to salaries for-draftsmen, as stated before, and a small clerical force which is in the office.

Mr. WOODRUFF. Then no ordinary clerks or assistants are hired for the actual work upon these plans, I take it.

Mr. SHERLEY. I do not know what the gentleman means by that.

Mr. WOODRUFF. The thing I wanted to know was this, whether or not the department is hiring ordinary clerks to work upon the plans of these fortifications?

Mr. SHERLEY. I do not know whether they are ordinary erks. The board are hiring clerks, under the direction of these officers, to do certain clerical work, and draftsmen to make certain drawings in connection with the fortifications.

Mr. WOODRUFF. Are men who are not connected with the department employed for this work?

Mr. SHERLEY. They are being employed in connection with

the department, under Army officers

The CHAIRMAN. The time of the gentleman has expired. The pro forma amendment is withdrawn. The Clerk will read. The Clerk read as follows:

UNDER THE CHIEF SIGNAL OFFICER.

For operation and maintenance of fire-control installations at seacoast defenses, \$130,000.

Mr. CALDER. Mr. Chairman, I move to strike out the last word. For the item just read the estimate of the department was \$180,000. The committee have recommended \$130,000.

An examination of the hearings will show that on December 5 last the department had for this item an unexpended and unallotted balance of \$119,701.57. For that reason, and in view of the evidence brought out in the hearings, the committee determined to recommend a reduction of \$50,000 in the estimate of the department.

The CHAIRMAN. The pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows: ARMAMENT OF FORTIFICATIONS.

For the purchase, manufacture, and test of mountain, field, and siege cannon, including their carriages, sights, implements, equipments, and the machinery necessary for their manufacture at the arsenals, \$450,000: Provided, That the Chief of Ordnance, United States Army, is authorized to enter into contracts or otherwise incur obligations for the purposes above mentioned not to exceed \$300,000 in addition to the appropriations herein and heretofore made.

Mr. MOORE. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. I notice in this paragraph, on line 16, "and the machinery necessary for their manufacture at the arsenals." The same language is carried out in the subsequent paragraphs. Is this in accordance with existing law?

Mr. SHERLEY. It is. Mr. MOORE. It is not new?

Mr. SHERLEY. It is not.

Mr. MOORE. To carry out the purpose of putting the work in the arsenals?

Mr. SHERLEY. They have always had the power to buy the necessary machinery for the manufacture of ordnance.

Mr. MOORE. I withdraw the pro forma amendment.

The Clerk read as follows:

For the purchase, manufacture, and test of ammunition for mountain, field, and siege cannon, including the necessary experiments in connection therewith and the machinery necessary for its manufacture at the arsenals, \$900,000.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee what the department asked for.

Mr. SHERLEY. For \$3,000,000.
Mr. MOORE. Where would this ammunition for the mountain, field, and siege cannon have been made under ordinary circumstances'

Mr. SHERLEY. Some in the arsenal and some purchased of private manufacturers.

Mr. MOORE. The most of it would have been made at the Frankford Arsenal?

Mr. SHERLEY. Quite a bit of it would have been made

Mr. MOORE. But it would not make any of the powder? Mr. SHERLEY. No; and the powder amounts to about 10

per cent of the cost. Mr. MOORE. Since the amount recommended by the committee is \$900,000 and the amount asked for by the bureau is \$3,000,000 I wish the gentleman would tell us why the commit-

tee thought it wise to cut it down to that extent.

Mr. SHERLEY. I explained for nearly 30 minutes in my speech opening the general debate this morning that exact point,

but for the gentleman's benefit I will go over it briefly.

Mr. MOORE. It would answer some criticism I made a moment ago

Mr. SHERLEY. The committee considered the amount asked for in the estimate as being in excess of what we could properly recommend inasmuch as the largest amount that has ever been appropriated any year, with the one exception of one year during the Spanish War, was the amount carried last year, which is the exact amount recommended this year, namely, \$900,000. I will give the gentleman the appropriations for the last 10 or

In 1899 there was \$1,049,735 appropriated for this purpose. In 1900, nothing. In 1901 there was \$115,140. In 1902, \$300,000. In 1903, nothing. In 1904, nothing. In 1905, \$211,600. In 1906, \$200,000. In 1907, \$160,000. In 1908, \$160,000. In 1909, \$160,000. In 1910, \$160,000.

This latter item was the exact amount that had been asked for, and in explanation of such a small estimate it was testified this year that it was because they had instructions from the administration to cut it down in order to make a showing of economy. The next year, 1912, there was appropriated \$300,000, and in 1913, \$600,000, and in 1914, \$900,000.

Mr. MOORE. The gentleman knows that the capacity of the

Frankford Arsenal has about been reached and that it needs to

be extended to do any greater amount of business.

Mr. SHERLEY. I know, according to the testimony before the committee, that all the sums carried in this bill and the Army bill for material for the mobile Army can be used in the

arsenals now at the present capacity.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired and the pro forma amendment is withdrawn. The Clerk read as follows:

For the purchase, manufacture, and test of seacoast cannon for coast defense, including their carriages, sights, implements, equipments, and the machinery necessary for their manufacture at the arsenals, \$336,800.

Provided, That the Chief of Ordnance, United States Army, is authorized to enter into contracts or otherwise incur obligations for the purposes above mentioned not to exceed \$300,000, in addition to the appropriations herein and heretofore made.

Mr. MANN. Mr. Chairman, I reserve a point of order. wish to ask the gentleman from Kentucky a question. It says:

Provided, That the Chief of Ordnance United States Army is authorized to enter into contracts or otherwise incur obligations for the purposes above mentioned.

What does that refer to-everything that precedes? Mr. SHERLEY. It refers to the preceding paragraph-

For the purchase, manufacture, and test of seacoast cannon for coast defense, including carriages, sites, implements, equipment, and the machinery necessary for their manufacture at the arsenals.

Mr. MANN. Why not say, "for the purposes mentioned in

the preceding paragraph"?

Mr. SHERLEY. That is the language that has been carried in the bill, and I think it clearly indicates the paragraph above. Contract obligations do not necessarily mean contract obliga-tions with outside manufacturers. The arsenals frequently enter into contract relationship with the Government, and this simply authorizes contracts with the arsenal or with outside manufacturers; but, owing to the general limitation about out-

side purchases, it really relates to contracts with the arsenal.

Mr. MANN. I am inclined to think—perhaps I may be mistaken—that this coming as a separate paragraph would authorize them to enter into contracts for the \$900,000 item.

Mr. SHERLEY. It has never been so construed.

Mr. MANN. This paragraph has not been carried in this way heretofore, I think.

Mr. SHERLEY. It was carried last year in the exact lan-

guage and also the year previous.

Mr. MANN. I think it is not carried in the current law.

Mr. SHERLEY. Not in this particular place, but similar language was carried under the item for mobile artillery.

Mr. MANN. This proviso is inserted as a separate paragraph, the gentleman will notice.

Mr. SHERLEY. It should be a part of the paragraph, and I will be glad to have the period in line 6, after the figures "\$336,800," changed into a colon and the word "Provided" to immediately follow; and I make that motion, Mr. Chairman.

Mr. MANN. I will withdraw the point of order. The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, line 6, after the figures "\$336,800," at the end of the line, strike out the period and insert a colon, and have the proviso follow as a part of the same paragraph.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

The Clerk read as follows:

For the purchase, manufacture, and test of ammunition for sea-coast cannon, and for modernizing projectiles on hand, including the necessary experiments in connection therewith, and the machinery necessary for its manufacture at the arsenals, \$140,000.

Mr. MOORE. Mr. Chairman, I move to strike out the last The department in this instance asked for \$400,000?

Mr. SHERLEY, Yes. Mr. MOORE. And the committee cut that estimate to \$140,000?

Mr. SHERLEY. Yes.

Mr. MOORE. May I ask the reason? Mr. SHERLEY. This is, as the gentleman probably knows, for ammunition for seacoast cannon. We already have 73 per cent of the total ammunition estimated as required. For the guns we have very much more than 73 per cent, and for the mortars something under 73 per cent; but the average for both guns and mortars is 73 per cent. Last year and the year before their estimate was \$140,000, and we gave them that. This year there was no reason advanced why we should jump over 200 per cent in the rapidity with which we supplied the remaining twenty-odd per cent desired.

Mr. MOORE. They had not been using up the reserve?

Mr. SHERLEY. This is a reserve, and is not touched. The

practice ammunition is carried in a separate item.

The Clerk read as follows:

For the purchase, manufacture, and test of ammunition, subcaliber guns, and other accessories for Seacoast Artillery practice, including the machinery necessary for their manufacture at the arsenals, \$425,000.

Mr. SHERLEY. Mr. Chairman, I move to strike out the last word. This is the item that carries the appropriation for the practice ammunition, and we gave them the amount asked-\$425,000.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield? Mr. SHERLEY. Yes. Mr. STAFFORD. I notice in the second paragraph follow-

ing the one under consideration there is a provision for ammunition for the same character of guns, but in a different service. I refer to the paragraph at the top of page 5. It is for mountain, field, and siege artillery practice. I assume it is the plan of the committee to segregate each character of mechanism,

especially for that character of service.

Mr. SHERLEY. They are very distinct. One is seacoast cannon, the smallest of which is 6-inch; the other is mobile ar-

tillery, the smallest of which is 3, running up to 6.

Mr. STAFFORD. I assume from the gentleman's exposition this morning that the department separates the ammunition for each field of service.

Mr. SHERLEY. Oh, yes; they belong to totally separate services. One relates to the Seacoast Artillery and the other to

the mobile Army

Mr. STAFFORD. The respective services are under different branches of the department?

Mr. SHERLEY. They are under different corps, and are entirely distinct.

The Clerk read as follows:

For the alteration and maintenance of the mobile artillery, including the purchase and manufacture of machinery, tools, and materials necessary for the work and the expenses of the mechanics engaged thereon, \$45,000.

Mr. CALDER. Mr. Chairman, I move to strike out the last word. This paragraph carries an appropriation of \$45,000; the appropriation last year was for the same amount; the estimate for this year is \$55,000; there is an unallotted balance in the hands of the department of \$10,000, and for that reason the estimate was cut by that amount.

The Clerk read as follows:

For the purchase, manufacture, and test of ammunition, subcaliber guns, and other accessories for mountain, field, and slege artillery practice, including the machinery necessary for their manufacture at the arsenals, \$130,000.

Mr. MOORE. Will the gentleman inform me what was the

cut in this item?

Mr. SHERLEY. It is a cut of \$10,000. We increased this amount two years ago from \$110,000 to \$130,000, the extra \$20,000 being due to the school of instruction we have in Oklahoma. This year they came with an estimate for \$140,000, asking \$10,000 more. We thought that \$130,000, the amount allowed for the two past years, the largest amount that has ever been allowed, was sufficient.

Mr. MOORE. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

PROVING GROUND, SANDY HOOK, N. J.

FROVING GROUND, SANDY HOOK, N. J.

For current expenses of the ordnance proving ground, Sandy Hook, N. J., comprising the maintenance of rail and water transportation, repairs, alterations, accessories, and service of employees incidental to testing and proving ordnance matériel, hire of assistants for the Ordnance Board, purchase of instruments and articles required for testing and experimental work, building and repairing butts and targets, clearing and grading ranges, \$56,200.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I think when we have the adoption of a reform a reason ought to be given. I am sure the gentleman has a reason for the reform adopted in that paragraph, and he knows to what I refer.

Mr. SHERLEY. No; I do not.

Mr. CALDER. The gentleman from Illinois would like to have an explanation of the word "matériel."

Mr. SHERLEY. The reason for the use of the word "materiel" rather than the word "material" is because one designates the things that go to make a finished article and the other technically represents the finished article itself, and it seems proper to use the word "matériel" here.

Mr. MANN. It seems to me the gentleman is correct in

using the word.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last word. I desire to ask the gentleman in charge of the bill whether there is an increase or decrease here?

Mr. SHERLEY. It is neither an increase nor a decrease; it is the same amount that it has been for several years.

Mr. GOULDEN. I thank you and withdraw the pro forma amendment.

The Clerk read as follows:

For the maintenance of the submarine-mine matériel within the limits of continental United States, for the purchase of the necessary machinery, tools, and implements for the repair shop of the torpedo depot at Fort Totten, N. Y., for extra-duty pay to soldiers necessarily employed for periods not less than 10 days in connection with the issue, receipt, and care of submarine-mining matériel at the torpedo depot, and for torpedo-depot administration, \$68,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. The gentleman this morning gave the committee very instructive information as to many matters. I think he has the information at hand which I would like to inquire about, and that is whether he can inform the committee as to the various places where the Government is engaged now in the manufacture of ammunition or any other kind of materiel that is covered in this bill?

Mr. SHERLEY. I can give the gentleman the information. The following are the principal manufacturing arsenals and the

general character of the work produced at each:

Frankford Arsenal, Philadelphia, Pa.: Manufacture of small-arms ammunition, mobile artillery ammunition, sights, and optical instru-

ammunition, mobile artillery ammunition, sights, and optical instruments.

Watertown Arsenal, near Boston, Mass.: Manufacture of seacoast gun carriages and armor-piercing projectiles. The manufacture of shrapnel cases has recently been inaugurated on a small scale.

Watervliet Arsenal, near Troy, N. Y.: Manufacture of mobile and seacoast guns. The manufacture of shrapnel cases has recently been inaugurated on a small scale.

Springfield Armory, Springfield, Mass.: The manufacture of small arms, machine guns, and pistols. The manufacture of diaphragms and other small parts needed in the work of manufacturing mobile artillery ammunition at Frankford Arsenal has recently been inaugurated at this place.

Rock Island Arsenal, Rock Island, Ill.: The manufacture of mobile gun carriages and other artillery vehicles; harness, saddles, bridles; personal equipment for enlisted men, such as meat cans, tin cups, etc. There is a small-arms plant at this arsenal, but that is not now in operation.

operaton.

Picatinny Arsenal, Dover, N. J.: The manufacture of smokeless powder for ammunition for cannon and small arms.

Mr. STAFFORD. In the gentleman's enumeration of the places where the various materials are manufactured I come to the conclusion that some of these places are duplicating some articles manufactured in other plants and some are devoting

their attention to one line of manufacture.

Mr. SHERLEY. Yes. There are several of these places where the same character of work is being done, and there are also one or two places where work of a certain character is ex-

clusively done.

Mr. STAFFORD. Can the gentleman give any information why the Rock Island Arsenal was selected to manufacture the

various articles which the gentleman has stated.

Mr. SHERLEY. I could not state, but I think it has been very largely a matter of evolution in these arsenals, according to the capacity, and when the plant was sufficient to enable them to take in certain work they have done so. For instance, they have practically stopped the manufacture of small arms at Rock Island, and the reason for that is because we are so very near the total amount required that there is a falling off in the annual output.

So that last year in the sundry civil bill we carried a quarter of a million of dollars to enable them to utilize a part of the idle plant there in the manufacture of mobile artillery car-

riages, gun carriages, ammunition trains, and so forth.

Mr. STAFFORD. Could it not be said generally that the department is endeavoring to specialize in certain lines of manufacture of various equipments in one place as to these various establishments?

Mr. SHERLEY. I think the bulk of a certain character of work i done in one place, and in some instances all the work is in one place. Of course, all the powder is made at the powder factory

Mr. STAFFORD. I withdraw the pro forma amendment. Mr. MOORE. Mr. Chairman, I move to strike out the last

two words.

The inquiry propounded by the gentleman from Wisconsin [Mr. STAFFORD] induces me to read the testimony of Gen. Crozier on page 159 of the hearings. He says:

There are some advantages which different ones [arsenals] have. For instance, at the Rock Island Arsenal they have a power plant which the Government owns; a water power, the Mississippi River, that is very useful. On the other hand, I think the labor market out there is not as good as it is at some of the other arsenals, particularly at the Frankford Arsenal, which is in the city of Philadelphia, and which has a considerable advantage in that respect. At the Springfield Armory they have had a good deal of experience in the most economic expenditure of labor and in the use of the best kind of machinery, particularly for repetition work. They have had very valuable experience and very great success in getting first-rate output on a piecework basis.

I want to put in this statement about the labor situation at the Frankford Arsenal in Philadelphia. It is said to be one of the best in the country, and as the result of the utilization of that labor during the fiscal year ended June 30, 1913, there was a saving on the output of the Frankford Arsenal in the manufacture of small-arms ammunition, as against the outside pur-

chase price, of approximately \$1,300,000.

Now, one of the things which the gentlemen who have preceded me and have spoken on this question, and myself, wanted to say is that the capacity of the Frankford Arsenal has about been reached so far as building and grounds are concerned, and \$250,000 having been recently appropriated for the development of the Rock Island Arsenal, the time has come, if we are to enter largely upon Government manufacture, for extensions at the arsenal at Frankford, where these excellent labor conditions

Mr. SHERLEY. In order to show that the Frankford Arsenal may not have a complete monopoly of all the good points, it ought to be stated that the same testimony of Gen. Crozier shows the advantages that exist there as to labor are offset by various advantages that exist at other arsenals. For instance, there is the advantage of cheap power at the Rock Island What shall be done, if anything, touching the enlargement of these arsenals is a matter for careful consideration. But I am inclined to think if any great enlargement is to come it will probably come at Rock Island, owing to situation as to power and the opportunity for expansion.

Mr. MOORE. Mr. Chairman, I withdraw the pro forma

amendment.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

FORTIFICATIONS IN INSULAR POSSESSIONS.

ENGINEER DEPARTMENT

For construction of seacoast batteries, as follows: In the Philippine Islands, \$300,000.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. With reference to the remarks made by the gentleman from Kentucky [Mr. Sherley] in charge of this bill, and with further reference to the opinion of Gen. Crozier, Chief of Ordnance, on this subject, I read from page 158 his statement, as follows:

The Frankford Arsenal is the only one which is equipped to turn out the complete ammunition. The other arsenals can not, without very considerable additions, do anything more than manufacture components.

Mr. McKENZIE. Will the gentleman yield?

Mr. MOORE. Yes.

Mr. McKENZIE. Does the gentleman from Pennsylvania desire us to understand that in Philadelphia they pay less money

to the workingmen than they do at Rock Island?

Mr. MOORE. Not at all. And since the gentleman from Illinois, or Rock Island, raised the question, I will say that I do not think that labor is sufficiently paid at any of the arse-nals, and I would like very much to see the common labor advanced even to the point of a minimum scale. It is a mat-ter of some regret to some of us that at the present time, owing to the conditions which prevail and the number of men who are out of employment in other lines of industry, that at least 2,000 men and women are knocking at the door of the Frankford Arsenal now for employment at such wages as are

I regret that unfortunate economic condition which has made it advisable for at least 2,000 men driven from employment in other industries-the textile industries, for instance-to seek employment at the Frankford Arsenal for even the paltry wages the Government pays at that place.

Mr. SHERLEY. I can not regret with the gentleman, because I do not recognize the fact.

Mr. MOORE. The fact is as I have stated it, and the gentleman can ascertain it by inquiring of official sources

Mr. SHERLEY. Oh, I do not know about Philadelphia. It is always so far behind that it may not have caught up with the

forward industrial movement. [Laughter.]

Mr. MOORE. It is behind in the matter of appropriations now. I will say to the gentleman.

Mr. SHERLEY. Does not the gentleman from Pennsylvania know it as a fact that the arsenals pay a greater wage than is paid in the outside market?

Mr. MOORE. No. As to Frankford Arsenal, I am advised that the wages paid there correspond almost exactly to the wages paid to other workmen engaged in similar industries in

Mr. SHERLEY. The testimony of Gen. Crozier is that one of the reasons why they do such very good work at the arsenals

is because they get the pick of the men for that kind of work.

Mr. MOORE. In reply, I will say to the gentleman that I have seen correspondence which shows that the various business concerns around and about Frankford Arsenal, employing the same kind of labor, pay substantially the same wages as are paid at the Frankford Arsenal; and I regret that even at that wage so many of the mechanics to-day, owing to the economic condition that prevails in the country, are unable to obtain employment, but must continue to apply in vain at the Frankford Arsenal, to the number of 2,000, for employment which they can not get anywhere else.

Mr. MADDEN. Do they get it?

Mr. MOORE. Not now, I regret to say. Mr. MANN. Mr. Chairman, I would like to inquire of the gentleman in charge of the bill whether there is any distinction as to the arsenal, as to its location in the country inland, where

it can not possibly be reached by foreign invasion?

Mr. SHERLEY. That would depend somewhat. Of course, an inland arsenal is more secure from foreign attack than a seacoast arsenal might be, and to that extent it might have an

Mr. MANN. If the Government should undertake to manufacture all of its ammunition, would it be advisable to have that work done at a point or at points where, if we should engage in a war and meet invasions, as is always possible, of course, except when we swell ourselves too greatly with pride, the manufacture would be beyond the reach of an invading

Mr. SHERLEY. I think that is a proper consideration; but aside from that, Rock Island has this advantage: It has the advantage of a tremendous water-power capacity there. It also has an advantage in area, and it has an advantage in lessened land values that would make it seem the likely place for expansion if that expansion was to be great.

Mr. MADDEN. Does the gentleman from Kentucky know whether there is any water power on Frankford Creek or not?

Mr. SHERLEY. No. The only things we get out of Frank-ford Creek are not of an agreeable sort—continued estimates [Laughter.]

Mr. MOORE. Unfortunately we have not gotten appropriations sufficient to deepen it.

Mr. SHERLEY. We still think that Philadelphia should attend to its own sanitary conditions.

Mr. MOORE. I will say to the gentleman that the city of

Philadelphia has done its full share in looking after the Government's interests at that point.

Now, I want to ask the gentleman from Illinois [Mr. MANN]

if it is not a fact-

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. Mr. Chairman, I move to strike out the last

The CHAIRMAN. The gentleman from Pennsylvania [Mr. Moore] moves to strike out the last two words.

Mr. MOORE. Mr. Chairman, I shall not trouble the gentleman from Kentucky to keep standing for a moment. The question raised by the gentleman from Illinois [Mr. Mann] is a local one, so far as he is concerned. It involves the impenetrability from a war attack of inland Rock Island, so far removed from the sea that it will not be possible for an enemy to shoot over the border and interfere with the magazines. That may be true. But I assume that the same thing would apply to the city of Philadelphia, which, so far as shooting from the coast line is concerned, is just as secure as Rock Island is. I call attention to the fact that all of the peace agitation that has swept over this House during the last month or two has been due to the fact that the people in the interior have no great concern about an attack upon the coast line. Upon the coast line we think a little more about defenses than our friends do out at Rock Island.

Mr. MADDEN. Will the gentleman yield for a question? Mr. MOORE. Yes.

Mr. MADDEN. I beg the gentleman's pardon for interrupting him, but I understood him to say that Philadelphia was an

Mr. MOORE. Philadelphia is an interior city, but it is also a seaport impregnable in the matter of attack. We regard Philadelphia as being as safe from attack as is Rock Island, and more capable, in the matter of its labor and fuel facilities, to manufacture this small-arms ammunition for the Government than any other point in the United States. However. that is neither here nor there. I do want to say, Mr. Chairman, in answer to the gentleman from Illinois, that so long as the Democratic Party has awakened to its real sense of responsibility in the matter of making appropriations for fortifications, for battleships, and for the Army, we have no real fear of any attack along the coast line. We believe the Democratic Party will get over its peace spasm very soon, and that it is actually getting over it now, in making the appropriations it does make for fortifications along the coast. In my judgment, it is not keeping up to the standard set by the fortification experts, but perhaps it is doing what its common sense dictates ought to be done, even though it does resolve, at the instance of the newspapers that published Mr. Winston Churchill's interview, to declare for peace, while recognizing the necessity of being prepared for war.

Mr. MANN. Mr. Chairman, my distinguished and able friend from Philadelphia [Mr. Moore] in one breath is afraid that we do not make appropriations sufficient in order to protect the coast, and in the next breath says we already have sufficient protection so that there is no danger on the coast. Now, the gentleman can choose either horn of that dilemma. If there is no danger of invasion at Philadelphia, so that it is absolutely secure from invasion, then there is no occasion to complain because we do not appropriate more money to protect it. If there is danger—and the gentleman asks us to make greater appropriations in order to protect the city—I wonder if that is not a reason why the Government, engaged in the manufacture of its ammunition, should put that manufacture at a place which could not be reached by invasion? It would certainly be a sorry spectacle if at any time the arsenals where we are engaged in the manufacture of all our ammunition on the coast should be seized by an enemy so that we could not manufacture any ammunition. In that case even the inland terri-

tory would not be protected.

Mr. MOORE. Will the gentleman yield for a question?
Mr. MANN. Certainly. I always yield to the gentleman.
Mr. MOORE. The gentleman, of course, is intensely interested in the upbuilding of his own section of the country.

Mr. MANN. The gentleman is entirely mistaken. Island is not a part of my section of country—

Mr. MOORE. But it is a part of the State from which the gentleman hails. And so Philadelphia is a part of the coun-

Mr. MANN. Yes. A try from which I hail.

Mr. MOORE. Does not the gentleman think that if Washington were attacked while Congress is in session it would be easier to protect the life of the gentleman by having ammunition shipped from Philadelphia than by having it shipped from Rock Island?

Mr. MANN. Not at all. Mr. BUTLER. Does not the gentleman think it would be a good idea if Washington was attacked while this Congress is in

Mr. MOORE. I think, all things considered at the present time, it would be an excellent thing if Congress would not sit any more for a year or two.

Mr. BUTLER. That is why I am in favor of it.

Mr. MANN. Washington was once attacked and captured. Mr. MOORE. The gentleman knows that New York is exposed, Boston is exposed, Norfolk is exposed, and that there are other points along the coast that are exposed to attack, while Philadelphia is substantially a hundred miles from the sea, at the very basis of the best fuel market in the country, and in the center of the best labor market in the country.

Mr. MANN. I have not mentioned Philadelphia, except as the home of the gentleman from Pennsylvania.

Mr. MOORE. I am very proud to come from it.

Mr. MANN. And Philadelphia is proud of the gentleman.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

For land defenses in the Hawaiian Islands, including the procurement and installation of searchlights, and the acquisition of land and rights of way, \$457,000.

Mr. CALDER. Mr. Chairman, I move to strike out the last The gentleman in charge of the bill [Mr. Sherley] discussed this paragraph quite fully in his speech at the beginning of the consideration of the bill this morning. The War Department has advised the committee that the entire appropriation they will need for these land fortifications in Hawaii amounts to \$797,000. In this bill we have recommended to Congress \$457,000. The War Department maintains that if this amount of money is allowed and these fortifications are constructed the Hawaiian Islands will be absolutely impregnable—that is, the fortifications will sustain the Army of the United States in and about Honolulu for a considerable period. I think these facts should be known to the House. They are incorporated in the record, and in a way public, but should be in the Congres-SIONAL RECORD, so that the people may know it. Your committee has not cheese pared or cut down any appropriation asked for by the War Department for the insular possessions. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For tools, electrical and other supplies and appliances, to be furnished by the Engineer Department for the use of the troops for maintaining and operating searchlights and electric light and power plants at seacoast fortifications—

In the Hawalian Islands, \$750: In the Philippine Islands, \$3,000; In all, \$3,750.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. At this point I should like to ask the chairman of the committee if all the ammunition and armament that goes into the fortifications in the insular possessions is manufactured at the arsenals of the United States; that is to say, that which

is not purchased within the United States? Mr. SHERLEY. All of the steel that goes into the guns is purchased because we have no means of forging steel in such The guns themselves made from this steel are all manufactured in the arsenals, and my impression is that the gun carriages are manufactured in the arsenals. As to the range-finding implements, I think all of them are bought. As to the electric lights, the mirrors are bought and the lenses are bought, and some of the material that goes into the finished electric light is purchased.

Mr. MOORE. All bought in the United States or in foreign

Mr. SHERLEY. The mirrors are bought abroad only because of the necessity of getting a certain quality. Practically everything else is bought in the United States.

Mr. MOORE. Is there any provision against the purchase

abread of any commodities?

Mr. SHERLEY. There is a provision carried in the Lill, and has been for years, permitting purchase abroad in limited quantities only. You will find that at the last part of the bill.

Mr. MOORE. Can the gentleman give as in round figures an estimate of the cost of these goods that are bought in foreign countries?

Mr. SHERLEY. I do not remember the amount, but it is

negligible.

Mr. MOORE. Will the gentleman, if he can, answer one ore question? Do the arsenals which manufacture in the more question? United States sell to outside parties in the United States?

Mr. SHERLEY. They do not.

Mr. MOORE. Do they sell to any foreign countries, or are they permitted to sell to foreign countries?

Mr. SHERLEY. They are not.

Then it is not true that any arsenal-manu-Mr. MOORE. factured material has gone into Mexico with the knowledge of the Government of the United States?

Mr. SHERLEY. I never heard any intimation of it.
Mr. COOPER. Will the gentleman yield?
Mr. SHERLEY. Certainly.
Mr. COOPER. I desire to ask the chairman one question: Do lines 4 to 6, on page 7, have reference to the project of the proposed fortification running from Honolulu up to Pearl Harbor, of which the gentleman spoke this morning?

Mr. SHERLEY. The gentleman from Wisconsin, who has been in the Hawaiian Islands, will recall somewhat the topography of the island on which Honolulu is situated. It has been raphy of the island on which Honolulu is situated. It has been found that, instead of there being but few places on that island where landing parties could be landed, there are many, and that it is impracticable to attempt to hold the entire island. The present scheme of land defense contemplates taking advantage of a series of hills and extinct volcanoes that make a semicircle embracing at one extreme Pearl Harbor and at the other the seacoast fortifications on the other side. By putting certain armament there and certain land defenses we can practically defend all of Pearl Harbor, Honolulu, and the seacoast

defenses, and this item is toward the completion of that project. I want to say for the information of the committee that there came to the knowledge of the committee the fact that there had been transferred to the Hawaiian Islands certain armament taken from some of the fortifications in the United States and some of the ammunition to serve that armament. It has been the policy of the committee to keep a close check on all arma-

ment sent to the insular possessions,

The War Department requested an authorization of their action in this particular and an authorization for such future transfers as they might from time to time see fit to make. The committee has carried in the bill words confirming the actions heretofore taken, but declined to use language that would authorize such transfers in the future, for this reason: We recognize that conditions might arise, just as conditions did arise, that would warrant the Executive, in the proper performance of his high office, in making such a transfer, but that that would only be done in cases where the needs seemed great enough to warrant him in going ahead without the approval of Congress, and that in such cases there would be no difficulty in the future—as I anticipate there will be none in this instancein having that action confirmed; but that to give a blank power to the department to make such transfers might lead to transfers being made upon the mere whim and notion of some officer when conditions were not such as to warrant it, and that would prevent that checking up and watching of things which we

believe Congress ought always to have.

The CHAIRMAN. The pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Of each of the sums appropriated by this act, after deducting any amounts required to meet obligations authorized in previous acts to be entered into by contract, not more than 10 per cent may be used to purchase not exceeding 10 per cent in quantity or value of any article or material herein appropriated for that can be manufactured at the arsenals of the Ordnance Department, except when contract costs are less than arsenal manufacturing costs.

Mr. CALDER. Mr. Chairman, this paragraph was also discussed by the gentleman from Kentucky [Mr. Sherley] in his preliminary discussion of the bill. It is a departure from anything that we have done previously in fortification appropria-tion bills. It provides that the greater part of all of the sums appropriated by this act shall be utilized in manufacture at the arsenals of the Ordnance Department, except in cases where outside contract costs are less than arsenal manufacturing costs. The hearings before the committee show that up to a few years ago the cost of ammunition and guns purchased by contract under appropriations provided in fortification acts was from 40 to 50 per cent greater than it would be if manufactured at the Government arsenals. These sums, through keen competition between the Government and the outside contractor, have been materially reduced until it appears that the difference is now about 17 per cent in favor of the Government. Your committee went into a very careful examination of the offices of the Army upon this subject. The hearings show that the War Department included a considerable amount for overhead charges, interest on the plant, wear and tear of the plant, leaves of absence and holiday pay for all employees, watchmen, and all other expenses, so that after including everything that they should properly include, the Government seems to be able to manufacture these materials for 17 per cent less than they can be obtained by contract. It was for that reason the committee deemed it advisable to put this provision in the bill. It will stimulate competition on the part of outside contractors, and if they are able to bid lower than we can manufacture at the Government arsenal, then they can get their proportion of the business.

It seems to me that this is a very wise plan and one that will tend toward economy and good business on the part of the Government.

In this connection I shall include, as a part of my statement, a portion of the testimony of the Chief of Ordnance given before the subcommittee charged with the preparation of this bill:

Mr. CALDER, Gen. Crozier, in your statement a moment ago, you said there was 17 per cent difference between the contract price for this field-artillery materiel and the cost of it when manufactured in the

the appropriation for matériel. For instance the pay of Army officers who are engaged in conducting the arsenal at Rock Island comes out of the pay of the Army appropriation, and the pay of enlisted men who are the guards and the caretakers of the grounds is carried in the Army bill. I also include what must be a charge, because the Government must meet it somewhere, interest on the value of the plant and depreciation.

Mr. CALDER. Do you include interest on the value of the plant?

Gen. CROZIER. Yes, sir; those charges are included in the 8.4 per cent.

Mr. CALDER. Now, do you take into consideration the leave given the men?

Gen. CROZIER. Yes, sir; those charges are included in the 8.4 per cent. Mr. CALDER. Now, do you take into consideration the leave given the men?

Gen. CROZIER. All of that is taken into consideration. That is not included in this 8.4 per cent, but it is included in another kind of overhead charges which enters into the cost of the materiel.

Mr. CALDER. Is that cost included in the manufacture of these articles? Gen. CROZIER. Yes, sir.

Mr. CALDER. So, when you say there is a difference of 17 per cent you have included in your calculation interest, holidays, Saturday half holidays, and a certain amount for overhead charges, including the 8.4 per cent you referred to?

Gen. CROZIER. Yes, sir.

Mr. CALDER. I wanted that statement to appear in the record. Gen. CROZIER. I can particularize a little more on that and tell you what the charge for holidays and leaves of absence amounts to. It is almost exactly 10 per cent of the labor charge. There are 7 national holidays which the men are paid for without work, there are 13 Saturday afternoon half holidays, and there are 15 days' leave of absence with pay.

Mr. CALDER. Ten per cent of the time?

Gen. CROZIER. Those add up to 28½ days. Now, that leaves in the year 284 working days. If it were 285 working days which were left, the charge of this kind would be exactly 10 per cent.

Mr. CALDER. I wanted to get that fixed in my mind; I wanted to be sure about that, because I have heard it disputed, that you did not include all of these things.

Gen. CROZIER. We must include them; we have no other way of paying these men than out of the appropriation. Of course you understand that in our bookkeeping we include it by a kind of general process; that is to say, all manufacturing establishments have to have a fund for general shop expenses, and we levy on each one of the items of manufacture a percentage which goes into this general fund, and these leaves of absence are paid out of that general fund, but they are levied on the appropriations which are made.

Mr. CALDER Do you b

Gen. Crozier. The class of materials about which we have been speaking to-day—
Mr. Calder (interposing). Have you bought any during the past year?
Gen. Crozier. There have been very few materials bought abroad. We have bought a little Artillery ammunition abroad recently. I can tell you the principle on which we do that, if you like. When something is made on the other side, or made abroad, which can not be produced here of equal quality, I sometimes get a portion of the supply abroad, always endeavoring to stimulate manufacturing in this country, so that we will not have to go abroad for it. I do not remember any instance in which we have ever gone abroad for material purely because of the cheaper price. I have considered that it was intended by Congress that we should buy American material when we could, and I think that that is one of the cases where the economic loss to the country, if it exists—I am not intending to decide the question as between protection and free trade—but if it exists in such cases as that it is justifiable, because we ought not, for military reasons, to be dependent upon a foreign source for any of the materials which are indispensable for us as fighting materials.

Mr. COX. Mr. Chairman, I can not add a word to the bril-

Mr. COX. Mr. Chairman, I can not add a word to the brilliant manner in which the gentleman from Kentucky [Mr. Sherler] presented this bill to the House this evening, and I do not desire to detract a word from what he said. I can not let the opportunity pass by without expressing my profound appreciation for an item in this bill, which is as follows:

Of each of the sums appropriated by this act, after deducting any amounts required to meet obligations authorized in previous acts to be entered into by contract, not more than 10 per cent may be used to purchase not exceeding 10 per cent in quantity or value of any article or material herein appropriated for that can be manufactured at the arsenals of the Ordnance Department, except when contract costs are less than arsenal manufacturing costs.

The Committee on Appropriations is to be commended for inserting this provision in the bill. The wonder in my mind is that Congress has not gone into this matter of manufacturing Army supplies sooner. Why it has suffered the country to be held up by exorbitant and extravagant prices of private manufacturers for Army supplies is more than I can understand. For years Gen. Crozier has demonstrated to a mathematical certainty that the Government was able to manufacture Army supplies and Army materials much cheaper than private manufacturers were supplying them to the Army. I suppose the delay on the part of Congress in not making appropriations to enable the Government to manufacture its Army supplies has been due to the opposition on the part of manufacturers to the Government doing this line of work. Some might oppose the policy of the Government manufacturing its own supplies upon the ground that it is undemocratic and will not square itself with the principles of Democracy as laid down by Jefferson, Jackson, and other "patron saints" of the party. Some may criticize it as being socialism. So far as I am concerned, I am prepared and other "patron saints" of the party. Some may criticize it as being socialism. So far as I am concerned, I am prepared to subscribe to every word set out in the provisions of the statute above quoted. It is a step in the right direction, and I rejoice to see the day approach when this line of work will go forward until the Government manufactures practically everything it uses in the Army and Navy. It will not only be an

economy to the Government but, in my judgment, will soon stop the everlasting and persistent demand for increased Army and larger Navy.

I would freely have the Government manufacture everything that it is possible for it to manufacture used by both the Army and Navy. We have in the United States four or five quartermaster's depots, one located at Philadelphia, one at Chicago, one at St. Louis, one at Jeffersonville, Ind., and another in the South, I am not sure, either at Atlanta or New Orleans. The depot at Jeffersonville, Ind., my district, comprises 17 acres of ground; it started during the war, and Congress from year to year has enlarged it until to-day almost the entire ground is covered with solid, magnificent, mammoth buildings. It is equipped for the manufacture of all kinds of Army supplies, and yet it serves no other purpose to-day than that of being a relay or supply depot to which Army supplies are shipped and then reshipped again to the points where they are needed.

The depot at that place is now manufacturing, as I am informed, a small amount of harness used by the Army, and I am reliably informed by competent authority that, with the addition of a small appropriation for the purpose of buying and installing machinery, the depot at that place would soon be prepared to manufacture all the harness, saddles, and leather goods used by the Army. The city of Jeffersonville is within 50 miles of the center of population of the United States, with great trunk lines of railroad leading to the four points of the compass, with water transportation, with raw material in close proximity to the depot; and why not make an appropriation for the purpose of installing machinery in the depot, employing labor, put them to work in the manufacture of harness of all kinds used by the Army and thereby save a profit of from 20 to 35 per cent now being paid to private manufacturers for this kind of Army material.

I have introduced a bill asking for an appropriation of \$250,000 to buy and install machinery at this depot for the purpose of going forward in this line of work. We are all charged—and should be—with economy. We have no right to recklessly spend the people's money. It is our duty to see to it as nearly as we can that every dollar of the people's money expended will buy them 100 cents in return; and when the Army supplies supplied by contractors cost from 20 to 50 per cent more than they can be manufactured for at Government arsenals or quartermasters' depots it is our duty as the Representatives of the American people to see to it that this amount of money is saved and this economy effected. Last winter the gentleman from Illinois [Mr. Mann] put in the Congressional RECORD some startling figures as to the cost of our Army compared with the armies in other countries. At this time I will not attempt to be accurate in rehearsing his figures, but if I remember correctly the cost to Germany to maintain 900,000 soldiers per year was about \$250,000,000, while the cost of our Army, less than 100,000 men, practically amounts to one-half of the cost of the army of Germany. Now, if it be true that the Government can manufacture its supplies at its already equipped arsenals and quartermasters' depots and save the Government millions of dollars annually, it is our duty to do it; and this will go far toward reducing the cost of the Army and Navy in this country.

Mr. GOOD. Will the gentleman yield? Mr. COX. I will yield for a question.

Mr. GOOD. Is the gentleman aware of the fact that we are now purchasing our ammunition and all ordnance stores, and have for some years, cheaper than the German Empire pays for the same kind of materiel?

Mr. COX. No; I did not know that; but if it is true I undertake to say that the reason for it is because the Government has gone into the manufacture of Army materiel and Army supplies. The report made by the able Committee on Appropriations is conclusive on this point, and I would call upon every Member of the House to read this report if he has any doubt whatever upon the proposition under consideration. On page 9 of the report accompanying the bill is the following language:

In making the ammunition for these guns it has been found that the arsenal cost is approximately 39 per cent less than the purchase cost of private manufacturers.

This is a startling statement, yet true beyond controversy. Why not save this 39 per cent to the taxpayers of this country, and manufacture this stuff in our own arsenals?

The report further says:

there would be a saving of 25 per cent on \$156,000 worth of projectiles made, an estimated saving of \$39,000. Approximately \$350,000 is expected to be expended in armor-piercing projectiles under appropriations in the sundry civil act for Panama Canal fortifications; a saving of 25 per cent on 52 per cent of this sum would amount to \$45,400 additional to the above.

One of the best illustrations that the Government can manufacture its supplies cheaper than purchasing them from private manufacturers is found in the manufacture of powder used by the Army and Navy. Ten or twelve years ago the Government was paying approximately \$1.12 per pound for its powder. At that time the Du Pont Powder Trust was furnishing to the Army and Navy practically all the powder it used. Congress con-ceived the idea that there was one person in the United States who could drive the price of this powder down, and that person was Uncle Sam, and it made a small appropriation to begin the manufacture of powder, more as an experiment than any-thing else, and with increasing appropriations from Congress to Congress the price of powder has been driven down, until to-day we are getting our powder at a cost of 53 cents a pound, and yet it is demonstrated that the Government can manufacture its own powder at a cost of 41 cents per pound; but it is useless for me to encumber the RECORD with illustrations along these lines, because the facts and figures are abundant and conclusively establish the proposition that the Government can manufacture its own supplies much cheaper than they have been paying private manufacturers for the same in the past.

I hail with delight the coming of the day when the Government will go forward and utilize all its arsenals and quartermaster depots to the fullest extent and manufacture in them everything used in both the Army and Navy, and in doing this will save annually from \$25,000,000 to \$50,000,000. It is up to Congress to do it, and I stand ready to vote every dollar necessary to carry this work forward, because in the end I am sure we will find ourselves justified in so doing by greatly decreasing

the cost of the Army and Navy supplies.

Mr. MOORE. Mr. Chairman, I move to strike out the last two words. Will the gentleman from Kentucky kindly state

what the percentage is now of purchased articles?

Mr. SHERLEY. Of course, it does not run uniformly. We are making all of our powder now. We have been making about one-third of most of the other things, and with the enlargement of the Rock Island Arsenal touching mobile artilery it was expected we would make an additional one-third, which would make two-thirds, and then we would buy a third. Now, under this provision, it is proposed to make the additional one-third.

Mr. MOORE. Can the gentleman estimate in figures what the increase would be in the arsenals?

Mr. SHERLEY. Why, about \$41,000,000 worth of materiel to be manufactured or purchased in order to-

Mr. MOORE. The gentleman does not mean \$41,000,000? Mr. SHERLEY. Yes. I mean \$41,000,000, in order to complete the entire project—not simply as to this bill, but to finish the total required. Assuming that we have been making about one-third, and are now going to make two-thirds, it would mean an increased manufacture of about \$26,000,000 worth of matériel.

Mr. MOORE. So far as one year's appropriation goes?

Mr. SHERLEY. Oh, well, as to that the gentleman will find in the report, I think, a statement-I do not know that I can tell him from memory, as it is hard to carry in one's head the amounts that are involved. I should say there was involved in this particular bill somewhere between \$2,000,000 and \$3,000,000 worth of materiel, and assuming that we make all of it, in place of making a third of it, I think the gentleman can see what would follow.

Mr. MOORE. And there would go to the arsenals now that

which has not gone to the arsenals heretofore?

Mr. SHERLEY. Speaking generally. I would not like to be accurate as to that—I would say that we make all the powder, which constitutes a tenth of the entire cost, and, as to certain other things, we are making all of them, and we are buying other things entirely; however, I think it would average twothirds of the whole, excluding powder, that we have been buy-

Mr. MOORE. And that would be divided amongst the Frankford, Springfield, Rock Island, and Watervliet Arsenals?

Mr. SHERLEY. It would not be divided into quarters. major part of it will go to Rock Island, owing to the increased capacity resulting from the appropriation of one-quarter of a million dollars last year.

Mr. MOORE. May I call the gentleman's attention to the exemption in this paragraph, on line 21, which provides that there is given to the Ordnance Department authority to manufacture: Except when contract costs are less than arsenal manufacturing costs.

Is it the intention of the committee to give the Ordnance Department in this matter over 10 per cent?

Mr. SHERLEY. Where cheaper; yes. I can not see any reason under the sun why we should manufacture when we can buy cheaper in particular instances.

Mr. MOORE. I asked the question for the purpose of raising another one—whether in the matter of time that would be regarded as increasing the authority of the Ordnance Department? I did not know but that the committee intended by this language to give the department added discretion.

Mr. SHERLEY. The Ordnance Department clearly understands the purpose of this limitation, and in order that the matter might be of record on the floor, as it is in the hearings, I made the statement to-day to this effect, that even the 10 per cent leeway was not given with the idea that the ordnance people will buy 10 per cent, but is simply meant as a leeway, and what is practically expected and intended is that they should manufacture entirely. But if it should develop, for instance, that in the case of a carriage for a gun, which could be manufactured by many plants in America, they offered a price considerably under what the Government would have to pay in the arsenal, I can see no reason why they should not buy it.

Mr. MOORE. I am not criticizing this language, but I wanted the gentleman to get my meaning, which perhaps can best be

illustrated in this way-

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. Mr. Chairman, I ask for two minutes more, in

order to complete the statement, The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for two minutes. Is there objec-

There was no objection.

Mr. MOORE. There may be two bidders for a contract, and one may bid \$100,000, to finish in six months, and the other may bid \$150,000, to finish in three months; and it might be developed to the satisfaction of the awarding power that the \$150,000 bid, in the matter of time, would be cheaper than the I want to know from the gentleman how far the \$100,000 bid. discretion of the Ordnance Department would go in that matter?

Mr. SHERLEY. I can not conceive that time would be an element in determining the cheapness of cost in such a matter. Mr. MOORE. In case of war it might be a greater element

than anything else.

Mr. SHERLEY. Oh, in case of war we should not be bothered by this limitation. We would be bothered about something worse than this limitation.

Mr. MOORE. I hope we shall not be. I hope it will not be

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk resumed and concluded the reading of the bill

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise and report the bill back to the House, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and Mr. Page of North Carolina, as Speaker pro tempore, having assumed the chair, Mr. CULLOP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 12235) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, had directed him to report back the same with an amendment, with the recommendation that the

amendment be agreed to and that the bill as amended do pass.

The SPEAKER pro tempore. The gentleman from Indiana [Mr. Cullor], Chairman of the Committee of the Whole House on the state of the Union, reports that that committee, having had under consideration the bill H. R. 12235, the fortifications appropriations bill, had directed him to report it back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Is a separate vote demanded on the amendment?

Mr. REED. Mr. Speaker, may we have the amendment reported?

The SPEAKER pro tempore. The amendment is only a matter of punctuation. The question is on agreeing to the amendment. The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. Sherley, a motion to reconsider the vote whereby the bill was passed was laid on the table.

PRINTING OF HOUSE RESOLUTION 387.

Mr. MANN. Mr. Speaker, the Keating resolution that was passed for the mining investigation does not, under the rules, get printed. There is quite a demand for copies of it. I ask unanimous consent that there may be a thousand copies of it printed for the use of the House.

The SPEAKER pro tempore. The gentleman from Illinois

[Mr. Mann] asks unanimous consent that 1,000 copies of House resolution 387, designated by him, be printed for the use of the House. Is there objection? [After a pause.] The Chair hears

none, and it is so ordered.

RESTRICTION OF IMMIGRATION.

Mr. GARRETT of Tennessee. Mr. Chairman, I offer a privileged report from the Committee on Rules.

The SPEAKER pro tempore. The Clerk will report the

resolution.

The Clerk read as follows:

Resolution (H. Res. 386) for the consideration of H. R. 6060.

Resolution (H. Res. 386) for the consideration of H. R. 6060.

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into a Committee of the Whole House on the state of the Union for the consideration from day to day until finally acted on, except on Calendar Wednesday, of H. R. 6060 with the amendments reported by the House Committee on Immigration and Naturalization; that there shall be seven hours' general debate, to be divided equally between those favoring and those opposing the measure. At the expiration of said seven hours' general debate the bill shall be considered under the five-minute rule, and the Committee of the Whole House on the state of the Union shall perfect and report the measure to the House, whereupon the previous question shall be considered as ordered upon the bill and all pending amendments, including those adopted in the Committee of the Whole House on the state of the Union, to final passage without intervening motions, except one motion to recommit.

Mr. MANN. Mr. Speaker, will the gentleman from Tennes-

see [Mr. GARRETT] yield?
Mr. GARRETT of Tennessee. Yes.

Mr. MANN. Does the gentleman from Tennessee desire to have a vote on that to-night, in view of the circumstances which have been explained to the gentleman?

Mr. GARRETT of Tennessee. Personally, in view of the circumstances, I shall not insist.

Mr. MANN. This resolution would come up the first thing in the morning

Mr. GARRETT of Tennessee. I wondered if we could have an agreement about the time this afternoon.

Mr. SHERLEY. Mr. Speaker, will the gentleman yield? Mr. GARRETT of Tennessee. Certainly.

Mr. SHERLEY. A number of tentlemen came to me while I was in charge of the fortifications bill asking whether we would take the entire day. At that time it looked apparent that we would, and, believing that we would, they have gone away. Under the circumstances I do not think it is quite fair to them that we should undertake to fix the time for debate on this rule to-night. The rule now has the right of way to-

Mr. MANN. The gentleman has it within his control to fix

the time for debate on the rule to-morrow. Mr. GARRETT of Tennessee. I understand that.

Mr. BURNETT. The rule fixes it at 40 minutes, does it not?

Mr. GARRETT of Tennessee. Not necessarily.
Mr. MANN. The gentleman has it under his control.
Mr. GARRETT of Tennessee. Mr. Speaker, I desire to make this statement: The gentleman from Georgia [Mr. Harpwick] was directed to report this rule to the House. I think there is no opposition to the rule in the committee. The gentleman from Georgia was called away, and left, perhaps, under the impression that the fortifications bill would consume the entire day, and that this rule would not be called up this afternoon. Perhaps, as suggested by the gentleman from Kentucky [Mr. SHERLEY], it would not be fair to the House to press this matter this afternoon. I wish to make this parliamentary inquiry: Is to-morrow claims day?

Mr. MANN. Yes; but the gentleman has the prior right,

ahead of claims.

The SPEAKER pro tempore. The Chair is informed that tomorrow is claims day.

Mr. CRISP. Mr. Speaker, to-morrow is the fifth Friday.

Mr. GARRETT of Tennessee. Under the rules it would not be claims day. Mr. CRISP.

Mr. CRISP. No; it would not be.
Mr. GARRETT of Tennessee. If it is claims day, I want to
preserve the right of the Claims Committee; but if it is not, then I think I will not make any request about it.

The SPEAKER pro tempore. If the gentleman from Tennes-

see will permit, a reference to the calendar shows that to-

morrow would be claims day. The language of the rule is excepting the second and fourth Fridays." That would make any other Friday, of course, a day for private claims.

Mr. CRISP. Mr. Chairman, under the rule would it not be a general day for the consideration of the Private Calendar? Under the rules of the House the Private Calendar is in order on all Fridays. On the second and fourth Fridays preference is given to pensions, and on the first and third Fridays it alternates between claims and war claims.

Mr. MANN. It does not say anything about the first and

third Fridays alternating.

Mr. CRISP. One is given preference over the other; but on

the fifth Friday the general Private Calendar is in order.

Mr. MANN. But the gentleman from Tennessee [Mr. Gar-RETT] is entitled to prior recognition to-morrow it he asks it.

Mr. GARRETT of Tennessee. As far as my own inclination is concerned, I am inclined to let the Committee on Claims have is concerned, I am inclined to let the Committee on Claims have the priority. That committee has only a few claims on the calendar. But I give notice that immediately after claims are disposed of this rule will be called up.

Mr. SHERLEY. Mr. Speaker, I shall move to adjourn in a moment, but I understand the gentleman from Indiana [Mr. Moss] desires to present a request for unanimous consent.

RURAL CREDITS (H. DOC. NO. 679).

Mr. MOSS of Indiana. Mr. Speaker, in connection with the bill that was introduced by myself to-day, providing for rural credits, which bill (H. R. 12585) is the result of the work of the commission appointed by the President, that commission have stated the reasons for the bill.

The report of the commission has been made to Congress to-day, and will be printed as a Senate document. The report considers three things: First, a general discussion of the question; second, the bill that was framed; and, third, the reasons supporting the bill, and paragraphs explaining it. I ask unanimous consent of the House that in connection with the bill introduced by me to-day there may be printed the reasons given for the bill.

Mr. MANN. Does the gentleman mean to print it in the same document with the bill?

Mr. MOSS of Indiana. No; I should like to have it printed as a report coming from a committee is printed.

Mr. MANN. Printed as a House document?
Mr. MOSS of Indiana. Printed just as if it were the report of a committee.

Mr. MANN. But it is not the report of a committee.

Mr. MOSS of Indiana. That is true.

Mr. MANN. The only other way to print is as a House document.

Mr. MOSS of Indiana. Then I should like to have it printed as a House document.

Mr. MANN. How long is it?

Mr. MOSS of Indiana. I should think not more than 8 or 10 printed pages. I ask unanimous consent to have printed as a House document that part of the report of the commission which relates to the reasons for the bill as it is framed by the commission.

Mr. MANN. The gentleman from Indiana will have to furnish what he wants printed to the clerk of the Committee on Printing, because otherwise he will not know what it is.

Mr. MOSS of Indiana. Oh, certainly.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana that the reasons presented by the commission may be printed as a House document? There was no objection.

ADJOURNMENT.

Mr. SHERLEY. Mr. Speaker, I move that the House do now

The motion was agreed to; accordingly (at 5 o'clock and 22 minutes p. m.) the House adjourned until to-morrow, Friday, January 30, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of canal leading from Centennial Lake at Vicksburg, Miss., to the Mississippi River, with a view to the preservation of the channel (H. Doc. No. 667); to the Commit-tee on Rivers and Harbors and ordered to be printed, with illustrations.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Sabine River up to Logansport, La. (H. Doc. No. 668); to the Committee on Rivers and Harbors and ordered to be

A letter from the Acting Secretary of the Treasury, transmitting copy of a communication of the Public Printer submitting urgent estimates of deficiencies in appropriations for the Government Printing Office for the service of the fiscal year ending June 30, 1914 (H. Doc. No. 669); to the Committee on Appropriations and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the chairman of the Interstate Commerce Commission submitting an urgent estimate of deficiency in appropriation for printing and binding for the fiscal year 1914 (H. Doc. No. 670); to the Committee on Appro-

priations and ordered to be printed.

5. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the chairman of the Interstate Commerce Commission submitting supplemental estimates of appropriations for the service of the fiscal year ending June 30, 1915 (H. Doc. No. 671); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication of the Postmaster General submitting estimates of deficiencies in the appropriations for the Postal Service, payable from the postal revenues (H. Doc. No. 672); to the Committee on Appropriations and ordered to

be printed.

7. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication of the Secretary of War, submitting an estimate of appropriation in the sum of \$25,000 to continue the work of collecting for copying and classifying the military records of the Revolutionary War (H. Doc. No. 673); to the Committee on Military Affairs and ordered to be printed.

8. A letter from the president of the United States commission to investigate and study in European countries cooperative land-mortgage banks, cooperative rural credit unions, and similar organizations and institutions devoting their attention to the promotion of agriculture and the betterment of rural conditions, submitting parts 1 and 2 of report (S. Doc. No. 380); to the Committee on Banking and Currency and ordered to be

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. O'HAIR, from the Committee on Military Affairs, to which was referred the bill (H. R. 6220) for the relief of Hosea Stone, reported the same without amendment, accompanied by a report (No. 200), which said bill and report were referred to the Private Calendar.

Mr. ANTHONY, from the Committee on Military Affairs, to which was referred the bill (H. R. 3432) to reinstate Frank Ellsworth McCorkle as a cadet at United States Military Academy, reported the same without amendment, accompanied by a report (No. 201), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

The bill (H. R. 12388) granting a pension to Cordelia Mulford; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions

The bill (H. R. 6544) granting a pension to Jicie B. Smith; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS,

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McGILLICUDDY: A bill (H. R. 12580) providing for

the payment of pensions monthly by means of the annual issue of 12 coupons; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 12581) to amend section 1 of an act entitled "An act granting extra pay to officers and enlisted men of the United States Volunteers," approved January 12, 1899; to the Committee on Military Affairs.

By Mr. BRITTEN: A bill (H. R. 12582) to amend an act entitled "An act to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation

and government of the Canal Zone," approved August 24, 1912; to the Committee on Interstate and Foreign Commerce.

By Mr. SINNOTT: A bill (H. R. 12583) granting to the State of Oregon the beds of certain unnavigable inland lakes; to the Committee on the Public Lands.

By Mr. MAPES: A bill (H. R. 12584) to regulate the issuance of stocks, bonds, notes, and other evidences of indebtedness by persons, associations, combinations, or corporations doing an interstate business of transportation of passengers or property; to the Committee on Interstate and Foreign Commerce.

By Mr. MOSS of Indiana: A bill (H. R. 12585) to establish national farm-land banks; to the Committee on Banking and

Currency.

By Mr. HARRISON: A bill (H. R. 12586) to reopen the rolls of the Choctaw-Chickasaw Tribe and to provide for the awarding of the rights secured to certain persons by the fourteenth article of the treaty of Dancing Rabbit Creek, of date September 27, 1830; to the Committee on Indian Affairs. By Mr. WHALEY: A bill (H. R. 12587) providing for a sur-

vey of Ashley River, S. C.; to the Committee on Rivers and

Harbors

By Mr. STEPHENS of Nebraska: A bill (H. R. 12588) for the relief of the Medawakanton and Wahpakoota Bands of Indians, otherwise known as the Santee Sioux Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. PETERSON: A bill (H. R. 12589) to amend an act of Congress approved March 4, 1913, entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1914"; to the Committee on Agriculture. By Mr. L'ENGLE: A bill (H. R. 12590) to extend the regular

parcel-post rates to seeds, cuttings, bulbs, roots, scions, and plants; to the Committee on the Post Office and Post Roads.

By Mr. LAFFERTY: A bill (H. R. 12591) for the construction of a dry dock on the Columbia River, Oreg.; to the Committee on Naval Affairs.

By Mr. BARCHFELD: A bill (H. R. 12592) to authorize and require an extension of the street railway lines of the Washington Railway & Electric Co., and for other purposes; to the Committee on the District of Columbia.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 12593) authorizing the Secretary of War, in his discretion, to deliver to certain cities and towns condemned bronze or brass cannon, with their carriages and outfit of cannon balls, etc.; to the Committee on Military Affairs.

By Mr. FALCONER: A bill (H. R. 12594) to authorize the county commissioners of Skagit County, Wash., to construct a bridge across Swinomish slough, opposite the town of La Conner; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE: A bill (H. R. 12595) to repeal part of an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30. 1913, and for other purposes," approved August 24, 1912; to the Committee on the Post Office and Post Roads.

By Mr. LEVY: A bill (H. R. 12596) to amend an act entitled "An act to regulate commerce, as amended." by enlarging the membership of the Interstate Commerce Commission; to the

Committee on Interstate and Foreign Commerce.

By Mr. HAWLEY: A bill (H. R. 12597) to authorize the use of the revenues in the Crater Lake National Park in the management of the same, and the construction, repair, and improvement of roads, trails, and bridges in the park; to the Committee on the Public Lands.

By Mr. AINEY: A bill (H. R. 12598) to extend the provisions of the existing pension laws to the enrolled militia of Pennsylvania which cooperated with the forces of the United States during the Civil War, and to provide for the issuance of cer-tificates of honorable discharge to certain officers and men serving in the same; to the Committee on Invalid Pensions.

By Mr. LOBECK: A bill (H. R. 12599) for the extension of Albemarie Street from Wisconsin Avenue to the east line of Thirty-ninth Street NW.; to the Committee on the District of

Columbia.

By Mr. LINTHICUM: A bill (H. R. 12600) to provide for an examination and survey of the Baltimore Harbor and entrances thereto with a view to increasing the depth and width of the channels to the Chesapeake Bay; to the Committee on Rivers and Harbors.

By Mr. THACHER: A bill (H. R. 12601) providing for the enlargement, deepening, and maintenance of the harbor at Plymouth, Mass.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 12602) providing for a survey of Cutty-

hunk Island, Mass., to prevent encroachment of waters from Vineyard Sound and Buzzards Bay; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 12603) providing for a survey of breakwater at Nantucket, Mass.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 12604) providing for the survey of Onset Bay and Harbor and approaches; to the Committee on Rivers and Harbors

By Mr. DALE: Joint resolution (H. J. Res. 203) to convey the thanks of Congress to Capt. William Trow Aspinall, and through him to Chief Officer R. H. Buck, Second Officer Fred Roberts, and Third Officer Sidney Williams, of the steamship Gregory, of the Booth Line, for prompt and heroic service rendered by them in rescuing five members of the crew from the wreck of the steamship Oklahoma off the Scotland lightship; to the Committee on the Merchant Marine and Fisheries.

By Mr. LINTHICUM: Resolution (H. Res. 394) authorizing the appointment of a committee to acquire certain information; to the Committee on Rules.

By Mr. FOSTER: Resolution (H. Res. 395) providing that all expenses incurred by Committee on Mines and Mining shall be paid out of the contingent fund of the House of Representatives, etc.; to the Committee on Accounts,

By Mr. FORDNEY: Joint resolution (H. J. Res. 204) authorizing the Secretary of Agriculture to make exhibits at forest products expositions to be held in Chicago, Ill., and New York, N. Y.; to the Committee on Industrial Aris and Expositions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANSBERRY: A bill (H. R. 12605) granting an increase of pension to Lester Newton; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 12606) for the relief of Henry Woodard; to the Committee on Military Affairs. By Mr. BROUSSARD: A bill (H. R. 12607) granting a pen-

sion to Jules Toffier; to the Committee on Pensions.

By Mr. CAMPBELL: A bill (H. R. 12608) for the relief of

Cary Lance; to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 12609) granting a pension to Anna Webber; to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 12610) granting an increase of pension to Anna M. Shafer; to the Committee on Invalid

By Mr. CRISP: A bill (H. R. 12611) granting an increase of pension to Lena Fitzgerald; to the Committee on Pensions. By Mr. DYER: A bill (H. R. 12612) granting a pension to

Benjamin L. Tubman; to the Committee on Pensions.

By Mr. FAISON: A bill (H. R. 12613) for the relief of the estate of Benjamin C. Smith, deceased; W. W. Smith, admin-

istrator; to the Committee on War Claims.

By Mr. FERRIS: A bill (H. R. 12614) granting an increase

of pension to Peter F. Weasel; to the Committee on Pensions. By Mr. GOULDEN: A bill (H. R. 12615) granting an increase of pension to Florence V. Roth; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 12616) granting an increase of pension to Andrew Pletz; to the Committee on Pensions.

Also, a bill (H. R. 12617) granting an increase of pension to Wilson Moore; to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 12618) granting an increase of pension to Daniel O'Connor; to the Committee on Pensions. By Mr. IGOE: A bill (H. R. 12619) granting a pension to Bridget Mullen; to the Committee on Invalid Pensions

By Mr. KIESS of Pennsylvania: A bill (H. R. 12620) granting an increase of pension to George R. Robinson; to the Com-

mittee on Invalid Pensions. By Mr. LINDQUIST: A bill (H. R. 12621) granting a pension to Anna Call; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12622) granting a pension to Elijah S. Pierce; to the Committee on Invalid Pensions.

By Mr. LEVY: A bill (H. R. 12623) for the relief of Mary

Weich; to the Committee on Claims.

By Mr. McGUIRE of Oklahoma; A bill (H. R. 12624) granting a pension to Mary W. Alcorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12625) granting a pension to James H. Johns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12626) granting a pension to James E.

Mulford; to the Committee on Pensions.

Also, a bill (H. R. 12627) granting a pension to Emma Kinsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12628) granting a pension to Joseph H. Barker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12629) granting a pension to Thomas Oldston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12630) granting a pension to John F. Jones; to the Committee on Pensions.

Also, a bill (H. R. 12631) granting an increase of pension to William Schallenberg, to the Committee on Pensions.

Also, a bill (H. R. 12632) granting an increase of pension to

William T. Hyten: to the Committee on Invalid Pensions.

Also, a bill (H. R. 12633) granting an increase of pension to Isaac C. Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12634) granting an increase of pension to H. P. Reeves; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12635) granting an increase of pension to Marshall S. Elder; to the Committee on Invalid Pensions

Also, a bill (H. R. 12636) granting an increase of pension to Elizha B. Ogle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12637) granting an increase of pension to John L. Barr; to the Committee on Invalid Pensions

Also, a bill (H. R. 12638) for the relief of Frank Rector; to the Committee on Military Affairs.

Also, a bill (H. R. 12639) for the relief of John S. Murphy; to the Committee on Military Affairs.

Also, a bill (H. R. 12640) to correct the military record of

David C. Bays; to the Committee on Military Affairs. By Mr. MOON: A bill (H. R. 12641) to correct the military record of Harvey Hendrix; to the Committee on Military Affairs.

By Mr. MOSS of Indiana: A bill (H. R. 12642) granting a pension to Sarilda Monroe; to the Committee on Invalid Pensions.
Also, a bill (H. R. 12643) for the relief of William H. Reeves;

to the Committee on Military Affairs.

By Mr. MOSS of West Virginia: A bill (H. R. 12644) granting an increase of pension to Robert B. Cross; to the Committee

on Invalid Pensions. By Mr. MURRAY of Oklahoma: A bill (H. R. 12645) for the relief of Albert B. Lee; to the Committee on Military

Affairs. By Mr. OLDFIELD: A bill (H. R. 12646) granting an increase of pension to Josiah Lamb; to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 12647) granting a pension to Emily Smith; to the Committee on Pensions.

By Mr. PROUTY: A bill (H. R. 12648) for the relief of Frank E. Lyman, jr.; to the Committee on Military Affairs.

By Mr. RAINEY: A bill (H. R. 12649) for the relief of Henry Pfenninger; to the Committee on Claims.

By Mr. SCULLY: A biil (H. R. 12650) granting an increase of pension to Hendrickson Wagoner; to the Committee on Inva-

lid Pensions. By Mr. SMITH of Minnesota: A bill (H. P. 12651) granting an increase of pension to Benjamin F. Morgan; to the Committee on Invalid Pensions.

By Mr. STOUT: A bill (H. R. 12652) granting a pension to Sarah M. Wood; to the Committee on Pensions.

Also, a bill (H. R. 12653) granting an increase of pension to William Horrigan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12654) granting an increase of pension to Joseph L. York; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12655) for the relief of Thomas W. Williams; to the Committee on Military Affairs. By Mr. TEMPLE: A bill (H. R. 12656) granting a pension to

Oliver C. C. Pollock; to the Committee on Pensions.

By Mr. AUSTIN: Resolution (H. Res. 393) authorizing the

Clerk of the House to pay to Emily Chancey, widow of John T. Chancey, late a special employee of the House, an amount equal to six months of his compensation and an additional amount, not exceeding \$250, to defray the funeral expenses of said John T. Chancey; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of sundry citizens of the States of Virginia, Maine, Massachusetts, Indiana, New York, Ohio, Oklahoma, Connecticut, Maryland, Michigan, North Carolina, New Jersey, Pennsylvania, District of Columbia, Illinois, West Virginia, and Missouri, protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also (by request), petition of citizens of Greater New York and New York State, against the immigration bill; to the Committee on Immigration and Naturalization.

Also (by request), petition of Pennsylvania Peace and Arbitration Society, favoring "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

Also (by request), petition of the Socialist Party of St. Louis, of St. Louis, Mo., and cigar makers, of Boston, Mass., favoring investigation of strike conditions in Michigan; to the Committee

Also (by request), petitions of Workmen's Circle of Baltimore, Md.; Pride of Brooklyn (N. Y.) Lodge of Independent Order of B'rith Abraham; B'rith Abraham of Connecticut; B'rith Abraham of New York; B'rith Abraham of Brooklyn, N. Y.; Abraham of New York, Britin Abraham of Brooklyh, N. Y.; B'rith Abraham of Boston, Mass.; A. B. Fisher, of Albany, N. Y.; Harry Dimin, of New York City; Workmen's Circle of Washington, D. C.; B'rith Sholom of Sag Harbor, N. Y.; and citizens of Newark, N. J., and New York City against the immigration bill; to the Committee on Immigration and Naturalization.

By Mr. ASHBROOK: Petition of the Licking Council of the Junior Order of American Mechanics, of Newark, Ohio, favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Board of Trade of Canal Dover, Ohio, protesting against the dissolution of the American Sheet & Tin Plate Co.; to the Committee on the Judiciary

Also, petition of the German-American Alliance of Ohio, protesting against Federal prohibition legislation; to the Committee on the Judiciary.

By Mr. BARCHFELD: Petition of citizens of the thirtysecond congressional district of Pennsylvania, protesting against the passage of House joint resolution 168, relative to Federal prohibition; to the Committee on the Judiciary.

By Mr. CARY: Petition of the Staats-Verbund, of the German-American Alliance, of Milwaukee, Wis., representing 40,000 American citizens, protesting against the passage of House joint resolution 168 and Senate joint resolutions 88 and 50, or any similar prohibition measures; to the Committee on the Judi-

Also, petition of the Social Democratic Branch, Milwaukee, Wis., urging investigation as to the conditions in the copper

mines of Michigan; to the Committee on Rules.

By Mr. CALDER: Petition of Daughters of Liberty of Brooklyn, N. Y., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. CURRY: Petition of the Stockton (Cal.) Chamber of Commerce, protesting against the segregation of the Central Pacific and Southern Pacific roads; to the Committee on Interstate and Foreign Commerce, By Mr. DALE: Petitions of citizens of Cincinnati, Ohio, pro-

testing against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Junior Order United American Mechanics, York, Pa., favoring the passage of the Burnett immigration bill: to the Committee on Immigration and Naturalization.

Also, memorial of the Northern New York Development League, relative to the removal of the sand bar at Ogdensburg, N. Y., and the deepening of the St. Lawrence River where necessary; to the Committee on Rivers and Harbors.

Also, petition of R. C. Williams & Co., of New York, protesting against the passage of House bill 9832, relative to labels bearing the year of packing; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Merchants' Association of New York, protesting against the passage of House bill 1873, anti-injunction

bill; to the Committee on the Judiciary.

Mr. EAGAN: Petition of the Master Barbers' Association, of Hoboken, N. J., favoring increased pay to letter carriers, on account of parcel post; to the Committee on the Post Office and Post Roads.

Also, petitions of the Weehawken (N. J.) Branch, Socialist Party, and Local Union No. 78, Brotherhood of Painters, Decorators, and Paperhangers, at Hoboken, N. J., favoring an investigation of the strike conditions in Michigan; to the Committee on Rules.

By Mr. ESCH: Petition of sundry citizens of the State of Wisconsin, favoring a two-battleship program; to the Committee

on Naval Affairs.

Also, petitions of citizens of Cincinnati, Ohio, protesting against the literacy test in the Burnett immigration bill; to the Com-

mittee on Immigration and Naturalization.

By Mr. GOULDEN: Papers to accompany a bill (H. R. 12615) granting a pension to Florence V. Roth; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Pennsylvania: Memorial of the Merchants' Association of New York, protesting against the passage

of House bill 1873, the anti-injunction bill; to the Committee on the Judiciary.

Also, petition of the County Galway Men's Social and Beneficial Association, of Philadelphia, protesting against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

Also, petitions of Washington Camp, No. 343, Patriotic Order Sons of America, of Philadelphia, and Junior Order United American Mechanics, of York, Pa., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Philadelphia Maritime Exchange, favoring the purchase by the United States of the Chesapeake & Dela-

ware Canal; to the Committee on Rivers and Harbors. By Mr. GREENE of Vermont: Petition of N. W. Leach and other residents of the first congressional district of Vermont, praying against the passage of House bill 9674; to the Commit-

Also, petition of C. E. Foss and other residents of the first congressional district of Vermont, praying against the passage of House bill 9674; to the Committee on the District of Columbia.

By Mr. HAWLEY: Petitions of sundry citizens of the State of Oregon, protesting against the passage of House joint resolution 168, relative to the manufacture of alcoholic liquors; to

Also, petitions of Walla Walla (Wash.) District Fruit Distributors and North Pacific Fruit Distributors, of Spokane, Wash., relative to eliminating apples from the 90-day storage period; to the Committee on Interstate and Foreign Commerce.
Also, petition of Medford Local Socialist Party, favoring an

investigation of the strike conditions in Michigan; to the Com-

mittee on Rules.

By Mr. KENNEDY of Rhode Island: Petition of Cigarmakers' Union, No. 94, of Pawtucket, R. I., protesting against the passage of Senate joint resolutions 50 and 88 and House joint resolution 168; to the Committee on the Judiciary.

Also, petition of San Paolo Society, of Providence, R. I., protesting against the passage of the Burnett immigration bill; to

the Committee on Immigration and Naturalization.

By Mr. J. R. KNOWLAND: Petition from constituents at Hayward, Cal., protesting against the passage of House bill 9674, preventing labor on buildings, etc., in the District of Columbia on the Sabbath day; to the Committee on the District of Columbia.

By Mr. LAFFERTY: Petitions of organizations of Portland, Oreg., favoring the passage of the seamen's bill (S. 136); to the Committee on the Merchant Marine and Fisheries.

Also, petitions of sundry citizens of the State of Oregon, protesting against the passage of the Sabbath observance bill (H. R. 9674); to the Committee on the District of Columbia.

Also, petitions of sundry citizens of Portland, Oreg., protesting against the passage of House joint resolution 168, relative Also, petition of Local 74, Tailors' Union, favoring an investi-

gation of the strike conditions in Michigan; to the Committee on Rules.

By Mr. LINDQUIST: Petition of citizens of Clare County, Mich., favoring a pension for Elijah S. Pierce; to the Committee on Invalid Pensions.

By Mr. LLOYD: Petition of 80 citizens of Gorin, Mo., and 48 citizens of Mendota, Mo., in favor of the circulation of the Menace through the mail; to the Committee on the Post Office and Post Roads

By Mr. LONERGAN: Petition of delegates representing 57 organizations of various nationalities, at Hartford, Conn., protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Local No. 35, Brewery Workers, of Hartford, Conn., favoring an investigation of the strike conditions in

Michigan; to the Committee on Rules.

Also, petitions of sundry citizens of Cincinnati; Italian Journal of New York City; Pride of New Britain League, No. 544, Independent Order of B'rith Abraham; and Charter Oak Lodge, No. 610, Independent Order of B'rith Abraham, of Hartford, Conn., protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Connecticut State Retail Jewelers' Association, favoring the Owen-Goeke bill, relative to time guaranties on gold-filled watchcases; to the Committee on Interstate and Foreign Commerce.

By Mr. MAHAN: Memorial of the Connecticut State Retail Jewelers' Association, favoring the passage of the Owen-Goeke

bill, relative to time guaranties on gold-filled watchcases; to the Committee on Interstate and Foreign Commerce.

Also, memorial of representatives of 57 organizations at Hartford, Conn., protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturali-

By Mr. MAHER: Memorial of the Northern New York Development League, relative to the deepening of the St. Lawrence River where necessary, etc.; to the Committee on Rivers and

By Mr. MOON: Papers to accompany a bill (H. R. 12641) for the relief of Harvey Hendrix; to the Committee on Invalid

Also, papers to accompany a bill (H. R. 11595) for the relief of Samuel H. Gamble; to the Committee on Invalid Pensions.

By Mr. MOORE: Memorial of the Benjamin Franklin Branch of the American Continental League of Philadelphia, Pa., protesting against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

Also, petition of the Pennsylvania Arbitration and Peace Society, favoring the "One hundred years of peace celebration";

to the Committee on Foreign Affairs.

By Mr. MOTT: Memorial of business men of Watertown, Lyons Falls, Philadelphia, Carthage, Harrisville, Glenfield, and Alexandria Bay, favoring the passage of House bill 5308, rela-tive to mail-order houses; to the Committee on Ways and Means

Also, petition of citizens of Watertown, N. Y., protesting against the passage of the Sabbath-day observance bill (H. R. 9674); to the Committee on the District of Columbia.

Also, petitions of the Workmen's Circle, the Italian Journal, of New York City, and citizens of Cincinnati, Ohio, protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of the rural carriers of Oswego and Lewis Counties, N. Y., favoring increased pay on account of parcel post; to the Committee on the Post Office and Post Roads.

Also, memorial of Northern New York Development League, favoring a survey of the harbor at Ogdensburg, N. Y.; to the

Committee on Rivers and Harbors.

Also, memorial of the Merchants' Association of New York City, protesting against the passage of House bill 1873, the anti-injunction bill; to the Committee on the Judiciary.

By Mr. PALMER: Memorial of Podniki Branch of the Ameran Continental League, of Wilkes-Barre, Pa., protesting ican Continental League, of Wilkes-Barre, Pa., protesting against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

By Mr. PATTEN of New York: Memorial of the New York Wholesale Grocers' Association, relative to the right of the manufacturer to make the resale price on his own goods; to the

Committee on Interstate and Foreign Commerce.

Also, memorial of Northern New York Development League, relative to the deepening where necessary of the St. Lawrence River, etc.; to the Committee on Rivers and Harbors.

Also, memorial of Yorkville Lodge, No. 500, Independent Order B'rith Abraham, protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. PAYNE: Memorial of citizens of Cayuga County, N. Y., favoring prohibition amendment; to the Committee on the Judiciary.

By Mr. PETERS of Massachusetts: Petition of citizens of Roslindale, Mass., protesting against the passage of the Sab-bath observance bill (H. R. 9674); to the Committee on the District of Columbia.

By Mr. TEN EYCK: Statement of Frank A. Wright, carrier on rural route No. 1, Berne, Albany County, N. Y., showing actual cost of necessary equipment and maintenance of same to properly serve his route during the year 1913; to the Committee on the Post Office and Post Roads.

Also, statement of A. Udell Alexander, rural carrier, No. 1, from Glenmont, Albany County, N. Y., showing actual cost of necessary equipment and maintenance of same to properly serve his route during the year 1913; to the Committee on the Post Office and Post Roads.

Also, statement of Morton Makely, carrier on rural route No. 1, Medusa, Albany County, N. Y., showing actual cost of necessary equipment and maintenance of same to properly serve his route during the year 1913; to the Committee on the Post Office and Post Roads.

THACHER: Memorial of New Bedford (Mass.) By Mr. THACHER: Memorial of New Bedford (Mass.) Board of Trade favoring improvement of channel to Cape Cod Canal in Buzzards Bay; to the Committee on Rivers and Har-

SENATE.

FRIDAY, January 30, 1914.

Rev. J. J. Mair, D. D., of the city of Washington, offered the

following prayer:

O God our Father, we recognize Thy hand in all the blessings vouchsafed to us, and we beseech Thee this morning to look with favor upon these Thy servants in all the duties of the hour. May the highest incentives prompt decision as well as deliberation. Give Thy grace unto the President of the United States and all engaged in the administration of public life. Guide us ever to Thy glory at home and abroad with the right-eousness which alone exalts a nation. We humbly ask, in the name of Jesus Christ our Lord. Amen.

The Journal of yesterday's proceedings was read and approved.

CONDITIONS IN MINING DISTRICT IN MICHIGAN (S. DOC. NO. 381).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of Labor, transmitting, in response to a resolution of the 29th instant, a report in regard to the strike of mine workers in the Michigan copper district, which began July 23, 1913. Mr. SMITH of Georgia.

The report has already been before the Committee on Education and Labor, and I have been directed by that committee to ask that the Senate order the report

printed as a public document.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the report will be printed as a public document and referred to the Committee on Education and Labor.

FRENCH SPOLIATION CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law and opinions filed under the act of January 20, 1885, in the French spollation claims set out in the annexed findings of the court relating to the following causes:

The vessel brig Fair Columbian, Nathaniel Wattles, master (H. Doc. No. 675); and

The vessel sloop Friendship, George Rapall, master (H. Doc. No. 676)

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

He also laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions of law filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the following

The vessel brigantine Resolution, Samuel Moore, master (S. Doc. No. 396);

The vessel brig Hiram, Stephen Chace, master (S. Doc. No. 395) .

The vessel brig *Dove*, Thomas Ward, master (S. Doc. No. 394); The vessel schooner *Thomas*, Hezekiah Selleck, master (S. Doc. No. 393):

The vessel brig Mermaid, John Ferrier, master (S. Doc. No. 392); and

The vessel schooner Hunter, David Smith, jr., master (S. Doc. No. 397)

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed. FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions of law filed by the court in the following causes

The cause of Sarah E. Long, widow of William Long, deceased, v. United States (S. Doc. No. 391);

The cause of Mary Fader, administratrix of David J. Fader, deceased, v. United States (S. Doc. No. 390);

The cause of Joseph E. Tarkington, one of the heirs of James Foster, deceased, v. United States (S. Doc. No. 389);

The cause of Clara L. Brewster, widow of Robert E. Brewster, v. United States (S. Doc. No. 388);
The cause of Margaret A. Weathers, daughter and sole heir

of James A. Burkett, deceased, v. United States (S. Doc. No.

The cause of Terry S. Noble v. United States (S. Doc. No.

The cause of James M. Blankenbaker, Felix A. Blankenbaker, Ida C. Blankenbaker, and Edwina J. Blankenbaker, heirs of Newton J. Blankenbaker, deceased, v. United States (S. Doc. No. 385);

The cause of Mary M. Zimmerman, daughter and sole heir of Cornelius R. Meeker, deceased, v. United States (S. Doc. No. 384):

The cause of Clarissa Boyden, widow of William Boyden, deceased, v. United States (S. Doc. No. 383); and
The cause of Alonzo Allison, administrator of George W. Allison, v. United States (S. Doc. No. 382).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a resolution adopted by the City Council of Minneapolis, Minn., relating to the industrial condition in the copper district of Michigan, which was referred to the Committee on Education and Labor.

He also presented a telegram in the nature of a memorial from the Italian Journal, of New York City, N. Y., remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which was referred to the Committee on Immigration.

He also presented memorials of George Rogers Clarke Branch, American Continental League, of Philadelphia, Pa.; of General Joseph Warren Branch, American Continental League, of Philadelphia, Pa.; and of Thomas F. Meagher Branch, American Continental League, of Jersey City, N. J., remonstrating against any appropriation being made for the celebration of the socalled "One hundred years of peace among English-speaking peoples." which were referred to the Committee on Foreign Relations.

He also presented memorial of the German-American Alliance, of Lehigh, Pa., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Roxbury, Mass., praying for an investigation into the conditions existing in the mining districts of the United States and favoring the ownership and control of all mines by the Government, which was referred to the Committee on Education and Labor.

Mr. CUMMINS. I present a memorial or resolution from William McKinley Circle, No. 2, Ladies of the Grand Army of the Republic, of Washington, D. C., protesting against the establishment of an inebriate asylum in the District of Columbia. Inasmuch as the resolution is a very short one and comes from a patriotic body of this kind, I ask that it be printed in the RECORD as well as referred to the appropriate committee.

There being no objection, the memorial was referred to the Committee on the District of Columbia and ordered to be printed in the RECORD, as follows:

Resolutions of William McKinley Circle, No. 2, Ladies of the Grand Army of the Republic, protesting against the proposed inebriate asylum in the District of Columbia.

Army of the Republic, protesting against the proposed inebriate asylum in the District of Columbia.

Whereas an effort is being made to have the Congress appropriate \$75,000 for the purpose of erecting an inebriate asylum in our National Capital; and
Whereas we, the members of William McKinley Circle, No. 2, Ladles of the Grand Army of the Republic, of Washington, D. C., realize that an asylum for drunkards will be an added burden of taxation on an already overtaxed Nation, without any adequate return or appreciable benefit to the Nation or to humanity until the institutions which make drunkards are removed; and
Whereas the movement to establish an inebriate asylum is apparently an effort on the part of the saloons and those interested therein to have the drunkards removed to a respectable (?) institution in order that the ruinous and degrading consequences of their nefarious business may in part be removed from the daily observation of our patriotic citizens and all true Americans who believe that the saloon, the cankerous institution eating at the heart of the Nation, should be wholly removed; and
Whereas, as a patriotic body, we would consider it a desecration of our flag to be placed over a national institution of this kind and an admission on the part of the Government that it is willing to have the saloon remain with us indefinitely and debauch its citizens to swell its revenues; and
Whereas we believe that our hospitals and reformatories are adequate to properly care for the present supply of drunkards if we would close the industrial plants which manufacture them: Therefore be it Resolved, That we earnestly protest against this \$75,000 Government warehouse for the free storage of the surplus products of the saloon:

Resolved. That we earnestly protest against this \$75,000 Government warehouse for the free storage of the surplus products of the saloon; and be it further Resolved. That a copy of these resolutions be spread upon the minute book of this circle and that a copy be sent to our Senators and Representatives in Congress.

SARAH S. POYNTON,
Circle President.
LAURA TACEX HOTT,
JULIA W. LEAVITT,
MARY J. MILLIGAN,
Committee.

Mr. SMITH of South Carolina presented a petition of Liberty Council, No. 45, Junior Order United American Mechanics, of Clifton, S. C., praying for the enactment of legislation to further restrict immigration and remonstrating against the making of

October 14, Columbus Day, a legal holiday, which was referred to the Committee on Immigration.

Mr. PAGE presented a memorial of sundry citizens of Lamoille County. Vt., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. McLEAN presented a memorial of Local Camp No. 75, Order of Sons of Zion, of Norwich, Conn., and a memorial of sundry citizens of New Haven, Conn., remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which were referred to the Committee on Immigration.

Mr. BRADLEY presented a memorial of sundry citizens of the fifth congressional district of Kentucky, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary

Mr. LODGE presented memorials of the Hebrew Socialist Club, of Brockton, Mass.; of Pride of Boston Lodge, Independent Order of B'rith Abraham, of Boston, Mass.; and of Crown of Liberty Lodge, Independent Order of B'rith Abraham, of Boston, Mass., remonstrating against the enactment of legislation providing an educational test for immigrants to this

country, which were referred to the Committee on Immigration.

Mr. JONES presented petitions of the congregations of the First Congregational Church of Monroe; the Methodist Episcopal Church of Aberdeen; the Methodist Episcopal Church of Kirkland; the Methodist Episcopal Church of Colby; the First Presbyterian Church of Waitsburg; the Leeourd Methodist Episcopal Church, of Tacoma; the Second Baptist Church of South Bellingham; and of the First Presbyterian Church of Rolling Bay, all in the State of Washington, praying for the suspension for one year of the naval programs of the great powers, which were referred to the Committee on Naval Affairs.

Mr. OLIVER presented memorials of General Israel Putnam Branch, American Continental League, of Philadelphia; of George Rogers Clarke Branch, American Continental League, of Philadelphia; of Benjamin Franklin Branch, American Continental League, of Philadelphia; of the Samuel McAllister Club, of Philadelphia; of General Reynolds Branch, American Continental League, of Philadelphia; of General Shields Branch, American Continental League, of Philadelphia; of Irish-American Branch, American Continental League, of Wilkes-Barre; of Constant Know Present American Continental League, of Philadelphia; of Constant Continental League, of Philadelphia; of Continental League, of Philadelphia; of Philadelphia; of Continental League, of Philadelphia; General Knox Branch, American Continental League, of Philadelphia; of the Patrick O'Donnell Club, of Philadelphia; of the County Galway Men's Social and Beneficial Association, of Philadelphia; of Martin Van Buren Branch, American Continental League, of Philadelphia; of George Washington Branch, American Continental League, of Philadelphia; of George Washington Branch, nental League, of Philadelphia; of George washington American Continental League, of McKeesport; and of General Joseph Warren Branch, American Continental League, of Philadelphia, all in the State of Pennsylvania, remonstrating against made for the celebration of "One any appropriation being made for the celebration of "One hundred years of peace among English-speaking peoples," which were referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of the thirtysecond congressional district of Pennsylvania and of the twentyfifth congressional district of Pennsylvania, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of West Pittston, Pa., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented petitions of Magnolia Council, No. 183, Daughters of Liberty, of Allenport, Pa., and of Allegheny Council, No. 23, Daughters of Liberty, of Pittsburgh, Pa., praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented a petition of the Chamber of Commerce of Pittsburgh, Pa., praying for a modification or temporary suspension of the requirements of the present provisions for deduction of income tax at its source, which was referred to the Committee on Finance.

Mr. SMITH of Michigan presented a memorial of sundry citizens of Kalamazoo, Mich., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Com-

mittee on the District of Columbia.

He also presented a memorial of the Business Men's Association of Sault Ste. Marie, Mich., remonstrating against the en-

actment of the so-called La Follette seamen's bill, which was or-

dered to lie on the table.

Mr. WARREN presented a petition of Local Union No. 2616, United Mine Workers of America, of Superior, Wyo., praying for the enactment of legislation to make lawful certain agreements between employers and laborers and persons engaged in agriculture or horticulture, and to limit the issuing of injunctions in certain cases, and for other purposes, which was referred to the Committee on the Judiciary.

He also presented petitions of Local Union No. 163, United

Mine Workers of America, of Carneyville; of sundry citizens of Rock Springs; and of the Hanna Socialist Local, all in the State of Wyoming, praying for an investigation into conditions in the mining district of Michigan, which were referred to the Com-

mittee on Education and Labor.

He also presented a petition of sundry citizens of Wyoming, praying for the passage of the so-called Federal loan bill, to establish a national flexible currency, which was referred to

the Committee on Banking and Currency.

He also presented a petition of Pioneer Grange, No. 1, Patrons of Husbandry, of Burns, Wyo., praying for the enactment of legislation providing a bureau of postal highways and the extension of Federal aid in the construction and maintenance of good roads, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Lander, Wyo., and a memorial of sundry citizens of Park and Big Horn Counties, Wyo., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the

Committee on the District of Columbia.

Mr. BRANDEGEE presented a memorial of sundry citizens of New Haven, Conn., remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which was referred to the Committee on Immigration.

Mr. BURLEIGH presented a memorial of Star of Maine Lodge, Independent Order of B'rith Abraham, of Portland, Me., remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which was referred to the Committee on Immigration.

He also presented a memorial of Local Branch 117, National Association of Civil Service Employees, of Waterville, Me., remonstrating against the removal of assistant postmasters from the civil service, which was referred to the Committee on Civil

Service and Retrenchment,

He also presented a petition of sundry citizens of Maine, praying for the enactment of legislation providing that commission chiefs, etc., United States Navy, who served in the Civil War, be placed on the retired list and raised to the rank and pay of a lieutenant, which was referred to the Committee on Naval Affairs.

He also presented resolutions adopted at a quarterly meeting of Free Baptists of Farmington, Me., favoring the suspension for one year of the naval programs of the great powers, which

were referred to the Committee on Naval Affairs.

Mr. CLAPP presented a petition of sundry citizens of northern Minnesota and northern Wisconsin, praying for protection of their rights on what is known as the Sandy Lake Reservation, in Aitkin County, Minn., which was referred to the Committee on Public Lands.

Mr. TOWNSEND presented resolutions adopted by J. M. Pond Post, No. 460, Grand Army of the Republic, Department of Michigan, of Saugatuck, Mich., favoring the enactment of legislation to prevent the desecration of the United States flag, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Charlotte, Mich., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 204), accompanied by the bill (S. 4260) granting pensions and increase of pensions to certain soldiers and sallors of the Regular Army and Navy, and of other wars than the Civil War, and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that Committee:

8. 238. William Guhl. 8. 589. Mary E. Macklin. 8. 1083. William Llewellyn. S. 1312. Gilbert Barnett, jr. S. 1211. Buford E. De Vall. S. 1566. Charles E. Stanley. S. 1586. Arthur G. Bosson. S. 2305. Henry Koehler. S. 2432. Augustus R. Dixon. S. 2537. William N. Russell. S. 2566. Mary E. McAuley. S. 2827. Sarah Ann Jones. S. 3480. Elizabeth A. Tice. S. 3481. Henry F. Baldwin. S. 3670. Gertrude M. Phares. S. 3857. Michael Reynolds.

S. 4010. George W. Goodman.

S. 3896. Mary E. High.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 205), accompanied by the bill (S. 4261) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 168. George W. Miller. S. 172. John M. Dickerson. S. 180. Elender B. Gabbard. S. 188. Caroline Hill. S. 261. Thomas M. McKenry. S. 344. Charles R. Bunnell.

S. 382. Mary L. Fish. S. 420. Abby M. Barstow. S. 457. Theodore E. Smith.

S. 464. Minnie Wadsworth Wood.

8. 591. Jerusha Hayward Brown. S. 620. Harman Eastman. 8, 628, Thomas Ryan.

S. 783. Jackson Tibbens. S. 830. William Ramsey. S. 938. Harriet N. Crowell.

S. 988. Hiram Brubaker.

S. 993. Andrew Armstrong. S. 1080. Susan E. Smith. S. 1082. John Yonker.

S. 1155. Charles Moritz. S. 1202. Oliver P. Stout. S. 1258. Mariam Norris.

S. 1260. Alfred H. McPheron. S. 1285. Garret W. Patterson. S. 1318. Jane Herrington.

S. 1343. Eunice B. Prescott. S. 1344. Warren T. Noyes. S. 1345. Fannie Pike.

S. 1561. William H. Mason. S. 1565. John D. Orcutt. S. 1585. Julia N. Jewett.

S. 1590. Lewis G. Whiting. S. 1677. Charles C. Brown. S. 1679. Joshua Oyster.

S. 1680. Frank D. Murdock. S. 1685. Caroline Waldron.

S. 1687. George Wood. S. 1688. William A. Babcock. S. 1709. Mary A. Heck.

S. 1766. William Butler. S. 1781. James Carroll.

8. 1789. George W. Hurd. 8. 7 91. France: K. Scates. S. 1810. Christina Dralle,

S. 1834. Lizzie M. Smith. S. 1847. Seymour Norman, S. 1861. Thomas McGooden.

S. 1870. Rhoda A. Work. S. 1893. Eugene Davis.

S. 1993. Benson K. Robbins, S. 1997. James B. Parker. S. 2015. Patrick Gibbons.

S. 2057. Michael Reichard. S. 2091. William Ferguson.

S. 2160. Marshall Canfield. S. 2179. Jacob H. Wetzel.

S. 2212. Emma A. Davis. S. 2239. Mary A. Sweet. S. 2240. Martha Makee,

S. 2247. Albert Bennett. S. 2293. Nancy A. Bliss. S. 2296. Elmer H. Pond.

S. 2336. Franklin il. Fisher. S. 2340. Jane L. Starritt. 3. 2346. Trina Tyler.

S. 2347. Emil Hagler S. 2416. Sarah T. Keller, S. 2462. Alice C. Sawtelle, S. 2480. Charles H. Boyd, S. 2497. William H. Hyatt, S. 2736. James L. Donham, S. 2764. Franklin J. Krause, S. 2832. Melancthon Doren, S. 2873. David N. Taylor. S. 2884. George A. Greenlee, S. 2886. David Klingensmith. S. 2917. John O'Hara, S. 2998. Sarah Burch. S. 3046. Truman H. Tryon. S. 3064. James Lemison. S. 3159. William H. Ruckle. S. 3190. Jefferson Thomas. S. 3209. Jane E. Stewart. S. 3300. James Edwards. S. 3312. William F. Graham. S. 3344. Allen McDannell. S. 3347. Ebenezer C. Rush. S. 3353. Silas P. Curtis. S. 3401. Adoniram C. Harper. S. 3432. Etta M. Flaherty. S. 3477. Henry Eaton. S. 3491. William W. McDaniel. S. 3515. Elmer Mulinex. S. 3543. Charles W. Stigers. S. 3560. Leander R. Sayles. S. 3579. Serena J. Washburn. S. 3618. Oregon Washburn. S. 3627. Corda P. Gracey. S. 3642. John D. Beasley. S. 3687. Western P. Munroe. S. 3708. Joseph Lansen. S. 3716. Newton C. Dealing. S. 3796. Abby P. Randall. S. 3883. Edmund T. Hulaniski. 3920. Wilton G. Lewis, S. 3944. William H. Goodwin. S. 3946. Frank Kesler. S. 3947. John Lynn. S. 3948. Benton Braden.

S. 3948. Benton Braden.
S. 3952. Simon B. Rothchild.
S. 3967. Abram R. Darling.
Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (S. 1262) authorizing 15 days' leave of absence with pay to per diem employees of the Lighthouse Service of the Department of Commerce, reported it with an amendment and submitted a report (No. 206) thereon.

POSTAL MONEY ORDERS.

Mr. BANKHEAD. From the Committee on Post Offices and Post Roads I report back favorably without amendment the bill (H. R. 9317) to regulate the payment of postal money orders, and I submit a report (No. 203) thereon. It is a very short bill, there is no objection to it, it is unanimously reported from the committee, and I ask unanimous consent for its present consideration.

Mr. SMOOT. Let it be read first.
The VICE PRESIDENT. The Secretary will read the bill. The Secretary read the bill, as follows:

Be it enacted, etc., That, under such rules and regulations as the Postmaster General shall prescribe, postal money orders may be issued payable at any money-order post office, and on and after the date upon which such rules and regulations become effective all money orders shall be legally payable at any money-order post office, although drawn on a specified office; and that all laws or parts of laws in conflict here with are hereby repealed.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred

By Mr. OVERMAN:

A bill (S. 4262) for the relief of the trustees of the Davenport Female College; to the Committee on Claims.

A bill (S. 4263) to increase the maximum limit of the official bonds which may be required of United States marshals and clerks of the United States district courts in certain cases; to the Committee on the Judiciary.

By Mr. MARTINE of New Jersey:

A bill (S. 4264) granting an increase of pension to Catherine J. Carter (with accompanying papers); to the Committee on Pensions

By Mr. NORRIS:

A bill (S. 4265) to authorize national banking associations to avail themselves of State laws providing for the guaranteeing of deposits; to the Committee on Banking and Currency. By Mr. CLAPP:

A bill (S. 4266) granting an increase of pension to Judson Kellogg; to the Committee on Pensions.

Kellogg; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 4267) granting a pension to Fred W. Willis; and

A bill (S. 4268) granting an increase of pension to Joseph
Wilson Whittier; to the Committee on Pensions.

By Mr. MARTIN of Virginia:

A bill (S. 4269) for the relief of E. Scott Arrington; to the

Committee on Claims.

By Mr. JAMES:
A bill (S. 4270) granting a pension to W. H. Odom; to the Committee on Pensions.

By Mr. SWANSON:
A bill (S. 4271) to provide for the ercation, furnishing, and equipping of a building in the city of Washington for the Department of Justice; to the Committee on Public Buildings and

By Mr. McLEAN:

A bill (S. 4272) granting an increase of pension to Andrew H. Nichols (with accompanying papers); to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 4273) for the relief of the owners of the steamship Esparta; to the Committee on the Judiciary.

By Mr. OLIVER:

A bill (S. 4274) to authorize and require an extension of the street railway lines of the Washington Railway & Electric Co.. and for other purposes; to the Committee on the District of Columbia.

By Mr. McLEAN:

A joint resolution (S. J. Res. 105) authorizing the President to appoint delegates to the International Dental Congress to be held in London, England, August 3 to 8, 1914; to the Committee on Foreign Relations.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CHAMBERLAIN submitted an amendment proposing to appropriate \$500,000 to be expended by the Secretary of Agriculture in cooperation with the Postmaster General in improving the conditions of roads to be selected by them over which rural delivery is or may hereafter be established, etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to be printed and, with the accompanying papers, referred to the Committee on Post Offices and Post Roads.

Mr. NELSON submitted an amendment proposing to appropriate \$50,000 for the survey and construction of a public highway through the Superior National Forest, in the State of Minnesota, etc., intended to be proposed by him to the agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. MARTINE of New Jersey submitted an amendment intended to be proposed by him to the omnibus claims bill, which was referred to the Committee on Claims and ordered to be printed.

ADDITIONAL DISTRICT JUDGE FOR PENNSYLVANIA. Mr. OVERMAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 32) to provide for the appointment of an additional district judge in and for the eastern district of Pennsylvania, having met, after full and free conference have agreed to recommend, and do recommend, to their respective Houses as follows:

That the Senate recede from its amendment numbered 2 On the amendment of the Senate numbered 1, the committee of conference have been unable to agree.

LEE S. OVERMAN, C. D. CLARK, Managers on the part of the Senatc. H. D. CLAYTON, C. C. CARLIN,
DICK T. MORGAN,
Managers on the part of the House.

The report was agreed to.

THE UNITED STATES STEEL CORPORATION.

The VICE PRESIDENT. The morning business is closed and the calendar under Rule VIII is in order.

Mr. SMITH of Georgia. I was under the impression that the Senator from Nevada [Mr. NEWLANDS] expected at this time to call up Senate resolution 241. I yield to him if he wishes to call it up.

Mr. NEWLANDS. I gave notice yesterday that this morning I would call up Senate resolution 241, which was under discussion at the close of the morning hour. I ask that the

consideration of the resolution be resumed.

There being no objection, the Senate resumed the considera-tion of Senate resolution 241, directing the Interstate Commerce Commission to conduct an examination to ascertain whether facts or evidence exist justifying the Government in instituting proceedings for recovery of fines, etc., from the United States Steel Corporation, its subsidiaries, or any common carrier, because of unlawful rebates within the last six years, which had been reported from the Committee on Interstate Commerce with amendments.

Mr. LANE. I should like to offer an amendment to the resolution if it is proper for me to do so at this time.

Mr. NEWLANDS. The Senator from Iowa [Mr. CUMMINS] had the floor when the discussion closed yesterday.

Mr. CUMMINS. I suppose I have no technical right to re-

sume the floor, but-

Mr. LANE. If the Senator from Iowa will allow me, should like to offer an amendment to the resolution providing that all the testimony taken at the hearings before the Interstate Commerce Commission shall be under oath. It follows right after the second paragraph.

If I may be allowed to offer another amendment, I should like to move the substitution of my original resolution for the

resolution as reported by the committee.

Mr. SMOOT. The Senator can not offer it now. Mr. LANE. I am informed by the Senator from Utah that I can not offer the latter amendment at this time, but I understand that the first one is in order.

The VICE PRESIDENT. The first amendment will be in

order. The purpose of the latter amendment can be reached by disagreeing to the amendments reported by the committee.

Mr. CUMMINS. Mr. President, I am in some doubt in regard to the propriety of taking up very much time on this resolution, but I have such a firm conviction that the resolution as originally introduced should be amended, so that the direction should be given to the Department of Justice instead of the Interstate Commerce Commission, that I will pursue for a moment or two the thought I was endeavoring to express yesterday when the unfinished business displaced the resolution.

The Interstate Commerce Commission is an independent body. It has certain defined duties. It has been created for the purpose of administering what is known as the interstate-commerce I do not believe that we ought to begin the practice of directing that commission to originate and pursue a complaint, nor do I believe that we ought to attempt in any case to direct the commission to abandon a complaint when once originated

upon its own motion.

This resolution, if passed as it was originally introduced, commands the Interstate Commerce Commission to initiate a complaint against a railroad company or against a corporation which it is alleged has received a rebate. That complaint when thus filed, or the proceeding when thus begun, must be pursued according to the requirements of the Constitution and according to the procedure of the interstate commerce law. Those who are to be affected must be notified, an issue must be framed, and the testimony must be taken, according to the resolution, in an open hearing. The effect of that procedure is to give immunity from criminal prosecution to every witness who is called by the commission in the pursuit of the investi-

The commission is already overcrowded with work of vast importance to the people of this country. The citizens of my own State have many complaints respecting railway rates now pending before the commission which can not be determined on account of the volume of work that precedes those complaints

in point of time.

We have here an instance-I do not disparage the instance at all-in which it is desired that the Attorney General shall bring a suit against the persons who received the rebates and the companies which paid the rebates for the recovery of triple damages. The law specifically provides for such suit, and it specifically provides that the Attorney General shall bring it. All that the Attorney General needs to know is that he has evidence upon which he can found the proceedings and which will is the Interstate Commerce Commission?

probably enable him to recover. Mr. Green, according to the resolution, has that evidence or knows where it can be found.

Mr. LANE. Mr. President, if the Senator will allow me, I understood Mr. Green to say that he had information within his own knowledge to that effect.

Mr. CUMMINS. Very well; that is still better-within his own knowledge, according now to the Senator from Oregon. All the Attorney General has to do is to bring the suit, call Mr. Green as a witness, and prove the case which he makes. I assume that the Attorney General will do his duty; I have not heard it suggested that he was unwilling to begin and carry forward a prosecution in order to enforce the law; and yet we are asking in this original resolution that the Interstate Commerce Commission shall begin a formal proceeding in order that there may be an open hearing held, in which a complaint shall be made against somebody, which can do nothing more than develop the fact, and which, when concluded, must be referred to the Attorney General in order that he may bring suit for the recovery of these damages. I say that this is what evidently is desired, because it appeared before our committee that Mr. Lamar, of whom you have all heard, went to the Interstate Commerce Commission and proposed to furnish this very testimony if certain conditions were complied with relating to the appointment of counsel to prosecute the case. That proposition was declined. Then the resolution found its way into

I am in favor of referring the resolution to the Department of Justice, with the direction that the Attorney General investigate, and if he discovers sufficient evidence to warrant the bringing of a suit, that then the suit may be brought, for I assume that he will then bring the suit to recover the damages which are sought. So much for the original resolution,

I regret that the Committee on Interstate Commerce reported the resolution in the way in which it did. I rather agree with my friend from California [Mr. Works] that it is a bit of pleasantry to refer this resolution, without any action at all upon it, to both the Department of Justice and to the Interstate Commerce Commission. I have the same objection to making the reference to the Interstate Commerce Commission in the report of the committee that I have already suggested as against the original resolution. I think the whole matter ought to go to the Department of Justice, and if this evidence is at hand and is sufficient, the suit should be brought. I do not know whether or not the evidence is sufficient; there is a great deal of mystery surrounding it; it is apparently such evidence as Mr. Green was unwilling to give to the Interstate Commerce Committee, and unwilling to give the Members of the Senate an opportunity, to judge of its character or its weight or whether it was sufficiently strong to warrant further investigation. desire, of course, to suppress an investigation. I hope, if there is a guilty person connected with the matter, he will be exposed, prosecuted, and punished; but I do not intend, if I can help it, to encumber the Interstate Commerce Commission with a duty of this sort, when it is organized for the very purpose of enforcing this law, and hitherto it has performed its duty with. signal ability, as well as with unusual fidelity.

Mr. SIMMONS. Mr. President, the Senator from Iowa, I know, has given very diligent study to questions of this characbecause he has very frequently discussed these subjects before the Senate with great forcefulness and fullness of knowledge and to the benefit of the body, and before he yields the floor I want to ask the Senator this question: In case it was made clear that the Steel Corporation had been guilty of violations of the law in taking rebates and in accepting other privi-leges, under our system which of these two departments would be expected to initiate proceedings for the purpose of punishing

those violations of the law?

Mr. CUMMINS. Does the Senator from North Carolina mean as to criminal proceedings?

Mr. SIMMONS. Either criminal or civil.
Mr. CUMMINS. Criminal proceedings would be begun, just as all criminal proceedings are initiated, before a grand jury of the appropriate jurisdiction.

Mr. SIMMONS. The institute the proceedings. The Attorney General would necessarily

Mr. CUMMINS. But the district attorney of the proper district, I assume, would be in charge of such a criminal prosecution.

Mr. SIMMONS. Under the direction of the Attorney General.

Mr. CUMMINS. Oh, certainly.
Mr. SIMMONS. Now, I want to ask the Senator a further Mr. SIMMONS. Now, I want to ask the Senator a further question. Is not the Department of Justice just as well prepared, and probably better prepared, to conduct an investigation of this character, with a view to instituting proceedings, as

Mr. CUMMINS. I can not answer that question either "yes" The preliminary investigation made by the Department of Justice is, of course, one in which the Attorney General can not subpoena witnesses or administer oaths. That eral can not subpoena witnesses or administer oaths. That investigation must be made precisely as every other investigation tion is made; by one who believes that there is a foundation for a suit, either civil or criminal; but the grand jury of the appropriate jurisdiction can investigate with all the power that the Interstate Commerce Commission has, and, indeed, with a great deal more power. Therefore the district attorney has it within his authority to carry on an investigation before a grand jury with all the efficiency that a similar investigation could be carried on by the Interstate Commerce Commission, and, indeed, with more efficiency.

Mr. SIMMONS. Therefore, if the Attorney General, employ-

ing the means at his command, shall find that there is a reasonable ground for instituting an investigation, and, acting upon that information in the usual way, he shall bring the matter before the grand jury, the opportunities for a thorough probing of the matter would be just as great, if not greater, than would be enjoyed by the Interstate Commerce Commission proceeding in its usual way in making investigations.

Mr. CUMMINS. Undoubtedly; but if the Senator from North Carolina will permit me, there is no question that in this case the end sought is the institution of a civil suit; that is, a civil suit in form, but for the recovery of a penalty. Everything indicates that. May I call to the attention of the Senator from North Carolina a clause in the act of 1906?

Any person, corporation, or company who shall deliver property for interstate transportation to any common carrier, subject to the provisions of this act, or for whom as consignor or consignee, any such carrier shall transport property from one State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, or foreign country—

Now, it will be remembered that under the old act the crime was on the part of the common carrier that gave the rebate or made the discrimination; but this is the provision of the later act, which reaches the person or corporation receiving the rebate or the favor-

or the favor—
who shall knowingly by employee, agent, officer, or otherwise, directly or indirectly, by or through any means or device whatsoever, receive or accept from such common carrier any sum of money or any other valuable consideration as a rebate or offset against the regular charges for transportation of such property, as fixed by the schedules of rates provided for in this act, shall in addition to any penalty provided by this act forfeit to the United States a sum of money three times the amount of money so received or accepted and three times the value of any other consideration so received or accepted, to be ascertained by the trial court; and the Attorney General of the United States is authorized and directed, whenever he has reasonable grounds to believe that any such person, corporation, or company has knowingly received or accepted from any such common carrier any sum of money or other valuable consideration as a rebate or offset as aforesaid, to institute in any court of the United States of competent jurisdiction a civil action to collect the said sum or sums so forfeited as aforesaid.

By express provision of the law the very case which, as I un-

By express provision of the law the very case which, as I understand, is sought to be reached by this resolution is given to the Department of Justice; that is, to the Attorney General.

Mr. SIMMONS. Mr. President, the point I wish to make is that it seems to me quite apparent that the mover of this resolution.

lution and the committee had in mind the fact that these offenses were subject both to a civil proceeding and to a criminal proceeding. Now, we have one department—the Department of Justice—that is peculiarly equipped for the purpose of investigating where the proceeding is to be of a criminal character; and we have another department, to wit, the Interstate Com-merce Commission, provided with the machinery for conducting investigations for the purpose of instituting a civil proceeding. That being so, Mr. President, I can not altogether agree with the Senator from Iowa that this resolution ought to be referred exclusively to the Attorney General, although I think that it ought to be referred to him for investigation, because there is a criminal element involved, which should have attention; but I think it should also be referred to the Interstate Commerce Commission, because there is a civil element which should have investi-

Mr. LANE. Mr. President-

Mr. SIMMONS. If the Senator will pardon me a moment, I

will then yield to him.

I agree with the Senator from Iowa in one particular, and that is that we ought not simply to refer this resolution to these two departments for the purpose of having the facts investi-gated or not investigated, as they may see fit. I think, if we are to refer it to them at all, we should refer it to them jointly, with instructions that each one of them institute an investigation, one with a view to instituting criminal proceedings, that being peculiarly within its jurisdiction and being a part of its essential function, and the other-the Interstate Commerce Commissionfor the purpose of investigating whether civil proceedings should be instituted.

I may say in brief, Mr. President, that while I do not agree with the Senator from Iowa in the statement that it should be referred solely to the Department of Justice, I do agree with the Senator from Iowa that, if we are to refer it to either one or the other, or both, we ought to refer it with instructions that they each make an investigation, one as to whether civil proceedings should be instituted and the other as to whether criminal proceedings should be instituted. Now I yield to the Senator from Oregon.

Mr. LANE. Mr. President, I wish to say, for the informa-tion of the Senator from North Carolina, that my object was merely to secure an investigation at the hands of the Interstate Commerce Commission. I am under the impression and the belief that the facts will be easily ascertained, and that, too, in a brief period of time. Then, with the facts in their hands, they could report to us if such conditions did or did not exist; and then it would be just a step, and a logical one, to put into the hands of the Attorney General that portion of the matter which belongs to the Attorney General. If we throw it there in the first place, then we shall become subject to the delays and methods of precdure of the law, and my object was to get a speedy, an open, and a fair discussion of the subject. That is the only object I had.

Mr. NORRIS. Mr. President-Mr. LANE. I yield to the Senator.

Mr. NORRIS. I thought the Senator had concluded.

Mr. LANE. I am through.

Mr. NORRIS. Mr. President, I had not intended to take any part in this discussion, but inasmuch as several references have been made to Mr. Green, who is the man named in the original resolution of the Senator from Oregon [Mr. LANE], and inasmuch as in the testimony taken before the Interstate Commerce Committee I was several times referred to as having given some attention to this subject, it seems to me that I ought to make a short statement as to my knowledge, perhaps my connection, with this subject.

I want to say, to begin with, that I have known of Mr. Green, who is a resident of my State, for quite a number of years. I who is a resident of my State, for quite a number of years. I never met Mr. Green personally, so far as I remember, until a few weeks ago, when he came into my office in Washington. I had known him somewhat by reputation; I had often read of him in the newspapers; and I want to say that, so far as I of him in the newspapers; and I want to say that, so far as I know, or so far as anything I have ever heard in regard to Mr. Green is concerned, he is an honorable, honest gentleman. I have never heard his honesty questioned, and I have read of him, as I have said, a great many times in the newspapers. He is quite a prominent Democrat in our State; he was a delegated to the last Democratic newspapers. gate to the last Democratic national convention in Baltimore,

and, so far as I know, has always borne an excellent reputation.

As I understand, he was the principal witness in behalf of
the Government in the so-called Harvester Trust prosecution;
he did a great deal of work on behalf of the Government in some investigations in developing the evidence in that case, and I believe gave very important and material testimony in the case, although I have not read it and was not present to hear it.

When Mr. Green came into my office he told me that there had been a practice on behalf of the so-called Steel Trust of taking and giving rebates that had extended over a number of years, and that the people he represented were in possession of the evidence. He told me then that he was not at liberty to give me the names of the persons who had possession of the evidence, but that the evidence was, as I understood, practically of a documentary nature, and that there could be no possible doubt of its being convincing and practically conclusive, although he admitted to me then, as he did in several subsequent conversations, that on account of the fact that he was not able to disclose the names of the men who had the evidence he realized that he was occupying rather an embarrassing position.

This is the request he made of me at that time: He wanted me to make an appointment with him so that he could see the President of the United States, and said that if I could make an appointment for him to see the President he would promise not to take up more than 15 minutes of the President's time; that he desired to submit this evidence to the President with a view of having the President, after he had seen the evidence, instruct the Attorney General to begin the necessary actions. He told me that Mr. Davis, an attorney here in Washington, who was at one time the United States district attorney here, a lawyer of considerable ability, I think, and, so far as I know, of good standing, had examined the evidence, and said that in his judgment as a lawyer it was practically conclusive, and that Mr. Davis was a personal and political friend of the President, and would go with him to the President to explain any legal technicalities that might arise.

I made an appointment with the President's secretary to see the President, to tell him what Mr. Green had said, and to give him an opportunity to let Mr. Green present the evidence. I did that three different times, on three different days, but each time the appointment was canceled by the Secretary to the President, and I consequently did not do what Mr. Green desired to be done in the way of getting an interview with the

Mr. Davis, the attorney mentioned, and the only man whose name was mentioned to me by Mr. Green in all our conversations-the name of Lamar, or of Schulteis, or of any of these other persons was never mentioned, and I had no knowledge that any of them had anything to do with it or knew anything about it-then came to my office. I talked with Mr. Davis about the matter for perhaps an hour and a half. Mr. Davis represented to me that he was a personal friend of the President; that he had been in Princeton with the President; that he had taken quite an active part in the last campaign in behalf of the President, and was his personal friend, as well as was Mr. Green. It was really on account of Mr. Green's standing as a Democrat that I decided to go to the President with a view of asking him if he would not permit Mr. Green to present the evidence, because I was firmly of the belief then, and am still, that there was no one who had a higher opinion of the President, and that he had no other object than to bring about justice. As I say, I believe that yet.

Mr. Davis told me that in his judgment as a lawyer there was not any doubt whatever but that this evidence was practically conclusive; that from its very nature it was hardly subject to dispute, as it was documentary; that there was no doubt but that these rebates had been taken, that they were rebates as a matter of law, and that under the laws of the United States the action would lie.

I had considerable talk with Mr. Davis about the persons who had possession of the evidence. He also said that he was not at liberty to tell me the names of the persons who had the evidence, but that he had examined it, and he came to me representing them, although he could not disclose their names; and he recognized, too, that because of that handicap there might be some suspicion connected with it.

I confess that if it had not been that both of these men were anxious, in my judgment, to be of use to the President in a proper and friendly way, I would have had more suspicion than naturally would arise on account of the fact that they did not disclose, as I think they ought to have done, the evidence they had, and I frankly told them both so. It seemed to me, however, that if they did have the evidence, and were willing to let the President see it, inasmuch as it would take only a few moments, it would be well worth the President's time to give Mr. Davis and Mr. Green an opportunity to talk to him about it.
Mr. LANE. I should like to ask the Senator a question, with

his permission, and that is whether the amount involved was mentioned to him?

Mr. NORRIS. Yes; it was. Mr. LANE. I wish the Senator would state it.

Mr. NORRIS. I can not give the figures now, but it went into the millions; in fact, somewhere in all these conversations with Mr. Davis and Mr. Green—there were several of them— I had gotten a little idea as to what the evidence was

Mr. LANE. I will say for the Senator's information that I was informed that it amounted to not less than \$75,000.000 of rebates, and that the amount would be shown to be even larger if the matter were investigated, and that if an action were instituted and were successful the Government could recover as much as \$225,000,000.

Mr. NORRIS. Of course the first thing I said to Mr. Green, and also to Mr. Davis, was: "The proper place to go with this evidence is to the Attorney General, in my judgment." They both admitted that, but said that for reasons that were satisfactory to the men who had the evidence-I do not mean it was Mr. Davis's idea, necessarily, nor Mr. Green's-the men who had the evidence would not go to the Attorne; General; and they represented to me that the only reason why the men who had the evidence wanted to have the President see it first was that, in their judgment, if the President saw it he would then give a direction to the Attorney General that would bring about results which they feared they would not get if the President did not have some knowledge of it.

Mr. ROBINSON. Mr. President, in my judgment, the first question to be considered in determining what action should be taken upon a resolution of this character is the power of the Senate to deal with it.

The Interstate Commerce Commission is an executive or administrative body created by law, and its duties and powers are defined by law. Therefore it is not within the power of one

branch of Congress, either the Senate or the House alone, to direct it in the discharge of its duties. Its duties being defined by law, which requires the approval of both Houses of Congress, whatever action the Senate takes in this matter will be purely

directory, and can not be mandatory.

The next proposition that I think worthy of consideration is that if the resolution were passed in the original form, it would constitute a legislative act, if the resolution of the Senate is valid, giving immunity to Mr. William H. Green and to all witnesses whom he might call to testify before the Interstate Commerce Commission. Upon consideration of that matter, and as a matter of fact, I do not believe Mr. William H. Green needs immunity; but it is quite probable that the witnesses whom he would call, who are not named in the resolution, would require immunity before testifying, and that is probably the reason their names are not disclosed.

Mr. LANE. Mr. President, I will say for the information of the Senator that I am informed that that is not the case; that the information will be derived from people who are not now directly connected with the matter in any way, and can not be punished for it; that it is documentary evidence that has been gathered up for six years. That is the information Mr. Green

Mr. ROBINSON. The legal effect of passing the resolution in the form in which it was originally presented to the Senateif the Senate has the power to pass a resolution of that character-would be, by legislative enactment or resolution, to give immunity to witnesses whose names we do not know and the character of whose testimony is not disclosed to the Senate nor to the Committee on Interstate Commerce.

I have already said that, as a matter of law, it seems to me that any resolution which the Senate passes in the matter must be purely directory, and can not be mandatory. Therefore the Committee on Interstate Commerce has done all that it is in the power of the Senate to do, unless Senators think this body alone has the power to direct an executive department or bureau of the Government in the discharge of its duties when those duties are defined by law. It is clear to me that they can be duties are defined by law. It is clear to me that they can be neither added to nor diminished by a resolution of one House of Congress

I do not know that there is any further statement that I desire to make at this time. I will say, however, that every member of the Committee on Interstate Commerce was desirous of securing full information concerning this subject. We were confronted with a very peculiar condition—a resolution that is extraordinary in its terms, naming one witness and giving him the power to name other witnesses to be called, and not disclosing the names of the other witnesses.

As was suggested by the junior Senator from Utah yesterday, it is clearly not within the power of the Senate to direct the Interstate Commerce Commission as to what witnesses shall be called in an investigation, because that body, having the power to make the investigation, can call any witnesses it chooses; and it is not within the power of the Senate alone to place that kind of a limitation upon the power of the Interstate Commerce Commission.

This resolution, as reported by the committee, is in effect nothing more than a request from the Senate to the Interstate Commerce Commission and to the Department of Justice that they make the investigation the original resolution sought to require them to make. The Senate not having the power to make that requirement, it seems to me that all that should be done in the resolution is to make the request which is contemplated by the amendment submitted by the Committee on Interstate Commerce, and that will produce every benefit, as I see it, that can come from the original resolution.

There is not a Senator here who doubts that if the matter is referred to the Interstate Commerce Commission and to the Department of Justice the subject will be investigated, that Mr. Green will be called, and that if in the judgment of the Interstate Commerce Commission and the Department of Justice the witnesses whom he names should be called, their testimony will be taken.

There is a further difference. The original resolution sought to require the Interstate Commerce Commission to have public If the facts exist upon which the resolution seems to be based, it may not be advisable to require that those hearings be made public. If those facts exist, it may be necessary that prosecutions be conducted against the parties guilty of violating the law; and it may be necessary to conduct some of the investigations, in a preliminary way at least, through special examiners.

So, upon the whole case, it seems to me the best way to do is to leave the Department of Justice and the Interstate Commerce Commission to discharge their duty under the statute, without an attempt upon the part of the Senate to control the manner

in which their duties shall be performed.

Mr. ROOT. Mr. President, I have not taken very much interest in this resolution, but I am moved by many things which have been said to put a question to any Senator on the other side who may feel competent to answer it.

What is the matter with the Attorney General of the United States? Why should a vote of want of confidence in him be passed by the Senate? Why should the Senate be spending days and days in discussing something which everybody agrees is a matter of his duty?

I have thought very well of that gentleman, sir. I consider the present Attorney General of the United States an able and competent lawyer and an able and competent officer of this Government. I do not see why his own party friends should be discussing here a resolution which, in its essence, is an attack upon his competency to perform the duties of his office.

Mr. ROBINSON. Mr. President—

Mr. ROOT. Is not this administration capable of performing its duty of executing the laws of the United States? Is it necessary for the Senate of the United States to take upon itself the burden of supplementing any inefficiency in the Department of Justice?

If we are to spend our time, sir, over a discussion of the way in which an investigation is to be pursued to determine what the duty of the Attorney General is, it seems to me the Attorney General should have been heard, and we ought not to condemn him without a hearing

Mr. ROBINSON. Will the Senator from New York vield

Mr. ROOT. In a moment. While it is no part of my duty on this side of the Chamber to defend or to assert the competency of the Attorney General of the present administration, my personal regard for him, my sense of justice to him as an eminent lawyer, my sense of justice to him as I believe him to be a faithful and devoted public servant, lead me to say that we ought not to take any action appointing or directing any other officer of the Government to determine or to investigate for the purpose of determining what his duty is until it has been clearly ascertained that he is not performing his duty, or will not perform his duty, or is incompetent to perform his duty. None of those things have been shown, and it seems to me none of them can be shown.

I now yield to the Senator from Arkansas.

Mr. ROBINSON. Mr. President, I do not know whether the remarks of the Senator from New York were directed against the original resolution or against the action of the committee in reporting an amendment to the resolution. I sought to ascertain that from him while the Senator from New York was on the floor.

I disclaim for myself, and I assume to take the liberty of doing so for the committee, any intention to reflect, also any act which is calculated to reflect, upon the Attorney General

of the United States or the Department of Justice.

In reply to what the Senator from New York said, that the Attorney General should have been heard, I desire to state that he was heard. He was notified by the chairman of the committee of the hearings and appeared by an Assistant Attorney General, who stated that a suit is pending against the United States Steel Corporation involving the dissolution of that corporation as a trust, but that no testimony had been submitted in the case concerning the payment of rebates to the Steel Corporation by railroads. The Assistant Attorney General also stated that, in his opinion, the case could be reopened on the part of the Government, the Government having completed its testimony, and that the evidence which would be germane upon such an investigation could be submitted in that case, and that this, in his opinion, should be done.

Now, Mr. President, the situation as it appeared to the committee was this: Here was a citizen of the United States claiming to have in his possession facts which involved very grave considerations. Those facts had not been presented to any department of the Government. He declared he had promised to withhold the sources of his information and not to reveal them anywhere save before the Interstate Commerce Commis-He gave no reasons for having made such a promise or for its having been exacted of him; still the fact remains that it is contended that the law had been violated and that evidence is available which would establish that fact. The committee thought that there could be no reflection upon any department of the Government to simply call the attention of the Department of Justice and the Interstate Commerce Commission to such circumstances as had come to the knowledge of the committee.

I yield to no man, not even the Senator from New York, in my respect and loyalty to the courts and the judicial department of this country. I regard them, Mr. President, as a great bulwark of individual liberty and of the constitutional rights of the citizens of this Republic. In the discharge of my duty as a Senator, I do not regard it as reflecting upon the courts or upon the executive branch of the Government for me to refer to them information which comes to my knowledge and which it is their duty under the Constitution and statutes of the United States to take cognizance of.

Mr. President, the simple reading of the report of the Committee on Interstate Commerce will disclose the fact that there is nothing in its action or in the recommendation which it makes to the Senate that reflects upon anyone. If the amendment submitted by the committee is passed, both the attention of the Interstate Commerce Commission and the attention of the Department of Justice will be formally called to the matter. Both of them have some jurisdiction concerning the subject. The Interstate Commerce Commission may enter upon its own motion upon an investigation of the matter. To call the attention of that body to facts and circumstances alleged to exist is to guarantee in the mind of any man who has confidence in the institutions of this Republic that if the facts exist they will be obtained in the best way to the interest of the people of this country. To call the matter to the attention of the Department of Justice is no reflection upon that department. It is dis-closed by a representative of the department that if these facts had been brought to his attention in a pending suit they would

If the Senate has not the power to make a mandatory direction, it can take the liberty of making a recommendation to both the Attorney General and the Interstate Commerce Commission and accomplish all the beneficial results that could have been obtained under the original resolution. This will cast no reflection upon any officer of the Government; it is not intended to do it, and it is not calculated in fact to accomplish that

result.

Mr. CLARK of Wyoming. Mr. President-

have been germane as evidence for the Government.

Mr. LANE. If the Senator from Wyoming will yield to

Mr. CLARK of Wyoming. Certainly. Mr. LANE. As a matter of personal privilege, I wish to say. to the Senator from New York [Mr. Root] that it was with the greatest respect to the Attorney General personally that I submitted the resolution. I thought this course would be advisable-presenting the facts which are germane.

Mr. WORKS. Before the Senator from Arkansas leaves the

Chamber I would like to ask him a question.

Mr. ROBINSON. I would be very glad to answer if I still have the floor. I retired from the floor.

Mr. WORKS. I was just waiting to see who has the floor. I do not want to violate the rules. I saw the Senator from Arkansas leaving the Chamber, and for that reason I addressed the Chair.

Mr. LANE. I will be through in a moment. Inasmuch as I had the information, which I supposed to be true, that the Attorney General's department was carrying on a suit against the Steel Trust for dissolution, and these facts had not been presented to them and they knew nothing of them, and that it would have made a difference in the manner of their procedure had they known them, I sought investigation on the part of another department which it was perfectly competent to consult as the authority under another aspect of the case. I cheerfully said that I was willing after getting the information that it should be given to the Attorney General specifically, and I meant no discourtesy whatever. I thought I was doing the department a favor rather than impeding their progress.

was intended to expedite their work.

Mr. WORKS. Mr. President, as I said yesterday, I think the resolution as proposed to be amended practically accomplishes nothing. I wanted to ask the Senator from Arkansas if he does not think that this matter, having been already if he does not think that the Attorney General, whom all of called to the attention of the Attorney General, whom all of us regard as perfectly competent to perform his duties, has not accomplished everything that will be accomplished by the

adoption of the resolution?

Mr. ROBINSON. Unless a failure to adopt the amendment as reported by the Senate committee could be misconstrued. think it is true that the matter has already been called to the attention of the Interstate Commerce Commission, and in all probability the investigation will be conducted independent of the passage of any resolution here. As I said before, the only legal effect of the resolution, as I understand it, is a request for them to make an investigation and to furnish the Senate information concerning it.

Mr. WORKS. I asked the Senator the question with the understanding that no investigation had been made by the committee. It has no information to impart to the Attorney General. It is making no direct recommendation as to what should be done. The matter is already before the Attorney General, and it seems to me that the passage of the resolution would be an idle thing.

Mr. ROBINSON. I think perhaps the resolution ought to be amended so as to request the Interstate Commerce Commission and the Attorney General to report their findings and con-clusions in the event the investigation is made. I think an amendment to that end should perhaps be adopted.

been suggested by some Senators about me here.

Mr. CLARK of Wyoming. Mr. President, there seems to be a general air of mystery about this resolution and its purposes and the witnesses, so much so that it seems to me the resolution ought not to pass. If I am correctly informed, there is an unsavory atmosphere surrounding the whole business. plicit confidence, from the statement of the Senator from Nebraska, both upon the floor and privately, that Mr. Green is a very reputable citizen; but we know, if what has come to our ears is true, that this request for information comes also from a most unsavory quarter. We know that one of the men who is engaged in urging the passage of this resolution or something like it is a man who upon his own oath before a committee of this body within the last two or three months has been absolutely discredited.

We are further informed-not officially from the committee, but privately from members—that the promise of evidence is given with the understanding, or a promise is made, that evidence will be given if a certain man is allowed to conduct or assist in the conduct of the prosecution of these cases, if they are brought, and without such assurance the information will

not be furnished.

Mr. LANE. I wish to ask the Senator a question in rela-tion to that statement. I am assured that the gentleman of unsavory character to whom he refers in those terms has nothing whatever to do with the prosecution, the investigation, or the employment of any attorney in the event that this matter is turned over to the commission.

Mr. OLIVER. If the Senator will allow me—
Mr. LANE. I will modify that by saying that he will not do, perhaps, anything more than he might interject himself.
Mr. OLIVER. Mr. Green refused to testify before the com-

mittee until he had called this man on the telephone and asked

his permission to do so. That appears in the evidence.

Mr. BORAH. May I ask the Senator from Wyoming a question? What is the difference whose unsavory reputation is wrapped up in this proposition if there are any facts to be had. and if there are no facts to be had, still further, what is the difference whose unsavory reputation is affected? want or should want are the facts. What we

Mr. CLARK of Wyoming. Mr. President, I am not saying that I will reject the truth because it comes from a bad source, but when a man who is a notorious liar, self-confessed, comes before the Senate of the United States and says he has evidence that is of the value of \$75,000,000 to the Government of the United States, when he does not go to the proper authority to advance that evidence, when he has not been to the Department of Justice, when he has not been to the Interstate Commerce Commission and is seeking to traffic for personal gain and not for public good, I am not willing that the Senate of the United States should be made a vehicle for that sort of work. If this evidence exists, a court of justice can get it without any doubt at all. If the man knows of the evidence, he can be compelled to divulge it. He can be compelled to divulge the source of the information.

Mr. BORAH. Mr. President, these offenses, these violations of the law, are generally committed by a number of individ-uals, some one of whom finally concludes to tell the truth. That is what all these trust cases are built upon. If there is some one who has been in the deal who concludes to state what the facts are, I do not care anything about the man's unsavory reputation. But no one has assailed Mr. Green. No

one attacks his standing. No one attacks his character.

Mr. CLARK of Wyoming. Mr. President, I was simply saying that the resolution itself, the circumstances, are all mysterious. Secrecy is to be observed. It is all mystery. There is nothing plain. There is nothing outspoken. There is nothing

reason of having an investigation, where no one could profit by having misled us, but by reason of an open and public inves-tigation all that is true could be known and all that is untrue could be put aside.

Mr. CLARK of Wyoming. We have had investigations coming from this same source; we have had month after month, where we have sat under this sort of evidence; where the Congress of the United States has been sought to be smirched from one ocean to the other in the estimation of the people; where Congressmen's names have been used over the telephone in forgery by the very people who are urging this investiga-tion; where nothing has come from it. Not a single Member of the Senate, after all the months, has been even brought under suspicion.

For one Member I am suspicious, and I will not vote for any investigation, no matter how meritorious it may appear to be, unless it is founded upon the word of some man other than a man already discredited at the bar of the Senate.

Mr. President, I think if we are going to pass any resolution

at all we ought to pass one that has something in it.

I agree with the Senator from California [Mr. Works] that resolution as amended and reported by the committee is an idle resolution. It looks as though the committee had put the resolution of the Senator from Oregon [Mr. Lane] in this shape in order to have it rejected. I think the Senator from Oregon wanted to accomplish something. I do not believe this accomplishes anything. It simply calls the attention of the Department of Justice to facts that the committee itself says the Department of Justice has been informed of. It occurs to me, as stated by the Senator from New York [Mr. Root], that we ought not lightly to assume here, by resolution or otherwise, that the Department of Justice or any other department of the Government is derelict in its duty.

Mr. POMERENE. Mr. President, I was not present when

this matter was up for consideration before the Interstate Commerce Committee. The other day, without having seen the report, I thought I would vote for this resolution. I do not believe I shall. It seems to me that the statement made by Mr. Green—whoever he is—before that committee was a gratuitous insult to the committee, to every Member of the Senate, and to every member of the Interstate Commerce Commission. Note

this report:

The chairman of the Interstate Commerce Commission reported that David H. Lamar had appeared before the commission and proposed to furnish it evidence of rebates and preferences similar to those referred to in the pending resolution, provided the commission would stipulate to employ an attorney whom he—Lamar—would designate, and that the commission had declined this proposal.

The Senator from Oregon introduced a resolution. Mr. Green, it seems, has some information of some kind, and the Senator from Oregon states that he himself had no knowledge of the rebates and preferences other than the assurance of Mr. Green, and that testimony regarding such rebates would be presented.

Now, note the following paragraph of the report of the committee:

mittee:
On a subsequent day the Senator from Oregon secured the attendance of Mr. Green before the committee, but Mr. Green declined to state either what the facts were or the names of the witnesses upon whom he relied, insisting that he desired an open investigation before the Interstate Commerce Commission and not before a committee. Upon being shown that it was the duty of the Interstate Commerce Commission under the law to prosecute such investigations upon the facts being presented to it, and that he had the privilege of appearing before the commission and presenting his facts and witnesses, he replied that he wished to obtain the backing of the Senate in the matter. Upon being pressed by the committee to give it such a statement of facts as would enable it to form some judgment as to the necessity for and the good faith of the investigation, he again declined to give such information.

What lawyer ever heard of calling a witness into court simply.

What lawyer ever heard of calling a witness into court simply because he had some information pertinent to the issue that was being tried and put him on the stand, not knowing whether he was to tear down the case or build it up? Yet the Senate is expected to act favorably because somebody comes here and asks that he may have permission to disclose certain information to certain boards or a certain commission and will give them no information in advance upon which to act, save his own ipse dixit.

Senators, if this is to be a precedent for the action of other committees, when will we be able to find any time for legitimate Are all the members of this committee of so low standing that they can not be trusted with the names of the witnesses that this distinguished gentleman, Mr. Green, is going ous. Secrecy is to be observed. It is all mystery. There is nothing plain. There is nothing outspoken. There is nothing straightforward about it. There are all the indications of a nasty mess somewhere.

Mr. BORAH. On the other hand, the very thing that these people are asking for is publicity. The very thing they are asking for is not secrecy, but the very opposite of secrecy—a public and open investigation, where no one could profit by body has some information which he is not going to disclose to the Senate and will not give the names of the persons from whom he expects to get it. Not while I am a Member of this

body will I vote for such a resolution.

Mr. CLAPP. Mr. President, it was within the power of our committee, through its chairman, to have obtained at the hands of the Senate a resolution, if it had not already been done early in the session, that would have enabled us to have brought these men before our committee and have made an examination to have satisfied ourselves whether or not there was enough in this matter to warrant further examination of it. seem to me a very strange position for us to take, when information comes, even in the most informal way, to fall back upon the alleged disreputable character of men who profess to have information. For one I have no patience with that recourse in this matter. It seemed to me it was our duty to have first, if we had not already done so, clothed ourselves as a committee with the power to have brought Mr. Green or anybody else before the committee and have satisfied ourselves whether there was enough in the matter to warrant further investigation. Not having done that, I for one feel no reluctance whatever in supporting the resolution of the Senator from Oregon [Mr. Lane].

Mr. KENYON. Mr. President, I merely wish to ask the

Senator from Minnesota a question.

Does the Senator from Minnesota The VICE PRESIDENT. yield to the Senator from Iowa?

Mr. CLAPP. With pleasure. Mr. KENYON. I want to ask if the committee has not such power at this time? I have some remembrance of a resolution, as it seems to me, which was passed by the Senate giving that

committee full power to send for papers and witnesses.

Mr. CLAPP. That is what I say. If the committee has that power, we could have easily brought Mr. Green before us or

the other man-I forget his name.

Mr. OLIVER. Will the Senator from Minnesota yield to me for a minute?

Mr. CLAPP. With pleasure.

Mr. OLIVER. Mr. President, Mr. Green was brought before the committee, or came before it, voluntarily; and, if the Senator will read his testimony, he will find that Mr. Green stated that he himself had no information whatever upon the subject, but he had witnesses, whose names he concealed, who would furnish evidence. The committee could not get anything further out of Mr. Green. Mr. Green simply indulged in some general statements about what he said was going on; but he distinctly stated that he himself had no personal knowledge on the subject.

Mr. CLAPP. No: but he had the names of the men who, he claimed, did have personal knowledge; and we either had the authority, or, if we did not, then we should have obtained it, to have forced him to reveal the names of those witne

Mr. LANE. I wish to say, for the information of the Sen-

ate

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Oregon?

Mr. CLAPP. With pleasure.
Mr. LANE. That later along Mr. Green corrected that statement-you will find it on page 33 of the hearings-and in answer, I think, to a question by the Senator from Michigan [Mr. Townsend], he stated that he did have evidence, and that he could give evidence, of things which he himself knew. The Senator from Rhode Island [Mr. LIPPITT] called his attention to the fact that he had early in the examination made a different statement, and he again repeated to the Senator from Rhode Island that he himself knew something of those cases, but that he had not been a party to them and had not enjoyed those rebates, which I assume, and only assume, was the occasion for his answer in the first place.

This witness when he was before the committee was an embarrassed man; he felt himself out of place; he expressed the opinion a number of times that he was in the presence of the wisest men of the highest rank in intelligence in the country; and he stated that it was embarrassing to him, as a poor country gentleman, to appear before such distinguished gentlemen;

that he was overawed. He himself said so.

Mr. OLIVER. If the Senator will allow me, Mr. Green was not so embarrassed but that he said, as the Senator will find on page 24 of the testimony, that in the harvester case he brought about action by going to Attorney General Wickersham and threatening him with impeachment if he did not proceed. I do not believe that Mr. Green or anybody else ever went into Mr. Wickersham's office and made such a threat without being ordered out of the office. He would not do it with Mr. McRey-

nolds and he would not do it with any other Attorney General of the United States

Mr. CLAPP. Supposing he had been ordered out of the office; supposing he is not of the most supremely high type of man-I do not know him; I do not know anything about himit seems to me that it was the duty of our committee, if we had the power, to proceed; and, if we did not have it, to have obtained the power, and then satisfied ourselves, without resting upon Mr. Green's statement or the statement of anybody else. I do not favor the idea that the committee can avoid its responsibility or that the Senate can avoid its responsibility because some man comes before the committee whose reputation may be tarnished. I do not know anything about it; I do not think I ever saw this other witness, and do not now recall his name; but having ourselves failed to pursue this matter as, in my judgment, it ought to have been pursued, I repeat that, for one, I am willing to support the resolution of the Senator from Oregon [Mr. LANE].

Mr. SMITH of Michigan. Mr. President, the Senator from Minnesota [Mr. Clapp] says "if the committee had the power."

I will read the resolution.

The PRESIDING OFFICER (Mr. Thompson in the chair). Does the Senator from Minnesota yield to the Senator from Michigan?

Mr. CLAPP. Certainly.

Mr. SMITH of Michigan. The following is the resolution adopted by the Senate:

Resolved, That the Committee on Interstate Commerce, or any sub-committee thereof, be, and the same is hereby, authorized during the Sixty-third Congress to send for books and papers, to administer oaths, and to employ, if necessary, a stenographer at a price not to exceed \$1 per printed page to report such hearings as may be had in connection with any subject which may be pending before the said committee or under investigation or examination thereby; that the committee or any subcommittee thereof may sit during the sessions or recesses of the Senate; the expenses thereof to be paid out of the contingent fund of the Senate.

Mr. CLAPP. That simply strengthens my position. I asked in the presence of the committee whether such a resolution had been adopted, and was unable to obtain a reply. Then I insisted that if such power had not been obtained it was our duty

Mr. SMITH of Michigan. That resolution was presented by the Senator from Nevada [Mr. Newlands]. Mr. CLAPP. Exactly.

Mr. SMITH of Michigan. On the 20th or 21st of January, I think, it was adopted. That was since this matter came before the committee. So there is abundant authority for the committee, if it so desires, to proceed with the investigation under the power conferred by that resolution.

Mr. CLAPP. But the committee has not gone ahead; and in view of its failure to go ahead with this matter I, for one, have no hesitation whatever in supporting the resolution of the Senator from Oregon. We have had time enough now to do something; we have not done it; and I am now in favor of let-

ting somebody else do it.

Mr. NEWLANDS. The Senator from Minnesota [Mr. CLAPP] insists that the committee should have made this investigation, and should have made it under oath. At the time this matter was under consideration by the committee the resolution to which the Senator from Michigan [Mr. SMITH] has just referred was not adopted. That resolution was adopted after the Interstate Commerce Committee of the Senate had acted upon this subject matter.

Let me say further that, so far as I am individually concerned, I am opposed to taking up the time of the committee with a prolonged inquiry into the question whether rebates were received by the United States Steel Co., when it is made the duty, under a statute passed by Congress, of the Interstate Commerce Commission to make such an inquiry, that commission being vested with full powers regarding the matter, and when by a law, in the passage of which this body participated, it is made the duty of the Attorney General, upon probable cause being shown, to institute a suit for three times the amount of the rebates.

The Interstate Commerce Committee of the Senate has important legislation now pending before it sufficient to absorb all its energies during the existing Congress; it has before it legislation relating to the trusts under the recommendations made by the President in his message. It would be a serious detriment to the public business for that committee to be switched off now into an investigation such as was conducted by the lobby committee or by the House committee regarding the Steel Trust or other committees, which have served the purpose largely of contributing to sensationalism, without any substantial results in legislation, and committees which the Senator from Mississippi declared have spent in connection with their labors a large proportion of the contingent fund of the Senate.

Mr. President, when we passed the interstate-commerce law did we mean that that law should be enforced or not?

Mr. CLAPP. Mr. President, will the Senator permit an interruption?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. NEWLANDS. Certainly.

Mr. CLAPP. In passing the interstate-commerce law we neither abdicated our functions nor became released from the duties and the obligations resting upon us, first, as members of the Interstate Commerce Committee; secondly, as Senators;

and thirdly, as citizens.

Mr. NEWLANDS. We certainly did not release ourselves from any obligations as legislators, but we did not add to our labors the duties of investigation, which we had imposed by law upon the executive department. So, Mr. President, I object, so far as I am concerned as an individual member of the Interstate Commerce Committee, at this important juncture of legislation, to that committee taking up its time with unnecessary investigations, when by law we have organized a tribunal for that purpose, and when by law we have made it the express duty of the Attorney General and of the Interstate Commerce Commission to cover not only the field of investigation but the field of action by the institution of suits.

Mr. BORAH. Mr. President, I should like to ask the Senator

a question.

The PRESIDING OFFICER. Does the Senator from Nevada

yield to the Senator from Idaho? Mr. NEWLANDS. Certainly.

Mr. BORAH. Would not the Senator, as chairman of the Interstate Commerce Committee, be willing to withdraw the amendment which has been reported by the committee and give us an opportunity either to vote the resolution up or vote it down, to pass it or not to pass it? The proposition as it is presented here is unsatisfactory to everyone. It amounts to nothing; it is a vain thing. We are simply sending a formal request to the Attorney General and to the Interstate Commerce Commission. It does not express the wish of the Senate. We do not go on record as to whether we are in favor of or against the proposed investigation, and if the resolution as amended is adopted we will have expressed no opinion. I think that we ought, at least, to have a conviction about it and record that

onviction in our vote,
Mr. NEWLANDS. Mr. President, I regard action upon this
resolution, as suggested by the Interstate Commence Committee, as a mere reference of a subject matter which has been called to the attention of the Senate by a Senator, to a tribunal which has been organized by law for conducting such investigations, a mere act of courtesy to the Senator who proposed it, a mere act of public duty, such as any individual might perform when matters of consequence, coming from sources however questionable, are brought to his attention. That is all that this resolu-

tion means.

The Senator from Oregon is doubtless in earnest in pressing this motion; he is doubtless prompted by the worthiest of motives. We all know-for it has been disclosed in a recent decision of the Interstate Commerce Commission-that the Steel Trust has been receiving rebates through some of its organiza-How extensive that practice has been is not known. I would not willingly put an obstacle in the way of any man who seeks to bring facts to the consideration of the Department of Justice or of the Interstate Commerce Commission, and I would not place an obstacle in the way of the Senator from Oregon, who, under his responsibility as a Senator, relying upon some statements which have been made, has presented this resolution. He has made a mistake as to the form of the resolution, for it practically calls upon one body of Congress to legislate for both bodies, practically to change existing law, to add to the duties of an existing tribunal, and to prescribe the form in which it shall discharge those duties; but, so far as I am concerned, I think the committee did right in referring the whole subject matter, however questionable the source of the information might be, to the officers charged with the duty of attending to it.

Facts do not always depend upon the character of the source from which they come; the truth may sometimes be told by a scoundrel, and a scoundrel may be in possession of facts that are material to public justice. I would not ignore a matter of this kind from whatever source it was brought to the attention of the Senate; but whilst I would not ignore it, I would not usurp the functions of legislation that do not belong to this body, but would simply, in view of the form of the resolution, can impose upon it a duty which is not laid upon it by general

refer it to those charged with the responsibility, and that is all that this action calls for.

It has been said that the Attorney General and the Inter-

state Commerce Commission have already been before our committee upon this subject. That is true. The Attorney General was requested to appear, and not being able to appear personally, he appeared by his assistant. I see no reason, however, having communicated the matter to his assistant personally, why we should not formally communicate the matter to the Attorney General himself by the amendment proposed by the committee.

Mr. BORAH. Mr. President, I should prefer to have an opportunity to vote upon this resolution directly rather than to vote upon it as it is presented; but the wisdom of the committee

seems to have been to present it in this way.

I do not think we are confined in this matter to a consideration of the position or attitude of Mr. Green alone. The Senator from Oregon has presented this resolution after considerable investigation, and no one doubts that he is quite earnest in regard to it. I presume no one doubts that he thinks the way he has suggested in his resolution is the proper way to accomplish what he desires to accomplish.

I knew something of the Senator from Oregon before he came to the Senate Chamber, and he does not often get upon a false trail. He has had considerable public service, and has been subject more than once to severe attack for his methods, but

he has generally won out successfully for the public.

So far as I am concerned, in voting upon this matter I shall vote in the belief that the Senator from Oregon has made his own investigation and believes that his resolution has a worthy foundation and that the way in which he wants to do it is

the proper way to accomplish it.

It seems to be admitted by the chairman of the committee that these rebates have been collected and that there is a foundation for the charge. How many millions are involved no one knows but the amount has been estimated all the way from \$75,000,000 to \$150,000,000 or \$200,000,000. The Senate can afford to go on record as being in favor of this resolution or being against it. It is no courtesy to the Senator from Oregon, as suggested by the chairman, to send this resolution down to the Interstate Commerce Commission as a mere formal request, because that is what he does not desire; and it is a peculiar form of courtesy to give a man something he does not want and something to which he is very much objecting.

If we desire to show the proper regard for his earnestness in this matter, and believe there is a foundation for it, let us follow his course. If not, if it is without foundation in fact and without proper reason, we can afford to vote against it.

I wish the chairman of the committee would present the reso-

lution as a straight proposition.

Mr. BACON. Mr. President, before the Senator from Idaho takes his seat I should like to make an inquiry of him, as I have very great confidence in his opinion as a lawyer. I will

preface my question with a short statement.

I presume the Senator recognizes the fact that it is only by law that we can impose a duty upon the Interstate Commerce Commission or upon the Attorney General, with the exception that we can require of either of those departments information they may have, or information they may acquire under our direction, that may be needed to aid us in legislation. In other words, when we seek to impose upon the Attorney General a duty of a general character, or for any other purpose than the purpose of securing such information as we may need in the Senate for the action of the Senate, it must be done by law. When I say "by law" I mean by a statute or a joint resolution and not by a Senate resolution.

I think the Senator from Idaho will certainly recognize the

correctness of that proposition.

Mr. BORAH. I accept the proposition as correct.

Very well. I had no doubt in the world as to Mr. BACON. the Senator's doing so, and for that reason I now wish to apply that proposition to the resolution as introduced by the Senator from Oregon.

The first requirement in it is that the Interstate Commerce Commission shall make an investigation, not for the purpose of informing the Senate with a view to its proceeding in its business of legislation, but for the purpose of ascertaining whether or not there should be action by the Department of Justice in

the way of bringing suit.

I say, Mr. President, that that is not within the scope of the powers of the Senate. It is within the scope of the powers of Congress, but it is not within the scope of the powers of the Senate, because it imposes upon the Interstate Commerce Commission a duty which can be laid upon it only by law. We law if the performance of that duty is essential to the per-

formance of our duty as Senators.

It seems to me there can be no possible doubt about the proposition that the first requirement proposed in the original resolution was one which related to a matter which did not have for its purpose furnishing to the Senate information which would be necessary and profitable or valuable in the prosecution of the work of legislation by the Senate, but that it was for the distinct purpose of seeing whether or not some-thing should be done which lay within the duty of the Department of Justice; and the same thing may be said of other provisions in the original resolution.

Mr. SIMMONS. Mr. President—
The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Georgia yield to the Senator from North Carolina?

Mr. BACON.

Mr. SIMMONS. I wish to ask the Senator a question. do not discover anything in the resolution which gives any information whatsoever with reference to these alleged offenses against the law. It is a mere statement with reference to an examination of certain parties who are supposed to possess information with regard to these offenses.

If it is competent and proper, as the Senator has just stated, for the Senate to refer to the Department of Justice or the Interstate Commerce Commission any information that may come into its possession with reference to matters within their respective jurisdictions, I wish to ask the Senator what there is in this amendment affecting the jurisdiction of either the Interstate Commerce Commission or the Attorney General that

we want to refer to them?

If we pass this resolution in the form in which it comes to us from the committee, are we not merely referring to the Interstate Commerce Commission and to the Attorney General a resolution that has been offered to the Senate asking for an investigation? If so, what good is to be accomplished by that reference, unless we are going to accompany it with some direction or with some expression of opinion by the Senate with reference to the action it thinks those departments should take with regard to it?

Mr. BACON. Mr. President, the Senator from North Carolina propounds to me a question which has no connection whatever with the proposition I was discussing. I shall vote for the resolution as it came from the committee. I am not speaking as

to that at all.

Mr. SIMMONS. Perhaps the Senator does not understand my question. What are we referring to the Interstate Com-merce Commission? We are referring to them nothing but a resolution

Mr. BACON. I am not discussing that question, either. I am discussing an entirely different question.

Mr. SIMMONS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Georgia

further yield to the Senator from North Carolina?

Mr. BACON. The Senator from Idaho [Mr. Borah] has the floor, and I am simply propounding a question to him. I wish to say, in justification of myself, that I was not discussing the report of the committee at all. I was discussing the suggestion made by the Senator from Idaho that the original resolution ought to be adopted. That is what I was discussing.

Mr. BORAH. I think the Senator from Georgia misunderstood the Senator from Idaho. I asked for an opportunity to vote directly upon the original resolution, and either reject it upon the ground that it ought not to be adopted as a resolution or else adopt it. In other words, by the resolution to which the Senator finds objection, and very properly, so far as the legal phase of it is concerned, in some respects we are doing, I will not say a foolish thing, because the Senate of the United States is doing it, but we are sending down there an inapt and im-What for? It is a good deal like a doctor proper resolution. who finds a patient for whom he can not do anything, and he tells him to take a trip to California and see if that will not

Mr. NEWLANDS and Mr. TOWNSEND addressed the Chair. The PRESIDING OFFICER. Does the Senator from Idaho yield; and if so, to whom?

Mr. BORAH. I yield to the Senator from Nevada. Mr. NEWLANDS. The Senator asks, "What for?" My answer is: To give the Interstate Commerce Commission and the Attorney General the information that a certain man-Mr. Green-claims to have information relating to rebates, and that he has within his knowledge the names of other material witnesses as to these transactions, and that is all.

Mr. BACON. If the Senator will pardon me, I want to say

just one word.

I certainly misunderstood the purpose of the Senator. I am glad to know that I did misunderstand him. I understood him to be in favor of the resolution as it was originally presented by the Senator from Oregon, but I am glad to know that I am mistaken as to that,

I wish to say further to the Senator that I am not lacking in If I had been sympathy with the view he has just expressed. on the Interstate Commerce Committee, I should have preferred to have let the matter rest, or not to have taken any action whatsoever. I do not regard this reference, however, as anything more than a formal transference of the matter to them, with full discretion on their part to do as they may see fit, and with no possible effort to constrain them or coerce them in any way to do anything which may not commend itself to their

judgment.

Mr. BORAH. Before the Senator takes his seat, if we had had a report from the Interstate Commerce Committee directly upon the resolution, as to the advisability or inadvisability of passing it, either they would have suggested such amendments as would have made it proper and appropriate or we would have amended it upon the floor of the Senate and made it speak the language which we desire it to speak. The resolution, however, is brought in here in its inapt form, if I may use the term, and it is sent in that form, a mere matter of request, as we would send it through the mails, to the Attorney General and to the Interstate Commerce Commission. Does not the Senator think we ought either to whip it into shape and send it down there in proper shape, or, if it can not be made to do the thing we want it to do, vote it down?

Mr. BACON. I am very frank to say to the Senator that the resolution is not in the shape in which I myself would prefer to have it; but I yield to the superior judgment of the committee which has had it in charge and which has thought it proper to present it in this way. I should prefer that nothing should be done if it could have been done without its being brought directly to the vote of the Senate; but I think the committee has done all that could be done. I mean it has gone as far as it could go with propriety. In my judgment, it could not have gone any further than to refer the matter to the Attorney General and to the Interstate Commerce Commission to take such action as they may see fit and proper to take, without in any manner indicating to them what we desire that they shall do.

Mr. BRISTOW. Mr. President—
The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. BORAH. I do.

Mr. BRISTOW. I have been somewhat interested in this discussion, and I should like to ask the Senator from Idaho a question to see if I correctly understand the matter.

It seems that a man named Green has declared that he has information to the effect that the Steel Trust has enjoyed re-bates from the railroads. That information came to the attention of the Senator from Oregon, and the Senator from Oregon desires the Senate to request or direct the Interstate Commerce Commission to investigate and see whether or not these reports are true. This resolution, in the form in which it is reported from the committee, does not propose to do that, but refers the matter to them for their consideration and action, if they see fit to take any action.

If we want to find out whether or not this corporation has been violating the law, why should we not undertake to do it?

Is there any reason?

Mr. BORAH. Mr. President, in answer to the Senator's question, suppose it should transpire later that rebates had been paid to the amount of two hundred and some-odd million dollars and the statute of limitations had run and the action had lapsed. What position would the Senate of the United States be in, when it had before it this resolution, imperfect in form though it may be, and failed to whip it into form so that it would be effective and sent it off on a wild-goose chase to some other department meaningless and inapt in itself?

The duty devolves upon us to do one of two things-either to determine that the resolution is in improper shape and that the facts are not sufficient to warrant action or to put the resolution in proper form and determine that the facts are sufficient, and then either go ahead with our own investigation or put it in such shape that the department may investigate it.

There would be no valid excuse upon the part of the Senate if it should transpire that the Senator from Oregon is correct in his position-and I am not willing to assume that the Senafrom Oregon is in error. I am satisfied that his tenacity of purpose in this matter indicates that he has some facts which he is desirous of having revealed and which should be revealed. He might be in error, but it is quite evident that he is not himself desirous of fathering a useless and fruitless

Mr. BRISTOW. I should like to inquire—
The PRESIDING OFFICER. Does the Senator from Idaho further yield to the Senator from Kansas?

Mr. BORAH. I yield.
Mr. BRISTOW. I should like to inquire, if the Senator will permit me, what is the objection to the Senate undertaking to find out whether the statements in regard to the action of this

corporation are true or false? Why should we not find out?

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. CUMMINS. When this matter was before the committee originally the committee had no power to make the investigation. That is to say, it had no power to call witnesses or to administer oaths—unless it has that power inherently—and no power to expend any money. Since that time, I believe, Senate has given to the committee the power to make such an investigation as this, and therefore the inquiry of the Senator from Kansas is very pertinent. I should like to see the resolution go to the committee and have the committee exercise the power that it now has and call witnesses and ascertain concerning this matter, as it should have done originally or would

have done originally if it had had the power to do it.

Mr. LANE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Oregon?

Mr. BORAH. I do.
Mr. LANE. With all due respect and humbleness, I will say that a great deal of delay attaches to the work of this great and distinguished body and its committees. It has arbitrary powers, possessed by none other except perhaps the great Creator. It is a law unto itself. It does many things that are hard to understand. It has the power of going off into a back room, and locking itself up, and going into executive session, and there transacting the business of the people. Although it is the servant of the people, it retains in its hands the power to transact the affairs of the people and exclude the people from any information in regard to them. They do not even have the right to put their noses in the door

The PRESIDING OFFICER. The Senator from Oregon will kindly suspend. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the unfinished business, which the Secretary will now state.

The Secretary. A bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

Mr. WORKS. Mr. President-

Mr. NEWLANDS. I observe that the Senator-

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Nevada?

Mr. WORKS. What does the Senator desire?

Mr. NEWLANDS. I wish to ask unanimous consent-The PRESIDING OFFICER. Does the Senator from Cali-

fornia vield?

Mr. WORKS. I yield. Mr. NEWLANDS. I ask unanimous consent that we may proceed with the matter in hand. I think it is very near a vote. I do not think there will be much more speech making,

Mr. SMOOT. The only way that can be done will be for the Senator from Georgia, having the bill in charge, to ask that it be temporarily laid aside, and then the request for unanimous consent can be made.

Mr. NEWLANDS. I will make that request.

Mr. SMITH of Georgia. If I knew that we could vote upon the resolution in the course of 10 minutes I would be willing to give the matter that direction, but I think there are still Senators who wish to speak on the subject. I was on the point yesterday of giving the matter that direction, and yet we have found an hour and a half taken up in the discussion this morning. I am just afraid to do it, though I would like to accommodate the gentlemen interested in the resolution, and especially the chairman of the committee.

Mr. NEWLANDS. Would not the Senator give us half an hour? If we do not dispose of the resolution by that time, as

I am confident we will, it can go over.

Mr. SMITH of Georgia. I really feel that I ought not to yield that long. I believe the safe course is to go on with the unfinished business. The friends of the measure urge me to go on with it.

Mr. BORAH. I think possibly the publicity which this matter is having will have practically the same effect anyway as the passage of the resolution.

Mr. NEWLANDS. I will ask whether there are any other

Senators who wish to speak upon the resolution? Mr. SMITH of Georgia. If there are no more speeches to

be made

Mr. TOWNSEND. Mr. President, I should like to have five or six minutes. I have just come into the Chamber; I have not been here before to-day; and I was on the committee.

Mr. LANE. Mr. President-

The PRESIDING OFFICER. To whom does the Senator from California yield? He has the floor.

Mr. WORKS. I yield to the Senator from Georgia who has

the bill in charge.

Mr. SMITH of Georgia. I would be glad to know from the Senator from California whether it is upon the resolution reported from the Committee on Interstate Commerce or upon the unfinished business that he intends to address the Senate?

Mr. WORKS. I was about to address myself to the unfin-

ished business

Mr. SMITH of Georgia. I am told by the Senator from Oregon [Mr. LANE] that there will be considerably more debate upon the resolution. I want again to say that I regret not being able to accommodate the wishes of the Senator from Nevada. I ask that the unfinished business be proceeded with.

COOPERATIVE AGRICULTURAL EXTENSION WORK.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

Mr. WORKS. Mr. President, I know it is quite unpopular, as it is unpleasant, to oppose any legislation that is supposed to be in the interest of the farmer, but sometimes one's sense of duty impels him to do unpleasant things.

We are proposing by this bill to appropriate millions of dollars for one class of the citizens of this country. It is class legislation. We are proposing to devote the public money to aid that class of citizens to do the work that is imposed upon them in their own interest and in the interest of the country. It is paternalism pure and simple.

I know, Mr. President, that nothing I may say here to-day will have the slightest effect in preventing the passage of this bill. I am addressing myself to the Senate more for the purpose of calling attention to the unfortunate tendency of latter-

day legislation, of which this is only an example.

want in the beginning to call attention briefly to the terms of the bill, and then to refer to some other legislation which is now before the Senate, as well as to legislation that has already become effective, showing this tendency.

The bill provides, in section 3-I am reading it, including the amendments that have already been made by the Senate-as

so amended the bill provides:

so amended the bill provides:

SEC. 3. That for the purpose of paying the expenses of said cooperative agricultural extension work and the necessary printing and distributing of information in connection with the same there is permanently appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$490,000 for each year, \$10,000 of which shall be paid annually, in the manner hereinafter provided, to each State which shall by action of its legislature assent to the provisions of this act: Provided, That payment of such installments of the appropriation hereinbefore made as shall become due to any State before the adjournment of the regular session of the legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury: Provided further, That there is also appropriated an additional sum of \$600,000 for the fiscal year following that in which the foregoing appropriation first becomes available, and for each year thereafter for four years a sum exceeding by \$600,000 the sum appropriated for each preceding year, and for each year thereafter there is permanently appropriated for each year the sum of \$4,800,000 in addition to the sum of \$490,000 hereinbefore provided.

As I figure out the provisions of this section of the bill, we

As I figure out the provisions of this section of the bill, we will pay up to the end of the fourth year for the purposes of this act \$12,000,000; the annual payment at that time will have reached \$3,000,000; and from that time on we propose to make a permanent appropriation for this purpose of \$4,800,000 in addition to the permanent appropriation already provided for of \$490,000.

Now, let us see the purpose for which this money is to be appropriated. Section 1 of the bill provides:

appropriated. Section I of the only provides:

That in order to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same, there may be inaugurated in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of the act of Congress approved July 2, 1862—

And so forth.

The act of 1862 provided in substance for the use of a portion of the public lands for the establishment and maintenance of agricultural and mechanical colleges. Subsequently another act was passed providing for the extension of that Now we are proposing to go further and extend the work to be done by the National Government in cooperation with the States to the actual education of the farmer on his farm.

Section 2 of the bill provides:

That cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise; and this work shall be carried on in such manner as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges receiving the benefits of this act.

Mr. President, we are proposing by this bill to pay out within the next four years \$12,000,000, and \$4,800,000 annually thereafter, for the purpose of doing extension work, in addition to what is already being done at the expense of the Government, by undertaking to educate the farmer on the farm. By this bill we have departed from the original purpose of the legislation to educate not only the farmer but the mechanic. The colleges that were provided for by the previous legislation were agricul-

tural and mechanical colleges.

Why should we expend the public money for the purpose of educating the farmers of this country any more than the me-Why should we educate the farmer any more than the chanics? blacksmith or the carpenter? It is said that the farmer is the backbone of the Republic, and that everyone is interested in agriculture. But everyone is interested in labor in all its departments, and there is no reason that I can conceive of why we should select the farmers for the purpose of aiding them by the expenditure of the public money any more than anyone else who earns his bread by the sweat of his brow.
Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from California yield to the Senator from Iowa?

Mr. WORKS. I yield.

I am one of the advocates of this bill, but Mr. CUMMINS. I do not want to be misunderstood or wrongly classified. statement just made by the Senator from California is absolutely true. There is no more imperative reason for the expenditure of money in the education of a farmer than in the education of a carpenter. I am in favor of national aid for edu-

The Senator from California will remember that when the bill was last before us it contained two divisions—one giving aid to the educational work among the farmers, and the other giving aid to the educational work among the vocations, such as have

been mentioned by the Senator from California.

Mr. VARDAMAN. Mr. President Mr. CUMMINS. I hoped that the two might go hand in hand through Congress. I am very sorry that they are now separated, but the fact that they are separated makes me none the less anxious that this division of the great work carried on with success. But I want to say that I shall follow the conclusion of the Senator from California, and at the first opportunity be in favor of similar aid to the education of the carpenter and the mason and men in all the other trades.

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Mississippi?

Mr. WORKS. I yield to the Senator from Mississippi.

Mr. VARDAMAN. I desire to make this suggestion to the Senator from Iowa; Aid in education of the trades has been rendered by the Government in the establishment of mechanical and agricultural colleges. You could not, I apprehend, provide in the same manner to render service to the mechanic which is provided under this bill. The agent of the Government goes upon the farm and there assists the owner of the farm in developing the resources of the farm in the management of the You could not render that assistance to the carpenter working on a house or mechanic at the forge, but you do give the mechanic the opportunity to acquire an education in the agricultural and mechanical colleges, and it is the only way he could be assisted by the Government.

Mr. CUMMINS. Mr. President, I do not want to take the time of the Senator from California unless he freely gives it to me.

Mr. WORKS. I am perfectly willing that the Senator from Iowa should reply to what has been said by the junior Senator from Mississippi, and I yield for that purpose. Of course I do not want to submit to long speeches within my time.

Mr. CUMMINS. The manner of extending this information or aid is not exactly the same in the case of a farmer as in the case of a carpenter, but the object is the same and the

great results are similar. If it is thought that this bill is intended to educate only the particular farmer upon whose land the demonstration is made, there is error somewhere. I do not so understand it. The demonstrator goes to a farm, selecting in a community the farm best adapted for his purpose, and begins his demonstration, but that is intended to educate the community. It is intended to extend the information to all those who may live thereabout and who will come to see what has been done and to learn how it was done.

Mr. VARDAMAN. Mr. President—
The PRESIDING OFFICER. Does the Senator from California yield further to the Senator from Mississippi?

Mr. WORKS. I yield. Mr. VARDAMAN. You can not develop a truth or discover fact in any community without the whole community being

benefited by the discovery of that truth.

Mr. CUMMINS. But, Mr. President, if it is not an incidental benefit it is a direct benefit, and, as a matter of fact, there is school established on a particular farm for the benefit and instruction of all who may be so approximate to the farm as to be able to reach it and see what is being done.

Now, with regard to the trades, of course the education must be carried on in schools established and maintained in the urban population, and through probably greater organization than is required in agriculture; but, after all, the ultimate object to be accomplished is the same, namely, making the men and the women of this country more efficient in the work which they are called upon to do from day to day.

Mr. SMITH of Georgia. Mr. President, will the Senator from California yield to me for just a moment?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Georgia?

Mr. WORKS. I do.

Mr. SMITH of Georgia. I wish to say to the Senator that we have passed a joint resolution providing for a commission to take up broadly the subject of vocational education as applied to men engaged in industrial pursuits. I hope that that commission will be named in a very short time. The resolution requires it to report to Congress by the 1st of June, and it is my earnest hope that as the result of our work we may be able to bring before Congress a measure that will receive the support of both Houses in the direction of a contribution toward industrial education, seeking thereby to reach the other classes of the com-

munity.

Mr. WORKS. Mr. President, referring to what has been said by the Senator from Iowa [Mr. Cummins], I am a great said by the Senator from Iowa [Mr. Cummins], I am a great said by the Senator from I am in entire sympathy with believer in vocational education. I am in entire sympathy with the Senator from Iowa in that particular; but the question isand it is one that the Congress of the United States should have asked itself long ago, when we entered upon this kind of legislation-should the National Government participate in the expense of education that is to be carried on in the States? Why should the farmers of the State of Iowa, one of the greatest, if not the greatest, agricultural State in the country, composed probably of as intelligent a class of agriculturists as can be found anywhere in the world-I know that, because thousands of them have had the good sense to emigrate to California, where they have made up a part of the very best citizenship of our State-why should the farmers of the State of Iowa come to the National Government begging its beneficence to educate the farmers themselves? Why should the millions of dollars of the public money that must be paid by the tax-payers of this country be used for the purpose of educating one class of the people to the exclusion of another?

I wish to call attention to the report that was made by the House committee on this bill as indicating just what the tendency of the legislation is, and I want to follow it up by showing the enormous expenditures that have been provided for by the Government for the various purposes for which money is being appropriated. I do this for the purpose of calling attention for a moment to what I call the downright extravagance of appropriations by the National Government for these and other purposes. The House committee says in this report:

In practical effect it undertakes to provide such machinery as will bring to the attention of the farmer, the farmer's wife and children, in the most striking manner such demonstrated truths and practices of successful agriculture which, lived up to, make rural living desirable and profitable as an occupation. It provides the connecting link between the sources of information in matters relating to agricultural life and the people sought to be reached with such information, and furnishes an added agency to our system of agricultural teaching.

I want to say to the Senator from Iowa that, as I construe the bill, it confines the work to be done under it absolutely to the instruction of the farmer on the farm, with the exception that it provides for the publication of information for the farmer that is already being done by thousands and thousands of documents that are published and sent out to the farmers

throughout the country. Therefore we are providing these millions of dollars for the simple purpose of attempting to educate the farmer on the farm by a demonstration to be made by ex-I want to ask the Senate, conceding that it is proper and legitimate legislation, whether it is likely to be worth to the farmers the millions of dollars we propose to appropriate for that purpose?

They say, further, in this report after reviewing the previous legislation which has been enacted that I have already

mentioned:

A glance at this legislation is conclusive of the committee's propo-

The passage of the first Morrill Act for the endowment and mainte-nance of at least one agricultural college in each State committed the Federal Government emphatically and irrevocably to a policy of appropriating money to aid in acquiring and diffusing among the people of the United States useful information on subjects connected with agriculture.

appropriating money to aid in acquiring and unusing among the people of the United States useful information on subjects connected with agriculture.

This first serious national effort to teach agriculture in a practical way was followed by legislation providing for the establishment of agricultural experiment stations in the several States, the creation of the Federal Department of Agriculture, and other enactments for collecting agricultural truths to be made available to the farmer through such colleges and other agencies as were found suitable for the nurrose.

Approximately \$70,000,000 have been expended by the Federal Government in the maintenance of the State experiment stations and agricultural colleges in the last 50 years, and the annual appropriation for the Department of Agriculture reaches a sum of more than \$20,000,000.

It would seem that if the National Government has irrevocably embarked upon this kind of legislation it has done quite enough in aid of the States, who should educate their own citizens, in expending \$70,000,000 for that purpose and, in addition, making an annual appropriation for the maintenance of the Agriculture Department of \$20,000,000 a year. Not only has the Government done enough for this class of citizens as compared with others, but the work that is proposed to be done will not be worth the money that we propose to expend for it.

What are we going to do with this \$12,000,000 in the next four

years and the \$4,800,000 thereafter, in compliance with the terms of this bill? If it is limited, as I think it is, to the instruction of the farmer on his farm, all we are going to be able to do, I suppose, is to educate, if they are not already educated, the necessary experts to go out and teach the farmers how they ought to run their farms and how to grow their crops and pay the expenses of an army of theoretical experts who will endeavor to teach the practical farmers who know more about scientific and useful farming than they do.

Mr. VARDAMAN. Mr. President—
The PRESIDING OFFICER (Mr. Shafroth in the chair). Does the Senator from California yield to the Senator from Mississippi?

I yield to the Senator.

Mr. VARDAMAN. I do not desire to interrupt the Senator from California if it is distasteful to him, but I should like to ask him if he really opposes the appropriation for the establishment and maintenance of agricultural and mechanical colleges?

I am not doing that now, Mr. President, be-WORKS. cause that question is not before the Senate. I say with perfect frankness, however, that I think the entry of this Government upon that kind of legislation and the making of appropriations for that purpose was a mistake. I think the education of the farmer, as well as that of other people, ought to have been left to the States. I do not know of any provision in the Constitution or any right that belongs to the Government itself that would authorize this kind of legislation; but that has passed and gone. Having entered upon it-Congress has already settled that question and entered upon that sort of legislation-I do not expect that Congress will repeal any of those statutes.

Mr. VARDAMAN. The Senator-

Mr. WORKS. Pardon me just a moment. I am afraid that Congress will continue, as it has in the past, to appropriate more and more of the public money for purposes of this kind. Now I yield to the Senator from Mississippi.

Mr. VARDAMAN. Does the Senator maintain that very large returns have not been the result of such appropriations and that the country has not greatly benefited by them?

Mr. WORKS. That, Mr. President, I do not know; neither

does the Senator from Mississippi.

Mr. VARDAMAN. Does not the Senator think that greater progress has been made in agriculture through the operations and directions of the Department of Agriculture in the last 20 years than we had made in a hundred years preceding that

Mr. WORKS. There is no doubt about that, and if the States

work has been done in the way of education under the laws which have been passed, and they have been advantageous to the country, and to the farmer particularly; but that does not meet the question. The question is whether this very same thing might not have been done, and ought not to have been done, by the States themselves. Now I yield to the Senator from Mississippi.

Mr. VARDAMAN. The Senator does not maintain, though,

that good has not resulted therefrom?

Mr. WORKS. I have said, Mr. President, that I have no doubt that good has resulted from it. Good may result from a great many things that are done by Congress which are unauthorized and illegitimate.

Mr. BRANDEGEE. Mr. President-

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Connecticut?

Mr. WORKS. I do.

Mr. BRANDEGEE. Mr. President, I am interested in what the Senator from California is saying, and I think it is the exact truth about the situation to which he is calling attention. I do not think it need be the occasion of any surprise to him nor to anybody else that the Government is now proposing to engage upon another activity, which I think probably the framers of the Constitution would have regarded as utterly outside the province of national activity. I think, however, the barriers, which were put up by the Constitution against these extra constitutional movements, have long since been broken down, and I agree with the Senator from California that we are going to continue, probably under the leadership of the party that formerly professed to stand as strict constructionists of the Constitution, to engage in more of these socialistic enterprises, probably urged by the fact mentioned by the Senator from Mississippi [Mr. Vardaman] that great good may result from them; in other words, the clause in the preamble of the Constitution, which states why the framers made it to provide, among other things, for "the general welfare," is considered to be warrant enough for the attacking of any provision of the Constitution or the evasion of any of its limitations.

Mr. VARDAMAN. I should like to suggest to the Senator from Connecticut that if the barriers to which he refers in the Constitution were broken down, which the Democratic Party has heretofore undertaken to keep up, they were broken down by the party of which he happens to be a distinguished member. Now, since they are broken down, I think it hardly lies in the mouth of the Senator or of any other member of his party to complain when we undertake to direct the agencies of the Government for the upbuilding of that class of our population upon whose toil and whose services the prosperity and the per-

manent material interests of the country depend.

Mr. BRANDEGEE. Mr. President, those barriers have been broken down and are being broken down by people who come here who belong to both parties and to all parties and to no They are going to continue to be invaded, in parties at all. my opinion. I am not saying that any one party is exclusively responsible for it; but I am calling attention to the fact that the party which for a long time has stood as a consolidated rock against such constructions of the Constitution has now given way and is advocating those doctrines.

Mr. CUMMINS. Mr. President-

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Iowa?

Mr. WORKS. I yield.

Mr. CUMMINS. I do not think that any barriers have been broken down that ought to be maintained. I am glad to see the Government of the United States enlarge its activities for the benefit and the advantage of the people, and I am a little surprised at one utterance of my friend the Senator from Connecticut [Mr. Brandegee]. He speaks of a process of education carried on and maintained by the Government as a socialistic enterprise. I should like to ask him whether it is any the less socialistic if carried on and maintained by the States than by the United States; and I should like to know what civilized country on the face of the earth abandons its duty of attempting to educate its people?

Mr. BRANDEGEE. I will not split hairs with the Senator about the use of the word "socialistic"; perhaps it was improperly used in that connection. Let us call it "paternalistic." What I meant to say was that simply because it may benefit somebody has not heretofore been considered a sufficient reason for the General Government to engage in an activity which is more properly reserved to the States under the Constitution.

had done their duty as they should have done—

Mr. VARDAMAN. Mr. President—

Mr. WORKS. I hope the Senator will allow me to answer his questions as I go along. I will say that a great deal of

now almost openly avowed that little attention is to be paid to the Constitution or to any limitation in it, and that we are to plunge ahead, as the Senator from Mississippi [Mr. MAN | has said, for the benefit of different classes in this country, to do things which will benefit them as classes, taking up first one class and then another. My idea is that it will be much better and safer in the long run if we should pass general laws and let them operate for the benefit of all the people, and let the so-called classes adjust themselves and their own relations under such laws.

Mr. VARDAMAN. I do not want to trespass upon the time

of the Senator from California.

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Mississippi?

WORKS. I will yield; but I hope that I shall not be

involved here in a side discussion on socialism.

Mr. VARDAMAN. I do not want to interrupt the Senator from California, but I do want to say, in this connection, that agree with the distinguished American, whose vision has always been a matter of wonder to me, that our only security is in a written Constitution, and I believe in living within its limitations; but I also hold, Mr. President, that the highest end of Government is the improvement of man; and if the man be improved, the Government will share his improvement, and the intelligent moral sentiment will write the laws of the land. We may rely, Mr. President, with confidence upon the awakened public sentiment to steer the ship of state over the breakers of socialism or any other issues. I think of all classes who have received least at the hands of the Government, who have received fewer favors than any other class, it is the farmers, the men upon whom rests the whole burden of Government, and upon the product of whose toil the whole superstructure of commerce is founded. I can not conceive how a Senator who has the public interest at heart can be opposed to the little assistance that is proposed to be rendered to the farmers in this bill, except upon the ground stated by the Senator from California, that it is violative of what he believes to be the original plan scheme of our Government.

Mr WORKS I agree with the Senator from Mississippi that the benefits that will result to the farmer as the consequence of the passage of this bill will be very slight indeed, but it is going to cost the Government a good deal of money. If the Senator from Mississippi is right that the Democratic Party has opposed the letting down of the barriers, and that it has been done in violation of the Constitution by the Republican Party, the Democratic Party should feel it its duty to again put up the barriers and prevent the further illegitimate use of

the public money for any such purpose.

Mr. VARDAMAN. I want to say to the Senator that I do not think it is in violation of the Constitution. There are a great many Democrats who have thought so, but I do not

Mr. WORKS. Then I do not understand why the Senator from Mississippi should have declared that it was against the opposition of the Democratic Party that these barriers were

Mr. President, I want, in view of the purposes that I indicated in the beginning, namely, the effort to show the unfortunate tendency of legislation of this kind, to call attention to some of the other appropriations that we have made and are proposing to make not only in the interest of the farmer, but for other So far as the farmer is concerned we have taught him by this kind of legislation not to depend upon his own exertions and his own ability, skill, and intelligence, but when he wants anything to come to the Government and ask for an appropriation by the National Government to help him acquire what he should acquire by his own industry, skill, and perseverance. So long as we have taught him that lesson he will be coming here year after year, through some of these agricultural professors or experts and otherwise, asking for just such appropriations as this. What the American farmer needs is not charity, but fair and just laws that will enable him to work out his own problems.

We are educating the people to depend upon their Government and the appropriation of public money to acquire what they should gain by their own exertions, and I am afraid we are going to continue that kind of education to the end. Where

we are going to stop I do not know.

There is another unfortunate phase of this character of legislation. Whenever a bill of this kind in aid of the farmers comes upon the floor of the Senate or of the House of Representatives, if any party, Democratic or Republican, opposes such legislation it is charged at once with being opposed to the interests of the farmers. Any political party that wants to hold its place in power or one that seeks to obtain power in the

Government generally has not the courage to withstand opposition that will naturally come from the farming interests if they fail to legislate upon questions of that kind.

Mr. WILLIAMS. I want to ask the Senator from California if he does not think he had better change the adverb right there. He said it "generally has not the courage." Does he not think that it never has the courage?

Mr. WORKS. I accept the amendment of the Senator from

Mississippi.

Mr. WILLIAMS. I have never known one of them that had. Mr. WORKS. Mr. President, it is an unfortunate situation. These bills as a rule are not—the Senator from Mississippi will probably correct me and say they are never-thoroughly considered on their merits.

Now, let us see, Mr. President, what we have done and what we are proposing to do in the way of the expenditure of public We have started out at this session by appropriating, so far as this body is concerned, \$40,000,000 for the construction of a railroad in Alaska. There was some excuse for that appropriation. It was not for any class of citizens as against or in preference to any other class; it was for the purpose of improving and developing the property of the whole people and making it useful.

Next, we have a proposition here to appropriate \$500,000 for the cure of hog cholera, and I have no doubt that bill will be passed. I was greatly amused at the description of the junior Senator from Iowa [Mr. Kenyon] of the process by which this cure was brought about. It was about this: They take the poisoned blood from a hog sick with the cholera, inject it into the veins of a healthy hog near the ear; 10 days later cut off the tail of the hog, extract the blood, and in turn administer it to a sick hog, and thereby expect to cure him. Well, in the beginning we have one sick hog; by the first administration of the so-called serum, or what the serum is finally made of, we have two sick hogs; and when we administer the serum to a third hog, we do not know just exactly what is going to happen. The Senator did not tell us what becomes of the well hog, whose comfort or whose life is sacrificed for the good of his fellows, or the amount of serum procured from his tail. To me, Mr. President, that is perfectly ridiculous; and I say it with all deference to the distinguished and expert gentlemen who have concluded that that kind of administration of poisoned blood from a sick hog can cure another sick hog after it has run through a well

Mr. CUMMINS. Mr. President—
The VICE PRESIDENT. Does the Senator from California yield to the Senator from Iowa?

Mr. WORKS. Certainly.

Mr. CUMMINS. I notice that my colleague is not here. He can defend himself.

Mr. WORKS. I suggest to the Senator that it is quite appropriate for the senior Senator to say what may be said on that subject, because he got the junior Senator into his trouble by suggesting that he describe the process of the cure.

Mr. CUMMINS. I am quite willing at least to bear the responsibility. The process is not essentially different from that of inoculation or vaccination in order to prevent smallpox. I know there are a great many people who do not believe in vaccination in order to prevent that disease, but it is accepted by scientists; and I think, therefore, that a similar process with regard to hog cholera can hardly be sweepingly condemned. although I grant you there may be a difference of opinion

Mr. WORKS. Mr. President, I am not going to discuss the long-disputed question about the efficacy of vaccination. I know a great many people thoroughly believe in it, and I respect their convictions. I do not believe in it myself, but I am not an expert on that question, and I may be wholly mistaken as to the effect of vaccination. I am not an expert on hog cholera, either, and while this mode of undertaking to cure hogs may be entirely successful, I do not believe it will be. I have to be convinced. as I said a moment ago, with all deference to the opinion of distinguished people who believe to the contrary; but was about to suggest, Mr. President, whether it would not be a wise thing for the Government to allow the States that have already entered upon the use of this serum to determine with some degree of certainty whether or not it is beneficial before we appropriate \$500,000 for that purpose. That, it seems to me, would be only reasonable, whatever may be the efficacy of the alleged cure.

Then we have another bill here, introduced, I believe, by my distinguished friend from Alabama [Mr. Bankhead], providing for a commission to investigate the roads and public highways with a view of expending more money by the National Government to improve the highways in the States. For that the Senator evidently thinks an appropriation of a million dollars would be about the right thing, and that amount of appropriation is provided for in the bill. What may be the fate of the bill, of course, I am not able to say; but following now upon the footsteps of that one is another bill for aiding the States in the construction of roads, for which it is proposed to appropriate \$25,000,000 a year. That appropriation would be chiefly for the benefit of the farmer. It might benefit some of the distinguished gentlemen who are able to ride in automobiles for pleasure, but primarily it would be for the benefit of the farmer, and it ought to be as between him and the man who rides in his automobile. That is just another one of the kind of bills that are made the instrument of appropriating the public money of the National Government in aid of improvements that, in my judgment, should be made with the money of the States.

Then the Senator from Nevada [Mr. Newlands] has a bill by which he proposes to have Congress appropriate \$50,000,000 a year for the improvement of streams, waterways, harbors, and so forth. That is a perfectly legitimate appropriation of public money, if applied to navigable streams particularly, because it is not in the interest of any one class of people as against another, but it is a public improvement that applies to and benefits everybody. It is an indication, however, of the disposition on the part of Congress to appropriate large sums of money for purposes a great many of which I think are illegitimate and for which appropriations ought not to be made.

Mr. BRANDEGEE. Mr. President, if these projects which seem to originate and flourish in the penumbra of the Constitution are to receive the legislative approval, does the Senator from California, as a progressive, far-sighted Senator, blame the authors of these bills for trying to get in quickly and secure their share of the plunder before it is exhausted?

Mr. WORKS. Mr. President, I am not just now talking about the "pork barrel." I have left that out of this discussion altogether. How much money we are spending in that way nobody can guess, although I presume it might possibly be figured out; but I am not blaming anybody; I am not criticizing individuals who introduce these respective bills; I am simply calling attention to the tendency of modern legislation on this subject; and I think it is worthy of the careful attention of Members of this body.

Then we have a proposal by the Postmaster General to acquire the telegraph and telephone lines. How many million dollars that is likely to cost the National Government nobody knows. That may be a good thing to do; I am not prepared to say that it might not be a good thing for the people of this country if the Government did own the telegraph and telephone lines; but, again, it shows the tendency to expend large sums of money, to reach out in a way that I think brings about the worst kind of extravagance in appropriations by Congress.

Then we come to the Reclamation Service. We have appro-

priated for the Reclamation Service \$101,000,000. actually expended for that purpose \$81,000,000 of that amount. The original purpose of the reclamation legislation was commendable. It was a legitimate and proper effort to bring about the improvement and settlement of the public lands and to encourage and enable the poor man to take up small tracts of land under the system, and thereby secure for himself a home; but that system has not worked out well. The reclamation projects were made to cost such enormous sums of money that it was utterly impossible in many cases for the man who went upon those raw lands without any funds of his own to reclaim his lands and to pay to the Government the amount that was required by the statute to be paid by him. All along the line we have been receiving letters and petitions and all sorts of requests, from people who have settled on the lands, to so modify the original statutes that they could pay for the claims which they have taken up under the National Government. Besides that, the original purpose of the reclamation project was abandoned later on and the door was opened to the use of the water that has been stored in that way, at millions of dollars of expense to the National Government, not by the settlers upon the public lands alone, but by the private owners of lands-naturally so, because it was evident that it was impossible to carry out the scheme successfully if the payments were confined to the men who had settled upon small tracts of land.

What is likely to be the result? Unless some legislation is passed to guard against it, it is going to turn over again into large holdings the property that is held under the reclamation projects and the interests and the large landowners are going to get the benefit of the enormous expenditures which have been made by the National Government in the beginning for the benefit of the small settler upon the land.

Mr. 8MITH of Arizona, Mr. President, will the Senator permit me there just a word?

Mr. WORKS. Certainly.

Mr. SMITH of Arizona. The apprehension of the Senator may be well founded, but at least it runs counter to my experience and observation. I think ultimately it will be demonstrated that it is not only folly but worse for any man to attempt to hold in a properly irrigated country vast tracts of land, for we find where there is a sufficient supply of water and proper agricultural lands, especially in the heart of the desert. that the whole tendency is to break up the larger holdings. The lands will bring so much more in tracts of 40 and 80 acres than they will in tracts of four or five hundred acres, and every man with a large holding finds such an enormous amount of service necessary to cultivate properly that the tendency is, at least where I have seen it—and I am glad the Senator has called attention to the fact that it might possibly happen—to break them up into smaller tracts, because greater profit can be made by the man with the larger holdings by doing so.

Mr. WORKS. The Senator from Arizona is right with respect to the ultimate tendency to divide up these lands into smaller holdings; but the water is being supplied now to the larger holders, to the speculators owning these large tracts of land. Of course, they will divide them up into smaller tracts, and they are the men who are going to get the profits as the

result of it.

Mr. SMITH of Arizona. That may be, if the conditions happen to be such that the large holdings are lying within the possibility of reclamation. While that is to be deplored, yet, if it be an existing fact, whatever they get for it, if ultimately the man seeking a home can get it at all in those smaller holdings, it might in the end turn out to be a blessing rather than otherwise.

Mr. WORKS. The Senator from Arizona is right again; but I will ask the Senator whether he does not think some modification ought to be made of the present reclamation laws in order to enable the little fellows to pay out on their lands?

Mr. SMITH of Arizona. Unquestionably; and that is my

whole purpose.

Mr. WORKS. That is our only hope in the West. Mr. SMITH of Arizona. It is, unquestionably.

Mr. WORKS. But so far as the benefits of the Reclamation Service are concerned. I do not want it to be understood that I am condemning the Reclamation Service at all.

Mr. SMITH of Arizona. Oh, no; I understand the Senator. Mr. WORKS. I want to make it just as perfect and just as efficient as I can, but we shall have to enact further legislation if we are going to make it efficient and beneficial.

Mr. SMITH of Arizona. I understand the Senator's sympathy with it, and my suggestion was not in any sense a criticism.

Mr. WORKS. I am glad to have the Senator's suggestion. Mr. SMITH of Arizona. I knew the Senator from California

was as much in favor of it as I was.

Mr. WORKS. Then we have a proposition to establish land banks, I believe they are called, in the bill that was introduced yesterday, for the purpose of enabling the farmer the better to borrow money. My observation is that with most people it is too easy to borrow money, and I think that is about as true of the farmer as it is of other people. Yet I am not at all out of sympathy with the effort that is being made to enable the farmer to secure what we call rural credits. I think it may be quite valuable to the farmer, and that will not involve the expenditure of very much money on the part of the National Government. I do not know how extensively it is proposed to have the Government go into the banking business, or how much the establishment and maintenance of the banks is going to burden the public generally, but it is another evidence of the kind of legislation that is going on.

Then, at the last session of Congress, we passed a law providing for the valuation of railroads. It is estimated that the mere valuation of the roads will cost the Government \$10,000,000. It is supposed that great benefit will result to the people generally from this valuation. That may be so. I do not know whether it will or not. I am quite skeptical about it myself; but we are reaching out constantly with these appropriations. We are making them in all directions, ostensibly for the purpose of advancing the interests of the public, and there seems to be no stopping place.

Then, Mr. President, we have the matter of the distribution of seeds. I believe the proposition is at this session of Congress to appropriate \$295,000 for carrying on this enterprise of seed distribution. The Senate has voted on two or three different occasions to abolish the system entirely. It ought to be abolished. I entirely agree with what was said the other

day by the Senator from Iowa [Mr. Kenyon] in favor of abolishing the system of distributing seeds, and yet by some people evidently it is regarded as something of extreme value either to the people to whom the seeds are sent or to the Member of Congress who sends them; I do not know which.

Just think of it, Mr. President. Here we are spending of the public money nearly \$300,000—yes; it will amount to a good deal more than \$300,000 when we consider the expense of carrying the seeds in the mails—chiefly in order that the Agricultural Department may buy up from private individuals seeds not propagated or grown by the National Government, except in a very few instances; seeds that are actually bought in the market and distributed by all the machinery of Congress throughout the country. A self-respecting Congress ought to put an end to that sort of thing, and I hope that will be done.

Mr. BRISTOW. Mr. President—

The VICE PRESIDENT. Does the Senator from California

yield to the Senator from Kansas?

Mr. WORKS. I yield to the Senator. Mr. BRISTOW. I have heard it stated, and I inquire if the Senator has ever looked up the matter to verify it, that frequently the purchase of these seeds is made in very large quantities, and that they consist of hulls from seed houses, and frequently they are of a very inferior kind?

Mr. WORKS. Perhaps the Senator has had some reports of the results of planting the seeds that he sends out to Kansas

as to whether they are good or bad seeds.

Mr. BRISTOW. I do not know; that may be, but I have heard such statements made, and I inquire of the Senator whether he has ever had any information along that line?

Mr. WORKS. I will say to the Senator that I have heard statements of the same kind, but I have no personal knowledge

on the subject.

Now, we are coming to another proposition that is being talked about all over the country. Public sentiment is being aroused in its favor, and we find it touched upon here gingerly every once in a while by a Member of this body. I refer to the question of railroad ownership. Unless there is some change in public sentiment, unless there is some change in the manner of dealing with railroads as we are dealing with them now we are going to come to Government ownership of railroads, and that before many years. If we continue to regulate the railroads as we have been regulating them in the past-too often, I am afraid, with too little appreciation of the rights of the railroad companies themselves—we are going to reach the point where the railroad companies will conspire together for the purpose of unloading their railroads upon the United States Government. If the people want the railroads, and the railroad owners and operators are in a condition where they are glad to be rid of them and think they may turn them over to the National Government and in a few years buy them back at a profit, you may expect the Government to own the railroads

Taking all of this legislation-and I have not covered anything like all of it; these are only instances-taking the kind of legislation that is running through Congress at the present time and has been for some time past, and the tendency of public sentiment, I want to say to the Senate that we are fast becoming a paternalized Government, and we are on the downward road, not only to paternalism, but ultimately to socialism. By these public beneficences we are educating a spineless ism. By these public beneficences we are educating a spineless citizenship, taking away from our people their initiative and enterprise and industry, and to a great extent making them mendicants and beggars of the National Government, to which they look to do for them what they should do for themselves.

Mr. President, I do not like it. I think I am as willing and as glad to do anything for the real benefit of the farmer as most

men, but I think in the State of California we have farmers intelligent enough and enterprising enough to cultivate their farms, reap their crops, and carry them to the market without the paternalistic aid of their Government or of the experts that may be sent into California as the result of the passage of this bill. The independent and intelligent farmers of California can not afford to accept money of this kind from their

There is another tendency that I should like to touch upon while I am talking about this subject, and it is very largely of a piece with the enormous appropriations that are being made. and that is the constant tendency toward a bureaucratic goverument. We are establishing bureaus, commissions, and all sorts of things, and the Congress of the United States is gradually turning over to these bureaus the legislative power it possesses, and allowing them, by rules and regulations, to control the affairs of government that should be controlled only by act of Congress. Not only that, but these bureaus and commissions are adding millions of dollars to the expense of operating the Government.

I ask, Senators, where are we going to stop in that class of legislation? There seems to be no stopping place. At every session of Congress we find an apparent necessity for establishing one or more of these commissions or bureaus; and to-day you can not pass a bill through Congress or through the Senate of the United States until after you have referred it to a de-partment or a bureau and asked the head of that department or bureau whether or not the bill ought to be passed, and generally an adverse report from one of these kills the bill.

Of course, I understand that a committee of Congress is not actually bound by what the head of the department or anybody else may say with respect to it; but it does seem to me a little singular that a committee of Congress or a committee of the Senate is not able to proceed with legislation under the established rules of the Senate or the committee until it has received the report of the head of a department or a bureau or a commission or something of the sort, and that too often such report is treated as sufficient to control legislation.

Mr. President, this is a great country. We say sometimes that it has unlimited resources. We think there is no end to the supply, and that it can not be exhausted; but we are following in the footsteps of other Governments that have gone from extravagance to extravagance to their ultimate downfall. Unless we mend our ways, unless we retrace our steps, if we follow the tendency that now controls our acts to its legitimate conclusion, we are going to reap the whirlwind after a while.

I hope I am not a pessimist. I have great confidence in the stability of this Government; but there is no Government on earth, whatever may be its strength, that can withstand the continued inroads of the kind and extent of appropriations we are making and propose to make in the near future. Of course we assume always that we are going to stop somewhere along the line, but we have not stopped yet. Conditions in that respect have grown worse instead of better. The great Democratic Party, which is controlling the affairs of the country to-day, as evidenced by what we have had since it came into power, has not changed conditions for the better in that respect.

As I said in the beginning, I know very well that anything I have said or that I may say with respect to this bill will not change the result. I do not expect it to change the mind of a single Senator who has concluded to support the bill. Perhaps what I have said on the subject might as well have been left unsaid, so far as its effects are concerned; but I have felt this situation for a long time. I think it is a condition of things that Senators ought to think about, and think about seriously. I am not assuming to constitute myself a watchdog of the Treasury. I do not want to see this Government penurious in the conduct of its affairs; but I am sometimes alarmed at the extent to which we are going in the appropriation of millions and millions of dollars for what I think are, in many instances, ille-gitimate purposes, so far as the National Government is concerned.

I have said all I desire to say on the subject.

Mr. STERLING. Mr. President, without entering into a discussion of the merits of the question of Federal aid to State enterprises generally, and without saying that as a general proposition I am opposed to such aid, I can not help but think that whether we should accept it or not depends somewhat upon the cost of that aid.

To my mind there is a vital principle involved in this bill. has been discussed at some length by the distinguished Senator from California [Mr. Works]; but there is one particular feature of the bill in which the principle may be applied, and to that I wish to call attention.

It may be entirely proper and justifiable for the Federal Government to appropriate money in order that the agricultural col-leges which it first aided by land grants may carry on certain work in harmony with the purposes for which those colleges were founded. The serious question here is as to how far the agricultural college, and through the agricultural college the State, should be dependent upon the General Government for aid other than such as is involved in the appropriation of money provided for in the bill.

The self-reliance, the self-sufficiency, the independence, and the pride of the people of a State, out of which so much good has come in the upbuilding of a Nation, are involved, and, I think, menaced by the cooperative features of this bill. these qualities by the people of a State means loss to the Nation; and that is what I mean by the suggestion that I am not opposed to Federal aid, provided it does not cost too much.

The essence of this bill is cooperation—cooperation between

the Agricutural Department of the Government and the agri-

cultural colleges of the State; cooperation imposed and enforced By plain implication, if not by express terms, this is the condition of the grant, the basis upon which the appro-

priations of the bill are made.

The distinguished Senator from Georgia was emphatic the other day in his assurance that the colleges would not be interfered with, that the work would be designed and carried on under their direction and control, and the plain inference from his statement was that the colleges would select and employ the men who are to do the work, but this can not be. If such be the situation, then "cooperation" is a misnomer. Throughout the text of the bill the work is in every instance spoken of as "cooperative agricultural extension work"; and in section 2 of the bill it is provided that the work "shall be carried on in such manner as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges receiving the benefits of this act." The bill itself is silent as to the very men who shall do the work; but in this regard we are not without evidence as to the construction put upon the bill by the Department of Agriculture itself.

In the hearings upon the House bill, known as the Lever bill, which is the same in substance as the pending bill, Dr. Galloway testified as follows. On page 5 of the hearings he is asked the

The men who go out to do this farm-demonstration work—will they continue to do that work under the appointment and direction of the Secretary of Agriculture, as now?

And his answer is:

Yes; that is the plan. It is thought, however, that that work can be made more effective if it is coordinated fully with the work now being carried on in the States or the demonstration work to be inaugurated by the States.

And thus we see in the construction put upon the bill by the Assistant Secretary of the Department of Agriculture that it is the purpose to take men who are now engaged with the Agricultural Department and put them in the business of farm-

demonstration work under this bill.

Mr. President, it might be fair to assume that men now or hereafter in the service of the Agricultural Department, being either real or so-called agricultural experts, are to work in conjunction with instructors, demonstrators, and other employees of the colleges in laying out and carrying on the work of agricultural extension. In view, however, of the readiness of the officials of the Agricultural Department to control and direct State activities and interests—yes; I will go further, and say in view of the natural ambition and tendency of men to dignify their own business and make it paramount—it is not unfair to assume that the officials admitted to cooperation by the terms of this bill would, directly where they can and indirectly where they can not, establish their policies and their methods, and thus come in time to dominate the entire field.

I think, Mr. President, this is borne out by what is said by the dean of the college of agriculture and director of the agricultural experiment station of the University of Illinois. quoted from him the other day to some extent when this bill was first considered for a short time. I wish to refer to another statement made by him. After saying that certain bureaus of this department have departed widely from their proper functions and not only invaded but spread over the natural fields of labor of the State experiment stations, Dean Davenport

goes on to say:

If there is a local question in agriculture between the two oceans and from the Mexican to the Canadian border that the Department of Agriculture, through some of its thousands of local agents, has not attempted to cover, or, more properly speaking, that it has not dipped into, then it would be interesting indeed to hear it named.

In doing this the department has violated every distinction that ought to obtain as demarking the legitimate and proper fields of its effort, and it has done so with a constantly increasing aggressiveness. Through its numerous agents it has interested itself in purely local questions and activities to a degree which no other branch of the Fedral service has ever attempted, and it is now engaged in organizing a national system for placing an agent in every county for the giving of ordinary advice to individual farmers.

He asks this very pertinent question. I think:

He asks this very pertinent question, I think:

He asks this very pertinent question, I think:

How has the department been led into engaging in local activities?

In a perfectly natural manner. A number of years ago, when it was reaching in all possible directions in order to extend its activities, it undertook to function as a kind of graduate school by taking into its service some hundreds of young graduates just out of college, incidentally absorbing a good deal of the rejected material from the State institutions. These men ought to have been in some good graduate school or upon farms—anywhere but in the Federal service. Instead, they were given business cards reading "Agricultural expert" and sent over the country to engage as they could in the study of agricultural enestions.

questions.

The inexperienced men, supposed in those days to be doing research work, came as experts, but as a rule in search of ideas. They even inquired what they could do and how they could go about it. Here is where the first feeling arose.

Mr. President, the agricultural college might see its way clear

gations may enable it to solve the problem, to remedy the evil, to change and improve every untoward condition; it may contend that its position in the field with its experiment station at hand enables it to know the soil conditions, weather conditions, and the plant life better than the men in Washington or the men whom they send out, but all this will be of little avail as against the ascendency and authority sure to be acquired by the Agricultural Department under the provisions of this bill.

The farmer who has been loyal to his State, and proud of her resources and institutions, who has had confidence in the zeal and capacity of her educators, who has sent his sons to the agricultural college that they might add to their practical knowledge what science has to offer, his daughters that they may be further trained in household economics, is now referred to a department of the General Government as the final authority; and all this, too, upon matters concerning the treatment of which and the teaching of which the States, with their colleges and experiment stations, have every element and facility, and

that in abundance.

For what under this bill does the General Government propose to give aid? Two specific things, and those only—farm demonstration work and home economics. Can enything be imagined that is more benignly paternal than instruction of this kind given by the Federal Government? As though any State in the Union was not great enough, not resourceful enough, to accomplish these things unaided by the General Government. As though there was in the Union a single State so lacking in men, enterprise, and independence that, passing by these splendid facilities at home for self-help and self-development and ignoring, too, all the strength and vigor that comes from such a course, it becomes a humble suppliant for the General Government to send out an army of gentlemen from Washington to teach them all about how to plant, what to plant, and where to plant. I say an "army of gentlemen," for such they would be, as compared to the men who are "to the manner born," and who, with their fathers before them, have planted and tilled and garnered; to none of whom are crop rotation, care in the selection of seed, or the comparative value of stock food any secret

Who, indeed, Mr. President, will constitute the best-equipped corps of instructors for this farm demonstration work? Who else but the bright young fellows in the State who have been raised on the farm themselves, walked the furrows, bound the grain, and attended to the breeding and raising of stock, and who have added to a rich store of practical knowledge thus gleaned what the State agricultural college and experiment station has to give that is new and that is helpful? There, too, they have learned the art of communicating to others all needed information in regard to conditions and methods in farming operations. So we say, Mr. President, that here are all the facilities for growth from within the State, and there is absolutely no need for extrond within the state, and there is absolutely no need for external aid of this kind. Out of the farmer's own initiative, with the help he may obtain in his own State from his own college, his own county institute or farmers' club, will come every possible improvement in work, in methods, and conditions.

It should be so; and if this be our policy, rather than one which on every pretext looks for any form of aid from the General Government, it will be better for the farmer, the State, and the Nation in the end

the Nation in the end.

Mr. President, that aid which forestalls and prevents self-initiative or self-help, and invites dependence of the people of the State upon the General Government in any enterprise, costs too much, and the Nation itself will in the end feel the enervating influence of such a policy.

Mr. BRANDEGEE. Mr. President, I was about to ask the

Senator a question, and I will ask him, if he has concluded his

speech, before he takes his seat. Very well. Mr. STERLING.

Mr. BRANDEGEE. Does not the Senator think that the mere fact that it may be found that the General Government can be induced to provide the funds for all these things, commendable in themselves but doubtful as to present constitutional authority on the part of the Government, will in the end induce the States to surrender their functions and to get them into a condition where they will not do these things for themselves if they can get them done by the General Government?

Mr. STERLING. In answer to the Senator I will say that think the tendency is perhaps that way, or it would be in

that direction.

Mr. SMITH of Georgia. Will the Senator from South Dakota allow me to interrupt him to answer the Senator from Connecticut?

Mr. STERLING. Yes, sir.
Mr. BRANDEGEE. I do not object, but I would be glad to to give the instruction, make the demonstration; its investi- have the views of the Senator from Georgia later on. I wanted the view of the Senator from South Dakota, if I might have it, on that point before he was prompted by the Senator from

Georgia, if I might interpolate the remark.

Mr. SMITH of Georgia. I understand the Senator from South Dakota has expressed his view. I was only going to call attention to a fact. It is that the National Government 50 years ago made the first appropriation toward the agricultural colleges. At that time the States were doing nothing in that Instead of taking from the States a feeling of their responsibility the States have more and more, following the lead of the National Government, increased their local appropriations to support their agricultural colleges, and now more than five times as much is spent by the States to support their agricultural colleges as the amount appropriated by the Na-

Mr. BRANDEGEE. I withdraw the question now. [Laugh-

Mr. STERLING. Mr. President, when my attention was first called to this subject just a few days ago, I remembered that I had read some years ago an article on the relation of the States and the Federal Government, and while I did not have a very clear and distinct recollection of the contents of that article I thought it bore in a general way upon this subject, especially that particular feature of the pending bill which provides for cooperation in the work of instruction with the General Government. The author of this article propounds this

Which parts of the many-sided processes of the Nation's economic development shall be left to the regulation of the States; which parts shall be given over to the regulation of the Federal Government?

In answering the question the author, among other things, says:

It is not, at bottom, a question of sovereignty or of any other political abstraction; it is a question of vitality. Uniform regulation of the economic conditions of a vast territory and a various people like the United States would be mischievous, if not impossible. The statesmanship which really attempts it is premature and unwise.

The fundamental thought here expressed is opposed to the cooperative feature of this bill; that thought would leave the States to their own initiative or to that of the men connected with the agricultural colleges in the several States. They, knowing the conditions in regard to crops and soil and stock raising, should be left free to work out their problems for them-

Further on this author says:

Further on this author says:

We are too apt to think that our American political system is distinguished by its central structure, by its President and Congress and courts, which the Constitution of the Union set up. As a matter of fact, it is distinguished by its local structure, by the extreme vitality of its parts. It would be an impossibility without its division of powers. From the first it has been a Nation in the making. It has come to maturity by the stimulation of no central force or guidance, but by the abounding self-helping, self-sufficing energy of its parts, which severally brought themselves into existence and added themselves to the Union, pleasing, first of all, themselves in the framing of their laws and constitutions, not asking leave to exist, but existing first and asking leave afterwards—self-originated, self-constituted, self-confident, self-sustaining, veritable communities, demanding only recognition. Communities develop—

Now note-

not by external, but by internal forces. Else they do not live at all, Our Commonwealths have not come into existence by invitation, like plants in a tended garden; they have sprung up of themselves, irrepressible, a sturdy, spontaneous product of the nature of men nurtured

pressible, a stardy, sportaneous prints of the pressible in a free air.

It is this spontaneity and variety, this independent and irrepressible it is communities, that has given our system its extraordinary elasticity, which has preserved it from the paralysis which has sooner or later fallen upon every people who have looked to their central government to patronize and nurture them.

Mr. CUMMINS. Mr. President-

Mr. STERLING. I yield to the Senator from Iowa.

Mr. CUMMINS. I am curious to know just how far the Senator from South Dakota carries this reasoning. We are now talking about a school system. The common school is the best type, I suppose, of our efforts in that direction. Does the Senator from South Dakota think that each school district should be permitted to have just such school as it pleases, or no school at all, just such a course of instruction as it cares to adopt, just such teachers as it cares to employ, without any general standard of efficiency or competency? In other words, does he believe that neither the county nor the State should have anything to do with the education of the people in their common schools?

I am quite with the Senator from South Dakota with regard

to the oversight of the General Government in the expenditure of this money, but I am very much surprised to hear him cite sentiments from a paper that would seem to lead to the conclusion that there should be no corelation between the individual community or the smallest organized society and the larger society known as the State, or the still larger one known as the

United States.

Mr. STERLING. In answer to the Senator from Iowa, Mr. President, I do not mean to carry the idea that far or to that extreme, nor do I think this article carries the idea to any such extreme. But this article lays down a principle. It indicates a clear line of demarcation, I think, between what might be proper Federal activity and supervision and what should merely depend upon the initiative of the people of the State.

Who is the author of this article? you may be led to inquire. He is none other than the distinguished author of Congressional Government and The New Freedom. He is speaking here, however, as I take it, not of the new but the old freedom, the freedom upon which, under our system, everything else depends. I can not help but think that it is the foundation freedom, or, if I might change the figure a little, the fountain freedom, at which the Nation itself is renewed and invigorated.

Mr. President, just a word in conclusion. If there is to be cooperation-and I do not say but that there may be cooperation in some fields between the Agricultural Department and the agricultural colleges-let it stop short of a system of cooperation under which the Federal Government is to tell the farmers of a State how to farm or the young women in our rural communities how to cook. Let it be cooperation not imposed or enforced by law, but the cooperation which comes about by the purely voluntary action of the Agricultural Department and the agricultural colleges,

Mr. BANKHEAD. Mr. President, I should like to have the attention of the Senator from Indiana [Mr. KERN]. of the Senator from Indiana, the chairman of the Committee on Privileges and Elections, if he is not now ready, and if not when he will be ready, to proceed with the consideration of the

Glass case?

Mr. KERN. Mr. President, I had intended, and now give notice of my intention, to call up that case for disposition as a matter of the highest privilege on Monday next. I should call it up this afternoon but for the fact that I am obliged to leave the city this evening and will not return until Monday noon, Therefore, if agreeable to the Senator from Alabama, I shall

call it up on Monday.

Mr. BANKHEAD. We are ready to proceed with it, but we are disposed, of course, to meet the views of the Senator from Indiana, the chairman of the committee. If he prefers to call up the case on Monday, that will be satisfactory to us. Besides, do not care to break in now upon the consideration of the bill before the Senate. It being understood that the case is to be called up on Monday, that will be satisfactory to me. The VICE PRESIDENT. The bill is before the Senate as

in Committee of the Whole and open to amendment.

Mr. CUMMINS. I think I am not in error in saying that the amendment which I proposed last night is the pending question. If I am, I will be glad to be advised of it.

The VICE PRESIDENT. The Chair will state that the record shows that the amendment was sent up, read, and ordered printed, but it was not offered as an amendment.

Mr. CUMMINS. The record is wrong, then, because I distinctly offered it. But it makes no difference.

The VICE PRESIDENT. It will be now considered as the amendment pending.

Mr. CUMMINS. I now offer the amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. In section 3, on page 4, line 12, strike out the words "rural population" and insert in lieu thereof the words "acres of improved land in farms," and in line 13 strike out the words "rural population" and insert the words "acres of improved land in farms,"

out the words "rural population" and insert the words "acres of improved land in farms," so as to read;

Such additional sums shall be used only for the purpose hereinbefore stated, and shall be allotted annually to each State by the Secretary of Agriculture and paid in the manner hereinbefore provided, in the proportion which the acres of improved land in farms of each State bears to the total acres of improved land in farms of all the States as determined by the next preceding Federal census.

The VICE PRESIDENT. The question is on agreeing to the

amendment proposed by the Senator from Iowa.

Mr. WILLIAMS. I should like to ask the Senator from Iowa if he does not think there might be some difficulty under the amendment in determining what constitute improved lands?

Mr. CUMMINS. I was about to address myself to it, but answering directly the question of the Senator from Mississippi, I will say that improved lands are classified and designated in the census precisely as the rural population. It would be no more difficult to ascertain the acreage of improved lands than to ascertain the rural population.

Mr. WILLIAMS. Does the Senator know what the Census Bureau included as improved lands? I ask for information

Mr. CUMMINS. I do not. I only know— Mr. WILLIAMS. They included pasturage, I suppose.

Mr. CUMMINS. I only know that the Census Bureau has a class known as improved lands.

Mr. WILLIAMS. Does the Senator know whether that included pasturage?

Mr. CUMMINS. Improved lands in farms and the acreage of such improved lands are given for each State.

Mr. WILLIAMS. I understand that; but does the Senator know whether in arriving at that result they included pasture lands and meadow lands?

Mr. CUMMINS. I do not.
Mr. WILLIAMS. I will state the reason why I ask the question. If they did not include those lands, it would be rather unjust to those parts of the country which are deeply interested in the pasturage of cattle.

Mr. CUMMINS. I do not know definitely.
Mr. WILLIAMS. I should think also that woodland, where such land was necessary to carry on the farm, should be included as a part of the improved lands.

Mr. CUMMINS. I think an answer possibly may be inferred from this fact: For instance, take the State of Mississippi. The total land area in Mississippi in 1910 was 29,671,680 acres. The total acreage in farms in Mississippi in 1910 was 18.557,533 acres, whereas the acreage of improved land in farms in that State in the same year was 9,008,310 acres. That comparison would rather lead one to believe that the land used for pasturage at least was not included within the term "improved farm land.

Mr. WILLIAMS. That is exactly what I was afraid of. In that event, of course, the cattle-raising and sheep-raising parts of the country would be discriminated against, if the Senator's amendment was adopted.

Mr. SMOOT. Mr. President-

The PRESIDING OFFICER (Mr. OVERMAN in the chair) Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do. Mr. SMOOT. If the Senator from Iowa is now going to begin the explanation of his amendment, it seems to me that we ought to have a quorum present. Therefore I suggest the absence of a quorum, so that we may have Senators present to listen to the explanation of the Senator from Iowa.

The PRESIDING OFFICER. The Secretary will call the roll. The Secretary called the roll, and the following Senators an-

swered to their names:

Nelson Norris O'Gorman Overman Page Perkins Ransdell Robinson Roet Shafroth Sheppard Shields Hitchcock Hollis Hughes James Johnson Ashurst Bankhead Brady Brandegee Simmons Smith, Ga. Smith, Mich. Smith, S. C. Bristow Johnson
Jones
Kenyon
Kern
Lane
Loe, Md.
Lodge
Martin, Va.
Martine, N. J. Bryan Chamberlain Clapp Clark, Wyo. Sterling Swanson Thompson Vardaman Cummins Warren Dillingham Fletcher Gronna

Mr. MARTINE of New Jersey. I announce the absence of the Senator from West Virginia [Mr. Chilton] on official busi-

Mr. SHAFROTH. I wish to announce the unavoidable absence of the senior Senator from Colorado [Mr. THOMAS], and to state that he is paired with the senior Senator from New York [Mr. Root].

Mr. RANSDELL. I wish to announce the unavoidable absence of the senior Senator from Louisiana [Mr. Thornton] on ac-

count of sickness

Mr. SMITH of Michigan. I wish to announce the unavoidable absence of my colleague [Mr. Townsend] from the Chamber on account of official business.

Mr. ASHURST. I desire to announce that the Senator from Arizona [Mr. SMITH] has been called from the Chamber by important public matters.

Mr. JONES. I desire to announce that my colleague [Mr. Poindexter] is necessarily absent from the Chamber.

The PRESIDING OFFICER. Fifty Senators have answered to their names. A quorum is present. The Senator from Iowa

will proceed.

Mr. CUMMINS. Mr. President, in beginning the submission of my amendment candor requires me to say that while I am absolutely sure that the basis adopted by the committee wrong I am not so sure that the basis I suggest in my amendment is right. I desire to consider that with an open mind. It is the most accurate standard that I could find to reach what I regard as the equity of distribution, but it may very well be that in order to reach perfect justice we shall be compelled to compound several factors and to use a composite standard; but I intend, first, to address myself to the equity of the basis propounded by the committee now in the bill.

Mr. President, in discussing the question presented by the amendment which I have offered, I intend to assume that the people of every State are in like need of education and instruction. I am sure that the basis that has been adopted by the committee was not chosen because any part of this country was in greater need of instruction than any other part of the country. I believe that the standard which is applied in the bill was selected because it was believed that it would equitably distribute the appropriation among all the people in all the States. If I am wrong with regard to that, I hope the Senator in charge of the bill will at once advise me of my mistake, for everything that I am to say is bottomed upon the assumption that it is here attempted to divide the money equitably upon the theory that all the people are alike in need of the information which they will secure through this instrumentality.

Mr. SMITH of Georgia. Mr. President—
The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Iowa yield to the Senator from Georgia? Mr. CUMMINS. I do.

Mr. SMITH of Georgia. In connection with the study of this problem and the distribution of this agricultural fund, there was also in contemplation an appropriation looking toward a contribution to industrial work, and in fixing this place as the place of separation it was thought that later on, when we made an appropriation for industrial work, it should be divided according to population, starting not with the rural but the urban population, as the census had classified it, and that we would distribute our industrial appropriation when it is completed according to the urban classification of the census and our agricultural distribution according to the rural separation, I do not believe anyone in charge of the preparation of the bill figured at all as to where the money would go. It was an effort to determine how it should best be divided, with a view also of this line of separation of the two classes of appropria-

Mr. CUMMINS. Mr. President, my suggestion, however, had, I think, no relation to a future appropriation for vocational education. I am right, therefore, in saying that this aid about to be given by the General Government to the people of the several States, to promote agriculture, principally, is to be given upon the presumption that the farmers of one part of the country need instruction just as much as do the farmers in any other part of the country, and that the land in one part of the country can be improved and its products can be increased just as much as in any other part of the country.

Mr. VARDAMAN. Mr. President—
The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield. Mr. VARDAMAN. The purpose of this bill, as I understand it, Mr. President, is for the agencies operating under its provisions to impart information to the individual tiller of the soil in order that he may so intelligently cultivate the land as to develop its hidden resources. It seems to me that the effect of the Senator's amendment would be to make it a matter of fertilizing acres rather than enhancing the mentality of the man.

Mr. CUMMINS. I hope the Senator from Mississippi will withhold criticism upon my amendment until I have explained it. Mr. VARDAMAN. I should like to hear the Senator on that point, because the Senator always speaks entertainingly.

Mr. CUMMINS. I am about to proceed, and I want a definition upon which we can all agree, to begin with, so that we shall not diverge save upon the argument; that we shall not differ upon the meaning of the terms or the purposes of the committee.

Mr. VARDAMAN. Well, I shall wait until the Senator finishes his remarks. I always listen with interest to the Senator from Iowa. His fund of information is always illuminating to

any subject he may discuss.

Mr. CUMMINS. Mr. President, I do not quite agree with what has just been said by the junior Senator from Mississippi. While the knowledge of the tiller of the soil is essential to the product of the soil, the foundation for aid of this character is that we may increase the productivity of the soil, and through its increased ability to raise things that the people of the country eat and wear, that we may be better served in that re-

Mr. VARDAMAN. The Senator understands that that can only be done through and by the work and the knowledge of the man who tills the soil, does he not?

Mr. CUMMINS. Undoubtedly. It is not within my view that any supernatural means are to be employed in order to increase either the fertility or the product of the soil. The basis adopted in this bill is rural population; that is, each State is

to receive that proportion of the entire appropriation, save the original sum of \$480,000, which is to be divided equally among the States, that its rural population bears to the entire rural population of the United States. The term "rural population" as applied by the Census Bureau means the population in the country and in cities and towns of 2,500 and less. This would seem to be a fair basis. One receives at once a favorable impression from the language of the basis, namely, "rural population," inasmuch as it is a rural people whom we are attempting to benefit, but whether it be fair or not can only be tested its application to the conditions as they exist.

First, I intend to take as illustrations the States of Georgia I take them largely because the Senator in charge of the bill represents in part the State of Georgia and because the Senator who has proposed this amendment represents in

part the State of Iowa.

There is, however, another reason for presenting these two States as illustrations of the application of the bill. There are striking similarities between them. I mean between them physically; I am not claiming that the State of Iowa is represented in the Senate of the United States with that distinguished ability which I am glad to yield to the Senators from Georgia. I do not want to be regarded as vain or egotistical,

and I hope no such application of my suggestion will be made.

Mr. SMITH of Georgia. Mr. President, I assure the Senator from Iowa that we enter no claim of competition in that regard

with the State of Iowa.

Mr. CUMMINS. But there are some very interesting similarities. For instance, Georgia has a population of 2,600,000-I am using now round numbers for brevity's sake-Iowa has a population of 2,200,000. There is no great difference in that regard. The total land area in Georgia is 37,584,000 acres; the total land area in Iown is 35.575,000 acres, so that the two States not only have practically the same population, but they have practically the same area, Georgia being slightly larger than Iowa. Georgia has land in farms amounting to 26,953,000 acres; Iowa has land in farms amounting to 33,930,000 acres. In that respect my State is a little larger; that is, it has more land in farms than has the State of Georgia, but not markedly so.

I now come, however, to a comparison which shows a striking dissimilarity. Georgia has improved land in farms amounting in the aggregate to 12,298,000 acres; Iowa has improved land in farms amounting to 29,491,000 acres; in other words, there are in my State almost two and a half times as many acres in improved farms as there are in the State of Georgia.

Again, in 1910 the value of the agricultural product of the State of Georgia was \$344,006,114. In the same year the value of the agricultural product in the State of Iowa was \$789,-

Mr. VARDAMAN. Mr. President-

Mr. CUMMINS. Just a moment until I finish the sentencein other words, Iowa produced in 1910 more than twice as much in agricultural products as did the State of Georgia. Now, I yield to the Senator from Mississippl.

Mr. VARDAMAN. Mr. President, it is not relevant to this discussion at this point, but I want to ask the Senator, as a matter of information for myself, what per cent of the land in the State of Iowa not in cultivation does he estimate is susceptible of agricultural development or cultivation?

Mr. CUMMINS. The percentage is very small. I think I can give the Senator from Mississippi the exact facts in regard to it. As I have said, the total acreage of Iowa is 35,575,000 acres. There are already in farms in that State 33,930,000 acres, substantially the whole of it, and there are actually under cultivation—that is what the term "improved lands" means, I suppose, although I have no positive information from the Census Bureau upon that point—but the lands in cultivation in Iowa aggregate in acres 29,491,199 out of a total of 35,575,000 acres.

Mr. VARDAMAN. I have given some thought to the question, and my impression was that a larger per cent of the acreage in the State of Iowa was susceptible of cultivation than the I thought he probably had the figures; and

Senator has stated. I thought he proif he had, I should like to hear them,

Mr. CUMMINS. I have other statistics, but they are not at hand. I know it is true that the land in my State susceptible of cultivation is 15 per cent greater than in any other State in the Union, and, as I remember the statistics, something like 94 per cent of the lands in Iowa are capable, not of agricultural use alone, but capable of cultivation as farm lands. But I will proceed now with this comparison.

Mr. BACON. Mr. President—
The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Georgia? Mr. CUMMINS. I do.

Mr. BACON. I want to say one word. Mr. President, as to the statements made by the Senator from Iowa as to the comparative production of the States of Iowa and Georgia. In the first place, the year which the Senator has selected was one in which there was a very short cotton crop in Georgia.

Mr. CUMMINS. I have not selected it; I simply took the

Census Bureau report.

Mr. BACON. I am not accusing the Senator— Mr. CUMMINS. It is the only information that I could get, because it is found nowhere else.

Mr. BACON. I am not accusing the Senator of any impropriety; I am simply stating the fact for the purpose of stating something else. Did the Senator refer to 1910 or 1911?

Mr. CUMMINS. These statistics have been given to me from

the Census Bureau as being the statistics of 1910.

Mr. BACON. Very well. Now, I want to state, Mr. President, that in 1911, I think it was, the cotton crop of Georgia alone brought over \$200,000,000 in gold, three-fourths of which, or two-thirds of which, was equivalent to gold brought from foreign countries here for that product. I have no idea that the statistics show anything like the agricultural production of Georgia, for this reason: In Iowa practically all the crops are food crops, and all the corn is estimated, as are all the potatoes and everything else that is raised. The fact is that so far as agricultural products are concerned Georgia has but one commercial crop, and that is cotton. That is practically the only agricultural crop our people think about. No man raises corn in Georgia for export or for sale outside the State. nor does he raise oats or wheat or potatoes or anything of that kind; and when you go to a farmer there and inquire what he is raising, he tells you what his cotton crop brought. He has never even measured what he got in the way of corn, potatoes, oats, and things of that kind, because they are consumed on his farm, and he thinks nothing about them.

Mr. CUMMINS. But the Senator from Georgia must know that the census enumerators or agents accumulated the value of all these things, whether they were used on the farm or whether they were sold in the market, and I presume they used exactly the same system in the State of Georgia that they used

in the State of Iowa.

Mr. BACON. The great misfortune we have all fallen into in the Senate is that when something is stated a Senator does not even wait to hear the complete statement before he gives the answer.

I am not charging or suggesting that the census was not honestly taken; I am simply speaking of the habit of our people on account of which there is not such accurate statement of the production of food crops in our State as there is in Iowa, where that is the sole crop.

The food crop with us is not a commercial crop. People do not talk about how many potatoes they make or how much wheat they make or how much corn they make. They do not even know. A man may guess at that and speak of it as an unimportant thing, and never take the pains to make any accurate return upon it. For that reason I have no doubt that in many instances he has not given any return of it at all whereas in Iowa, all those being commercial crops, every bushel of corn a man makes, and every bushel of wheat, and every peck of potatoes, and all the chickens and eggs he raises, and everything else, are estimated and put into the list.

I have not a shadow of doubt in my own mind that if an estimate were made of all the corn and wheat and rye and oats and even potatoes and chickens and eggs, and hundreds of other things that are produced and used by our people in great abundance, and in great waste, the amount would equal that stated by the Senator as being the report of the census as to the

record in Iowa.

Mr. President, with us there is nobody who knows much about what food crops are made in the State. We never think about them. All we want to know is whether or not we made all we needed to use. As I say, the people not only use them lavishly, but they use them wastefully. What a man thinks about as a crop is the cotton crop. It is a very important crop for this country, too. If it had not been for the cotton crop, years in and years out, the balance of trade would have been against us in this country, because whereas the corn crop of Iowa is a crop which is made and almost exclusively consumed in this country, the cotton crop, which supplies the world with clothing, is that which brings to this country two-thirds of its value in gold from other countries; or, if not brought in actual gold, it represents in exchange gold which otherwise would go out of

the country; so it is the same thing.

Mr. CUMMINS. I hope the Senator from Georgia will not think I am endeavoring to belittle or disparage the State of Georgia, because if we enter another field of production Georgia far outranks my own State, as shown by the census reports. I am dealing solely with her agriculture, as shown by the census

Mr. BACON. I did not misunderstand the honorable Senator, and I was simply making my suggestion in view of the application which I supposed the Senator desired to make of these figures. I presume the application which the Senator desires to make of them is to show that, estimating the rural populations of the two States, and considering the amount of agricultural products, there would be great injustice in giving to the rural population of Georgia the same proportion of this benefaction or assistance that it is proposed to give to Iowa. I am not incorrect in that, am I?

Mr. CUMMINS. The Senator is quite correct about that. Mr. BACON. I am entirely legitimate in that, and not in any manner imputing any improper motive to the Senator from

Mr. SMITH of Georgia. Will the Senator from Iowa give once more the figures as to the production of the two States? I was interrupted when he gave them. What was the produc-

tion in 1910 in Georgia and in Iowa?

Mr. CUMMINS. I did not prepare this statement myself. assume, however, that it is correct. The agricultural production of Georgia in 1910, as computed by those who furnished me this table, was \$344,006,114. That of Iowa for the same year was \$789,642,784.

One more comparison-

Mr. SIMMONS. Before the Senator leaves that branch of his statement-I understand the Senator is comparing the improved lands of his own State with those of Georgia-has the Senator any data he could give to the Senate showing the average size of farms in Iowa and the average size of farms in Georgia?

Mr. CUMMINS. I have, and I shall be very glad to furnish that information to the Senate before I have finished. I will furnish it now, so that I may not overlook it.

In 1910 the average acreage of improved land in each farm in Georgia was 42.3 acres. In Iowa it was 135.9 acres. average value, as given by the census, of the 42.3 acres of improved land in each farm in Georgia was \$616, or something like \$15 per acre. The average value of the 135.9 acres in each farm in Iowa was \$12,910, or substantially \$100 per acre.

I may say here that I intend to make the same comparisons between various other States. I am making them now as between Iowa and Georgia only for the reason that I thought it was eminently proper, inasmuch as the Senator from Georgia is in charge of the bill, that we should look at these States first.

According to the present plan of distribution, Georgia receives 4.19 per cent of the whole. I need not reduce that to an aggregate amount, for it is simply a matter of multiplication. Iowa receives 3.13 per cent of the appropriation. Georgia receives each year from this appropriation 1.06 per cent more than Iowa receives. Assuming that the appropriation is \$5,000,000 per year, that means that Georgia receives each year about \$53,000 more of this fund than does Iowa.

I can not believe that a basis which reaches a result of this character is sound or wise or equitable. The great purpose of this bill is to increase the productiveness of the soil. I assume it is to enable the people of this country to obtain what they must eat, and what they must wear, too, under the most favorable conditions; that is to say, to make the soil of this country serve not only the present, but the future, with all the efficiency that the wit and the learning of mankind can provide.

Mr. VARDAMAN. Mr. President-

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield. Mr. VARDAMAN. It seems to me that if we follow the argument of the Senator to its logical conclusion the people of Georgia need just that much more education; that since this bill is intended to increase their productive capacity they should have the instruction which the bill is designed to give, in order that the lands of Georgia may be brought up to a level with those of Iowa. This strikes me as the logic of the Senator's argument

Mr. CUMMINS. The Senator from Mississippi has now stated the very matter with which I began my argument. I could not assume that the farmers of Georgia needed instruction any more than the farmers of Iowa. I do not believe they do need instruction any more than the farmers of any other State. There are other reasons which account for the disparity between the value of the agricultural production in Iowa and that in Georgia.

In the very first instance I asked the Senator from Georgia whether those who composed this bill did so upon the theory

that there was any part of this country that needed instruction more than any other part. If we are endeavoring to distribute the bounty of the Government according to the degree of ignorance that may prevail we must, of course, adopt some other standard. I repudiate that, however, and I am sure every Senator from every State will repudiate it with equal emphasis.

I believe this aid was intended to be distributed without taking into account the differences that may exist with regard to the stage at which the science of agriculture may have arrived in the different States of the Union. To attempt to distribute it as suggested by the junior Senator from Mississippi would be most disagreeable, I am sure. It would be most humiliating. I do not think that sentiment ever entered the minds of the members of the committee who presented the bill to the Senate for our consideration, and I am unwilling to admit it to the discussion in the Senate.

To repeat what I have said, I can not think that a distribution can be defended which gives to the State of Georgia, practically the same in area as my own, considering its agricultural production and considering the importance it has in the commerce of agriculture, one-third more than is given to the State of Iowa, which stands at the very head of the procession of Commonwealths, viewed from the agricultural standpoint. think it would simply introduce a seed of discord and sow a crop of discontent that would ultimately result in the overthrow of the system we are endeavoring to enlarge, if not to establish.

Mr. SIMMONS. Mr. President—
The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from North Carolina?

Mr. CUMMINS. I yield to the Senator. Mr. SIMMONS. Following up my question of a little while ago, have a view of this matter with reference to which I should be glad to hear from the Senator from Iowa.

As I understand the Senator, the size of the average farm in his State is 135 acres, and in Georgia it is 42 acres?

Mr. CUMMINS. That is the average acreage of the improved land in a farm in Iowa.

Mr. SIMMONS. Yes: the improved farm land. So that one farmer in Iowa owns 135 acres, while it takes three farmers in Georgia to own that amount?

Mr. CUMMINS. A little more than three farmers.
Mr. SIMMONS. The object of this appropriation is to take information and instruction to the individual farmer. That is its fundamental purpose. Under the plan of distribution proposed by the Senator from Iowa, the one farmer in his State who owns 135 acres would get just as much of this money for his instruction as the three farmers in Georgia who own 135 acres would get. Does the Senator think that would be a fair

Mr. CUMMINS. Mr. President, the Senator from North Carolina has a conception of the administration of this law that is totally different from the one I entertain. I do not believe we are organizing a system here that is intended to send a demonstrator into every home. That would be utterly impossible. If we intend to do that, we must appropriate billions rather than millions.

I do not know whether the Senator from Georgia will verify what I am about to say or not, but I hope he will. He has seen a good deal of the farm demonstration work, and so have I. I have helped to carry it on, as the governor of a State, just as he has helped to carry it on. The demonstrator does not go to a little patch of ground owned by some thriftless man and endeavor to reform the habits of that thriftless man. demonstrator-at least in my part of the country-goes to the most intelligent, the most capable farmer in the vicinity in which he is to establish his demonstration. He goes to the farm upon which he can receive, and upon which he is sure to receive, the greatest assistance in the work he is to carry on; and there he establishes his local experiment station, and he calls in the people from the country roundabout. He asks all the farmers to come in and see the manner in which the work should be done, what crops should be planted upon particular should be done, what crops should be planted upon particular soil, how they should be planted, how they should be tilled, and finally how they should be harvested. In that way he is able to disseminate among a great number of people the information he has and the science he is teaching.

Why, if we were to attempt to go to every little farm and teach the farmer how he could best farm that little tract of land, we would not be able to accomplish any practical thing in a century. We are simply making little colleges of the farms upon which these demonstrations are taking place; and they are not only for the benefit of the farmer who happens to own the land, but for the benefit of the whole community.

Mr. WORKS. Mr. President-

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from California?

Mr. CUMMINS. I do.

Mr. WORKS. I think the Senator from Iowa had better read this bill again. Whatever construction may be placed upon the bill in practice, in its terms it is not at all what the Senator seems to conceive it to be, or else I am entirely mistaken about According to the Senator, it is not the intention to do just what the bill says shall be done, to go on the farm and educate the farmer there. It seems from what the Senator says that it is his idea to go upon the farm of a man who is already educated and undertake through his farm to educate somebody else on the outside, whoever may be induced to come in and take the education.

Mr. CUMMINS. The Senator from California is usually very fair, but in this instance I think his zeal has led him to a somewhat exaggerated statement. I did not say that the demonstrator was to choose a farmer who already had been educated in the science of agriculture and therefore needed no I said that when the demonstrator went into a community he would go to the farm upon which he could do his work to the best advantage and under the most favorable conditions, and he would call to that farm all the farmers of the vicinity in order that they might share in the benefits of

the work he was doing.
Why, Mr. President, if we were to attempt within the next quarter of a century to send a demonstrator to every farm in this country and have him educate individually that particular farmer, we would far outrun France in the proportion of her citizens who are in the public service. We would have to gather in practically half the people of the country in order to carry on this work. Ten times the amount of money we propose to appropriate here would not reach one-half the State of Georgia alone if it were to be a farm demonstration confined to one farmer at a time.
Mr. WORKS. Mr. President-

Mr. CUMMINS. Before I yield again to the Senator from California, I must answer his first suggestion. He says I have not carefully read this bill. He is in error about that. I agree that I may misunderstand the bill, but I have somewhat carefully read it. I read now:

That cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics

To whom?

to persons not attending or resident in said colleges in the several communities, and imparting to such persons—

Whom? Persons not attending or resident in said collegesinformation on said subjects-

How?

through field demonstrations, publications, and otherwise.

Plainly, the field demonstration on the farm of a particular man is intended not alone for the man who owns that soil, but for all who can be reached in that community. To me it is very plain. If I am wrong about that interpretation, I hope the Senator from Georgia, who has given the matter vastly more study than I, will correct me. Can I be mistaken in regard to that construction?

Mr. SMITH of Georgia. I think the Senator has stated the work substantially correctly. I think it might go even further. It extends to work in the home also, in the line of domestic science; but it certainly is not expected that the instruction shall be given exclusively to the person upon whose land or in

whose house the instruction is given.

Mr. WORKS. I certainly did not intend to be unfair to the Senator from Iowa, nor to the bill itself. I do not agree with the view of the Senator with respect to the proper construction to be placed upon the bill, if its provisions shall be carried out literally, but in connection with the real efficacy and benefit to be conferred by this bill I venture the assertion that the vast majority of the farmers in the State of Iowa know more to-day about scientific agriculture than the theoretical experts who will be educated by the Government and sent out under this bill to educate them.

Mr. CUMMINS. Mr. President, it is not my view that the United States Government is to send out any experts, and I intend to do the best I can to see that there is no authority here given to the Secretary of Agriculture to send out experts. I look upon this as an extension of the work of the agricultural college, and I expect that it will select the men who are to make these demonstrations in the State to which the college

I shall be very sorry if the enactment of this bill results in the employment of a great army of investigators and demonstrators having their headquarters in the Department of Agri-

culture. I believe it is a work that the States can do, so far as concerns the selection of the teachers and instructors, better than the General Government can do it. From my point of view, all we ought to do is to encourage it by giving the agricultural colleges more money than the States at this time seem to be willing to give them.

Mr. McCUMBER. Mr. President-

The VICE PRESIDENT. Does the Senator from Iowa yield

to the Senator from North Dakota?

I yield to the Senator from North Dakota. Mr. McCUMBER. In the matter of the distribution of the funds, I wish to see if I have the position of the Senator correctly. It is first that the demonstration in Iowa, as in Georgia, must be made upon a specific number of acres of land at a particular point. Now, if on the land of the larger farm, say, 40 men could have visual demonstration in the State of Iowa and obtain their information that way, and on account of smaller farms 160 men in the State of Georgia could get the same visual instruction, there would be no reason for appropriating a greater sum to give the instruction to the 160 men in Georgia than to the 40 men in Iowa, who in reality are covering the same acreage and obtaining the same benefit and giving the country more benefit by reason of the added numbers.

Mr. CUMMINS. That is a very good suggestion, Mr. Presi-Of course the conclusion stated by the Senator from North Dakota would follow. Here is a little school established, and everyone who can get there is invited to attend and hear the course of instruction and take away all the benefits that can be derived from that course of instruction. It does not make a bit of difference how much land the man owns upon whose farm the demonstration may be made. It is simply a question of gathering together in a particular community the greatest number of people who are willing to take the instruc-

tion and be benefited by it.

Mr. BACON. Mr. President, I should like to inquire of the Senator from Iowa if he will now suspend his remarks and resume to-morrow, in order that we may have an executive session. I understand from the Senator that he will require considerable more time, and it might suit his convenience to suspend now

Mr. CUMMINS. I hope I will not consume much time; but the Senator from Georgia knows how we proceed here. No one can determine in advance how much time he will take, and I

fear that I would not be able to finish to-night.

Mr. BACON. It was with that view that I asked the Senator if he would yield. I understand the Senator in charge of the bill to be willing now to lay it aside. In that case the Senator can resume to-morrow.

Mr. CUMMINS. I yield, Mr. President.
The VICE PRESIDENT. By unanimous consent, the bill will be temporarily laid aside.

COMMITTEE SERVICE.

Mr. KERN. Mr. President, I submit a resignation from a committee, which I ask to have read.

The Secretary read as follows:

I hereby resign as a member of the Banking and Currency Committee. JAMES A. O'GORMAN.

The VICE PRESIDENT. Without objection, the resignation is accepted.

On motion of Mr. KERN, it was

Ordered, That the Hon. Blank Lee, junior Senator from Maryland, be appointed as a member of the Committee on Banking and Currency to fill the vacancy on said committee occasioned by the resignation of Senator O'Gorman, of New York.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Saturday, January 31, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 30, 1914. GOVERNOR OF PANAMA CANAL.

Col. George W. Goethals, Corps of Engineers, United States Army, for appointment as governor of the Panama Canal, provided for by the Panama Canal act, approved August 24, 1912, to become effective April 1, 1914.

RECEIVERS OF PUBLIC MONEYS.

James P. O'Connell, of Warren, Minn., to be receiver of public moneys at Crookston, Minn., vice John Petterson, term expired.

John V. Killion, of Eminence, Kans., to be receiver of public moneys at Dodge City, Kans., vice Lewis J. Pettijohn, whose term will expire March 22, 1914.

G. T. Stahl, of Sheridan, Wyo., to be receiver of public moneys at Buffalo, Wyo., vice James D. Gallup, term expired.

UNITED STATES MARSHAL.

William Osborne, of Madison, W. Va., to be United States marshal, southern district of West Virginia, vice Frank H. Tyree, term expired.

POSTMASTERS.

ALABAMA.

J. Blocker Thornton to be postmaster at Mobile, Ala., in place of P. D. Barker. Incumbent's commission expired January 10,

W. B. Jones to be postmaster at Camden, Ala., in place of George C. Boltz. Incumbent's commission expired January 24,

Randolph St. John to be postmaster at Sylacauga, Ala., in place of Walker T. Stewart. Incumbent's commission expired January 24, 1914.

ARIZONA.

Winchester Dickerson to be postmaster at Ashfork, Ariz., in place of Reuben S. Galusha, resigned.

CALIFORNIA.

J. A. Phiney to be postmaster at Tustin, Cal. Office became presidential January 1, 1914.

COLORADO.

O. W. Ward to be postmaster at Colorado Springs, Colo., in place of Alexander J. Strachan. Incumbent's commission expired January 24, 1914.

CONNECTICUT.

William H. Buggie to be postmaster at Cromwell, Conn., in place of Thomas W. Beaumont. Incumbent's commission expired January 17, 1914.

Hugh W. Cronin to be postmaster at Torrington, Conn., in place of James W. Hague. Incumbent's commission expires February 4, 1914.

William B. Johnson to be postmaster at Elmwood, Conn.

Office became presidential January 1, 1914.

Ross B. Judd to be postmaster at Montowese, Conn., in place of Judson D. Foote. Incumbent's commission expired January 11, 1913.

DELAWARE.

John T. Mullins to be postmaster at Marshallton, Del., in place of William A. Mullin. Incumbent's commission expired January 24, 1914.

Albert I. Swan to be postmaster at Delaware City, Del., in place of J. Frank Reybold. Incumbent's commission expires February 11, 1914.

FLORIDA.

O. K. Paxton, jr., to be postmaster at White Springs, Fla., in place of Anderson W. Jackson, resigned.

Thomas C. Spivey to be postmaster at Eatonton, Ga., in place of Charles I. Robinson. Incumbent's commission expires February 18, 1914. W. T. Thurmond to be postmaster at Commerce, Ga., in place

of G. L. Carson, sr., resigned.

IDAHO.

Gregory Jones to be postmaster at Blackfoot, Idaho, in place of Harry B. Curtiss. Incumbent's commission expired December 16, 1913.

Honora M. Murray to be postmaster at Priest River, Idaho. Office became presidential January 1, 1914.

ILLINOIS.

O. E. Boyer to be postmaster at Kansas, Ill., in place of Winfield S. Pinnell, removed.

Barney A. Iaun to be postmaster at Olney, Ill., in place of

T. A. Fritchey, resigned. J. Jackson to be postmaster at Kankakee, Ill., in place

of Edward A. Jeffers. Incumbent's commission expired December 16, 1913. J. L. Lampert to be postmaster at Alton; Ill., in place of Harry

Incumbent's commission expired January 26, 1914.

George B. Marvel to be postmaster at Clinton, Ill., in place of Frank C. Davidson. Incumbent's commission expired January

Charles J. Mullikin to be postmaster at Champaign, Ill., in place of Ozias Riley. Incumbent's commission expired January 19, 1914.

James W. Patton to be postmaster at Springfield, Ill., in place of Loran E. Wheeler. Incumbent's commission expired December 16, 1913

Herman Richarz to be postmaster at Techny, Ill, in place of

Paul Spitzer, resigned.

Daniel W. Touhey to be postmaster at Hume, Ill. Office became presidential January 1, 1914.

INDIANA.

Harvey H. Flora to be postmaster at Frankfort, Ind., in place of Edward A. Spray. Incumbent's commission expires February 18, 1914.

Andrew V. McKamey to be postmaster at Cloverdale, Ind., in place of Charles A. Rockwell. Incumbent's commission expires February 15, 1914.

Emsley Roberts to be postmaster at Mooresville, Ind., in place Frank Sheets. Incumbent's commission expires February 15,

A. Bert Weyl to be postmaster at Franklin, Ind., in place of John N. Records. Incumbent's commission expired January 19,

IOWA.

John S. Darrah to be postmaster at Gilman, Iowa, in place of Ralph A. Dunkle. Incumbent's commission expired January 28, 1914.

John H. Kerr to be postmaster at Pleasantville, Iowa, in place of Andy J. Cleveland. Incumbent's commission expired December 20, 1913.

Samuel A. Sumner to be postmaster at Dallas Center, Iowa, in place of George H. Loring. Incumbent's commission expired January 26, 1914.

KANSAS.

W. C. Dysart to be postmaster at Parker, Kans. Office be-

came presidential January 1, 1914.

Maude M. Parrish to be postmaster at Quenemo, Kans., in place of Peter D. Cook. Incumbent's commission expired Janu-

ary 10, 1914. W. P. Rettiger to be postmaster at Strong, Kans., in place of John C. Petty. Incumbent's commission expired January 26, 1914.

George W. Sain to be postmaster at Nickerson, Kans., in place of Joseph E. Humphrey. Incumbent's commission expired January 20, 1914.

J. C. Simmons to be postmaster at Wellsville, Kans., in place of Arthur F. Dunbar. Incumbent's commission expires March 8, 1914.

A. T. Dockery to be postmaster at Morgantown, Ky. Office became presidential January 1, 1914.

W. C. Morris to be postmaster at Bowling Green, Ky., in place of J. Tom Doores, resigned.

LOUISIANA.

James H. Leggett to be postmaster at Oakdale, La. Office became presidential January 1, 1914.

John B. Sewell to be postmaster at Baldwin, La. Office became presidential January 1, 1914.

James M. Underwood to be postmaster at Farmerville, La.

Office became presidential January 1, 1914.

MASSACHUSETTS

John P. Zilch to be postmaster at Plainville, Mass., in place of Frank E. Whiting. Incumbent's commission expired January 24, 1914.

MICHIGAN.

A. P. Benedict to be postmaster at Lawrence, Mich., in place of Byron H. Colborn. Incumbent's commission expires February 25, 1914,

Ernest W. Brown to be postmaster at Farwell, Mich., in place of John J. Saxton. Incumbent's commission expires February 25, 1914,

Fred Carroll to be postmaster at Manistique, Mich., in place of William F. Crane. Incumbent's commission expires February 25, 1914.

Seymour C. Eslow to be postmaster at Homer, Mich., in place of Charles O. Ball. Incumbent's commission expires February 25, 1914.

Richard W. Hankin to be postmaster at Freeland, Mich., in place of Albert W. Munger. Incumbent's commission expired January 25, 1914.

Freeborn H. Healy to be postmaster at Durand, Mich., in place of Asa B. Freeman. Incumbent's commission expired January 26, 1914.

John F. Hum to be postmaster at Grayling, Mich., in place of Melvin A. Bates. Incumbent's commission expired January 26, 1914.

Edwin F. Mathews to be postmaster at Pellston, Mich., in place of Angus G. Grayson. Incumbent's commission expires February 7, 1914.

Frank H. Pettibone to be postmaster at Corunna, Mich., in place of John Y. Martin. Incumbent's commission expired Janu-

John P. Roberts to be postmaster at Sandusky, Mich., in place of Thomas E. Dawson. Incumbent's commission expired Decem-

Orlando Steel to be postmaster at Onaway, Mich., in place of Isadore J. Barnett. Incumbent's commission expired January

Herbert I. Wright to be postmaster at Three Rivers, Mich., in place of Lester B. Place. Incumbent's commission expires March 16, 1914.

MINNESOTA.

H. E. Kent to be postmaster at Sanborn, Minn. Office became presidential January 1, 1914.

P. H. Kiefer to be postmaster at Barnesville, Minn., in place of Dennis F. McGrath. Incumbent's commission expired January 28, 1914.

J. W. New to be postmaster at Floodwood, Minn. Office be-

came presidential January 1, 1914.

Eugene H. Mangskau to be postmaster at Breckenridge, Minn., in place of Edwin Mattson. Incumbent's commission expires February 4, 1914.

John R. Serrin to be postmaster at Glenwood, Minn., in place of Eilert Koefod, resigned.

MISSISSIPPI.

Essie F. McCormick to be postmaster at Yazoo City, Miss.,

in place of John P. Bennett, resigned.

Lizzie Dillon Oltenburg to be postmaster at Winona, Miss., in place of William T. Branch. Incumbent's commission expires February 15, 1914.

Amos K. Porter to be postmaster at Boyle, Miss. Office became presidential January 1, 1914.

MISSOURI.

Obadiah C. Mitchell to be postmaster at Springfield, Mo., in place of E. E. E. McJimsey, resigned.

NEW YORK

Edwin B. Dusenberry to be postmaster at Huntington, N. Y., in place of Emmett B. Hawkins. Incumbent's commission ex-

william H. Murray to be postmaster at Albany, N. Y., in place of Henry F. Snyder. Incumbent's commission expired

December 21, 1913.

Matthew T. Hutchinson to be postmaster at Port Washington, N. Y., in place of R. Burchard Hults. Incumbent's commission expired January 20, 1914.

NORTH CAROLINA.

B. R. Avent to be postmaster at Jonesboro, N. C. Office became presidential January 1, 1914.

Leroy L. Massey to be postmaster at Zebulon, N. C. Office became presidential January 1, 1914.

Frank Bookman to be postmaster at Westerville, Ohio, in place of George L. Stoughton. Incumbent's commission expired January 24, 1914.

Charles L. Ritz to be postmaster at Holgate, Ohio, in place of Wilson V. Daring, resigned.

OKLAHOMA.

I. O. Diggs to be postmaster at Stillwater, Okla., in place of William N. Walker. Incumbent's commission expired June 9,

E. H. Howard to be postmaster at Porter, Okla., in place of Jesse E. Ramey. Incumbent's commission expires February 1, 1914.

James A. Long to be postmaster at Wetumka, Okla., in place of S. M. Bradbury, removed.
C. A. Vaughn to be postmaster at Sapulpa, Okla., in place of

J. M. DeLozier, removed.

PENNSYLVANIA.

Henry Bourns to be postmaster at Ellsworth, Pa., in place of Harry B. Klingensmith. Incumbent's commission expired Jan-

Joseph J. Campbell to be postmaster at Homer City, Pa., in place of John M. Carson. Incumbent's commission expired January 24, 1914.

William M. O. Edwards to be postmaster at Pencoyd, Pa., in place of William McElhaney, resigned.

John W. Gardner to be postmaster at Youngwood, Pa., in place of L. F. Keller, failed to qualify.

John H. Wheeler to be postmaster at Delta, Pa., in place of

Albert J. Matson. Incumbent's commission expired January

SOUTH CAROLINA.

Joshua L. Young to be postmaster at Ware Shoals, S. C. Office became presidential January 1, 1914.

TEXAS.

T. J. Abell to be postmaster at Wharton, Tex., in place of

Covey M. Hughes, removed.

J. S. Billingsley to be postmaster at Wylle, Tex., in place of Daniel E. Willis. Incumbent's commission expired December 16, 1913.

J. A. Crow to be postmaster at Plano, Tex., in place of H. H. Barkham. Incumbent's commission expired December 20, 1913.

Penrose N. Ions to be postmaster at San Angelo, Tex., in place of Edward Blanchard, resigned.

S. A. Kendrick to be postmaster at Quitman, Tex. Office became presidential January 1, 1914.

VIRGINIA.

William E. Ramsey to be postmaster at Gretna, Va. Office became presidential January 1, 1914.

WASHINGTON.

George Biehn to be postmaster at Selah, Wash., in place of Ira S. King, resigned.

WISCONSIN.

Caroline Fitch to be postmaster at Nekoosa, Wis., in place of A. E. Lapham, resigned.

William A. Hume to be postmaster at Chilton, Wis., in place of Andrew Noll. Incumbent's commission expired January 27,

WYOMING.

G. C. Forsythe to be postmaster at Lusk, Wyo., in place of D. E. Goddard, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 30, 1914. MINISTER PLENIPOTENTIARY.

Daniel F. Mooney to be envoy extraordinary and minister plenipotentiary of the United States of America to Paraguay.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Lieut. Col. Chase W. Kennedy to be colonel. Maj. Charles H. Muir to be lieutenant colonel. Capt. Peter E. Marquart to be major.

Capt. Peter E. Marquart to be major.
Capt. William Brooke to be major.
First Lieut. Auswell E. Deitsch to be captain.
First Lieut. Joseph C. Kay to be captain.
First Lieut. Walter C. Jones to be captain.
Second Lieut. Ralph W. Dusenbury to be first lieutenant.
Second Lieut. Thomas C. Spencer to be first lieutenant.
Second Lieut. Fauntley M. Miller to be first lieutenant.
Second Lieut. Ray C. Hill to be first lieutenant.

CAVALRY ARM.

Lieut. Col. James B. Erwin to be colonel. Maj. Godfrey H. Macdonald to be lieutenant colonel.

COAST ARTILLERY CORPS.

Second Lieut. Richard S. Dodson to be first lieutenant.

MEDICAL DEPARTMENT.

Col. William C. Gorgas to be surgeon general, with the rank of brigadier general.

APPOINTMENTS IN THE ARMY.

COAST ARTILLERY CORPS.

Russell Alger Osmun to be second lieutenant.

MEDICAL RESERVE CORPS.

First lieutenants.

William Grosvenor Bissell. Herbert Eddes Brown. John Graham Davis. Henry Stewart Fruitnight. Axel Emanuel Hedback. Iverson Howard Jewell. Harry Carl Nichols. Edwin Jacob Schisler. Robert Boyden Underwood. Jesse LeVan Wagner.

POSTMASTERS.

ALABAMA. J. Blocker Thornton, Mobile.

FLORIDA.

Luther E. McCall, High Springs. Robert F. Rogers, Ocala.

KENTUCKY.

W. G. Dorman, Corinth. Ben J. Purdy, Bloomfield. Frank C. Sloan, Burnside. S. D. Thompson, Owingsville.

MASSACHUSETTS.

Joseph Metras, Southbridge. Richard M. Raymond, Framingham.

MISSISSIPPI.

Essie F. McCormick, Yazoo City.

A. W. Howell, Frost.

WITHDRAWALS.

Executive nominations withdrawn January 30, 1914. RECEIVER OF PUBLIC MONEYS.

John V. Killian, of Eminence, Kans., to be receiver of public moneys at Dodge City, in the State of Kansas.

POSTMASTER.

R. L. Lunsford, jr., to be postmaster at Cleveland, in the State of Oklahoma.

HOUSE OF REPRESENTATIVES.

FRIDAY, January 30, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the fol-

lowing prayer:

O Thou who hearest and answerest prayer, hear and answer our petition. Grant that all the questions which confront us, national and international, may be wisely, justly, and amicably adjusted, that peace and prosperity may flow on uninterrupted. To this end bless our President and all others in authority and guide them by Thy holy influence. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

SPEAKER PRO TEMPORE FOR SATURDAY, JANUARY 31, 1914.

The SPEAKER. The Chair designates the gentleman from Oklahoma, Mr. Ferris, to preside to-morrow as Speaker pro

CONTESTED-ELECTION CASE-CARNEY AGAINST SMITH.

Mr. POST. Mr. Speaker, I present herewith a privileged report from the Committee on Elections No. 1 in the contestedelection case of Claude S. Carney against John M. C. Smith, in the third congressional district of the State of Michigan, and give notice that I shall call it up for consideration one day next week. (H. Res. 396, H. Rept. 202.)

The SPEAKER. The gentleman presents a privileged report from the Committee on Elections No. 1, in the case of Carney against Smith, giving notice that he will call it up one day next

week.

Mr. Speaker, why not dispose of it now?

The SPEAKER. Is it a unanimous report?

Mr. POST. Yes.
Mr. MANN. Why not dispose of it now?
Mr. POST. I think we better wait until the report is printed. The SPEAKER. The report will be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BLACKMON indefinitely, on account of sickness.

RESTRICTION OF IMMIGRATION.

Mr. HARDWICK. Mr. Speaker, I present herewith a privileged report from the Committee on Rules which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 378 (H. Rept. 205).

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House bill 6060, with the amendments reported by the House Committee on Immigration and Naturalization; that the first reading of the bill be dispensed with, and that there shall be seven hours' general debate, to be divided equally

between those favoring and those opposing the measure. At the expiration of said seven hours' general debate the bill shall be considered under the five-minute rule, and the Committee of the Whole House on the state of the Union shall perfect and report the measure to the House, whereupon the previous question shall be considered as ordered upon the bill and all pending amendments, including those adopted in the Committee of the Whole House on the state of the Union, to final passage without intervening motions, except one motion to recommit.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. HARDWICK. Certainly. Mr. MADDEN. Mr. Speaker, it was understood last night that this matter would be withheld until after the consideration of the Private Calendar, which has the right of way to-day.

Mr. HARDWICK. Mr. Speaker, I will answer the gentleman by saying that this is the regular day for the Committee on Claims, but as long as that committee had only six bills, and by their next meeting day expected to have quite a number to engage the attention of the House, that committee did not press

its claim for recognition to-day.

Mr. MADDEN. Very well.

Mr. HARDWICK. And in connection with that, Mr. Speaker, inasmuch as the gentleman has referred to what happened last night, I wish to say that the gentleman from Tennessee [Mr. Garrett], in presenting the report from the Committee on Rules yesterday afternoon, inadvertently presented a resolution which the committee had not agreed to report; and in the exercise of great caution, so that the record of the House may not show what neither the gentleman from Tennessee nor I desire it to show, I ask unanimous consent that the report presented by the gentleman from Tennessee be vacated.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the report presented yesterday afternoon by the gentleman from Tennessee be voided. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, the gentleman from Georgia [Mr. HARDWICK] is aware of the fact that we have had this resolution before the committee, first and last, in three different forms. The matter came up hurriedly yesterday afternoon and the print, which was sent to the Clerk's desk by myself to be read, was in fact not the print which the committee had agreed upon, although that fact was overlooked. There was a slight amendment to it which should have been inserted. I do not know that there is any necessity for voiding it. I think the proper proceeding would be that I should ask unanimous consent to withdraw the resolution which I presented yesterday afternoon, and I therefore do ask unanimous consent to withdraw that resolu-

Mr. HARDWICK. That is the same thing. The SPEAKER. The gentleman from Tennessee asks unanimous consent to withdraw the resolution which he offered yesterday afternoon. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, a parliamentary inquiry. The SPEAKER. The gentleman will state it.

Mr. MANN. The Clerk reported the resolution which has just been read as House resolution 378. Is that correct?

Mr. HARDWICK. Yes; this is House resolution 378, which the Committee on Rules has reported with an amendment, the amendment simply providing that the first reading of the bill shall be dispensed with.

Mr. MANN. I have in my hand a resolution offered by the

gentleman from Alabama [Mr. BURNETT].
Mr. HARDWICK. This is House resolution 378. Speaker, is there any necessity for any debate on this rule?

Mr. MANN. May I ask the gentleman a question?

Mr. HARDWICK. Certainly; I yield to the gentleman from

Illinois.

Mr. MANN. Under the terms of this resolution is it expected to set aside next Monday, unanimous-consent day, if the matter

should go over that far? Mr. HARDWICK. I will answer the gentleman frankly on that matter. I believe that when the House acts under special

order the general rules of the House fixing special days, and so forth, are set aside, except in the one case of Calendar Wednesday. Of course that point, as far as I know, has not been ruled upon by the present occupant of the chair, and it would be a matter of construction by the Speaker of the House.

Mr. MANN. I think the form of the resolution which the gentleman from Alabama introduced, House resolution 386, which is different, provided for consideration from day to day.

Mr. HARDWICK. Yes. Mr. MANN. That undoubtedly-

Mr. HANN. That undoubtedly, without any question being raised, by any possibility.

Mr. MANN. I take it that unless the previous question was ordered it would let it go over without the previous question being ordered.

Mr. HARDWICK. Undoubtedly.
Mr. MANN. May I ask the gentleman further? I notice the resolution provides that when the Committee of the Whole House on the state of the Union reports back to the House the previous question shall be considered as ordered upon the bill and all pending amendments, including those adopted in the Committee of the Whole House on the state of the Union. That, I suppose, is taken from some old form which somebody introduced heretofore

Mr. HARDWICK. Yes.

Mr. MANN. Of course there is no other amendment, I take it, in the House except those reported from the Committee of the Whole House on the state of the Union.

Mr. HARDWICK. Yes.

Mr. MANN. If that language is left in the resolution, it might imply the previous question was ordered on any other amendments which were offered. Would it not be better to strike it out and have it clearly that the previous question is ordered on all pending amendments which are reported back from the Committee of the Whole House on the state of the Union?

Mr. HARDWICK. I realize the justice of the gentleman's criticism, although I do not think it is important. I believe the construction would be that the House would vote only on the amendments adopted in the Committee of the Whole House on the state of the Union and therefore pending in the House. The gentleman is correct, in that we have followed an old form in preparing this rule. If the gentleman desires to present a request for unanimous consent to strike out that language in the resolution, to wit, "including those adopted in the Committee of the Whole House on the state of the Union," personally I should not object. I think to do so would really improve the

phraseology of the resolution.

Mr. MANN. Well, I make that request, Mr. Speaker—to strike out of the resolution the language "including those adopted in the Committee of the Whole House on the state of the Union."

Mr. HARDWICK. I have no objection; I think it is really

an improvement.

Mr. MANN. That leaves it without doubt. Those amendments are the only ones to be voted upon.

Mr. HARDWICK. I agree with the gentleman on that. I think it has the effect, anyhow, but I believe it is an improve-

Mr. MANN. I think likely it would have that effect, but it gives an opportunity for controversy, which might lead to

Mr. HARDWICK. If the gentleman will submit the request, will have no objection to it.

The SPEAKER. Has the gentleman from Illinois a request to submit?

Mr. MANN. Mr. Speaker, I ask unanimous consent to strike out of the resolution these words, in the latter part of the reso lution, "including those adopted in the Committee of the Whole House on the state of the Union," so there will be no question.

The SPEAKER. The gentleman from Illinois asks unanimous consent to adopt an amendment which the Clerk will report.

The Clerk read as follows:

Amend by striking out the words "including those adopted in the Committee of the Whole House on the state of the Union."

The SPEAKER. Is there objection?

Mr. GOLDFOGLE. Mr. Speaker, a parliamentary inquiry. The SPEAKER. The gentleman will state it.

Mr. GOLDFOGLE. The agreement to the proposition submitted by the gentleman from Illinois [Mr. Mann] will not preclude, will it, a vote in the House on any separate amend-

Mr. MANN. Not on any amendments that are not agreed to in the Committee of the Whole.

The SPEAKER. You have a perfect right to have a separate vote on any amendment.

Mr. HARDWICK. I see no objection to the gentleman's amendment.

Mr. MOORE. Mr. Speaker-

The SPEAKER. The gentleman from Pennsylvania is recog-

Mr. Speaker, I reserve the right to object.

Mr. HARDWICK. Mr. Speaker, unless the gentleman can get this through by unanimous consent, I do not want to lose the floor for this purpose.

The SPEAKER. The gentleman does not lose the floor. He

is in control of this resolution.

Mr. HARDWICK. All right. Then I will yield to the gentleman from Pennsylvania [Mr. Moore].

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE. To reserve the right to object in order to ask question, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. MOORE. We could not hear all of the conversation that took place between the gentleman from Illinois [Mr. Mann] and the gentleman from Georgia [Mr. Hardwick]. Some of us on this side of the House are interested in this bill. As I understand the request now, it is proposed to protect the right of amendment when the bill is read under the five-minute rule?

Mr. MANN. If the gentleman will pardon me, the rule provides that when the bill is reported back from the Committee of the Whole House on the state of the Union the previous question shall be considered as ordered upon the bill and all amendments to final passage. The proposition is to leave it in that shape.

Mr. MOORE. That means after the bill has been read and opportunity to amend under the five-minute rule has been afforded to every Member of the House?

Mr. MANN. Yes. Mr. MOORE. Very well.

The SPEAKER. Is there objection?

Mr. MOORE. Mr. Speaker, a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. MOORE. Will acquiescence in this request for unanimous consent deprive us from discussing the rule any further? The rule has been changed since last night.

The SPEAKER. Oh, the Chair thinks not.
Mr. MOORE. Very well.
The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the gentleman from Georgia [Mr. HARD-WICK] is recognized.

Mr. HARDWICK. Mr. Speaker, how much time do the gentlemen on the other side wish for the discussion of this rule?

Mr. CAMPBELL. Mr. Speaker, in reply to the gentleman from Georgia [Mr. Hardwick], I will say that the report on this rule is a harmonious one from the Committee on Rules, and I have no requests on this side of the House for a discussion or a criticism of the rule; and the gentleman from Pennsylvania informs me that he has had no requests.

Mr. HARDWICK. We have had no requests on this side. Mr. CAMPBELL. And I am not disposed to take any time in the discussion of the rule at this time.

Mr. GARDNER. I would like two minutes.

Mr. CAMPBELL. The gentleman from Massachusetts will take a little time.

Mr. HARDWICK. Let me say this to the gentleman: Suppose I demand the previous question on the passage of the resolution?

Mr. CAMPBELL. That will leave all the time demanded on this side.

Mr. HARDWICK. I then demand the previous question.

Mr. MANN. A parliamentary inquiry, Mr. Speaker. The understanding of the Chair is that debate has not yet been commenced?

The SPEAKER. Yes. This is parliamentary talk, and the Chair does not think it is general debate. The gentleman from Georgia [Mr. HARDWICK] moves the previous question.

Mr. GOLDFOGLE. Mr. Speaker, I understand the gentleman

from Georgia to yield to me now?

Mr. HARDWICK. I withhold just a moment for a state-

Mr. GOLDFOGLE. In reporting the resolution that has been withdrawn by the gentleman from Tennessee [Mr. GARRETT] he undertook to say that he thought there was no opposition to the rule?

Mr. GARRETT of Tennessee. Will the gentleman from New York yield?

Mr. GOLDFOGLE. With pleasure.
Mr. GARRETT of Tennessee. I did make that statement, and in justice to the gentleman from New York I wish to

Mr. GARDNER. A parliamentary inquiry, Mr. Speaker. The SPEAKER. The gentleman will state it.

Mr. GARDNER. If this is debate, it will destroy the 40 minutes?

The SPEAKER. Of course it will.

Mr. HARDWICK. I withhold the motion temporarily, retaining the floor so that the gentleman may make a statement.

Mr. GARDNER. You can get it in the 40 minutes.

Mr. GARRETT of Tennessee, Mr. Speaker, I ask unanimous consent to make a statement without destroying the parliamentary situation.

The SPEAKER. The gentleman from Tennessee [Mr. GAR-RETT] asks unanimous consent to make a statement without

destroying the parliamentary situation. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT of Tennessee. In presenting the resolution yesterday afternoon I did state that I did not think there was any opposition in the Committee on Rules to the adoption of this resolution.

this resolution.

It was inexcusable in me, Mr. Speaker, to make that statement. That is to say, my memory was at fault. I ought to have known, as I did know if I had thought, that if there ever was a persistent, well-drawn-out, vigorous opposition to any-thing on earth it was the opposition of the gentleman from New York [Mr. Goldfordle] to the adoption of this rule. [Applause.]
I regret exceedingly that my memory lapsed for a moment and
that I thus placed the gentleman from New York in an erroneous
attitude in regard to that. [Applause.]
Mr. HARDWICK. Mr. Speaker, I now demand the previous

question.

The SPEAKER. The gentleman from Georgia [Mr. Hardwick] demands the previous question on the resolution.

The question was taken, and the Speaker announced that the aves have it.

Mr. GOLDFOGLE. Mr. Speaker, I call for a division. The SPEAKER. The gentleman from New York [Mr. Gold-FIGURE SPEAKER. The gentleman from New York [Mr. Goldfoold] demands a division. Those in favor of the previous question will rise and stand until they are counted. [After counting.] One hundred and one gentlemen have arisen in the affirmative. Those opposed will rise and stand until they are counted. [After counting.] Thirty-one gentlemen have arisen in the negative.

Mr. LEVY. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. On this vote the ayes are 101 and the noes

Mr. HARDWICK. I hope the gentleman from New York [Mr. Levy] will not do that.

Mr. LEVY. Yes; I make the point of order, Mr. Speaker,

that there is no quorum present.

The SPEAKER. The gentleman from New York [Mr. LEVY] makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will lock the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of the previous question will answer "yea" when their names are called; those opposed will answer "nay."

The question was taken; and there were—yeas 238, nays 102, answered "present" 7, not voting 86, as follows:

	YEAS	3—238.	
Adair	Davis	Hardwick	McGuire, Okla.
Adamson	Decker	Hardy	McKellar
Alexander	Dent	Harrison	McKenzie
Allen	Dershem	Hart	McLaughlin
Anderson	Dickinson	Haugen	MacDonald
Anthony	Dies	Hawley	Maguire, Nebr.
Ashbrook	Dixon	Hay	Manahan
Aswell	Doolittle	Hayden	Mann
Austin	Doughton	Hayes	Mapes
Bailey	Edwards	Heflin	Mondell
Baltz	Elder	Helm	Montague
Barkley	Esch	Helvering	Moon
Bartlett	Evans	Henry	Morgan, Okla.
Barton	Faison	Hensley	Morrison
Bathrick	Falconer	Hinds	Moss, Ind.
Beakes	Farr	Holland	Moss, W. Va.
Bell, Cal.	Fergusson	Houston	Murray, Okla.
Bell, Ga.	Ferris	Howard	Neely, W. Va.
Borchers	Fess	Hughes, Ga.	Nelson
Bowdle	Fields	Hughes, W. Va.	O'Hair
Brockson	Finley	Hulings	Oldfield
Browne, Wis.	Flood, Va.	Humphrey, Wash.	
Browning	Floyd, Ark.	Humphreys, Miss.	Paro N C
Buchanan, Ill.	Foster	Jacoway	Palmer
	Fowler		Park
Buchanan, Tex.	Francis	Johnson, Ky.	Parker
Burnett Butler	Frear	Johnson, Utah	Patton, Pa.
	French	Johnson, Wash.	
Byrnes, S. C.	Gard	Keating	Payne Platt
Byrns, Tenn.	Gardner	Keister Kalla Da	
Campbell		Kelly, Pa.	Plumley
Candler, Miss.	Garner Compett Town	Kennedy, Iowa	Post
Cantrill	Garrett, Tenn.	Kent	Pou
Caraway	Garrett, Tex.	Kettner	Powers
Carlin		Kiess, Pa.	Prouty
Carr	Glass	Kinkaid, Nebr.	Quin
Church	Godwin, N. C.	Kirkpatrick	Rainey
Clark, Fla.	Goeke	La Follette	Raker
Claypool	Good	Langham	Rayburn
Clayton	Gray	Langley	Reilly, Wis.
Collier	Green, Iowa	Lee, Ga.	Rothermel
Connelly, Kans.	Greene, Vt.	Lenroot	Rouse
Cooper	Gregg	Lesher	Rubey
Covington	Griest	Lever	Rupley Russell
Cox	Gudger	Lewis, Md. Lindbergh	Saunders
Crisp	Guernsey		
Cullop	Hamilton, Mich.	Lindquist Linthicum	Scott Seldomridge
Danforth	Hamilton, N. Y.		Shackleford
Davenport	Hamlin	Lloyd	Buackierord

	Sharp Sims Sinnott Sisson	Smith, Tex. Sparkman Stedman	Taylor, Colo. Temple Ten Eyck	Watson Weaver Whaley		
	Slayden Slemp Sloan	Stephens, Cal. Stephens, Miss. Stephens, Nebr. Stephens, Tex. Stevens, N. H.	Thomas Thompson, Okla. Treadway Tribble	White Williams Wilson, Fla. Witherspoon		
	Small Smith, Idaho Smith, J. M. C. Smith, Md. Smith, Saml. W.	Stevens, N. H. Switzer Taggart Taylor, Ala. Taylor, Ark.	Underhill Underwood Vaughan Walters Watkins	Woodruit Young, N. Dak. Young, Tex.		
	NAYS-102.					
ı	Ansberry	Dunn	Lafferty	Reed		
ı	Bartholdt Booher	Dupré	Lazaro Lee, Pa	Riordan Roberts, Mass.		
ı	Britten	Dyer Eagan	Levy	Rogers		
3	Brown, N. Y.	Edmonds	Lieb	Sabath		
9	Brumbaugh	Estopinal	Lonergan	Scully		
3	Bryan Bulkley	Fordney George	McAndrews McCoy	Sherley Sherwood		
1	Burgess	Gerry	McDermott	Shreve		
1	Burke, Wis.	Glimore	McGillicuddy	Smith, Minn. Smith, N. Y.		
8	Cantor Chandler, N. Y.	Gittins Goldfogle	Madden Mahan	Smith, N. Y. Stafford		
3	Clancy	Gordon	Mitchell	Steenerson		
1	Cline	Gorman	Moore	Stevens, Minn.		
ı	Coady Connolly, Iowa	Goulden	Morgan, La.	Stone Sutherland		
ı	Copley Copley	Graham, Ill. Greene, Mass.	Murray, Mass. Nolan, J. I.	Talcott, N. Y.		
ı	Cramton	Hamiii	Nerton	Tavenner		
ı	Crosser	Hammond	O'Brien	Taylor, N. Y.		
ı	Curry Dale	Howell Igoe	Oglesby	Thacher Thomson, Ill.		
ı	Deitrick	Kahn	O'Leary Paige, Mass.	Townsend		
i	Dillon	Kennedy, R. I. Kinkead, N. J.	Patten, N. Y. Peters, Mass.	Tuttle		
ı	Donohoe Donovan	Kinkead, N. J. Knowland, J. R.	Peters, Mass. Peters, Me.	Walsh		
3	Driscoll	Konop	Phelan			
		ANSWERED '	"PRESENT"—7.			
ì	Barnhart	Logue	Talbott, Md.	Wallin		
į	Borland	Porter	Towner			
ij	Abananambia	A STATE OF THE PARTY OF THE PAR	OTING—86.	Danah		
	Abercrombie Aiken	Curley Difenderfer	Key, Ohio Kindel	Rauch Reilly, Conn.		
ł	Ainey	Dooling	Kitchin	Reilly, Conn. Richardson		
	Avis	Doremus	Korbly	Roberts, Nev.		
ñ	Baker Barchfeld	Eagle Fairchild	Kreider L'Engle	Rucker Sells		
i	Beall, Tex.	Fitzgerald	Lewis, Pa.	Stanley		
ä	Blackmon	FitzHenry	Lobeck Loft	Stout Stringer		
ij	Bremner Brodbeck	Gallagher Goodwin, Ark.	McClellan	Sumners		
9	Broussard	Graham, Pa.	Maher	Vare		
	Brown, W. Va.	Griffin	Martin	Volstead		
	Bruckner Burke, Pa.	Helgesen Hill	Merritt Metz	Walker Webb		
B	Burke, S. Dak.	Hinebaugh	Miller	Whitacre		
S	Calder	Hobson	Morin	Willis		
8	Callaway Carew	Hoxworth Hull	Mott Murdock	Wilson, N. Y. Wingo		
B	Carter	Johnson, S. C.	Neeley, Kans.	Winslow		
Н	Cary	Jones	O'Shannessy	Woods		
ĺ	Casey	Kelley, Mich. Kennedy, Conn.	Peterson Ragsdale			
ø						
ı	So the previous question was ordered.					
ı	The Clerk announced the following pairs:					
ĺ	For the session:					
ı	Mr. Hobson with Mr. FAIRCHILD.					

Until further notice: Mr. HILL with Mr. CARY.

Mr. RAUCH with Mr. SELLS. Mr. LOBECK with Mr. MURDOCK.

Mr. RUCKER with Mr. MILLER,

Mr. KEY of Ohio with Mr. HINEBAUGH.

Mr. Hull with Mr. Martin.
Mr. Doremus with Mr. Woods.
Mr. Difenderfer with Mr. Lewis of Pennsylvania.

Mr. CONRY with Mr. BURKE of South Dakota. Mr. Carter with Mr. Graham of Pennsylvania.

Mr. AIKEN with Mr. BURKE of Pennsylvania.

Mr. RUCKER with Mr. KREIDER, Mr. WEBB with Mr. VOLSTEAD.

Mr. FITZHENRY with Mr. ROBERTS of Nevada.

Mr. Talbott of Maryland with Mr. Merritt.

Mr. Wilson of New York with Mr. Helgesen.

On this vote:

Mr. Johnson of South Carolina (for) with Mr. Maher

Mr. Mott (for) with Mr. Fitzgerald (against).

Mr. Abercrombie (for) with Mr. Calder (against). Mr. Avis (for) with Mr. Kennedy of Connecticut (against).

Mr. Avis (for) with Mr. Kennedy of Connecticut (against Mr. Kelley of Michigan (for) with Mr. Miller (against).
Mr. Walker (for) with Mr. Vare (against).
Mr. Porter (for) with Mr. Morin (against).
Mr. Ainey (for) with Mr. Curley (against).
Mr. Wingo (for) with Mr. Barchfeld (against).
Mr. L'Engle (for) with Mr. Bruckner (against).

Mr. Goodwin of Arkansas (for) with Mr. Towner (against).

Mr. KITCHIN (for) with Mr. REILLY of Connecticut (against).

Mr. BLACKMON (for) with Mr. WINSLOW (against). Mr. WILLIS (for) with Mr. METZ (against).

Mr. Callaway (for) with Mr. Dooling (against).

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The previous ques tion is ordered. The Doorkeeper will unlock the doors. gentleman from Georgia [Mr. HARDWICK] is recognized for 20 minutes and the gentleman from Kansas [Mr. CAMPBELL] for

Mr. SABATH. Mr. Speaker, do I understand that the gentleman from Kansas [Mr. CAMPBELL] is opposed to this rule?

The SPEAKER. He stated that he was not.

Mr. SABATH. I am opposed to the rule. Am I not entitled

to the 20 minutes on the other side?

Mr. CAMPBELL. Mr. Speaker, I do not understand that simply because a man is opposed to the rule, whether he is a member of the Committee on Rules or not, that would entitle him to control the time against the rule.

Mr. GOLDFOGLE. Mr. Speaker—
The SPEAKER. For what purpose does the gentleman rise?
Mr. GOLDFOGLE. I rise for the purpose of asking the gentleman from Georgia [Mr. HARDWICK] whether he will yield to me a part of his time, or else that part of the time in opposition to the gentleman from Georgia be accorded to me as a matter of right. I am one of the Committee on Rules, and I think that being opposed to the rule I am entitled to control a part of the

Mr. HARDWICK. I think we can settle that. I am perfectly willing to yield half my time to the gentlemen on this side who oppose the adoption of the resolution, and I understood that the gentleman from Kansas, having control of the time on that side, would adopt an equally liberal policy. In fact, the gentle-man from Kansas had agreed to yield five minutes to the gentleman from Illinois [Mr. Sabath]. So I think the time will be fairly divided. Of course, if gentlemen want to insist on their rights as members of the committee, then the gentleman from New York [Mr. GOLDFOGLE], who is opposed to the rule, is en-

titled to control the time in opposition.

The SPEAKER. The Chair thinks that the proper conduct of a matter like this is that if anybody on the Committee on Rules is opposed to the resolution, and there is only one on the Committee on Rules who is opposed to it, he ought to be recog-

nized to control the time in opposition.

Mr. CAMPBELL. I would not have the Chair make a ruling here that would establish any other precedent. I think that is the correct procedure in the House. If the gentleman from New York insists upon controlling half of the time, I shall not claim to control the usual time allowed to the other side.

The SPEAKER. The Chair was of the impression from the statement of the gentleman from Kansas that it was a unanimous report, and his mind was attracted to something else at the time when the gentleman from Tennessee [Mr. GARRETT]

Mr. CAMPBELL. Mr. Chairman, I did make the statement that it was the unanimous report from the Committee on Rules, but I made it inadvertently, for I knew that the gentleman from New York was opposed to any rule.

The SPEAKER. The Chair will settle the matter by recog-

nizing the gentleman from Georgia [Mr. HARDWICK] to control 20 minutes and the gentleman from New York [Mr. Gold-FOGLE], a member of the Committee on Rules and opposed to the rule, to control 20 minutes.

Mr. MOORE. Mr. Speaker, what will become of the requests on this side for time that have been made of the gentleman from

Kansas?

The SPEAKER. They will have to make their requests of the men that control the time; the Chair can not control it. The gentleman from Georgia [Mr. HARDWICK] is recognized for 20 minutes in favor of the rule and the gentleman from New York [Mr. GOLDFOGLE] for 20 minutes in opposition to the

rule, and the time is running. [Laughter.]

Mr. HARDWICK. Mr. Speaker, I want to say in support of this rule that no one can complain that it is unfair. The rule simply provides that there shall be seven hours for general debate on this bill and then that the bill shall be considered in Committee of the Whole House on the state of the Union under the five-minute rule, without limitation either as to the length of debate or the number of amendments that may be offered and considered. I make the statement here and now, without fear of successful contradiction, that no immigration bill and few bills of any character have ever been presented to this House of Representatives under more liberal terms. The rights of the minority under this proposition are safely protected by an opportunity for full and liberal discussion and for amend-

In other words, Mr. Speaker, if this rule be adopted by the House of Representatives, the majority on this floor will work its will about this bill and every amendment that is suggested to it, without artificial restraint. We ask you what can be fairer? We ask you what can be more just to men on all sides, of all views, of both sides of this Chamber than this rule? Certainly the minority in any legislative body can have no cause of complaint if they are given as liberal opportunity for discussion and for amendment as they are given full and free opportunity to debate and suggest amendments here. That is provided in this rule.

As to the bill itself, I shall say little. It presents an issue that we are all familiar with. It presents an issue that we have voted on many times in this body. It is substantially and practically, with very little change, the Burnett bill that we passed during the last days of the last session of the preceding Con-Our record is made up on it. The older Members in this House have voted on this measure, our views are known of all men, and so it seems to me that there is little reason for discussion at the present moment of the merits of the bill. We are going to have the most liberal discussion of the bill itself after the rule is adopted.

Mr. MOORE. Will the gentleman yield?

Mr. HARDWICK. Certainly.

Mr. MOORE. This rule proposes to allow seven hours of general debate?

Mr. HARDWICK. Yes.

Mr. MOORE. Can the gentleman indicate how long the debate is to run; that is, how many days?

Mr. HARDWICK. That would depend upon how long the

House will sit in session.

Mr. MOORE. If we should sit until 8 o'clock to-night, that would be seven hours, and then it would probably take all day to-morrow to consider the bill under the five-minute rule.

Mr. HARDWICK. After we finish the general debate we still have consideration under the five-minute rule. It is a bill that is quite lengthy, containing 57 pages. Although it is largely a codification of existing law, still it is to be considered in the form in which it is presented. My own judgment is-and, of course, it is a mere guess-that we can not get through the consideration in Committee of the Whole in less than two days.

Mr. MOORE. Can we have an understanding that there will

be no vote on it to-morrow?

Mr. HARDWICK. It would be impossible for me to make any such agreement. The chairman of the committee, Mr. Burnett, is in charge of the bill, and he will perhaps be able to answer the gentleman.

Mr. MOORE. Let me ask the gentleman, Is it proposed under this rule to give consideration to the bill on Monday next? Mr. HARDWICK. My own judgment is that it would be entitled to be considered on Monday.

Mr. MOORE. Even if it does cut out the Unanimous Consent

Calendar?

Mr. HARDWICK. If we were operating under general rules it would be different, but when the House is operating under a special rule, even though it does not provide for a continuing consideration, it is my judgment that the general rules are dispensed with until the special order is exhausted.

Mr. MURRAY of Massachusetts. Will the gentleman yield?

Mr. HARDWICK. Certainly. Mr. MURRAY of Massachusetts. Does the gentleman know whether that coincides with the judgment and opinion of other gentlemen, especially the Speaker of the House?

Mr. HARDWICK. The gentleman from Massachusetts will

have to ask the Speaker as to that point.

Mr. MURRAY of Massachusetts. It happens that the gentle-man from Massachusetts has done so. If the immigration bill is not concluded by Wednesday, will it have precedence on

Calendar Wednesday?

Mr. HARDWICK. It can not, under an express provision in the rules. That is the only exception, I think, which can be made to the statement that I have just made.

Mr. MOORE. Mr. Speaker, will the gentleman yield?
Mr. HARDWICK. Mr. Speaker, how much time have I used?
The SPEAKER. The gentleman has used five minutes.
Mr. HARDWICK. Mr. Speaker, I reserve the remainder of
my time. I yield to the gentleman from Pennsylvania.
Mr. MOORE. Mr. Speaker, the centleman from Control and

Mr. MOORE. Mr. Speaker, the gentleman from Georgia did not quite answer my question. I was trying to get an understanding with him.

Mr. HARDWICK. But I can not give you the understanding that you are asking. The gentleman is interrogating the wrong man. The gentleman from Alabama [Mr. Burnert] in charge of this bill will have to make whatever agreement is made upon that subject, and as he is going to speak later on the subject of the rule, I will ask the gentleman to press his inquiry of that gentleman at that time.

Mr. MOORE. Very well. Mr. HARDWICK. Mr. Speaker, I reserve the balance of my

The SPEAKER. The gentleman reserves 15 minutes. Mr. GOLDFOGLE. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. Sabath].

Mr. SABATH. Mr. Speaker, I admit that the rule brought in by the Rules Committee is a fair rule, and if the bill were as fair as the rule I would not object to it. However, I do object to the Rules Committee bringing in a special rule on this bill when, in fact, there is no general demand for this legislation. The Democratic Party as well as the Republican Party has gone on record on the subject of immigration legislation, and the last Democratic platform, which contained specific reference to this question, contained the following:

We condemn and denounce any and all attempts to restrict immigration of the industrious and worthy of foreign lands.

Through the veto message of President Taft during the last administration the Republican Party expressed its views on this subject and went on record as opposing such unfair legislation.

I do not believe that we should consider this bill now, when there is pending other important legislation which should be speedily enacted into law. It was only a few days ago that the President of the United States called our attention to several measures which he deemed of great importance and which he urged should be passed at an early date, yet the Committee on Rules has not seen fit to bring in a special rule for the purpose of considering any of the measures recommended by the President.

There may be some gentleman rise later on and state that there is a demand for this legislation. If such a demand exists, and this I do not admit, it comes from professional restrictionists who have been clamoring for years for the enactment of such a measure; but the country at large and the great mass of the people are not seeking this legislation; they are per-fectly contented with the existing conditions. The restrictionists may say that this legislation is necessary on account of the volume of immigration now coming to our shores; but, Mr. Speaker, I desire to say that this great volume of immigration that we have been receiving has been a blessing to this country.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. HARDWICK. Mr. Speaker, I yield five minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL. Mr. Speaker, if the gentleman from Illinois

[Mr. Sabath] who has just taken his seat had not addressed the House in the vein in which he did, I doubt if I should have taken the time to say anything on this rule. He read from the Democratic platform a provision which pledges to the country that the Democratic Party will not restrict the immigration of those who are worthy and industrious and come to our shores to find employment. I call his attention and the attention of the House to the fact that at the time that platform was written the country was enjoying the fruits of Republican policies, and that the labor of our land was all employed at the highest wage that labor had ever received. To-day we find ourselves in an entirely different situation.

Mr. SABATH. Mr. Speaker, will the gentleman yield?
Mr. CAMPBELL. Not now.
The SPEAKER. The gentleman declines to yield.
Mr. CAMPBELL. We to-day have a Democratic administration and are living under Democratic policies, and millions of our laborers are without work. Therefore the proposition to restrict immigration is a very proper subject of consideration for this House at this time. The gentleman from Illinois [Mr. Sabath] says there is no demand for such legislation. He evidentally overlooked the fact that the miners' convention, which is now in session in Indianapolis, declared a few days ago that not only this bill, but a bill absolutely prohibiting all immigration should be enacted into law; and I am not sure that that is not the thing that should be done. We should at least prohibit all immigration that comes to our country to find work until we get rid of this Democratic administration, with its policies, so that we can give employment to all our own laborers at good After that we might well admit such others as are needed in the industries of our country to keep up the number of men necessary to supply the demand for labor. This was the condition during the last Congress, when this bill was under consideration before. Every industry in the country was demanding more laborers. To-day practically every industry in the country is laying off laborers.

Mr. MURRAY of Massachusetts. Mr. Speaker, will the gen-

tleman yield?

Mr. CAMPBELL. For a very brief question.

Mr. MURRAY of Massachusetts. I put the question only because the gentleman from Kansas is a careful gentleman. and usually has authority for any statement that he may make. I would like to inquire what authority, if any, he has for the statement he made about the million men that are unemployed in this country?

Mr. CAMPBELL. Oh, I call the attention of the gentleman from Massachusetts to the reports that occur daily in the newspapers from Chicago, from Indianapolis, from Cleveland, from St. Louis, from New York, from the Pacific coast, from all over the country that hundreds of thousands of men are out of employment, amounting in all to millions.

Mr. MURRAY of Massachusetts. But the gentleman has no

information from any official source like the Department of

Labor, from the head of the Department of Labor?

Mr. CAMPBELL. Oh, no; the Department of Labor up to the present has not published the number of men who are out of employment. [Laughter on the Democratic side.] The head of the Department of Labor is not giving out official reports on the unemployed.

The SPEAKER. The time of the gentleman has expired.

Mr. GOLDFOGLE. Mr. Speaker, I yield three minutes to the gentleman from Pennsylvania [Mr. Moore.]

Mr. MOORE, Mr. Speaker, I avail myself of these three minutes in an endeavor to come to an arrangement with the chairman of the committee as to the manner in which this debate shall be conducted. I have no special fault to find with the rule, although, being a gag rule in a mild form, I shall vote against it on general principles. It limits debate on a great public question. Seven hours have been allotted by the generosity of the gentlemen of the Committee on Rules, and I assume at the suggestion of the chairman of the Committee on Immigration and Naturalization, and I would like to ask-

Mr. GOLDFOGLE. May I interrupt the gentleman for a sec-

ond?

Mr. MOORE. Yes.
Mr. GOLDFOGLE. Oh, no; the gentleman from Alabama insisted on only four hours. It is the gentleman from New York who insisted upon the much longer time of seven hours.

Mr. HARDWICK. The gentleman finally got the seven hours. Mr. MOORE. I am very glad to be corrected; and I notice that the gentleman from Alabama is silent and does not answer the charge. They sought to get through in four hours rather than seven. Now, the question I desire to propound is this: If this debate runs seven hours to-day, we will run until 8 o'clock to-night. If we undertake to pass this bill to-morrow, we will probably have a night session, and we will have to have a quorum in order to pass the bill. Now, can we have an under-standing with the gentleman, without further complaint about the rule, that we shall have no vote on this bill until Monday?

Mr. BURNETT. Mr. Speaker, in reply to the question of the

gentleman, I would not want to make an agreement of that kind. I hope we will be able to get through with this bill tomorrow. It is evident there is at least one gentleman here who expects to try to obstruct all progress-I mean by filibustering-

and I hope

Mr. MOORE. Name that gentleman.

Mr. BURNETT. The gentleman who made the motion a while ago

Mr. SABATH. Mr. Speaker—— The SPEAKER.. The gentleman from Pennsylvania has the floor; does he yield?

Mr. MOORE. I yield to the gentleman from Alabama—— Mr. SABATH. May I suggest—— Mr. MOORE (continuing). To further answer my question. The SPEAKER. The gentleman yields to the gentleman from Alabama

Mr. MOORE. If the gentleman from Illinois will pardon me for a moment, I think it is important we have an understanding. if we can reach one, because there are some of our colleagues here who want to use to-morrow afternoon and may be compelled to stay here to-night until midnight and be compelled to stay to-morrow night until midnight, and that will be unfortunate and very unprofitable. If we can reach an arrangement, if the gentleman will agree that the vote pass over until next

Mr. GARRETT of Tennessee. Will the gentleman permit? How will it suit the gentleman to agree upon an hour when this bill will be voted upon, instead of asking for an agreement

for a time when it will not be voted upon?

The SPEAKER. The time of the gentleman has expired.

Mr. MOORE. And the question is unanswered.

Mr. BURNETT. I will not agree to the gentleman's proposition; I will agree to the other to have a vote taken at a time which may be agreed upon.

The SPEAKER. The time of the gentleman has expired.

Mr. MOORE. I ask for two minutes more.

Mr. GOLDFOGLE. I would like to grant the request, but I can not in view of other arrangements.

Mr. HARDWICK. Mr. Speaker, I yield two minutes to the

gentleman from North Carolina [Mr. Pou].

Mr. POU. Mr. Speaker, in reply to the statement of my colleague from Kansas that there are millions of men out of employment in the country and that a state of panic exists, I want to quote from two Republican papers.

The extracts I shall read relate to a statement made last December by the Republican leader [Mr. Mann], but as the gentleman from Kansas makes a similar charge, these extracts from Republican papers may be considered as replying to both:

[From the New York Press, Dec. 17.]

If Representative Mann really said, as he has been quoted, that business men are "nearly scared to death" and that the country is now in the midst of an industrial and financial panic, he went a great deal further than any facts warrant—a great deal further than anybody, even in the game of playing politics, ought to go. * * Industry and commerce knew the tariff change was coming long before it arrived, and they generally prepared for it.

[From the New York Evening Mail, Dec. 20.]

Though Representative Mann in his desperate search for an elixir to rescue the Republican Party from its state of noxious desuetude cries "panic," America receives the outburst without ceasing for a moment its tremendous industrial activity. * * * America is still a growing concern.

[Applause.]

Mr. MANN. You will find men out of employment just the

Mr. GOLDFOGLE. Mr. Speaker, I yield two minutes to the

gentleman from Minnesota [Mr. Manahan].

Mr. MANAHAN. Mr. Speaker, my objection to this rule is centered in the allowance of seven hours for general debate. I was amazed at the statement made by the chairman of the Committee on Rules that this was a liberal allowance for a discussion of this bill,

Mr. HARDWICK. Will the gentleman yield?
Mr. MANAHAN. I can not yield. My time is too limited.
Mr. HARDWICK. I just wanted to state to him it was a

matter of agreement.

Mr. MANAHAN. It was a matter of agreement, which I am advised by the gentleman from New York [Mr. Goldfold] was a sort of compromise agreement, because the gentleman from Alabama [Mr. BURNETT], in charge of the bill, wanted to limit the debate to four hours. And I say that that disposition on the part of the gentleman from Alabama shows conclusively that as chairman of the committee in charge of this bill he dare not permit a generous time for this discussion. [Applause.]

But when the gentleman from Alabama [Mr. Burnett] or the gentleman from Georgia [Mr. Hardwick] says that seven hours is a liberal allowance, it shows that he has not the faintest conception of the mighty issues involved in this bill. And when he says that the Members of this House are familiar with this question he insults the intelligence of every Member here. There are not 10 men in this House who have studied economic conditions as they should study them in order to pass upon this bill. The insanity statistics, the illiteracy statistics, in the United States and in the different States, the character of the races affected by this restriction, the effect on labor and cost of living conditions which this bill will impose upon the people have not been studied by gentlemen in this House, and they are ignorant upon these questions. [Applause.] bill violates every principle of justice and reverses the highest principle of asylum which has ennobled this Nation during its whole history. It is absurd to limit the debate in opposition to it to three and one-half hours. A full debate would defeat the literacy test in this measure, as it should be defeated.

Mr. HARDWICK. Mr. Speaker, I yield three minutes to the

gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, I think when we conclude the general debate the number of Members present who will listen to it will convince anyone that the seven hours are amply sufficient.

Mr. MANAHAN. Mr. Speaker—
The SPEAKER. Does the gentleman from Wisconsin yield?
Mr. LENROOT. I have but a limited time.
Mr. MANAHAN. My question is this: Does not the fact that they will not be here and listen to the debate on this question conclusively show that they do not appreciate the importance

Mr. LENROOT. I can not yield further than that.

Mr. GARRETT of Tennessee. Does the gentleman favor the initiative and referendum?

Mr. LENROOT. I rise particularly to speak to the question raised by the gentleman from Georgia [Mr. Hardwick], as to the interpretation of this rule. It was my understanding that there was to be an amendment to this rule eliminating Wednesdays and Mondays in the consideration of this bill. The misunderstanding probably was my own. It is not in the rule, and I want to suggest, and I shall not argue it now, Mr. Speaker, that before finally coming to a conclusion as to the proper interpretation of this rule I think the Speaker will be convinced that if consideration of the bill upon Mondays is permissible the same will be true of Wednesdays.

Mr. MANN. Will the gentleman yield?

Mr. LENROOT. I can not yield within the three minutes. Mr. MANN. It is conceded that this rule will not bring this bill up on either Mondays or Wednesdays?

Mr. LENROOT. If it is-

Mr. HARDWICK. I do not think the gentleman would let it go that way. It was argued otherwise.

Mr. MANN. You said Mondays.

Mr. HARDWICK. I said Wednesdays.

Mr. LENROOT. One other thing in reference to this rule itself. I am in favor of it. But on the 21st day of January I received a letter from the chairman of the Immigration Committee, reading as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON IMMIGRATION AND NATURALIZATION,
Washington, D. C., January 21, 1914.

MY DEAR SIR: As soon as the Post Office appropriation bill is out of
the way a rule will be reported making House bill 6060, the immigration
bill, in order. Seven hours will be allowed for general debate, and it
will then be taken up for consideration under the five-minute rule.

I urgently request you as a friend of the bill to be present during its
consideration. consideration.
Yours, very truly,

JOHN L. BURNETT.

Mr. Speaker, when I received the letter from the distinguished gentleman, the Committee on Rules had not met for weeks, and am a member of that committee. And we have come to this point, apparently, namely, that partisanship is carried to such an extent that the Democratic members of the Committee on Rules meet in committee caucus and determine every question before that committee. I have been a member of that committee, Mr. Speaker, for three years, and three weeks ago was the first occasion when there had been any partisanship of this nature exhibited on that committee, and it ought not to be exhibited on a bill of this kind. It is immaterial whether the Republican members would favor this rule in committee or whether they would have changed it if they could, the fact is you ought not to determine questions of this character in this way. plause.

The SPEAKER. The time of the gentleman has expired. Mr. GOLDFOGLE. Mr. Speaker, I now yield two minutes to the gentleman from Massachusetts [Mr. MURRAY]

The SPEAKER. The gentleman from Massachusetts [Mr.

MURRAY] is recognized for two minutes.

Mr. MURRAY of Massachusetts. Mr. Speaker, those gentlemen who favor this rule seem to have taken the position that was suggested by the gentleman from Kansas [Mr. Campbell], that there is in the country to-day such a condition of unemployment that a great emergency demands the exclusion of all immigrants.

I have not had the opportunity, Mr. Speaker, to travel through the larger parts of the country through which the gentleman from Kansas has probably traveled in his wanderings, but I have seen conditions in my own State of Massachusetts, and I have some clear conception of the real conditions existing up there.

During October last, particularly, I was called upon to go through the State—a great manufacturing State—and the gentleman from Massachusetts [Mr. GARDNER], my colleague, will tell you that he saw, just as the rest of us saw, factories that had smoke coming from their stacks in the daytime and factories which had operatives, men and women, working in the

ghttime. The times were so good that—
Mr. CAMPBELL. Mr. Speaker, will the gentleman yield?
Mr. MURRAY of Massachusetts. The gentleman from Kan-

sas started a calamity howl as the basis for his speech. The SPEAKER. Does the gentleman from Massachusetts yield to the gentleman from Kansas?

Mr. MURRAY of Massachusetts. Yes; surely.

Mr. CAMPBELL. Does the gentleman from Massachusetts know that poverty has increased over 300 per cent in the month of December in the town of Worcester?

Mr. MURRAY of Massachusetts. No, sir. I will ask the gen-

tleman from Kansas if he did not see that in some newspaper?

Mr. CAMPBELL. It was reported in a Worcester newspaper. Mr. MURRAY of Massachusetts. It is probably a Republican

paper.

Mr. CAMPBELL. I do not know whether it is a Republican paper or not, but it is reported in a paper published in Worcester, Mass. I have it here.

Mr. MURRAY of Massachusetts. Well, there are Republican papers published in Worcester. The gentleman should not imagine that they have only Democratic newspapers in Worcester.

I say, Mr. Speaker, that if my colleague from Massachusetts [Mr. GARDNER] will tell the facts as he found them, he will say that there was a condition, certainly in last October and November, that made it impossible for him and his friends who supported him for governor to claim that there was any general

unemployment in our State.

We are a great manufacturing Commonwealth, with boot and shoe factories situated in many parts of the State and with textile industries for the manufacture of cotton and woolen goods situated in many other parts of the State; and certainly after the tariff bill was put through a situation was presented that would have accentuated the conditions of unemployment if the terrible conditions that the gentleman from Kansas [Mr. Campbell] suggests were in existence in the land.

I deny that any emergency calling for the passage of this legislation now exists. The Committee on Rules ought not to report a rule of this kind without certain evidence of pressing

need for this legislation.

There is no presentation of this evidence to this House, and I shall not give my vote in support of a rule the only purpose of which is to hasten the passage of an unwise measure which excludes good men and women who can not read or write. [Applause.]

If nobody wants to speak [laughter] The SPEAKER. Mr. GOLDFOGLE. Mr. Speaker, I would like the gentleman from Georgia [Mr. Hardwick] to use some of his time.

Mr. HARDWICK. I have only a speech in conclusion.
Mr. GOLDFOGLE. Then, Mr. Speaker, I yield three minutes
to my colleague from New York, Mr. Cantor.
The SPEAKER. The gentleman from New York [Mr. Can-

TOR | is recognized for three minutes.

Mr. CANTOR. Mr. Speaker, I do not suppose that anything that I can say will affect the judgment of the House, so far as the adoption of this rule is concerned, as has been plainly shown by the vote thus taken. But this is the first time since I have been a Member of this body that I have had the opportunity of voting upon a special rule reported by the Committee

I am opposed to special rules at this stage of the session. has been my limited experience in other legislative bodies that at the close of a session, or toward the close, when public business is unnecessarily delayed, it is proper then to introduce rules of this kind, so that legislation for the general benefit of all of the people can be passed. But in this session we have been here less than six weeks. This bill, under the ordinary procedure provided for by the rules, could be reached within a reasonable time, and I can conceive of no possible reason for this haste except the desire of the gentleman from Alabama [Mr. Burnert], the chairman of the committee, to claim the credit of passing this bill and having it bear his name, and he can have that credit, which will come up hereafter to plague

This bill should not be taken out of its order and jumped over the heads of other bills, which I consider to be fully as im-

portant as this.

Mr. Speaker, I do not intend to discuss the economic phases of this question at this time, nor do I intend to follow the example that has been set by others upon this floor—to talk upon every other subject except the one under consideration. I believe in a closure rule. So far as I have observed, there is too much talk in this House and too little business. [Applause.] I have heard Members of this House-without criticizing them-I have heard Members of this House spend one hour on measures not under consideration, without paying the least attention to the business under consideration. That may be a part of the usual proceedings here, and of course that is the reason why Congress is in session during six or seven months in the year. SEVERAL MEMBERS. Twelve months.

Mr. CANTOR. Twelve months, I am reminded. That was pardonable in that session of Congress, because we had two most important bills before the extraordinary session of this Congress. But go over the history of past Congresses, when there was not legislation of that great and vital importance pending, and you will find sessions that occupied six, seven, or eight months. There is no reason why so much time should be consumed on legislation of that kind.

Mr. Speaker, I am opposed to special rules at this stage of the session, as I said at the outset. This bill is of great importance. There is some demand for it, as has been stated; but greater protests against it have arisen from all over the counand almost from the foundation of this Government down to this hour there have been vigorous protests against the passage of any such un-American measure as this. Yet year after year in Congress there has been the same old cry to pass it because of economic conditions, and yet the country has grown great and powerful. I am opposed to the adoption of this rule. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GOLDFOGLE. Mr. Speaker, I am mindful of the fact that no amount of debate will change the already formed determination of the House to pass this rule. But I desire to register my protest against it. There is no occasion for this unseemly haste. The gentleman from Alabama [Mr. Burnett] chairman of the Committee on Immigration, rushed this bill through the Committee on Immigration faster than I have ever seen any bill rushed through that committee. He held that committee together day after day, until one day he held it from 10 o'clock in the morning until 2 o'clock the next morning, only to continue the consideration of the bill at 10 o'clock of the

same morning. [Applause.]

Mr. MOORE. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise? Mr. MOORE. I wish to ask the gentleman, Did not that day after day" amount to two days only?

Mr. GOLDFOGLE. Practically that. Now, Mr. Speaker, we are told that there is a demand for this bill. Looking over the history of the country, we find that from the earliest times the cry of restriction has been raised. From time to time every foreign class and nationality was decried and their exclusion asked without rhyme or reason. It was reserved for two Presidents of this country—President Cleveland first and President Taft afterwards—to veto these very restrictive measures as the pending bill provides. The Congress of the United States, called upon under the Constitution to determine whether the bills should pass, the objections of the President of the United States to the contrary notwithstanding, determined that the bills should not pass. While other and greatly more important measures are awaiting our attention there is no reason for the Rules Committee to give this special privilege to those in favor of restriction.

It was said by the gentleman from Kansas [Mr. Campbell.]

that he had hoped that we would get rid of a Democratic administration. Let me tell you, Mr. Speaker, if we pay attention to the messages sent in by the President who now presides over the destinies of this Republic, President Wilson, and give our first attention to legislation along the lines which he suggests, if we give consideration to the real important, burning issues of the hour, we ought not take up this immigration measure now in preference to all these other important, pressing matters. It may well await the orderly procedure of the House under the general rules that this House has enacted. [Applause.

Mr. Speaker, seeing no purpose whatever in rushing through this measure or in giving it preference over the measures that claim the attention of statesmen of the land, measures intended for the betterment of the conditions under which this country now labors, I shall cast my vote against this special rule. [Applause.] I reserve the remainder of my time.

[Applause.] I reserve the remainder of my time.

The SPEAKER. The gentleman has one minute. If no gentleman desires to speak, the Chair will put the question.

Mr. HARDWICK. I was just suggesting that the gentleman can not reserve his time. We are entitled to conclude, and we have but one speech.

The SPEAKER. If the gentleman from New York wishes to use his one minute remaining, the Chair will recognize him to give the time to somebody.

Mr. MOORE. Mr. Speaker, I should like to utilize that one

minute just to ask a question.

Mr. GOLDFOGLE. I yield one minute to the gentleman from Pennsylvania.

Mr. MOORE. I want to ask the gentleman from New York if in addition to the vetoes by President Cleveland and President Taft he might not also add utterances of President Wilson as opposed to this kind of legislation?

Mr. GOLDFOGLE. Certainly. Mr. MURRAY of Massachusetts. I should like to ask the gentleman from Alabama whether he predicates the necessity for this bill on the condition of unemployment in the country under this Democratic administration? [Applause.]

Mr. MOORE. Mr. Speaker, if my time has not expired-

The SPEAKER. Why, the gentleman quit, and the gentleman from Massachusetts [Mr. Murray] used up the rest of his time. Mr. HARDWICK. I yield the remainder of my time to the gentleman from Alabama [Mr. Burnett].

The SPEAKER. The gentleman from Alabama [Mr. Burnett] is recognized for five minutes.

Mr. BURNETT. Mr. Speaker, this is too important a question to undertake to bandy political epithets in its discussion. It is a question that rises away above party issues. It is a question upon which Democrats and Republicans agree and may disagree, and therefore in the discussion of this rule, which is the only question before the House, I decline to be brought into any controversy of that kind.

The gentleman from New York [Mr. CANTOR] has spoken of the fact that we have several months ahead of us. Gentlemen here well remember last year when he had months ahead of us and were trying Wednesday after Wednesday to get up this bill on Calendar Wednesday, how one kind of an objection, one kind of a scheme of filibustering after another, was resorted to until

the bill had to go over into the short session.

Mr. Speaker, it is a matter that demands action now. [Applause.] That is why we want action now. If gentlemen would read the statements of Mr. Morrison before the Committee on Immigration in favor of the bill in that unseasonable hour that the gentleman from New York spoke of at 2 o'clock in the morning, they will realize the necessity of immediate action. Mr. Speaker, I could not have held the Committee on Immigration together if they had not wanted to stay. The gentleman from New York does me too great an honor. were seven Democrats and several Republicans willing to stay there and battle for the demands of labor until the wee small hours in order to get this bill before the Congress of the United States. [Applause.] That is why we were there. Mr. Morrison, in his statement, introduced a record showing that in the last four months 639,482 aliens have come into this country.

Mr. MURRAY of Massachusetts. Will the gentleman yield? Mr. BURNETT. I can not yield; I have only five minutes.

Mr. MURRAY of Massachusetts. I only had two.

Mr. BURNETT. Let me say about this rule that it is the gentleman from New York's rule, and it is infinitely fair. Gentlemen opposed to this bill are to have three and a half hours, and yet a little while ago there were 238 voting in favor on our side and only 132 against us; and yet you are to have one-half of the time. Gentlemen, your mouths are certainly Mr. Morrison showed that there was an immediate necessity for this measure, and there has been a great cry and need for it for years. Last year 1,400,000 aliens came in; the year before more than a million; and last year and during the last six or seven years there have been seven or eight millions coming to this country. Within the last four months over 600,000 have come in. The gentleman from Colorado the other day, in discussing the conditions out there in that strike, showed that these very conditions were brought about by the importation of that class of labor which this bill seeks to keep

The gentleman from Illinois [Mr. Sabath] said that there is no demand for it. I call his attention to the fact that the Federation of Labor, with 3,000,000 members, every year and for several years has demanded the passage of this bill. I call his attention to the fact that for the last five years the Farmers' Educational and Cooperative Union of the South and West have demanded it by resolutions and unanswerable arguments before the House Committee on Immigration. I have just received resolutions from the State Farmers' Union of Indiana and Illinois demanding it, and we have demands from all over the North and West and South that this legislation be passed, and that it be passed speedily. I call the gentleman's attention to the fact that more than 500,000 members of the great patriotic organizations of the country, and hundreds of thousands who belong to no organization. who belong to no organization, are knocking at the doors of Congress, just as they have been knocking for years, and been refused, until last year, and then it was vetoed by a President who only received the electoral votes of two little States in the November election. [Applause.]

Now the gentleman from New York says that this bill is in conflict with the statement of the present President of the United States.

Mr. GOLDFOGLE. How about President Cleveland?
Mr. BURNETT. Mr. Speaker, I hope I have time to call attention to the fact that when President Cleveland vetoed the bill in 1897 there were not as many people coming from all Europe as to-day are coming from southern Italy. In regard to the statement of our President, Mr. Speaker, in answer to questions that were propounded to him in New York, he said that those that came here induced and incited by the steam-

ship companies to come here ought to be kept out, and this bill keeps out that very class of people that the President of the

United States said ought to be kept out. [Applause.]

Mr. BRYAN. Mr. Speaker, a parliamentary inquiry. The gentleman from Alabama [Mr. Burnett] stated that there were 102 votes "against us" and thereby places me as one against this bill. Since I voted against the previous question a moment ago, the gentleman has no right to make such a distinction.

The SPEAKER. That has nothing to do with this matter, and it is not a parliamentary inquiry.

Mr. BRYAN. I wanted to say that I am for this immigra-tion bill, including the literacy test, and I am not going to permit myself to be recorded against it.

Mr. MURRAY of Massachusetts. Mr. Speaker, a parliamen-

tary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DONOVAN. The regular order, Mr. Speaker.
The SPEAKER. The regular order is the parliamentary in-

quiry of the gentleman from Massachusetts.

Mr. MURRAY of Massachusetts. May I inquire whether or not under the terms of this rule Monday will be given up to the consideration of this bill?

The SPEAKER. The Chair will rule on that when the time

comes.

Mr. MURRAY of Massachusetts. But it might have something to do with the vote that will be cast on this rule.

When debate The SPEAKER. The Chair can not help that. is over and that question presented, the Chair will rule. The Chair has not had time to consider it.

Mr. MANN. Mr. Speaker, I demand the yeas and nays on the adoption of the rule. I wish to make a parliamentary inquiry as to the proposition to be submitted.

The SPEAKER. The primary proposition is the substitute, and if that is adopted the vote will be on the original resolution

as amended by the substitute.

Mr. HARDWICK. It is a committee substitute? The SPEAKER. Yes.

Mr. LENROOT. Mr. Speaker, can we have the substitute reported?

The SPEAKER. Without objection, the Clerk will report the substitute.

There being no objection, the Clerk again reported the sub-

Mr. LENROOT. Mr. Speaker, may I ask also that the Clerk again report the original resolution?

The SPEAKER. Without objection, the Clerk will again report the original resolution.

There was no objection, and the Clerk again reported House esolution 378.

Mr. MANN. Mr. Speaker, I withdraw the request for the yeas and nays on the substitute.

The SPEAKER. The question is on agreeing to the substitute. The substitute was agreed to.

The SPEAKER. The question now is on agreeing to the resolution as amended by the substitute.

Mr. GOLDFOGLE. Mr. Speaker, on that I demand the yeas

and nays,

Mr. SABATH. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 224, nays 108, answered "present" 3, not voting 98, as follows:

YEAS-224.

Callaway Campbell Candier, Miss. Cantrill Caraway Carr Church Abercrombie Adair Adamson Aiken Alexander Allen Anderson Clark, Fla. Claypeol Clayton Collier Connelly, Kans. Covington Anthony Ashbrook Aswell Austin Baltz Barkley Bartlett Cox Crisp Cullop Bathrick Curry Danforth Beakes Bell, Cal. Bell, Ga. Davenport Bowdle Brockson Browne, Wis. Browning Davis Decker Dent Dershem Dickinson Bryan
Buchanan, Ill.
Buchanan, Tex.
Burnett
Butler Dies Dixon Doolittle Doughton Edwards Byrnes, S. C. Byrns, Tenn. Elder

Faison Falconer Farr Ferris Fess Fields Finley Floyd, Ark. Foster Fowler Francis French Gard Gardner Garner Garrett, Tenn. Garrett, Tex. Gillett Glass Godwin, N. C. Goeke Good Grav Greene, Vt. Gregg Griest Gudger

Hamlin Hammond Hardwick Hardy Harrison Hart Hart Haugen Hawley Hay Hayden Hayes Heflin Hellm Helvering Henry Hensley Hinds Hinds
Holland
Houston
Howard
Hughes, Ga.
Humphrey, Miss.
Jacoway
Johnson, Ky.
Johnson, Utah
Johnson, Wash.
Keister Guernsey Hamilton, Mich. Kelly, Pa.

Hamilton, N. Y.

Kennedy, Iowa Kent Kettner Kiess, Pa. Kindel Kinkaid, Nebr. Kirkpatrick Knowland, J. R. La Follette Langham Langley Lee, Ga. Lenroot Stevens, N. H.
Stout
Sumners
Switzer
Taggart
Taylor, Ark,
Taylor, Colo.
Temple
Ten Eyck
Thomas
Thomason, Ok Mondell
Montague
Moon
Morgan, Okla.
Morrison
Moss, Ind.
Murray, Okla.
Neely, W. Va.
Neison
Nolan, J. I.
O'Hnir
Oldfield
Padgett Rothermel Rotherme Rouse Rubey Rupley Russell Saunders Scott Seldomridge Shackleford Sharp Sims Sinnott Thompson, Okla. Tribble Underhill Sinnott Sisson Slayden Slemp Sloan Smith, Idaho Smith, J. M. C. Smith, Md. Smith, Saml. W. Smith, Tex. Sparkman Padgett Page, N. C. Palmer Park Lenroot Underwood Vaughan Walker Watkins Lesher Lesher Lever Lewis, Md. Lewis, Pa. Lindbergh Linthicum Lloyd Patton, Pa. Payne Plumley Post Pou Watson Watson Weaver Whaley White Wiliams Wilson, Fla. Witherspoon Young, N. Dak, Young, Tex. Lloyd McGuire, Okla. Quin Rainey Raker Rayburn Reilly, Wis. McKenzie McLaughlin MacDonald Maguire, Nebr. Sparkman Stedman Stephens, Cal. Stephens, Miss. Stephens, Nebr. Mapes NAYS-108. Lonergan
McAndrews
McCoy
McDermott
McGillicuddy
McKellar
Madden
Mahan
Maher Ansberry Barnhart Bartholdt Booher Borland Phelan Eagan Edmonds Platt Platt
Reed
Reilly, Conn.
Riordan
Roberts, Mass,
Rogers
Sabath
Scully
Sherley
Sherwood
Shreve
Smith, Minn.
Stafford Edmonds Esch Fitzgerald Fordney Frear George Gilmore Goldfogle Gordon Britten Brown, N. Y. Brumbaugh Bulkley Maher Manahan Mann Mitchell Gordon Goulden Green, Iowa Greene, Mass. Hamill Burgess Burke, Wis. Cantor Chandler, N. Y. Moore Morgan, La. Moss, W. Va. Mott Coady Connolly, Iowa Cooper Copley Stafford Stafford
Stevenerson
Stevens, Minn.
Stone
Talcott, N. Y.
Tavenner
Taylor, N. Y.
Thacher
Thomson, Ill.
Townsend
Wallin
Walsh
Woodruff Howell Igoe Kahn Murray, Mass. Murray, Mass, Norton O'Brien Oglesby O'Leary O'Shaunessy Paige, Mass, Patten, N. Y. Peters, Mass, Peterson Peterson Crosser
Dale
Deitrick
Dillon
Donohoe Kennedy, R. I. Kinkead, N. J. Konop Konop Lafferty Lazaro Lee, Pa. Levy Lobeck Loft Donovan Driscoll Dunn Dupré Dyer Woodruff Logue Woods PRESENT"-3. ANSWERED " Fergusson Porter Towner NOT VOTING-98. Johnson, S. C.
Jones
Keating
Kelley, Mich.
Kennedy, Conn.
Key, Ohlo
Kitchin
Korbly
Kreider
L'Engle Curley Difenderfer Dooling Doremus Ainey Avis Bailey Richardson Roberts, Nev. Rucker Sells Small Barchfeld Beall, Tex. Blackmon Borchers Eagle
Estopinal
Fairchild
FitzHenry
Flood, Va.
Gallagher Small Smith, N. Y. Stanley Stephens, Tex. Stringer Sutherland Talbott, Md. Taylor, Ala. Treadway Bremner Brodbeck Broussard Brown, W. Va. L'Engle Lieb Lindquist McClellan Gallagher
Gerry
Gittins
Goodwin, Ark,
Gorman
Graham, Ill.
Graham, Pa.
Griffin
Helgesen
Hill
Hinebaugh
Hobson
Hoxworth
Hughes, W. Va
Hullings
Hull Bruckner Burke, Pa. Burke, S. Dak. Calder Carew Martin Merritt Metz Miller Tuttle Vare Volstead Walters Carlin Morin Webb Murdock Neeley, Kans, Parker Whitacre Willis Wilson, N. Y. Cary Casey Clancy Cline Powers Prouty Ragsdale Rauch Wingo Winslow W. Va. Conry Cramton So the resolution was agreed to. The Clerk announced the following additional pairs: Until further notice: Mr. Johnson of South Carolina with Mr. Burke of Pennsylvania. Mr. Beall of Texas with Mr. Cramton. Mr. Carlin with Mr. Helgeson. Mr. Clancy with Mr. Hulings.
Mr. Cline with Mr. Hughes of West Virginia.
Mr. Doremus with Mr. Lindquist.
Mr. Flood of Virginia with Mr. Parker.

Mr. Graham of Illinois with Mr. Powers.

Mr. STEPHENS of Texas with Mr. TREADWAY.

Mr. Wingo (for rule) with Mr. BARCHFELD (against). Mr. PROUTY (for rule) with Mr. TUTTLE (against). Mr. AINEY (for rule) with Mr. CURLEY (against). Mr. PORTER (for rule) with Mr. MORIN (against)

Mr. L'ENGLE (for rule) with Mr. BRUCKNER (against).

GOODWIN of Arkansas (for rule) with Mr. TOWNER

Mr. LIEB with Mr. SUTHERLAND.

On this vote:

Mr. WILLIS (for rule) with Mr. METZ (against). Mr. BLACKMON (for rule) with Mr. WINSLOW (against). Mr. SMALL (for rule) with Mr. DooLING (against). Mr. KITCHIN (for rule) with Mr. CALDER (against) Mr. Avis (for rule) with Mr. KENNEDY of Connecticut (against). Mr. Kelley of Michigan (for rule) with Mr. Miller (against). The result of the vote was announced as above recorded. The SPEAKER. Under the resolution the House will automatically resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6060, the immigration bill. Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the immigration bill, with Mr. Hav in the chair. The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6060, the title of which the Clerk will report. The Clerk read as follows: A bill (H. R. 6060) to regulate the immigration of aliens to, and the residence of aliens in, the United States. The CHAIRMAN. Under the rule the first reading of the bill will be dispensed with. Mr. BURNETT. Mr. Chairman, I would like to have order, and I would like to state at the outset that I understand it has already been the announced policy of some gentlemen to keep a quorum here, and I hope that Members will be here, because it is apparent from what occurred a little while ago that one gentleman, at least, will resort to filibuster. So I hope the gentlemen will be near enough, if the point of no quorum is made, to be here without having a call of the House and delay us half an hour every time. Mr. GOLDFOGLE. Will the gentleman yield for a moment? Mr. BURNETT. I will. Mr. BURNETT. I will.

Mr. GOLDFOGLE. I trust the gentleman's criticism is not directed against any of the members of the Committee on Immigration or any of the Committee on Rules.

Mr. BURNETT. I have not seen any indication of that kind, Mr. Speaker, either by members of the Committee on Immigration or of the Rules Committee.

Mr. GOLDFOGLE. I thank the gentleman.

Mr. BURNETT. I desire further to state, Mr. Chairman, I hope that we may get through with general debate on this bill to-night. It will only hold us here until something like 9 o'clock, or a little after, and by doing that we can be able to get through with the bill to-morrow—that is, the reading of the bill under the five-minute rule—and I very much hope that gentlemen will be patient and stay with us until this matter is concluded to-night, so far as general debate is concerned.

Mr. MANN. Mr. Chairman, may I ask the gentleman, is there such pressing necessity that the House should stay in session to-night for general debate on this bill?

Mr. BURNETT. Well, the necessity is that the bill ought to be passed, and if we do not get in to-night and to-morrow, why then, if the Speaker rules that we can not come in Monday, we will go over until Tuesday; and then, if the same tactics were resorted to that were resorted to a while ago, that may carry us over until Thursday. Gentlemen are called away; there is a committee going to leave here in a few days—10 men—to make investigations that have grown out of conditions that never would have been, perhaps, if this bill had been adopted in 1906, when we tried to pass it here.

Mr. GARNER. Will the gentleman yield?

Mr. BURNETT. I will.

Mr. GARNER. Is it not also constituted.

Mr. GARNER. Is it not also essential that the House should get through with its work within a very reasonable time, that these bills must be passed and the business of appropriations must be carried through?

Mr. BURNETT. Yes.

Mr. GARNER. And is it not a further fact that appropriation bills are now ready to be reported into the House which are to be passed? In regard to this matter of seven hours' general debate, gentlemen who are interested in it ought to remain here a sufficient length of time to get through with it in one legislative day.

Mr. MANN. If the gentleman will yield, it is rather early in the session to have protracted night sessions. I have no desire to delay the final disposition of this bill. As far as I am concerned, I am perfectly willing to help expedite it, and hope we may soon get through with the work of the session; but I do not see how the gentleman can expect to have the House remain in session this afternoon and to-night, probably without a quorum, if he proposes then to keep the House in session again to-morrow night until maybe Sunday morning in order

to pass the bill. I wondered if it is practical to get some kind of an understanding.

Mr. BURNETT. I shall ask the House when we adjourn to-night to adjourn to meet at 11 o'clock to-morrow, and in that way we will utilize another hour of time.

Mr. MANN. Of course, the gentleman knows at this stage of the session committees have a good deal of work in the morning, and I do not know how far that may interfere with

the work of committees.

Mr. HAMILL. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Alabama [Mr. Burnett] yield to the gentleman from New Jersey [Mr.

Mr. BURNETT. I do. But first, a parliamentary inquiry. I trust it will not be taken out of my time.

The CHAIRMAN. The Chair has no control over it. The time of the gentleman from Alabama [Mr. BURNETT] is now

Mr. BURNETT. Mr. Chairman, I ask unanimous consent that it shall not be taken out of my time.

The CHAIRMAN. The Chair is proceeding under the rule, and so is the committee.

Mr. MANN. This is not general debate.

Mr. HAMILL. Since this is probably the most important bill of the session in a sense, since it involves the fate of the Democratic Party, is there any particular reason that the Republican chairman of the committee, the gentleman from Massachusetts [Mr. Gardner], should want to hurry this bill through in seven hours?

Mr. BURNETT. I would like to know what the gentleman

means by that question.

Mr. HAMILL. I mean precisely this: I want to know who is the chairman of the Committee on Immigration, the gentleman from Alabama [Mr. Burnett] or the gentleman from Massachusetts [Mr. GARDNER]?

Mr. BURNETT. I regard that as an infamous insult, and resent it as such. Now, sit down! I do not propose to be interrupted by anyone who does not know the amenities of this

House. [Applause.]

The CHAIRMAN. The gentleman from Alabama declines to yield.

Mr. HAMILL. I want to ask the gentleman a respectful question.

The CHAIRMAN. The gentleman from Alabama declines to yield, and the gentleman from New Jersey [Mr. HAMILL] will take his seat.

Mr. MADDEN. Mr. Chairman, I understood the gentleman from Alabama to say he wanted to go on with general debate to a later hour than usual and begin at an early hour in the morning.

Mr. BURNETT. General debate to-night and to meet at 11 o'clock in the morning.

Mr. MADDEN. I shall insist on a quorum being here if the committee desires to stay longer than 6 o'clock, and if it desires to meet before 12 o'clock to-morrow.

Mr. BURNETT. Mr. Chairman, I think we can reach no agreement in regard to this matter, and therefore I yield to my colleague, Mr. SABATH.

The CHAIRMAN. Does the gentleman yield? And is the gentleman now debating the bill? Because, otherwise, the Chair

would be compelled to hold under the rule-

Mr. BURNETT. I am not debating the bill, Mr. Chairman. Mr. SABATH. I desire to ask the chairman of the committee the following question: If there is no point of quorum raisedand it is not my intention that anyone on this side should raise the point of no quorum-would the gentleman still insist on going on this evening until all of the time given under the special rule is consumed? I ask that for this reason: There are several gentlemen on this side who desire some time and who desire to speak in opposition to this bill, and it is absolutely impossible for them to be here to-day. I was under the impression that ample opportunity would be given them to-morrow, and one or two of them have left, and if we should go on and consume all of the time they will be precluded from making their remarks against this bill.

Mr. BURNETT. Mr. Chairman, I desire now to proceed-and I answer that question by stating that several gentlemen made the same request of me and I told them they must stay if they wanted to get into the debate, because we wanted to get through with the general debate to-night. I must ask the Members, if they will do so, to remain with us, so that we can keep a quorum in order to conclude general debate to-night.

The CHAIRMAN. The gentleman from Alabama [Mr. Burnert] is recognized for one hour. [Applause.]

Mr. MOORE, Mr. Chairman, I wish to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it. Mr. MOORE. An hour has been accorded the gentleman without any understanding as to the division of the seven hours fixed by the rule.

The CHAIRMAN. The Chair will see that both sides get an

equal part of the seven hours accorded for debate.

Mr. MOORE. A parliamentary inquiry.
The CHAIRMAN. The gentleman will state it.

Mr. MOORE. What does the Chair mean by "both sides"?

There are three sides to this question now.

The CHAIRMAN. The Chair understands there is a bill pending on which the gentleman will either vote "yea" or and gentlemen are either for it or against it, and the Chair will recognize gentlemen who are for it for three hours and a half and the gentlemen who are against it for three hours

Mr. MOORE. May I make a further parliamentary inquiry?

The CHAIRMAN. The gentleman will state it.

Mr. MOORE. The Chair recognized the gentleman from Alabama [Mr. Burnett] as being in control of the time up to date. The CHAIRMAN. The Chair did not. The Chair recognized the gentleman from Alabama for one hour, and the gentleman from Alabama can use that hour himself or yield it to other

gentlemen if he so desires. Mr. MOORE. Well, the gentleman from Alabama [Mr.

BURNETT] represents one side. May I—
The CHAIRMAN. The Chair thoroughly understands that. Mr. MOORE. May I ask the Chair who represents the other

The CHAIRMAN. The gentleman from Illinois [Mr. Sabath] and the gentleman from New York [Mr. GOLDFOGLE] and the gentleman from Pennsylvania himself and other gentlemen are on the other side, and the Chair will recognize one of those gentlemen for one hour after the gentleman from Alabama gets

Mr. MOORE. Then we are to go on with the understanding that several gentlemen represent the other side as named by the Chairman?

The CHAIRMAN. The Chair will not depart from the rule. Mr. BURNETT. Mr. Chairman, I ask unanimous consent that the time be equally divided under the rule, and that one half be controlled by myself and the other half be controlled

by the gentleman from Illinois [Mr. Sabath].

The CHAIRMAN. The Chair will state that that would be very agreeable to the Chair, but that it can not be done in the Committee of the Whole. It will have to be done in the House.

Mr. MOORE. Mr. Chairman, does the Chair hold that the rule did not provide for the division of the time?

The Chair did not hold anything of the The CHAIRMAN. The Chair held that three and one-half hours of the time devoted to general debate would be yielded to gentlemen in favor of the bill and three and one-half hours yielded to gentlemen opposed to it. The Chair will undertake to do that. The Chair thinks he has fully answered the parliamentary inquiry of the gentleman from Pennsylvania, and the gentleman from Alabama [Mr. BURNETT] is recognized for one hour.

Mr. MOORE. Mr. Chairman, another parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. MOORE. Since a number of applications have been made to the gentleman from Pennsylvania for time in which to discuss this bill, may I ask the Chair whether I shall come direct to the Chair to obtain that time?

The CHAIRMAN. The Chair thinks that is not a parlia-

mentary inquiry.

Mr. MOORE. Then we are left out in the cold, so far as an opportunity to debate this question is concerned?

The CHAIRMAN. That is not a parliamentary inquiry.

The CHAIRMAN. That is not a parliamentary inquiry,
Mr. GARRETT of Tennessee. Mr. Chairman, the gentleman
from Pennsylvania [Mr. Moore] can not take the gentleman from Alabama [Mr. Burnett] off his feet by a parliamentary inquiry, anyhow, after he has been recognized.

The CHAIRMAN. The gentleman from Tennessee is correct.

Mr. MANN. Oh, we do not want to quarrel among ourselves unnecessarily. As I understood, the Chair stated that the gentleman from Pennsylvania [Mr. Moore] would be recognized for one hour.

The CHAIRMAN. Does the gentleman from Alabama [Mr.

BURNETT] yield?

Mr. BURNETT. Yes; I yield to the gentleman.

Mr. MANN. The Chair stated he would recognize the gentleman from Pennsylvania [Mr. Moore] for one hour in opposition to the bill.

The CHAIRMAN. The Chair did not state that.

Mr. MANN. That is what I understood the Chair to state. The CHAIRMAN. The Chair intends to recognize the gentleman from Pennsylvania [Mr. Moore].

Mr. BURNETT. Mr. Chairman, I desire to be called at the expiration of half an hour, and then I can yield my time, can I? The CHAIRMAN. The gentleman has control of his time, and can do what he pleases with it.

Mr. BUP.NETT. Then, Mr. Chairman, at the end of that half hour, when I had reserved the remainder of my time, would a gentleman on the other side have a half hour?

The CHAIRMAN. The Chair will recognize some other gentleman on the other side at the end of an hour. Then the gentleman from Alabama, at the conclusion of that hour, if it is all used up, can use the balance of his time.

Mr. BURNETT. I can use the rest of my time after some other gentleman's time has intervened?

The CHAIRMAN. Yes.

Mr. GOLDFOGLE. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it. Mr. GOLDFOGLE. If, for instance, at the expiration of an hour, allotted either to the gentleman from Pennsylvania [Mr. MOORE] or to the gentleman from Illinois [Mr. Sabath], the speaker on the floor, under arrangement with either of the gentlemen controlling that time, should not finish, and yet have an agreement to continue on, would not the Chair recognize that gentleman in order to finish his remarks? You see, he might have, for instance, 15 minutes to go on. The Chair, under the proposition already made by him, would cut that 15 minutes in half, possibly, and thus interrupt the orderly speech of whoever occupied the floor.

The CHAIRMAN. The Chair would not cut a gentleman off while he was debating the question if he had the time yielded to him. The Chair can only recognize a gentleman for the time that has been yielded to him either by somebody who has control of the time or by the Chair himself.

Mr. GOLDFOGLE. Precisely; but if, for instance, the gentleman from Illinois [Mr. Sabath] yielded, say, 15 minutes to some one, and within those 15 minutes the hour that the Chair had allowed expired, then the Chair would recognize the gentleman from Alabama [Mr. BURNETT] again, who was opposed to the gentleman from Illinois, and then through until it became the turn of the gentleman from Illinois?

The CHAIRMAN. The Chair would not yield to the gentleman 15 minutes of an hour. The gentleman from Alabama

[Mr. BURNETT] will proceed.

Mr. BURNETT. Mr. Chairman, this bill is essentially the same as the bill that passed this House and passed the Senate last year and was vetoed by President Taft. The only material difference is the exclusion of a class not embraced in the other bill. This bill, after providing for the exclusion of anarchists and others who are also deportable if they should come in, adds to the excludable and deportable class those who advocate or teach the unlawful destruction of property. That is to keep out a class of people who come teaching and preaching a species of anarchy that probably is not embraced under the law as it now stands.

I desire to call attention to the material changes that this bill makes in the existing law. As I have stated, it is substantially the same as the bill that we passed last year, but it makes considerable changes so far as the existing law is con-

Under the existing law the head tax is \$4. By this bill the head tax is increased to \$5.

Under the existing law stowaways-those who may be stowed in the holds of vessels-under the rulings of the department, can steal in and can not, perhaps, be deported after they have come in. This bill embraces them among the general class of the excludable and deportable. However, we make an exception in favor of those people that where they come in in that way and the case is not a bad one it is left in the discretion of the Secretary of Labor to permit them to come in just like other immigrants, if they are admissible under the law governing other im-

We provide also for the exclusion of those who come in by advertisement. The law is considerably enlarged and strengthened in that respect.

We add to the excluded class those who can not become eligible to become citizens, unless otherwise provided for by treaties We think that will reach a class of those and conventions. We think that will reach a class of those who are coming into the Pacific coast—Hindus and other Asiatics who ought to be kept out.

We have also the literacy test, which is the real bone of contention in the entire bill. In fact, I have had intimations from

gentlemen opposing the bill that with that left out they would be willing to take the rest of the bill. In my judgment that is the part of the bill that is the most essential and necessary.

Heretofore skilled labor has been admitted, but in this bill we make an amendment. The law as it now stands says that skilled laborers are to be admitted where skilled labor of a like character can not be found in this country. We make the same exception in favor of skilled labor in this bill, but we allow the question to be tried first as to whether skilled labor of like kind is found here before the skilled laborer is admitted. In practical execution it was found sometimes that skilled laborers would come to this country, and then the question would have to be gone into and decided as to whether there really was skilled labor of like kind in this country to be had, and if it was found that there was labor of that kind to be had those laborers were deported after having been brought here and put to great expense. We have changed that so as to permit a trial or a hearing upon that question in advance, and we allow anyone who feels aggrieved by the decision of the Department of Labor to appeal to the courts of the country within a certain time in order to have that question adjudicated.

The wives and minor children of citizens are admitted, even

if they are aliens, which is a change in the law.

Penalties are imposed upon transportation companies for assisting immigrants. We have laws and regulations against the assisting of immigrants, but in some cases there are no penalties and in other cases the penalties are not regarded as high enough. We have changed the rule in regard to the admissibility of alien insane. They have been excludable heretofore, but there has been no penalty upon the steamships for bringing them in. By this bill we penalize the steamships for bringing in insane aliens. We have increased from \$100 to \$200 the penalty for bringing in many other inadmissible aliens.

We have added a penalty for harboring those who are inad-

missible by transportation companies and others.

We provide a penalty of \$25 for bringing in aliens who are so afflicted as to affect their ability to earn a living. excludable aliens, but sometimes the defects are such that we thought possibly there ought not to be so heavy a penalty for bringing that class, and hence the penalty has been placed

A penalty of \$100 is imposed for bringing in those who are unable to read and who can not become citizens by naturalization. That penalty was not made so large as the penalty for

bringing in insane and diseased people.

Section 11, page 19, provides for inspection by inspectors, matrons, and surgeons of ships carrying immigrants. The whole committee was unanimous that that was a wise provision, although it has aroused the ire of some of the nationalities on the other side. We have received protests from several Governments through the regular channels against this provision. We guard it very carefully. We do not allow conditions to arise under the law so that there would be a confusion of authority. The inspectors and surgeons and matrons must be permitted to go through and examine the condition of immigrants on the ships, but they have no authority to go as far as to order If they had the power of making and enforcing orders changes. on the ships, we thought there would be confusion of authority between our inspectors and surgeons and those employed by the steamship companies or put on the ships by other countries. Hence we believe that while there is objection by some countries to this provision, it is wise to leave it in the discretion of the Secretary of Labor, and that the discretion will not be abused.

Section 16 provides for more competent inspection and for inspectors searching vessels. It also gives the inspectors power to require the attendance of witnesses. They are not allowed to issue subpænas or exercise proceedings for contempt, but if the witnesses refuse to come in response to request they can apply to the courts of the country for process to secure the attendance

of witnesses

We provide more effectively for the deportation of those who are excluded, and put a higher penalty upon the steamship companies for refusing to deport them after this Government

has ordered that it shall be done.

Another very wise provision is for interior immigrant stations. The Secretary of Labor at his discretion may establish other interior immigrant stations and provide an inspector to accompany aliens arriving at the ports of this country to the interior stations. That amendment was made because we found in many cases ignorant aliens and alien girls coming here from abroad and starting on a long journey into the interior would fall into improper hands and have trouble on the way. found that those who got in from the borders to reach interior stations were often abused or defrauded, and by this amendment the Government protects them in a way that they could not have under the law as it new exists.

We have also several sections providing for vessels furnishing lists of alien seamen and for the deportation of deserting seamen. It was found and so held by our court that when alien seamen were employed on ships and came to this country in the ships they could go ashore and desert those ships and get in without any kind of inspection and escape restrictions in that way. Hence, in order to meet that trouble we provide that the steamships must furnish a list of the members of the crew and that they shall furnish a list of those who go ashore and lists of those that have departed, and if anyone has deserted the ship within their knowledge they are required to furnish a statement thereof. We found that some of the smaller steamship lines were engaged in traffic of that kind, employing men on the other side in menial positions, allowing them to come to this country as a part of the crew of the ship, and when they got here, perhaps paying a consideration to get here, they were people that would have been deported, but coming in in the way they did and deserting, mingling with the masses of our people, in that way escaped detection and were let in.

Those are the principal changes that we have made in the

bill outside of the literacy test.

Now I desire to read and briefly comment upon the literacy test. It is:

test. It is:

All aliens over 16 years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yildish: Provided, That any admissible alien or any alien heretofore or hereafter legally admitted, or any citizen of the United States, may bring in or send for his father or grandfather over 55 years of age, his wife, his mother, his grandmother, or his unmarried or widowed daughter, if otherwise admissible, whether such relative can read or not; and such relative shall be permitted to enter. That for the purpose of ascertalning whether aliens can read the immigrant inspectors shall be furnished with slips, of uniform size, prepared under the direction of the Secretary of Labor, each containing not less than 30 nor more than 40 words in ordinary use, printed in plainly legible type in the various languages and dialects of immigrants. Each alien may designate the particular language or dialect in which he desires the examination to be made, and shall be required to read the words printed on the rilp in such language or dialect. No two aliens coming in the same vessel or other vehicle of carriage or transportation shall be tested with the same slip. That the following classes of persons shall be exempt frem the operation of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States solely for the purpose of escaping from religious persecution; all aliens in transit through the United States; all aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign continguous territory: Provided, That nothing in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude.

Mr. Chairman, this is not an attack upon the moral character

Mr. Chairman, this is not an attack upon the moral character especially of the men and women who can not read. I know that all over this country there are hundreds and thousands of good men and good women that are illiterate, and especially in the section of the country from which I come, because we have not yet arisen entirely from the depleted condition in which my people were left at the end of the Civil War.

Mr. Chairman, that is not the proposition involved, but the commission that was appointed seven years ago to investigate this question arrived at the conclusion, every member of that commission, including Mr. Bennet, of New York, himself, who dissented from the manner that the majority of the commission thought we ought to provide for restriction, that there should

be substantial restriction. The commission reported:

The investigations of the commission show an oversupply of unskilled labor in basic industries to an extent which indicates an oversupply of unskilled labor in the industries of the country as a whole, and therefore demand legislation which will at the present time restrict the further admission of such unskilled labor.

It is desirable in making the restriction that—

(a) A sufficient number be debarred to produce a marked effect upon the present supply of unskilled labor.

(b) As far as possible, the aliens excluded should be those who come to this country with no intention to become American citizens or even to maintain a permanent residence here, but merely to save enough, by the adoption, if necessary, of low standards of living, to return permanently to their home country. Such persons are usually men unaccompanied by wives or children.

Mr. MURRAY of Massachusetts. Mr. Chairman will the

Mr. MURRAY of Massachusetts. Mr. Chairman, will the gentleman yield there?

Mr. BURNETT. I desire respectfully to decline to yield until I have concluded this statement, Mr. Chairman.

Mr. Chairman, the commission then names several methods that could be adopted for that purpose, and concludes:

All these methods will be effective, in one way or another, in securing restrictions in a greater or less degree. The majority of the commission favor the reading and writing test as the most feasible single method of restricting undesirable immigration.

Mr. Chairman, we have not included the writing test, because

make very little difference in the number coming; but the commission arrived at that conclusion, and that is the common sense of the proposition-that the unskilled class of labor that come here with low standards of wages, that come here with low standards of living, could be kept out more feasibly by a

literacy test than by any other test or provision.

Chairman, whom would this bill exclude and whom would it let in? It would not keep out the splendid German people that come to this country, the magnificent Scandinavians, who have built up the great Northwest. Not one in a thousand of these would fall under the ban of the reading test. not keep out the English or the Irish, the Welsh, or the Scotch. The record shows that less than 1 per cent of those great nationalities would fall under the rule and be excluded. not keep out 2 per cent of the Germans or the Hollander, it would not keep out 1 per cent of the Bohemians, it would not keep out the Frenchman or the Switzer; but, Mr. Chairman, it would strike down fifty-odd per cent of those from southern Italy, from along the borders of the Mediterranean Sea, from Sicily, and the islands of the Mediterranean.

Oh, but some gentleman says this bill would not keep out the leaders of the Black Hand. That is true. We have never contended that it would. There are other laws that we have to meet that. That is a mere pretext of gentlemen to say that it does not strike at the really dangerous element of the country; but it will keep out those who are the dupes and tools in the hands of the Black Hand leaders. It would keep out those who, at Lawrence, Mass., during the strike last year, were following the flag of Black Hand leaders, the followers themselves unable to read their own language-those who had inscribed upon the banners by the leaders they blindly followed "No law, no God, no master." That is the class at which this bill is leveled. It would keep out about 30 per cent of the Poles, about 40 per cent of the Greeks, some 60 or 70 per cent of the Turks, and the other day I received a letter from Dr. Wightman, of Providence, R. I., who, I believe, is at the head of the State charities there, and an expert on insanity, which letter I shall put in the RECORD, in which he says that recently hundreds of Turks and Kurds-and in reply to an inquiry of mine as to what the Kurds were, he said they were the people from Kurdistan, and similar to Turks-were coming there while hundreds of good men were out of employment, taking the jobs of men who wanted to toil, but who were not willing to labor at the standard of wages paid to those people, and he says the literacy test would not only keep them out now, but it would do so for the next thousand years.

The other day one of the great leaders of the Federation of Labor, Mr. Morrison, the secretary of that federation, stood before our committee pleading for this bill, and he said:

Mr. Chairman, I speak not only for the natives, but I speak for thousands of men of every nationality who believe that our first duty is to take care of those whom we already have.

Our sympathies may go out across the sea, as he so well said. My friends, the old saying that charity begins at home cer-tainly ought to pervade the minds of the American Congress. Who are asking for this bill? Thousands and thousands of men like him who want to better conditions in our own land; thousands and thousands of men who follow the plow in the West and in the South; thousands and thousands of men who belong to the patriotic organizations of the country; thousands and thousands of men who belong to the National Grange and the National Congress of Farmers of the North. All over the coun-try you hear the cry for this needed legislation coming up, and, Mr. Chairman, you scarcely hear opposition to it except from these who themselves by their environment do not dare to vote

for this bill, no matter how much they believe that it is right.

Mr. MURRAY of Massachusetts. Will the gentleman yield?

Mr. BURNETT. Just for a question.

Mr. MURRAY of Massachusetts. Has the gentleman from Alabama conferred with his colleague the gentleman from Massachusetts [Mr. Gardner] as to the extent of opposition to this measure in Massachusetts?

Mr. BURNETT. Mr. Chairman, I have not. No doubt the gentleman will take care of himself in regard to that. I decline to yield further, because my time is almost up. How much time have I remaining?

much time have I remaining?
The CHAIRMAN. The gentleman has four minutes remaining of the half hour.

Mr. MANN. Mr. Chairman, without taking this out of the gentleman's time, everybody knows that where debate is fixed like this it is desirable, if possible, to have it within control. Mr. Chairman, we have not included the writing test, because the record shows that only a few thousand a year who come in are able to read and are unable to write, and hence it would the gentleman from Illinois [Mr. Sabath] an hour and threequarters and the gentleman from Pennsylvania [Mr. Moore] an hour and three-quarters. If the time can be so controlled,

it is much more satisfactory.

Mr. BURNETT. It would be satisfactory to us, sir.

Mr. SABATH. Personally I am perfectly satisfied that the time should be so divided.

Mr. MANN. I ask unanimous consent, Mr. Chairman, that the time of the gentleman from Alabama be extended two and a half hours beyond the one hour to which he was entitled.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time of the gentleman from Alabama be extended two and a half hours beyond that to which he has

been already recognized. Is there objection?

Mr. BARTLETT. Mr. Chairman, reserving the right to object, I do not desire to object if the committee has that power after this rule has been adopted; but it occurs to me,

Mr. Chairman-

Mr. MANN. The committee has power to extend the time.

The CHAIRMAN. The Chair thinks the committee would have power to extend the time of the gentleman.

Mr. BARTLETT. Of the gentleman from Alabama, no question about that; but as I understood the gentleman's request—

Mr. MURRAY of Massachusetts. I understand, of course, it is part of that agreement that the gentleman may yield to other gentlemen if he so desires.

Mr. MANN. That is the rule of the House.

Mr. MURRAY of Massachusetts. That is the rule, but I thought probably the gentleman's unanimous consent might change that.

Mr. MANN. That is part of the rule.

Mr. MURRAY of Massachusetts. I know, but the gentleman is preferring a unanimous request.

Mr. MANN. By extending the time it gives him the right to

The CHAIRMAN. Is there objection? Mr. BARTLETT. Mr. Chairman, reserving the right to object, I only want to get this correct as to precedents, because if we violate the rule in one instance-

Mr. MANN. I am not going to violate the rule.

Mr. BARTLETT. I understand the request now is that the time of the gentleman from Alabama be extended.

Mr. MANN. That is it.

Mr. BARTLETT. I have no objection to that, of course, but the gentleman made some other suggestion.

I hope nobody will object; the other comes later. Mr. BURNETT. Now, Mr. Chairman, may I have unanimous consent that this be not taken out of my four minutes?

The CHAIRMAN. Is there objection?

Mr. FOSTER. Just a minute, Mr. Chairman. The CHAIRMAN. Does the gentleman object?

Mr. FOSTER. I want to reserve the right to object for a

The CHAIRMAN. Very well.

Mr. FOSTER. I want to understand the proposition. This extends the time of the gentleman from Alabama how much?

Mr. MANN. Two hours and a half beyond the hour to which It gives him all the time in favor of the bill.

Mr. BURNETT. In order, as I understand, that I may yield it to those who desire.

Mr. FOSTER. Does it extend the time beyond the seven

Mr. MANN. It does not.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. MANN]? [After a pause.] Chair hears none, and the gentleman from Alabama [Mr. Bur-NETT] has four minutes remaining.

Mr. MOORE. Mr. Chairman— Mr. MANN. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Pennsylvania [Mr. Moore] may be extended three-quarters of an hour beyond the hour to which

he is now entitled, he having been recognized.

The CHAIRMAN. As a matter of fact, the gentleman has

not yet been recognized.

Mr. MANN. The gentleman from Alabama [Mr. Burnett] said he would reserve his time.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] is recognized for one hour, and the gentleman from Illinois [Mr. Mann] asks unanimous consent that that time be extended three-quarters of an hour. Is there objection? [After pause.] The Chair hears none.

Mr. MOORE. I reserve the balance of my time.

The CHAIRMAN. The gentleman from Illinois [Mr. Sabath] is recognized for an hour.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. SABATH] have his time ex-

tended three-quarters of an hour.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks that the time of his colleague [Mr. Sabath] be extended three-quarters of an hour. Is there objection? pause.] The Chair hears none, and it is so ordered.

Mr. SABATH. Mr. Chairman, I reserve my time. Mr. BURNETT. I desire to proceed for the remainder of my four minutes now.

The CHAIRMAN. Does the gentleman reserve the balance of his time's

Mr. BURNETT. I desire at the expiration of four minutes to reserve the time.

Mr. Chairman, this is not an extreme measure. It is a conservative bill; but if gentlemen continue to play with this subject as they have been trying to do for years the time will come when it will be more serious to them and to this country than it now appears to be. Already labor organizations are, some of them, going much beyond what we are asking for. Just the other day the United Mine Workers of America passed a resolution at Indianapolis demanding that all immigration be stopped for the present. They asked for laws to prohibit all immigration until all surplus laborers in the United States are fully employed.

Mr. Chairman, this bill strikes at those who come here for the purpose of beating down the price of labor, who come here for the purpose of establishing low standards of morals and living. and to drive out, as Mr. Morrison says, those who desire to make an honest living and maintain their families in decency

and self-respect.

The gentleman from Colorado [Mr. Keating] the other day portrayed the conditions in that State when he spoke of the old miners being driven out, those who were Scotch and Irish and English and Welsh, as well as Americans and that class of people, by the south Italians. They, in turn, are being driven out by the Mexicans, and 90 per cent of the Mexicans would fall under the ban of this bill.

Last year every Member from Kansas on this floor received a letter from a gentleman connected with one of the great railroads in that State asking them to vote against this bill, because they said they had to have those Mexicans as laborers. places do they take? They take the places of Americans and former immigrants from the other countries of Europe.

This bill is not aimed against the Jews, as I have said before, because we allow them, if they can read their Yiddish or Hebrew, or if they are fleeing from religious persecution, to come in. A distinguished Jew from the East Side, New York, said last year to me that there is not 1 per cent of the Jewish people but that can read their Yiddish Bible. [Applause.]

Mr. Chairman, I reserve the remainder of my time.

The CHAIRMAN. The gentleman from Illinois [Mr. Sabath] is recognized.

Mr. SABATH. Mr. Chairman, the gentleman who has preceded me, the chairman of the committee, has called your attention to some of the changes in this bill. However, he has omitted to state one very important change in the very first section of the bill—on the very first page. The change which he has omitted to state is that which designates or defines the work of an alien

This bill provides that the immigration laws shall apply to all aliens and it defines an alien as any person not native born

or a naturalized citizen.

Now, Mr. Chairman, we have in this country thousands and thousands of honest men of foreign birth who, on account of the harsh naturalization laws, have been unable to become citizens of this country, although residing here for many years. Frequently these men who leave in the country from which they have emigrated a father or a mother or other relative are obliged to return abroad for a short time, possibly to see their parents for the last time and to bid them good-by before they set out on that long journey from whence none of us return. It matters not whether these people have resided in this country for 5, 10, 15, or 20 years, Mr. Chairman. If this bill should become a law, upon their return they would be subjected to the same regulations as those immigrants upon their first journey to our shores

Mr. GARDNER. Is not that the law now by interpretation in the case of Lapina versus Williams to-day

Mr. SABATH. Well, I do not think that the Supreme Court has gone that far. But that is one of the changes that has not been explained to you by the chairman.

Now, Mr. Chairman, the gentleman from Alabama [Mr. Bur-NETT] states that organized labor and the patriotic orders of America and other organizations demand this legislation. I maintain that the demand for this legislation comes from sections of our country to which immigration does not go.

I am convinced that whatever demand there may be appears only in certain sections of the country where it has been artificially created, and where the citizens are not familiar with

the great benefits derived from immigration.

The prejudice against immigration which exists in the minds of many of our citizens is the direct result of the campaign carried on by a well-organized lebby maintained in the Capital at a great expense by the Restrictive Immigration League, aided and abetted by the Junior Order of American Mechanics and the Patriotic Order of Americans. The views of these organizations on the question of immigration are the same as those of the old American Protective Association, whose members were known also as the Know-nothings.

True, the Farmers' Alliance and the American Federation of Labor have gone on record as favoring the passage of this measure, but neither organization submitted the matter to a referendum vote in order that the true sentiment of the rank and file of these bodies might be ascertained. Had they done so I am confident that the recommendations of the officials would

have been reversed.

It has been stated repeatedly that all of these immigrants go to New York and to the other large centers. Have we heard any demands from these centers to which the immigration does go? Have we heard that demand from the city of New York, or from the city of Chicago, or the city of Cleveland, or the city of Buffalo, or the city of Boston, or the city of San Francisco, or any of those other centers?

No. Mr. Chairman, the demands are made from men coming from sections of our country that have not been blessed with immigration. Every section of our country that has received immigration is perfectly satisfied and willing to receive more

Oh, yes, we are told that the labor organizations are on record, and that they demand this restricted immigration because labor has suffered in consequence of that immigration. For the benefit of the gentleman from Alabama [Mr. BURNETT] and other gentlemen who are advocating this measure I desire to call his attention and the attention of the House to the following

During the last 10 years it has been admitted that immigration has been larger than ever before in the history of our Nation, and yet, notwithstanding that fact, Mr. Chairman, the conditions of labor have improved and the wages of labor have I have here a short statement that I desire to read, increased. and I will take not only the figures from 1900 down to the present time, but I will go back to 1890 and compare them with the figures of 1912. Let us see what the statistics show.

In silk industries the hours of laboring men have decreased

5.8 per cent and the wages have increased 18.8 per cent.

In the lumber manufacture the hours have decreased 3.8 and the wages have increased 29 per cent.

In millwork the hours have decreased 5 per cent and the in-

crease in wages is 33 per cent.

In the furniture-manufacturing business the hours of laboring men have, from 1890 to 1912, decreased 7.3 per cent and the wages have increased 34 per cent.

In the boot and shoe industry the hours have decreased 6.4 and the wages have increased 34.8 per cent. In the hosiery and knit-goods industry the hours have decreased 7.9 and the wages have increased 36 per cent.

In the woolen and worsted industries the hours have decreased 6.3 and the wages have increased 49.7 per cent.

In the cotton-goods manufacturing establishments the hours have decreased 8.1 and the wages have increased 61 per cent.

But, Mr. Chairman, the gentleman from Alabama [Mr. Bur-NETT | may say there are railroad organizations in this country that are on record against immigration, and that this immigration has brought about conditions that are unbearable in that line of industry. Now let me, in the brief space of time that I

have, call your attention to the following figures:
In 1892, before this so-called "undesirable" immigration commenced to come to our country, the section foremen were receiving \$1.76 per day. To-day they are receiving \$2.07 a day. The carpenters were receiving \$2.08; to-day they are receiving \$2.54. Other shopmen were receiving \$1.72, and they are now receiving \$2.24. The trainmen, who had been receiving \$2.29, to-day are receiving \$2.88. Firemen who were receiving \$2.08 in 1802 are now receiving \$2.94. Mechanics who were then receiving \$2.08 per day are now receiving \$3.14 per day. Engine-

ceiving \$4.16 per day. Now, I ask you in all fairness, have the laboring people of this country suffered from immigration? You must all admit that they have not. The conditions of labor have improved steadily; and I say to you, coming from the largest labor center in this country—

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. SABATH. Yes.

Mr. BUCHANAN of Illinois. Does not the gentleman know that that increase in wages has been largely due to organized

Mr. SABATH. Yes; it has; and if it had not been for the foreign element we would not have organized labor in this country. [Applause.] Samuel Gompers, the great labor leader, came here as a foreigner. The present Secretary of Labor, the Hon. William B. Wilson, was born abroad. The majority of the members of the executive committee of the American Federation of Labor, the men who have aided and assisted Mr. Gompers in the organization and perfection of that great body, are of foreign birth. If credit were given to those who deserve it, we would find that immigrants have been instrumental in the organization and development of practically all of the great

labor organizations of the present day.

Mr. HENSLEY. The gentleman does not mean to intimate that Secretary Wilson would have been embarrassed at all by

this law, does he?

Mr. SABATH. I do not know whether he would or would not. The chances are that he might have been, because I do not know what his financial condition was when he came over. I know that I would have been embarrassed and that I could not have landed if the law that you propose now had been in force in 1882. I did not possess \$25, nor did I possess, perhaps, some of the other qualifications that some of the gentlemen now de-

sire these immigrants to possess. [Applause.]

Mr. BURNETT. Does the gentleman intimate that there is

\$25 requisite in this bill?

Mr. SABATH. That is the rule of the department which is being enforced.

Mr. BURNETT. That is not in this bill.

Mr. SABATH. The gentleman from Alabama knows it is being enforced.

Mr. BURNETT. No; I do not. Secretary Wilson voted for this bill at the last session, foreigner though he was, did he not? Mr. SABATH. I think he did; but if he had taken the time that he ought to have taken to study the conditions of this bill carefully, I do not believe, from what I know of him, that he would have voted to deprive others of the same opportunity that

was accorded to him.

Mr. LINTHICUM. The gentleman says he does not know the financial condition of Secretary Wilson when he came over here, and whether he could have come in under this bill that is now pending. Does this bill make any change from the present law, so far as financial qualifications are concerned?

Mr. BURNETT. Not a bit. Mr. SABATH. It does in this way: It increases the head tax. When Secretary Wilson came over here there was no head In this bill you have increased the head tax from \$4 to \$5. Mr. LINTHICUM. Was not the head tax increased in a previous law, which is now on the statute books, to \$4?

Mr. SABATH. Yes; but this bill provides for a head tax

Mr. LINTHICUM. That is an increase of \$1 then?

Mr. SABATH. Yes. I must hurry on, for my time is limited. If I had the time I am sure I could answer all the questions that the gentleman could ask, and I feel confident that before the gentleman would get through asking questions he would feel that he ought to vote in the interest of the unfortunates who are endeavoring to come to our shores and partake of the bene-

fits and blessings of this free country of ours.

Mr. Chairman, it has been stated that the present-day immigration is not the same immigration that we received years ago; that the Englishman, the Welshman, and the Frenchman are not coming; and that this new immigration is not of the same standard. I desire to say, Mr. Chairman, that within the last 15 or 20 years the new immigrants have demonstrated to the country that they are as good as those that came to this country a hundred years ago. One of the gentlemen said the immigration we received a hundred years ago was first class. For his and your benefit I will read a part of the report which was made en the question of immigration from the managers of the Society for the Prevention of Pauperism in New York City, in 1819, nearly 100 years ago. What did they say? They said in part as follows:

men who were then receiving \$3.08 are now receiving \$4.79. First, as to the emigrants from foreign countries, the managers are compelled to speak of them in language of astonishment and appre-

hension. Through this inlet pauperism threatens us with the most overwhelming consequences.

Again, later on they say:

Again, later on they say:

This country is the resort of vast numbers of those needy and wretched beings. Thousands are continually resting their hopes on the refuge which she offers, filled with delusive visions of plenty and luxury. They seize the earliest opportunity to cross the Atlantic and land upon our shores. What has been the destination of this immense accession to our population, and where is it now? Many of these foreigners have found employment, some may have passed into the interior, but thousands still remain among us. They are frequently found destitute in our streets; they seek employment at our doors; they are found in our almshouses and in our hospitals; they are found at the bar of criminal tribunals, in our Bridewell, our penitentiary, and our State prison. And we lament to say that they are too often led by want, by vice, and by habit to form a phalanx of plunder and depredations, rendering our city more liable to increase of crime and our houses of correction more crowded with convicts and felons.

That is what those gentlemen had to say about the immigration that came to our shores nearly 100 years ago, and which the gentleman from Alabama spoke of so highly.

Mr. Chairman, the objection to immigration is not new, as you will observe. The same class of people, yes, the same sections of our country that objected to these immigrants 100 years ago are found now again advocating and demanding restriction. I say to them, if they would have more immigra-tion, if they would receive at least a part of it, I can assure them they would not favor restriction. Immigration has been a great blessing and benefit to the country, and I feel confident that the immigrants that are to come will measure up with the old immigrants which helped to build up our country. [Applause.]

Mr. Chairman, in an effort to prejudice the minds of the American people the restrictionists have asserted that the foreign Governments are aiding emigration to this country. This is an unmitigated falsehood; these Governments, far from encouraging emigration, are doing everything possible to prevent it, knowing as they do that they are losing annually thousands of their best citizens. They maintain, and properly so, that emigration robs them of the young, healthy, and ambitious men and women, just the very kind they would like to retain within their borders.

Statistics will show that during the past 10 years over 80 per cent of our immigrants have been between the ages of 14 and 45. This clearly indicates that we are receiving immigrants in the prime of life, men and women who are producers, and who will create wealth. It has been estimated that to raise a child to the age of 14 years costs approximately \$1,000; think, then, of the billions of dollars that these incoming aliens

In order to maintain the progress of this great Nation it is imperative that we do not further restrict desirable immigration. The industry of the country requires the labor of the foreigner, and the presumption that the immigrant is a competitor of our American labor is erroneous. On the contrary, the employment of immigrant labor creates a demand for a better grade of labor, and it is productive of better wages for the American workingman. The work performed by the immi-grant is that of the hardest kind, work of a character for which it is well-nigh impossible to secure American labor, yet work which nevertheless must be performed.

Some of the restrictions would have us believe that at present there is practically no regulation of immigration, and that, with very few exceptions, every individual who seeks admission is successful in his quest. For the benefit of these gentlemen and others who may have been misled by these statements, I would like to state that during the fiscal year of 1911-12 there were over 16,000 immigrants denied admission to our country, while there were over 1,000 deported who had been admitted on probation, as it were, and who were forced to leave because of circumstances arising subsequent to their admission.

I also desire to call the attention of these gentlemen to the fact that at the present time we exclude all idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; persons mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or

violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons called contract laborers who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written, or printed, expressed or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described; any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign Government, either directly or indirectly; all children under 16 years of age unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe.

The supporters of this measure will tell you that by adopting the literacy test we will keep out a great portion of those coming from southern Europe, and that we will therefore secure more desirable immigration.

Mr. Chairman, literacy is not a test of character, of honesty, There are several European countries industry, or integrity. that make it impossible for their subjects to receive an education, but because of this fact are we to shut our doors in the faces of these people when they seek to enter this country in order that they may attain that which they have been deprived of in their native land? To assume such an attitude would be to place our stamp of approval upon the despicable practices of these foreign countries.

It is said that illiteracy is an objection. I can prove that the children of illiterate parents exhibit a keener interest in their studies, are more anxious to acquire an education, and receive higher grades than those whose parents have been more for-

In a bulletin just issued, Commissioner of Education Claxton states that

The least illiterate of our population are the native-born children of foreign parents.

And again, he says:

Illiteracy among the children of native-born parents is three times as great as that among native-born children of foreign parents.

Mr. Chairman, due to immigration our country is the wonder of civilization. Its population is made up of all the people of the earth. We have here all races, all religions, all nationalities. They have come to us from all quarters of the globe, and we have the best. Only those with the courage to face away from their native country and the homes of their birth, their kindred and friends, to set out for an unknown land, where the language they spoke was not understood and with nothing to beckon them on but the beacon light of human liberty, are the ones who have sought to make this country their home. They aimed to establish themselves where the tyranny of monarchy, the oppression of caste, and the insolence of titled wealth would not place their heavy feet upon their throats. They brought with them their courageous hearts and adventurous spirits, their strong arms, their industries, and the culture, genius, and wisdom resulting from centuries of civilization in the lands beyond the seas, and they gave them here to us and we have become the wonder and envy of the world. [Applause.]

Mr. Chairman, I sincerely hope that now, when our country prospers as never before in the history of our existence, that will not reverse the policies which have been instrumental in making it the leading Nation of the world, and that it will always remain an asylum for the oppressed and persecuted of all nations. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. Byens of Tennessee having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bill of the following title .

H. R. 9317. An act to regulate the payment of postal money orders.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 32) to provide for the appointment of an additional district judge in and for the eastern district of Pennsylvania.

RESTRICTION OF IMMIGRATION.

The committee resumed its session.

Mr. MOORE. Mr. Chairman, I yield 20 minutes to the gentleman from Minnesota [Mr. Manahan].

Mr. MANAHAN. Mr. Chairman and gentlemen of the committee, the point has been made here that the enemies of this bill, in its literacy test, are hostile to the cause of labor. Now, I will yield to no man in this Chamber a higher regard for labor than I have. I will not concede that any man is a truer friend of labor than I am. If it would help the cause of labor to keep out the victims of the unjust laws of their countries who can not read, I would be tempted, regardless of the injustice of the matter, to favor this legislation. I will admit that my record in Minnesota has been such as probably would justify the charge that I am unfair in my advocacy of labor and

unjust to the great corporations of that State.

In every great contest we have had up there for many yearsin the fight of shippers against the railroads for fair rates, in the contest of labor unions in every fight they have had, in the fight of the farmers against the grain combine of the States, and in every great contest where on one side was arrayed the forces of monopoly and on the other side the struggling toilers-I have been found consistently on the weaker side. The laboring men of Minnesota know, all the people of Minnesota know, that in every industrial conflict of public importance I have been on the weaker side—the side of labor. And when the chairman of the Committee on Immigration tries to stampede this House, tries to take advantage of the timidity of some Members on this floor, continually attempts to flaunt in our faces the statement that this is a labor bill and that those opposed to it are enemies of labor, he is unfair—unfair and unjust-especially to me; because I oppose this measure with all the energy I have, not as an enemy of labor but as a friend of labor. Nor will I yield to a single labor-union man a higher regard nor a deeper concern than I have for those who toil. I am a farmer's son, one of a race of toilers. I carry the marks of hard work, the awkwardness of the country, upon me. My heart is with the struggling poor. I confess some bitterness toward the hypocrites who cover wicked greed by a cloak of wealth and good-mannered respectability. I do not hate wealth or capital as such. I hate its abuse of power. I love labor because my father and my mother came here as humble immigrants and by hard work built a home. I am one of 12 children, and all that I have of character or education I owe to the labor and love of my immigrant father and mother. My devotion to the toilers is only the natural expression of myself. I am one of them. It has not been mere profession with me-an idle lip service such as you heard from the advocates of this bill; they talk loudly for labor, but it is all talk.

I have done things for labor. This bill only makes deceptive promises. What I have done for the poor entitles me to speak for the poor. In the contest against the transportation companies of the Northwest by the shippers, whom I represented, sweeping reductions in rates were secured which were confirmed in the famous Minnesota rate case, and which will save the consumers of my State over \$3,000,000 annually. The great fight against the express companies for a reduction of their rates, which I tried for Sen. Sundberg, a Scandinavian immigrant farmer of my State, resulted in sweeping reductions which will be put into effect to-morrow all over the United States, and which will mean a saving to consumers of the country of not less than \$25,000,000 a year. I tried the Pullman sleeping-car less than \$25,000,000 a year. I tried the Fullman sleeping-car case, which lowered the price of all upper berths, without re-tainer or fee of any sort, simply as the people's lawyer and for the sake of justice. Further, I say this: I feel so keenly upon this subject of labor, and realize so fully the injustice which laboring men and women endure, that I would be tempted-I hope I would not yield to the temptation-to be recreant and unjust to the spirit of American institutions and to vote for this bill were any convincing reasons offered or any sort of proof made that labor conditions would be improved. I know proof made that labor conditions would be improved. that it is stated and claimed that the literacy test will help the cause of labor by reducing the total number of immigrants who come to this country, and that by reducing the number of immigrants you lessen the competition of laboring men and improve their condition.

I take issue with both propositions, and I will ask gentlemen who attempt to defend this bill to give something like a reason why this bill would actually result in restriction in number of immigrants in the face of the admitted facts that the steamship

companies, for the purposes of traffic, are largely responsible for the incoming of the immigrants in such large number. No man with respect for his reputation or judgment will take issue with my statement when I say that the great trans-Atlantic steamship companies are largely responsible for the vast number of immigrants who come to our shores. Will this literacy test handicap these companies to any considerable extent in view of the profits they make annually from steerage passen-Certainly not. It will simply divert their efforts. Instead of seeking immigrants from the peasantry of Europe, the more rural places where there is a humbler and less educated people, they will concentrate their efforts in the great cities of the old country and still have their carriage capacity full of steerage passengers. The number will not be lessened materially, but the character of the immigrants will be lowered decidedly. Is there any question about that? I want to ask the advocates of labor what character of immigrants do they have most to fear-the peasantry of Europe who are more inclined to go to the country and fitted for agricultural work, those who naturally as time goes by become engaged in agriculture, or, on the other hand, do they most fear the city dwellers of the old world, the men who can meet this little test of reading It must be obvious that this test will exclude the humbler peasantry from the most oppressed portions of Europe, but permit the incoming of those who can meet the test, often the most vicious and dangerous men from the congested cities, always the least desirable character of immigrants. Therefore you do not by this literacy test improve the condition of labor at all so far as number of immigrants is concerned, but you do place labor in jeopardy by bringing men from the cities of Europe, who, because of their city dwelling and wrong conception of life, are more apt to be a menace to our institutions and a handicap upon labor than the farmers are. [Applause.]

Mr. BUCHANAN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MANAHAN. Yes. Mr. BUCHANAN of Illinois. I will subscribe to the gentleman's statement in regard to his sincerity and advocacy of the cause of labor.

Mr. MANAHAN. I thank the gentleman for his indorsement. Mr. BUCHANAN of Illinois. Would it not be fair for the gentleman to state that the conditions under which we are living now make it practically impossible for these foreigners to get on the land, and there are only about 2 per cent who are

able to go on the farms of our country?

Mr. MANAHAN. I also thank the gentleman for asking that question, and I will be very glad to answer. I will be glad also to answer any question that any gentleman may desire to ask. As to the suggestion about the number that go to the farm under the present economic conditions of this country, I will state that there is a great difficulty in diverting the incoming immigrants to the agricultural sections of the country, but making the point of this difficulty is begging the question, because if our social conditions are such, and if our economic conditions are such, and if our laws are such as to cause an unhealthy congestion in the cities of the country, the fault is ours and not the fault of the incoming immigrants. [Applause.] It belittles the intelligence and patriotism of this Congress if it has not the capacity to grapple with those great social and economic questions in a way that will solve them rightly and divert to the agricultural sections of the country the great streams of immigration which constantly flow in our direction and to our already congested centers. It would be well for the country if we had such intelligence and skill here as legislators as would bring about a change in our unhealthy economic conditions, a change in our methods of distribution, a change in our laws and social affairs so that the incoming immigrants, instead of congregating in great centers as they do now, to the hazard and jeopardy of all the people, would go out on the land and cultivate the land and produce crops for the hungry

mouths of our Nation. [Applause.]

That is what we need. Instead of the blind and narrow point of view as expressed by the literacy test in this bill, the statesmanlike point of view of it would be to admit freely the humble tollers from the land of Europe who come here and are capable of assimilating with our people and who are sound in body and mind and to place them where they can live their lives for the betterment of themselves and their families and for the general upbuilding of the wealth of this Nation. That would be statesmanship, and when labor-union leaders take the narrow point of view that they can not better their condition as laborunion men except by putting an artificial restriction on the incoming immigrants, and when they fail to take into consideration the legislation necessary to change the laws which have been passed in this Capitol and which have permitted the intolerable monopolies of this country to grow, and when they fail to realize the need of controlling absolutely the great laws of taxation like railroad freight rates, which are nothing but transportation taxes, and the gambling in wheat and cotton, and stock watering and manipulation, and all that which tends to the congestion of money, and consequently people also, and immigrants as well, in the great centers—when they fail to grasp the larger issues, it is natural for them to make too much of the narrow point of view and become blind to their own best interests. Now, I say this with perfect respect. I have an affection for the great labor leaders of this country. They are heroic men. They have suffered abuse and wrong. I know Mr. Gompers and Mr. Morrison, and I know the other great leaders, Mr. Hayes, Mr. Wills, Mr. Fitzpatrick, and Mr. McNamara, who appeared before our committee. I respect their point of view, but I confidently make the suggestion that in their narrow point of view they are the victims of their own environment for years. What has that environment been? A constant uphill, heart-breaking fight for labor-union recognition and a decent wage for labor-union men.

Mr. OUIN. Will the gentleman yield?

Mr. MANAHAN. Certainly.

Mr. QUIN. Does not the gentleman think a large element of this influx of immigration into this country has a deteriorating effect on the community in which they might be lodged?

Mr. MANAHAN. I do not; I think the opposite is true. I will be obliged to the Chairman to notify me when 25 minutes of my time is up. I will say why I do not. As I understand this query, it is simply this: Does not this incoming immigrathis query, it is simply this: Does not this incoming infinigra-tion have a deteriorating effect upon the body politic by the incoming of this great mass of immigrants? How can we de-cide that question? By any sort of theorizing? No; we must decide that question by consulting the records of this country, We decide it by measuring the effect upon the different communities of this country by the immigrants who have come. We decide it by comparing those sections of the country that have had a large influx of immigrants with those sectionswhich possibly the gentleman represents; I do not know-to which a very small number of immigrants have come, and when considered in that way and such a comparison is made I unhesitatingly assert that the salvation of this country, its virility, nobility, and power, has been largely from the immigrants who came in such great numbers from the lands across the sea. [Applause.] I do not hesitate to say

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. MANAHAN. Yes.

Mr. BUCHANAN of Illinois. I take it, from the remark the gentleman made a few moments ago, that the shipping interests now are inducing immigration here in large numbers. I am convinced that is true, and that the big manufacturers

Mr. MANAHAN. The gentleman's question?
Mr. BUCHANAN of Illinois. And trusts are in collusion with them, and should not the laboring men be protected from this exploitation by these big business, shipping, and manufacturing interests?

Mr. MANAHAN. Certainly. Mr. BUCHANAN of Illinois. Is not the best way to restrict that immigration, so that we can bring about a better con-

Mr. MANAHAN. No; and the gentleman from Illinois, as a labor-union man himself and because of his industry and zeal in investigating labor conditions, should know it would not protect laboring men in this country to restrict immigration of illiterates, for the simple reason that these great industrial trusts for whom the laboring men work do not concern themselves at all with sentimental reasons. It is just a matter of supply and demand with them, and they could and would exploit and enslave poor Poles or Jews or Italians or Greeks who could read a little just as heartlessly as they would exploit and enslave an illiterate Turk or Bulgarian,

The labor-union leaders have considered only one-half of this I will come to the other gentleman's question when I conclude this point. They have considered only one side of the question, and that is the objection I urge to their point of They have always, because of their experience, been confined largely to contests between union labor and nonunion labor men, and have had their minds entirely devoted to the question of maintaining the labor-union movement. At the hearing Mr. Morrison admitted in answer to my question that he had never considered the broader economic aspects involved in the question of immigration and restriction. He confided to the committee that as to the effect on labor of restricting the number tion of immigration and restriction. He confided to the committee that as to the effect on labor of restricting the number of consumers and therefore narrowing the market for the prod- finish this before I yield to another question. I say it is just as

ucts of labor as restrictions to immigration would, and the effect on labor of shutting off and restricting the number of men who go to the farms to dwell or of draining the farms of farmer boys as the cities would if emigration were shut off to any great extent, he had not considered those aspects of the question at all. And right in this connection I desire to refer to the opinion and deliberate judgment of Mr. Louis F. Post, the Assistant Secretary of Labor of the United States, [Applause.] I know you will concede, gentlemen, that as a man of powerful scope of mind, broad and clear comprehension of every great problem of government, magnificent zeal and devotion to human rights, he has not a superior in the United States. [Applause.] Now, Mr. Louis F. Post, the Assistant Secretary of Labor, who has dedicated his life and splendid intellect to ameliorating the conditions of the humble men of the earth, stands uncompromisingly opposed to any sort of re-striction on good, sound, honest-minded men and women of He even criticizes in his own paper the hardened, Europe. artificial bureaucratic manner in which the department at present enforces the law. I believe in his wisdom; I would rather follow his judgment than that of the active leaders of labor unionism, and I say in this connection that the great rank and file of the laboring men of this country have never declared in favor of this bill. [Applause.] They have never had a refer-endum of any sort or form on this literacy test. The leaders, as I have shown, are divided, and the rank and file have never yet considered it.

Mr. CAMPBELL. Will the gentleman yield?

Mr. MANAHAN. Certainly.
Mr. CAMPBELL. Has the gentleman from Minnesota overlooked the fact that a few days ago the miners' convention, now in session in Indianapolis, adopted a resolution calling upon this Congress to prohibit altogether immigration until the

labor of the country was employed?

Mr. MANAHAN. I can conceive that a convention of that kind, under the stress of the difficulties that are upon them, might be led astray by a few of their zealous leaders who had never considered both sides of the question; but I venture the statement that if Mr. Post or I had had an opportunity to speak before that convention and to tell them how these restrictions would affect labor and the cost of living and general prosperity the resolution would have been entirely different. to stampede a convention of that kind. assembled for other purposes, are considering special grievances, and are anxious, almost to the point of mental paralysis, as to the hopelessness of the long struggle for life. easy to get them to take a particular side of a question on the mere suggestion of a leader in whom they have confidence. Untrained men are so prone to consider only the obvious and direct effect of any law proposed. Their fear of competitors blinds them to the fact other toilers working in any other line of work are not competitors but customers.

Now, I take it to be just as important to laboring men to have a market for their product as it is to have employment, because if there is no market for their product they have no employment. In other words, it is just as hard upon a poor man who toils to be put out of his job because there is no market for the product of his toil as it is to be put out of his job by an immigrant. It is the same thing. He is out of his job in either event. Suppose in 10 years 10,000,000 immigrants come to this country. That means an increase of 10 per cent come to this country. That means an increase of 10 per cent of consumption upon the production of this country. It means that every manufacturer has a 10 per cent better home market for the products of his factory. Every man engaged in manu-facturing as a laborer knows there would be a home market for a larger proportion of what he produces by his labor. It helps, not hurts, tollers making things to enlarge their market

by increasing population.

But that is only one side, and a lesser side, of this point of view. I wish to dwell particularly, because I represent a great farming constituency, on the effect of this bill ultimately, if it becomes a law man agriculture is this becomes a law, upon agriculture in this country. And, to my mind, our greatness as a people, our stability as a nation, our very existence as a forward-moving race of men in the long years to come depends very much upon the maintenance of happiness out in the open places of the earth, where food for the race is grown and where saviors of men are cradled.

Mr. BUCHANAN of Illinois. Mr. Chairman, will the gentle-

man yield?

Mr. MANAHAN. I regret that I can not.

Mr. BUCHANAN of Illinois. The gentleman has made an

important to the laboring men to have a low cost of living as it is to have a high wage, because what the laboring man makes net at the end of the year is the gross income of his labor less the cost of operating expenses, the cost of living to him and to his family; so that any legislation that tends directly to increase the cost of living to the toilers of the city is adverse to the cause

Nobody will dispute that proposition. I repeat it, that any legislation that has a direct tendency to increase the cost of living by increasing the price of food or of anything else produced by agriculture has an adverse effect upon labor.

Now, then, it is true that in my own State of Minnesota not one-third of the tillable soil of the farms is cultivated, and even the farms that are under cultivation are not cultivated to anything like the full extent of their productivity. And why? Because of a lack of labor.

If the great farms of this country had the proper supply of labor, it would decrease the cost of living 25 per cent to the toilers in the towns and cities. The farmers could raise larger crops at less expense per unit and therefore sell cheaper. not that affect the cause of labor? Does it not mean anything to

Suppose you were to keep out all immigrants. What would be The great industrial establishments and business the effect? enterprises of the large cities of the country will keep drawing more and more for their necessary help on the farmers of this country and increase the number of young men who come from the country to the cities. What will be the effect of that? The effect will be that some farms will be abandoned and other farms untilled. And what will be the result? Obviously the price of farm commodities will go up and up and up because of the tremendous pressure of consumption upon what they raise; and although this will not help the farmer, because of the high cost of his help, the consequence will be that the toilers in the towns will have a harder time than ever.

Why? Because they have done two things by restrictive legislation-they have cut off millions of men who would have been a market for their products, and they have cut off other millions of men who would go to the fields of this country and help produce the food they require to live.

Mr. SMITH of Minnesota. Mr. Chairman, will the gentleman

The CHAIRMAN. The gentleman from Minnesota [Mr. Manahan] has consumed 25 minutes.

Mr. SMITH of Minnesota. Will the gentleman yield?

Mr. MANAHAN. Yes. Mr. SMITH of Minnesota. What is the effect of immigration in large communities on the standard of living in those communities?

Mr. MANAHAN. I forgot about that, and I want to make a statement right now in that connection. I call the attention of the chairman of the committee [Mr. Burnett] to this fact, so that if he desires to answer me he may: Every single community in this country that has had a large influx of immigration has had a better manhood and a better womanhood than communities that have not had it. [Applause.] And I base that statement upon the extreme test of the gentleman's own bill. I take it that the chairman of the committee is very much obsessed with the idea that the true test of citizenship is the ability to read and write, otherwise he would not dwell so much upon it. He seems to believe that the ability to read and write is the supreme standard of good citizenship. Now, then, I took occasion to look at the district represented by then, I took occasion to look at the district represented by the chairman of the committee, who thinks so much of that test, and I found a singular thing. One of the counties in the gen-tleman's district, Cherokee County, has actually lost popula-tion in the last 20 years. Again, in Cherokee County the num-ber of illiterates—not the negro illiterates, but the native white illiterates—according to the figures taken from the census reports of the gentleman's own district, amounts to 20.2 per cent illiterate white natives. In Cullman County the percentage is 11. In Dekalb County the percentage is 12.3. In Etowah County, where the gentleman lives, the percentage of white illiteracy is 14.3. In Franklin County the percentage is 17.4; in Marshall County the percentage is 12.7; in St. Clair it is 13.5; and in Winston it is 12.6, making an average of approximately 13 per cent illiterates-a larger percentage of illiterates--living in the district represented by the gentleman from Alabama than the average of the illiterates of all the foreign-born whites in the United States. [Applause.]

Now, right in this same connection I challenge the attention

per cent, showing that they are over 25 times as literate as the citizens of the gentleman's district.

Seventy-five per cent of the total population of Minnesota consists either of immigrants or the children of immigrants, and the illiteracy of the entire population of that State is exactly 3 per cent. Why, we would have just as much right in Minnesota to clamor for legislation, if it were constitutional, to restrict the coming into that State of the whites from the district of the gentleman from Alabama [Mr. BURNETT] as he has to clamor for legislation to restrict immigration from Europe. [Applause and laughter.] And I say to him now deliberately, after studying the statistics of his State and the statistics of the States of other gentlemen who are in favor of this bill, which statistics I am prepared to give, that it would be a good thing for the mentally atrophied whites of those States if they had the advantage of coming into contact with the live, red-blooded southern Italian and Sicilians, because it would at least stimulate them to a little activity in their gray matter. [Applause and laughter.

I would like to say more on this subject, but I can not.

I will go into detail for a few moments, however, as to the population of Minnesota. I think it will be very interesting. population of Minnesota. I think it will be very interesting. I will give some of the larger figures. We had in 1910 in that State: Germans, 396,859; Norwegians, 279,608; Swedes, 268,018; Irishmen, 72,775; Russians, 30,277; Italians, 13,007; Scotch, 12,655; Hungarians, 8,560; Hollanders, 8,934; French, 4,482; Belgians, 3,161; Greeks, 1,840. These figures cover our immigrants and their children. We have also a good many other foreigners, and altogether they make a constituency of which any man has the right to be proud. [Applause I I invite a any man has the right to be proud. [Applause.] I invite a comparison of their character and accomplishments with any people anywhere on earth. I say with a great deal of pride that this virile and diversified constituency saw fit to send me here to speak for them and for the whole State by a vote of over 2 to 1 of the whole State, and I now do speak for them in this debate. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. Mr. MANAHAN. I would like three minutes more, if I can have it.

Mr. MOORE. Mr. MOORE. I yield the gentleman 10 minutes. [Applause.] Mr. MANAHAN. I desire especially to emphasize the comparison between my State and its citizenship and the work they have accomplished with the State, the citizenship, and the accomplishments represented by the chairman of the committee, Mr. Burnerr, now forcing this bill through Congress by the weapons of fear and prejudice. Of course, when I suggested on the literacy-test basis that Minnesota would have a better right to object to a migration of native whites from Alabama I did not imply that we would object, for our spirit is not mean or intolerant regarding our neighbors. We would be delighted to welcome the charming men and women of Alabama, even though so many of them can not read or write, because we have the faith born of experience that as soon as they came in contact with our vivacious, bright-eyed, delightful citizen-ship from the art and music loving countries of Greece, Italy, and Poland the inbred staleness of the South would yield, and I believe their children, at least, would make a fair showing. I called your attention to the fact that at least the first county named in Mr. BURNETT'S district has suffered a loss in populaflects the attitude of his constituents on this question. I am not surprised that as a people they are retrograding. They evidently think that the fewer people there are in a country the more wealth it will have, which is an absurd fallacy and easily disproved. Again referring to the census reports for comparison, I note that there are over 60 per cent of the farms of Alabama operated by tenants, while only 21 per cent of the farms of Minnesota—page 635, Minnesota supplement—are operated by tenants. The total value of our farm property is over \$1,476,-000,000, while that of Alabama is only \$370,138,000, although the farm acreage included in the farms of Minnesota is about twenty-seven million and odd thousand, while that of Alabama is twenty million and odd thousand.

Over one-half of our farmers are foreign-born whites, and it is significant that of our tenant farmers we have over twice as many who are native whites as of those who are foreign whites. In Alabama 57½ per cent are native whites and one-half of 1 per cent are foreign-born whites.

I do not know that the farms of Minnesota are more productive than the farms of Alabama. Assuming that they are equal in natural resources, it must be admitted that the difference in results is attributable to the superior qualities of husof the House to the fact that the percentage of native white bandry demonstrated by our immigrants. Not only have the illiterates of my State, the State of Minnesota, is one-half of produce for the benefit of the whole Nation, but likewise a wonderful capacity to assimilate and learn. On page 239 of the Census Abstract the following significant statement is made:

The lowest percentage of illiteracy, 1.1 per cent, was among the native whites of foreign or mixed parentage, while among the native whites of native parentage the percentage was 3.7 per cent.

These are the figures for the whole country, and they show beyond question that foreign immigrants from Europe are more solicitous for the education of their children than the native whites of this country-three times as solicitous and earnest in the matter of education and good citizenship. Not only, are these children of immigrants diligent in acquiring education, but extremely proficient as well. The Italian children bring to the public schools very superior qualities of artistic perception which not only enable them to distinguish themselves in literary expression and all kinds of creative work requiring for its development a high order of imagination, but serve as a stimulus and incentive to the orderly minds of more deliberative nation-The world, of course, recognizes the scientific accuracy of the German mind and the brilliant capacity of the Greek and French, but it may not be generally known that the children of Scandinavian immigrants to this country have in consequence of their splendid capacity for hard work and great power of continued application won and maintained in our higher institutions of learning an unequaled general average of scholar-ship and attainment. The press reports of the Northwest dur-ing the past week have told the significant story of little Anna Nerll, who won first place in arithmetic for the whole city of Minneapolis. She is but 12 years old, but has completed the eight grammar grades in six years, and is spoken of by the educators of Minneapolis as being one of the best all-round pupils that the city has produced. She is the daughter of Norwegian immigrants whom radical restrictionists would have excluded from our shores if they could have done so.

Over one-third of a million of the thrifty and substantial German stock are scattered all over our State, and wherever they are are contributing every day to the happiness and wealth and the general good of the whole State. Over half a million of the enterprising and tireless Scandinavian race, who, with the same spirit of daring and adventure which made vikings of them in the olden days, did not hesitate to attack the difficulties of the boundless prairies of our far Northwest when many thought it was folly to do so, have not only subjugated a splendid empire of raw land, but have created all over it homes of prosperity and culture. And all the time this great people, while accomplishing this arduous work of subjugation, have steadily absorbed our best principles of government and our most progressive and enlightened ideas of political economy, so that now every reform and every movement for the uplift of humanity has their sure and uncompromising support. Our immigrants from Italy and Greece, as well as from Holland, Belgium, England, Scotland, Ireland, though less in number than the great races of northern Europe, have swung into the procession of progress and good citizenship and have not in any degree lagged behind.

We have another great people also, not enumerated in the census, but felt and needed in our civilization. Jews, of whom we have a large number in Minnesota. industry, integrity, sobriety, devotion to home and children, obedience to law and order, and genuine human fellowship, as well as in the domain of business and big enterprise, the Jews of my State have won the respect and affection of the men of all races with whom they live and work. The people of Minnesota are not selfish nor ungrateful, nor are they clannish or narrow in any sense of the words. Therefore I am sure that the people of Minnesota are not in sympathy with any purpose of denying to men and women in the old country who, as they and their fathers did, turn wistful eyes and hopeful faces toward our land the right to enter and make homes. They seek liberty and a fair chance. We do not own this country. It is God's country. We are only trustees, and trustees for the benefit of all the suffering men and women everywhere who love liberty and seek asylum. Let us not now prove that we are unworthy guardians of a great God-given trust. [Applause.]

Producers are always consumers also, and as the necessities of life are only produced by labor, adding to the number of toilers only lessens the burdens borne by each in producing the necessities for all the Nation. The whole trouble with conditions of labor lies in the distribution of the products of toil and the denial to him of a fair share in what he produces. Competition by other tollers is only a symptom, not the disease. That is all it amounts to. I do not hesitate to say that I am willing to place my views upon this question before any intelligent and untrammeled body of laboring men in the United States. I do not dread the verdict on my attitude on this bill in the slightest degree. Let us not yield to misguided fear or selfishness in passing a law that would belittle our boasted claims to nobility as a nation and weigh us down with the sin of ingratitude and the curse of greed.

It would be ingratitude crying to heaven for vengeance if the great people who now occupy this arena of human endeavor should now, after having themselves come from lands of op-pression across the sea, after having come with no more right than the humblest emigrant has to-day to come, having come and occupied this land and made good and enjoyed the bounties that nature offered and a just government afforded, it would be base ingratitude and a national ignominy to now selfishly shut the door in the face of the men whose only crime was to have been born under a flag that denied them an opportunity to edu-

I can not make myself believe that this great Nation of ours will ever bring upon itself such ignominy and disgrace as that, I can not make myself believe that our President—no; I will not say that; I will let the issue fare as it will, if Congress is

blind enough to pass this bill.

But I do say this: That President Wilson not only expressed the true doctrine of the Democratic Party and all its best traditions, as well as the true spirit of Americanism, which he as a great philosophic historian and statesman is so well qualified to express, but condemned in advance the literacy test when, in reply to a query as to his attitude toward emigration from southern Europe made during the last campaign, he wrote

The Democratic Party can not, without forgetting its very origin, advocate an illiberal policy in the matter of immigration. The party may almost be said to have originated in opposition to the alien and sedition laws, by which the Federal Party sought to all but shut the doors against naturalization, and at the same time silence the criticism of our own people against their Government. America has always been proud to open her gates to everyone who loved liberty and sought opportunity, and she will never seek any other course under the guidance of the Democratic Party. I am in hearty accord with the ancient faith and practice of the party that has honored me by nominating me for President.

And further on in the same letter-

Sound and honest men and women out of every one of the great European stocks, who come of their own volition and make permanent homes for themselves, are welcome amongst us. No one can justly criticize our laws, if only those who are sound and honest are admitted. Debased men and men of unserviceable kind may come out of any race or stock, but America has enriched her genius and made it various and universal, as she has renewed herself out of the ancient peoples from Norway to Italy and the rich lands of the Mediterranean, who have made the literature and history of the world.

Not one word as to shutting out "sound and honest men and women" simply because they can not read. Not one word in favor of making any sort of restriction on the number of "sound and honest men and women." Had President Wilson in this campaign document, which his party distributed all over the United States, declared in favor of this literacy test in this bill, he would not have been elected, as he should not have been.

I do not question the sincerity of President Wilson's utterance on this question during the campaign. He doubtless expressed well-matured thought on the matter, and what man in the country was better qualified as a profound student and historian to express the spirit of our Nation? As a historian he had pondered on our marvelous development and genius as a people. He could not fail to see how much was due to the immigrant. He could not fall to see how much was due to the immigrant. He knew that many of the deeds executed by the leading families of our country during pioneer days were signed by the mark and not the signature of the maker, because he was illiterate. He knew that the test in this bill would have excluded from this country the father of Abraham Lincoln had he come to our shores an immigrant, because he was illiterate. He knew, as he so aptly says, that "America has enriched her genius and renewed herself" out of the ancient peoples from Norway to Italy. And as a philosophic statesman he knows Norway to Italy. And as a philosophic statesman, he knows now that it would be fatal to American genius for America to cease to be the asylum for the oppressed of the whole world, and to selfishly shut the door in the face of liberty-loving men and women. And as another great Democratic President, Grover Cleveland, well said 16 years ago in vetoing a similar bill:

It is said, however, that the quality of recent immigration is undesirable. The time is quite within recent memory when the same thing was said of immigrants who with their descendants are now numbered among our best citizens.

Had this law been in effect from 1809 to 1911, inclusive, it would have excluded, as shown by the reports of the Commissioner General of Immigration-

Dutch and Flemish		0.79
English		647
French	6,	145
Irish	10,	721
Russian	29,	777
	Charles Allen	

Total ___

__ 775, 953

German North Italian Greek Slovak Hebrew Polish	32, 236 38, 897 55, 089 82, 216 209, 507 304, 675
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as well as a much larger number of Croatians and South Italians against whom it is claimed to be directed.

Had these 775,953 immigrants been excluded this Nation would be just that much poorer to-day. Every sound man and woman of a country is, if honest, an asset. There is plenty of room for them on the millions of acres of untilled land from the countless resources undeveloped, the boundless opportunities awaiting. Let us not yield now to either misguided fear or weak selfishness in passing a law that would belittle our best claims to nobility as a Nation and weigh us down with the sin of ingratitude and the curse of greed. The oppressed of foreign lands, the poor—aye, even the ignorant of other lands—

need us and our institutions. Judged by the past and measured by eternal equity, we need them. [Applause.]

Mr. GARDNER. Mr. Chairman, the position of chairman of the Committee on Immigration is an unenviable one, and it adds a new terror if he must be made a personal target on the floor of the House. The gentleman from Alabama [Mr. Bur-METT] a little while ago exhibited some reasonable resentment when a Member on this floor taunted him by speaking of the gentleman from Massachusetts [Mr. Gardner] as the Republican chairman of the committee. For eight or nine years the gentleman from Alabama and I have sat side by side on these bills, and we have seen every device worked in and out of this House to prevent the question of immigration restriction from coming to a vote.

During that time, in spite of all its opponents could do, the question has come to a vote twice in the Senate and twice in the

When I had charge of the bill the gentleman from Alabama was practically Democratic chairman of the committee. He always acted as my right-hand man. Now that he has charge of the bill I try to reciprocate the kindness and assistance with which he backed me up when the Republican side of this House was in the majority.

But, as if it were not onerous enough for the gentleman from Alabama to be obliged to handle a bill which excites the prejudice and ill feeling of Members of this House, we find that his district must needs be made a subject of exasperating criticism. The gentleman who spoke a few minutes ago thought it necessary to hunt out the statistics of illiteracy of Mr. Burnett's district, as if those figures had some bearing on the question I suggest, Mr. Chairman, that when a Member of before us. Congress desires to render real service to his side of this question, rather than seek out the statistics of the district of the gentleman in control of the bill, he had better be on hand in committee when the vote is taken on the question of reporting the bill to the House. Mr. Chairman, I have great respect for the people of Minnesota, but they have never had a foe within their borders to lay waste the countryside, they have never seen the flower of their youth slain, and their fair domain was far outside the battle field. If the men of Minnesota had been through such an experience, I have no doubt that they would have borne themselves as well as did the men of Alabama, but afterwards they would have found it exceedingly difficult to educate their children.

THE IMMIGRATION BILL.

We are considering a bill 60 pages in length. It revises our entire immigration law, except in so far as the exclusion of Asiatics is concerned. This bill contains a clause known as the literacy test, devised for the purpose of reducing the amount of immigration into this country. Less than a single page deals with the literacy test, and yet the fate of this whole measure will depend on the attitude of Congress toward that single page. Eliminate that page and this bill would meet with universal approval in this House. The literacy test, if adopted, will reduce the volume of immigration. It is the only restrictive feature in the bill.

The policy of the American people for the greater part of our history has been to admit every able-bodied immigrant of good character. For a good many years, however, we have recognized the necessity of departing from that policy. ingly we have passed a succession of more or less inadequate laws designed to prevent the admission of laborers under contract and to hinder the introduction of immigrants who do not come here of their own initiative. Further than that we have never yet gone; but for many years past an effort has been afoot to secure legislation which will result in a substantial re-

duction in the volume of our immigration, even if we are

obliged to exclude many desirable men and women.

Mr. GOLDFOGLE. Mr. Chairman, will the gentleman yield?

Mr. GARDNER. Certainly.
Mr. GOLDFOGLE. Is it not a fact that the Representatives from Massachusetts years ago argued in the House and in the Senate that the immigrants ought to be kept out of this country then, having reference to the German, Irish, Scandinavian, Norwegian, French, and others?

Mr. GARDNER. It may be so.

HISTORY OF THE LITERACY TEST.

The efforts of those who desire this reduction have, for the most part, been centered on the passage of a law which requires an immigrant at least to be able to read in his own tongue. Such a bill has four times passed the Senate and three times passed the House. Twice it has reached the President only to encounter a veto. President Cleveland vetoed the bill in 1897. The House passed it over his veto, but the Senate upheld the President. President Taft vetoed the bill in 1913. This time the Senate passed it over the veto, while the House upheld the President.

THE ISSUE.

We are now once more face to face with the great problem. Let us not attempt to befog the issue by a discussion of details. The real question is this: Has the time come when we ought to restrict immigration for the express purpose of reducing the number of immigrants, good, bad, or indifferent?

If you believe that the country needs and ought to receive every able-bodied man and woman of good character, you will have no hesitation in voting against this bill. If, on the other hand, you believe that we are admitting too many immigrants every year, I shall have no difficulty in persuading you to vote in favor of this bill, even though you may think that some plan for restriction better than the literacy test ought to be devised.

I do not think that I exaggerate when I say that four-fifths of the argument against restriction is addressed to emotion and prejudice. I wish I could say that the entire argument in favor of restriction is addressed to reason. Unfortunately, a goodly number of our allies have sharpened our opponents' weapons by exhibitions of racial antipathy and narrow-minded religious intolerance. I believe, however, that the pages of the Congressional Record would justify me in declaring that most of the debate against restriction is founded on sentimental arguments, while most of the debate in favor of restriction is founded on economic arguments.

COMMON GROUND.

In order to clear the ground of unnecessary encumbrances, I am willing to concede the truth of statements made on this floor to the effect that the foreigners who came to us between 1820 and 1870 have been successfully assimilated and that the immigration of that period has proved a blessing. I also concede that much of the immigration which comes to us to-day is likely to prove a blessing. I am also prepared to admit it as my belief that there is an annual shortage of labor on farms at certain seasons of the year and an occasional shortage of labor in other industries.

STATISTICAL.

Before embarking on my argument, I invite your attention to a few figures. It appears from the report of the Commissioner of Immigration that 1,427,227 aliens were admitted to this country in the year ending June 30, 1913, and 611,924 aliens departed from this country during the same period, leaving a net increase of over 800,000 in our population.

The report of the Commissioner of Immigration shows that of the aliens over 14 years of age admitted last year, 300,108, or about 24 per cent, were unable to read in any language. ratio of illiteracy varied from 45 per cent, in the case of Lithuanians, down to less than 1 per cent in the case of English, Irish, Scotch, and Scandinavians.

So you see that this bill, if passed, will exclude 45 per cent of the Lithuanians, over 40 per cent of Sicilians, and less than 1 per cent of the English, Irish, Scotch, and Scandinavians.

The report of the Commissioner of Immigration also shows that from September 30, 1819, down to June 30, 1903, a period of nearly 84 years, 21,095,614 immigrants came to this country, whereas during the 10 years from June 30, 1903, to June 30, 1913, no less than 9,713,330 immigrants have arrived. of it! Nearly one-third of all the immigration of the last 100 years has arrived since June 30, 1903.

The Canadian and Mexican figures are necessarily very incomplete. The proposed literacy test would affect Mexicans to a very marked extent. It would scarcely touch immigrants from Canada.

HISTORIC ARGUMENT.

So far as I understand it, the historic argument in favor of unlimited immigration is this: Time has proved that it was a wise policy to admit an unrestricted flow of immigration from foreign lands when this country was unsettled and when we had thousands of square miles of arable land to give away; therefore, it must still be a wise policy to admit an unrestricted flow now that the country is settled and no free available land remains

Mr. GOLDFOGLE. Will the gentleman yield for a question there?

Mr. GARDNER. I will.

Mr. GOLDFOGLE. Was not it argued then that this foreign immigration, composed of various nationalities that now are said to have been good and desirable acquisitions to the State of the gentleman, were a menace to the peace and happiness of that Commonwealth?

Mr. GARDNER. Now, does the gentleman refer to the arguments of the Know Nothing Party in the fifties?

Mr. GOLDFOGLE. I have reference to the persistent argument made by Representatives of the State of the gentleman in the House and Senate against the influx of immigration that came in years ago which the gentleman inferentially said was good immigration and which was then claimed to be a menace to the peace of the country.

Mr. GARDNER. Has the gentleman finished?

Mr. HARDY. Will the gentleman yield for one brief ques-

Mr. GARDNER. Yes.

Mr. HARDY. Do I understand the gentleman's position to be that the country has now come to a place in its history where we must shut the door of hope against the deserving strugglers of the Old World who want to seek our shores?

Mr. GARDNER. Why, certainly, we must shut the door of hope against some of them. That is the whole contention, as I have tried to point out. In case I have not made it clear, let me say so again. I believe that we must pass legislation which will cut down the volume of immigration, even if in cutting it down we are obliged to exclude some worthy, healthy, desirable men and women.

Mr. HARDY. I would like the gentleman to permit me to see if I understand him. The gentleman's position is that to worthy, deserving strugglers, any and all of them, we are ready to shut them out from our doors?

Mr. GARDNER. The gentleman ought not to try to put words like those in my mouth. The gentleman knows perfectly well what I am aiming at. He can not make me say—

If the gentleman declines

Mr. GARDNER. If the gentleman pleases.

Mr. HARDY. Permit me to say in all frankness-I do not want to trespass on the gentleman or to misunderstand or mis-

The CHAIRMAN. The gentleman declines to yield.

Mr. HARDY. Excuse me.
Mr. MURRAY of Massachusetts. The gentleman's position is, regardless of worth or lack of worth of the immigrant, immigration should be restricted. Is that right?

Mr. GARDNER. I think that the gentleman understands my

position.

THE DEMAND FOR LABOR,

How about these claims as to the necessity of vast supplies of labor to develop the Nation? To be sure, in times of prosperity we could give employment to hundreds of thousands more Europeans if we could only get them to work cheap

If we were only willing to admit the Chinese, we could employ millions of them building railroads, factories, and all manner of good things. If some one could only import a race which would work for even less than the Chinese, every cent of capital and credit in the world would be commandeered for the promotion of enterprises on which they would be employed. demand for their labor would be almost inexhaustible. But how about the rest of the workingmen in the country? Where would they find their jobs? A few of them, of course, would become foremen and shopkeepers, but how about the vast majority?

Mr. SABATH. Will the gentleman yield?

Mr. GARDNER. I yield to my colleague. Mr. SABATH. Is it not a fact that notwithstanding the great influx of immigration the wages of our laboring men are higher

Mr. GARDNER. I am coming to that.
Mr. SABATH. Wages are higher, are they not?
Mr. GARDNER. Yes; and they would be higher still had it not been for the immigrant.

Mr. MURRAY of Massachusetts. Does the gentleman think they ought to be?

Mr. GARDNER. Yes.

Every year at certain seasons, when we hear of the demand for farm labor, gentlemen on this floor will pull long faces and solemnly express an opinion that a proper distribution of immigration would solve the problem. I venture to predict that until the employing farmer can offer a steady job to all whom he employs we shall never be free from this cry as to the shortage of farm labor. As to distribution, for eight years we have had a law intended to encourage it. South Carolina has tried it. She imported direct some 700 immigrants. All of them left her. Distribute men to your heart's content. They will not stay distributed. They will go where natural forces draw them.

If I were to tell my manufacturing friends in Massachusetts that competition does not lower prices, they would start to discourse on the incapacity of Members of Congress. very manufacturers will turn around and tell me that immigration has no effect on wages in the textile industries. they may be right; but if so, labor is the only commodity in the wide, wide world whose price is not reduced by competition. To be sure, in flush times, the effect of immigration may only be to keep wages from rising as fast as they otherwise might. When two jobs are looking for one man, no amount of immigration will lower wages; but wait until two men are looking for one job and then see what happens.

Mr. O'SHAUNESSY. Will the gentleman yield for just a

minute?

Certainly. Mr. GARDNER.

Mr. O'SHAUNESSY. Does not the gentleman recognize that there are many men at all times, no matter under what administration, out of employment and seeking work, and are not the labor unions keeping up the price of labor?

The labor unions can not keep up the price Mr. GARDNER. of labor unless existing conditions make it possible. Labor unions or no labor unions, when men are for a long time out of work they are bound to have a try at getting away with somebody else's job, even if they cut under the union scale in doing so.

The CHAIRMAN. The time of the gentleman from Massa-

chusetts has expired.

Mr. BURNETT. Mr. Chairman, I yield 10 minutes more to the gentleman.

Mr. GARDNER. To sum it all up, Mr. Chairman, 1,400,000 people came into this country from abroad last year—1,400,000 men and women thrust in a single year into our labor market as present and future competitors.

Mr. CANTOR. Mr. Chairman-Mr. GARDNER. I can not yield.

To be sure, many of them were birds of passage, who competed with our people only for a season. Six hundred thousand aliens returned home, but 800,000 remained as a permanent ad-

dition to our population.

They are good men and women, I dare say, but they are used to a poor standard of living. They are willing to accept a poor standard of living. They are willing to go to work for less wages than our own people ought to work for. Do you think that American workmen can raise their standard of living while we are admitting each year over a million competitors to cut it down? If you know anything about workingmen's problems, you must realize that it is hard for them to maintain their present standard of living. Of course it is hard. In the last 10 years we have admitted 10,000,000 people to help keep it down.

Some one has convinced many of our foreign-born voters that they want their cousins to come over here. All right; let the cousins come; but do our foreign-born voters want 1,400,000 cousins every year? Is not 700,000 a year quite enough for us to assimilate and educate up to our standard of living?

You, sir, sitting in the gallery listening to this debate, are earning \$12 per week. You would like to get \$14 per week. You think that you are worth it, do you not? How do you expect to get \$14 a week, if we admit 1,400,000 cousins a year who are willing to take your job at \$10 per week?

We legislators are not merciless; we have the deepest sympathy for the alien who has never had the chance to learn to We wish him well; nevertheless, we are not sent here to legislate for him but for our own people.

If an immigrant is afflicted with undeserved disease our pity goes out to him; but we think of our own people for whose health we are responsible and sadly we close the gates.

Likewise if an immigrant is poor and ignorant and desires to better his condition our pity goes out to him as well and to the extreme limit of safety we welcome him; but when the poor and the ignorant come to us in such numbers that their poverty and their ignorance become a menace to the welfare of our own people, then we conceive it to be our duty to stem the tide. The hour has now arrived not to close the gates but to narrow the passage and control the flood.

Mr. SABATH. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. MURRAY].

The CHAIRMAN. The gentleman from Massachusetts [Mr. MURRAY] is recognized for 15 minutes.

Mr. MURRAY of Massachusetts. Mr. Chairman, it is always a difficult matter to disagree with one who may have attractive personal charms and an attractive way of presenting them, and of course it is especially painful to disagree with a Gardner from Massachusetts, like my colleague, who presents the old doctrine with up-to-date allusions, with up-to-date references, and present-day statistics.

Mr. Chairman, there has always been a Gardner in Massachusetts to raise this restriction-of-immigration cry. It is no new story to those of us who come from the Old Bay State. I have here the inaugural address of the governor of Massachusetts in 1855, when Henry J. Gardner was sworn in as governor of our State. He had campaigned through that Commonwealth on the very same doctrine of restriction and exclusion that our colleague to-day expounds. I cite to him and I cite to all of you that governor's address.

Mr. GARDNER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. MURRAY of Massachusetts. Yes.

Mr. GARDNER. That gentleman was elected governor, was

he not? [Laughter.]

Mr. MURRAY of Massachusetts. Yes; and I am going to tell my colleague about him in a few minutes. And it is most significant that one Gardner was elected governor of Massachusetts on this issue in 1854, while the present-day Gardner was de-

feated last fall on this issue. [Applause.]

The gentleman from the sixth district of Massachusetts points to the fact that fourteen hundred thousand of somebody's cousins have come here in one year. Why, the extent and the kind of immigration in his day were the causes of complaint of Gov. Gardner in his inaugural address, because, on page 978 of "Acts and Resolves" of 1855 the governor begins his discussion of the immigration problem by referring to the immigration to this country by 10-year periods. He points out the fact that from 1790 to 1800 the immigration was small; that from 1800 to 1810 it was small; that from 1810 to 1820 it was small; but he points to the fact, appalling to him, that from 1840 to 1850 it was 1,542,850. The reason for that high tide of immigration is clear to anybody who will stop to reflect upon conditions. I do not know just how much of that immigration was from Ireland, but I know that the largest part of it was from the Emerald Isle, because of the conditions in that faminestricken country in that period from 1840 to 1847, when thousands of Irish mothers and Irish fathers fled to the Old Bay State, the refuge and the asylum that was held out to them from across the seas. [Applause.]

The gentleman from Alabama [Mr. BURNETT], the chairman of the committee, and the gentleman from Massachusetts [Mr. GARDNER] bewail the fact that to-day the Irish do not come. These gentlemen and others like them have a bitter complaint because the Germans are not crossing the seas. "If we could get the Irish," say they; "if we could get the Germans," they, "there would be no desire to restrict; but the immigrants are coming from southern Europe; they are coming from darkest

Russia; and this terrible horde must be kept out.

I defy any of them, no matter if he may have the ingenious skill of my colleague [Mr. GARDNER], no matter if he may have the adaptability to turn a point his own way possessed by the gentleman from Alabama [Mr. Burnett], to present any new argument, to present any new cure, that was not discussed. seriously agitated, and written into law in that period in Massachusetts from 1855 to 1856. Do you know what they recom-mended? Let me remind you of the recommendations that those men made: They recommended an amendment to our Constitution prohibiting the exercise of the elective franchise to all of alien birth, qualified by naturalization, till they had resided in the United States 21 years.

They recommended that no person should be permitted to vote who could not read and write the English language.

Do you know that they disbanded military companies which had enrolled among its members persons of foreign birth? Do you know that they officially declared it was not safe, it was not wise, it was not statesmanlike, to have any such men in these militia companies?

Do you know that they made all sorts of attempts at restrictive legislation, and they made it an offense punishable by fine

for any clerk of court in Massachusetts to issue naturalization papers to any man of this alien class? "You do not mean it," say you. "They did not go as far as that!" Yes; they did; and God only knows how far they would have gone if it had not been for a single thing. My colleague [Mr. Gardner] has re-ferred to the terrible calamity of the Civil War. It was a terri-ble calamity, and we all know it. Soon after these days of 1855 and 1856 there came the call to arms, and it would be to you but the repetition of a familiar story to tell the history of the Irish and the Germans and other "despised allens" in that war—men who were not wanted in times of peace, but who were most welcome recruits in time of war. [Applause.] Let me just give you some statistics on that line. A study carried on from official records of the nativity of 337,800 soldiers shows that 203,622 were born in the United States and 134,178 were foreign born. Of the 134,178 foreign-born soldiers, 19,985 were born in British America, 14,000 were of English birth, 12,000 were born in various countries other than those named, 36,000 were born in Germany, and 51,000 were born in Ireland. This makes it evident that 38 per cent, practically 2 out of every 5 soldiers of foreign birth, were Irishmen; and of the 2,800,000 enlistments in the United States service, 15.1 per cent, or 432,518, were natives of Ireland. [Applause.]

That is what turned the tide, not of bigotry-I will not style it that way. Those of us who have read this page of history always thought it was. Perhaps they had economic reasons. Gov. Gardner in 1855 said he was doing it all to protect the American workingman. Gov. Gardner in 1855 said he was doing it all to keep up wages of workingmen and that this kind of competition would lower the scale of American living. Gov. Gardner in 1855 said that the country had reached a point in development where it could not stand this influx of immigration. By the census of 1850 they had in the United States 23,000,000 people, and probably they had 25,000,000 people in 1855, when this agitation was on. To-day we have 100,000,000. They had 36 States and we have 48. They thought in 1855 that they had reached almost the limit of development; that the farm lands were gone; that manufacturers were reaching the limit of their production; that the mines could not yield much more from the bowels of the earth. Were they right? What say you? I do not believe you, Congressman Gardner, are any more right to-day in your predictions as to the limit of production than Henry J. Gardner, the governor of Massachusetts, was right when he had statistics and arguments to prove his case in 1855. Your outcry is not directed against the Irish. They won their right in the Civil War. Yours is not directed against the Germans. But you say to-day, "Are these Irish to be compared with the scum of the earth that is coming from southern Europe?" I assert that the present-day immigration is not nearly so bad as men say it is, and I know it never could be as bad as some men said the Irish immigration was.

I know that the children of these foreigners make splendid pupils in our public schools; I know that the Italian-American and the Jewish-American elements in Boston and Massachusetts are distinctly valuable to the city and the State; and I am sure that the call to arms would find them loyal Americans, just as the Irish and the Germans proved to be. [Applause.]

Mr. GARDNER. Will the gentleman yield? Mr. MURRAY of Massachusetts. Certainly.

Mr. GARDNER. The gentleman forgets that he is not giving the statistics of the number of square miles of unoccupied arable land in the United States.

Mr. MURRAY of Massachusetts. All right. Let us get at it There are less than 100,000 people in the State that way. of Nevada, and the gentleman knows it.

A Member. Forty thousand. Mr. GARDNER. Is there any arable land for free distribu-

Mr. KEATING. I should like to ask my colleague from Massachusetts if he has read the report of the agricultural commission appointed by the State of Massachusetts, which report was referred to in the morning papers?

Mr. MURRAY of Massachusetts. I have not done any more

than to see a reference to it in the morning papers.

Mr. KEATING. The statement was there made that these foreigners were taking up the abandoned farms of Massachu-

Mr. MURRAY of Massachusetts. The gentleman knows that these Italians from southern Europe are going on to the farms in Arlington, Medford, Malden, and Chelsea, right outside of Boston, wherever they can get them.

Mr. GARDNER. That is true to a certain extent.

Mr. MURRAY of Massachusetts. The sons of the Gardners

are not occupying those farms. The Gardners and the rest of them abandoned those farms. [Laughter and applause.]

These poor Italians are getting out of the congested sections of the city, and you know it.

Mr. GARDNER. Will the gentleman yield? Mr. MURRAY of Massachusetts, Yes.

Mr. GARDNER. Has not the gentleman forgotten the point that we wanted him to elucidate, and that was whether there were not hundreds and thousands of acres to be given away to

immigrants at that time? Mr. MURRAY of Massachusetts. Let us go at it that way. have listened with a great deal of interest to the discussion of the Alaskan railway bill. We are proposing to spend \$35,000,000 for that project. Can you tell the limits of development that will come as a result of that expenditure? I do not know what there may be to these plans and developments of that western country through irrigation and reclamation, but I am young. I have enthusiasm and optimism, and I do not think we have reached the limit of development, but if the gentleman will reflect perhaps he will reach the conclusion that we have not reached the limit of development. They referred a short time ago to the United Mine Workers; and I tell you frankly that am afraid some young Irish-Americans believe in restriction; but I can not understand how any man familiar with the history of his people, of his State, like Massachusetts, can give his assent to anything that means a further restriction of immigration, for it is simply establishing the same argument against the downtrodden of other countries, the same charges that were made against the Irish along in 1850 and 1860.

I wish I had the time to refer at length to the things that

are now being done in some of these countries.

I have obtained from the Department of the Interior, the Bureau of Education, an account of what has been accomplished in the last five years in the way of education of these persons affected by this legislation. This report shows that during the last 5 or 10 years measures for extending and improving the means of popular education have engaged the earnest efforts of the Governments of Italy and southern Europe during the past decade. Of course, the men and women who have grown up and who may now be trying to come here can not read and write. They can not comply with the provisions of this harsh literacy test, but the children of those men and women who are for the first time getting the opportunities that were denied to their fathers and mothers in a very short time will be able to comply with your education test, and I say it is a fallacious test, it is an un-American test, and an undemocratic test. It is a test that will not do the things in the way of restriction that you and your friends in favor of this bill claim it will do. You are trying to draw the inference that those of us who are opposed to the education test, the literacy test, so called, are in favor of letting down the bars and letting anybody come in. That is a trick of their debate, because these gentlemen know that there are already 20 causes for exclusion of men and women who may be seeking to come in through the immigration Let me read to you some of the causes that are referred to in the immigration bulletin for November, which the gentleman from Alabama referred to in his remarks.

Idiots, imbedies, and feeble-minded people are already excludable, and of course no one of us denies that that class of

aliens should be excluded.

Mr. Chairman, persons afflicted with insanity and disease and those who are epileptics are excluded. Persons afflicted with tuberculosis, even though it be noncontagious, are excluded. Those who have loathsome or contagious diseases are excluded. are professional beggars and paupers are now excludable. Those likely to become a public charge are excludable, and, mark you, whether or not you are likely to become a public charge is a matter of wide discretion. There was an administration of the Department of Labor when it was under the Department of Commerce and Labor, when the rules for defining who were likely to become a public charge were much less rigid than they We have to-day a Democratic administration and a Democratic Secretary of Labor, our former colleague, a splendid official, but he has very strong ideas on this subject of restriction and of education. He is drawing the line pretty harshly as it is, and his definition of what constitutes one who is likely to become a public charge is much more rigid and strict than heretofore, and, in my humble judgment, much more rigid and strict than it ought to be. Those who are con-tract laborers are already excludable and those whom the surgeon has certified as having a defect, mental or physical, which may affect their ability to earn a living are excludable.

Some of the surgeons at some of the ports, particularly at the port of Boston, seem to be exclusionists, because on the slightest excuse they seem to issue a certificate that a man has some physical or mental defect that debars him from entering this country. Those who are accompanying aliens who are

excludable may themselves be excluded. Those who are under 16 years of age and unaccompanied by a parent, no matter what relatives may be here to meet them and greet them, are excludable and are excluded under the present rulings of the department. Those who are assisted aliens are excluded, and those who are cripples are excluded. Those who are polygamists and anarchists are and should be excluded, and those who are prostitutes and females coming for an immoral purpose are excluded, as they should be. Those who are supported by the proceeds of prostitution are and should be ex-Aliens who procure or attempt to bring in prostitutes or females for any immoral purpose are excluded, and those who have come without passports. Those who are under the provisions of the Chinese exclusion act are excluded. And to that list, Mr. Chairman, it is proposed to add another class. We deny the need of this legislation, and we hope that it will not be enacted into law. [Applause.]

Mr. GARDNER. Mr. Chairman, I ask unanimous consent to extend, curtail, and considerably alter my remarks in the

RECORD. [Laughter.]

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend and alter his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MOORE. Mr. Chairman, I yield to the gentleman from

Iowa [Mr. Towner].

Mr. TOWNER. Mr. Chairman, I am sure there is no Member of this House who would not heartily join with the committee in its endeavor to properly strengthen our present immigration laws, but on what lines ought the laws to be strengthened? We have just heard the long list of persons who are excluded under our present law. It is possible, I judge, to strengthen our present laws along these lines. It is possible to strengthen the laws so that the undesirable classes shall be kept out of this country. It is possible to strengthen the laws so that the criminal shall more carefully be excluded. It is possible, I judge, to strengthen the laws so that the physically degenerate, defective, and morally degenerate shall be excluded. It is possible to add to and strengthen all our existing laws on rational lines, and I am very sure that all gentlemen here would be glad to add their voices to secure such results, but we should not disguise the fact that this bill is not designed primarily for that purpose. Provisions we all approve are contained in this bill. Indeed, there are many who would gladly support the bill with only one exception. That exception is the provision for a literacy test. To that we are opposed. With that provision in the bill we must withhold our support, for we consider it wholly un-American and indefensible.

It is the belief of those who oppose the imposition of the literacy test that it is impracticable; that in operation it would be impossible of just and fair administration. Such was the belief of ex-Secretary Nagel, who, after a careful investigation as head of the department charged with the duty of the administration, reported that it would add over \$1,000,000 annually to the cost of administration and that it would be impossible to fairly and justly impose it as a test.

It would seem that a careful consideration of the provision by anyone must lead to the same conclusion. Imagine a ship-load of over 1,000 immigrants coming in after a long voyage, in most cases their first experience at sea. Think of these poor, frightened, seasick foreigners, landed in a strange land thousands of miles away from the familiar and the accustomed, being hurriedly lined up for an examination touching their qualifications to read and understand a language. Before strangers, with the fear of deportation before them—which in many instances will seem to them worse than a sentence of death—what will they see or understand of the "slips of uniform size" which carry the test? If merely nervous apprehen-sion causes a large percentage of "flunking" even among college applicants for graduation, what may be expected of these unfortunate men and women whose whole future depends on their meeting the test? It is unfair, unjust, and cruel. In practical application it will be, it must be, either a farce or a tragedy.

And from the other side it is equally bad. The power to determine the tremendous issue of admission or exclusion is lodged with an immigrant inspector without possible oversight or curb against favoritism, incompetence, or prejudice. If the inspector desires, he can arbitrarily find that the immigrant can not meet the test. If he is not satisfied with the pro-nunciation, the inflection, or the emphasis of the applicant, he can exclude. There is no time for protest. There is no right of appeal. At the mere whim of an inspector who may be dissatisfied with the appearance or manner of an applicant he may be deported, and there is no possible remedy. This is so manifestly un-American that I can not believe gentlemen who favor this legislation can have carefully considered it. The provision is an invitation to injustice. It is an encouragement to the electrice of oppressive and arbitrary power. There is not placed such an awful responsibility and power in the hands of an underpaid and untrained employee by any other civilized government of the world.

It must be evident that the imposition of the literacy test means putting into the hands of the administration, whatever it may be, the power to carry out its purpose, whatever that may be. Inevitably that will tend to favoritism and make the Immigration Bureau a political machine. The test will mean whatever those charged with the administration of the bureau shall choose to make it mean. It is well known that in execution the literacy tests relating to the right of franchise operate as an instrument to preserve the power of the dominant party. There is no pretense of impartial administration. It is a dangerous power to intrust to anybody, and it will tend inevitably to corrupt and debauch the service.

CLASSES OF IMMIGRANTS.

It is urged that the class of immigrants we are now receiving is different from and more dangerous than those which have preceded them. That objection has been urged at every period of our country's history; it was urged as strongly in the years gone by against the Irish, the German, and the Scandinavian as it is now urged against the Italian, the Austrian, and the Jew. It is remarkable how persistent is the antiforeign prejudice.

Now, it is true, immigration is not so strong from those countries which are giving their people good government and prosperity; their people are not compelled to leave their fatherland to secure liberty and a chance in life. It is likewise true that our immigration now is strongest from those countries where governments are most oppressive and opportunities fewest—those who come to seek a land where liberty is found and a chance to rise may be secured; to such, whose love of freedom and energy of character have led them to our shores, we can well afford a welcome.

It has been shown that the illiterate immigrant is in most cases from the peasant class; he is from the country. The city immigrant can always read. Will it be to our advantage to exclude the countryman, even though he can not read, and take the city bred? Will it be better that the steamship companies shall "induce" their steerage passengers from the city slums rather than from the country districts? The country born and bred may be ignorant, but he is rarely vicious. The dangerous, the undesirable, the unassimilable are from the cities.

Illiteracy is not a fault. In most cases it is a misfortune. Because men and women leave a country where they could not have the privilege of learning to read and come to a land where they may thus learn ought to be a reason for welcoming them rather than excluding them.

AN UNREASONABLE TEST.

Somebody suggested to the chairman of the committee the substitution of the military for the literacy test. "No," said the chairman, "that would keep out many of the very best people." And yet in the same connection he says, "I know that all over this country there are hundreds and thousands of good men and good women that are illiterate." He can see that the military test would keep out many of the best people, and yet he will not admit that the literacy test will keep out "good men and good women." One test would be as justifiable as the other. Neither would determine capability or moral character or the necessary qualifications for good citizenship.

HOW IMMIGRATION AFFECTS LABOR.

It is stated that the labor organizations favor restriction because immigration tends to reduce the wages of American workingmen. The exact opposite is true. Immigrant workingmen come to obtain the work which is refused by American workingmen. The immigrant takes the "dirty job" the first year. He digs ditches, he cleans streets, he uses the pick and shovel. The next year he takes a better job at higher wages, leaving his old place vacant to the incoming immigrant. That has been the practical operation of the present system for years. During recent years, except for other reasons, there has never been an excess in the labor field into which the immigrant enters on his arrival. To-day enterprises where large amounts of labor are demanded await the securement of laborers. To-day tens of thousands of farm hands are demanded in the West to carry on the necessary farming operations. One cause of the scarcity of farm products is the scarcity of farm labor. The high cost of living is in part attributable to the dearth of laborers on the farms. To-day tens of thousands of homes and good wages could be found for domestic help if it could be secured.

Those laborers who fear their jobs will be endangered or their wages reduced by immigration should remember that when immigration is largest wages are highest. During the last two decades immigration has been greater than ever before, and yet during that period the hours of labor have been reduced and the wages increased more than ever before.

In the boot and shoe industry the hours of labor have decreased 6.4 per cent and the wages have increased 34.8 per cent. In hosiery and knit goods hours of labor decreased 7.9 per cent; wages increased 36 per cent. Woolen and worsted, hours decreased 6.3 per cent; wages increased 49.7 per cent. Cotton goods, hours decreased 8.1 per cent; wages increased 61 per cent.

DANGERS OF IMMIGRATION IMAGINARY.

It was supposed the foreigner stimulated and encouraged crime. Statistics disprove that. In New York State, which has the largest foreign population, the native born were 61.7 per cent, and the foreign born were 38.3 per cent; but of those in prison 68 per cent were native born and only 32 per cent were foreign born.

It was supposed the foreigners not only added to our store of ignorance, but despised knowledge and would not seek to learn. So far from this being true, Commissioner of Education Claxton has just officially reported that from statistics collected from his bureau it is shown that—

The least illiterate of our population are the native-born children of foreign parents:

He says-

among the children of native-born parents is three times as great as that among native-born children of foreign parents.

It was supposed that immigration degraded and diminished the wages of labor. It has been shown that hours of labor have been most shortened, the conditions of labor most improved, and the wages of labor most increased during those years and periods when immigration was strongest.

OUR PRESENT LAWS.

Our present laws, the outgrowth of a century's experience, are designed to exclude all those who constitute the undesirable classes. We are a sparsely settled country with only 30 people to the square mile, while Europe has over 300. Yet we have already the strictest immigration laws among the nations. No other nation guards so closely its gates. Many nations are using every endeavor to encourage immigration. We can afford to be careful. We are justified in being particular, for we may to a large extent select and choose; but we can not afford to be unjust; we can not afford to build a Chinese wall about our country; we can not afford to become a hermit nation.

It can not be that a proposition which in administration is impossible, which in economics is unwise, which in morals is unjust, can be defensible as legislation. That which is inherently wrong can not be politically justified.

Mr. BURNETT. Mr. Chairman, I yield 15 minutes to the

gentleman from Washington [Mr. Johnson].

Mr. JOHNSON of Washington. Mr. Chairman, we have listened during the last few minutes to the views of two of the able Representatives of the State of Massachusetts—Mr. Gardner for this bill and Mr. Murray against the bill. Mr. Murray read to us the views of a Massachusetts governor made as far back as 1855. Let us go back still further and look a moment at a most remarkable statement made on the floor of Congress in March, 1794, almost 120 years ago to a day, by a Representative from Massachusetts, Mr. Sedgwick. That patriot declared in the Halls of Congress that although the United States was founded as an asylum for the oppressed for all the world, it could not forever be so. He said:

We must not invite or bribe the redesirable to come with us. America must husband its wealth of land, for many will be dependent when it is gone.

Think of the prophetic warning of that patriot. And in the next year, in December, 1795, he even went so far as to predict that public lands would be gone in 100 years, and that when the oppressed arrived on our shores they would not be quickly relieved, but would be overcome by their miseries before they had learned to love the flag of the United States.

My friends, that prophecy, in my opinion, has come true. Sedgwick, of Massachusetts, 120 years ago never dreamed of the extent the United States would be in territory, but he did foresee that as our country filled up the older countries of the other hemisphere would fill up faster, and that the overflow would become less desirable in every decade and must become still more undesirable as every 10-year period rolls by.

This is exactly what has happened since it ceased to be possible for an immigrant to go straight through the gates at New York to free acres in the West—straight through, with a ticket

pinned to his shoulder and a smile of happy expectancy in his Those days are gone. He jams into the cities. He falls into the hands of bosses, padrones, or agents. His labor is farmed out. He does not get a good chance, and the people of his own race now in this country know it. This is said in all fairness, and not against any one race or people.

Mr. Chairman, I think it is evident to every man here that the time is here when the United States shall declare that it can no further be an asylum for the oppressed of all the world. The exact form that the restriction bill shall take is not so important as that the step be taken-anything that will restrict.

Now, Jefferson said:

Spare no expense in obtaining immigrants.

But in Jefferson's time, my friends, we had a country to give away. And we have given it away. We have lived up the heritage of our children. We have raced through our public lands at breakneck speed. When we hear the statement that the West is full of arable public lands-and I admit there are some lands in the public domain-in Nevada, for instance, and other States of that character-that are tillable, the acreage good for farming is not so much as the figures indicate. Further, it is apparent to every man who stops to think that, with our modern machinery methods and costs, these very immigrants who are coming in such numbers can not get to the land.

Mr. MADDEN. Will the gentleman yield for a question? Mr. JOHNSON of Washington. I will be glad to do so.

Mr. MADDEN. The gentleman lives in a very large State and has a very large district territorially. Is there any land

unoccupied in the district he represents?

Mr. JOHNSON of Washington. There is no public land—that is, practically no public land outside of the great reserves being held for posterity. There are vast areas of logged-off land in our State. We have tried to populate these by giving them to the immigrants at the lowest possible and most favorable terms. But we can not keep this newest kind of immigration on the land. We have tried that.

Mr. SABATH. Will the gentleman yield? Mr. JOHNSON of Washington. I will be glad to yield.

Mr. SABATH. Can the gentleman state about what the population is per square mile in this country?

Mr. JOHNSON of Washington. No; I can not. I can not yield further.

The CHAIRMAN. The gentleman declines to yield further. Mr. SABATH. Would he be surprised if I said it is only 30

per square mile?

Mr. JOHNSON of Washington. That makes no difference. I will reply to that by saying that 48 per cent-practically onehalf-of our foreign-born people in the United States, including those who came here under the circumstances described by the gentleman from Massachusetts [Mr. MURRAY] and fought in the Civil War, live in the four States of Illinois, Pennsylvania, Massachusetts, and New York, and they can not get to those

Mr. SABATH. The gentleman is wrong in his figures. Mr. GOLDFOGLE. Will the gentleman yield for a question?

Mr. JOHNSON of Washington. Yes; I yield. Mr. GOLDFOGLE. Can the gentleman tell the committee

what percentage of the country is now under cultivation?

Mr. JOHNSON of Washington, I can not tell. I will say this: That a few years ago, when signs of distress began to appear in the larger States and crowded cities, we undertook at once to conserve the resources of the United States. We put aside our coal lands, our forests, and other natural resources, and after we did that it was our duty to shut the front door. It admits of no argument. If we are to save what is left of our country, our public domain, let it be for the posterity of the people now in the United States, foreign born or otherwise.

The time has now come, in my opinion, to put up the bars.

Mr. GOLDFOGLE. Will the gentleman yield?

Mr. JOHNSON of Washington. I can not yield further. I have but a few minutes.

The CHAIRMAN. The gentleman declines to yield.

Mr. JOHNSON of Washington. In the discussion over the allotment of time this morning, my colleague on the committee from Pennsylvania [Mr. Moore] said that this was a three-cornered proposition. I want to agree with that, but the Chairman of the Committee of the Whole, Mr. HAY, answered the gentleman from Pennsylvania by saying that it had come down to a proposition where we must vote "yes" or "no." Therefore I take my stand with those who will vote for this bill, for while I had hoped and worked as hard as I could in the committee to substitute some method which I was positive would be more certain than this very light literacy test will be, A shall support this bill on account of the

clause in it that I am about to read, if for no other cause. It is on page 38 and is numbered section 19. I read:

That any allen, at any time within five years after entry, who shall enter the United States in violation of law; any allen who within five years after entry shall be found advocating or teaching the unlawful destruction of property, or advocating or teaching anarchy, or the overthrow by force or violence of organized government or the assassination of public officials * * shall, upon the warrant of the Secretary of Labor, be taken into custody and deported.

My friends, in my opinion that clause makes the bill well worth while. Personally, I am for a rigid restriction of immigration, not necessarily undesirable. It is time to put up the bars. My personal opinion is that a 40-word test, which is to be read and not written down, will not be sufficient; will not keep out the numbers that we hope it will. I have filed in a separate report my views as to the necessity for the words

"and writing" in this literacy test.

I urge consideration of the deportation clause. In my opinion the troubles in the United States in the last few years have been caused by those who have arrived lately, just as Sedgwick, of Massachusetts, prophesied 120 years ago they would come; who, before they can by any circumstances be taken into the full breadth and freedom and meaning of our institutions in the United States, have turned against us and gone out on the soap boxes and preached the overthrow and destruction of this Gov-

My friends, the time has come to put up the bars. [Applause.]

Mr. SABATH. Mr. Chairman, how much time has the gentleman consumed?

The CHAIRMAN. He has consumed nine minutes. The gen-

tleman from Alabama [Mr. Burnett] is recognized.

Mr. BURNETT. Mr. Chairman, I have no one here just now who desires to speak-no member of the committee. I will yield 10 minutes to the gentleman from Texas [Mr. Dies]. I expected to yield to members of the committee, but I do not see the Members here who asked for time.

Can not the gentleman give me 15 minutes? Mr. DIES. The CHAIRMAN. How much time does the gentleman yield? Mr. BURNETT. I yield 15 minutes to the gentleman. The CHAIRMAN. The gentleman from Texas [Mr. Dies]

recognized for 15 minutes.

[Mr. DIES addressed the committee. See Appendix.]

Mr. BURNETT. Mr. Chairman, how much time has the gentleman from Texas [Mr. Dies] consumed?

The CHAIRMAN. Seventeen minutes.

Mr. BURNETT. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. LINDBERGH].

Mr. LINDBERGH. Mr. Chairman, the whole discussion on this bill, so far, has centered on the literacy provision. If that constituted the whole bill, I would be opposed to it, for I do not think the literacy test provided by the bill is sufficient to insure the securing of good immigrants nor to exclude the bad ones. I know of some old residents in my State who can not read and still are more intelligent and far better citizens than many of the people who can. Furthermore, it would be impossible to secure better citizens than the people to whom I refer as not being able to read. That does not argue in favor of illiteracy, however, for these same persons would, so far as they are themselves concerned, be much more satisfied if they were able to read, but they could not be better citizens than they have been.

I wish to compliment my colleague [Mr. MANAHAN] on his splendid argument. His statements on the conditions in regard to literacy in Minnesota are true. There is a very small per cent of illiteracy in Minnesota, and his encomium upon the foreign-born citizens of Minnesota is truly deserved by them. But that argument does not tell against the bill, for the percentage of literacy that he describes as existing in the State shows that even if this bill had been in operation from the beginning those same people would have been eligible, with but few exceptions. I have been in the State since I was a year old, and have studied the conditions and know that to be true. That notwithstanding, I think the literacy test should be amended so that it would not keep out desirable immigrants from countries were persecution takes place, as against the Pole, as long as immigration is permitted into the country.

The literacy test is so simple in the bill that almost any intelligent person could in a very brief period fit himself or herself to pass the test if not already prepared. Those who have naturalized parents or certain relatives here are provided for, and those who have relatives here who are not naturalized are in most cases able to help their relatives whom they seek to have come to prepare and qualify. As I have already said, I am not satisfied with the literacy test, but there are so many provisions in the bill that will operate well that I shall vote

for the bill even if the amendment to make a more satisfactory literacy test fails.

There are many Poles in some sections of Minnesota. I am personally acquainted with many of them and have done business with them. Of those whom I am acquainted with, all could read and write before they came to America, but there are many Poles who have come from Russia proper, where they are prevented by the Government from obtaining an education. These, so far as I have been able to learn, make first-rate citizens. They appreciate the advantages that are offered in this country over their terrible usage in Russia, and they accommodate themselves rapidly to our country, and help in the best way to develop and improve it, along with themselves. Their children are healthy and exceptionally intelligent and quick to learn. I could not state the facts better than they are stated in a letter that I have received in answer to an inquiry that I made myself of a prominent business man residing in my home town, Little Falls. I therefore send the letter to the desk to be read by the Clerk in my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

LITTLE FALLS, MINN., January 24, 1914.

Hon. C. A. LINDBERGH, Washington, D. C.

The CHARGAN. The Clear will resour.

The CHARGAN. The Clear will resour.

The Clear rend as follow. Little Falls, Mins., January 18, 1914.

Hon. C. A. Lindburgen, D. O.

Day Sir.: Washington, D. O.

The Sir. Washington, D. O.

The Clear was an expect source to the term of the third that the control of the

high-school proposition last year were two Poles, Val E. Kasperek (the other name I rather not mention). Both were in favor of the school, with no Polish voice against it.

The Poles are leaving the cities and settling on farms. (Urged on by the Polish press and clergy.) You can not help but admit that they know how to make the soil produce the dollars and cents, and it takes only a short time to transform a barren country into an earthly paradise. W. R. Mackenzie, secretary of the Northern Minnesota Development Association, said to me the other day, "They ought to admit the Poles. They are the best farmers we have. They invariably succeed where other people fall. But get them on the farm."

According to statistics, only 26 per cent of the tillable soil of this country is farmed to-day; 74 per cent still lays idle, waiting for some willing hand to turn its product into dollars and cents for the benefit of the country and the human race. Millions of dollars are spent annually advertising farm lands. We want the immigrant. We want the settlers. Then why not give the Poles a chance, whether literate or illiterate? We know they make good American citizens. It is no experiment. Canada and the South American countries admit them under all conditions, but we love the land of the Stars and Stripes. With her we wish to cast our lot. For her we wish to live and die.

I have written a long letter, and I hope it won't bore you too much, and if you can possibly help us in this matter I assure you it will be greatly appreciated by the Poles of both continents.

Thanking you in advance and wishing you health and good fortune, I am,

Your friend,

Mr. LINDBERGH. This letter shows for itself the quality of man who wrote it, and as all the facts are verified by history, current literature, and conditions that many of the Members know, it proves its own way. As this man, Mr. Koslosky, writes, there is no special reason why these people should, when otherwise qualified, be excluded because they can not read. are persecuted in Russia. I am not sure that this persecution is not now provided for in one section of the bill so that they may be admitted, but it could easily be provided for a certainty.

The language of the literacy test does not seem severe. should fear that it might not be administered in good faith at all times and that sometimes discriminations might be made against immigrants who were qualified. Of course, it is impossible to get a bill covering so large a field as this one to suit all

Mr. SABATH. Mr. Chairman, I yield 10 minutes to the gen-

Mr. KONOP. Mr. Chairman, I am opposed to this bill. There are some good provisions in it, and I regret that I can not vote for it. The provision on page 7 of the bill which excludes all aliens over 16 years of age who can not read is so silly and unreasonable, so unjust, so repugnant to American traditions, that I can not support it. Mr. Chairman, I am in favor of keeping out the criminal, the insane, and mentally defective; the diseased and morally unfit; the pauper and those incapable of earning a living; but I can not be so blind, so unjust, so un-American, as to vote for a provision that will keep out of this country a good, healthy, moral, and upright man for the simple

Never anywhere except here have I heard it argued that inability to read is a badge or a sign of bad character or bad morals. Just because a man can not read does not mean that he is a bad man. Illiteracy is no crime, nor is it a badge of crime. It is a misfortune; and any law that places a penalty on a person that has been so unfortunate as to be in such surroundings where that person

could not obtain an education is unjust and wrong.

Illiteracy is not ignorance. A person who has been denied an opportunity to learn to read is not necessarily ignorant. eracy is a misfortune, and a law that places a penalty on a person that has been denied an opportunity to obtain an edu-

cation is unjust, discriminatory, and un-American.

For over a century our country has been heralded as the asylum for the oppressed of every land. For over a century we have maintained an open-door policy. Immigrants have been coming to our shores singing the hymns of their native lands, and to-day they and their posterity are singing "My Country, "Tis of Thee." These men who came have builded homes; they have cleared away the forests; they have plowed up our prairies; they have made our cities vast hives of industry; and when the very existence of our country was at stake our foreign-born population loyally responded to the call to save the Union. Thousands of them gave up their lives that this Nation might live. No literacy test was applied to them. When they responded to the call of duty no one tested them as to whether or

Mr. Chairman, the proposition to prescribe the literacy test to the immigrant to-day is nothing short of an insult to the immigrant of old. We all know these pilgrims of old. We all know these sturdy pioneers who have made our Nation so great. To vote for this bill, Mr. Speaker, I would deny my mother who has borne me, I would insult my father who has struggled so hard to rear me, I would insult the fathers and mothers who

Under the open-door policy we have prospered and grown. We have advanced in science, industry, and education. An analysis of the progress and advancement in different sections of our country will show that advancement has been greatest where the immigrant has settled. Are we to stop now? Are we to now turn back on the policy that has enabled us to grow, advance, and prosper?

Mr. Chairman, why such haste to do such injustice? Why such anxiety to overthrow a policy that has been so beneficial to us? Who wants this bill, and what are the arguments presented

for its passage?

It is claimed that the laboring men of this country want this bill. It has also been claimed that the farmers want it. Mr. Speaker, I do not believe that the great mass of laboring men and farmers want this bill. Who are the laboring men and farmers of this country? They are all of foreign stock. By far the largest number of them are sons of immigrants, and many of them are immigrants themselves. Are they so unjust that they would now deny their kinsfolk to come and dwell among them? Mr. Chairman, I can not believe it.

It is argued that the immigrant competes with American labor and causes the lowering of wages and lowers the American standard of living. I believe that this is an assertion without proof. In spite of a steady immigration wages have increased, and the American standard of living has not been lowered, but, I believe, is higher to-day than it has ever been. It is a well-known fact that the present-day immigrant becomes the unskilled laborer. The native American and the earlier immigrant are the skilled workers. It is true that the unskilled labor is cheaper than skilled labor, and hence the standard of living among the immigrants is lower than that of the skilled workers. Such a condition will always exist. Such a condition is a part of an industrial system. We have unskilled work to do. The native American will not perform unskilled labor, and we need the immigrant to advance us in industry. Since the immigrant takes up the unskilled work he does not compete with the native American skilled laborer.

It is sometimes claimed that the immigrant is detrimental to the organization of labor. The statistics of the Immigration Commission show, however, that unions are as strong among foreign born as among native Americans. The following two tables show percentages of different classes of labor organized. These two tables are taken from Senate Document No. 696, Sixty-second Congress, second session; and I want to also quote a brief statement in that document relative to this matter:

The ratio of organized workers to all male wage earners in each population group is shown in Table XIV.

TABLE XIV .- Organization of native and immigrant labor.1

Nativity of wage earners.	Percentage organized.
Native-born of native father: White. Negro. Native-born of foreign father. Foreign-born	13.9 17.9 14.1 13.4

¹ Immigrants in Manufacturing and Mining, p. 141.

Neither could a line be drawn in respect of unionism between the "desirable immigrants" from northern and western Europe and the "undesirable allens" from southern and eastern Europe.

TABLE XV .- Organization of immigrant labor.

	Total number.	Organized.		
		Number.	Percent.	
"Desirable" races: French Canadian. English Irish. Swedish. Bohemian and Moravian. German.	515	133 87 107 48 26 51	23. 2 16. 6 14. 8 9. 3 4. 8 4. 6	
Total	3,974	452	11.4	
"Undesirable" races: North Italian Lithuanian Hebrew Ruthenian Slovak South Italian Magyar Polish	881 1,408 761 684 1,706 2,428 1,501 3,280	351 497 163 144 234 258 146 313	39.8 35.3 21.4 21.1 13.7 10.5 9.7 9.5	
Total	12,649	2,106	16.6	

On the whole, the average percentage of union men among the "undestrable allens" is higher than among the immigrants of the preferred races. The percentage of trade-unionists among North Italians is nearly three times as high as among native Americans of native parentage; the Lithnanians furnish twice as many as the more desirable Englishmen; the Hebrews twice as many as the more desirable Englishmen; the Hebrews twice as many as the Swedes; the Ruthenians are far ahead of the Americans of native stock; even the South Italians can boast a percentage twice as high as the Germans; the Magyars and the Slovaks (popularly known as "Huns") march in front of the Swedes; and the Poles, who are at the tall end of the procession of undesirables from eastern Europe, still outnumber two to one their more favored kinsmen, the Bohemians and Moravians. Considering that the native Americans and the members of the races which contributed most largely to the earlier immigration are, as a rule, engaged in higher occupations, where they are for the most part segregated from the recent immigrants, it is clear that the latter could not be an obstacle in the way of organization among the skilled men; and that they have not been an obstacle is shown by the fact that the recent immigrants themselves furnish a higher percentage of organized workmen. Regardless of the opinions of the Immigration Commission, one thing seems to be well established by its statistics, viz, that there is no casual connection between immigration and the slow progress of organization among the industrial workers of the country.

Another argument presented here in favor of the application

Another argument presented here in favor of the application of the reading test is that there is too much immigration and it should be restricted. Mr. Speaker, this is an assertion without any proof. In spite of this cry of too much immigration, the ratio between foreign born and native born in the last half of a century is practically the same. Who will claim that there was too much immigration from 1850 to 1860 or from 1860 to 1870? And yet census statistics show that the percentage of foreign born and native born has not changed. The following table is taken from page 788, volume 1, on Population, Census

1910

	Per cen	t distribu	ition of t	otal popi	ilation o	f United	States.
Country of birth.	1910	1900	1890	1880	1870	1860	1850
Native Total foreign born	85.3 14.7	86.4 13.6	85.3 14.7	86. 7 13. 3	85.6 14.4	86. S 13. 2	90.3
Total population	100	100	100	100	100	100	100

It is also argued that the present-day immigrant comes from a source out of harmony with the spirit of American institutions, and hence not readily assimilable on that account. The same argument was used against the old immigrants, who are now so lauded as being better than the present-day immigrant. The same narrow argument was used by those who opposed immigration in the first half of the nineteenth century. And now we find those who were so condemned then lauded to the skies. But, Mr. Speaker, do they who say that the present-day immigrant is not readily assimilable mean to argue that those immigrants who belong to these unassimilable races, who can read a page or two in their own language, will, because of that test, become readily assimilable? Such a test will not keep out the undesirable ones. Let me quote to you from the New York Tribune of May 9, 1912, on this question of assimilability:

Would any real advantage come to the country from the enactment of the Dillingham immigration bills? One familiar argument for it is that the United States is receiving immigrants now who are not readily assimilable. But it is not illiteracy that makes the immigrant from parts of southern and eastern Europe unassimilable. If he can not be assimilated, it is because his racial unlikeness to the settlers of this continent is too great. But the literacy test will keep out only a fraction of the alien races. The problem of their assimilation will remain unsolved.

Nor will the literacy test be sure to keep out the least desirable of the

unsolved.

Nor will the literacy test be sure to keep out the least desirable of the arriving immigrants. It is not usually the man who can not read and write who recruits an anarchist population here. It is the "intellectual proletariat" of Europe which, coming here, congregates in cities and adds to their ferment. The man who works with his hands has always found his place readily in this country, and if he ever makes trouble, by strikes and rioting, it is only as he begins to be assimilated and to develop the American standard of living. Again, the criminals who come to this country and are one of the gravest evils of immigration are seldom of the illiterate class. Illiterates do not write Black Hand letters.

But is it true that the immigrants of to-day can not be assimilated? Whence comes these immigrants who are so different than we? Are we really not of their blood? The Italian immigrant is the one especially attacked. Mr. Speaker. a people who have builded the greatest empire of antiquity; a people whose civilization lighted the whole known world and who discovered the new; a people to whom we go for the best in literature, in art, and in government. Such people ought to be welcomed to our shores. Will anyone claim that a race that has produced a Boccaccio, a Dante, a Michaelangelo, a Columbus, a Cabot, and a Caruso can not be assimilated?

Another people against whom a stigma is cast, and against whom this bill is aimed, are the Polish people. If this bill becomes a law, over 35 per cent of these people will be rejected. The Polish people are the most unfortunate people of Europe.

They are to-day a people without a country, a race without a home. The story of their struggle for liberty touches the heart of liberty-loving people everywhere. They have been robbed of their country. Educational facilities are being denied them, and if you pass this bill where will these unfortunate people go? Thousands of these people have settled in my district and in my State. They are an industrious, hard-working, and liberty-loving people. They are a home people. They have cleared away the forest, built up nice homes, reared up large families, and many of their descendants are among the most prominent citizens of our State. Wisconsin can not get along without

Mr. Chairman, when Kosciusko and Pulaski appeared at our shores and offered their services for the cause of liberty and independence, no one asked them, "Can you read?" One of these Polish patriots gave up his life for the cause of independence. If the Father of this Republic could cast his eyes on a scene being enacted here against a people whence his aids Kosciusko and Pulaski sprang, he would condemn the

If you pass this bill, nearly 30 per cent of the Jews will be coluded. For centuries the Jew has been a wanderer on the face of the earth. Persecuted everywhere, he has outlived all. He is the pilgrim of eternity. This country has been his asylum. A race, under the most adverse circumstances, that has produced a Disraeli, a Herschel, a Rubenstein, a Spinoza, is not so out of harmony with us that we can not assimilate them. I would not vote for a bill that would deny admission to a Jew for the simple and silly reason that he can not

Mr. Chairman, time will not permit me to dwell on each and every people. Why keep out the Greek? Why the Austrian? Are they so different from us? Read and study the history of these peoples and no one will claim that they are so different they can not be assimilated. Place them in American environment and ere a generation has passed they will be one of us.

I have just mentioned a few of the peoples that will be greatly affected by the passage of this bill. But, Mr. Chairman, how about the German, the French, the Scandinavian, the Bohemian, and others that are so desirable? If this law had been in force in the first decade of this century, nearly 35,000 Germans, over 6,000 French, over 10,000 Irish, over 3,000 Hollanders, over 2,200 Scandinavians, over 1,300 Bohemians, who were all otherwise qualified, would have been denied admission on account of the literacy test. Who here would have denied these good, wholesome immigrants admission? The injustice and unreasonableness of this illiteracy can be multiplied ad

If this law had been in force the last decade, over 2,000,000 worthy immigrants would have been denied admission for the simple reason that they were illiterate.

Table showing the percentages of aliens over 14 years of age who would be excluded by a literacy test.

[Abstract of reports of Immigration Commission, Vol. I, p. 99. Number and percentage of immigrants admitted to the United States who were 14 years of age or over and who could neither read nor write, during the fiscal years 1899 to 1910, inclusive, by race or people. Compiled from the reports of the Commissioner General of Immigration.]

Race or people.	Number 14 years of age or over ad-	Persons 14 years of age or over who could neither read nor write.		
	mitted.	Number.	Per cent.	
African (black) Armenian Bohemian and Moravian Bulgarian, Servian, and Montenegrin Chinese Croatian and Slovenian Cuban Dalmatian, Bosnian, and Herzegovinian Dutch and Flemish East Indian English French German Grock Hebrew Irish Halian (north) Halian (south) Japanese Korean Lithuanian	28, 523 79, 721 96, 596 21, 584 320, 977 36, 431 30, 861 68, 907 5, 724 347, 458 137, 916 97, 038 625, 793 208, 608 806, 786 416, 640 339, 301 1, 690, 876 146, 172 7, 259	5, 733 5, 624 1, 322 39, 903 1, 516 115, 785 2, 282 12, 633 3, 043 2, 703 3, 647 1, 745 6, 145 32, 236 55, 089 209, 507 10, 721 38, 897 911, 566 2, 763 35, 956 2, 763 79, 001	19 23 1.7 41.7 7 7 36.1 6.3 41 4.4 47.2 1 1.3 6.3 5.2 26.4 26 2.6 11.5 53.9 24.6 83.1 148.9	
Magyar. Mexican.	307,082	35,004 18,717	11.4	

Race or people.	Number 14 years of age or over ad-	age or	14 years of over who eitherread ite.	
	mitted.	Number.	Per cent.	
Pacific Islander Polish Portuguese. Roumanian Russian Ruthenian (Russniak) Scandinavian Scotch Slovak Spanish Spanish-American Syrian Turkish Welsh West Indian (except Cuban) Other peoples. Not specified	861, 303 55, 930 80, 839 77, 479 140, 775 530, 634 115, 788 342, 583 46, 418 9,008 47, 834 12, 670	83 304, 675 38, 122 28, 266 29, 777 75, 165 2, 221 82, 216 6, 724 25, 496 7, 536 7, 536 320 320 5, 001	24.7 35.4 68.2 35.0 38.4 53.4 .4 .7 24 14.5 6.1 53.3 59.5 9 3.2 2 44.6	
Not specified	- 07	2, 238, 801	7.5	

In support of this bill the assertion is frequently made: "We do not want the illiterate of Europe." Mr. Chairman, it has do not want the illiterate of Europe." Mr. Chairman, it has been the illiterate immigrant that has been responsible for the decrease of Illiteracy in our country. What are the facts as proved by Government statistics? The United States Commisproved by Government statistics: The United States No. sioner of Education, in his letter of transmittal of Bulletin No. 51, just issued, and entitled "Education of the Immigrant.

That these people [meaning immigrants] are interested in education of their children, or at least obedient to the school-attendance laws, is shown by the fact that the least illiterate element of our children is the native-born children of foreign-born parents. The illiteracy among the children of native-born parents is three times as great as that among the native-born children of foreign-born parents.

This statement of the Commissioner of Education is borne out by census statistics:

Class.	1890	1900	1910
Native white of native parentage. Native white of foreign or mixed parentage. Foreign-born white.	Per cent.	Per cent.	Per cent.
	7.5	5.7	3.7
	2.2	1.6	1.1
	13.1	12.9	12,7

This table shows that the illiteracy among native white of native parentage is 3.7 per cent, and among native white of foreign parentage is only 1.1 per cent. In spite of a steady stream of immigration, illiterate as it may be, the percentage of illiteracy in this country has decreased. In 1890, 13.3 per cent of the people 10 years or older were illiterate; in 1900, only 10.7 per cent were illiterate; and in 1910, 7.7 per cent were illiterate. The illiteracy among the foreign-born population has also decreased. In 1890 it was 13.1 per cent; in 1900, 12.9 per cent; and in 1910, 12.7 per cent. Statistics also show that where the immigrant has settled the illiteracy is less. In the North, where practically all the immigrants from Europe have settled, the illiteracy is less than one-third that of the South, where very few have gone. The following tables are taken from the census

	Per cent illiterate in population 10 years of age and over: 1910.				
Division and section.		Native white.			
Division and section.	All classes.	Native parentage.	Foreign or mixed parent- age.	Foreign- born white.	Negro.
United States	7.7	3.7	1.1	12.7	30.4
The North New England Middle Atlantie East North Central West North Central The South South Atlantic East South Central West South Central West South Central West South Central The West Mountain Pacific	4.3 5.3 5.7 3.4 2.9 15.6 16.0 17.4 13.2 4.4 6.9	1.4 .7 1.2 1.7 1.7 7.7 8 9.6 5.6 5.6 1.7 3.6	.9 1.3 .8 .9 .7 4.3 1.2 1.7 7.7 7.7 .8 1.2	12.7 13.8 15.8 10.1 7.6 18.8 13.5 9.7 25.6 9.5 12.5 8	10.5 7.8 7.9 11 14.9 33.3 32.5 34.8 33.1 7 8 6.3

	Per cent	illiterate i	over: 1910.	n 10 years	of age and
Division and State.		Native	white.		
	All classes. Native	Foreign or mixed parent- age.	Foreign- born white.	Negro.	
United States	7.7	3.7	1.1	12.7	30. 4
Geographic divisions: New England Middle Atlantic East North Central West North Central South Atlantic East South Central West South Central West South Central Mountain	13.2	.7 1.2 1.7 1.7 8 9.6 5.6 3.6	.9 .7 1.2 1.7 7.7 1.2	7.6 13.5 9.7 25.6 12.5	7.8 7.9 11 14.9 32.5 34.8 33.1 8
Pacific New England: Maine. New Hampshire Vermont Massachusetts. Rhode Island Connecticut.	3	.4 1.4 .8 1.2 .4 .7	1.8	8 13.7 14.5 13.1 12.7 17.3	6.3 8 10.6 4.8 8.1 9.5
Connecticut Middle Atlantic: New York New Jersey Pennsylvania East North Central: Ohio	5.5	.5 .8 1.1 1.4	. 8 . 7 . 1.1	15. 4 13. 7 14. 7 20. 1	6.3 5 9.9 9.1
Illinois. Michigan	3.7 3.3 3.2	1.7 2.2 1.7 1 .6	.9 1.4 .6 1.2	11.5 11.7 10.1 9.3 8.7	11. 1 13. 7 10. 5 5. 7 4. 5
Minnesota Iowa Missouri North Dakota South Dakota Nebraska Kansas	1.7	.4 .9 3,4 .3 .3 .6	1.2	6.3 5 7.1	3.4 10.3 17.4 4.8 5.5 7.2
South Atlantic: Delaware Maryland District of Columbia Virginia West Virginia North Carolina South Carolina Georgia Florida	18.5 25.7 20.7	3,3 3 .6 8,2 6,7 12,3 10,5 8 5,2	1.2 2 3	8.2	25. 6 23. 4 13. 5 30 20. 3 31. 9 38. 7 36. 5 25. 5
East South Central: Kentucky	12.1 13.6 22.9 22.4	10.7 9,9 10.1 5.3	1.5 1.8 2.3 2.2	8.3 8.3 11.3 15.1	27. 6 27. 3 40. 1 35. 6
Oklahoma Texas	12.6 29 5.6 9.9	7.1 15 3.5 . 3.3	2.8 3.6 1.3 11.6	8, 9 24 9, 8 30	26. 4 48. 4 17. 7 24. 6
Mountain: Montana	4.8 2.2 3.3 3.7 20.2 20.9 2.5 6.7	.3 .4 .3 2 15.5 2.3 .4 .4	.4 .3 .4 .5 8.9 8.4 .4	9.4 6.9 9.7 11.3 31 31.5 5.9 7.6	7 6.4 5 8.6 14.2 7.2 4.8 5.5
Pacifie: Washington Oregon California	2 1.9 3.7	.3 .4 .5	.3 .4 .6	4.8 6.1 10	4.3 3.4 7.1

I have prepared a little table, taking seven States of the North, where so many immigrants have settled, and seven States where very few have gone. This table shows the percentage of foreign born in each State named and the percentage of illiteracy:

	Foreign born.	Illiterate.
North: Massachusetts New York Minnesota New Jersey Wisconsin Illinois Pennsylvania South:	Per cent. 31.5 30.2 26 26 22 21.4 18.8	Per cent. 5. 2 5. 5 5. 6 3. 2 3. 7 5. 9
Louisiana Kentucky Virginia Alabama Georgia South Carolina North Carolina	3.2 1.8 1.3 .9 .6 .4	29 12. 1 15. 2 22. 9 20. 7 25. 7 18. 5

Let us take some of the States where so many so-called illiterate foreigners have settled. In New York, where 30.2 per cent of the population is foreign born, the illiteracy is 5.5 per cent; in Pennsylvania, where 18.8 per cent of the population is foreign born, the illiteracy is 5.9 per cent; in Massachusetts, where 31.5 per cent of the population is foreign born, the illiteracy is 5.2 per cent; in Illinois, where 21.4 per cent of the population is foreign born, the illiteracy is 3.7 per cent; in Wisconsin, where 22 per cent of the population is foreign born, the illiteracy is 3.2 per cent. In the State of Alabama, from which comes the author of this bill, in which only nine-tenths of 1 per cent of the population is foreign born, the illiteracy is 22.9 per cent; in Georgia, where six-tenths of 1 per cent of the population is foreign born, the illiteracy is 20.7 per cent; in Kentucky, where 1.8 per cent of the population is foreign born, the illiteracy is 12.1 per cent. Oh, gentlemen will say that is due to the negro population. But compare the tables of these sections and States between the native-born whites and you will find that the illiteracy among the native-born whites of the South is also high.

Those who favor this bill cry out, "We are the dumping ground for the criminal of Europe." Mr. Speaker, it is repeatedly asserted that we do not want the criminal classes of Europe, and a statement by a certain prosecuting attorney in New Jersey is relied upon to prove that illiteracy is a badge of crime. To prove that the increase of crime in this country, if any, can not be placed at the door of the immigrant population I will insert here a table:

Prisoners.

Date enumerated.	Total, all classes.	Total foreign- born white.	Percentage of foreign-born white.
1880	58, 609	12, 105	20. 6
	82, 329	15, 932	19. 3
	81, 772	12, 945	15. 8
	111, 498	19, 438	17. 4
Committed during:	149, 691	35, 093	23. 4
1904 1	493, 934	98, 532	19. 9

 $^{\rm 1}$ The 1904 census did not include prisoners who were committed for nonpayment of fines, while the 1910 census includes them.

The foregoing table clearly demonstrates that crime better be laid somewhere else instead of at the door of our immigrants. In 1880 the percentage of foreign-born white prisoners to all prisoners was 20.6 per cent; on June 1, 1890, it was 19.3 per cent; on June 30, 1904, it was 15.8 per cent; and on January 1, 1910, it was 17.4 per cent. Of the total number of prisoners committed in year of 1904, 23.4 per cent were foreign-born white, and in year 1910 only 19.9 per cent were foreign-born white. Instead of crime being on the increase among our foreign-born population it is on the decrease; and that, too, in spite of the fact that it is repeatedly charged that the present-day immigrant is styled as an undesirable criminal, while the old immigrant was desirable.

Of the 82,329 prisoners in 1890, 80,153 spoke English, 2.060 did not. Of the 15,932 foreign-born prisoners 14,473 spoke English, 1,448 did not. Over 97 per cent of prisoners spoke English, and over 90 per cent of foreign-born prisoners spoke English. In 1904, 83 per cent of the prisoners were literate and 12.6 per cent were illiterate. Of this illiterate class 1.1 per cent could read but not write; 11.5 per cent could neither read nor write. These figures and percentages do not show that illiteracy is a sign of crime, but, on the contrary, the criminal is literate.

Mr. Chairman, now as to insanity. It is repeatedly charged that insanity is on the increase, and, of course, the whole thing is blamed on the present-day immigrant. The following table, taken from census reports, disproves the fact that the immigrant is responsible:

Insanc in institutions.

Date enumerated.	Total all classes.	Total for- eign-born white.	Percent- age of foreign- born white.	
1880	91, 959	26, 334	28+	
1890	106, 254	25, 300	33+	
1903	150, 151	47, 078	31+	
1903	187, 791	54, 758	29+	
Admitted during: 1904	49, 622	13, 405	27+	
	60, 769	15, 523	25+	

Mr. Chairman, an examination of this table tells us to go somewhere else than to the foreign immigrant for our insanity. The same is true as to the feeble-minded.

Feeble-minded in institutions.

Date enumerated.	Total all classes.	Total for- eign-born white.	Percentage of foreign-born white.	
1003. 1910 Admitted during:	14,347 20,731	856 - 1,247	5.9	
1904. 1910.	2,599 3,825	182 210	7 5.4	

Even pauperism is charged to the immigrant. Let us examine the figures and see:

Paupers in almshouses.	
1850	50, 353
1860	82, 942
1870	76, 737
1880	66, 203
1890	73, 045
1904	81, 764 84, 198

From 1880 to 1910 I have the figures showing the number of foreign-born white paupers. In 1880 there were 22,967, or 34 per cent. In 1890 there were 27,648 foreign-born white paupers in almshouses, or 37 per cent; in 1904 there were 32,136, or 39 per cent; in 1910 there were 32,136, or 39 per cent. In 1904 there were admitted 81,412 paupers into almshouses, of whom 31,298 were foreign born, or 38 per cent; and in 1910, out of a total of 88,313 admitted, 33,353, or 37 per cent, were foreign born. These figures show that pauperism is decreasing among foreign born instead of increasing.

It is repeatedly charged that there is too much congestion of the immigrants in our large cities. Does anyone propose to remedy this by the passage of this bill? If the honorable chair-man and gentlemen of the Committee on Immigration and Naturalization would study the proposition of the proper distribu-tion of immigration and present a bill for that purpose, they would do a greater service to the country than presenting and trying to jam through a bill to choke off immigration, which has been so beneficial to this country. Mr. Chairman, 10,000,000 acres of good farming land await the settler in the northern part of Wisconsin. We have in my State enough undeveloped good farm land to provide thousands of farms, thousands of The foreign immigrant has been the most potent factor in the development of this great Commonwealth. From Germany, from Austria, Bohemia and Hungary, Poland, France, Holland and Belgium, Canada, from England, Ireland, Scotland, and Wales, and in large numbers from the three northern kingdoms, Norway, Sweden, and Denmark, they came. Wisconsing gave them unstintingly of her gifts of plenty and contentment, and they have become loyal citizens of the State and the Nation. What is true of Wisconsin in this regard is true of many other States.

Mr. Chairman, let me give an analysis of the population of Wisconsin as disclosed by the census of 1910. The total population of my State in 1910 was 2,333,860. Of this number 1,807,986 were native-born whites, and 512,569 foreign-born whites; 13,305 constitute the colored population. Of the 1,807,986 native whites 1,044,761 were of foreign or mixed parentage, and 763,225 of native parentage. The total number of foreign-stock whites in my State was 1,557,330, making practically 70 per cent of the population. Mr. Chairman, a better people, a more cosmopolitan, a more industrious and prosperous people, a more home-like and peaceful people, a more liberty-loving people never lived than now live in Wisconsin. From the north of Europe we got the sturdy, stalwart Scandinavian; from the sunny gardens of Italy we got the romantic Italian; from the banks of the Rhine we got the industrious German; from the banks of the Shannon we got the versatile and wide-awake Irishman; from France the polished Frenchman; from Belgium and Holland the home building and progressive Belgian and Dutch. We have got the hard working and home-loving Poles and Bohehave got the hard working and home-loving Poles and Bone-mians; we have the despised Greek and the persecuted Jews. They have all come to our shores, and I am proud of them all. I am glad they came. Had the proposed bill been a law in the past, I am safe in saying that fully 25 per cent of these people would not have come. And because they came, Mr. Chairman, our State has prospered and grown. It has advanced in industry, in education, and in all that is good in government.

We hear much talk about congestion in cities; we talk about high cost of living and back-to-the-land movement. If this

great Committee on Immigration would study and propose means whereby the immigrant would be distributed throughout our undeveloped portions of the country, one of our existing great problems would be solved.

Mr. Chairman, in conclusion let me quote to you brief statements of some of the most prominent citizens of the country on this question. When President Cleveland vetoed an immigra-tion bill in 1897, on account of the kiteracy test, he used this language:

The ability to read and write as required in this bill, in and of itself, affords, in my opinion, a misleading test of contented industry, and supplies unsatisfactory evidence of desirable citizenship, or a proper apprehension of the benefits of our institutions. If any particular element of our illiterate immigration is to be feared for other causes than illiteracy, these causes should be dealt with directly instead of making illiteracy the pretext for exclusion to the detriment of other liliterate immigrants, against whom the real cause of complaint can not be alleged.

President Taft vetoed a similar bill for the same reason. On October 21, 1912, President Wilson wrote to Dr. Adler, of Philadelphia, as follows:

23 WEST STATE STREET, TRENTON, N. J., October 21, 1912.

Dr. CYRUS ADLER, Philadelphia Pa.

Dr. Cyrus Adler, Philadelphia Pa.

My Dear Dr. Adler: * * * I am in substantial agreement with you about the immigration policy which the country ought to observe. I think that this country can afford to use and ought to give opportunity to every man and woman of sound morals, sound mind, and sound body who comes in good faith to spend his or her energies in our life, and I should certainly be inclined, so far as I am concerned, to scrutinize very jealously any restrictions that would limit that principle in practice. * * * Cordially and sincerely, yours,

Woodrow Wilson.

WOODROW WILSON.

President Eliot, of Harvard, made the following statement on this important question:

this important question:

I beg leave to invite your attention to the following statement of the principles which should govern the national legislation on immigration:

(1) Our country needs the labor of every honest and healthy immigrant who has the intelligence and enterprise to come hither.

(2) Existing legislation is sufficient to exclude undesirable immigrants.

(3) Educational tests should not be applied at the moment of entrance to the United States, but at the moment of naturalization.

(4) The proper education test is capacity to read in English or in the native tongue, not the Bible or the Constitution of the United States, but newspaper items in some recent English or native newspaper which the candidate can not have seen.

(5) The attitude of Congress and the laws should be hospitable and not repellant.

The only questions which are appropriate are, Is he healthy, strong.

not repellant.

The only questions which are appropriate are, Is he healthy, strong, and desirous of earning a good living? Many illiterates have common sense, sound bodies, and good characters. Indeed, it is not clear that education increases much the amount of common sense which nature gave the individual. An educational test is appropriate at the time when the foreigner proposes to become a voting citizen. He ought then to know how to read.

Cardinal Gibbons used the following language:

I am not in favor of any educational test as applied to immigrants desiring to enter the United States. Such a law, if passed, would, in my opinion, work great harm, for illiteracy is by no means always ignorance. If the immigrant is industrious and thrifty, he will make a useful citizen, whether he be literate or illiterate. The educated schemer is in more ways than one more dangerous than the honest workman, even though he be illiterate.

President Schurman, of Cornell, wrote as follows:

CORNELL UNIVERSITY, Ithaca, N. Y., March 4, 1910.

Hon. Joseph F. O'Connell,

House of Representatives, Washington, D. C.

Dear Sir: I have your communication of February 23, with the inclosed copy of the letter of ex-Fresident Eliot, of Harvard University, on the subject of the admission of immigrants into the United States, I fully concur in the views expressed by President Eliot, and I do not think I can express them in clearer, more forcible, or appropriate language.

language. Very truly, yours,

J. G. SCHURMAN.

President Judson, of Chicago, wrote as follows:

THE UNIVERSITY OF CHICAGO, February 28, 1910.

THE UNIVERSITY OF CHICAGO, February 28, 1910.

Hons. Joseph F. O'Connell,
House of Representatives, Washington, D. C.

Dear Sir: * * * I am not in favor of the restriction of immigration on the basis of the ability to read some European language. There is no doubt that the ability in question is desirable. At the same time the conditions of workingmen in the old country and their conditions in our country are radically different. If they are industrious and honest and thrifty, they will make useful citizens, and their children, having the opportunity of attending our free public schools, will acquire the needed education.

Yery truly, yours,

HARRY PRATT JUDSON.

HARRY PRATT JUDSON.

I would rather rely on the opinions of these great men than

on the many who are prejudiced.

Now, Mr. Chairman, I have disproved by Government statistics every argument that has been presented in support of this bill. I think I have demonstrated conclusively that the immigrant is not responsible for the things that are chargeable against him. The immigrant has in a large degree contributed to our advancement in science and industry. He has enabled us

to become more literate instead of illiterate. Crime, insanity, and pauperism which have been chargeable to the immigrant have decreased instead of increased among our foreign population, and because of these facts I am convinced that the great mass of citizens of this country do not want this bill passed. [Applause,]

Mr. MOORE. Mr. Chairman, I yield to the gentleman from

New York [Mr. GOULDEN],

Mr. GOULDEN. Mr. Chairman, the bill under consideration, H. R. 6060, has many admirable features that command the approval of all good citizens. In the limited time allowed, I can only give a few brief reasons for my attitude on the measure

It is generally agreed, I think, that more rigid tests, morally and physically, might be applied to the admission of aliens.

I have been privileged on many occasions to witness the operations of the law at Ellis Island, and am therefore familiar with its application as well as of the character of the immigrants. I was pleased to observe the careful scrutiny of each one, and, when any doubt existed, that the benefit was given to the law and not to the alien.

There is no doubt in my mind that the time is approaching when in self-defense restrictive measures that will largely tend

to reduce the number must be adopted.

The literacy test-being able to read in some language or dialect-goes too far at this time and not far enough when re-

stricted measures are needed.

The supply for unskilled manual labor to dig cellars, grade and regulate highways, build roads, work our farms, and so forth, does not equal the demand. As a consequence our farms are being drawn on for that labor that is badly needed to properly cultivate the soil, to keep the production of the necessaries of life equal to the consumption.

Abandoned or neglected farms are the direct results of this policy. To remedy it and give the country strong, willing men able to do this heavy, hard work the countries of the Old World must furnish the supply. I know it is popular to join in the cries, "Put up the bars in New York and elsewhere," and "America for Americans." To the latter sentiment, coming from a stock that settled here more than 200 years ago, I am in hearty accord. However, as a school official for many years in New York City, I am familiar with the processes of assimilation to citizenship. Scores of evening schools are filled with thousands of men and women, 16 years of age and over, successfully securing an edu-We need these able-bodied men, women, and children for the present, and therefore I am not willing to vote for the literacy test at this time.

When the posts of the Grand Army of the Republic during the Spanish War opened volunteer recruiting places thousands of young men responded, fully one-third being of foreign birth.

If the time has arrived to put up the bars on immigration, then do what the commission, composed of nine, including five Members of Congress, who traveled all over Europe, spending three years on the work, recommended.

The commission, which was authorized by Congress in 1907, issued a report of 42 volumes and suggested seven methods by

which restriction might be accomplished, namely: (a) The exclusion of those unable to read and write in some lan-

(a) The Cartason of the number of each race arriving each year to a certain percentage of the average of that race arriving during a given period of years.

(c) The exclusion of unskilled laborers unaccompanied by wives or

(c) The exclusion of unskilled laborers unaccompanied by wives or families.

(d) The limitation of the number of immigrants arriving annually at any port.

(e) The material increase in the amount of money required to be in the possession of the immigrant at the port of arrival.

(f) The material increase of the head tax.

(g) The levy of the head tax so as to make a marked discrimination in favor of men with families.

The words "and write" having disappeared from the first recommendation of the Immigration Commission, that recommendation has lost its force and should not be made the basis for the writing of a bill to revise the immigration laws. fore the second recommendation should be considered in connection with the first. This 40-word literacy test is not sufficient in itself. It will prove a failure.

Many letters from individuals and organizations, both for and against this measure, have been received, the latter usually couched in strong and sometimes offensive language. Due consideration was given to both sides, and after listening to the able debate on this question I am constrained to vote against the bill in the interest of the country.

President Cleveland in 1897 and President Taft in 1913 vetoed measures exactly similar to this bill for good and valid reasons. President Wilson, in a speech just before his election in 1912, declared for a liberal interpretation of laws on immigration,

and, I feel confident, will hesitate before approving a restrictive

measure of this character.

Mr. MOORE. Mr. Chairman, I yield 10 minutes to the gen-

tleman from Massachusetts [Mr. Rogers].
Mr. ROGERS. Mr. Chairman, I agree fully with the remarks of my colleague from Massachusetts [Mr. Gardner] that this bill must stand or fall on the literacy test, although that test is but a very small portion of the entire text of the bill. The bill is some 60 pages long, and the literacy test consumes about one-sixtieth of that space; yet it is the great factor which must determine every man in this House whether he will vote for or against. If the literacy provision were not included, I suppose there would be no great contest over passage of the bill. I for one can say unreservedly that everything in it, so far as I know, except the literacy test, calls for our support, and would be an improvement so far as it is a change from the present law. But we must rest our case, whether opponents or advocates of the bill, upon that literacy test, because there is the nub of the whole question, and there is the real crux of the issue which has been tearing this country for well-nigh a quarter of a century. I should agree with the gentleman from Massachusetts [Mr. Gardner] rather than with the gentleman from Minnesota [Mr. LINDBERGH] that a very large percentage of the type of immigration which has recently been coming into the United States should be kept out by legislation. But I can not agree with the gentleman from Massachusetts [Mr. Gardner] that that admission carries with it the conclusion that we must vote for this literacy test or for any bill which contains the literacy test

The two things are entirely unrelated, and I say that in all deference to the great learning of the gentleman from Massa-chusetts [Mr. Gardner] on this subject, and to the great study which he has given to this bill for so many years. It is, I repeat, clear, clear beyond argument, that the two questions are entirely and totally independent, and that a man may believe in the principle of restriction of immigration and at the same time totally disagree with the principle of restriction along the lines of a literacy test. I believe that we should protect the American wage earner, not only directly through a protective tariff, but indirectly by limiting the number of men who may come to the United States and here make the things which the protective tariff is intended to exclude. But let us strive, if we can, to rest that limitation upon some logical ground and not upon a basis which is purely arbitrary—factitious, if you please—and therefore wholly indefensible in principle. The best immigrant, of course we should all agree, is that man who most closely approximates the highest type of manhood, physically, mentally, and morally; and of course we all agree also carry, mentarry, and morarry; and or course we all agree also that a very large proportion of the men who are coming to the shores of the United States every year are not nearly as close to that perfect type as we wish. It therefore seems to me that every man on this floor and in the country who is a real patriot and who really desires to see the continued well-being of the Nation must agree that a justly applied policy of restriction is inevitable.

The only question is in what direction that policy shall be applied. Now, the literacy test does of course restrict, and to that extent it is desirable. But does it have any connection whatever with the physical or the mental or the moral wellbeing of those who come to this country? I have in my hand a very recent bulletin issued by the Bureau of Education entitled "Education of the Immigrant"; as a sort of preface to the bulletin there is a letter of transmittal signed by the Commissioner of Education of the United States, Dr. Claxton, and addressed to the Secretary of the Interior, in which he uses these very significant words-and, by the way, many of you perhaps noticed the same words, or a paraphrase of them, in yesterday's Washington and New York newspapers. He says:

That these people

Referring to immigrants-

are interested in the elementary education of their children, or at least obedient to the school-attendance laws, is shown by the fact that the least illiterate element of our population is the native-born children of foreign-born parents. The illiteracy among the children of native-born parents is three times as great as that among the native-born children of foreign-born parents.

Here is the experience of an expert, and a recognized expert, in the subject with which he is dealing. Uninfluenced by the spirit of turmoil and contention which surrounds us here, he views the question from the standpoint of education and from the standpoint of the younger generation, which is growing up to be the citizenship of our country. He points out, by indirection, at least, that there is no connection between the literacy or illiteracy of the immigrants coming to this country to-day and the literacy or illiteracy of the next generation of descendants of the same immigrants. Here is a most effective refutation of the wisdom of the literacy test. That test has little or no bearing upon the good citizenship of the incoming immigrant, or of his children. It is purely an exclusion measure, based on a total lack of local. total lack of logic. It is founded upon the same sort of reasoning that might be adduced if we should enact that all blue-eyed or brown-eyed men and women should be excluded. I do not believe that in a question of this magnitude, where we are building for the future as well as for to-day, we ought to rest the fabric of the future industrial, commercial, moral, and physical life of the Nation upon an entirely unsound, illogical, and fallacious premise. Upon these grounds, Mr. Chairman, it becomes my duty to register a word of opposition against the passage of a bill which includes the literacy test. [Applause.] I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back one minute. Mr. SABATH. Mr. Chairman, I desire to be recognized now. I desire to yield to the gentleman from New York [Mr. Brown].

Mr. BROWN of New York. Mr. Chairman, at the proper time I shall offer several amendments to this bill, all correlated and having to do with the exclusion, deportation, and repatriation of mentally defective aliens. At the outset I wish to make it plain that, with the exception of the literacy clause, I am in favor of this bill; but I am against the literacy clause only because I believe it to be a wrong way and an ineffective way of accomplishing the desired result.

While it must surely be the purpose of the committee in reporting the literacy clause only to exclude the unfit, yet the literacy clause is founded on the assumption that illiteracy is synonymous with undesirability. The cause of danger to the American race is far deeper, as I shall endeavor to show.

Please bear in mind that the percentage of mental defect among the foreign born in the city of New York, which city I take as an example of the recent immigration from southern Europe as opposed to the older immigration from northern Europe, is 2.48 times the percentage of mental defect among the native born; and whereas the literacy clause is intended to be the means of keeping out undesirables from the southern section of Europe by taking advantage of the fact that opportunities for education there are very limited, yet the percentage of illiteracy in the hospitals of the State of New York among the foreign born is only about 13 per cent as against about 26 per cent of illiteracy among all the aliens admitted to the United States.

Therefore the literacy test will fail to exclude in any considerable quantity the most undesirable of aliens-the mentally defective—while at the same time it will exclude large numbers of highly desirable people who have had no opportunity to learn to read.

The injustice and inadequacy of the literacy clause would therefore appear to be self-evident, and the only real question before this House is the substitution of just and adequate pro-

Visions in place of the literacy clause.

I come now to the point of view of the Commission on Immigration which was appointed in 1907, and reported in 1910, on whose recommendations, made after nearly four years of exhaustive investigation, this literacy clause in a modified form was presented to the last Congress. This commission, among other matters, based its conclusions upon its desire to exclude "those physically and morally unfit * * * and inefficient," "those physically and morally unfit * * * and inefficient," without any realization of the startling fact, since proven by scientific research, that an enormous proportion of disease, immorality, crime, pauperism, and inefficiency in men, with its equivalent of harlotry in women, is the result of inherited mental disease easily and directly traceable to the parents and grandparents of any individual so affected.

If it can be shown in exact arithmetical proportion what re-

sults may be expected from certain inherited qualities, are we not forced to the conclusion that the true way to maintain the glorious standard of the American race is not by a reading test of 30 words, not by a hasty mental examination at an American port, not alone by the observations of trained psychiatrists on shipboard during the long voyages to this country, for which this bill does not provide; not alone by mental examination by trained psychiatrists in the Federal service at the points of embarkation abroad, for which this bill does not provide, but in future years by the personal visit of a trained agent of this Government to the family of the intending immigrant in order that he may see for himself the inheritance which each immigrant has received from his parents, and so determine whether the children of that immigrant, as well as the man himself, be fit for American citizenship?

The amendments I shall offer do not go so far as this. I have no reason to expect that the Members of this House, without careful study of the operation of the Mendelian law as

applied to the heredity of insanity, will agree with me as yet. But I do wish it known that shortly after the Immigration Commission made its report to Congress Dr. Rosanoff proved beyond the question of a doubt the existence of the neuropathic taint as a recessive character, thereby opening the way for better legislation by Congress to-day than was possible from the information before the Immigration Commission three years ago.

Criminals who are serving time are very largely of the feebleminded class—perhaps 50 per cent—although such meager figures as have been compiled would not show quite such a large percentage. In the study of these subjects we can not do better than to follow the suggestions of Signor Beltrani-Scalia, recently inspector of prisons in Italy, who said:

Leaving aside all abstract speculations and uncertain theories, it is requisite that in moral science we should follow the same path that has been so advantageously taken in the study of natural science * * * because moral facts, as well as those which are called natural facts, have a cause so to be.

If the criminal class is recruited largely from the feeble-minded, and feeble-mindedness is an inherited strain following the Mendelian law, should we not in justice to the American people write into our immigration law something better than the literacy clause?

In 1874-75 there was conducted by Robert L. Dugdale, under the auspices of the Prison Association of New York, an investigation which resulted in the tabulation of the career for five generations of the family which he called Juke. I wish briefly to refer to this family, not with any idea of showing inevitable hereditary criminality, hereditary degeneracy, or hereditary pauperism, but to show the terrific economic waste, the lack of efficiency mentioned in the report of the Commission on Immigration as one of the things to be guarded against from immigrants, because we have enough of it in this country now.

The Juke family lived in a rocky, inaccessible part of the State of New York. Five hundred and forty of their descendants, blood relatives all, and 169 related by marriage or cohabitation are registered in Mr. Dugdale's report. He assumes that collateral branches which he had no opportunity to examine would increase the number of this family to 1,200, and on the actual record of 709 Jukes that he does know about he figures the economic loss to the community for 75 years from this family of 1,200 as follows:

	Number.	Cost.
Total number of persons	1,200	
Number of pauperized adults	280	
Cost of almshouse relief	all the same	\$15,000
Cost of outdoor relief		32,250
Number of criminals and offenders	140	
Years of imprisonment.	140	
Cost of maintenance at \$200 a year		28,000
Number of arrests and trials	250	
Number of habitual thieves, convicted and unconvicted	60	25,000
Number of years of depredation, at 12 years each	720	
Cost of depredation, \$120 a year	120	86,400
Number of lives sacrificed by murder	7	00, 400
Cost of depredation, \$120 a year Number of lives sacrificed by murder. Value of lives, at \$1,200 each.	Landau and El	8,400
Number of common prostitutes	50	0, 200
Average number of years of debauch	15	
Total number of years of debauch	750	
Cost of maintenance, at \$300 each		225,000
Number of women specifically diseased. Average number of men each woman contaminates with per-	40	
Average number of men each woman contaminates with per-	The same	The state of the s
manent disease	10	
Total number of men contaminated	400	
Number of wives contaminated by above men		
Total number of persons contaminated	440	
each		00 00
Average loss of wages caused by disease during rest of life, in	********	88,000
years	3	
Total years of wages lost by 400 men	1,200	
Loss at \$500 a year	7,500	600,000
Average number of years withdrawn from productive industry		
by each courtesan	10	
Total number of years lost by 50 courtesans	500	
Value, estimated at \$125 a year		62,500
Aggregate curtailment of life of 490 adults, equivalent to 50		
mature individuals. Cash cost, each life at \$1,200.	50	*************
Aggregate of children who died prematurely	300	60,000
Average years of life of each child.	900	
Cash cost, each child at \$50	2000	15,000
Number of prosecutions in bastardy	30	10,000
A verage cost of each case, \$100.		3,000
A verage cost of each case, \$100. Cost of property destroyed, blackmail, brawls. A verage capital employed in bouses stock furniture etc. for		20,000
Average capital employed in houses, stock, furniture, etc., for		
brothels		6,000
Compound interest for 26 years, at 6 per cent		
Charity distributed by church		
Charity obtained by begging		5, 450
	Name of the last	* 000 000
Total		1,308,000

Over a million and a quarter dollars of loss in one family in 75 years. Without attempting to draw any conclusions in the matter of heredity, I would merely suggest that if in this known family of 709 persons in five generations there were 91 illegitimately born, 128 prostitutes, 67 syphilitics, 64 paupers, 142 who received almshouse relief, and 76 criminals, what will be the economic loss before this strain is exhausted?

I had hoped to be able to present to this House the record of the Juke family brought down to date, but I have a telegram from Dr. C. B. Davenport in charge of this work, saying that

it is not vet completed.

I will, however, mention another family called "Nam," whose record by Dr. Davenport is brought down to 1912. On a balance sheet similar to the Jukes 1,795 members of this family in seven generations show an economic loss to the State of \$1,411,676, but in this computation I have substituted for liquor bills an equivalent of productive labor lost.

equivalent of productive labor lost.

Again, the "Hill" family of 737 persons shows an economic loss to the community in five generations up to 1912 of \$498,260.

Please remember that each of these families originated from but two people, and our immigration in some years is over a million immigrants per year. These figures must suggest careful selection of our future citizens, if only from an economic point of view.

Now, with regard to those morally unfit to enter this country, as suggested by the report of the Immigration Commission, I shall again quote a line from Signor Beltrani-Scalia:

Moral facts, as well as those which are natural facts, have a cause so to be.

During the year 1913 just passed there appeared a book called The Kallikak Family. This is the pseudonym of a family on whose illegitimate side in the sixth generation is now a girl called Deborah in an institution for the feeble-minded at Vineland, N. J. In the course of the usual investigation into the heredity and environment of the patient, this startling fact was discovered: Just prior to the Revolutionary War one Martin Kallikak, a young man of very good family, had, by the feeble-minded daughter of an innkeeper, an illegitimate son. A few years later Martin Kallikak married a normal woman of his own station in life, and their descendants to the present sixth generation have been estimable citizens, proudly bearing one of the most honored names in the Commonwealth of New Jersey. So, starting with Martin Kallikak, we have presented two branches of a great family, starting from the same head, the one branch normal, strong, creditable, an asset to the State; the other weak, feeble-minded, discreditable, a continuing liability to the State; the one whose membership comprises business and professional men of the highest repute, the other branch of the same name of whose 480 known direct descendants 143 have been feeble-minded and but 46 normal, with the rest unknown or undetermined. Can there be any doubt of the heritage of feeble-mindedness? A mere glance at the sinister Kallikak record of illegitimacy, harlotry, alcoholism, incest, and crime is sufficient.

Now, if feeble-mindedness is hereditary, along what lines does it show itself? If there were any doubt of this hereditary quality, we should scarcely expect to find the known law of biology—the Mendelian law—to be its method of transmission,

yet so it is-as in plants, so in people.

The Mendelian law is named after its discoverer, an Austrian monk called Gregor Mendel. In his garden, in the year 1866, he made some experiments, crossing tall and dwarf peas, and found that the tall peas contained a "dominant" character which the dwarf peas lacked. They were "recessive" for the lack of that element which makes the tall peas tall. Mendel crossed the tall with the dwarf, and in the first generation all were tall peas. He then permitted these tall peas that had a single or simplex "recessive" strain to fertilize themselves, and found in the second generation three tall peas to one dwarf pea, and so on through subsequent generations. This law, though lost sight of until 1900, has since then been found to apply to the color of the hair, albinism, brachydactylism, and to other human traits. As I said before, Dr. Rosanoff has not only made certain of the application of the Mendelian law to the inheritance of feeble-mindedness, but in so doing has for all time put the normal mind in the "dominant" class and the feeble mind in the "recessive" class. It is comforting to have the odds 3 to 1 in one's favor even after the first generation.

Dr. Rosanoff hunted up the antecedents of some hundreds of patients who were confined in the Kings Park (N. Y.) State Hospital for the Insane, made out a table of expectancy based on the Mendellan law, and arrived at these results:

Of the 64 offspring of 17 matings all of whose parents had the neuropathic constitution, according to the Mendelian law

all these 64 children would be neuropathic. Dr. Rosanoff found but 54 who were neuropathic, although 8 are still too young to be determined.

Of 169 children of 37 matings one of whose parents in each case had the neuropathic constitution, according to the Mendelian law 84½ would be neuropathic. Dr. Rosanoff found 84 neuropathic and 85 normal, and so on. I append hereto the complete table with some necessary explanations:

Types of mating.	Num-	ber of chi	Died	Data un- ascer- tained.	Neuropathic offspring.		Normal off- spring.	
	ber of mat- ings.		in child- hood.		Actual find-ings.	Theoretical expectation.	Actual find-ings.	Theo- retical expec- tation.
a.RR×RR=			THE REAL PROPERTY.	History	Called St.	SEL IOL	No.	
BR. BR X RR =	17	75	11	0	54	64	10	0
DR+RRbl. DR×RR=	37	216	46	10/1	84	841	85	84]
DR+RR	56	284	20	4	106	130	154	130
DRd. DR × DR =	14	61	13	3	0	0	45	45
DD+2 DR+ RRdl. DR×DR= DD+2 DR+	7	34	5	0	8	73	21	21
RRe.DD X DR =	55	335	39	3	99	731	194	219
DD+DR	20	92	12	3	0	0	77	77
DD × DD =	0	0	0	0	0	0	0	0
Total	206	1,097	146	14	351	359	586	578

"Some of the data represented in the table require special explanation.

"Among the offspring which resulted from matings of the first type, RR×RR, 10 are recorded as being normal, although theoretically all should be neuropathic. Of these 10, 1 died at the age of 38 years, in an accident; during life suffered from asthma; had a son who died in convulsions. Another is described as being easy-going; is somewhat odd and, possibly, abnormal in make-up; is 29 years of age. The rest are from 8 to 22 years of age. In others words, in 2 of the 10 subjects the neuropathic constitution is not positively excluded and the re-

maining 8 have not reached the age of incidence.

"The matings of the second and fourth types, DR×RR and DR×DR, respectively, have been divided into two groups each, as already explained in the preceding section. Thus, groups b and d in the chart include the matings in which the simplex condition of either or both mates, as the case may be, is definitely ascertained, the existence of neuropathic manifestations either in ancestors or in collateral relatives of the subjects appearing in the pedigrees. Groups b1 and d1, on the other hand, include the matings in which the simplex condition of either or both mates is assumed to exist on the basis of the character of the offspring. It is perhaps not surprising that groups b1 and d2 are larger than d3 and d4 respectively, when we consider the great likelihood of a neuropathic taint, derived from an ancestor of a remote generation, being transmitted many times in the shape of a simplex condition, and, at the same time, the fact that our investigations extended in almost all cases no further back than the generation of grandparents."

That The Kallikak Family was not written by Dr. Goddard in order to prove the application of the Mendelian law is shown by his brief reference to the law on pages 109 to 117. I asked Dr. Rosanoff to take just such information as was tabulated in The Kallikak Family and see if the theoretical expectation according to the Mendelian law corresponded with the

facts

I now present the following table for the Record, in condensed form, and will only comment on it to the extent that out of a total of 502 cases there was only a difference between the theoretical expectation and the actual findings of two offspring. I do not pretend that from the meager facts which I have presented in the original investigations of Dr. Rosanoff, mentioned above, and his application of the Mendelian law to The Kallikak Family, that we are in possession of all the scientific facts which will be necessary before we can arrive at the proper solution of the problems of crime, pauperism, and degeneracy, but I do think they are sufficient to show the tendency of modern scientific research, and that the Members of this House should not be satisfied with the now antiquated findings of the Immigration Commission with regard to mental disease in its application to the problem of immigration.

	Number of matings.	Total num- ber of off- spring.	Died in in- fancy or data unas- cer- tained.	Normal off- spring.		Feeble-minded offspring.	
Types of mating.				Theo- retical expec- tation.	Actual find-ings.	Theoretical expectation.	Actual find-ings.
RR×RR=RR DR×RR=DR+RR DD×RR=DR DR×DR=DD+2DR+	42 11 8	150 44 16	47 13 4	15½ 12	2 15 12	103 15½	101 16
RR	1	4	2	11/2	1	1	1
DD×DR=DD+DR DD×DD=DD	178	389	35	354	354		
Total	240	603	101	383	384	119	118

The great State of New York is more interested, probably, than any other State, because, as Chairman Burnett suggests on page 5 of his report on this bill, it costs the State nearly \$4,000,000 a year to take care of the alien insane who have slipped past the immigration authorities because of the insufficiency of the present law and its nonenforcement because of lack of funds.

Before I proceed to show what burdens are now unjustly placed on the State of New York and other States in varying amounts, I wish to refer briefly to the history of immigration legislation in order to show what is the mess of pottage for which the State of New York sold its birthright to protect itself

from the influx of undesirables.

As far back as 1847 the State of New York created a commission of emigration, whose duty it was to properly safeguard and help to employment all the alien immigrants arriving at the port of New York for a period of five years after their arrival, the funds for which purpose were created by a small commutation payment by each immigrant. Between the years 1847 and 1855 this State emigration commission paid to the State of New York \$2,250,000 as the State's share of the cost of the support of those aliens who within five years had become a public charge. The following table shows the efficiency of the service rendered by the commissioners of emigration in caring for the aliens with funds paid by themselves between May 5, 1847, and December 31, 1872:

5, 033, 392

Number of alien immigrants arrived at the port of New York from May 5, 1847, to December 31, 1872, for whom commutation money was paid.

Of which number the commissioners of emigration provided and cared for out of the emigrant fund for a greater or less period during the five years subsequent to arrival, as follows:

Number treated and cared for in the institutions of the commissioners of emigration.

308, 643

Number supplied temporarily with board, lodging, and money relief in the city of New York.

Number provided with employment through

York.
Number provided with employment through labor bureau at Castle Garden.
Number forwarded from Castle Garden to destination in United States at their own request. 349, 936 53, 083 request. Number r

imber relieved and provided for in various counties and institutions at the expense of commissioners of emigration

On August 3, 1882, the Federal Government assumed control of the alien problem and assessed a tax on shipowners of 50 cents for each alien passenger landed at the ports of the United States. The act of August 3, 1882, provided in part that the Secretary of the Treasury should provide for the support and relief of such immigrants as may fall into distress or need public aid under the rules and regulations to be pre-scribed by said Secretary. For the time being it recognized the principle of relieving local communities from the burden of helpless immigrants, and permitted all those who became public charges within one year after their arrival from causes ex-isting prior to landing to be deported and their expenses while dependent prior to deportation to be paid to the local authori-

ties by the steamship companies. By the act of March 3, 1903, aliens who are found to be public charges from causes existing prior to landing could be deported at any time within two years. The period of deportation was again extended by the amendment of February 20, 1907, when the period of deportation was made three years. This act of February 20, 1907, still recognized the principle of

Federal responsibility for dependent aliens in the following terms:

The money (\$4 head tax) so collected, together with all fines and rentals collected under the laws regulating the immigration of aliens into the United States, shall be paid into the Treasury of the United States and shall constitute a permanent immigration fund, to be used

under the direction of the Secretary of Commerce and Labor to defray the expenses of regulating the immigration of aliens into the United States under said laws, including the contract labor laws, the cost of reports of decisions of the Federal courts and digests thereof for use of the Commissioner General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed to enforce the said laws.

As the last straw to break the camel's back, the act of March 4, 1909, provided that

On and after July 1, 1909 (35 Stats., p. 982), all head tax collected pursuant to the provisions of section 1 of the said act of February 20, 1907, together with all fines and rentals collected and moneys received from other sources under the laws regulating the immigration of aliens into the United States, shall be covered into the Treasury to the credit of miscellaneous receipts.

Since July 1, 1909, about a million dollars a year has been covered into the general fund of the Treasury over what has been spent in the enforcement of the immigration law, thereby

making out of the head tax a revenue measure.

At the port of New York alone ex-Commissioner Williams has publicly stated in 1912 that this Government annually collects over \$3,000,000 in revenue through the head tax imposed on immigrants who arrive at Ellis Island, which is more than twice the amount appropriated for expenditures there, and as a final climax the Secretary of Labor last month issued an order that after January 1, 1914, no further payment should be made for the care of deportable aliens in State institutions between the time of their certification for deportation and their actual embarkation. The amount received for this last purpose by the State of New York during the past few years has, of course, been small, but it shows the tendency of legislation and the utter neglect of the Federal Government even to use the money which it requires that each alien shall pay into the Public Treasury before he can enter the United States for the care and maintenance of the very aliens who pay in this money. I claim that the head tax was never intended as a revenue measure; that since 1909 immeasurable injustice has been done to the States which have had to harbor dependent aliens who with reasonable amendments to the immigration law and an adequate enforcement of its provisions should have been originally excluded from our shores.

As I have said, Mr. Burnett, on page 5 of his report to accompany this bill, refers to the fact that it costs the State of New York nearly \$4,000,000 a year to take care of its alien insane. According to the enumeration made February 10, 1912, there were in the State hospitals of the State of New York 13,163 foreign-born patients. It costs the State of New York \$262 per annum for each patient, which makes a total of \$3,448,706 expended by the State of New York in the year 1912 for the maintenance of the alien insane. The average hospital life of each patient is 11 years, so that if the alien insane continue to be admitted to the hospitals of the State of New York in the same numbers as in the year 1912, the State stands confronted with the necessity of raising by taxation the sum of \$37,935,766 to care for 13,163 of the alien insane during their hospital lives. I maintain that if Congress would adopt some amendments to this bill based on information acquired after the Immigration Commission had reported to Congress, this staggering outlay to the State of New York could largely be saved, and the States of New Hampshire, Connecticut, Massachusetts, Rhode Island, New Jersey, Pennsylvania, Maryland, Indiana, Illinois, West Virginia, and South Carolina especially, which are cooperating with the State hospital commission of the State of New York in the endeavor to present this deplorable situation in its true light-not to mention the other States which are less directly affected-would all be saved their proper proportion.

In conclusion I append a bibliography for the convenience of any Member who may be interested, and I will merely say that my amendments are offered to perfect a very good bill which has as its chief weakness the literacy clause. With due regard for the admirable report of the Immigration Commission on other subjects, I nevertheless believe that the subject of mental defect is worthy of more thought than was given it by the commission. Of the 41 volumes of the commission's report, only 24 pages are devoted to its consideration, and this brief comment finishes

as follows:

1, 465, 579

as follows:

The situation with respect to insanity among immigrants, as indicated by the data and authorities upon which this report is based, may be summarized as follows: Although the immigration of mentally unsound aliens is prohibited by law, and although many mentally diseased or defective aliens are turned back at the ports of entry, there are in the United States many thousands of insane or feeble-minded persons of foreign birth. It appears that insanity is relatively more prevalent among the foreign born than among the native born, and relatively more prevalent among certain immigrant races or nationalities than among others. In general, the nationalities furthest advanced in civilization show, in the United States, a higher proportion of insane than do the more backward races. For the high ratio of insanity among the foreign born, several causes have been assigned, and while it is difficult to determine the values of the various factors,

it is probably true that racial traits or tendencies have a more or less important influence. A further cause of mental disease is probably to be found in the total change in climate, occupation, and habits of life which the majority of immigrants experience after arrival in the United States.

The provisions of the immigration law of 1907 for the exclusion of mentally unsound persons are seemingly complete and comprehensive, while the enforcement of such provisions is doubtless as satisfactory as can be expected, in view of conditions under which arriving immigrants must be inspected.

In view of the facts previously stated in my remarks, I can not agree with the commission.

In the light of recent scientific research, I am forced to the belief that, by reason of the inherited qualities of mental soundness or defect, this House in this legislation must now decide whether, by adopting the unjust and inefficient literacy decides it will have an adopting the unjust and inefficient literacy clause, it will burden our splendid and unequaled race with defectives, degenerates, and criminals through unnumbered generations, or whether, by rejecting the literacy clause and by substituting therefor some wise amendments, it will admit the progenitors of normal, sane, and industrious citizens, whose good qualities through the years to come will be transmitted unimpaired to their sturdy American descendants.

good qualities through the years to come will be transmitted unimpaired to their sturdy American descendants.

I expect to offer the following amendments:

On page 7 strike out all beginning with line 15, down to and including the word "Provided," in line 24, page 8, as follows:

That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to wit:

All aliens over 16 years of age, physically capable of reading, who can not read the English language or some other language or dialect, including Hebrew or Yiddish: Provided, That any admissible alien or any alien heretofore or hereafter legally admitted, or any citizen of the United States, may bring in or send for his father or grandfather over 55 years of age, his wife, his mother, his grandmother, or his unmarried or widowed daughter, if otherwise admissible, whether such relative can read or not; and such relative shall be permitted to enter. That for the purpose of ascertaining whether aliens can read the immigrant inspectors shall be furnished with slips, of uniform size, prepared under the direction of the Secretary of Labor, each containing not less than 30 nor more than 40 words in ordinary use, printed in plainly legible type in the various languages and dialects of immigrants. Each alien may designate the particular language or dialect. No two aliens coming in the same vessel or other vehicle of carriage or transportation shall be tested with the same slip. That the following classes of persons shall be exempt from the operation of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States solely for the purpose of escaping from religious persecution; all aliens in transit through the United States; all aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through

On page 20, line 1, strike out all after the word "landing" to the word "passenger" in line 5, and substitute the follow-

The Secretary of Labor shall assign a surgeon of the United States Public Health Service, not lower in rank than assistant surgeon, trained in psychiatry, who shall be received and carried on each vessel transporting immigrant passengers.

On page 20, in line 25, strike out the words "if requested by the examining board."

On page 38, line 15, strike out the word "three" and substitute the word "five."

On page 38, in line 16, strike out the words "from causes existing prior to the landing" and substitute "unless the said alien can show to the satisfaction of the Secretary of Labor that the causes for becoming a public charge did not exist prior to the landing."

On page 42, line 6, strike out the word "may" and substitute the word "shall."

On page 42, line 9, strike out the words "in like manner" and substitute "at the expense of the appropriation for the enforcement of this act," so as to read:

He shall employ a suitable person for that purpose who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed at the expense of the appropriation for the enforcement of this act.

On page 42 add a new section, to be know as section 20 a, to read as follows:

That hereafter it shall be unlawful for the owner, agent, or master of a transportation company or vessel engaged in the transportation of aliens into the United States to refuse to sell tickets for transportation to his or her native country or, having sold tickets for such transportation, to receive on board, any alien who was brought to the United States by a vessel owned by such transportation company or owner, or his or their legal successors or assigns, who, at the time that application for such ticket shall be made, shall be an inmate of any institution in the United States which is supported wholly or in part by public funds: Provided, That the arrival of such alien by a vessel owned by such transportation company or owner shall be verified by a United States commissioner of immigration: Provided further, That it shall be certified by the superintendent or principal medical officer of such public institution that such alien inmate is in condition to travel with safety to himself or herself or others: Provided further, That such alien inmate is not suffering from a quarantinable disease: Provided further, That when necessary for the safety of such alien inmate, a

suitable attendant shall be provided without expense to such transportation comany or owner.

That any person, including the owner, agent, or master of any transportation company or vessel, who shall refuse to sell tickets for the transportation of such alien inmates or, having sold such tickets, shall refuse to receive such alien inmates on board, shall be deemed guilty of a misdemeanor and shall on conviction be punished by fine not exceeding \$500 for each and every such alien inmate for whom transportation is received or who is not received on board.

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Mr. BURNETT. Mr. Chairman, some objection is made to going on to-night later than half past 6 o'clock, and if I can have an agreement-I know it has to be taken up in the House-but if I can have an understanding that we will run until 6.30 tonight and then meet at 11 o'clock to-morrow I will state I am willing to make the motion that the committee rise at 6.30, and I would like to know whether there is any objection to that now, because I would not want some gentleman, after we have made that kind of an arrangement, to make objection after we get into the House

Mr. MADDEN. Mr. Chairman, I will state to the gentleman, as far as I am concerned, I have no objection to it, although I announced at the beginning of the session to-day that I would raise the point of no quorum unless there was an arrangement

as to how long we would sit.

Mr. MOORE. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE. To reserve the right to object.

The CHAIRMAN. The gentleman has not submitted a request for unanimous consent. He simply made a statement.

Mr. MOORE. The gentleman submitted a statement, and I would like to speak to that just a minute, so that he may hear it. Will it be agreeable to the gentleman to quit at 6 o'clock to-night, in view of the fact that he wants to start an hour earlier to-morrow? Quite a number of gentlemen are anxious to get away to-morrow afternoon, and some have engagements for to-night. We are beyond the usual time for adjourning now. If the gentleman will quit at 6 o'clock, I think there will be no objection to his proposition to resume at 11 in the morning.

Mr. BURNETT. I would not want to do that, because I think we had a tentative agreement to the other effect. That would leave three hours for general debate to-morrow; and if we have this understanding the gentleman need not stay who do not wish to speak. If there is going to be objection, I would run on and try to get a quorum. If there is no objection gentlemen would be at perfect liberty to go on and keep their engagements.

Mr. MURRAY of Massachusetts. The rivers and harbors bill is being considered. The committee is sitting and they are going to meet to-morrow morning at half past 10, and I want

to be here to listen to this discussion.

Mr. BURNETT. If there is going to be objection, I will

withdraw any request and go on.

Mr. MOORE. Mr. Chairman, before that is done—
The CHAIRMAN. The Chair will state that the time which is being now consumed is being charged to the gentleman from

Alabama [Mr. BURNETT].

Mr. MANN. I think it ought not to be charged to him. It is impossible to reach a unanimous agreement.

The CHAIRMAN. It is impossible for the Committee of the

Whole to enter into an agreement. Mr. MANN. It is possible to consider a unanimous-consent proposition without its being charged to the time of the gentle-

The CHAIRMAN. If there is no objection, it will not be charged to the gentleman from Alabama [Mr. BURNETT].

Mr. MOORE. We are trying to come to an understanding, and it seems to me we should know now between the three elements directing the matter in the House how much time has been consumed, and we may be able to formulate our plans for to-morrow.

The CHAIRMAN. The gentleman from Alabama [Mr. Bur-NETT] has consumed 88 minutes; the gentleman from Pennsylvania [Mr. Moore], 62 minutes; the gentleman from Illinois [Mr. Sabath] has consumed 45½ minutes—195½ minutes in all.

Mr. GOLDFOGLE. Mr. Chairman, may I suggest to the gentleman from Alabama [Mr. Burnett] that we had better rise?
Mr. BURNETT. Mr. Chairman, I yield 15 minutes to the gentleman from Alabama [Mr. ABERCROMBIE], if I can not reach an agreement.

Mr. MANN. Let us see if we can not reach an understanding on this. I hope there may be no objection to meeting at 11 o'clock to-morrow, if we adjourn at 6.30 to-night. I think that is to the convenience of nearly everybody.

Mr. BURNETT. I am willing to do that if gentlemen will indicate that there will be no objection. But as long as men are talking about objecting, I want to go on with the work.

Mr. SABATH. I wish to say, personally, that I have no objection to going on until 6.30, although some gentlemen think we are to adjourn at 6 or soon thereafter. Now, if the gentleman would consume the 15 minutes now, that would bring us until 5 minutes after 6, and then we could rise.

Mr. MANN. Let him put somebody else in. Mr. SABATH. You have somebody else here? Mr. BURNETT. Yes.

Mr. GOLDFOGLE. Mr. Chairman-Mr. BURNETT. I do not yield.

Mr. GOLDFOGLE. I trust the gentleman will yield, because I can raise a point of no quorum, and I do not desire to

Mr. BURNETT. What does the gentleman suggest, then?

Mr. GOLDFOGLE. What I suggest is this: That you will use whatever time you wish up to half past 6, not asking us to use any of our time.

Mr. BURNETT. I will not agree to that. I will agree to use 20 minutes.

Mr. GOLDFOGLE. And then rise?

Mr. BURNETT. No, sir. If the gentleman is without speakers, that is a very unjust request.

Mr. MURRAY of Massachusetts. But there ought to be

plenty in the Chamber.

Mr. BURNETT. Mr. Chairman, I yield 15 minutes to the gentleman from Alabama [Mr. ABERCROMBIE].

Mr. MURRAY of Massachusetts. Mr. Chairman, I suggest

the absence of a quorum.

The CHAIRMAN. The gentleman from Massachusetts [Mr. MURRAY] makes the point of no quorum. The Chair will

Mr. MANN. While the Chair is counting a quorum I suggest

to all gentlemen that it is better to be good-natured.

Mr. MURRAY of Massachusetts. Mr. Chairman, these gentlemen are apparently without speakers to consume the time. Mr. MANN. That can be easily arranged afterwards. The question is whether we will agree to meet at 11 o'clock to-

morrow morning.

Mr. MURRAY of Massachusetts. So far as that is concerned, it is a question whether it is more important for me to be here or in the Committee on Rivers and Harbors. But I shall

not object to the 11 o'clock arrangement.

Mr. GOLDFOGLE. Mr. Chairman, I shall object to the 11 o'clock arrangement if the gentleman from Alabama [Mr. Burnett] objects to the proposition I have made, namely, that he use the time and then rise.

Mr. BURNETT. All right. Mr. Chairman, I ask that we

The CHAIRMAN. The gentleman from Massachusetts [Mr. MURRAY] makes the point of no quorum. The Chair will count.

Mr. MURRAY of Massachusetts. Mr. Chairman, in view of

developments since my suggestion was made, I will withdraw the point of no quorum.

The CHAIRMAN. The gentleman from Massachusetts [Mr. Murray] withdraws the point of no quorum.

Mr. BURNETT. Mr. Chairman, I yield 15 minutes to my colleague from Alabama [Mr. Abercrombie].

The CHAIRMAN. The gentleman from Alabama [Mr. Abercrombie] is recognized for 15 minutes.

Mr. ABERCROMBIE. Mr. Chairman, in the opinion of many people no subject more important than that of the proper regulation of immigration will come before this Congress. It bears directly or indirectly upon a number of our most difficult problems, among which may be mentioned those of capital and labor. production and consumption, poverty and crime, education and government. In fact, it touches and influences almost every phase of our America life.

THE FIRST SETTLERS.

The American continent was settled by members of the Anglo-Saxon race who sought escape from injustice and oppression in other lands-people of intelligence, character, and independence, who were willing to make the sacrifices and undergo the hardships incident to the development of a new country in order that they and their descendants might enjoy the blessings of civil and religious liberty. They came to build homes and establish a civilization. They were possessed of a common purpose, and no racial dissimilarities existed as barriers to easy and complete homogeneity. As a result, though there were differences in language and custom, amalgamation was natural and rapid.

The original settlers came chiefly from Great Britain, Germany, Scandinavia, and other Teutonic countries in northern western Europe, and those countries furnished a large majority of the newcomers until within the last third of a century. In the beginning nobody dreamed even that there might ever come a time when there would be a great influx of

dissimilar and unassimilable peoples.

Then came the unfortunate conflict of the sixties. The country—the whole country—was left in confusion and distress, a third of it in the depths of poverty, darkness, and despair. For the next two or three decades all hands and hearts and minds were turned toward the rehabilitation of personal fortunes and the reconstruction of local, State, and Federal Governments; and almost before it was realized, certainly before it was realized by many, the present tremendous and perplexing problem of immigration confronted the country.

RECENT IMMIGRATION.

A wonderful change in the composition of our citizenship as it relates to ethical standards and racial characteristics has taken place during the last third of a century. Within that period immigration from northern and western Europe has grown smaller year by year, while that from southern and eastern European countries has increased until it has reached enormous and bewildering proportions. In its report on this phase of the subject the Immigration Commission of 1907 says:

During the fiscal year 1907, in which the commission was created, a total of 1,285,349 immigrants were admitted to the United States. Of this number 1,199,566 were from Europe, including Turkey in Asia, and of these 971,608, or 81 per cent, came from the southern and

eastern countries, including Austria-Hungary, Bulgaria, Greece, Italy, Montenegro, Poland, Portugal, Roumania, Russia, Servia, Syria, and Turkey.

Twenty-five years earlier, in the fiscal year 1882, 646,764 European and Syrian immigrants came to the United States, and of these only 83,320, or 12.9 per cent, came from the countries above enumerated, while 563,170, or 87.1 per cent, were from Belgium, the British Isles, France, Germany, the Netherlands, Scandinavia, and Switzerland, which countries furnished 95.8 per cent of the total immigration movement from Europe to the United States between 1819 and 1883.

During the entire period for which statistics are available—July 1, 1819, to June 30, 1910—a total of 25,447,180 European immigrants, including 163,747 from Turkey in Asia, were admitted to the United States. Of these, 15,968,689, or 62.8 per cent, came from the northern and western countries enumerated, and 9,478,491, or 37,2 per cent, from southern and eastern Europe and Turkey in Asia.

An average of approximately a million aliens come annually into the United States, more than fourteen hundred thousand coming within the last 12 months. From almost every country in the world they come. Until within a recent period comparatively few of them located in the Southern States, but of recent years they are locating there in increasing numbers. Some of the far Western States are receiving many Asiatics, and as a result that section is threatened with a "yellow peril."

This mad rush of foreigners to our shores is perhaps the

most remarkable social and economic phenomenon of the current third of a century; yet few people, even among the most intelligent and observant, have realized the number and the immensity of the problems which it imposes. These problems are at once social and economic, civic and industrial, ethical

and racial.

Practically all of the earlier immigrants came of the same race, or branches of the same race, and were therefore easily welded into a homogeneous body, while many of those who are now coming in a mighty stream are dissimilar from the first settlers in race, in language, in customs, in ideals, and in possibilities of development and assimilation. Almost every section now faces a race problem, no two being exactly alike. To complicate the situation, our negro population is increasing rapidly, the number having grown within a half century from four to ten millions, most of whom are located in the same section.

It would seem, therefore, that the problem of the races is sufficiently grave, complicated, and embarrassing without our encouraging the coming of other and differing peoples. [Applause.]

COMPLETE ASSIMILATION IMPOSSIBLE.

It has been suggested by certain students of sociology and ethnology that these great and ever-changing multitudes of dis-similar peoples will in the course of time become so intermingled, so completely amalgamated, as to form a new and distinct race which will supplant the original Anglo-Saxon stock and be superior to any one of the component races. Few of us are ready to believe that such a result is possible; fewer still that it is probable. All ethnologic history teaches the contrary. No hybrid or mongrel people has ever excelled or equaled the superior of the species involved in its production. [Applause.]

But when we take into consideration the tremendous influx of newcomers whose birth rate is large, the constantly and rapidly increasing negro population, and the declining birth rate among native Americans of Anglo-Saxon origin, there seems to be reason for the fear that the time may come when this country will be made up, if not of a mongrel race, then of groups of peoples of dissimilar races and nationalities. In fact,

this is true to-day in a number of the large cities.

In some sections, especially in the larger cities, the problem of the immigrant is almost as perplexing as is the race problem of the Southern States. Indeed, it is believed by some to be a problem more difficult of solution, for in the South we have solved our problem, partially at least, by decreeing that there shall be no blood amalgamation. [Applause.]

SOME ASPECTS OF THE PROBLEM.

Among the more interesting and at the same time the more discouraging aspects of the immigrant problem may be mentioned the following:

1. The already large and rapidly increasing number. At the present rate of increase the time is not far distant when each State and each community in each State will have in its midst many aliens, a large percentage of whom have no regard for our institutions, no appreciation of our civic and ethical ideals, and no desire to become American citizens.

2. The character of the immigrant. Many are steeped in ignorance and superstition, undeveloped morally and physically, victims of disease—characterless, moneyless, and criminal. Of course, this is not true of all; we know that certain classes of immigrants are intelligent and well developed physically, mentally, and morally.

3. Their tendency toward clannishness. Large sections of our great cities have already been given over to them almost completely. I recall no large city in the entire country that has not its foreign element and its foreign section. This makes the administration of government more difficult and more expensive.

4. Their low standards of living. Oppressed for ages, accustomed to the weakening and degrading standards of overpopulated countries, inured to the restrictions and hardships of poverty, thousands of them are able to exist upon smaller wages than our native people require. The result is that our natives can not live comfortably and contentedly in competition with them. This develops prejudice and friction; tends to lower our own standards of living; swells the number of the unemployed; aggravates the differences between capital and labor; and creates numerous civic, social, and economic problems.

5. Their racial characteristics. The color of thousands of them differs materially from that of the Anglo-Saxon, and with other racial characteristics constitutes a standing barrier to that homogeneousness so essential in a democracy. The highest form of democracy can not exist where the citizenship is made up of races that for ethnological reasons can not blend without the deterioration of the superior race. Wherever the Caucasian and other races have existed upon the same soil there have been great and unavoidable antagonisms.

IMMIGRATION IMPOSES MIGHTY OBLIGATION.

Upon all who value the privileges and appreciate the duties of citizenship, the problem of immigration imposes a tremendous obligation. Upon Members of Congress, especially, the obligation rests most heavily. It is our bounden duty to seek a solution. Wherein lies that solution? If to be found anywhere, I believe, with the Immigration Commission and with the Committee on Immigration, that the best immediately available solution will be found in restriction, distribution, and education, and that, under existing conditions, the educational test should be applied, at least temporarily and in moderation, at the very threshold. [Applause.]

The bill under consideration seeks to minimize the number of immigrants by adding to the excludable list those over 16 years of age who are unable to read some language or dialect, upon the idea that this plan offers the most effective method of further restricting the admission of those who are most likely to make undesirable citizens or residents. Since ignorance and idleness, illiteracy and weakness, shiftlessness and inefficiency, pauperism and criminality usually go hand in hand, we can not admit large numbers possessing these characteristics without en-dangering American institutions, without jeopardizing democratic ideals. [Applause.]

It is but natural that those whose ability to continue to reap enormous and unearned profits depends upon an unlimited supply of the cheapest and most servile of alien labor should object to anything that would tend to diminish that supply.

EDUCATION OF IMMIGRANT

But our duty does not end with the admission of the immigrant. As far as it is possible under nature's limitations we should encourage his assimilation. If we can not take the immigrant into our homes, we can assist him in building homes of his own; if we can not in safety mingle our blood with his, we can encourage him to protect his own blood; if we can not admit him to our schools, we can aid him in conducting schools for himself; if we can not at once clothe him with citizenship, we can teach him the principles of democracy; if he will not accept our civilization forthwith, we can by precept and example lead him gradually to appreciate its beauties. words, we can educate him. Indeed, outside of the processes of education there is no permanent solution to any problem. The immigrant and immigrant's child, as well as the native and the native's child, must be instructed in the history, the theories, the practices, and the ideals of Americanism. [Applause.]

The first step in this education will be to instruct in the use of our language. With the parents this process will be slow and in many cases unsatisfactory. With their children it will be rapid and more satisfactory. Having taught the immigrant and his child the use of the means of communication, the other processes will follow with less of effort.

In this education, where the number of immigrants is smaller than the native population and there is no great racial dissimilarity, the ordinary public schools may be employed; but in the beginning it may be necessary to establish special schools with specially trained teachers. In communities made up wholly or almost wholly of illiterate immigrants teachers should be selected from those races which predominate in num-In communities made up bers, and such teachers should be trained by native instructors.

It will be necessary in many places to utilize the night school, since the parents and many of the children will probably find it necessary to work during the daytime. Indeed, in many localities the natives as well as the foreigners can best be reached with education in night classes. That this is true has been demonstrated by the Young Men's Christian Association.

Again, in the education of the immigrant and his child the vocational or trade school can be made an effective agency. Too many of our people, both native and foreign born, grow into manhood and womanhood without the training necessary for a successful performance of life's everyday duties. Vocational education, training for productivity and self-support, is one of our greatest social, civic, and economic needs, and this form of education can not be omitted in the adequate preparation of the newcomer for life in our land. [Applause.]

Along with the education of the immigrant should go also

organized and cooperative efforts upon the part of local, State, and Federal Governments to assist him in securing honorable and lucrative employment. We should see to it that he receives wages that will enable him and his family to live on a standard not far below that of the natives of the same class and occupation. To that end immigrants should be discouraged from isolating themselves and settling in communities made up entirely of foreigners.

The problem of the immigrant, like the problem of the negro, would be less difficult if the immigrant population could be distributed more evenly throughout the country. It is perfectly natural for newcomers, if left to themselves, to congregate in isolated localities. This is shown by the fact that large sections of our great cities have been monopolized by them.

If a large portion of those who come to us from other countries come with low standards of living and low ethical ideals, it is because they have been neglected and oppressed in the countries from which they come; and that fact only makes our duty all the plainer, all the more binding. We are our brother's keeper, and our brother is our fellow man wherever he may be found. [Applause.]

THE PUBLIC SCHOOL

That American institution which promises to play a greater part than any other in the solution of the problem of the immigrant is the public school. Universal education of the right kind in free government works wondrous changes. The question is whether this agency is so organized and administered as to meet the requirements of the situation. Has there been a serious and effective effort to adapt the school system to the needs of the immigrant child?

This question as it relates to the entire country must be answered in the negative. It is stated that the reformatories of the country are the recipients of a large number of immigrant children; that the number is greatly disproportionate to the percentage of immigrant population. It is stated also that the percentage of immigrant criminals, youthful and adult, is far greater in proportion to population than that of native citizens.

If these statements be true, may not these conditions come from ignorance of laws and customs rather than from moral turpitude? In either case can there be a remedy quite so efficacious as the influence of the public school?

CONCLUSION.

After all, no man can tell what is to be the result of our efforts to assimilate the millions who are flocking to our shores; that is known only to the Most High. But this we do knowthat he who serves fellow man aright serves self and home and country and God.

In this faith let us indulge the hope that the time will come when all the people of our glorious country, both native and foreign born, will be intelligent, educated, moral, law-abiding, prosperous, and happy; when the proudest boast of each will be, "I am an American citizen." [Applause.] Mr. BURNETT. Mr. Chairman, I yield to the gentleman from

Pennsylvania [Mr. Kelly].

The CHAIRMAN. The gentleman from Pennsylvania [Mr. Kelly] is recognized.

Mr. KELLY of Pennsylvania, Mr. Chairman, having the honor of representing the greatest industrial district in the United States, I have gone into this question to the very best of my ability, and I may say that I am firmly convinced that the best interests of those communities that make up the industrial centers of this country demand the passage of this bill.

I shall vote for this bill because I believe it means the best interests, not only of America as a Nation, but of the immigrants themselves, those who are already here and those who, unless immigration is restricted, would continue coming to our shores in great numbers.

This last phase is one which is seldom, if ever, considered, but I maintain that it is most important. By the very force of numbers, passing the bounds of assimilation, the illiterate and ignorant immigrant, does not and can not secure a fair chance here, nor can his treatment square with the demands of common

The illiterate immigrant is the victim of unscrupulous rascality from the time he leaves his cottage home in the Old World until he becomes part of the human maelstrom in our great industrial centers, where the vast majority of these newcomers finally gravitate.

Evil seduction awaits him on every hand. He is misdirected, cheated, and deceived at every turn. He is preyed upon by the extortioner and the grafter; he is despoiled by the faker. Crooked officers of the law trap him for fines, and he is the content of the law trap him for fines, and he is the content of the law trap him for fines, and he is the content of the law trap him for fines, and he is the content of the law trap him for fines, and he is the content of the law trap him for fines, and he is the content of the law trap him for fines, and he is the content of the law trap him for fines, and he is the content of the law trap him for fines, and he is the law trap him for fines, and he is the law trap him for fines and he is the law trap him for fines, and he is the law trap him for fines, and he is the law trap him for fines, and he is the law trap him for fines, and he is the law trap him for fines, and he is the law trap him for fines, and he is the law trap him for fines, and he is the law trap him for fines, and he is the law trap him for fines, and he is the law trap him for fines, and he is the law trap him for fines, and he is the law trap him for fines, and he is the law trap him for fines, and he is the law trap him for fines are the law trap him for fines and he is the law trap him for fines are th helpless victim of countless indignities, while he is surrounded by every kind of evil and cut off from every influence for good. I have seen these conditions at first hand, but if anyone should

think that I am dealing in exaggeration, I would refer him to the summary of the annual report of the bureau of industries and immigration of New York State for the year ending Sep-

In the matter of distribution of labor, that this State is without any machinery for distribution or supervision of private distribution agencies, except through a law administered by separate cities according to the standard and belief of each individual mayor, although a great part of the furnishing of labor is intercity and interstate.

In the matter of transportation, that the combination of steamship agents, emigrant hotels, runners, porters, expressmen, and cabmen throughout the country, operating chiefly through New York City, forms one of the most stupendous systems for fleecing the alien from the time he leaves his home country until he reaches his destination in America, and vice versa.

In the matter of living and labor

he leaves his home country until he reaches his destination in America, and vice versa.

In the matter of living and labor conditions in labor camps and colonies, that aliens are discriminated against in regard to housing, sanitation, food supplies, and employment methods, being denied the ordinary decencies of life; that in regard to labor conditions, aliens are checked and tagged, amounts ordered by the padroni are deducted from their wages without their knowledge or express sanction, and exploitations occur in hospital charges and the purchase of supplies.

In the matter of industrial calamities and personal injuries, exploitation by lawyers and their runners and claim agents and collection agents bear heavily on the alien because of his alienship and international complications with his family and property in his home country.

In the matter of savings, that the private banking laws are affording only a small measure of protection, owing to evasions of the law, and no protection whatever outside of cities of the first class; that frauds in the sale of homes to aliens by means of the solving of puzzles or by means of excursions arranged to interest aliens in "show" pieces of property, or by other means, are widespread; and that the settlement of affairs in the old country, when an alien wishes to settle here, is in the hands of a most unscrupulous class of lawyers, notaries public, collection agents, information bureaus, and protective leagues.

In the matter of education for children, that inadequate provisions exist for taking care of groups of people who collect with the starting of new industries in remote places, such as mines and quarries, and that adults outside of cities are wholly neglected in matters of instruction in English, civics, and naturalization. There are no systematic assimilation processes by the State and cities under way except in the largest cities.

Such an indictment—and no one acquainted with actual con-

Such an indictment-and no one acquainted with actual conditions can doubt its accuracy—proves that the glorious opportunities for the oppressed of other lands are largely composed of the shimmering fabric of which dreams are made

Not only that, but after he has secured employment the illiterate foreigner is under a handicap not only discouraging but deadly. Pennsylvania's record can be used here, for no other State receives more of the lowest class of immigrants than that great industrial Commonwealth. And I contend that that record shows that there is a very vital and very real connection be-tween the ignorance betokened by illiteracy and the gory death and accident tolls of industry

Every year 45,000 able-bodied workers are sent to the surgeon or the undertaker as the result of accidents while at their daily occupations in the mines and mills and factories of Pennsylvania. It is a fearful waste of life and limb, and every accident entails suffering and privation not only for the victim himself but for his helpless dependents. Still, of all the myriad industries of the Keystone State there is but one which demands that the worker knowingly take his life in his hand every time he enters the plant-that is the manufacture of dynamite, blasting powder, and high explosives. Death is always at the side of the worker in this industry, and his grim shadow is ever at hand. In that industry in Pennsylvania, according to the report of the Secretary of Internal Affairs at hand, there are 740 persons employed—553 Americans and 108 foreigners, a pre-ponderance of Americans found in but few industries of the

In this deadly occupation the year's accident toll is three, one fatal and two nonfatal.

The same report shows that making iron and steel and cement and mining bituminous and anthracite coal are more hazardous occupations by far than making dynamite. The reason is not hard to find to anyone who will go through the statistics of the report, for it stands out so vividly that all who run may read.

In these other industries mentioned a large majority of the upployees are of the lowest and most ignorant class. In the employees are of the lowest and most ignorant class. In the pig-iron industry 4,997 Americans are employed and 8,290 foreigners. A year's record shows 42 fatal accidents and 1,994 nonfatal.

In the steel works that have rolling mills and make a finished product 22,421 Americans are employed and 30,331 foreigners. The death toll for a year is 166, with 10,200 nonfatal injuries.

In the bituminous coal industry 45,531 Americans are employed and 107,728 foreigners. There are 449 fatal accidents a year and 4,151 nonfatal.

In the anthracite coal industry 51,567 Americans and 86,105 foreigners are employed. The accident report shows 539 fatal

and 3,360 nonfatal in a year.

In the cement industry 3,598 Americans are employed and 5,928 foreigners. Twenty-three workers are killed in a year and 435 are seriously but not fatally injured.

In other words, only 1 out of every 740 employees of dynamite factories loses life as a result of the risk of the industry, and 1 out of 370 employees is injured, while in the mining of anthracite coal 1 of every 255 workers is killed and 1 of every 41 is injured every year. In the mining of bituminous coal 1 of every 340 workers is killed and 1 of every 36 injured. cement industry 1 of every 414 workers is killed and 1 of every 22 is injured. In the pig-iron industry 1 of every 316 workers is killed and 1 of every 7 is injured. In the steel industry 1 of every 310 workers is killed and 1 of every 5 is injured.

Wherever the ignorant and illiterate aliens outnumber the Americans in an industry you will read the sure result in the ghastly records of the carnage of peace. The toll is greater in four years of industrial record than in four years of the fratricidal strife of the sixties. I claim that much of this frightful waste of life and limb is due to the ignorance of the foreigners, and they pay the red penalty of their ignorance to the fuil degree. They suffer in themselves, and they also brand America as a Nation where no regard is paid to humanity in industry and where human life is the cheapest commodity of them all.

The secretary of internal affairs of Pennsylvania recognizes that fact and states it in the report to the Bureau of Industrial Statistics, published in 1911. He has the following to say on the subject:

the subject:

Notwithstanding all the laws safeguarding employees in the mining industry, too many needless accidents continue to occur. These, to a large degree, are due to the employment of inexperienced foreigners, who neither speak nor understand the English language, and consequently, through ignorance, many become maimed or lose their lives. Of the 86,105 foreigners employed in anthracite mining a majority never saw a coal mine before landing in this country, hence it is not a strange thing that they place in jeopardy their own and coworkers' lives. The mine law requires two years' experience as a miner or miner's laborer before being granted a certificate by the examining board, but many of the men hold certificates obtained through fraud or transferred to them by their compatriots upon returning to their native land.

If his deduction is true regarding an industry where the law requires experience, what must be said of industries where no such requirement is made.

I hold it true that, viewed from the standpoint of the immigrant, his illiteracy and the ignorance and untrained mind it betokens means danger to himself. He is responsible for the application to humanity of the commercial formula that the greatest efficiency is reached by working every machine to the utmost and then throwing it on the scrap heap. The railroad expert says that is true of the locomotive, and though it breaks down in a short time, it is not sent to the repair shop, but to the scrap heap, because it is found that replacement is cheaper than repair.

That is the system of modern commercialism, which is as hard as adamant and as cold as the polar ice. It demands the maximum of product for the minimum of outlay. It takes new, young human engines, works them to the breaking point, and then throws them on the scrap heap. They start in young and vigorous and strong, but the fires burn down, their running record falls, and their usefulness is declared at an end.

scrap heap is always in sight and there are always men who clamor for the places left vacant.

That is the real reason for many of the crying evils of industry, to remedy which legislation has been passed or is proposed. We have heard of the blacklist, and it has been one of the most feared and hated powers of employing corporations. But the blacklist possesses terrors simply because there are more men than jobs. Men fear it because industrial opportunities are few compared with the number of men seeking them.

compared with the number of men seeking them.

If there were not an army of laborers begging for jobs the blacklist would be a joke instead of a tragedy.

There is the injunction question which is to be brought to an issue before us soon in bills introduced in both bodies of Congress. I am unhesitatingly in favor of them, for I believe that they seek to solve a great, vexing problem and remedy a vital wrong—the law being made strong to punish the weak and weak to punish the strong. to punish the strong.

But I insist that there would be no need for anti-injunction laws were it not for the oversupply of labor caused largely by unrestricted immigration and the lack of opportunities caused by social injustice. Under present conditions an industrial plant is picketed because the strikers want their jobs back and because other men are anxious to fill their places at any wage. If jobs were plentiful, the workers would not need to make an effort to were pientifit, the workers would not need to make an enort to secure employment in a plant where conditions compelled a strike. On the other hand, employers would be forced to make terms fair enough to induce the workers to return.

Mr. Chairman, I believe that this question of immigration is

one of the most far-reaching problems now confronting the American people. It is at once a political, financial, industrial, economic, educational, social, and religious problem. It has to do with all these industrial phases I have mentioned, and it is interwoven in that preeminent problem of all, the high cost of

living.

We hear economists declare that the production of food is not keeping pace with the demand; that the trend of population is to the cities; and that the food producers must supply the necessaries of life for an ever-increasing contingent of food con-

That this is true none can doubt, but the fact is sometimes overlooked that of the millions of low-type Europeans and Eurasians coming into this country every year, less than 1 per cent become agriculturists and help to produce food supplies. nine per cent go to the crowded centers of population and add to the demand without adding to the supply. Prof. Ross, of the University of Wisconsin, gives the figures for this view as fol-

Between 1900 and 1910, although population grew 21 per cent, the output of the 10 principal crops of the country increased only 9 per cent. Between 1899 and 1911 the value of an average acre's output of such crops increased 70 per cent, while its power to purchase the things the farmer buys was greater by 42 per cent.

There has been a general upheaval of price, to be sure, but the price of farm produce has risen much faster and further than the price of other commodities. This is "the high cost of living," and it is immigration that has made this imp shoot up faster in the United States than anywhere else.

As long as good land lasted our Government stimulated agriculture by presenting a quarter section to whoever would undertake to farm wild land. This bounty overdid farming, until, in the middle of the nineties, the cost of living had reached a minimum.

With the ending of free land, the upward turn was bound to come, but the change was made more dramatic by the inpouring of 10,000,000 of immigrants without the knowledge, the means, or the inclination to engage in farming.

of immigrants without the knowledge, the means, of the inclination to engage in farming.

Among us there is 1 American white farmer for 14 American whites, 1 Scandinavian farmer for 8 Scandinavians, 1 Germans, 1 Irish farmer for 40 Irish; but it takes 130 Poles, Hungarians, or Italians in this country to furnish 1 farmer.

Falling to contribute their due quota to the production of food, these late comers have ruptured the equilibrium between field and mill and made the high cost of living a burning question.

Mr. Chairman, aside from these industrial and economic phases, I maintain that when a great and increasing infusion of new blood into the American Commonwealth is taking place we have a right and it is our duty to ask, "What will be the

effect of this new blood upon the character of America?"

It is our duty to set a standard deemed desirable and then shape our policy so that that standard may be best maintained. If we are to have real patriotism and love of country in this Nation, it must be a matter of pride to say, "I am an Ameri-It seems to me that we must all agree that any standard deemed desirable must have at least the component parts of self-government, social morality, and love of law and order. This Nation is based on the principle of self-government, is dedicated to the proposition that the will of the people is supreme. Public opinion in the last analysis must be the arbiter of our destinies. And public opinion is but the union of private

opinions into one composite decision.

Therefore it is of the most vital importance that public opinion be enlightened so that its decisions be just and right. It is in recognition of that fact that our public-school system has been established. Our Government, State and National, spends millions of dollars every year for purposes of education. Why? Simply because it is absolutely necessary for the safety and perpetuity of free institutions and our form of government. Self-government is impossible without self-governing individ-uals, and you can not have self-governing individuals without training and education. That is why enormous sums are spent for education, with compulsory-attendance laws and burdens willingly borne by taxpayers. It is because it is an admitted fact that the safety and perpetuity of our institutions depend upon the measure of the intelligence of the people.

The State of Pennsylvania spends \$1,000 for every boy or girl who goes through its public schools. Yet in spite of that policy, made necessary for the sake of safety, it has been forced by national action to admit hundreds of thousands of aliens every year who have had little or no knowledge of our freedom

and form of government and no training whatever for the exercise of the responsibilities of citizenship. Is that not a contradiction in policy, and does it not fly in the face of our educational history?

Mr. Chairman, I believe that the hope of our Nation lies in the "little red schoolhouse." I mean by that our public-school system, which has been the nursery of patriots and the protection of our heritage. I hope that every arm outstretched against it may be palsied and every tongue opposing it may be withered, for the time of its destruction marks the downfall of the Republic, with its pillars toppled into wreck and rubbish.

I have no bitterness in my heart against the people of other lands, and I would take no jot nor tittle away from the meed of gratitude we owe those who have come to our shores in the past and whose names have added luster to our history. they deserve our gratitude simply because they did well their duty in every testing time. They would ask us to do ours now could they express their desire. I take it that our most sacred duty to-day is to protect those ideals for which they fought and labored, to maintain American standards and hold them secure for coming generations.

Mr. BURNETT. Mr. Chairman, I yield 15 minutes to the

gentleman from Mississippi [Mr. Quin].

Mr. QUIN. Mr. Chairman and gentlemen, I am not unmindful of what this bill means, and I feel that in advocating it I am advocating principles that will protect the generations of the United States that are yet unborn. I believe that this Government has waited too long to pass a bill like this. For my part it is not far-reaching enough in its scope. I do not believe that any man ought to be admitted into the United States who is not familiar with our Government, who has not all the elements of patriotism in his heart. I think that none except white people ought to be allowed to come into this Re-I do not believe that all the population of southern Europe that is overrunning this Republic ought to be permitted to come into this country. I do not believe that this great Government ought to allow its institutions to be undermined by the foreigners who have brought anarchy into this I can not conceive of this Republic, having been fought for and having been preserved as it was, now being made an asylum for the people across the ocean.

All of the land in this country should be preserved for the Americans. I believe in America for Americans. This country is big enough for us now and it will be big enough for 50 or 100 years to come, but if you permit more than fourteen hundred thousand aliens to come in here every year, what can we expect? We know that these great corporations and syndicates have been bringing in hundreds of thousands of foreigners for the purpose

of making labor cheap.

Of DEOGLE. Will the gentleman yield?

Mr. QUIN.

Mr. GOLDFOGLE. When the gentleman said that he believed in the maxim of America for Americans, did he mean to have us understand that he is opposed to all foreign immigra-

Mr. QUIN. There are classes of people I do not object to coming into this country. My own people came here from Ireland, and I would love to see good Irishmen and good Germans and good Scandinavians come into this country now. you see an Irishman you see an honest man. [Laughter.] Where you see a Scandinavian you see a good citizen, and where you see a German you see a good citizen, but by this indiscriminate method of permitting immigration to come into this country you have admitted vampires to our citizenship.

Mr. MADDEN. Will the gentleman yield?

Mr. QUIN. I can not yield any further. I have only 15 minutes. I wish to say to you gentlemen that the time is at hand for us to shut down on the foreign immigration that comes into this country. You talk about the literacy test. I can not conceive of that test being sufficient. This bill does not go far enough as it is. Can we expect to maintain this country if we propose to admit 1,400,000 people to come in here every Where will we be? We now have 100,000,000 people in the United States, and every year that you bring in 500,000 from the Mediterranean, like you have dumped on us within the last 12 months, you are bringing into the community something that is bound to have a bad effect. These people do not go out on the farms and produce anything for the people of this country; they are congested in the towns and cities. You have the banana peddlers and you have people sowing the seeds of discord, and as long as that is the case so long will you continue to undermine the real prosperity of your country. What idle labor we have in this country now is enough for us. Why should we continue to let those people in here by the hundreds of thousands, yea, millions?

Some gentleman on this floor has stated that more than 600,000 came into this Republic within the last four months. Why should the American citizens having homes be put in competition with the foreigner brought in here to work in the factories and the mines? Why should our labor be put in competition with such people? Why should the American boy laborer be driven out of his work because of the cheap pauper labor brought over here from Europe and the Orient? That is one of the things that is confronting us; but, my friends, there is a deeper reason for which I oppose the foreign immigration into this country.

I think it is time for us to call a halt. My principal reason is because the bringing in here of the class of citizens who do not love the American flag and who do not have the patriotism that would lead them to defend the country in time of war will, in the course of time, undermine our Government, overthrow our ideals, destroy American institutions, and kill pros-They are not the men that come up with intelligent patriotic ideas and vote for honest, high-minded American citizens to be placed in office. They are not men to make the country. They do not build up; they only tear down. These are the come to follow the red flag of anarchy and all the "isms" that come from across the sea. I believe in the doctrine of heredity, and when these people have been downtrodden for thousands of years they come into this country bringing their ideas of war on the Government. You can not change one of them in 12 months. Of course there are some good ones from all countries, but we know there are too many bad ones. It is going to affect the environment in which he lives. That bad man is going to spread a cancerous doctrine in the neighborhood where he lives. That is one reason why the United States Government ought to put the bars up against this immigration.

We have had enough trouble in this country already. Do you think all these great riots and troubles have been brought on as a rule by native citizens? It is not the Irishman, it is not the Scandinavian, it is not the German that is doing all this. Read the daily newspapers, read the history of these troubles. Go read who it is that stirs up all these riots, and you will find that it is the foreigner that comes in bearing the seeds of discord and anarchy. It is our duty to protect the people of this country, to protect America against this class of immigration flocking in here in the way and in the manner that it has been

district?

Mr. GOLDFOGLE. Mr. Chairman, will the gentleman yield? Mr. QUIN. I have not the time. I have only 15 minutes. Mr. SABATH. Has the gentleman any immigration in his

The CHAIRMAN. The gentleman declines to yield.

Mr. QUIN. Mr. Chairman, I have said to this House, and I say it again, that whenever any country the size of the United States, with a hundred million people under her form of government, under her institutions, permits the indiscriminate foreign element to come into the country, though some of it is all right, while the bulk of it is too much for us, that government makes a mistake. The Government of the United States can not stand The United States has been the melting pot of the whole world, civilized and uncivilized. We have let Chinamen and Japanese into this country, and I hope, by the eternals, there never will be another yellow man allowed to come into this country. The time has come when we can not any them. The United States can not assimilate all of that element. In my country, when a man eats too much raw turnips and raw

potatoes, he is likely to have the colic.

The United States has had so much of this scum that we have a bad case of colic, and I want to say that if you permit it to go longer you will have acute indigestion. The Government must belch, and where is it going to belch them? You can not get rid of them after they are once here. Who that loves his country can sit here as a representative of the people and allow this land to be flooded by imbeciles, criminals, lunatics, and diseased people from the Orient and Continental Europe? They are brought in here by these great steamship companies and corporations for the purpose of lowering wages. These men con-centrate in the mines, in the railroad shops, and in the factories, and in the cities of this country, and they have a standard of their own as a rule which is lower than the American standard. and instead of elevating society and building up the institutions of a community they lower the standard. Forty per cent of their earnings is sent across the seas, never again to be seen in the United States, Our gold is going across the Atlantic Ocean, not so much to buy goods as it is being sent there to bring more foreigners here or to support them across the water. I do not say that in any prejudiced spirit. I can not do that, because my own forbears were foreigners.

Mr. GOLDFOGLE. Will the gentleman yield for a question right there?

Mr. QUIN. The gentleman will please excuse me: I have not e time. My own great-grandfather was married in Ireland. The CHAIRMAN. The gentleman declines to yield. the time.

Mr. QUIN. When he came to this country he came at a time when young America needed settlers. He came at a time when America could assimilate immigration. Those were the men who came and helped to make our country, but many of those who come now are coming with environments and habits which instead of building up are tearing down. Why should which instead of building up are tearing down. this Congress be called upon to say that we will let then continue to come? You gentlemen that say we ought not to put the literacy test in this bill ought to consider the future. Our conduct and votes here are for future generations as well as the present. Many men who are ignorant, who can not read or write, are good citizens. I know there are more great rascals as a rule among the educated classes that come to this country than there are among the average citizens of America: but the plain fellow that can not read or write, the real ignorant oriental or European who associates with the bad element, is liable to be worse than the one who can read and write. We know that is true. Every man who knows conditions does not have to be a philosopher to understand that principle, and that is one of the reasons why the literacy test is put in the bill. It is necessary. It is not the best test in the world, and should not be the only one, but this committee has done the best that could, and I certainly as a citizen of this country and a Member of Congress appreciate the faithful work of that

Some say that Presidents have vetoed bills like this before. It matters not what Presidents have done in the past. We have President in the White House now who will never veto this bill. He is a statesman who understands the needs of this Government. He understands we are up against a proposition that the Government was not up against when Mr. Cleveland was President. He understands that if we are going to maintain our institutions, and if this flag is to continue to float over this Capitol, a representative government that stands for the people, that something must be done to prohibit this indiscriminate foreign element coming into this Republic as they now come. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. QUIN. Mr. Chairman, I ask unanimous consent to ex-

tend my remarks in the RECORD.

Mr. GOLDFOGLE. Mr. Chairman, reserving the right to object at this point, I simply want to suggest that in all probability experience will teach my friend to be courteous enough in the future to yield.

Mr. BURNETT. Mr. Speaker, I object to that kind of state-

ment.

Mr. GOLDFOGLE. I do not object to his extension of remarks in the RECORD.

Is there objection? The CHAIRMAN.

There was no objection.

Mr. BURNETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. Foster having assumed the chair as Speaker pro tempore, Mr. Hay, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6060, the immigration bill, and had come to no resolution thereon.

TIME OF MEETING TO-MORROW.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER pro tempore. Is there objection?

Mr. MURRAY of Massachusetts. Reserving the right to object, may I inquire of the gentleman from Alabama [Mr. Bur-NETT] what his plans are about the time for a vote on this bill?

Mr. BURNETT. I have no idea how long it will take to con-

sider it under the five-minute rule.

Mr. MURRAY of Massachusetts. Is it the purpose of the gentleman to conclude debate to-morrow night in regard to this measure?

Mr. BURNETT. I would like to do so, if possible.

Mr. MURRAY of Massachusetts. I would like to ask the gentleman if he believes it is possible?

Mr. BURNETT. I do not know; the gentleman knows as much as I do.

Mr. MURRAY of Massachusetts. Unless some good reason

Mr. BURNETT. Does the gentleman refer to general debate? Mr. MURRAY of Massachusetts. Oh, no; I am referring to the matter of when the gentleman thinks will be the probable time for taking the vote according to his idea. Of course, he has some idea

Mr. BURNETT. I hope to take the vote to-morrow night, if

I do not know whether I can or not.

Mr. MURRAY of Massachusetts. Mr. Speaker, further reerving the right to object, those of us who are opposed to this bill do not think there is any such emergency as to warrant this

Mr. BURNETT. Is the gentleman objecting, after what we

agreed to earlier?

Mr. MURRAY of Massachusetts. No; I am discussing it and endeavoring to find out whether there is some good reason for

Mr. BURNETT. Mr. Speaker, I make the request.

Mr. MANN. The real reason is that it is a gentleman's agreement. I think the gentleman was here, and I do not see why he should object-

Mr. MURRAY of Massachusetts. I have not said I would. Mr. MANN. We all understood everybody had agreed to it. Perhaps, inadvertently on our part, we did not catch the gentle-

man, but it was considered a gentleman's agreement.

Mr. GARDNER. I will say to the gentleman from Massachusetts, judging from what experience I have had in dealing with immigration matters, it will be an absolute impossibility to get through this bill under the five-minute rule to-morrow. That would be my guess. Even if we sat until midnight, I doubt if we could do it, unless the House of Representatives has very much changed in its nature.

Mr. MURRAY of Massachusetts. I believe there are some

men who may be absent, through no fault of theirs.

Mr. GARDNER. And I should judge this would go over until

Mr. MURRAY of Massachusetts. I am frank to say I realize the improbability of defeating this legislation, but I hope to prevent its ultimate passage by the failure to get two-thirds of prevent its ultimate passage by the failure to get two-thirds of the Members of this House in favor of it on a record vote. I am frank to admit my position. I am hoping that, even if it gets to the White House, the bill will be returned to us and will not finally pass. I shall not object, Mr. Speaker.

The SPEAKER. Is there objection?

Mr. CANTOR. Mr. Speaker, I would like to ask a question of the gentleman from Alabama: Whether under the five-minute rule he proposes to move to close debate on the important sections of the bill under consideration to dev?

tant sections of the bill under consideration to-day?

Mr. BURNETT. That will depend upon how long the debate would run. I make no promises whatever in regard to that, because if I felt that it was running more time than it ought to

would certainly do so.

Mr. CANTOR. The reason I asked that is there are quite a number of gentlemen who desire to be heard under the fiveminute rule; and, while the time may seem an unreasonable length of time to the gentleman from Alabama, it may seem very reasonable to the gentlemen who desire to discuss this question upon its merits. Some of the sections are considered of vital importance. That is the reason why I am asking whether the gentleman from Alabama would move to close debate.

Mr. MANN. I will say to my friend from New York it is impossible for a gentleman in charge of a bill of this sort to state how long he will give for discussion. It will be absolutely impossible for the gentleman from Alabama to press the bill through in a hurry, because it has too long and too many sections in it which give opportunity for filibuster, if both sides were not fair, and the only way to do that is for both sides to be fair.

Mr. CANTOR. Mr. Speaker, there is no intention on the part of our side, if I may use that term, to filibuster on this bill, but we wish to consider it frankly on its merits. There are Members of the House who would like to speak for five minutes on one or two of these sections-how many I do not knowand I hope the gentleman from Alabama will not move to close debate before they have a chance to be heard. That is the only object of my inquiry.

Mr. HAYES. I want to say to the gentleman from New York [Mr. Canton] that we have had similar bills up here before, and I think nobody will charge the gentleman from Alabama [Mr. Burnerr] with being unreasonable. He has always been fair; and I have no doubt he will still be fair to the gentleman from New York and everybody else in connection with the bill. I have been in myself. I am in the minority, too.

Mr. MURRAY of Massachusetts. It is true he has not lost

Mr. BURNETT. But it is true that I have been interrupted

at times

Mr. MOORE. Merely to cater to the convenience of a number of the Members, will the gentleman from Alabama [Mr. Bur-NETT] say whether he proposes to press the bill after 6 o'clock to-morrow, Saturday, night?
Mr. BURNETT. I can not say about that.

Mr. MOORE. There can be no understanding about that now?

Mr. BURNETT. No.

Mr. MOORE. So every Member will have to take notice? Mr. BURNETT. If I thought we were approaching the close

of the bill, and that we could close it to-morrow night, I cer-

tainly would press it.

Mr. SABATH. The gentleman, I think, realizes the fact that it will be absolutely impossible to get through with the bill by 6 o'clock to-morrow, no matter how speedily we may proceed. Now, there are many gentlemen here who would like to go home to-morrow afternoon or to-morrow evening without losing the privilege or opportunity of voting against the bill. Now, is it not possible for us to enter into some arrangement or agreement whereby we could adjourn to-morrow at 6 o'clock? finish the bill to-morrow if we stay here until 10 o'clock.

Mr. BUCHANAN of Illinois. I wish to say to the gentleman that there are some of us who live at a distance and can not go home Saturday night, but who are interested in expediting.

the business of Congres

Mr. SABATH. Well, that does not apply only to the gentle-

man from Illinois.

I would like to suggest to the gentleman Mr. CANTOR. from Alabama that he take a vote on this bill immediately

after the reading of the Journal on Monday.

Mr. BUCHANAN of Illinois. My record will show, I think, that I have been as interested in matters of labor as any other

Member of Congress, in spite of the remarks of my friend.

Mr. SABATH. I assure you I did not wish to reflect upon his labors in the interest of labor. I wish to say that my record will also disclose that I have been interested in such matters.

The SPEAKER pro tempore. Is there objection to the re-

quest of the gentleman from Alabama [Mr. BUNNETT]?
Mr. GOLDFOGLE. Mr. Speaker, reserving the right to ob-

Mr. BURNETT. I move to adjourn.

Mr. GOLDFOGLE. A parliamentary inquiry. What is the parliamentary status?

The SPEAKER pro tempore. That when the House adjourns

to-night it meet to adjourn at 11 o'clock to-morrow.

Mr. GOLDFOGLE. I reserved the right to object.

The SPEAKER pro tempore. The Chair did not understand

that the gentleman reserved the right to object.

Mr. GOLDFOGLE. I did. I wish to ask the gentleman from Alabama [Mr. Burnett] whether in view of the fact that a great many gentlemen desire to be here when the vote is taken and can not very well be here to-morrow evening and remain here until midnight, he will not make some arrangement now by which, if the bill is not concluded in the committee by a certain hour, we shall rise? Now, let the gentleman from Alabama [Mr. Burnert] name the hour.

Mr. MANN. Let me make a suggestion to the gentleman from

New York.

Mr. GOLDFOGLE. Yes.

Mr. MANN. I am opposed to the bill, as the gentleman is. But that is a request that seems to me to be unreasonable on a bill of 60 pages long or thereabouts. The gentleman can not say what the status will be.

Mr. GOLDFOGLE. No.

Mr. MANN. If the gentleman from New York were in charge of this bill and at 5 or 6 o'clock to-morrow afternoon it looked as though we could finish the bill by 8 o'clock, he would say, "Let us stay and finish it," and would insist upon it. No man can tell. After we have been running under the five-minute rule to morrow it is likely—I will not say probable—that we can reach an agreement as to the time of adjournment. But the gentleman from Alabama [Mr. BURNETT] can not tell now, and it is his duty to press the bill to its passage.

Mr. GOLDFOGLE. If the gentleman from Illinois will un-

derstand me, what I am trying to say about that is that if we should be held here until a later hour, 9 or 10 o'clock to-night, and then find that we must come back again on Monday morning, it would be very disagreeable. I am not speaking for my-

self at all. I am unselfish in this matter.

Mr. MANN. Well, the gentleman is only in the position that

Mr. GARRETT of Tennessee. There can be no agreement now that the House shall not vote to-morrow afternoon or evening if the House is ready under the rule to vote on it at that time. There can be no agreement by unanimous consent.

Mr. MANN. There can be no agreement now. All the gentle-man can do is to move to adjourn. You can not tell now.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama [Mr. Burnerr]? [After a pause.] The Chair hears none, and it is so ordered.

ADJOURNMENT.

Mr. BURNETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 40 minutes p. m.) the House adjourned under the order until tomorrow, Saturday, January 31, 1914, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Assistant Secretary of War, transmitting abstracts of proposals received during the fiscal year ended June 30, 1913, for materials and labor in connection with works under the Engineer Department of the Army (H. Doc. No. 674); to the Committee on Rivers and Harbors and ordered to be

2. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law and opinion in the French spoliation claims, relating to the brig Fair Columbian, in the case of William C. Hill, surviving executor of William T. Corcoran, against The United States, and other cases (H. Doc. No. 675); to the Committee on Claims and ordered to he printed

3. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law and opinion in the French spoliation claims, relating to the sloop Friendship, in the case of Edward D. Lawrence and Isaac H. Lawrence. administrators of the estate of Benjamin Wyatt, against The United States, and in other cases (H. Doc. No. 676); to the Committee on Claims and ordered to be printed.

4. A letter from the Secretary of War, submitting an item of legislation designed to regulate the expenditure of the annual appropriation for the Organized Militia (H. Doc. No. 677); to

the Committee on Military Affairs and ordered to be printed.
5. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Attorney General submitting an estimate of deficiency appropriation for enforcement of the antitrust laws for the fiscal year ended June 30, 1913 (H. Doc. No. 678); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. DENT, from the Committee on Military Affairs, to which was referred the bill (H. R. 2728) for the relief of George P. Heard, reported the same without amendment, accompanied by a report (No. 203), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 8358) granting a pension to James Duffy; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 10632) granting an increase of pension to William M. Hairston; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5991) to authorize the payment of \$2,000 to the widow of the late Tranquilino Luna, in full for his contest expenses in the contested-election case of Manzanares against Luna; Committee on Appropriations discharged, and referred to the Committee on Claims,

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memo-

rials were introduced and severally referred as follows:

By Mr. CULLOF: A bilt (H. R. 12657) authorizing the Secretary of War to donate condemned cannon and cannon balls; to the Committee on Military Affairs.

By Mr. REILLY of Connecticut: A bill (H. R. 12658) to authorize a survey of Quinnipiac River above Ferry Street Bridge, New Haven, Conn.; to the Committee on Rivers and Harbors

By Mr. STAFFORD: A bill (H. R. 12659) to regulate the employment and the activities of congressional legislative counsel

and agents; to the Committee on the Judiciary.

By Mr. MAPES: A bill (H. R. 12660) to amend chapter 3608 of volume 34 of the United States Statutes at Large; to the

Committee on the Judiciary.

By Mr. DEITRICK: A bill (H. R. 12661) to provide for the survey of the Mystic River, Mass.; to the Committee on Rivers and Harbors

By Mr. ROBERTS of Massachusetts: A bill (H. R. 12662) authorizing the Secretary of the Navy to pay a cash reward for suggestions submitted by civilian employees of the several navy yards and naval stations of the Navy Department for improvement or economy in manufacturing processes or plant; to the Committee on Naval Affairs.

By Mr. SLEMP: A bill (H. R. 12663) to provide for the purchase of a site and the erection of a public building thereon at Tazewell, in the State of Virginia; to the Committee on Public

Buildings and Grounds.

By Mr. LANGLEY: A bill (H. R. 12664) to prevent fraud and unfair competition in the sale of patented and trade marked articles; to the Committee on Patents.

By Mr. KEATING: A bill (H. R. 12665) to increase the limit of cost of public building at La Junta, Colo.; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: A bill (H. R. 12666) to establish a standard box for apples, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOON: A bill (H. R. 12667) to amend the postal and civil-service laws, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 12668) to profor the purchase of a site and the erection of a public building thereon at Pawhuska, State of Oklahoma; to the Committee on Public Buildings and Grounds.

By Mr. MOTT: A bill (H. R. 12669) for purchasing a site for the erection of a public building at Adams, N. Y.; to the Com-

mittee on Public Buildings and Grounds.

By Mr. KINKAID of Nebraska: A bill (H. R. 12670) to appropriate \$2,000 to experiment with grasses on the National Nebraska Forest Reserve at Halsey; to the Committee on Agri-

By Mr. PADGETT: A bill (H. R. 12671) to increase the effi-ciency of the United States Navy by the appointment of six vice admirals; to the Committee on Naval Affairs.

By Mr. HARDWICK: A bill (H. R. 12672) to authorize the purchase or acquisition of an aviation field at Augusta, Ga., for aviation and other military purposes; to the Committee on Military Affairs.

By Mr. CLAYTON: A bill (H. R. 12673) granting to the civilian employees of the United States the right to receive from it compensation for injuries sustained in the course of

their employment; to the Committee on the Judiciary.

By Mr. SPARKMAN: A bill (H. R. 12674) to provide for the allowance of drawback of tax on articles shipped to the island of Porto Rico or to the Philippine Islands; to the Committee on Ways and Means,

By Mr. PETERS of Massachusetts: A bill (H. R. 12675) authorizing the Treasury Department to test upon ships a device for hoisting and lowering lifeboats at sea; to the Committee on Interstate and Foreign Commerce.

By Mr. LANGLEY: A bill (H. R. 12736) to increase the limit of cost of a site for the Federal building at Pikeville, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 12738) to incorporate the Mississippi Valley Historical Association; to the Committee on the Library.

By Mr. TAYLOR of New York: A bill (H. R. 12739) providing for the improvement of the harbor at Ossining (Hudson River), N. Y.; to the Committee on Rivers and Harbors.

By Mr. CANTRILL: Joint resolution (H. J. Res. 205) enable the Secretary of the Interior to legally fix and determine the ownership of and title to the fire-alarm system and appliances, apparatus, and connections heretofore placed and installed in the Government buildings of the Government Hospital for the Insane, and to determine such other questions as are provided for in the following resolution; to the Committee on Public Buildings and Grounds.

By Mr. DALE: Joint resolution (H. J. Res. 206) to convey the thanks of Congress to Capt. William Trow Aspinall, and through him to First Officer R. H. Buck, Second Officer Sidney

Williams, and Third Officer Frederick Roberts, of the steamship Gregory, of the Booth Line, for prompt and heroic service rendered by them in rescuing seven members of the crew from the wreck of the steamship Oklahoma off the Scotland Lightship; to the Committee on the Merchant Marine and Fisheric

By Mr. POST: Resolution (H. Res. 396) to declare John M. C. Smith duly elected a Representative from the third congressional district of Michigan; to the House Calendar.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:
By Mr. BORLAND; A bill (H. R. 12676) granting an increase

of pension to Albert H. Lanphear; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 12677) for the relief of William W. Danenhower; to the Committee on Claims, By Mr. CARLIN: A bill (H. R. 12678) for the relief of Edgar

B. Havener, Laura T. Havener, Sallie L. Darns, Olivia E. Adrian, Alice D. Myers, and Ida J. Muse, heirs of Thomas A. Havener; to the Committee on War Claims. By Mr. CLARK of Florida: A bill (H. R. 12679) to give the

Court of Claims jurisdiction to hear and adjudge the claims of the estate of John Frazer, deceased, and of the estate of Zephaniah Kingsley, deceased; to the Committee on Claims.

By Mr. CLAYPOOL: A bill (H. R. 12680) granting an in-

crease of pension to James Hickman; to the Committee on Invalid Pensions

By Mr. DICKINSON: A bill (H. R. 12681) for the relief of

W. W. Wall; to the Committee on Claims.

Also, a bill (H. R. 12682) for the relief of Abraham Smith; to the Committee on Military Affairs.

Also, a bill (H. R. 12683) granting an increase of pension to James B. H. McDaniel; to the Committee on Invalid Pensions. By Mr. DONOHOE: A bill (H. R. 12684) granting a pension to Lena Stroup; to the Committee on Invalid Pensions.

By Mr. FAIRCHILD: A bill (H. R. 12685) granting a pension to Elizabeth Beach; to the Committee on Invalid Pensions. By Mr. FALCONER: A bill (H. R. 12686) providing for the relief of settlers on unsurveyed railroad lands; to the Committee on the Public Lands.

By Mr. FERRIS: A bill (H. R. 12687) for the relief of the estate of Johnson Miller, deceased; to the Committee on War Claims

By Mr. FOSTER: A bill (H. R. 12688) granting an increase of pension to Z. D. French; to the Committee on Invalid Pen-

By Mr. FAIRCHILD: A bill (H. R. 12689) granting an increase of pension to Lovina M. Moore; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 12690) granting a pension to James Shepherd; to the Committee on Invalid Pensions.

By Mr. GERRY: A bill (H. R. 12691) granting a pension to Abner L. Phillips; to the Committee on Invalid Pensions.

By Mr. GOODWIN of Arkansas: A bill (H. R. 12692) for the relief of William C. Barnes; to the Committee on Claims.

Also, a bill (H. R. 12693) for the relief of F. M. Wise; to the Committee on War Claims.

Also, a bill (H. R. 12694) for the relief of the estate of Hugh

Heard, deceased; to the Committee on War Claims.

By Mr. GREGG: A bill (H. R. 12695) for the relief of the legal representatives of William W. Browning, deceased; to the Committee on War Claims.

Also, a bill (H. R. 12696) for the relief of the legal representatives of John W. Lockhart, deceased; to the Committee on War Claims.

By Mr. HAMLIN: A bill (H. R. 12697) granting an increase of pension to William D. Smith; to the Committee on Invalid

By Mr. HAYES: A bill (H. R. 12698) granting an increase of pension to John Sturtz; to the Committee on Invalid Pen-

Also, a bill (H. R. 12699) granting a pension to John Stalter; to the Committee on Invalid Pensions,

Also, a bill (H. R. 12700) granting a pension to Minerva A. Kelly; to the Committee on Invalid Pensions.

By Mr. HOLLAND: A bill (H. R. 12701) for the relief of the legal representatives of Seth Foster, John Foster, John Tunis, D. Gordon, William J. Hardy, and Thomas A. Hardy; to the Committee on War Claims.

By Mr. HUMPHREY of Washington (by request): A bill (H. R. 12702) to place the name of Lieut. E. Floyd Barnum upon the unlimited retired list of the Army; to the Committee on Military Affairs.

By Mr. KEATING: A bill (H. R. 12703) granting a pension to Irving Reed; to the Committee on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 12704) granting an in-

crease of pension to Rachel Deivert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12705) granting an increase of pension to Frederick Scheufler; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 12706) granting an increase

of pension to Allen Farler; to the Committee on Invalid Pen-

By Mr. LEE of Pennsylvania; A bill (H. R. 12707) granting an increase of pension to Irving W. Tyson; to the Committee on Invalid Pensions

By Mr. MAGUIRE of Nebraska: A bill (H. R. 12708) granting an increase of pension to Charles H. Jewitt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12709) granting an increase of pension to Ichabod S. Prosser; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 12710) granting a pension to Carrie I. Hubbell; to the Committee on Invalid Pensions.

Mr. Mr. O'BRIEN: A bill (H. R. 12711) granting a pension to Annie Toomey; to the Committee on Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 12712) granting an increase of pension to Olive S. Fiske; to the Committee on Invalid Pensions

By Mr. REED: A bill (H. R. 12713) granting an increase of pension to Lewis L. Bean; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 12714) granting an increase of pension to Charles Shanley; to the Committee on Invalid Pensions

By Mr. RICHARDSON: A bill (H. R. 12715) for the relief of the legal representatives of the estate of James M. Jones; to the Committee on War Claims.

By Mr. ROBERTS of Massachusetts: A bill (H. R. 12716) for the relief of James Woods; to the Committee on Military

Also, a bill (H. R. 12717) granting a pension to Rufus H. Hopkins; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 12718) granting an increase of

pension to George Burgess; to the Committee on Invalid Pen-

Also, a bill (H. R. 12719) granting an increase of pension to Charles H. Shreeve; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 12720) granting a pension to John Zogg; to the Committee on Pensions.

Also, a bill (H. R. 12721) granting an increase of pension to William Ottmer; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 12722) granting a pension to Melvina A. Argenbright; to the Committee on Invalid Pensions. Also, a bill (H. R. 12723) granting a pension to Addie Holt; to the Committee on Pensions.

By Mr. TALBOTT of Maryland; A bill (H. R. 12724) granting pension to Elizabeth M. Pierson; to the Committee on Pensions.

Also, a bill (H. R. 12725) granting a pension to David Guy Stout; to the Committee on Pensions.

Also, a bill (H. R. 12726) to carry out the findings of the Court of Claims in the case of the Sanford & Brooks Co.; to the Committee on Claims.

By Mr. THOMAS: A bill (H. R. 12727) granting a pension to Nancy M. S. Piercey; to the Committee on Invalid Pensions. Also, a bill (H. R. 12728) granting a pension to Miranda C. Whitaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12729) to remove the charge of desertion from the military record of T. J. Caskey; to the Committee on Military Affairs

By Mr. ROUSE: A bill (H. R. 12730) for the relief of the estate of Lewis Stephens, deceased; to the Committee on War Claims.

By Mr. SLOAN: A bill (H. R. 12731) granting an increase of pension to Frank Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12732) granting an increase of pension to Nathan Dunlap; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12733) granting an increase of pension to

Gilman D. Willey; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 12734) granting a pension to

Clara A. Harlow; to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 12735) granting an increase of pension to Bridget Murray; to the Committee on Invalid Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 12737) granting an increase of pension to Amos E. Evans; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows

By the SPEAKER (by request): Petitions of citizens of Boston, Mass.; New York City; Detroit, Mich.; and Waukegan, Ill., and the Workman's Circle Branch, No. 122, protesting against the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also (by request), petition of Branch No. 191 of the Work-men's Circle, protesting against the passage of the Burnett immigration bill: to the Committee on Immigration and Naturali-

Also (by request), petition of the city clerk of Minneapolis, Minn., favoring an investigation of the strike conditions in

Michigan; to the Committee on Rules.

Also (by request), petitions of citizens and organizations of the States of New York, Pennsylvania, Massachusetts, Virginia, Indiana, New Jersey, Illinois, Maryland, Michigan, Connecticut, and Rhode Island, protesting against the literacy test in the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also (by request), memorial of the American Continental League, of Jersey City, N. J., favoring the "One hundred Years of Peace Celebration"; to the Committee on Foreign Affairs.

By Mr. ALLEN: Petitions of German-American Alliance of Ohio and Kentucky; Business Men's Club of Cincinnati, Ohio; and citizens of Cincinnati, Ohio, against immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Ohio Valley Druggists' Association, respecting the preserving of uniform retail prices on standard

goods; to the Committee on the Judiciary.

Also, memorial of Branch No. 26, National Association of Civil Service Employees, favoring bill for retirement of superannuated employees; to the Committee on Reform in the Civil Service.

By Mr. ANSBERRY: Petition of citizens of Cincinnati, protesting against the passage of House bill 6060, restricting immi-

gration; to the Committee on Immigration and Naturalization. By Mr. BARTHOLDT: Petition of the Banner Iron Works, of St. Louis, Mo., protesting against the passage of the Bartlett-

Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, petition of J. M. Wagehan and others, of St. Louis,
Mo., protesting against eliminating the publication, The Menace, from the mails; to the Committee on Rules.

Also, petition of the Workmen's Circle of New York City

protesting against the passage of the Burnett immigration bill;

to the Committee on Immigration and Naturalization.

Also, petition of Beer Bottlers' Local No. 187, of St. Louis,
Mo., favoring an investigation of the strike in Michigan; to the Committee on Rules.

By Mr. BELL of California: Petition of citizens of the ninth congressional district of California, favoring a law for the payment of pensions monthly; to the Committee on Pensions.

By Mr. CALDER: Petition of the Cloak and Skirt Makers' Unions, protesting against the passage of House bill 6060, re-stricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of sundry citizens of the United States, favoring the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturalization.

Also, memorial of the Commodore Barry Branch, No. 311, Continental League of America, protesting against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

By Mr. CARR: Petitions of the committee of Stone Bridge Council, No. 573, Junior Order United American Mechanics, of Somerfield, and 43 citizens of Confluence and 53 citizens of High House, Pa., favoring the passage of House bill 6060, re-stricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the J. S. Ogilvie Publishing Co., of New York, protesting against the passage of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

By Mr. CARY: Petition of the Journeymen Tailors' Union of America, Local No. 86, of Milwaukee, protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization,

Also, petition of citizens adopted at a meeting in Cincinnati, Ohio, against the passage of the immigration bill; to the Com-

mittee on Immigration and Naturalization.

By Mr. CLARK of Florida: Petition of the Board of Trade of Ocala, Fla., favoring improvement of Oklawaha River in Florida; to the Committee on Rivers and Harbors. Also, petition of C. H. Spittel and others of the State of Florida, favoring construction of two battleships; to the Committee on Naval Affairs.

By Mr. COOPER: Memorial of International Association of Machinists, Local No. 7, of Milwaukee; International Brother-hood of Teamsters of Kenosha; Carpenters and Joiners' Local No. 1314, of Oconomowoc; Brewers' Union No. 277, of Sheboygan; Danish Branch of Socialist Party of Kenesha, Wis., all favoring an investigation of the strike in Michigan; to the Committee on Rules.

By Mr. DYER: Petitions of M. D. Degge, of St. Louis, Mo., and the Merchants' Association of New York City, protesting against the passage of the Bartlett-Bacon anti-injunction bill;

by Mr. EAGAN: Petition of the Italian Journal, of New York.
City, protesting against the passage of House bill 6060 restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of Branch No., 3, Hoboken Socialist Party, of Hoboken, N. J., favoring an investigation of the strike in Michigan; to the Committee on Rules.

By Mr. FARR: Petitions of Workmen's Circle, of New York City, and members of St. Mary's Roman Catholic Church. Dickson, Pa., against immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Philadelphia Branch of National League of Commission Merchants, against House bill 9266; to the Com-

mittee on Interstate and Foreign Commerce. By Mr. GALLAGHER: Petition of James White Paper Co., of Chicago, Ill., favoring Humphreys bill; to the Committee on Rivers and Harbors.

Also, petition of Rubel-Lilienfeld Co., of Chicago, Ill., against House joint resolution 168; to the Committee on the Judiciary.

By Mr. GERRY: Petition of Wolf Lone Literary Association, of Riverpoint, R. I., protesting against the passage of bill for celebrating "One hundred years of peace"; to the Committee on Foreign Affairs.

Also, petition of Cigar Makers' Union No. 94, of Pawtucket, I., protesting against the passage of House joint resolution 168, for Federal prohibition; to the Committee on the Judiciary.

Also, petitions of Independent Order B'rith Abraham; Italian C. P. Work Club; Societa Italiana M. S. Roma; Benevolenza Society; Court Savoy, No. 45, F. of A.; Federal Labor Union, No. 12760; M. S. I. Del Bosco Society; Isola O'Sschia Society; Hebrew Criterion Society; Ninth Ward Italo-American Democratic Club; Guiseppe Garibaldi Society; and San Paolo Society, all of Providence, R. I., protesting against immigration bill; to the Committee on Immigration and Naturalization.

By Mr. GOODWIN of Arkansas: Letters of Dan Ragen, of Arkansas, relative to railway mail clerks; to the Committee on

the Post Office and Post Roads.

By Mr. GRAHAM of Pennsylvania: Petition of Relief Council, No. 47, Order of United American Mechanics, of Philadelphia, Pa., favoring the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturali-

By Mr. GRIEST: Memorial of the State Administrators of Vocational Education, favoring the passage of Senate joint resolution 5, relative to national commission on vocational education; to the Committee on Education.

By Mr. HAYES: Petitions of Carpenters' Union No. 1913, of Daly City, and Retail Clerks' Local Union No. 428, of San Jose, Cal., favoring the passage of the seamen's bill (S. 136); to the

Committee on the Merchant Marine and Fisheries.

Also, petition of the Watsonville (Cal.) Apple Annual Association, protesting against the passage of House bill 9987, cold-storage bill; to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREY of Washington: Petitions of citizens of the first congressional district of the State of Washington, protesting against the passage of the Lindquist pure fabric and leather bill; to the Committee on Interstate and Foreign Com-

By Mr. IGOE: Petition of Socialist Party of St. Louis, of St. Louis, Mo., against immigration bill; to the Committee on Immigration and Naturalization,

By Mr. KENNEDY of Rhode Island: Petitions of organizations and societies of Providence, R. I., protesting against the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. KIESS of Pennsylvania: Petitions of members of Williamsport Council, No. 104, Daughters of Liberty, of Williamsport, Pa., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization

Also, papers to accompany a bill (H. R. 11425) for the relief of Catherine Webb; to the Committee on Invalid Pensions.

By Mr. LONERGAN: Petition of the Manufacturers' Association of Bridgeport, Conn., protesting against the passage of the Bacon-Bartlett anti-injunction bills; to the Committee on the Judiciary.

By Mr. McKENZIE: Petition of citizens of Erie, Ill., favoring the Hobson prohibition amendment; to the Committee on the

Judiciary.

By Mr. MERRITT: Petitions of officers and members of the Waddington and Brasher Falls Auxiliary of St. Lawrence Presbyterial Society of Home and Foreign Missions, favoring the passage of the antipolygamy amendment to the National Constitution; to the Committee on the Judiciary.

Also, petitions of business men of Gouverneur and Canton, N. Y., favoring the passage of House bill 5308, relative to mail-

order houses; to the Committee on Ways and Means.

By Mr. MOORE; Memorial of Belt Hamedrosh Magodel
Nussh Asknaz, of Philadelphia, Pa., protesting against the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. J. I. NOLAN: Petitions of the San Francisco Labor Council, of San Francisco, Cal., and 32 other labor organizations in the city of San Francisco in behalf of the passage of the seamen's bill (S. 136); to the Committee on the Merchant Marine and Fisheries.

By Mr. O'SHAUNESSY: Petition of Joe Levye, of Providence, R. I., and the 13 lodges and 2,300 members of the Hebrew race of the State of Rhode Island, protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petitions of organizations of the State of Rhode Island, protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Cigar Makers' Union, No. 94, of Pawtucket, R. I., protesting against the passage of House joint resolution 168, for Federal prohibition; to the Committee on the

Judiciary.

By Mr. PLUMLEY: Petition of citizens of Jamaica and vicinity, State of Vermont, protesting against the passage of the Sabbath-observance bill (H. R. 9674); to the Committee on the District of Columbia.

By Mr. REILLY of Connecticut: Petition of the Hebrews of Meriden, Conn., protesting against the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of American National Retail Jewelers' Association, favoring the passage of bill relative to fraud in gold-filled watchcases; to the Committee on Interstate and Foreign Com-

Also, petitions of Yale Lodge, No. 268, and citizens of New Haven, Conn., protesting against the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. SCULLY: Petition of the Workmen's Sick and Death Benefit Fund of the United States, Branch No. 38, of Sayreville, N. J., protesting against the passage of House joint resolution 168, for Federal prohibition; to the Committee on the Judiciary.

Also, petitions of the Italian Journal, of New York City, and Long Branch (N. J.) Lodge, No. 526, Independent Order of B'rith Abraham, protesting against the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. SELDOMRIDGE: Petitions of John O. Ferris, the Brown Drug Co., and H. Levin & Son, of Colorado, protesting against the passage of House joint resolution 168, for Federal prohibition; to the Committee on the Judiciary.

Also, petition of the Order of Railway Conductors, favoring the passage of House bill 6060, restricting immigration; to the

Committee on Immigration and Naturalization. Also, petitions of sundry citizens of the State of Colorado, protesting against the passage of the Sabbath-observance bill

(H. R. 9674); to the Committee on the District of Columbia. By Mr. J. M. C. SMITH: Petition of the Italian Journal, of New York City, against immigration bill; to the Committee on Immigration and Naturalization,

Also, petition of Charles F. Glen, of Muskegon, Mich., against House joint resolution 168; to the Committee on the Judiciary.

By Mr. TEN EYCK: Statement of Eugene Gallup, carrier on rural route No. 3. Altamont, Albany County, N. Y., showing actual cost of necessary equipment and maintenance of same to properly serve his route during the year 1913; to the Com-

mittee on the Post Office and Post Roads,
Also, statement of Walter Kernbolt, carrier on rural route
No. 1, Altamont, Albany County, N. Y., showing actual cost of

necessary equipment and maintenance of same to properly serve his route during the year 1913; to the Committee on the Post Office and Post Roads.

Also, statement of George H. Cunningham, carrier on rural route No. 1, Ravena, Albany County, N. Y., showing actual cost of necessary equipment and maintenance of same to properly serve his route during the year 1913; to the Committee on the Post Office and Post Roads.

By Mr. THACHER: Memorial of New Bedford (Mass.) Lodge, No. 304, Independent Order B'rith Abraham, against the immigration bill; to the Committee on Immigration and

Naturalization.

Rational Mr. YOUNG of North Dakota: Memorial of Frederick Keye Camp, No. 1, Department of North Dakota, United Spanish War Veterans, favoring the passage of the Crago bill, granting pensions to widows and minor children of Spanish War veterans; to the Committee on Pensions.

Also, petitions of sundry citizens of North Dakota, protesting against the elimination of a publication called The Menace from the mails; to the Committee on the Post Office and Post

Roads.

Also, memorial of members of Elendale (N. Dak.) Local, No. 26, Socialist Party, favoring an investigation of the strike in Michigan; to the Committee on Rules.

SENATE.

Saturday, January 31, 1914.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D. The Journal of yesterday's proceedings was read and approved. GOVERNMENT OWNERSHIP OF ELECTRICAL MEANS OF COMMUNICA-TION (S. DOC. NO. 399).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Postmaster General transmitting, in response to a resolution of the 12th instant, a report entitled "Government ownership of electrical means of communicaprepared by direction of the Postmaster General by a departmental committee consisting of the First Assistant Postmaster General, the chief clerk of the department, and the superintendent of the division of salaries and allowances of the Bureau of the First Assistant. The communication will be printed and, with the accompanying papers, referred to the Committee on Post Offices and Post Roads.

Mr. NORRIS. I ask unanimous consent that the report of the Postmaster General, together with the information fur-

nished, be printed as a Senate document.

The VICE PRESIDENT. It is perfectly apparent that the request of the Senator can not be complied with. On account of the size of the document, it will have to go to the Committee on Printing before it can be printed.

Mr. NORRIS. Then, Mr. President, I ask that it be referred

to the Committee on Printing.

The VICE PRESIDENT. The Chair is of opinion that it should go first to the Committee on Post Offices and Post Roads, and it can subsequently be referred to the Committee on Print-

Mr. NORRIS. I think, under the Chair's statement, it will have to go at least to the Committee on Printing before it can be printed; and sending it to the Committee on Post Offices and Post Roads only delays it. Sending it to the Committee on Printing, of course, does not necessarily mean that the document will be printed. That committee will investigate it; and it seems to me that really the only thing to investigate will be

whether or not it ought to be printed.

The VICE PRESIDENT. Does the Senator from Nebraska desire to appeal from the ruling of the Chair that the document be referred to the Committee on Post Offices and Post Roads?

Mr. NORRIS. No; I do not, but I make the request of the Chair that he refer it to the Committee on Printing, instead of to the Committee on Post Offices and Post Roads.

The VICE PRESIDENT. The Chair can not refer it to two

committees. The Chair has referred it to the appropriate committee, the Committee on Post Offices and Post Roads.

WASHINGTON & OLD DOMINION BAILWAY (S. DOC. NO. 398).

The VICE PRESIDENT laid before the Senate the annual report of the Washington & Old Dominion Railway for the year ended December 31, 1913, which was referred to the Committee on the District of Columbia and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. BRANDEGEE. Mr. President, I send to the desk a telegram in the nature of resolutions adopted at a special meeting of delegates representing 57 organizations of various nationalities in the city of Hartford, Conn., and ask that the same may be read by the Secretary and referred to the Committee on Immigration.

There being no objection, the telegram was read and referred to the Committee on Immigration, as follows:

[Telegram.]

HARTFORD, CONN., January 28, 1914.

HARTFORD, CONN., January 28, 1914.

Schafe, Washington, D. C.:

At a special meeting of delegates representing 57 organizations of various nationalities of this city had at Hartford, Conn., January 20, 1914, the following resolution was unanimously adopted:

"Whereas there is now pending before Congress the Burnett immigration bill; and
"Whereas said bill includes a literacy test for immigrants: Therefore be it

"Resolved, That we emphatically protest against the passage of this bill as un-American and antagonistic to the true American spirit of making this country a home for the oppressed and a refuge for the needy; and be it further "Resolved, That a copy of this resolution be forwarded to the Speaker of the House and the Senators and Representatives of the State; and be it further "Resolved, That the resolution committee, consisting of N. H. Finesilver, Nathan Pronnsle, Morris Older, Henry Melroe, Frank Palloti, and J. Stanisheck, be empowered to sign this resolution for the above organizations."

Mr. ROOT. I present a set of resolutions adopted by the Chamber of Commerce of the State of New York, together with a letter from the secretary of that board, and also a letter from the Merchants' Association of New York. I ask to have the resolutions printed in the RECORD, and that the remainder be printed for the use of the Committee on Commerce, to which I ask that the matter be referred.

There being no objection, the matter was referred to the Com-mittee on Commerce, and the resolutions were ordered to be

printed in the RECORD, as follows:

Eugenius H. Outerbridge, chairman of the committee on the harbor and shipping, offered the following preamble and resolution and moved their adoption:

their adoption:

"Whereas the Boston, Cape Cod & New York Canal, generally known as the Cape Cod Canal, is nearing completion; and

"Whereas said canal will furnish a short, direct connection between the port of New York and the port of Boston, and afford for the 25,000,000 tons of freight now passing around Cape Cod a channel free from the dangers and delays connected with passage across Nantucket Shonis; and

"Whereas the full benefit to commerce can be realized only if navigators are assured that the course be always properly marked by buoys and lights; and

"Whereas such marking and lights in the open navigable waters of the United States should not be left to establishment and maintenance by a private corporation in waters over which it exercises no control or jurisdiction: Therefore be it

"Resolved, That all aids to navigation in Buzzards and Barnstable Bays should be located and maintained by the United States Government as an integral part of the general system of coastal buoys and lights; and be it further

"Resolved, That the Chamber of Commerce of the State of New York urges the United States Senators from the State of New York to take such steps as may be in their power to secure such action by the United States Government.

"Respectfully submitted.

"E. H. OUTERBRIDGE, Chairman,
"CHESTER B. LAWRENCE,
"ERNEST C. BLISS,
"CHABLES SOOYSMITH,
"McDougall Hawkes,
"Hermann Winter,
"GUSTAV LINDENTHAL,
"Committee on the Harbor and Shipping."

NEW YORK, January 6, 1914.

Mr. LODGE presented a memorial of New Bedford Lodge, Independent Order of B'rith Abraham, and of Brockton Lodge, Independent Order of B'rith Abraham, both of Massachusetts, remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which were referred to the Committee on Immigration.

Mr. PERKINS presented a memorial of sundry citizens of Woodland, Cal., and a memorial of sundry citizens of Selma, Cal., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of San Francisco, Cal., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented a petition of the congregation of the Presbyterian Church of Covelo, Cal., praying for the suspension for

one year of the naval programs of the great powers, which was referred to the Committee on Naval Affairs.

He also presented a memorial of the Canners' League of California and a memorial of the Dried Fruit Association of California, remonstrating against the proposed separation of consideration of the bill?

the Central and Southern Pacific Railroads, which were referred to the Committee on Interstate Commerce.

Mr. POINDEXTER presented a memorial of sundry citizens of Spokane and Hillyard, in the State of Washington, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. SHIVELY presented petitions of the Federation of Musicians, of Hammond; of the Socialist Local of Elkhart; of the Central Branch Socialist Local of South Bend; of the Socialist Local of Madison County; of the Socialist Local of Grant County, Marion; of the Allen County Central Socialist Local of Fort Wayne; of the Marion County Socialist Local of Indianapolis; and of sundry citizens of Terre Haute, all in the State of Indiana, praying for an investigation into the conditions existing in the mining district of Michigan, which were referred to the Committee on Education and Labor.

Mr. TOWNSEND presented a memorial of members of John A. Logan Post, No. 1, Department of Michigan; of Woman's Relief Corps, No. 239, Department of Michigan; of Soldiers' Home Camp, No. 39, United Spanish War Veterans, Department of Michigan; and of the officers and members of the Michigan Soldiers' Home, Grand Rapids, Mich.; and of Col. Myron Baker Post, No. 33, Department of Michigan, Grand Army of the Republic, of Morenci, Mich., remonstrating against the enactment of legislation proposing a change in the United States flag, which were referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. BRYAN, from the Committee on Claims, to which was referred the bill (S. 1759) to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900, reported it with amendments and submitted a report (No. 208), thereon.

He also, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 1701) to admit legislative journals of State and Territorial legislatures to the mails as second-class mail matter, reported it with amendments and sub-

mitted a report (No. 210) thereon.

He also, from the same committee, to which was referred the bill (S. 3307) for the relief of F. J. Fearis, reported it without

amendment and submitted a report (No. 209) thereon.

Mr. WILLIAMS, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 253, to pay Nannie P. Diggs, widow of John H. Diggs, deceased, a sum equal to six months' salary of her late husband, reported it with an amendment.

REBECCA C. PEPPER.

Mr. MYERS. From the Committee on Public Lands I report back favorably, without amendment, the bill (S. 2563) for the relief of Rebecca C. Pepper, and I submit a report (No. 207) thereon. I call the attention of the Senator from Michigan' [Mr.

Townsend] to the report.

Mr. TOWNSEND. May I ask unanimous consent for the present consideration of the bill? If it leads to any discussion

will withdraw the request.

The VICE PRESIDENT. The bill will be read for informa-

The Secretary read the bill, as follows:

The Secretary read the bill, as follows:

Whereas Rebecca C. Pepper on September 28, 1908, under the laws of the United States, was allowed to make homestead entry 0381 for the south half of the northeast quarter of section 33, township 21 north, range 16 west, principal meridian of Michigan, the same showing on the books of the Federal land office at Marquette to be open to entry; and

Whereas several years later and after she had complied with the conditions of the homestead act as to residence on the land, and when she made offer of payment to the Government of the amount due on such land, she was informed that a military bounty-land warrant under the act of 1855 had been issued to William Weston on April 12, 1866; and

Whereas the homestead entry of the said Rebecca C. Pepper was canceled, and on appeal to the Department of the Interior said cancellation was affirmed and the case closed on June 26, 1911; and Whereas the said Rebecca C. Pepper was without fault in the matter, she having relied upon the Government's records in making her entry and having complied with the legal conditions as to residence on the said land, not knowing and having no means for finding out that said records were not right; Therefore

Be it enacted, etc., That the Secretary of the Interior be, and he is

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to convey to Rebecca C. Pepper 160 acres of land in the State of Michigan, located on the public domain subject to homestead entry, upon payment by Rebecca C. Pepper to the Secretary of the Interior for the United States the sum of \$100, without requiring her to comply with the usual homestead provisions as to residence on such land.

The VICE PRESIDENT. Is there objection to the present

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was rejected.

BILLS AND A JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MYERS:

A bill (S. 4275) to promote the safety of employees and passengers on railroads engaged in interstate or foreign commerce; to the Committee on Interstate Commerce.

By Mr. STONE:

A bill (S. 4276) granting an increase of pension to George W. Winfield .

A bill (S. 4277) granting a pension to James Christian; A bill (S. 4278) granting an increase of pension to Elisha J.

Melton (with accompanying papers); and

A bill (S. 4279) granting an increase of pension to William W. Green (with accompanying papers); to the Committee on Pensions.

By Mr. SWANSON:

A bill (S. 4280) to provide for the purchase of a site and the erection of a public building thereon at Tazewell, in the State of Virginia; to the Committee on Public Buildings and Grounds.

By Mr. SHIVELY:

A bill (S. 4282) to establish in the War Department and in the Navy Department, respectively, a roll designated as "The Army and Navy medal-of-honor honor roll," and for other purposes; to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 4283) for the relief of Oliver P. Pring; to the Com-

mittee on Claims.

A bill (S. 4284) granting a pension to Helen M. Curl (with accompanying papers); to the Committee on Pensions.

By Mr. O'GORMAN:

A joint resolution (S. J. Res. 106) to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes," approved June 23, 1913; to the Committee on Industrial Expositions.

IRRIGATION BY THE RESERVOIR SYSTEM.

Mr. BRISTOW. I introduce a bill and desire to make a very

short statement in regard to it.

The bill (S. 4281) providing for the continuance of investiga-tion authorized by the act of August 10, 1912, upon the feasibility and economy of irrigation by the reservoir system or plan in western Kansas and western Oklahoma; for the extension of the investigation to western Nebraska, eastern Colorado, and eastern New Mexico; and for the construction of reservoirs and lakes for the purpose of impounding the waters of these States, was read twice by its title.

Mr. BRISTOW. Mr. President, the bill which I have introduced provides for an appropriation of \$1,000,000 to continue the investigation authorized by the act of August 10, 1912, as to the feasibility and economy of irrigating by the reservoir system on the plains in western Kansas, Oklahoma, Nebraska, and in eastern Colorado and New Mexico, and also appropriates \$20,000,000 for the purpose of constructing reservoirs and

lakes.

The investigation that has already been made was, because of lack of funds and time, more or less incomplete, but it demonstrates that there are a number of reservoir sites upon these semiarid plains where irrigation systems may be provided by collecting the surplus waters in reservoirs and distributing them at the seasonable time for the growth and maturing of the crops. It also demonstrates that there are many sites where lakes can be created by holding back the surplus waters from running in flood time into the streams

These lakes would serve two purposes that would be exceedingly beneficial. The evaporation from their surface during the dry months would create a degree of atmospheric humidity far in excess of that which now exists. This would greatly temper the destructiveness of the dry weather. These lakes would also feed the underflow by seepage and make its supply greater and more useful than it is at the present time.

We have expended practically \$100,000,000 on the Mississippi

This expenditure has been made largely to protect the River. lands adjacent to the river from overflow. The holding back of the surplus waters during the rainy seasons upon these great watersheds would supplement the work that has already been | national highway.

done on the Mississippi and tend to prevent the congestion of waters there during periods of flood. While serving this good purpose it would at the same time be of inestimable value to the inhabitants of these semiarid regions by mitigating their droughts. It would also serve to give a steady flow to the streams by preventing the surplus water from rushing in torrents at one time into the rivers.

If it is right for the Government to build dikes and levees on the Mississippi, it is proper for it to build lakes and reservoirs on the plains at the headwaters of the Mississippi.

If the production of this vast fertile region of our country should be increased 10 per cent per annum beyond its present possibilities, it would add every year to the wealth of our Nation many times the amount which I ask to be appropriated to construct these lakes and reservoirs. Between a line running from Canada to the Gulf of Mexico, through central Kansas and Nebraska, and the crest of the Rocky Mountains, lies a vast region the soil of which is of untold fertility. There probably is not such an area anywhere else on the face of the earth that is its equal in producing capacity if it had regular and uniform rainfall. It has been a short-sighted policy of our Government to neglect this region so long, when a comparatively small expendi-

ture could have immeasurably increased its producing capacity. Standing upon the banks of the Arkansas and Platte Rivers in the springtime you can see great floods of water, millions of cubic feet per hour, sweeping by on its way to the sea. It is not only running to waste but increases the destruction by floods in the Mississippi Valley. This great waste of water, so useless then, in but a few months would be more precious to the people living upon these plains than mines of gold and silver. If it were held back and impounded to be utilized later upon the country where it fell instead of being an agent of destruction and devastation as it is in the valley below, it would be a source of untold wealth, producing more value per year than is taken from the mines in the mountains beyond.

Every year there is a sufficient amount of this water that runs away unused to irrigate thousands of acres of land that now lies practically idle and unused. And in addition to this direct benefit there would be the advantage of increased humidity over the entire area during the growing season, which would further increase the productiveness of the millions of acres that it is not

practicable to irrigate.

This appropriation which I suggest will furnish the country a permanent and inexhaustible source of wealth tenfold more valuable than the coal, the copper, and the gold of Alaska

During this session of Congress we have appropriated forty millions to open up the riches of our Alaskan Territory, and I am heartily in favor of such appropriation, but I must insist that we owe a duty to the people upon these western plains equal to our duty to the people of Alaska. We appropriate millions every year for the improvement of rivers and harbors, not only for the benefit of navigation but also to protect from destructive floods the valley lands adjacent to the rivers. How, then, can we refuse with any degree of consistency to make an appropriation for the protection of the plains from drought when it will not only serve that purpose but also supplement the work we are already doing in building levees along our great rivers to protect the valleys from the floods?

It is my purpose to urge this legislation with all the earnestness of which I am capable. I believe that it is not only wise legislation, but I know it is just, and I trust that it will have the support of those who for so many years have been enjoying liberal appropriations to protect their States from the Missis-

sippi River overflow.

Mr. President, I ask that the bill may be referred to the Committee on Agriculture, and I hope we shall have a favorable

report at an early date.

The VICE PRESIDENT. The bill will be referred to the Committee on Agriculture.

OMNIBUS CLAIMS BILL.

Mr. SHIELDS submitted an amendment intended to be proposed by him to the omnibus claims bill, which was ordered to be printed and, with the accompanying paper, referred to the Committee on Claims,

WATERWAYS COMMISSION AND BOARD OF RIVER REGULATION.

Mr. NEWLANDS. I wish to introduce the bill which I send to the desk as a substitute for the bill (S. 2739) known throughout the country as the Newlands river-regulation bill, submitted by me on July 14, 1913. This substitute is intended to remove all doubt as to the purpose of the original bill regarding the Mississippi River. It proposes to make the Mississippi River, with its banks, its levees, its spillways, and its cut-offs, a

The VICE PRESIDENT. The Secretary will read the title of the bill.

The Secretary. A bill to create a waterways commission and a board of river regulation to promote interstate commerce by the development and improvement of the rivers and waterways and water resources of the United States and the coordination of and cooperation between rail and water routes and by providing a fund for the regulation and control of the flow of rivers and for the maintenance at all seasons of a navigable stage of water in waterways and for the connection of rivers and waterways with the Great Lakes and with each other, and as a means to that end to provide for flood prevention and protection and for water storage and for the beneficial use of flood waters for irrigation and water power and for the conservation and use of water in agriculture and for the protection of watersheds from denudation and erosion and from forest fires and for the cooperation in such work of Government services and bureaus with each other and with States, municipalities, and other local agencies.

The VICE PRESIDENT. Does the Senator from Nevada

desire that the bill lie on the table?

Mr. NEWLANDS. I desire that it shall lie on the table, and I offer it as a substitute for the bill previously introduced. I wish it to take the same number, as it is well known by that

number throughout the country.

Mr. SMOOT. Mr. President, the bill can not take the same number, but will have to be offered as an amendment in the nature of a substitute for the bill previously introduced by the Senator from Nevada. Otherwise it will be necessary to give it a new number or it will be impossible to keep track of it in the Secretary's office.

Mr. NEWLANDS. Then I ask that it be received as a sub-

stitute for the bill heretofore introduced by me.

The VICE PRESIDENT. So that it is really an amendment in the nature of a substitute? It will be so noted as an amendment to the original bill by way of substitute, and it will be printed and lie on the table, to be called up by the Senator from Nevada at his convenience.

Mr. NEWLANDS. I ask leave to have inserted in the RECORD a copy of the substitute, and also a few newspaper

clippings explanatory thereof. They are quite brief.

Mr. SMOOT. Will the Senator from Nevada be willing to

have the clippings printed as a public document?

Mr. NEWLANDS. I prefer that they go into the RECORD. The bill is attracting a good deal of attention throughout the country, and in every section of the country; it has been indorsed by seven or eight legislatures, and I should like to have these statements go out in the RECORD in connection with it.

Mr. SMOOT. Do they embrace all that the Senator now has

in his hand?

NEWLANDS. Yes. The Senator from Utah can see that they will not consume very much space, and a good deal of it is taken up with illustrations.

Mr. SMOOT. The Senator from Nevada does not expect the

illustrations to go into the RECORD?

Mr. NEWLANDS. No.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. I am not going to object, but I am going to say to the Senate that within the last few days I have undertaken to ascertain what percentage of the Congressional Record for the last year is a record of statements made upon the floor of the last year is a record of statements made upon the hoof of the Senate and of the other House and what percentage has been from outside sources. Of course I have not brought the information anywhere near down to date, but so far I have ascertained there is about 40 per cent of outside matter con-tained in our Record. I repeat, however, I am not going to object to the insertion of the matter referred to by the Senator from Nevada

Mr. NEWLANDS. I understand, then, Mr. President, that permission is granted to insert the matter to which I refer?

The VICE PRESIDENT. In the absence of objection, permission to do so is granted.

The substitute and matter referred to is as follows:

NEWLANDS RIVER REGULATION BILL.

Strike out all after the enacting clause and insert the fol-

That the sum of \$60,000,000 annually for each of the 10 years following the 1st day of July, 1913, is hereby reserved, set aside, and appropriated, and made available until expended, out of any moneys not otherwise appropriated, as a special fund in the Treasury, to be known as the "river regulation fund," to be used to promote interstate commerce by the development and improvement of the rivers and waterways of the United States and their connections with the Great Lakes and with each other, and by the coordination of and cooperation between rail and water routes and transportation, and the establishment and maintenance of adequate terminal and transfer facilities and systems and their maintenance, improvement, and protection, and by

the making of examinations and surveys and by the construction of engineering and other works and projects for the regulation and control of the flow of rivers and their tributaries and source streams, and the standardization of such flow, and by the maintenance of navigable stages of water at all seasons of the year in the waterways, of the United States, and by preventing silt and sedimentary material from being carried into, and deposited in, waterways, channels, and harbors, and by the conservation, development, and utilization of the water resources of the United States, and by flood prevention and protection, through the establishment, construction, and maintenance of natural and artificial reservoirs for water storage and control, and the protection of watersheds from denudation, erosion, and surface wash, and from forest fires, and the maintenance and extension of woodland and overflow lands and arid lands and the building of drainage and irrigation works in order that the flow of rivers shall be regulated and controlled not only through the use of flood waters for irrigation on the upper tributaries, but also through controlling them in fixed and established channels in the lower valleys and plains, and by doing all things necessary to provide for any and all beneficial uses of water that will contribute to its conservation or storage in the ground or in surface reservoirs as an aid to the regulation or control of the flow of rivers, and by acquiring, holding, using, and transferring lands and any other property that may be needed for the aforesaid purposes, and by doing such other things as may be specified in this act or necessary to the accomplishment of the purposes thereof, and by securing the cooperation therein of States, municipalities, and other local agencies, as hereinafter set forth, and for the payment of all expenditures provided for in this act; the ultimate purpose of this act being the maintenance at all times of a navigable stage of water in all inland waterways, and flood prevention

CREATION OF THE WATERWAYS COMMISSION AND THE BOARD OF RIVER REGULATION

SEC. 2. That a commission is hereby created, to be known as the "waterways commission," consisting of the President of the United States, who shall be the chairman of said commission, with the power of veto, the Secretary of War, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the chairman of the board of river regulation, to be appointed as hereinafter provided. The chairman of the Interstate Commerce Commission and the chairman of the Isthmian Canal Commission shall be ex officio advisory members of said waterways commission.

The waterways commission shall have authority to direct and control all proceedings and operations and all things done or to be done under this act, and to establish all rules and regulations which may in their judgment be necessary to carry into effect such direction and control consistent with the provisions of this act and with existing law and with any provisions which Congress may from time to time enact.

All plans and estimates prepared by the board of river regulation, as hereinafter provided, which contemplate or provide for expenditures from the river regulation fund, shall be submitted to the waterways commission for final approval before any of the expenditures therein provided for or contemplated are authorized or made, or any construction work undertaken or contracts let under or in pursuance of such plans: Provided, That in case of an emergency the chairman of the board of river regulation shall have full power to act, and shall report in detail his action in every case to the waterways commission at its next meeting after his action.

The members of said commission shall serve as such only during their incumbency in their respective official positions, and any vacancy on the commission shall be filled in the same manner as the original appointment.

A board is hereby created, to be known as the "board of river

pointment.

the commission shall be filled in the same manner as the original appointment.

A board is hereby created, to be known as the "board of river regulation," consisting of the Chief of Engineers of the United States Army, the chairman of the Mississippi River Commission, the Director of the United States Geological Survey, the Director of the Reclamation Service, the Assistant Secretary of Agriculture, the Forester of the Department of Agriculture, the Superintendent of the Coast and Geodetic Survey, the Commissioner of the Bureau of Fisheries, the Secretary of the Smithsonian Institution, one civil engineer, one sanitary engineer, one hydroelectric engineer, one expert in transportation, and a chairman of the board. The last seven shall be appointed by the President and hold office at his pleasure, and they shall each receive an annual compensation of \$10,000, except the chairman, who shall receive \$12,000, and they shall receive a per dlem in lieu of actual expenses when absent from headquarters on official business, to be determined by the waterways commission. Such compensation and per dlem, together with all the general expenses of the board, shall be payable out of the appropriation hereinafter apportioned to the Smithsonian Institution. The members of said board, with the exception of the seven members appointed by the President, shall serve as such only during their incumbency in their respective official positions, and any vacancy on the board shall be filled in the same manner as the original appointment.

The seven members of the board appointed by the President shall constitute an executive committee of which the chairman of the board shall be chairman, and said executive committee shall have the general executive defection and supervision of the operations of said board of river regulation under rules and regulations to be established by the waterways commission.

A secretary of the board shall be appointed by the executive com-

regulation under rules and regulations to be established by the waterways commission.

A secretary of the board shall be appointed by the executive committee, and shall hold office at their pleasure, and he shall receive an annual compensation of \$5,000 and a per diem when absent from head-quarters on official business to be determined by the waterways commission, payable out of the appropriation hereinafter apportioned for the Smithsonian Institution.

All formal action taken and all expenditures made or authorized by the board of river regulation shall be reported to the waterways commission and shall be by the commission transmitted to Congress annually, or at such more frequent times as may appear to the commission desirable, or at such times as Congress may require.

Whenever, in their judgment, it may be advisable, in order to expedite construction, the waterways commission may order such construction work as they may determine to be done under the immediate direction, by contract or otherwise, of the executive committee, in which case such work shall be paid for from the apportionment of the service or bureau or organization under which it would otherwise have

been done, such transfer and application of any apportionment made by this act being hereby authorized.

The waterways commission may, if at any time it shall be in their judgment advisable, appoint from the public service additional members of the board of river regulation; and they may also create and ap-point from the public service the members of subordinate boards or commissions to promote the purposes of this act and expedite and facilitate the administration thereof and operations and construction thereunder. facilitate t

COOPERATION WITH STATES, MUNICIPALITIES, AND OTHER AGENCIES

thereunder.

COOPERATION WITH STATES, MUNICIPALITIES, AND OTHER AGENCIES.

SEC. 3. That the beard of river regulation shall, in all cases where possible and practicable, encourage, promote, and endeavor to secure the cooperation of States, municipalities, public and quasi public corporations, towns, counties, districts, coimmunities, persons, and associations in the carrying out of the purposes and objects of this act, and in making the lavestigations and doing all coordinative and constructive work provided for herein; and it shall in each case endeavor to secure the financial cooperation of States and of such local authorities, agencies, and organizations to such extent and in such amounts as the waterways commission shall determine to be a just and equitable apportionment of work, costs, and benefits, under all the circumstances, in each case; and it shall negotiate and perfect arrangements and plans for the apportionment of work, cost, and benefits of each, respectively, and with a view to assigning to the United States such portion of such development, promotion, regulation, and control as can be properly undertaken by the United States by virtue of its power to regulate interstate and foreign commerce and promote the general welfare, and by reason of its proprietury interest in the public domain, and to the States municipalities, communities, corporations, and individuals such portion as properly belongs to their jurisdiction, rights, and interests, and with a view to so uniting the plans and works of the United States within their jurisdictions, and of the States and municipalities, respectively, within their jurisdictions, and of the States and municipalities, and individuals within their respective powers and rights, as to secure the highest development and utilization of the waterways and water resources of the United States: Provided, however, That the control of the Mississippi River shall be regarded as a national problem, imposing an obligation which alone can be discharged by the General Governme

ENCOURAGEMENT OF INDEPENDENT INITIATIVE AND CONSTRUCTION.

Sec. 4. That all things done under this act shall be done with a view not only to constructive cooperation, as herein provided, but also with the definite and specific object of enlarging the field of accomplishment contemplated by the act through promoting and encouraging independent initiative and construction by States, municipalities, districts, and other local agencies and organizations, and creating object lessons and building models and making demonstrations that will have that effect and influence, and induce such supplemental and independent action and construction.

CONFERENCE AND COOPERATION OF BUREAUS AND STATES.

SEC. 5. That it shall be the duty of said board to coordinate and bring into conference and cooperation the various scientific and constructive bureaus of the United States with each other and with the representatives of States, municipalities, public and quasi-public corporations, towns, counties, districts, communities, and associations, and of foreign nations on international streams, in the carrying out and accomplishment of all the provisions, purposes, and objects of this act.

The board shall have authority to call upon and to bring into cooperation any other Federal department or bureau whose investigations or assistance may be found necessary to the carrying out of the provisions of this act, and the board is hereby authorized to defray the expenses of such investigations or assistance through a transfer of so much of its appropriation as may be necessary to the Federal department or bureau thus brought into cooperation.

CORRELATION, COORDINATION, AND ADMINISTRATIVE ECONOMY.

CORRELATION, COORDINATION, AND ADMINISTRATIVE ECONOMY.

CORRELATION, COORDINATION, AND ADMINISTRATIVE ECONOMY.

Sec. 6. That the board shall harmonize and unify and bring into correlation and coordination the investigations made, and information, data, and facts collected and obtained by the various bureaus or offices of the Government relating to or connected with the matters and subjects referred to and the questions involved in this act, and to print, publish, and disseminate the same, and it shall exercise such general supervision as may be necessary to provide against duplication or unnecessary inadequate, unrelated, or incomplete work in connection therewith, and shall make such recommendations to the waterways commission as it may deem advisable at any time for the accomplishment of that end or in the interest of harmonious cooperation, efficiency, and economy in carrying out the purposes of this act. The special function of the board at all times shall be to promote the adoption of the best and most approved methods and systems of investigation, administration, construction, and operation in carrying out such specific improvements, works, and projects as are authorized by this act, or which may be from time to time authorized by Congress, if within the scope of the work of the vald board as herein set forth; and it shall further be the special function of the board to effect the largest possible saving as the result of the unification, correlation, and coordination of the work of the various bureaus in the Investigations and administrative and constructive work provided for in this act in accordance with existing law or with such provisions as Congress shall from time to time impose.

REPORTS, FLANS, AND ESTIMATES BY THE BOARD.

SEC. 7. That the functions of the board shall be to obtain full information through its members concerning all proposed expenditures provided for within the scope of this act. Each bureau or service chief

member shall report to the board the work proposed by the bureau or organization which he represents, and shall present full plans and estimates covering such proposed construction or action. The findings and conclusions of the board and plans adopted by it for construction and action shall be binding upon the members thereof in so far as may be consistent with existing laws.

REFERENCES TO AND INSTRUCTIONS FROM THE PRESIDENT.

SEC. S. That all matters involving apparent conflict with departmental authority, jurisdiction, or procedure, or as to which the board may desire suggestions or advice, shall be laid before the President, who may thereupon call into conference the waterways commission, and after consideration of such matters by the commission, suitable instructions shall be issued by the President to heads of departments with a view to securing unity of action along the lines approved by the President and the commission.

EXECUTION OF PLANS AND WORK BY THE SEVERAL BUREAUS.

SEC. 9. That in the execution of all plans and duties intrusted or delegated to the several bureaus the respective chiefs thereof, acting under departmental regulations and procedure, shall execute the work according to the methods prescribed by law, the functions of the board of river regulation being those of a consulting and advisory body with power to make recommendations to the President and the waterways commission, and through the President to the heads of departments, with a view to effective coordination and cooperation as to all things proposed by this act, and to carry out such work as Congress shall from time to time prescribe or has prescribed in this act.

COMPREHENSIVE PLANS FOR RIVER REGULATION.

proposed by this act, and to carry out such work as Congress shall from time to time prescribe or has prescribed in this act.

COMPREHENSIVE PLANS FOR RIVER RECULATION.

Sec. 10. That the board of river regulation shall develop, formulate, prepare, consider, and determine upon comprehensive plans for the conservation, use, and development of the water and forest resources of the United States in such manner as will best regulate the flow of rivers and their tributaries and source streams, and the stage of water in inland waterways, and the confinement of all rivers and waterways at all times within fixed and established channels, and embracing, with that object, the construction of levees and revetments and all works necessary for the fixation of channels and flood protection, drainage, and the reclamation of swamp and overflow lands; water storage in natural and artificial reservoirs; the beneficial use of waters for irrigation and for all domestic, municipal, and industrial purposes: the manitenance and development of underground water supplies and the storage of water in the ground and in irrigated lands and underground reservoirs; the construction of flood-water canals, by-passes, and restraining dams; the control and regulation of drainage and the replenishment of streams by return seepage; the perpetuation of forests and maintenance of woodland cover as sources of stream flow; the prevention of denudation and erosion; the protection of channels and harbors from eroded soil materials; the clarification of streams and rivers; the sanitary disposal of sewage and purification of water supplies; the best distribution of forests, woodlands, and other growth, and of cultivated and irrigated areas in their relation to river flow; the protection of forested and woodland areas from destruction by fire or insects; the reforestation of denuded areas; the planting of forests and establishment of forest plantations; the preservation and planting of woodlands and any other growth and protective cover on watersheds; the

SMITHSONIAN INSTITUTION.

SEC. 11. That it shall be the duty of the Secretary of the Smithsonian Institution to give especial attention to the acquisition from foreign countries and from all sources of all obtainable knowledge concerning the problems involved in the work of the board and to diffuse and disseminate the same, and to establish and maintain a museum of water and forest resources in which such knowledge shall be placed before the people, with object lessons illustrating the disastrous consequences that have resulted from the neglect of such conservation, and particularly the failure to conserve the forest and water resources in other countries of the world, and to utilize the resources of the institution under his charge, which may be available for that purpose, to aid in the education of the public in the elements of knowledge which lead to the successful regulation of water and of the flow of rivers and the use of water in connection with agriculture and the intensive cultivation of land, and in connection with all other industries.

DEPARTMENT OF AGRICULTURE.

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DEPARTMENT OF AGRICULTURE.

SEC. 12. That it shall be the duty of the Assistant Secretary of Agriculture to collate and bring together for the information of the board the results of all investigations with reference to soil and the production of crops through the use of water as a fertilizer and stimulant to plant growth, and of the relation of water in excess or deficiency to successful crop production. He shall recommend for the consideration of the board such further investigations as may properly be conducted in connection with the purposes for which the board is created and which shall lead to the largest and most valuable results being obtained through the use of water in connection with successful plant growth and increased crop production, and the establishment of a national system for the Information of the people in the intensive cultivation of small tracts of land, with a view to increasing food production and thereby reducing the cost of living and encouraging suburban and rural settlement and homemaking, and the beneficial use of water in connection therewith as an ultimate influence for river regulation in aid of interstate commerce.

FOREST SERVICE.

FOREST SERVICE.

SEC. 13. That it shall be the duty of the Forester of the Department of Agriculture to present to the board all essential facts bearing upon

the relation of forests to the various problems under consideration and the value and importance of forests and woodland and other growth and their proper control and extension and protection from fire; also such facts as may be essential to the proper enlargement of forested areas for the protection of watersheds and the maintenance of the flow of rivers during the low-water season and the prevention of denudation and erosion, with consequent silting up of waterways and harbors, and to prepare and present to the board comprehensive plans for the protection of the forests from fire and other destructive agencies.

GEOLOGICAL SURVEY.

GEOLOGICAL SURVEX.

SEC. 14. That it shall be the duty of the Director of the Geological Survey to recommend to the board appropriate surveys and examinations, and upon proper approval cause to be executed topographic surveys of each drainage basin, these being planned with reference to the work contemplated by the board and the immediate demands and needs of the board. Such surveys shall include and show in addition to the topography the character of all lands embraced therein, and it shall be his duty to classify the same and designate the best use to which said lands may be devoted in carrying out the provisions of this act. The topographic maps shall be of such scale as will bring out the existence of feasible storage or reservoir sites. He shall make such additional surveys of specific localities as may be required by the constructing engineers, and in such surveys he shall establish monuments based on geodetic horizontal and vertical control. The surveys shall be of such nature as to provide adequate bases for geologic investigation and engineering works. He shall also cause measurements to be made of the flow of streams at such places as may be designated by the board as yielding results of largest importance in the discussion of the problems in hand and the execution of proposed engineering works, and shall carry on such studies in river pollution and purification, in water-power possibilities, and other stream investigations as the board may designate. It shall be his further duty to examine all forested lands or lands intended to be afforested or reforested which it is proposed to purchase under this act, and to report whether the control and use of such lands will influence the preservation of water supplies or stream flow or tend to regulate the flow of navigable rivers on whose watersheds they are located.

ECLAMATION SERVICE.

RECLAMATION SERVICE.

rivers on whose watersheds they are located.

RECLAMATION SERVICE.

SEC. 15. That it shall be the duty of the Director of the Reciamation Service to bring before the board the results attained in the construction of works of irrigation and reclamation throughout the arid and semiarid regions of the United States and the application of the experience thus obtained to the conditions existing in the more humid sections of the United States. He shall extend the surveys and investigations and construction of irrigation works such as are authorized in the act of June 17, 1902, known as the reclamation act, throughout the United States and including reclamation of land by drainage as well as by irrigation: Provided, however, That no part of the fund created by the act of June 17, 1902, shall be expended for this purpose. Such further investigations and construction and operations in States and Territories other than those covered by the original act above referred to and amendments thereto shall be made in accordance with such rules and regulations as shall be established by the Secretary of the Interior, and shall be subject to such of the terms, provisions, and requirements of said reclamation act as the Secretary of the Interior shall determine are to be made applicable thereto, but shall be at the expense of the river regulation fund created by this act, and expenditures from said last-mentioned fund may be similarly made in any State or Territory. He shall construct, operate, and maintain, until otherwise provided by law, such irrigation and drainage works and systems as the board may determine are needed for the regulation of the streams on rivers and the improvement of agricultural conditions, or for the proper control, disposition, and utilization of sewage or other waste waters which, without such regulation, would pollute the streams on infuriously affect the health or prosperity of the community. He shall also present to the board proposed plans for coordinating and making more useful works already in exist

CORPS OF ENGINEERS, UNITED STATES ARMY,

CORPS OF ENGINEERS, UNITED STATES ARMY.

SEC. 16. That the Chief of Engineers of the United States Army shall present to the board all proposed plans for works proposed to be built under this act which the waterways commission shall determine are to be built under his supervision, including plans for levees, dikes, revetements, dams, canals, cut-offs, splilways, controlled outlets, floodwater channels and wasteways, bank-protective and channel-fixation works, reservoirs or basins for the storage of flood waters for flood prevention and river control, or works for which examinations and surveys have been made by or with the cooperation of States, municipalities, or districts, and which it is sought to have constructed under this act, together with such facts and data as may be required for the construction of such works, or any of them, for the regulation of the flow of rivers. He shall also construct, operate, and maintain such levees, flood-protection, channel-fixation, and bank-protective works as are built in accordance with this act and also such reservoirs as are so built for the storage of water to control and regulate the flow of rivers, and to reenforce such flow in seasons of low water and to prevent floods and protect lands and communities from overflow as may be determined by the waterways commission: *Provided, however, That the provisions of this section shall be so administered as in no way to supersede or conflict with any specific provisions which Congress shall from time to time make by way of appropriations other than such as are made by this act for work and improvements to be performed or maintained by the Corps of Engineers, United States Army, but that all work prescribed under this section shall be supplemental to and coordinated with the work as specifically prescribed by Congress in other acts.

DUTIES OF EXECUTIVE COMMITTEE APPOINTED BY THE PRESIDENT

DUTIES OF EXECUTIVE COMMITTEE APPOINTED BY THE PRESIDENT.

SEC. 17. That it shall be the duty of the members of the board of river regulation appointed by the President and constituting the executive committee of the board of river regulation, as hereinbefore provided, under the direction of the chairman of the board, to consider, prepare, and present to the board comprehensive plans providing for the best utilization of the water resources of the United States in connection with river regulation, flood prevention and protection, and the increase of the flow of rivers in low-water seasons and the maintenance at all times of a navigable stage of water in the waterways of the United States, and providing also for the coordination of and

cooperation between rail and water routes and transportation, and the establishment, maintenance, and protection of terminals and transfer sites and facilities for transshipment between rail and water routes, and to adjust all the plans contemplated for the projects constructed under this act to the ultimate purpose of regulating and standardizing the flow of the rivers and inland waterways of the United States, in aid of interstate commerce as aforesaid; and, further, to give expert advice to the board in its consideration of details, problems, and projects; and it shall be their special duty to constantly promote and stimulate harmonious and effective cooperation between the different bureaus and services of the National Government and between the Nation and States, municipalities, and other local agencies in working out constructive plans under this act; and it shall further be their duty to examine and study the plans presented to the board for consideration, with the view of promoting the fullest possible measure of efficiency and economy in administration and construction and avoiding all duplication in the work of the respective bureaus.

EQUITABLE APPORTIONMENT AMONG WATERWAY SYSTEMS.

EQUITABLE APPORTIONMENT AMONG WATERWAY SYSTEMS.

efficiency and economy in administration and construction and avoiding all duplication in the work of the respective bureaus.

EQUITABLE APPORTIONMENT AMONG WATERWAY SYSTEMS.

SEC. 18. That in carrying out the provisions of this act regard must be had, as far as practicable, to the equitable apportlonment and contemporaneous execution of the works and projects contemplated under this act among the several waterway systems of the United States.

Not less than \$10,000,000 annually for 10 years shall be apportioned to the Appalachian and Atlantic region, including the territory within the drainage basins of all rivers flowing into the Mississippi River below the Obio River or into the Gulf of Mexico east of the Mississippi River or into the Atlantic Ocean.

Not less than \$10,000,000 annually for 10 years shall be apportioned to the drainage basin of the Mississippi River above \$1. Louis and the territory included in the drainage basins of the rivers draining into Canada or into the Great Lakes or into the Mississippi River from the east between East \$1. Louis and Carly. III.

Not less than \$10,000,000 annually for 10 years shall be apportioned to the Mississippi River from St. Louis to the Gulf of Mexico, and the territory ling between the Atchafalaya River, the Mississippi River and the Gulf of Mexico, and including the Atchafalaya River, and all levees and bank protective works, cut-offs, and auxiliary flood-water channels works necessary for such use of said Atchafalaya River, and all levees and bank protective works, cut-offs, and auxiliary flood-water channels necessary for control and prevent all overflews from said Atchafalaya. River, which shall in this respect be regarded as in the same class with the Mississippi River.

Not less than \$10,000,000 annually for 10 years shall be apportioned to the territory included in the drainage basin of the Mississippi River from the west below \$1. Louis or flowing or debouching directly or through connecting waterways into the Gulf of Mexico west of the Atchafalaya Riv

REPLENISHMENT OF RIVER-REGULATION FUND BY BOND ISSUE.

SEC. 19. That the President is authorized, whenever the current revenues are insufficient to provide the \$60,000,000 annually appropriated for the river-regulation fund, to make up the deficiency in such fund by the issue and sale of United States bonds, bearing interest at a rate not exceeding 3 per cent per annum, payable semiannually, and running for a period not exceeding 30 years.

APPROPRIATIONS AND APPORTIONMENT.

APPROPRIATIONS AND APPORTIONMENT.

Sec. 20. That the moneys hereby annually appropriated in section 1 of this act, unless otherwise apportioned by the waterways commission, shall, subject to all the provisions of this act, be apportioned and expended by the services and bureaus herein named in carrying out the purposes and provisions of this act and under the direction of the heads of the respective departments and in accordance with existing laws and regulations or such modifications thereof as may be made from time to time in accordance with the general system or systems proposed by the board and approved by the waterways commission in the following sums annually, which shall be available until expended for the following purposes:

board and approved by the waterways commission in the following sums annually, which shall be available until expended for the following purposes:

For the Smithsonian Institution, for obtaining information and material relating to the subjects covered by this act in the United States and foreign countries, and publishing and distributing the same to the people of the United States, and for the establishment and maintenance of a Museum of Water and Forest Resources, and for any other purposes mentioned or referred to in section 11 of this act, \$1,000,000.

For the Department of Agriculture, for the increase and development of the porosity and absorbent qualities and storage capacity of the soil upon which rain or snow may fall in order that its run-off may be in that way checked and the water absorbed into the earth, and to that end for the establishment and maintenance of garden schools and demonstration garden farms, and instruction in intensive cultivation and the use of water for irrigation therein and in rural industrial communities, and for investigations and instruction with reference to terracing and methods of cultivation adapted to preventing erosion on hillside slopes, and with reference to the use of water as a fertilizer and stimulant to plant growth in all ways, and the adoption of all methods of agriculture that will increase the porosity and absorbent qualities of the soil and check surface wash or erosion or sudden run-off, and thereby tend to prevent the formation of floods, and for the acquisition of lands that may be required for such purposes, and for any other purposes mentioned or referred to in section 12 of this act, \$5,000,000.

For the Department of Commerce, for the work of the Coast and Geodetic Survey and the Bureau of Fisheries, in cooperation with other departments, to promote the objects of this act in such manner as may be directed by the waterways commission, \$2,000,000.

For the Geological Survey, for topographic surveys and the measurement of streams and other hydrographic a

for any other things required by the board to be done in connection with any investigation or construction done under this act, \$3,000,000.

For the Reclamation Service, for the reclamation of lands by either prization or drainage, or both, and for the building of irrigation and drainage systems to aid in the regulation or equalization of the flow of rivers and their tributaries and source streams through the conservations of the conservation of the acquisition and improvement by trigation and lands, and for the acquisition and improvement by trigation and lands, and for the acquisition and improvement by trigation as a means for the building of canals and ditches, and carrying to completion any and all methods of utilizing water for trigation as a means for water conservation or river regulation, and for any other purpose mentlened or referred to in section 15 of this act, \$20,000,000.

In section 15 of this act, \$20,000,000.

In section 15 of this act, \$20,000,000.

In add within or near existing national forests or other lands which are necessary to the adequate protection of water supplies, and for building the mecessary roads, trails, fire lines, fire-protection stations, telephone lines, and for any and all other things required for such fire protection, including the fighting of fires and the employment of the preservation and major private or State forest lands situated upon the watersheds of such rivers or streams, in cooperation with any state or group of States, in the manner provided for in an act entitled "An act to enable any State to cooperate with any other state or states, or with the United States, for the protection of the watersheds and areas from insect infestation, \$1,000,000.

(1) For the protection promises, the planting or replanting of forests, herefore the purpose of conserving the navigability of rivers, known as the Appalachian National Forest act, and also in direct cooperation with cities, counties, towns, villages, and other owners of wood-lands and forested and areas from insect

[From the News-Scimitar, Memphis, Tenn., January 15, 1914.] THE NEWLANDS BILL.

THE NEWLANDS BILL.

A comprehensive, practical, and efficient measure is the Newlands bill for the control of the floods of this great valley, and it is growing more and more in public favor as it is better understood. The makeshifts and patchwork efforts of less comprehensive measures are falling more and more into disfavor, particularly when the secret forces opposing the Newlands bill are discovered. The public is rapidly learning that the same influences that delayed the opening of the Panama Canal for more than a quarter of a century, plus the railroads which oppose revival and expansion of inland waterways competition, politicians who do not desire the elimination of the politically powerful levee boards, power-site speculators who do not desire the Federal Government to survey and reveal the reservoir and power sites in the source-stream country, those financiers who do not desire the internal development work of the Government coordinated and made fully efficient, and those national politicians who desire to retain power to choke off executive initiative, have thrown every possible obstruction in the way of progress in the campaign for the passage of the Newlands river-regulation bill. But their labors are in vain. The Newlands bill is really the river plank of the national platform of the Democratic Party translated into legislative form, and it is so designed as to ultimately solve all the great problems incident to the now uncontrolled drainage of the country in such a way as to rehabilitate the navigable waterways and put an end to the waste of water, which means a waste of wealth. The country is slow to learn, and it takes its time about solving great problems. When once its mind is made up, however, and the work entered upon, it is always done with a thoroughness and intelligence that insures its success.

[From the Mobile Item, Jan. 22, 1914.]

THE NEWLANDS BILL.

At the annual meeting of the American Association for the Advancement of Science, held in Atlanta a few days ago, Judson G. Wall, vice president of the association, addressed the division of social and economic science on flood control and protection. Mr. Wall, who is tax commissioner of New York City, has made a deep study of the problems

presented by soil erosion and the unnecessary waste of waters. He declared that the present river-regulation policy is wrong: First, because it does not prevent flood losses averaging over \$100,000,000 a year, and, second, because it not only permits, but provides for, the unimpeded passage to the sea of countless billions of tons of water needed where it falls for crop-raising purposes.

The Newlands bill now before Congress proposes a policy of flood prevention and river regulation, a policy that clearly recognizes the vital necessity of conserving the food supply of the Nation. This policy provides for the construction of storage reservoirs on the source streams, which would supply water for navigation during the dry season. It also provides for diversion canals along the upper levels for irrigating purposes and for otherwise distributing water where it will be most beneficial. Under this plan water would be compelled to perform its proper and normal function of enriching the soil before seeking, through seepage, the river and the sea. The season of freshets would thus provide for the season of drought. It is claimed there would be no possibility of floods, and there would be assurance of a safe and certain volume of water in navigable streams at all seasons of the year.

The storage of water on the source streams would result in the de-

certain volume of water in navigable streams at all seasons of the year.

The storage of water on the source streams would result in the development of a large number of hydroelectric power plants, which would lessen the cost of production. There are nearly 300,000,000 acres of land now idle, owing to a deficient rainfall, but which could be made productive if the amount of precipitation that does occur were all utilized, which it is practicable to do. This plan of making the best use of all precipitation would also increase the productiveness and thereby enhance the value of farms in all parts of the country.

Hundreds of business organizations and newspapers throughout the country are demanding from Congress the adoption of this new policy of flood protection by conservation. And they ask that the plan be turned over to the Army engineers who constructed the Panama Canal for execution. If these engineers are ordered to stop the floods, they can do so. And they will at the same time stop the waste of soil by erosion, and the waste of water, which is one of the most valuable assets of the Nation.

FLOOD PREVENTION AND RIVER REGULATION.

The broad and comprehensive national policy embodied in the Newlands-Bartholdt-Broussard river-regulation bill was declared and indorsed by the Trans-Mississippi Commercial Congress 10 years ago in the following resolutions drawn by George H. Maxwell, and then adopted as an expression of the broad western vision of what should be done to prevent the waste and destruction of our national resources and safeguard against the annually recurring menace of the floods.

TRANS-MISSISSIPPI COMMERCIAL CONGRESS

Resolutions adopted at the fourteenth annual session held at Seattle, Wash., August 18-21, 1903:

"CONSERVE NATURAL RESOURCES.

"CONSERVE NATURAL RESOURCES.

"The unparalleled era of prosperity through which we are now passing results from the rapid development of the material resources of our country, and we must preserve those resources if we are to maintain that prosperity. We are drawing from nature's treasure vaults the wealth that has been accumulating through the ages. That wealth is in our forests, our mines, and our farms. Their products are the basis of both our internal and our foreign trade and commerce and the original source of all employment for labor.

"This mighty resource of natural wealth must not be wasted or destroyed. Not only should the natural resources of the trans-Mississippi region be systematically preserved, but the home markets for its products should be protected.

"We have a higher destiny as a Nation than the mere creation or accumulation of capital. We must preserve and bequeath to future generations the natural resources which will be necessary to their material welfare, and without which in the years to come the masses of our people will inevitably be reduced to poverty and suffer privation and distress.

"WHAT MUST BE DONE.

" WHAT MUST BE DONE.

"We may use and enjoy these vast natural resources without destroying them, and by a wise governmental policy they may be enormously developed and enlarged. But if this is to be done—

"1. The appalling ravages from forest fires must be stopped.

"2. The reckless destruction of our timber resources by careless and wasteful methods of lumbering must cease.

"3. The forests must be preserved by right use, not only as a permanent source of supply for wood and timber, but as sources of water supply and great natural reservoirs to hold back the flood waters and lessen the destructive volume of floods.

"4. The waters that now run to waste must be stored both for flood protection and for use in irrigation and to create electric power and for the improvement of navigation.

"5. Reservoirs should be built throughout the mountain regions and wherever practicable in the natural depressions and basins of the great plains in the valleys of the Missouri and Mississippi Rivers and their tributaries.

"6. The building of a multitude of small reservoirs and ponds by damming the draws and coulees should be brought about.

"7. The river channels should be, wherever necessary, deepened, straightened, and improved and the banks protected by revetments.

"8. Levees should be built along the rivers for flood protection and to improve the channels for navigation.

"9. The public lands should be held as a sacred trust for those who will build homes upon them, and their rapid absorption into private ownership by speculators and to create great ranges for live stock should be immediately stopped.

"10. The National Government should build the great irrigation systems necessary for the reclamation and settlement of the arid region by actual settlers and home makers, and the lands reclaimed should repay to the Government the cost of the construction of the waters of such large rivers as the Columbia, the Missouri, the Colorado,

"The great engineering works necessary for the utilization of the waters of such large rivers as the Columbia, the Missouri, the Colorado, the Snake, the Milk, the Sait, and Gila, and the Sacramento and San Joaquin Rivers in California should proceed as rapidly as the lands reclaimed will be utilized, and will repay to the Government the cost of the works; and in the great interior central valley of California the problem of the control of the floods of the Sacramento River, which would furnish water caough to irrigate 10,000,000 acres of land if conserved and utilized, should be treated as a single problem involving arid-land reclamation, flood control, navigation, and drainage, and while the improvements of the Sacramento and San Joaquin Rivers

should be continued and extended by the National Government to fully develop the navigability of those rivers, the necessity of coping with the problem in its broadest aspects should be recognized and a complete and comprehensive plan for its entire solution should be prepared without delay by the engineers of the Reclamation Service and of the War Department of the United States."

[From the Southern Lumberman, Nashville, Tenn., December, 1914.]
FLOOD CONTROL—IMPOUNDING WATERS AT THEIR SOURCE.

From the Southern Lumberman, Nashville, Tenn., December, 1914.]

FLOOD CONTROL—IMPOUNDING WATERS AT THEIR SOURCE.

[By George H. Maxwell, executive director, National Reclamation Association, New Orleans, La.]

How few there are who ever stop to realize how easy it is to catch and control the drops of water where they fall in the form of rain or snow on the farms or in the forests of the watershed of a great river.

Or how impossible it may become to control those same drops of water when they have been aggregated into a mighty flood in the lower valleys or reaches of the river draining that watershed.

The farmers in the arid regions or in the truck gardens of New Jersey have learned by experience the value of water as an aid to plant growth, and have likewise learned how to control it and apply it for beneficial use in agriculture.

Ask the alfalfa raiser of Arizona, the orange grower of southern California, the grape grower of Arizona, the orange grower of southern California, the grape grower of New Jersey or Florida, whether they could control and use to increase crop production on their farms 1 acre-foot of water.

They will tell you they want no more profitable undertaking and an acre-foot of water.

They was the lower valley who ever stop to think what the difference is to them whether an acre-foot of water over the watershed above them (12 inches of rainfall) is saved and used to increase crop production, or allowed to run off in an unchecked and uncontrolled flood?

THE GREAT FLOOD OF MARCH-APRIL, 1913.

The great flood of March-April, 1913, in Ohio was caused by an average run-off of only 8 inches from 3,000 square miles. There are 201,000 square miles in the drainage basin of the Ohio River. A run-off of 1 acre-foot, or 12 inches of rainfall, simultaneously over that entire area, would make a wall of water a mile wide, a thousand miles long and 200 feet deep. Can you see that wall of water in your imagination? Can you imagine what it would mean if it ever gathered in a great flood extending from Pittsburgh to Cairo? The distance between those two cities is about 900 miles.

Or can you imagine what such a simultaneous run-off of 12 inches would mean if it were poured in the form of a flood into all the tributary valleys of the Ohio, the Allegheny, the Monongahela, the Muskingum, the Scioto, the Miami, the Wabash, the Kanawha, the Kentucky, the French Broad, the Cumberland, and the Tennessee?

To be exact, it would mean a flood one-third worse than that of March-April, 1913, on the Scioto and the Miami at Dayton or Columbus or Chillicothe extended to every tributary of the Ohio and devastating every valley in the drainage basin of the Ohio River.

WHY FLOODS DO NOT OCCUE EACH YEAR.

WHY FLOODS DO NOT OCCUR EACH YEAR.

WHY FLOODS DO NOT OCCUR EACH YEAR.

Why is there not such a flood every year in these valleys?
For the very simple reason that a large portion of the rainfall is absorbed into the ground and mother earth becomes a great reservoir, restraining the run-off and regulating the flow of the rivers by absorbing into the soil the water that would otherwise run off in floods.

And in addition to what is now saved from waste by being absorbed into the soil, it would be entirely practicable on all land not too steep for farming purposes to catch and hold in the soil as a reservoir an additional 12 inches of rainfall that now runs off and runs to waste.

And on all the land on which this was done the profitable production of crops would be enormously increased, the farms made to pay better, their value increased, the life of the farmer's wife made easier, and that of his family happier and more full of the things of which poverty now deprives many of them, that would make for better education and higher civilization.

PIONEERS IN NEW AGRICULTURE.

That all the rain that falls on such farm lands, not only on the flat land but on the sloping hillsides, too, can be saved and turned to profit by the farmer who has the brains, the industry, and the adaptability to do it, has been demonstrated and proved beyond question by at least two pioneers in this new agriculture. One is Col. Freeman Thorp, of Hubert, Minn., the practical value of whose work is vouched for by W. J. Spillman, of the Department of Agriculture, who has visited and examined the demonstration farm of Col. Thorp. Another is M. B. Walte, who is connected with the Bureau of Plant Industry, at Washington, D. C. Mr. Waite's demonstration orchard is near Washington and his experiments cover contour plowing, cover cropping, and preventing erosion, as well as catching all the rainfall and conserving it in the soil by methods of increasing the porosity and absorbent qualities of the soil.

It is quite true that the Government can not do the work of thus conserving on the farms the rainfall or snowfall that the farmers now permit to run to waste.

Neither could the Government compel a farmer who owned a farm on which was located a valuable placer gold mine to work the gold mine and get the gold out of the ground and into his pocket or his bank account. But the Government could show the farmer that the gold was there, and show him and all others how to do the things necessary to get the gold.

GOVERNMENT SHOULD TEACH THE FARMER.

And so the Government can and should establish a great comprehensive and complete system of training the farmers of the whole drainage basin of the Ohio River and all its tributaries how to save and use water, and stop their farms from gullying, and heal the scarred and defaced hillsides of the slopes of the Appalachians, and how to increase crop production and increase their own incomes and increase the Nation's food supplies.

The Agricultural Department can just as well do that as to teach the cotton planters how to fight the boil weevil, how to diversify their crops, how to raise more corn to the acre, or how to fatten steers for the market.

THE NEWLANDS RIVER-REGULATION BILL.

The Newlands river-regulation bill provides for just such an educa-tional campaign and system to educate farmers to enrich themselves

by checking run-off and using it to raise crops instead of allowing it to go to waste in devastating floods while their crops are left to burn up with drought for the need, later on, of the moisture that should have been conserved in the soil to nourish the growing plants.

The Newlands river-regulation bill appropriates the money and gives the Secretary of Agriculture the power to do everything needed to be done to make such a campaign effective and successful. Demonstration farms could be established in every county, under that bill, and farm demonstrators put to work to go straight to every farmer with the information needed to better his condition by making better use of the water available for crop production on his farms.

A farmer out in Missouri has demonstrated a way by which every guilled field in the Ohio River drainage basin, level enough to be cultivated, could be leveled and restored to agricultural use. How many farmers with guilled fields are there who know of this system? It is so cheap, simple, and effective that any farmer could adopt it. The writer ran across it by mere accident in a pamphlet issued by the W. S. Dickey Clay Manufacturing Co., of Kansas City, Mo.

The better methods of the conservation and use of rainfall in agriculture as advocated and demonstrated by Mr. Waite and Col. Thorp do not include surface irrigation. They contemplate merely the conservation of the moisture in the soil itself, an adaptation to the humid and subhumid regions of the East of principles somewhat similar to those utilized in the Campbell system of soil culture in the West, supplemented by contour plowing, terracing, cover cropping to prevent erosion, contour embankments, and other methods of conserving the rain or snowfall in the ground itself.

PLANTS NUT-BEARING TREES ON HILLSIDES.

PLANTS NUT-BEARING TREES ON HILLSIDES.

This system is applied by Col. Thorp on forested lands and forested hillside slopes, as well as on lands level enough for cultivation. He plants on the steep hilly slopes the natural nut-bearing trees of the country, conserving the run-off by contour embankments, and turns the hogs into this nut-bearing forest to harvest the crop of nuts. He finds the tree growth and the crop of nuts largely increased by saving the run-off for the nourishment of the tree, instead of allowing it to be precipitated into a stream channel to contribute to a flood.

How many millions of acres there are in the Appalachian region that could be thus made doubly profitable—by producing nuts for hog feed, systematically developing that crop, and at the same time gradually maturing a crop of timber to be harvested in the future years and then replanted according to the German system.

The conservation of rainfall in the soil is an effective method of checking sudden run-off and preventing floods, because of the enormous volume or quantity of water mother earth is capable of absorbing and holding back until it is fed to the plants and trees to aid their growth or fed to the springs or gradually seeps into the streams and replenishes their flow in the summer season.

The stupendous aggregate volume of water that 12 inches of rainfall thus absorbed into the earth would make in the Ohio Valley—a wall of water a mile wide, a thousand miles long, and 200 feet deep—has already been referred to.

IN THE VALLEY OF THE MISSOURI.

To illustrate the same condition in the arid region, in the Valley of the Missouri we have an equally striking result.

The average amount of water needed for irrigation in that country is 2 acre-feet per year. Take that amount of water out of the flooded streams and soak it into the ground on 10,000,000 acres of land and you have soaked into the ground water enough to make a flood extending from Cairo to the Gulf of Mexico in the Mississippl River 1 mile wide and 30 feet deep.

To increase the porosity and absorbent qualities of the soil, and soak the rainfall into the ground, using mother earth as a natural reservoir, is only one method of checking sudden run-off and preventing floods, but it is the most important of all, because of the enormous quantity of water in the aggregate that the earth will absorb, provided the snow, or rain is caught and conserved when it falls and not allowed to run off and accumulate in stream channels in the form of floods.

ARTIFICIAL SURFACE RESERVOIRS.

Next in order of flood-prevention measures comes artificial surface reservoirs in which the flood water can be stored until needed for some beneficial use or until the channel below will carry it without overflow.

beneficial use or until the channel below will carry it without overflow, or damage.

A multitude of small reservoirs may be more advantageous for flood prevention than a few large ones, because more widely scattered over the watershed. The value of the small reservoir is now well appreciated in the West. The floods of the South Platte River have been completely controlled and stopped by numerous small reservoirs in Colorado. There are probably a thousand such reservoirs in that watershed. They would prove just as valuable in every foothill valley of the Appalachians, for more profitable agriculture, as well as for flood prevention.

SLOGAN OF "DAM THE DRAWS."

Years ago "Dam the draws" was a slogan of the National Irrigation Congress, and to-day the governor of Kansas is promoting a State-wide campaign to advocate this idea. Among those who have proved its practical advantages and profits are J. C. Hopper, president of the Citizens' National Bank, Ness City, Kans., on his ranch near that

Citizens' National Bank, Ness City, Kans., on his ranch near that place.

Under the Newlands river-regulation bill the same diligent, persistent, and comprehensive campaign of education to store water in small reservoirs should be conducted to induce farmers to conserve water in this way as well as to conserve it in the soil.

The drainage basin of the Ohio River includes the entire watersheds of the Cumberland and Tennessee Rivers and all their tributaries and source streams, and throughout that entire region such small farm reservoirs would prove of enormous value for farm power and farm irrigation for fruit orchards, garden truck, and meadows for dairying. In a very few years the value of a farm reservoir for power will be so well demonstrated and widely known that no farmer will ignorantly neglect to avail himself of such an opportunity on his own farm. Much may be done, however, by an educational campaign under the Department of Agriculture to stimulate the construction of such reservoirs and farm power plants.

The same is true of farm reservoirs for irrigation. On thousands of farms in the Ohio Basin opportunities exist for utilizing such reservoirs, and the Newlands river-regulation bill contemplates that the farmer shall be shown their location and how he can make money by building and using them. The value of supplemental irrigation as crop insurance against drouth has been too thoroughly demonstrated to need argument. The Skinner Irrigation Co., at Troy, Ohio, manufactures a

system of overhead pipe irrigation by which the gardener can have rain whenever he chooses to turn on the water.

All the foregoing methods of checking run-off are things that the Government can get done only by a great system of education and demonstration, such as is provided for in the Newlands river-regulation bill, to show the farmers how they may make money for themselves by better farming methods.

This brings us to the things that the Government can do under this bill to prevent floods.

The first and most immediately important is flood-storage reservoirs, such as have been surveyed and recommended by the engineers of the Pittsburgh Flood Commission and the engineers of the flood committee of Dayton.

The Pittsburgh Flood Commission surveyed and selected 17 reservoir sites that would cost about \$20,000,000 to construct and would, when built, lower the floods at Pittsburgh 10 feet.

The watersheds of the Allegheny and Monongahela Rivers are about one-tenth of the entire drainage basin of the Ohio River, which include the Cumberland and Tennessee. It may therefore be safely estimated that \$200,000,000 would create flood storage that would lower the floods at Cincinnati, Louisville, and Cairo 10 feet.

Appropriation in the Newlands Bill.

APPROPRIATION IN THE NEWLANDS BILL.

One hundred million dollars of this is provided by the Newlands bill for flood prevention in the Ohio River drainge basin. With the National Government standing ready to contribute this amount, judging by past successful experience with cooperation between the Nation and the States in such matters, it is entirely safe to assume that the States and local sections affected would more than double this amount, and that the Newlands river-regulation bill, when enacted, will settle the flood question for all those in the Ohio River Basin and on every river in that basin.

in that basin.

The keynote of the Newlands river-regulation bill is cooperation. It not only provides for cooperation in all the methods heretofore mentioned, but in all things necessary to perpetuate the forest and woodland cover on the watersheds.

It proceeds on the principle that it is better policy to perpetuate the forest protection against erosion and gullying and the consequent filling of navigable channels with silt, than to let the mountain sides be denuded and washed into the rivers and then spend millions to dredge them out so as to preserve the navigable channels.

The people of the Appalachian region made a grand fight for the Weeks Appalachian National Forest act. The Newlands bill merely enlarges its benefits.

The flood-prevention plan of the Newlands bill includes three classes of prevention: (1) Outlets, (2) levees, (3) source stream control and protective measures.

ADEQUATE SYSTEM OF CONTROLLED OUTLETS.

Starting at the mouth of the river it provides first for an adequate system of controlled outlets in the lower reaches on the Mississippi. This includes a great controlled cut-off, absolutely protecting the adjacent country from overflow, which would take off all the excess flood water that would otherwise go above 16 feet in New Orleans and carry it by way of the Atchafalaya to the Gulf by a route only one-third as long as the route by the Mississippi River from that point to the Gulf.

third as long as the rotate.

the Gulf.

Lowering the flood plane of the Mississippi 10 feet at the Atchafalaya would lower it on a gradually ascending plane far above this great outlet and the Atchafalaya cut-off would carry in addition the floods of the Red River and could be extended to another outlet below the bluff at Helena, guaranteeing absolute safety to all the west side country below Helena.

The Newlands bill contemplates bringing the levee system up to the

Helena.

The Newlands bill contemplates bringing the levee system up to the full standard of strength proposed by the Army engineers, but it contemplates further: (a) Adequate bank protective works to be built immediately, that will prevent caving banks and stop the caving of the levees into the river. There are 749 miles of rapidly caving banks from Cairo to the Gulf, and the lowest estimate of the cost of protection against them is \$86,400,000. (b) The Newlands bill recognizes the danger to the levees when they are built over a bed of quicksand or streaks of shifting sands or old filled-over channels or log jams. This danger it proposes to remove by fixing a standardized flood plane above which the flood against the levees would never rise. First, as the result of source stream control, and second, as the result of the outlet system. system

System. Furthermore, the Newlands bill recognizes the fact that as now built the levees are equivalent to long dams built on the surface of the ground without any foundations, and it contemplates the necessary cost of putting foundations under the levees in all these weak places.

GREAT INLAND WATERWAY.

Above all things the Newlands river-regulation bill contemplates a great inland waterway—a system of 20,000 miles of feeders for the Panama Canal. The great trunk artery of water-borne commerce would be the main Mississippi River from New Orleans to St. Louis, with a main branch to Chicago, another to St. Paul and Minneapolis, and a third to Kansas City, and with another main trunk artery of inland water-borne commerce on the Ohio from Cairo to Pittsburgh.

The Newlands bill recognizes the impossibility of maintaining such a waterway so long as there is annually caved into the river for each mile of its length an area of land equal to 9½ acres 66 feet deep, and the river must carry to the Guif or deposit in its channel 1,250,000,000 cubic yards of cavings and eroded material—five times as much each year as the total excavation necessary to construct the Panama Canal. There can be neither a waterway nor flood protection until that caving is stopped.

The Newlands river-regulation bill is nonsectional. It is just to all parts of the country. It is comprehensive and broad in its remedial measures, and it has nation-wide support from the press and powerful commercial organizations. It treats every river system as a unit from source to mouth, and it provides for the adoption not of one method of flood protection in one section only, but for the adoption of all practicable methods in all sections of the United States. If one section is entitled to relief all flood-menaced sections are equally entitled to it.

The bill stands on the impregnable foundation that it will really create a great system of inland waterways because it will really create a great system of inland waterways because it will really create a great system of the low-water season when it is needed to float boats on and carry the water-borne commerce of the Nation.

ISSUE OF PATENTS TO PUBLIC LANDS.

The VICE PRESIDENT. The morning business is closed. The calendar under Rule VIII is in order.

Mr. SMITH of Georgia. I move that the Senate proceed to the consideration of House bill 7951.

Mr. GRONNA. I wish to call up from the calendar a bill on

which there can possibly be no discussion.

Mr. SMITH of Georgia. I withdraw the motion for the present.

Mr. GRONNA. It will t ke only a few minutes to dispose of I ask the Senate to proceed to the consideration of the bill (S. 474) to authorize the issuance of absolute and unqualified patents to public lands in certain cases.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed in cases where patents for public lands have been issued to entrymen under the provisions of the acts of Congress approved March 3, 1909, and June 22, 1910, reserving to the United States all coal deposits therein, and lands so patented are subsequently classified as noncoal in character, to issue new or supplemental patents to such entrymen, conveying to them the absolute and unqualified title to the lands so previously entered, patented, and thereafter classified as noncoal.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE UNITED STATES STEEL CORPORATION.

Mr. LANE. Mr. President, I understood that the resolution I introduced was to be considered this morning, the discussion having been cut off by the expiration of the morning hour yes-I do not see the Senator from Nevada [Mr. New-LANDS], the chairman of the committee, present, and I do not wish to take any advantage of him, but I should like to have the matter disposed of as soon as I can do so properly,

Mr. BRANDEGEE. Mr. President, I suggest the absence of

quorum.

The VICE PRESIDENT. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Shively Simmons Smith, Ariz, Smith, Ga., Smith, S. C., Smoot Stephenson Sterling Stone O'Gorman Oliver Ashurst Bankhead Gronna Hitchcock Oliver Overman Page Perkins Poindexter Pomerene Ransdell Reed Root Saulsbury Shafroth Shennard Brady Brandegee Bristow Johnson Jones Kenyon Bryan Burton Chamberlain Lane Lane
Lodge
McCumber
Martin, Va.
Myers
Nelson
Newlands
Norris Stone Thompson Townsend Walsh Williams Clapp Clark, Wyo. Dillingham Fall Sheppard

Mr. ASHURST. I have been requested to announce that the Senator from West Virginia [Mr. Chilton] and the Senator from New Jersey [Mr. MARTINE] are absent from the Senate on official business

Mr. SHAFROTH. I wish to announce the unavoidable absence of my colleague [Mr. THOMAS]. He is paired with the senior Senator from New York [Mr. Root]. I will let this announcement stand for the day.

Mr. RANSDELL. The senior Senator from Louisiana [Mr. THORNTON] is absent on account of sickness.

Mr. SHIVELY. I beg leave to announce the necessary absence of my colleague [Mr. Kern]. He is paired with the senior Senator from Kentucky [Mr. Bradley].

Mr. CLARK of Wyoming. I desire to announce the necessary absence of my colleague [Mr. Warren].

Mr. CHAMBERLAIN. I wish to announce the necessary absence of the junior Senator from New Hampshire [Mr. Hayren].

sence of the junior Senator from New Hampshire [Mr. Hollis].
The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present.

Mr. NEWLANDS. I ask that the Senate proceed to the consideration of Senate resolution No. 241, Order of Business No. 130, which has already been under discussion.

There being no objection, the Senate resumed the considera-tion of Senate resolution 241, directing the Interstate Commerce Commission to conduct an examination to ascertain whether facts or evidence exist justifying the Government in instituting proceedings for recovery of fines, etc., from the United States Steel Corporation, its subsidiaries, or any common carrier, because of unlawful rebates within the last six years, which had been reported from the Committee on Interstate Commerce with

Mr. NEWLANDS. Mr. President, if there is no further discussion, I should like to have a vote on the resolution.

Mr. LANE. Mr. President, if the Senator will pardon me, I

understood the Senator from Michigan [Mr. Townsend] to say yesterday that he wished to be heard upon the subject. the cloakroom now, and I should like to give him the opportunity to be heard.

Mr. TOWNSEND entered the Chamber.

Mr. LANE. I was just saying I understood that the Senator from Michigan wished to be heard on the resolution. I had the floor when the entertainment closed yesterday, and I yield

Mr. TOWNSEND. Do I understand the Senator from Oregon

to say that he wishes to make some remarks?

Mr. LANE. No; I understood the Senator from Michigan desired to speak, and I desire to give way to him. I had possession of the floor at the time the discussion closed on yesterday. I am trying to be courteous.

Mr. TOWNSEND. I shall be very glad to have the Senator

from Oregon proceed with his discussion.

I yield to the Senator from Michigan.

Mr. TOWNSEND. Mr. President, I shall delay the Senate only for a moment, and perhaps it is unwise for me to take any time, because the matters which I shall present may have been discussed in my absence; but as a member of the Committee on Interstate Commerce, which had consideration of this resolution, I have felt it was incumbent upon me, at least, to express to the Senate my understanding of the situation.

This resolution, as it came to the Senate, directed the Inter-

state Commerce Commission to investigate something not specified and to call upon one Green, named in the resolution, to give testimony before the commission as to certain wrongs which it was supposed had been committed in the way of receiving rebates by the United States Steel Corporation and its subsidiaries. There was not the least information given to the Senate at the time the resolution was submitted as to any facts upon which it was based; in fact, it was expressly declared by the Senator who introduced it that he knew nothing about the facts of the case.

The resolution was sent to the Senate Committee on Interstate Commerce, and it asked the Senator from Oregon to appear before it. He did appear, and repeated what he had said in the Senate, namely, that he knew nothing about the case; that he knew of no facts connected with it; and that he did not know Mr. Green, who had presented the resolution to him. We then asked that Mr. Green appear before the committee, in order that the committee might have some basis upon which to found its report. We were told that Mr. Green did not wish to appear before the committee, but after having appeared before the committee once or twice, the Senator from Oregon concluded that he would go to his office, where Mr. Green was at that time, and ask him to come before us at our request. The Senator from Oregon came back and reported that Mr. Green wanted 10 minutes in which to decide whether he would comply with our request. At the end of 10 minutes, or about that length of time. Mr. Green appeared, and in answer to questions stated that he had felt obliged to consult with Mr. Lamar before he could make a statement to the committee. Mr. Green was asked if Mr. Lamar was his counsel, and he said, "No." I asked him if he could testify before the committee without consulting Mr. Lamar, and he said, "No." He stated that he was acting under the advice of a board of strategy, but he did not give us the names of any of the members of that board, excepting that of He further testified he knew nothing about the facts in this case. He was asked why he had had his name inserted as a witness to be called to give testimony before the Interstate Commerce Commission, and he said he did not know about that; that they put it in. He refused to tell us anything upon which we might base a favorable report.

thought that that was not treating the committee fairly. I felt that for us to bring in a report here advising that the resolution be passed would subject us to ridicule, and Senators might rise on the floor and ask us why we had reported it and we could make no intelligent answer. I am stating this because everything was done in public in that committee, so far as I We insisted that the doors should be open. I moved that the chairman of the committee be authorized to obtain authority from the Senate to subpæna witnesses and to take testimony, and the motion prevailed. But it was thought by the committee that, inasmuch as the author of this resolution admitted that he knew nothing about the case, and wanted to conceal things from the committee, and that he would not give the name of any witness who could give any facts relating to the resolution, it would be wise perhaps to give what strength

it could to the resolution by referring it to the Interstate Commerce Commission. The majority of the committee thought that way, but I confess that I did not agree with them.

wanted to have further hearings.

I have made this explanation, Mr. President and Senators, so as to show that the committee acted as best it could in reference to a resolution which evidently was surrounded by such mystery that there was no opportunity for us to get at the facts; in fact but one presumption could be drawn, and that was that no facts existed. It was also in our minds, Mr. President, that if this man Green was a crook—and I am not assuming that he is or that he was; but I do say that so far as the circumstances before us revealed he might have been, and if he wanted to get immunity for anything that he had done we wanted to know whether or not he was connected with these matters-he could not have devised a better plan than to have had himself called as a witness in order to escape prosecution in case he should have been guilty himself. He asserted that he had not been to the Interstate Commerce Commission with the matter. He said he believed it was a Democratic measure and ought to be pressed by the Democratic Party, and that he had taken it to the President, but the President would not hear him. He said he then went to Mr. Bryan-

Mr. LANE. Mr. President, will the Senator yield for a ques-

Mr. TOWNSEND. Certainly. Mr. LANE. I will ask the Senator if Mr. Green made any such statement as that—that it was a Democratic measure?

Mr. TOWNSEND. I understood him to say that he wanted the Democratic Party to get the benefit of it. The record will disclose what he said.

Mr. LANE. I beg the Senator's pardon, but the Senator made the flat assertion here that this man Green said this was a Democratic measure. I should like to have him state whether in fact Mr. Green made any such statement at all.

Mr. TOWNSEND. I do not wish to be understood as saying that it was a Democratic measure, but he wanted to make it

such.

Mr. LANE. I should like to have the Senator point out any place where he said he wanted to make it a Democratic measure. Mr. TOWNSEND. Is the record printed, Mr. President?

Mr. LANE. It is.

Mr. TOWNSEND. The record will disclose what he said in reference to the matter. I may not have quoted him literally; but there was but one inference to be drawn from his statement, and that was that he wanted a Democrat to take up the

Mr. LANE. Then I will ask the Senator whether he has not done Mr. Green an injustice if in fact he did not say that? If the Senator has alleged here, as he has, that Mr. Green made a statement which he did not make, in the Senator's opinion has he not done Mr. Green an injustice?

Mr. TOWNSEND. Certainly I have.

Mr. LANE. It seems to me so.

Mr. TOWNSEND. If I have misquoted him, I have certainly done him an injustice, and I want to correct it, and I will proceed to correct it if that is true. I have not looked up the record; but my understanding of it is-and I think I am not mistaken about it—that Mr. Green said he wanted this matter taken up by the Democratic Party; that he had gone to the President with it, and could not get a hearing there, and then he went to the Secretary of State with it, and the Secretary of State suggested that he submit something in writing, but he could not get it considered; so he had adopted the advice of the board of strategy," whose names were not given, one of them being Mr. Lamar, and that he knew nothing about the facts in the case.

I do not believe there is a member of the Interstate Commerce Committee who does not desire an investigation if any facts are presented upon which to base it; but I submit that it is an unusual proceeding for a Senator of the United States to present here a resolution about which he admits he knows nothing himself and about which the principal witness and the only witness whom he mentions in the resolution says he knows nothing, and he does not wish to tell us who does know them. I say it is an unusual thing for a resolution of that kind to be passed without further consideration and without some facts being disclosed.

Mr. LANE. I should like to ask the Senator from Michigan again if the witness did not say, in answer to the question of the Senator from Michigan, that he would testify to facts, would be a witness himself, and if he did not repeat the same statement to the Senator from Rhode Island [Mr. LIPPITT]? Is not that true?

Mr. TOWNSEND. I do not know what he may have said. I am stating what I know he said, that all he knew about the matter was the names of witnesses, which he did not give, who would disclose something if they were present before the commission. I know that his testimony on this subject is conflicting, but I am stating what he did testify to.

Mr. LANE. With the Senator's permission, I should like to

quote from the record at page 33:

Senator Townsend. I thought you said at the beginning that you were willing to be heard and have the case submitted here under oath before the committee.

Mr. Green. I said I should give some of the evidence myself, but those witnesses would not come without a subpensa.

Senator Townsend. That is, you could give the evidence; what they would testify to, you mean?

Mr. Green. And what I know myself.

Senator Townsend. I thought you said you did not know anything yourself.

yourself.
Mr. GREEN. I do know some things; yes.

Further down the Senator from Rhode Island [Mr. LIPPITT] said:

I am just left in a little doubt on one point which I wish Mr. Green would clear up. A little while ago he said he knew nothing of these cases of his own knowledge. He now says, as I understand it, that he does know something about these cases of his own knowledge. Is that so, Mr. Green? Which way is it?

Mr. Green. As I say, it gets back to the same proposition. I do not quite understand the legal status in which the thing is put. I do know something of my own knowledge.

Senator Lippitt, About these rebates?

Mr. Green. Yes, sir.

It seems to me that bears out my statement.

Mr. TOWNSEND. Mr. President, as I said before, the testimony is quite confused; but I am stating the fact that Mr. Green testified before the committee that he knew nothing about the facts of the case, but that he did know the witnesses who did have information, and that he would disclose those witnesses to the commission but not to the committee. So I am stating what the record will disclose, I am sure, if it has been faithfully transcribed-and I have no doubt it has beenin reference to this matter.

I wanted this matter investigated. I was willing that it should be referred to the Interstate Commerce Commission or to the Attorney General for the purpose of disclosing the facts; but for us to report that this man Green should be called as a witness without knowing his relation to the transactions about which he complained, without knowing whether his complaints were based upon any foundation of facts whatever, I could not consent to, and I do not believe any self-respecting Member of

the Senate could consent to it.

Mr. SAULSBURY. Mr. President—
The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Delaware?

Mr. TOWNSEND. I yield the floor.
Mr. SAULSBURY. I can call the attention of the Senator from Michigan to the part of the testimony which he evidently was not able to put his hand on at the moment. We were examining Mr. Green before the committee, and at page 20 the following occurred:

Senator TOWNSEND. Why was your name put in this resolution to be called by the Interstate Commerce Commission, and the only name mentioned in the resolution?

The reply of Mr. Green to that direct question was this:

Mr. Green. To name those witnesses. Now, gentlemen, I want to say this, that I have alsolutely no interest in this matter except that of serving the public. I have no interest, directly or indirectly.

So I think the Senator from Michigan was quite correct in his statement that Mr. Green stated that his object in having his name put in the resolution was to name those witnesses. Afterwards there was some colloquy which seemed to indicate that he might have something that he would testify to himself, beyond that, but he absolutely disavowed any accurate knowledge which would entitle him to be heard as a witness in any court.

If I may occupy the attention of the Senate for one moment, I joined in the report of the committee to refer this matter to the Attorney General and the Interstate Commerce Commission. My reason for doing so was a desire to be courteous to the Senator from Oregon, who had introduced the resolution and, at the same time, not to give the sanction of the Senate to any unjust or improper criticism either of the Department of Justice or of the Interstate Commerce Commission, which I think this resolution may be construed to make. The Senator from Oregon, I think, when he was before the committee, showed that he had not been treated with frankness by Mr. Green, the gentleman who had brought this resolution to his office. recall his mind to the condition of things as it came before our committee, I desire to read what he himself said, at page 18 of the printed record, regarding the gentleman who was engineering the proposed investigation:

Senator Lane. I saw my distinguished friend. Mr. Green, and he said he would let me know in 10 minutes, and he also assured me, for your information, that your friend Lamar is not engineering the proposition at all,

On page 20 of the testimony, Mr. Green having appeared, Senator Lippitt, to whom Senator Lane had spoken in calling him "your friend," in examining Mr. Green asked this question: Senator Lippirt. Have you consulted with Mr. Lamar within the last 10 minutes?

Mr. Green. I have met Mr. Lamar; yes, sir.
Senator Lippirt. Within the last 10 minutes?

Mr. Green. Yes, sir.

And he goes on:

And he goes on:

Senator Lippitt. You are in close touch with him?

Mr. Green. Yes, sir; I am.
Senator Lippitt. And it was at his instigation that you did this?

Mr. Green. No, sir.
Senator Lippitt. How is it that you consulted him as to whether you should appear before this committee or not?

Mr. Green. I wanted to know just what a strategist would do. I am not a strategist.

Senator Lippitt. Did you consult anybody besides Mr. Lamar within the last 10 minutes?

Mr. Green. No, sir; I was consulting him as a strategist, not as an interested party.

That was immediately following the statement by the Senator from Oregon that Mr. Green had informed him that Mr. Lamar was not engineering this resolution.

Mr. BRYAN. Mr. President—
The VICE PRESIDENT. Does the Senator from Delaware yield to the Senator from Florida?

Mr. SAULSBURY. Certainly.

Mr. BRYAN. I call the attention of the Senator to a further statement made by Mr. Green in response to some questions put to him by the Senator from Michigan [Mr. Townsend], found on page 33 of the report of the committee:

on page 33 of the report of the committee:

Senator Townsend. Would you be willing to testify if you had your attorney or Mr. Lamar in here with you?

Mr. Gheen. I have not given Mr. Lamar that designation yet.

Senator Townsend. He is the man you consult with. I ask you now, would you be willing to testify if he were in here to advise you?

Mr. Green. I do not know, Senator. Mr. Lamar has not got any authority to release those gentlemen.

Senator Townsend. I am talking about your own testimony now.

Mr. Green. Yes; I think I would.

Senator Townsend. You think you would?

Mr. Green. I think I would, Senator.

Mr. SAULSBURY. I am obliged to the Senator for calling my attention to that testimony. That was the purport of all the testimony before the committee.

The gentleman whose name was put in the resolution seemed to me to be an entirely honest man, but he was probably an enthusiastic follower of trusts and corporations. I myself do not believe it probable that there can be enough made by the Gov-ernment out of this inquiry to pay for printing the resolutions which we have been considering for so many days; but out of courtesy to the Senator from Oregon we thought this was the proper course to pursue in regard to resolutions of this kind. The matter being under investigation by both the Attorney General's office and the Interstate Commerce Commission, we thought we would simply refer the whole matter to the Department of Justice and to this body, which is charged with both the investigation of matters of this character and the enforcement of the law.

These gentlemen are unwilling, as they have stated through Mr. Green, to give us the names of the witnesses; and Mr. Green also expressly stated, at page 21, in the following terms, that he was unwilling even to tell the committee why he wanted an open hearing before the Interstate Commerce Commission. The Senator from Michigan [Mr. Townsend] asked him:

Why do you want an open hearing by the Interstate Commerce Com-

Mr. Green. Well, I have my own reasons for that.

I do not think it comports with the dignity of this body to give its backing, as it is sought to have it do, to any such resolution as this. I shall certainly vote for the amendment proposed by the committee, and then for the adoption of the resolution. Otherwise I think I should vote against the resolution.

Mr. SMITH of South Carolina. Mr. President, if the Senator will allow me, I think on page 34 the whole attitude of this

witness is disclosed; and possibly, after hearing this, the Senate will draw its own inference as to his attitude throughout his whole testimony

He was asked this question by the Senator from Michigan [Mr. Townsend]:

Senator Townsend. Mr. Green, have you in your mind that this committee is hostile to the disclosing of the facts?

Mr. Green. No, sir; but I mean this: That this committee calculates to squeeze everything out of me, irrespective of whether I am permitted to give it. I say, the only purpose I have got to do is to

put this out, and yet this matter is put to me in such shape that I can not give it out that way.

In other words, he did not propose to allow that body-the Interstate Commerce Committee—to squeeze out of him certain testimony that he thought it would be the proper thing to give out elsewhere, and he just wanted authority from Congress to

give it out according to the strategists at another place.

Mr. TOWNSEND. Mr. President, if I may be permitted, I wish to refer to exactly what was said in reference to making this a Democratic measure. I wish what I am to say here now to stand as a correction of anything I may have said if it was contrary to this, for I had not seen this report and spoke from memory.

On page 23 of the record this colloquy occurred:

Senator Townsend. Did you tell Senator Norms and the Secretary of State any more than you have told us and Senator Lane?

Mr. Green. I told Senator Norms more; yes.
Senator Robinson. Did you ask Senator Norms to introduce this resolution?

Mr. Green. No, sir.
Senator Robinson. Why did you not do that?

Mr. Green. Because he was a Republican.
Senator Robinson. You did not want to ask any Republican to introduce the resolution?

duce the resolution?

Mr. GREEN. I did not think it was the best strategy; no.

Also permit me to give the testimony of Mr. Green as to his personal knowledge of the matters he desired to be called as a witness to give testimony.

On pages 19 and 20 is the foundation for my statement that

the witness said he knew nothing about the facts in the case. I quote first from the top of page 19:

The CHAIRMAN. How is it with reference to yourself? Have you any

knowledge of these facts?

Mr. Green. Just the knowledge that I get from hearing them.
Senator Thompson. You have no personal knowledge, then?

Mr. Green. No, sir; no personal knowledge.

And again from the bottom of page 20:

Senator Townsend. All you know about this is what somebody has told you?

Mr. GREEN. Yes, sir. I did not receive any of these rebates.

Mr. LANE. That is right. He said he did not receive any of the rebates. Now, Mr. President, that opens up the subject

Mr. BRYAN. Mr. President, if I may be permitted, I should like to ask the Senator from Michigan a question or two.

It appears from the report of the committee that there was a hearing held by the committee the proceedings of which were not taken down by a stenographer. I notice on page 16 a statement made by Senator LIPPITT, as follows:

I want to say for the benefit of one or two Senators who were not here—Senator Clapp and, I think, Senator Oliver—that the chairman of the Interstate Commerce Commission, in his testimony the other day, said that Mr. Green had not appeared before his commission; that a short time ago Mr. Lamar, who was familiarly known as the "Wolf of Wall Street," did appear and came to them with some sort of similar testimony, and that the character of the man and the character of the testimony was such that the laterstate Commerce Commission felt that it was not a matter that they wanted to go into on account of the associations of Mr. Lamar with Wall Street tactics, in the builing and bearing of stock.

Now, I wish to ask the Senator from Michigan one or two questions.

Did the chairman of the Interstate Commerce Commission appear before the committee?

Mr. TOWNSEND. He did. Mr. BRYAN. Was the Senator from Michigan there when he

made that statement?

Mr. TOWNSEND. I was.

Mr. BRYAN. Is it not a fact that the whole record taken together shows that this resolution was fathered by Mr. Lamar, to whom the chairman of the Interstate Commerce Commission referred?

Mr. TOWNSEND. It was drawn by Mr. Schulteis, according to Mr. Green; but the only man whom it was found necessary for Mr. Green to consult—the only man who was a member of the "board of strategy" which was controlling this matter was Mr. Lamar.

Mr. BRYAN. And Mr. Green said that this strategist, Mr. Lamar, had no confidence in the committee.

Mr. NEWLANDS. Mr. President-

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Nevada?

Mr. TOWNSEND. I do. Mr. NEWLANDS. If the Senator will permit me, I wish to state that there was no stenographer present at the first hearing, at which the Assistant Attorney General and the chairman of the Interstate Commerce Commission were heard. My recol-lection of the statement of the chairman of the Interstate Com-merce Commission is not that the suggestion of Mr. Lamar was rejected simply because of the general associations of Mr.

Lamar, but that his proposal was rejected because it involved the condition imposed by Mr. Lamar that the commission should allow him to designate the attorney who was to conduct the investigation, and the commission thought that was not a proper thing to do

Mr. TOWNSEND. That is my understanding of the testi-

Mr. BORAH. Before the Senator from Michigan takes his seat, in view of what the Senator from Florida [Mr. BRYAN] has just said as to the testimony or statement of the member of the Interstate Commerce Commission, to the effect that they had investigated this matter and did not desire to take it up and were not prepared to indorse it, I ask again, as I asked yesterday, why do the idle thing I referred to? Why send this resolution which we do not pass but merely refer it without any suggestion whatever?

Mr. TOWNSEND. I did not understand the Senator from Florida in his question to ask me if the commission had investigated this particular question. Mr. Clark testified, my understanding of it is, that he could not say whether the question here involved had been investigated or not. Neither could anybody, because the witness himself said that he did not know just exactly what questions were involved in some matters heretofore investigated, or what they were; only it was his understanding that they had not been presented to the commission. But there was no way for the commission to answer our question. We could not ask intelligent questions on that subject, because there was nothing to ask about.

This was a sort of blanket charge, but the commission said that in a similar matter involving rebates this man Lamar had been to them and suggested that certain things could be done if Lamar was permitted to name his attorney to make the investi-

Mr. BORAH. Now, if Mr. Lamar went to the Interstate Commerce Commission and advised them of the condition of affairs, in which he said he would like to name the attorney, that would not hinder the Interstate Commerce Commission from proceeding without permitting him to name the attorney.

Mr. TOWNSEND. Not a bit.
Mr. SAULSBURY, If the Senator will permit me, I think
I can recall the statement of the chairman of the Interstate Commerce Commission. I would like to have it confirmed by Members who were present, but I think I recall the statement of the chairman of the Interstate Commerce Commission before our committee. It was that, immediately when this resolution was introduced, when the name of William H. Green, of Creighton, Nebr., was mentioned, the commission had instructed an agent of theirs, who happened to be at Omaha or somewhere in Nebraska, to call at Creighton, Nebr., and interview Mr. William H. Green as to what information he had on this subject.

I only mention this as showing the entire willingness of the commission to investigate every subject connected with rebates of this character or in any way connected with the investigation which is pending in regard to the Steel Trust, thus showing to the Senator from Idaho that there was no disinclination on the part of the commission to ascertain any facts. They might, of course, disregard the statements of unreliable witnesses, and probably should do so, but when anything is given to them they will doubtless investigate it. In this case, according to my recollection—and the chairman of the committee confirms that recollection-they had an agent call at Creighton, Nebr., on Mr. Green and try to get the information he had.

Mr. BORAH. I did not ask the question with a view of reflecting on the Interstate Commerce Commission, but rather for the purpose of disclosing the utter uselessness of sending it

back to them in this form or manner.

Mr. TOWNSEND. I quite agree with the Senator in that respect. I think I suggested, when the matter was up originally, that all Mr. Green had to do was to go to the commission and this whole matter would be investigated. Mr. Clark stated before the committee that if they could get the facts it would not require any resolution of Congress to induce action on the part of the commission, for they wanted the facts. But I remember the Senator from Idaho suggested that it would go with greater force, possibly operate more strongly upon them, if the Senate called their attention to it.

So, while I did not support this report as it comes here, I wanted more facts by the committee, and if we were not going to have any more facts I wanted to report it adversely, because of what had been disclosed. And yet I can see that the reference to the Interstate Commerce Commission may induce Mr. Green himself to go before the commission, or they may call him before them as they are trying to get him, and he may disclose the names of some of the witnesses so that they can examine those witnesses and find if there is any foundation for the implied charges made by Mr. Green.

Mr. BORAH. Do I understand the Senator to say that the Interstate Commerce Commission is trying to get Mr. Green before them?

Mr. TOWNSEND. It ordered its representative to stop off in Creighton, Nebr., to see him. We were informed, or at least we understood, that the witness was in the city, but we could not locate him until the Senator from Oregon told us he was in his office.

Mr. LANE. Mr. President, if I may be permitted, I should like to give a brief history of this resolution and call attention to a number of things connected with it which have attracted my attention.

I brought the resolution here in the manner in which I have related on a number of occasions. Mr. Green is the man who asked me to present it. He stated that he was in possession of and had access to facts which would prove that the Steel Corporation had illegitimately robbed the people of this country out of \$75,000,000 or thereabouts; that there was a suit pending now for the dissolution of that trust in which these facts had not been alleged, and if they were not presented speedily and promptly and in a manner which would attract the attention of the Department of Justice to them the people of this country would lose a large sum of money; that the manner of securing these rebates was unfair to the people of the country; and that as a representative of the people of the country he thought it was my duty, if on taking it up I found him to be a reputable man, making a statement in good faith, to present the matter to the Senate and secure their assistance, if I could, in having this nefarious method of doing business discontinued.

I took that view of it. He referred me to the Secretary of State as being a man of his acquaintance. Mr. Bryan by telephone informed me that Mr. Green's reputation as an honorable man was good. I called on Senator HITCHCOCK, and he stated that as far as he knew the reputation of Mr. Green was that of an absolutely honest man. Senator Norris told me the same. I found that the man had been interested at one time in the investigation of the Harvester Trust, and had rendered the Government aid there; that he assisted in breaking up that combination, which was an illegal one and was preying upon

the people of this country.

I found he had been a member of the convention which nominated Mr. Wilson. He had more indorsements and more laurels attached to him than the majority of the members of this body. He had better recommendations that many of us could procure. I saw no reason to question him, and I thought the simplest way was to present the resolution. I brought it here in good I saw no reason for questioning him further.

Mr. TOWNSEND. May I ask the Senator a question?

Mr. LANE. You may; but when I become real eloquent I dislike to be interrupted.

Mr. TOWNSEND. I notice the Senator did not want to interrupt others, and I will not interrupt him.

Mr. LANE. Go ahead. That was a pleasantry. Mr. TOWNSEND. No; all right.

Mr. LANE. So I presented this resolution here in good faith under the assumption that it was simply a proposition purely within the function and right and power of the Interstate Com-

merce Commission to handle the question. In connection with the criminal side of it, I have not given much thought. I thought that, if the facts exist, here is a commission in whom the people of this country have great confidence. They do have great confidence in the commission; there is no doubt of that; and in a few minutes or a few hours I was assured that they would be able to determine whether there was anything in it or not, and if it was a baseless charge, they would dismiss it; and if they found that the facts justified it, they could report either back here or to the Department of Justice and the thing would be in course of a proper and just adjudication.

So I brought the resolution in here, as I thought the simplest way was by presenting a resolution. Then the chairman of the Interstate Commerce Committee of this body developed a desire to get it into his committee and secure possession of it by having it referred to that committee. I did not want it before his committee. I said to him that the reason why I did not want it was that there was too much delay attached to our proceedings in committee, and I did not like that method.

I am frank to say, with all due respect to the chairman, I do

not like it at all. I do not think it is fair. I do not think we are doing our duty. We are merely the servants of the people and I do not think we have a right to lock them away from

resolution, that there would be a preliminary trial of it there, and that is exactly what I did not want.

Now, Mr. Green in his evidence before the committee said the reason why he did not testify before that committee was that he wanted to get it before the commission in an open hearing; what he asked was that it might be tried before a jury of the whole people of this country and not in secret. Now, then, despite my protest—

Mr. NEWLANDS. Mr. President—

The VICE PRESIDENT. Does the Senator from Oregon

yield to the Senator from Nevada?

Mr. LANE. I yield.

Mr. NEWLANDS. I understood the Senator from Oregon to state that the hearings were held with locked doors.

Mr. LANE. I have not said that; I have not come to that.

I ask the Senator to be patient.

Mr. NEWLANDS. I was told by one of my associates that the Senator made that statement.

Mr. LANE. I will make that assertion, and I will make it so that the Senator will have no doubt about what I say.

Mr. NEWLANDS. I wish to correct that statement at the proper time.

Mr. LANE. The Senator will have the opportunity.

Now, then, I offered the resolution. We had our battle here on the floor, and I lost out. It was referred to the Committee on Interstate Commerce. I do not know what afterwards happened exactly in sequence. The next thing I remember about it I had a telephone message that the Interstate Commerce Committee was in session and were considering the subject, and I was requested to present myself. I am located on the third floor of the Senate Office Building, down a long corridor. Down the marble hall, at the near end of it, there are large double folding doors, about the size of those of this Chamber, and on those doors was painted in gold letters "Interstate Commerce." It does not say anything about committee. I assumed that that was the room. I tried to get in at the door. I tried the door knob, first one way and then the other, but it would not work; it was stubborn. Then I wandered down to the corner and came to another hospitable-looking double door. I tried that, and it was also locked tight as a drum. Then I went back and tried the other one. Then I began to get a little out of temper. A man came along, wheeling a gocart with a lot of mail. He was delivering mail. I said, "How can I get in here? Is this the Interstate Commerce Committee?" He said, "I do not know." I thought that almost anybody who delivered the mail around there ought to know the room. Another man came along, and I said as much to him. He said. "I think perhaps if you go down there and try that side door you can get in." I went to the side door, and that proved to you can get in." I went to the side door, and that proved to be true. It was smaller than the other door and not so hospitable in appearance. But, still, I got in at that door and found a small room, and on passing through it I reached the committee room, and there sat the distinguished gentlemen of the committee behind locked doors. They were behind locked doors, and one had to go around and work his way through a labyrinth into it. It is a large room, with the doorframes decorated on the side with gingerbread strips of carved marble. and is about the size of the Marble Room, and is most beauti-You could hold a ball in it.

My experience put me out of humor. I was sorry that I had gone to the committee at all. I would have kicked in that double door if I had been sure that I would have arrived in the right room after doing so and have taken the chances of

getting licked for it.

Anyhow, there they were. It is said that they had no reporter. There were two distinguished gentlemen present, one of whom I was introduced to as an assistant in the Department of Justice, and the other was the chairman of the Interstate Commerce Commission, Mr. Clark. They had had some con-versation before I arrived there with the Assistant Attorney General.

Mr. NEWLANDS. Mr. President, will the Senator permit me to interrupt him?

Mr. LANE. Very well.
Mr. NEWLANDS. I will state, Mr. President, that the rooms of the Interstate Commerce Committee are three in number, and that the entrance is through the middle room, my own private room being at one side and the committee room, a very large room, on the other side.

Mr. LANE. I will ask the Senator on which door is the sign which indicates the committee?

Mr. NEWLANDS. There are signs, I believe, on all the doors. It is true that the doors of the larger room, in which us. I feared, I confess, that behind locked doors would go this the committee sat, were closed, and when the Senator appeared

he called attention to the fact that the doors were closedlocked, as he termed it.

Mr. LANE. They were locked.
Mr. NEWLANDS. I inquired then of the clerk of the committee why the doors were locked, and he informed me that the guides of the Capitol were in the custom of going into this room as one of the show rooms of the Senate Office Building, and that he had locked the doors in order to secure privacy. immediately ordered the doors to be opened, and so informed the Senator from Oregon, and thereafter the doors were open continuously.
Mr. LANE.

Mr. President, that may be. They were not in

the habit of being open before that.

Mr. NEWLANDS. I wish to say that this was at the very commencement of the hearings.

Mr. LANE. Not quite.

Mr. NEWLANDS. Not quite, but very near.
Mr. LANE. I call the Senator's attention to the fact that he has no other signs on his doors but the one. I will ask him to look when he goes back. I do not think he can be very familiar with his rooms. He will find no signs painted "Inter-state Commerce" except upon one door, and on the door of the room through which one enters is his name in small letters, and it is dark there and it is very hard to see them. They are not easily read; they are not like the good old gold-lettered sign which you see so plainly over the door that was locked, as I say, tight as a drum, and through which you could not

I first tried that door and still another and then I found the one that was unlocked. I find he has a double-headed committee and there are two sources of information. In wandering down through the depths of the Capitol Building I came across another set of rooms with double doors with "Interstate Compainted upon them. I ask the Senator if he has rooms here, too? I should like to know. I did not go in, but I am informed that they are very fine rooms. So it is a sort of game of hide and seek as to where to find the committee to begin with, and when I did find it, as I said, it was behind locked doors, and that irritated me and I did not like it. I did not think it was proper. I think the doors should be wide open, and when these hearings take place, hearings of a nature which involve matters of most serious import to the people of this country, the doors should be kept open, and the public should be invited there.

The witness who came before the committee was embarrassed before this committee. He was overawed. He did not use the expression, but looked as if he felt like a stray cat in a strange garret. He said, "Now, gentlemen, I realize that I am up against the greatest brains of the country"—the room is rather dark in the corner where the committee sits—"and I am only just a 'rube,'" and he repeated a number of times that he was overwhelmed to find himself in the presence of such distinguished goat lower.

guished gentlemen.

I will state further that I am informed by the chairman that that hearing was informal. The proceedings were not public. A part of the formal proceedings are here in good legible type, but a part of them are left out. It is formal all right in some respects and informal in others. It gives full acount of that part of the seance in which the "Wolf of Wall Street" casts his shadow over the happiness of the committee, but it does not come out on the first page with the statement of the chairman of the Interstate Commerce Commission, which was that this was a subject which was entirely within the scope and the power of the commission; that they had full power to consider and act upon it; that they would be willing to do so, and would gladly do so if it were presented to them. So, you see, here was an easy way out of this difficulty. I did not want this matter considered in a preliminary trial by the committee and then afterwards be considered in executive session in order to decide what should be done with this matter of great public importance. I wanted it to be considered publicly where I could see what was going on. The chairman of the commission said he would take it, and I asked that he have it.

When this man had been certified to me by such eminent gentlemen, it would have been an insult to them had I refused to believe that he was a good man and a true man, whose testimony was worthy of hearing by the commission. I think he is all right; but, as I have said, he was overawed when he came in there and they put him on the grill. That was at the third meeting-the meeting where they had an official committee

By the way, before we go farther I wish to call the Senator's attention to the fact that before I called his attention and the committee's attention-and there are some of its members

here—to the fact that they were sitting behind closed doors considering this question of great and paramount importance there had been other men trying that door after I had failed to get in, for I stood close to it, down at the end of the table, and I heard them, but they could not get in. That is the reason why I called your attention to it-for the reason that, after I failed to get into your committee room, others were trying your doors and they could not get in. Then you asked your clerkor instructed him-to unlock the door; but he did not open it. No one else came around. I do not think people are in the habit of getting in at that door. There are not many visitors.

The witness whom I offered to present said, upon further

inquiry, that he did have knowledge of facts concerning rebates. He said that specifically, although that statement of his is at all times overlooked by those opposing this resolution. His first statement, which he corrected afterwards, is the one which has been played up in the discussion which has taken place upon

this subject.

If you will read the testimony, you will find that there was almost no interest evinced in regard to the great matter of the wrong which had been done to the people of this country; that the great Steel Trust and its methods were matters in regard to which little curiosity was evinced; but there was a search all down the line of the testimony of this witness as to what he knew, what other witnesses there might be whom he could bring to prove his assertions, and inquiries into his character and what influence the "Wolf of Wall Street" had upon the matter. You will find but little regard paid to the conduct of these other wolves who in one year steal more money than the "Wolf of Wall Street" could pick up in a hundred years, and who have robbed the people of this country each and every year-indeed, if the truth about them is told, if the information which I have received from many reputable quarters is true, they have robbed the people of this country of more in one year than all the yeggmen and highway robbers take out of the people in a century. There was but little interest in that. I resented the attitude of the committee in that respect. The only information that committee should have desired to ascertain was, Is this a reputable and honest witness; does he think he tells the truth? If so, then it is our duty to help him, not to badger him and to cause him unnecessary embarrassment. Read the testimony. The "Wolf of Wall Street," Lamar, is no doubt nosing about this affair. It is a gigantic one; but here is a direct, specific charge, and it is for you, the servants of the people, to deal with it as you please. It is a charge that a corporation, the largest in existence in this country, has been systematically robbing the people of this country of millions upon millions of dollars by nefarious and thieving processes, and here we are fiddling away day by day, fearing that the Wall Street" will upset us in some way if he has anything to do with it; we are mincing along with it in the fear that we may do something which will not balance with the traditions of this body and in some way compromise ourselves, instead of going directly at the matter and putting it before the Interstate Commerce Commission and letting them settle in three hours, as they will, whether or not the allegations made are true or not. I am assured by other persons, whom I know personally, who

do not know either Mr. Green or the "Wolf of Wall Street," who never saw either one of them, that these conditions do exist. There was a man who came to my office since this matter came up, the publicity given it having attracted his attention, who assured me that a committee had been sent out from the Pacific coast to consult the head of the Steel Trust in an effort to secure lower rates upon the structural building material upon which the railroads had refused to give a rate. were told by the railway companies' agents that that matter was in the hands of the Steel Trust, and that they would have to go there for relief. When they came here the boon was denied them by the Steel Trust. This man also told me that not 1 pound of structural steel coming from their mills is allowed to go over any route except that which the Steel Trust designated to go over any route except that which the Steel Trust designation of the steel trust de nates. The man Green may be an infernal liar. I do not think he is; I think he has stated the truth; but since this investigation started, since they have been taking up our time upon this resolution which I introduced here, a statement has been published in the papers of this city and in papers all over the United States, to the effect that the Interstate Commerce Commission has detected one of the subsidiary companies of this great trust accepting rebates to the tune of millions and millions of dollars. That corroborates what the man Green says. The "Wolf of Wall Street" apparently had nothing to do with that. Whether he had or not, if the statements are true, I do not see what difference it makes whether or not he had any

connection with the matter.

As I said the other day, if he could wolf Wall Street he has been wolfing among wolves. If stocks went down, that would not be a greater crime than it is to keep the price of stocks up by means of rebates and other evil practices; it would not be as great a crime as these other criminals are committing. seems to be a question, according to some, the solution of which depends upon the "Wolf of Wall Street." The theory is held by many others that it is very hard to get justice from the hands of the large corporations, and that it is hard work to get this Government to act in behalf of the people.

A short time ago there died one of the greatest financiers of the country, who is said to have dug the entrails out of the New Haven Railroad system. Talk about "wolfing Wall Street"! The process of wolfing had been practiced on the people of New England, widows, orphans, and trust funds, to the tune of hundreds of millions of dollars by the largest firm of financiers in this country, that of the late lamented J. P. Morgan, who is said to have manipulated that affair. Those affairs, if the truth be told, are absolutely as criminal and as barefaced thefts as were ever practiced on a community, yet he is reported to have said before he died that he relied upon, and that his great desire was to have his son continue to disseminate, the doctrine of salvation and the washing away of sins through the blood of the blessed Redeemer; and then he reached down in his hip pocket and pulled out a harp and lit out for the gates of Para-dise, where I suspect St. Peter reached behind a post and met him with a baseball bat.

Now, as I have said, this is a simple proposition, and it is a fair one. I am not in any wise—and Mr. Green assures me that he is not—depending upon the "Wolf of Wall Street," Mr. Lamar. You can put that theory to one side. I believe if you ever allow him to appear before the Interstate Commerce Commission to present in open daylight and before the public the facts which he will produce in relation to the statement which he has made, that this company is guilty of this crime, that he will prove it, and the "Wolf of Wall Street" will stop him not one whit, nor will he help him. I hold no brief for him; I care no more for him than you do. It is a question independent and outside of him; but I do not want this investigation concealed or knocked out on the assumption that that is the crux of the

Now, then, I am going to say one more unpleasant thing, and then stop. Here is your report that you have put in and have been quoting-your report of your proceedings, doctoreddoctored report, played up as to some facts and others minimized; some interrogatories kept out of it entirely. What, the "Wolf of Wall Street"! Yes. If you are going to put in a report to the Senate, put it in full and complete. I challenge it; I challenge it-

Mr. NEWLANDS. Mr. President-

Mr. LANE. I claim that it does not present all the facts. How far it is lacking, I do not know; but, to a certain extent, I do know and allege

Mr. NEWLANDS. Mr. President-Mr. LANE. Just a moment.

The VICE PRESIDENT. The Chair-

Mr. LANE. Just a moment. It may be-I am willing to con-

Mr. NEWLANDS. Will the Senator permit an interruption?
Mr. LANE. I do not want to do so at this time.
The VICE PRESIDENT. The Chair will be compelled to enforce the rule against charging Senators with improper conduct. That may not and must not proceed in the Senate of the United States.

Mr. LANE. I was stopped before I finished my sentence.
Mr. LODGE. I rise to a question of order. A distinct charge has just been made here that a committee, or members of a committee, or the chairman of a committee, have tampered with a stenographic report; that questions have been taken from it. Now, Mr. President, all the rest of this stuff about locked doors is not worthy of anybody's attention, but that is a serious charge, which ought not to be made.

Mr. LANE. Will you allow me

The VICE PRESIDENT. The Chair is insisting that charges of bad faith and dishonesty may not proceed in the Senate of the United States

Mr. LANE. I withdraw that.

The VICE PRESIDENT. While the present occupant of the

Mr. LANE. Then I withdraw that. I do not wish to do anything that is unparliamentary, and I do not wish to make any reflections. I was going to qualify that statement by saying that it might have been done by error, but there are questions which were asked that do not appear in this record.

Mr. SMITH of Georgia. Mr. President, I make the point that the Chair having called the Senator to order, he must take his seat under the rules until the Senate permits him to proceed.

Mr. LANE. I will sit down.

Mr. BRANDEGEE. I ask for the reading of the Reporter's notes as to what the Senator from Oregon did say. stood him to say that certain features of the report had been "played up" and certain features minimized.

The VICE PRESIDENT. The Reporter will read from his

notes.

The Reporter read as follows:

Now, then, I am going to say one more unpleasant thing and then stop. Here is your report that you have put in and have been quoting—your report of your proceedings, doctored—a doctored report, played up as to some facts and others minimized; some interrogatories kept out of it entirely. What, the "Wolf of Wall Street"! Yes; if you are going to put in a report to the Senate, put it in full and complete. I challenge it; I challenge it.

Mr. POINDEXTER. A parliamentary inquiry, Mr. President, The VICE PRESIDENT. The Senator from Washington will state it.

Mr. POINDEXTER. I observe from hearing the language used by the Senator from Oregon read by the Reporter that there is no charge contained in it against any Senator.

Mr. LODGE. It is against the committee; against the whole

body of the committee.

Mr. POINDEXTER. The Senator will pardon me for just a moment until I complete what I have to say. The Senator from Oregon did charge that the report was not a correct report, and, apparently, impliedly charged that it was intentionally not correct.

Mr. SMITH of Georgia. Mr. President, I desire to make the point of order that debate is out of order. I call the attention of the Chair to Rule XIX, section 2 and section 4, on page 19 of the Manual.

The VICE PRESIDENT. There is not any question of doubt about what the rule is.

No Senator in debate shall, directly or indirectly, by any form of words, impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

The charge is directly as to the report of the Committee on Interstate Commerce, whom the Chair knows are Senators of the United States of America, and when the rule is transgressed it is the duty of the Presiding Officer to call the Senators so transgressing to order, and, when called to order, he is required to sit down and not proceed without leave of the Senate and until it is granted.

Mr. POINDEXTER and Mr. HUGHES addressed the Chair. The VICE PRESIDENT. The Senator from Washington.

Mr. POINDEXTER. Proceeding with the parliamentary inquiry which I was addressing to the Chair, I desire to inquire whether the Senate has not the right to hear discussed in the Senate, and to inquire, for the purpose of informing itself, whether or not the report of proceedings had before a committee is a correct report of what proceedings were actually had. Is there anything in the rules of the Senate which forbids such an inquiry? If there is anything in the rules which forbids it. I am unaware of it; and if so, it would be a very unfortunate situation that the Senate could not inquire into the truth of proceedings reported to it.

I do not question the ruling of the Chair upon the other matter, as to the prohibition of impugning the conduct of Senators; but the inquiry which I am now making has no relation whatever to any charge of misconduct made against any Senator, but it is as to whether or not, when the statement is made in the Senate that a report which we are considering is not a correct report, if we have not the power to inquire into the truth or falsity of that assertion? If we have not that power,

we ought to have it.

Mr. VARDAMAN. Mr. President-

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Mississippi?

Mr. POINDEXTER. I yield to the Senator.

Mr. VARDAMAN. I want to ask the Senator to permit the Reporter to read the language of the Senator from Oregon. There was so much confusion in the Chamber that we could not hear it over here.

Mr. JAMES. I move that the Senator from Oregon be allowed to proceed in order.

Mr. VARDAMAN. I insist that the notes be read. The VICE PRESIDENT. The Senator from Mississippi has the right to hear the language. The Reporter will again read. Mr. HUGHES. Will the Senator from Washington yield be-

fore the notes are read?

Mr. VARDAMAN. Let the notes be read.

Mr. POINDEXTER. I think in the interest of orderly pro-

Mr. HUGHES. I simply wanted to ask the Senator if he would yield the floor for the purpose of having the motion put that is suggested by the Senator from Kentucky, and then the language can be read.

Mr. VARDAMAN. I insist on the reading of the language. Mr. HUGHES. I will say to the Senator that the language can be read on that motion.

Mr. VARDAMAN. Let it be read first. Mr. HUGHES. Then the whole question would come before the Senate as to whether or not the Senate would permit the Senator from Oregon to proceed in order.

Mr. JAMES. The only motion that was in order after the Senator from Oregon was called to order was a motion that he

should be permitted to proceed in order.

Mr. VARDAMAN. I insist that we have a right to have read the language used by the Senator from Oregon. It has been read, but there was so much confusion in the Chamber at the time that the Senators in this part of the Chamber did not

Mr. POINDEXTER. I yield to the Senator from Mississippi for that purpose

The VICE PRESIDENT. The Reporter will again read the language.

The Reporter read as follows:

Now, then, I am going to say one more unpleasant thing and then stop. Here is your report that you have put in and have been quoting—your report of your proceedings dectored—a doctored report, played up as to some facts and others minimized; some interrogatories kept out of it entirely. What, the "Wolf of Wall Street"! Yes; if you are going to put in a report to the Senate, put it in full and complete. I challenge it; I challenge it.

Mr. JAMES. Mr. President, I insist that the motion I made is the proper order of the Senate.

Mr. POINDEXTER. Mr. President, I decline to yield to the

Senator, for the moment, for that purpose.

The VICE PRESIDENT. The Senator from Washington is

entitled to the floor.

Mr. POINDEXTER. I desire to insist upon my parliamentary inquiry as to the limits of debate upon an assertion made that a report which we are considering is not a correct report. That question is entirely dissociated from the question of privilege, that no Senator-

Mr. LODGE. I rise to a point of order. I ask the Chair to rule whether this is a parliamentary inquiry which is now

The VICE PRESIDENT. The Chair is of the opinion that it is not a parliamentary inquiry. When the question comes before the Chair, the Chair will rule on it; but the Chair refuses to inject into the RECORD an obiter dictum.

Mr. JAMES. Then, I move that the Senator from Oregon be

allowed to proceed in order.

The motion was agreed to.
The VICE PRESIDENT. The Senator from Oregon will proceed.

Mr. LANE. Mr. President, I wish to say to the Senate that do not wish to cast any reflections upon it as a body, nor do I desire to do it an injustice in any way. I may make mistakes; if I do, I will make amends conscientiously

As I was saying-and I had about finished-the people of this country will not prosper by the enactment of modified laws dealing with the tariff, with the currency, nor will they suc-

Mr. NEWLANDS. Mr. President—
The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Nevada?

Mr. LANE. Yes.

Mr. NEWLANDS. I should like to understand from the Senator from Oregon whether he withdraws the charge which he has made, that this report is a "doctored" report.

Mr. LANE. A doctored report?

Mr. NEWLANDS. Yes.
Mr. LANE. Yes; I am willing to leave that out. Yes; I will withdraw that term "doctored."

I should like to ask a question for information. If there was evidence given there which I heard and it does not appearquestions asked by the chairman—am I allowed to call attention to that without insult to the committee? Is that a breach?

Mr. NEWLANDS. I could not hear what the Senator said. Mr. LANE. I say if there were questions asked witnesses there which were not printed in that report, am I not allowed to call attention to them?

Mr. NEWLANDS. Certainly.

Mr. LANE. And if there was evidence given there before that committee informally which was left out of your statement, your edited statement, your preface, am I not allowed to call attention to that without getting in contempt of this body?

Mr. NEWLANDS. Certainly.

Mr. LANE. Then what shall I call it? What is the term oy

which it should be characterized?

Mr. NEWLANDS. The Senator could certainly make a statement regarding this matter that would be a truthful one and a candid one without impugning the action or the motives of his brother Senators.

The VICE PRESIDENT. There is not any doubt about that. Mr. NEWLANDS. The fact was that on the first day of the meeting of the committee upon this subject there was no stenographer present. I had sent notice to the Attorney General, the Chief of the Bureau of Corporations, and the chairman of the Interstate Commerce Commission, asking them to appear before our committee with a view to ascertaining whether any action was pending in either one of those bureaus or departments relating to this subject matter; and an invitation was also extended to the Senator from Oregon to be present. We had no idea at that time as to whether there would be any necessity for taking any testimony or having any stenographer present, and statements were made by the Senator from Oregon and by these officials or their representatives which were not taken down by a stenographer; so, of course, in annexing the stenographic report to this report, we were able to give practically only the hearing of Mr. Green, all of which was taken down, and all of which was presented.

Those are the facts. If the Senator wishes to state anything that occurred at the hearing when the stenographer was not there, he is at liberty to do so. Possibly Members who were there may differ as to the exact language that was used, but I am sure there will be no material difference between any who were there as to what took place and as to what was said.

As to the hearings, as I have already stated, there are three rooms assigned to the Committee on Interstate Commerce, of which the central room is the entrance, though there are signs upon the other rooms. The doors of the very large room, in which the committee meetings are held, are generally open. The Senator from Oregon tested one of those doors, instead of the main entrance, and found it locked, and called attention to it as soon as or shortly after he entered the room. I immediately inquired of the clerk as to what was the cause of the locking of the door. I was unconscious that it had been locked. He informed me that it was the custom of the Capitol guides to bring crowds of sight-seers into the large committee room, and that he had locked the outer doors of this room, not locking the main entrance of the suite, with a view to securing privacy for the hearing. I immediately gave him orders to have them opened, and the substantial part of the hearing was held with open doors immediately after the Senator from Oregon called attention to the fact that the doors were locked.

Mr. SAULSBURY. And nobody came in.
Mr. NEWLANDS. And nobody came in that I can recall.

Mr. LANE. Mr. President-

Mr. SHIVELY. Mr. President-

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Indiana?

Mr. LANE. I yield. Mr. SHIVELY. I wish to ask whether there is any question of their being a full and complete report here of the hearings

when there was a stenographer present?

Mr. LANE. There is a matter which I consider of great importance, and I presume most of you do not, yet it is one which I think is of prime importance to the people of this country, and that is that they shall have access to and full knowledge of the manner in which their business affairs are carried on. I feel that we are the servants of the people and our first duty is to them, and that in dealing with their affairs we should deal with them openly and not go behind closed doors into executive sessions and bar them out. I am further of the opinion-

Mr. TOWNSEND. Mr. President-

Mr. LANE. Just a moment, and I will be through. It will not take me a minute more.

Mr. TOWNSEND. I should like to ask a question right there, if I may.

Mr. LANE. Yes.

Mr. TOWNSEND. I am very much interested in this matter. While I knew nothing about the report, I should like the Senator to answer directly, if he can, whether the report as printed does not contain all that was taken down by the stenographer?

Mr. LANE. I was just going to come to that point, Mr. President. I was leading right up to that.

I claim, and I hold the opinion and the fixed belief, that no good, or not much good, would be accomplished for the benefit of the people of this country until that system is adopted.

When I went to the committee room, the main door of that committee room, which has the sign upon it-if that is any indication of the main door—a double door, with the sign upon it which says "Interstate Commerce"—was locked. I tried it on two different occasions. I heard others try it. I heard them fumbling with the door knob when I was inside the room. Then, afterwards, during the queries which were being made, then, afterwards, during the queries which were being made, when an official stenographer was taking this testimony, the chairman of the committee said to the witness, "You see, now, that you are having a full, free, and open public hearing, that the doors are open"; and I called attention to the fact that there was not a soul in there but the committee, and that an "open public hearing," so far as public access to it was concerned, did not exist. Do you remember that, or something like that? like that?

That is not in here. I consider that important. Why that query should be left out and the other left in is a thing I did not understand; nor did I understand why, on the other side of it, in the preface, which is the report, a part of the proceedings which they say were informal should be given space, and the very most essential statement coming from the Interstate Commerce Committee, in my opinion, should be left out.

That was the reason. Out of respect for the Eenate I want to withdraw anything reflecting upon it, and I will withdraw that language. I wish to say, however, that in my opinion the report is inaccurate. I believe it to be inaccurate. I did not like it, and I do not like it, and there is nobody going to make me say I do if I can help it.

I do not want to have my language unparliamentary, nor to have it do injustice to anyone; but I expect to get fair treatment, and I think I am entitled to it. I do not want to say anything harsh or offensive; but I want to insist that this report does not present the proceedings in the manner in which I consider they should be presented in fairness.

Mr. TOWNSEND. I should like to ask the Senator a question before he takes his seat. Has the Senator investigated the stenographic report and compared it with the printed report

What does the Senator mean by that?

Mr. TOWNSEND. I mean the notes taken down by the stenographer of those hearings.

Mr. LANE. No. Mr. TOWNSEND. They must be in existence.

Mr. LANE. I do not know anything about them. I have never seen them. The Senator refers to the manuscript, does he? Mr. LODGE. The original stenographic notes.

Mr. TOWNSEND. The original stenographic notes would show whether or not there has been any change in the printed report. I was wondering if the Senator had made a comparison of them.

I do not read shorthand. I have not seen them. Mr. BRISTOW. As I understand, the Senator from Oregon complains that at one time during the proceedings, when a stenographer was present and taking the testimony, he suggested that the doors ought to be opened and complained because there was not sufficient publicity, and that his suggestion and the replies thereto did not appear in the record of the proceedings of the committee. Is that correct?

Mr. LANE. No; that is not it. I referred to the question which was asked, or the assertion which was made, by the chairman of the committee to the witness, that "Here you have a full and open hearing; the doors are unlocked"; and it struck me as being funny and ridiculous for the reason that the doors were closed, and that there was not a soul there outside of the committee and the witness. That kind of a "public hearing," and an assertion that that was a public hearing, struck me as being funny and I mentioned it. I made sarcastic comments upon it that were cut out.

Mr. BRISTOW. Mr. President, let me inquire of the Senator if, at the time when he made these observations and the chairman responded, there was a stenographer present and taking the testimony?

Mr. LANE. That is what I am assured by the chairman of Yes; it was the day when these official hearings the committee. were held, and the stenographer was there when the witness Green was upon the stand as a witness.

Mr. BRISTOW. Mr. President, I do not know much about this resolution. The principal objection that seems to be urged against any investigation is that the complaints emanate from a scoundrel by the name of Lamar, and that, he being a scoundrel, anything he might say should not be given any consideration.

I do not know whether Lamar is a scoundrel or not. the impression that he is from what I have read about him, but if he has any information relating to violation of the laws by the Steel Trust his character should not be any bar against any investigation of the information that may come from him.

Mr. LODGE. May I ask the Senator whether he thinks it was the duty of the Interstate Commerce Commission to comply with Mr. Lamar's proposition, which struck them as a corrupt proposition?

Mr. BRISTOW. If Mr. Lamar has made a corrupt proposition to the Interstate Commerce Commission, if it is a proposi-

tion in violation of law, he ought to be prosecuted for it.

Mr. LODGE. He said he would furnish the information, but he required to be allowed to name his attorney as the attorney for the commission.

Mr. BRISTOW. Yes. I take it for granted that such a proposition would not receive any respectful consideration from any member of the Interstate Commerce Commission or any other officer of the United States Government who had any character, because certainly they would not let Lamar select the prosecuting officers for anybody. Mr. LODGE. As I understand, unless he got his terms he

would not furnish his information.

Mr. BRISTOW. That may be true; but if he has any information, he can be compelled to furnish it, and it is for us to decide whether or not that information is worth anything.

Mr. LODGE. Then let us take a vote right off and decide it. Mr. BRISTOW. The Senator— The Senator-

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

A bill (H. R. 7951) to provide for coop-The SECRETARY. erative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

Mr. CUMMINS. Mr. President— Mr. SMITH of Georgia. I ask that the unfinished business be temporarily laid aside that the matter before the Senate may be completed.

Mr. LODGE. Let us vote and finish it.

Mr. CUMMINS. Does the Senator from Georgia ask that it be temporarily laid aside?

Mr. SMITH of Georgia. I ask that it be temporarily laid aside, in order that we may reach, if possible, a vote upon the matter before the Senate.

Mr. CUMMINS. I shall not object, but I am a great deal more interested in the agricultural bill than I am in the farce which is now going forward in the Senate.

Mr. SMITH of Georgia. So am I. Mr. NEWLANDS. Mr. President-

Mr. BRISTOW. I suppose the Senator from New York [Mr. ROOT] is making a speech, though he has not addressed the He has said that he is tired of the Senate being dragged around here as the tool of a blackmailer. That may be true. It may be not just as inappropriate for the Senator from New York to make such remarks as it was for the Senator from Oregon to make the remark he made a short time ago, but we seem very tender when it comes to discussing the Steel Trust, the stock of which has gone up 10 per cent, \$500,000,000 of which is water and represents not a dollar of invested capital. When that great corporation is under discussion here we examine with great care the witnesses who may be called against it to see whether or not they have a standing that is reputable.

Mr. WILLIAMS. Mr. President, a parliamentary inquiry.

Was the request that the unfinished business be temporarily

laid aside granted?

The VICE PRESIDENT. It has not been granted as yet.

Mr. WILLIAMS. Then I object to the request.
Mr. ROOT. Mr. President, I rise to a question of personal privilege.

The VICE PRESIDENT. The Senator from New York. Mr. ROOT. I regret that the Senator from Kansas [Mr. Bristow], casually overhearing, and without any fault or purpose on his part, a remark I made to the Senator from Iowa, should have seen fit to make it a matter of public discussion.

Mr. STONE. The Senator from Kansas is in the habit of doing those things. Personally I am tired of it.
Mr. WILLIAMS. Objection has been made to proceeding with

this matter.

Mr. BORAH. If we are going to continue this discussion, we will all continue it.

Mr. WILLIAMS. I objected to the request to lay the unfinished business aside. Let us have the regular order.

The VICE PRESIDENT. The Chair has recognized the Senator from Iowa [Mr. CUMMINS] as being entitled to the floor.

Mr. CUMMINS. Mr. President— Mr. NEWLANDS. Will the Senator from Iowa yield to me? The VICE PRESIDENT. Does the Senator from Iowa yield

to the Senator from Nevada? Mr. CUMMINS. I yield to the Senator from Nevada for any question touching the bill that is now before the Senate.

Mr. BRISTOW. Mr. President—
The VICE PRESIDENT. Does the Senator from Iowa yield

to the Senator from Kansas?

Mr. CUMMINS. I yield to the Senator from Kansas on the same condition

Mr. BRISTOW. I should like to have the remark made by the Senator from Missouri [Mr. Stone], which I did not distinctly hear, read from the Reporter's notes.

Mr. WILLIAMS. I make the point of order that the request at this time is not in order. Many Senators are in a somewhat bad humor, and I think the best course is to go along with the regular order. I insist upon it.

The VICE PRESIDENT. The question is whether the Senator from Iowa yields for that purpose to the Senator from Kansas or does not yield to him.

sas or does not yield to him.

Mr. CUMMINS. For the purpose of having a remark made by the Senator from Missouri read, assuming that no discussion of the question will follow it, I have no objection to yield.

Mr. SHIVELY. Is that demanded as a question of personal privilege?

Mr. BRISTOW. My demand is as a question of personal

privilege, if necessary.

Mr. NEWLANDS. If the Senator from Iowa will permit

Mr. CUMMINS. Let this matter be determined.

The VICE PRESIDENT. Let one question be decided at a

Mr. CUMMINS. I yield for that purpose, but following it I will not yield for any discussion.

Mr. STONE. I hope the Senator will yield for a discussion and let us settle the whole thing now.

Mr. CUMMINS. If the Senator from Georgia desires to yield to the Senator from Kansas, I am willing.

Mr. STONE. I have gotten tired of this performance of the Senator from Kansas.

Mr. WILLIAMS. If the Senator yields for that purpose, he

ought to yield for the purpose of a reply.

The VICE PRESIDENT. Will Senators take their seats? The Senator from Iowa having yielded to the question of personal privilege, if the Reporter heard the language he will read it.

The Reporter read as follows: Mr. Stone. The Senator from Kansas is in the habit of doing those things. Personally I am tired of it.

Mr. CUMMINS. I hope we may now turn from the resolution, which undoubtedly will be taken up again on Monday, to the bill under consideration.

Mr. NEWLANDS. Mr. President, I wish to make one statement in a single sentence.

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Nevada?

Mr. CUMMINS. I yield to the Senator to make the statement,

but not for the purpose of discussion.

Mr. NEWLANDS. That is all. I am not sure whether the Senator from Oregon [Mr. Lane] made a complete withdrawal of the charge that this report is doctored.

Mr. LANE. Yes, Mr. President; I wish to say that I with-

drew that.

Mr. NEWLANDS. Very well; then I accept your withdrawal. I was about to state to the Senate that if a withdrawal was not made fully and completely I should ask for a committee of investigation

Mr. LANE. I withdrew it.

COOPERATIVE AGRICULTURAL EXTENSION WORK.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

Mr. CUMMINS. Mr. President, one aspect of the comparison I made yesterday between Georgia and Iowa related to the size of the improved farms. When I examined the report of the Census Bureau I was surprised to find that the average size of an improved farm in Georgia was 42 acres. I was not so much surprised to find that the average size of a farm in Iowa was 135 acres, because I happened to know it before.

Mr. POMERENE. May I ask the Senator a question?

Mr. CUMMINS. I yield.

Mr. POMERENE. What is the Senator's source of informa-

Is it from the census report?

Mr. CUMMINS. It is from the census report. I had the good fortune to receive a little information upon the point after the Senate adjourned last night, and with the consent of the Senator from Mississippi [Mr. Williams], who gave it to me, I may be permitted to suggest that the ownership of farms in Georgia is probably quite as large if not larger than in Iowa. But I am told that the owner of land rents upon some terms, either in cash or for a part of the crop, small pieces of his holding, and that each of the persons thus cultivating a small tract of land is regarded as a farmer, as he well might be, and that the tract of land which he holds and cultivates in this manner is regarded as a separate and distinct farm. With that suggestion, which did not occur to me at all, the explanation of this diversity in size between the two parts of the country is easy and clear.

Mr. SMITH of Georgia. If the Senator from Iowa will yield to me-

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Will the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS. I yield. Mr. SMITH of Georgia. Mr. SMITH of Georgia. At this point I will state that I think the Senator's last explanation is unquestionably correct. There are quite a number of large tracts of land owned in the State where small farms are rented and rented perhaps continuously for years by the same family. I am told in the Census Office that under those circumstances they treat a piece of land occupied by a distinct family as a distinct farm. The term of rental usually is one of joint participation in the gross receipts, the landlord furnishing the stock and advancing the provisions and furnishing the money to buy the fertilizers, and the cropper, as he is called, occupying a farm perhaps of 50 acres with his family, handling it practically as his property under the direc-tion and supervision of the owner of the land, and continuing

it frequently for quite a number of years.

Mr. CUMMINS. Mr. President, I desire to suggest another comparison between Iowa and Georgia. I think it must be assumed that, generally speaking, the men who vote are the more responsible people of the Commonwealth, and that their influence will do more toward improving the conditions of the State, and more toward improving the manner in which the soil is cultivated, than an equal number of people who do not exercise the high franchise of the voter. I find that in 1912 there were cast in Georgia for presidential electors 121,524 votes. In the same year there were cast in Iowa, with practically the same population, 492,356 votes. I do not suggest, Mr. President, that this comparison creates a standard which should in and of itself be accepted as the proper one for the distribution of this anpropriation. I only mention it as one of the things that indicates that States like Iowa are not fairly dealt with in the distribution.

I group several States in order that the comparison that I have made may be seen to be not peculiar to the two States I have mentioned.

I have before me a table upon which there are noted certain statistics regarding 12 States of the South and 12 States of the North. I have taken from the North the chief agricultural States. The Southern States that I have named are Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia. Alabama is to receive out of this appropriation 3.58 per cent;

Arkansas, 2.78 per cent; Florida, 1.08 per cent; Georgia, 4.19 per cent; Kentucky, 3.51 per cent; Louisiana, 3.22 per cent; Mississippi, 3.22 per cent; North Carolina, 3.83 per cent; South Carolina, 2.62 per cent; Tennessee, 3.53 per cent; Texas, 5.99 per cent; Virginia, 3.21 per cent.

These 12 States receive in the aggregate of the appropriation 29.89 per cent, practically 40 per cent, and I shall hereafter use that percentage because it abbreviates my address. These States produced in 1910 an agricultural output of the value of \$3.236,-398,813. The 12 States I have taken for comparison in the North are Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New York, North Dakota, Ohio, and Wisconsin. Without reading the percentages which each of these States receive, it is sufficient to say that the 12 receive 36.11 per cent, which, for brevity sake, I will call hereafter 36 per cent, and which, for brevity sake, I will can hereafter 50 per cent, and these States produced in 1910 agricultural crops and produce of the value of \$6,184,292,673, practically double in value the product of the 12 States which I first mentioned. These 12 States receive of the appropriation here provided for 36 per cent, against 40 per cent received by the Southern States.

I can not believe that such a mode or plan of distribution does justice to all the people of the country. I am forced to

the conclusion that if the purpose is to increase the general volume of agricultural products so that prices may decline with-out interference with the fair profit of the producer, we ought to give more attention than is here given to the 12 States which produced in 1909, I think, quite 50 per cent of the entire agricultural product of the country. The value of all the agricultural product of the country, as I take it from the census report for 1910, was \$12,337,644,446, and the 12 Northern States which I have mentioned, produced 50.12 per cent of the whole.

Mr. SMITH of Georgia. What year was that?

Mr. CUMMINS. 1910; the year adopted by the Census Bu-

reau for their last census report upon agriculture.

Mr. SMITH of Georgia. I think it is the census of 1909.

Mr. CUMMINS. It may be 1909. I thought the statistics were for 1910, but I may be mistaken about that. The value of the agricultural product for that year, whether 1909 or 1910, in the 12 Southern States was 26.25 per cent of the whole, and yet in the effort to increase the aggregate output, to make each acre of land that is capable of cultivation bear more for the use of the country, the States which produced but 25 per cent re-ceive 4 per cent more of the appropriation than do the States which produce 50 per cent of the whole.

I agree that this appropriation can not be divided by any plan that may be conceived with exact equity. I know that some arbitrary basis must be adopted and that inequalities and injustice will result; but we ought to reduce those inequalities and that injustice to a minimum by finding some test or some standard that would, in the greater number of instances, result

in justice.

Allow me to make a comparison between some other States. We will take the State of Nebraska as an illustration. Nebraska receives, under the plan of the bill, 1.79 per cent of the appropriation. Nebraska produced in 1909, or, according to the last census report, agricultural products to the value of \$466,865,189. Florida receives of the appropriation 1.08 per cent, nearly as much as Nebraska. Yet Florida produced in that year but \$65,375,202.

I take another State, Missouri. Missouri receives under this distribution 3.84 per cent; but Missouri produced of agriculture in 1909, \$591,094,522. There are but one or two States that in that year produced an agricultural output of greater value

than Missouri

Now, remember, she receives under this bill 3.84 per cent of the whole. I will take a State that receives exactly the same amount, and I am glad the Senator from Missouri [Mr. Stone] is listening to me. North Carolina receives 3.83 per cent of the appropriation, but North Carolina produced in 1909 but \$241,882,595 worth of agricultural products, very much less than one-half of the product of the State of Missouri. And yet in the effort to increase the fertility and the productivity of our soil, in the aid that we are giving to the States to carry forward their educational work, notwithstanding the fact that Missouri is capable of doing so much more for the people of the Nation than is the State of North Carolina, the latter is given the same aid as the former. I do not believe that is just or fair. I think Missouri is entitled to more than North Carolina, because I believe that the money spent in Missouri will yield greater results than a similar amount of money spent in North Carolina.

Mr. VARDAMAN. Mr. President—
The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield to the Senator from Mississippi. Mr. VARDAMAN. Has the Senator any figures to show the per capita production of each of the citizens of the different States? Has the Senator any facts showing the relative productive power or capacity of the citizens of the State of Missouri to the citizens of the State of North Carolina?

Mr. CUMMINS. I have not, Mr. President. I do not be-

Mr. VARDAMAN. What is the difference in population? Mr. CUMMINS. I do not believe there are any such statistics. Mr. VARDAMAN. Has the Senator the population of the two

Mr. CUMMINS. I will give the population.
Mr. VARDAMAN. The rural population.
Mr. CUMMINS. I will take Missouri. Missouri, according to the statistics, has a total population of 3,293,335.
Mr. VARDAMAN. What is the rural population?
Mr. CUMMINS. The rural population of Missouri is given as

1,894,518

Mr. VARDAMAN. What is the rural population of North Carolina?

Mr. CUMMINS. Of course practically the same, or the per-

lation, so called, of 1,887,813, practically the same as Missouri, because that is the basis of the computation of these per-centages; and inasmuch as North Carolina receives the same percentage as does Missouri, her rural population must necessarily be the same.

Mr. VARDAMAN. According to these figures, Mr. President, the productive capacity of the rural citizen of Missouri is very much greater, as shown by the census report, than that of the

rural citizen of North Carolina, is it not?

Mr. CUMMINS. Yes; assuming that the 1,800,000 people of Missouri who are listed as of the rural population are all engaged in agriculture. They produce, as I said a moment ago, \$591,094,522 of agricultural output; and the 1,887,000 of rural population in North Carolina, if they are all engaged in agriculture, produce but \$241,882,595.

Mr. VARDAMAN. But the purpose of this bill is to enhance

and increase the capacity of the citizen to produce.

Mr. CUMMINS. Ah, Mr. President, that is quite true; but we must not only take into account the capacity of the citizen to produce, but we must also take into account his opportunity to produce. This money ought to be expended where it will be of the greatest service to the people of the United States. do not believe that we ought to divide the appropriation upon the theory that the people of North Carolina are more in need of education or instruction than are the people of Missouri. If that were so, my answer would be at once, "Let us give North Carolina proper aid"; but we must depend upon the States themselves to equalize, if you please, the educational stages at which their people have arrived.

Mr. VARDAMAN. Mr. President, I thought the purpose of this bill was to develop and improve the man, for, as the old saying goes, "there is very much more in the man than in the and if the people of North Carolina are backward, if they are not so progressive as are the people of Missouri-

Mr. CUMMINS. I am not ready to say that. Mr. VARDAMAN. It seems to me that, if the Government is going to lend aid in a matter of this kind, it should be given to those who most need it. We do not want to send missionaries to Christians. It is the heathen that we are trying to bring to righteousness.

Mr. CUMMINS. Mr. President, there is, of course, a great deal of force in what the Senator from Mississippi says, but he ignores one thing, and that is the opportunity to increase the agricultural output. I do not believe that a similar number of people in North Carolina could produce as much as the same number of people in Missouri, no matter how much education were given to those people, because I do not think their oppor-

tunity is so great.

Mr. VARDAMAN. As a matter of fact, Mr. President, to be candid with the Senator from Iowa, there is an element in this question which has not yet been discussed. About 33 per cent of the population of North Carolina are of very different character; they are a different race; radically different in every respect from a large majority of the citizenship of the State of Missouri; and it does not make any difference what you may do, the capacity for producing can not be given to the colored population which the white man possesses. That is really the cause of this disparity.

Mr. CUMMINS. I shall come to that presently, although I have not desired to enter upon it at all; but I may. I desire, however, to suggest, in answer to the former part of the inquiry of the Senator from Mississippi, that I have been led to believe, and I do believe, that the people of North Carolina are as far advanced in the science of agriculture as are the people of any other State in the Union; I think they have given as much attention to the subject as have the people of any State in the There have been some most gratifying examples of their Union. forwardness and their progressiveness exhibited in the Senate from time to time.

Mr. WILLIAMS. Mr. President-

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. If the Senator will pardon an interruption, when he uses the word "people" he may be using a double middle. If he means by "the people of North Carolina" the white people of North Carolina, I have no doubt at all of the white people of North Carolina, I have no doubt at all of the correctness of his statement that they equal any part of the United States, but if the Senator means by "the people," as I suppose he does, the entire population of North Carolina, then there remains no doubt that the people of Missouri are more progressive and more intelligent than are the people of North Carolina. The percentage of the colored population in North Carolina, as given by the census, is very much less than the percentage of the colored population on the farms as a part of the representation. Most of the darkies live in the country. centage would not be the same. Let me give the exact figures. percentage of the colored population on the farms as a part North Carolina has a population of 2,206,287 and a rural population. Most of the darkies live in the country,

If the Senator will pardon me, I find fallacy in every parallel which he has drawn. If there be anything unfair about this basis of distribution, he has not thus far demonstrated it, because he has chosen in every instance to compare a State with a free, progressive, intelligent, initiative population of the white race with a State a large percentage of whose population consists of a backward, uninitiative, unintelligent, incapable black race. If the Senator were to take Iowa and compare it with Minnesota; if he were to take Kansas and compare it with Nebraska; if he were to take Alabama and compare it with Mississippi; if he were to take North Carolina and compare it with Georgia, so that there should be something comparable compared with something comparable, he would You can find that this basis fixed in the bill is fair enough. not abolish a race fact in connection with this distribution. It would be an absolute shame to the white people of the State of Iowa if they had failed to produce twice as much per capita as the entire population of Georgia per capita, with the colored race existing in Georgia. It is not at all astonishing that a State with twice the white population of Georgia should produce twice as much as Georgia produces, although that is not strictly true, for Iowa does not produce quite twice as much as Georgia.

Mr. SMITH of Georgia. I want to assert most positively that

Iowa produces nothing like twice as much as Georgia.

Mr. WILLIAMS. Iowa does not produce anything like twice as much?

Mr. SMITH of Georgia. I will discuss that later.

Mr. WILLIAMS. And I will guarantee that the percentage of negroes constituting the rural population in Georgia is at least 45 per cent, and probably 55 per cent.

Mr. SMITH of Georgia. About one-half.

Mr. VARDAMAN. A good deal more than half, Mr. President. Mr. WILLIAMS. The percentage in the State is how much, I will ask my colleague?

Mr. VARDAMAN. Forty per cent.

Mr. SMITH of Georgia. A little over 40 per cent. Mr. WILLIAMS. But I will undertake to say that the percentage of that as constituting the "rural population" is at least 57 per cent.

Mr. CUMMINS. Mr. President, I recognize the fact stated by the senior Senator from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Will the Senator, before he goes on, allow me to add one more fact, and that is, if there are any people in this country who do need instruction it is the southern darkies?

Mr. CUMMINS. Mr. President, we are reaching the real proposition toward which I was coming. I was undertaking to show that, unless we began with the assumption that there was a part of the country that needed instruction more than another, unless there was a class of people who needed education more than another class, the basis adopted here is wrong; and I asked the Senator from Georgia [Mr. Smith], when I began, whether this bill was to be considered and this basis debated upon the assumption that there was one part of the country that needed education more than another or that there was one class of people who needed instruction more than another; and I think he replied to me, if not expressly, tacitly, that the bill was not based upon any such theory. The comparison is perfectly fair, and just for the purpose of demonstrating that, assuming equal or even stages of progress or education in the different parts of the country, the standard here adopted is very unfair to the people of my State and generally to the agricultural States of the North. I agree that there is a vast difference between the educational stage to which the negroes of the South have arrived and the educational stage to which the white people of the North have arrived.

And the Senator will add to that, I hope, WILLIAMS. that he admits that there is a vast difference between the pro-

ductive capacity of the one and of the other.

Mr. CUMMINS. I do. I agree that there is a great deal of difference between the competency, if you please, of the colored people in the South and the competency of the white racerace that has enjoyed from time immemorial advantages and opportunities which have been denied to the colored race.

Mr. VARDAMAN. Mr. President—
Mr. CUMMINS. I do not intend to enter upon the question of whether the colored people are capable of taking on the same competency and the same education as are the white people; that is foreign to this discussion, and I shall not be led into it;

but I know that they ought to have the opportunity.

Mr. VARDAMAN. Will the Senator yield a moment?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I do.
Mr. VARDAMAN. I want to say, Mr. President, that I yield to no man in my desire to promote the material interests of all

the people of America. I am not an enemy to the colored manor the negro, as I prefer to call him, because that is the correct term-but I want to call the Senator's attention to the fact that the negro has not been denied the opportunity for developing which the Caucasian enjoys. As a matter of fact, in the morning of time they started together; neither had anything to lend or to borrow from the other. By reason of the initiative and the inherent qualities of the Caucasian he progressed, he evolved, he created the civilization which glorifies the beginning of the twentieth century. The negro remained stagnant; and as Charles Francis Adams found him in the heart of Africa in 1906 living in the same huts, governed by the same clubs, speaking the same language, enjoying the same no-literature, and worshiping the same voodoo that he did when the Pharaohs ruled in Egypt. Notwithstanding the fact he was touched by the tides of civilization that swept over the eastern continent in the forenoon of the ages, it made no more impression upon him as a race than a drop of water upon the oily back of a duck.

There were no stars, no earth, no time, No check, no change, no good, no crime; But silence and a stirless breath, Which neither was of life nor death; A sea of stagnant idleness, Blind, boundless, mute, and motionless.

Mr. CUMMINS. Mr. President, I think the Senator from Mississippi will recognize that he ought not to interrupt my

argument for a speech of that character.

Mr. VARDAMAN. Well, Mr. President, if the Senator will just pardon me for a moment, the Senator's remarks indicated that he thought the negro had not been given a chance. He has been given a chance. As a matter of fact, he has received more help from the white man and has done less for himself than any race on earth. He has never had any civilization except that which has been inculcated by a superior race; and it is a lamentable fact, as proven by history, that his civilization lasted only so long as he was in the hands of the white man who inculcated it. I deny that he has been oppressed. He has had just the same opportunity that every other race has had, and if he has not improved his opportunities it is because of his racial characteristics.

Mr. CUMMINS. Now, Mr. President, I do not concur with all that the Senator from Mississippi has said. I had not intended, however, to discuss that old and difficult discussion which he has injected into the debate. I said that the negroes have been denied the opportunities which the white race have enjoyed. I did not refer, of course, to the dawn of creation. I had not in mind Noah's ark and the equality of the races as they emerged from that refuge. I do say, however, that the power, no matter how it was acquired, which the white race in one way or another gained over the colored race has been abused; and in that respect they have been denied the oppor-

with the advance toward their maximum capacity.

Mr. VARDAMAN. Mr. President—

Mr. CUMMINS. I will not yield for another speech on that subject.

Mr. VARDAMAN. I am not going to make a speech, if the Senator will permit me. I want to correct him.

Mr. CUMMINS. The Senator from Mississippi, of course, will have an abundant opportunity to answer me. However, I yield for any question that he may desire to ask.

Mr. VARDAMAN. I was simply going to make this suggestion to the Senator, because I know he wants to arrive at the truth. His mental processes are always honest and his desire universally is to reach the truth. When the Senator stated that the negro had not been given a fair, square deal, I want the Senator in his ratiocination to contrast the condition of the negro-I know what he has reference to-in 1861 in the United States with his condition when he was brought here 200 years before, and see if the white man has been his oppressor.

Mr. CUMMINS. I know, Mr. President, that he has very greatly advanced since his ancestors came here 200 years ago or more. That, however, does not disprove my suggestion that he has not had the same opportunity that our own race has had; but I do not want to enlarge upon it, because I agree that we ought to extend to him now every opportunity that we can to fully enter the field of his competency, whatever that may be.

We have now come to an admission on the one side, which is accepted, I think, upon the other, that one of the reasons why the States in which the negro is found in large numbers are to receive a greater proportion of the appropriation than their circumstances or conditions would warrant, is because the negro farmer needs instruction more than does the white farmer, and that the public throughout the country will be better served and their welfare will be more greatly promoted if a larger per-centage goes into those States to give this race, which has suffered such singular misfortune, an opportunity which they otherwise would not have.

If it is put upon that ground, and if some provision can be found by which the citizens of our country who confessedly need the instruction more than other citizens of our country can enjoy the appropriation which is here provided for, would be very slow to oppose that appropriation; but to make that the basis of distribution, the real spirit of distribution, and at the same time reach it through the standard of rural population, without any recognition of the real reason, seems to me to be unfair to the country and unfair to Senators themselves.

Mr. VARDAMAN. Mr. President, would it annoy the Senator

for me to make another suggestion?

Mr. CUMMINS. It will not annoy me at all if the Senator will propound a question.

Mr. VARDAMAN. I want to say to the Senator—
Mr. CUMMINS. I think it would be unfair to the Senator
from Mississippi to have his address incorporated in mine.

Mr. VARDAMAN. I am always glad to be associated in any way with the Senator from Iowa.

Mr. CUMMINS. The Senator is very kind, and I yield to the suggestion of the junior Senator from Mississippi.

Mr. VARDAMAN. I thank the Senator. I wish to say to the Senator that in the discussion of this question I think we ought to be absolutely candid with each other. I think the time has come in dealing with this great problem when the Members of the United States Senate should speak candidly and should tear off the mask. I think the representatives from the South should tell those from the North, who know nothing about the question, the whole truth. The Senator from Iowa, in the very nature of things, can not understand this question as the Senators from Mississippi understand it, because in the entire State which the Senator has the honor in part to so ably represent upon this floor, there are fewer negroes than there are in the little city of Jackson, Miss.

In the distribution of this money whatever progress the negro farmer may make must be made under the direction, by the assistance, and through the counsel of the white man, because, I say to you-and I challenge any Senator upon this floor to question the accuracy of the statement-that the negro has never enjoyed any civilization except that which has been inculcated by the white man, and that civilization has lasted only so long as he was under the control and domination of the white man. When left absolutely to himself he has universally retrograded to the barbarism of the jungles. Take Haiti, for instance, where he has had control of the country for a hundred years, and where they have a revolution every year, where they worship the voodoo, and where cannibalism is common. Except in the seaports, which are dominated by the whites and mulattoes, there is no semblance of civil government upon that island to-day, which, when the negroes got control of it, was the gem of the Antilles.

In the distribution of this money the fact should not be overlooked that the South has a fearful burden to carry; it is a tremendous handicap; and while the white farmers and the white people of Mississippi and Georgia and Alabama and the Carolinas are doing everything they can to improve the moral and material interests of the negro, they have got to do it. You can not with any sort of prudence or any hope for good results leave the disbursement of this money, or any part thereof, in any other hands except those of the white people.

In my State 59 per cent of the population are black. There are counties in Mississippi where 95 out of every 100 of the population are as black as my coat. When the Senator understands that as we feel it and know it he will realize the necessity for giving to us whatever assistance there may be in this bill, in order to enable us to lead this benighted race, congenitally an inferior race, to higher and better endeavor.

Mr. CUMMINS. Mr. President, I assume that this appropriation must be expended by some government, either the government of the State or the Government of the United States. The Government of the United States is under the control of the white race, and I believe it to be true that the government of every State is under the control of the white race. I was minded to ask the junior Senator from Mississippi how much the State of Mississippi had expended, or is expending annually, in order to educate the negro farmer in the science of agri-

Mr. VARDAMAN. I shall be very glad to answer the Senator.

Mr. CUMMINS. I shall be glad to know. Mr. VARDAMAN. We are maintaining the We are maintaining there one of the bestequipped agricultural and mechanical colleges in America. We are giving to the negro not less than four months, and in some instances nine months, of common-school educational oppor-tunities; and I might say, for the benefit of the American people, that the white man is paying 90 per cent of the taxes that maintain this system.

Mr. CUMMINS. My question was, How much is the State of Mississippi annually expending for the education of the negro farmer in the science of agriculture, and how is it spent?

Mr. VARDAMAN. The negro farmer has the same opportunity that the white farmer has. The negro youth has the same opportunities in the agricultural and mechanical colleges

that are extended to white yout...s.

Mr. CUMMINS. We are discussing here farm-demonstration work, and we are intending to enlarge the field of that work. How many demonstrations have been made upon the farms of negroes in Mississippi during the last year?

Mr. VARDAMAN. I can not tell that exactly, but there have

been some. There are no negro demonstrators.

Mr. CUMMINS. I am not asking that; I say, upon the farms of negroes?

Mr. VARDAMAN. I can not tell how many there are on the places belonging to the white farmers either, but the negroes are given the same instruction, the same opportunities to learnwhich they do not embrace, of course—that the white people enjoy.

Mr. CUMMINS. That is, when a farm demonstration is going on in a community, all the people, whether they are white or black, come in to see what is being done and how it is being done? That is the way, I assume, that the work is carried on

there?

Mr. VARDAMAN. Yes; I think that is true.
Mr. CUMMINS. I infer, then, from what has been said by
the Senator from Mississippi, that there is no discrimination whatever between the white and the black with reference to the demonstration work?

Mr. VARDAMAN. Oh, I think that as a matter of fact 99 out of every 100 of the farms upon which the work is done are farms belonging to white farmers, because it is not very

safe to leave that work to be done by negroes.

Mr. CUMMINS. Precisely. Then does the Senator from Mississippi think that this large proportion of the appropriation which is to be expended in the South, as compared with that which is to be expended in the North, will be expended in fair proportion for the benefit and the instruction of the negro farmer?

Mr. VARDAMAN. Absolutely, as much as he will take; as much as he is capable of absorbing.

Mr. CUMMINS. I just asked the Senator from Mississippi, in these farm demonstrations that are being made upon the farms of white men-and that is natural-whether the negro renter, the negro farmer in the vicinity, is called in to see how

it is done and why it is done?

Mr. VARDAMAN. Why, certainly he is. If the Senator could understand the relationship between the white man and the negro of Mississippi, he would understand that it is cordial. The negro has his place. He does not vote. He has very little to do with the government of the country; but he has in the white man a cordial, well-wishing, helpful friend, who is glad to assist the negro in any way he can to make his land produce more, to enable him to make two blades of grass grow this year where one grew last year, to instruct him in the raising of stock. There is nothing in the world that affords the average southern white man more pleasure than rendering this kindly assistance to the negro.

Mr. CUMMINS. I think I understand that very well, and I have no doubt of the facts stated by the Senator from Mississippi; but it establishes just what I attempted to say, or at least what I have ventured to believe—that the real demonstration work in the South is intended to educate and instruct the white farmer, or the white owner of land, who then takes his renters or those who work his farm and gives them the benefit of the

instruction he has received in demonstration work.

That shows, as I think, the inequality and the injustice of the distribution, for we need that in the North just as much as you need it in the South. Whenever you turn every white farmer into an educator, as you are trying to do, and as we all ought to try to do, he then reaches, in his way and a great variety of

ways, those who actually till his soil.

Mr. VARDAMAN. The Senator overlooks the fact that many negroes in Mississippi own their own farms, and a great many of them are prosperous, and a great many of them are absorbing ideas from the white man. If the Senator understood the negro as I do, he would understand that he is essentially an imitator. He is devoid of the initiative. He has no power of origination. He is a follower. He is controlled by his passions and his appetite and is utterly incapable of that pertinacity of purpose

which is so essential to progress and permanent betterment.

Mr. CUMMINS. The Senator from Mississippi is simply proving my case as rapidly as he can. That is just what I have been asserting; that you intend to take this appropriation and put it into the hands of your schools, which are, of course, con-

trolled by the dominant race, and these schools will teach the men who are best adapted to take the instruction, and from them the information will go out to the negro farmers respect-ing the best way in which to cultivate the tracts of land which have been allotted to them, either through leases or some form of sale.

If that be true, Senators-and I am now appealing to the sense of equity which I know is uppermost and dominant in the minds of Senators, both on that side of the Chamber and on this—why should Georgia, with a vastly less population than Iowa of farmers owning the soil, and who are expected to receive the instruction directly and disseminate it, have 1.06 per cent more of the appropriation than we are to receive?

My complaint is not with regard to the conditions in the South. I know how difficult, how insoluble the problem is. have never yet heard a philosopher, no matter how impartial, present an answer to that great racial question. I do not know whether it can ever be answered; at least, I have never heard an answer that satisfied my mind.

Mr. VARDAMAN rose.

Mr. CUMMINS. Does the Senator from Mississippi desire

me to yield again?

If the Senator desires me to answer the VARDAMAN. question why Georgia should have the assistance that this bill I will say that Georgia has over a million negroes. I hope the Senator will realize that fact.

Mr. CUMMINS. I realize that.

Mr. VARDAMAN. She has that burden to carry. She has that incubus upon her material progress

Mr. CUMMINS. Of course, it is a burden to carry.

Mr. VARDAMAN. It is the purpose of this bill, as I understand, to assist the individual and so to educate and develop him that he may be able to find in the soil all of its latent and undeveloped riches.

Mr. CUMMINS. I understand that perfectly.

Mr. VARDAMAN. With this great load which Georgia is carrying, I can understand why she should have this advantage over Iowa, whose population is made up of a pure-blooded Tenton or Anglo-Saxon race, the greatest race of people on earth, and the only race of people who are capable of understanding the

genius of American institutions.

Mr. CUMMINS. I appreciate the compliment bestowed upon my State, and I think it is deserved; but I decline to be led away from the inquiry we are pursuing. After all, this bill is not to relieve Georgia of a burden which circumstances have put upon her. This bill is not to help Mississippi to carry a lead which time and evolution and war and all the strifes of humanity have created for her. That is not the purpose of the bill. The purpose of the bill is so to distribute the money we are willing to give as to increase most greatly the product of the soil. The junior Senator from Mississippi is insisting that, in fact, it ought to be distributed according to the rural population, because both Iowa and Georgia are largely populated by men and women who fall within the class named in the bill. I have been attempting to show that that is a false basis, for the very reason that the people of Georgia intend to take the money and have it used by the white people, and the instruction or benefit which the colored people will receive from it will be derived from the knowledge gained by the dominant race. There is no question about that. Then why should the vast colored population be reckoned for the purposes of this distribution and not reckoned for any other purpose in our system of government?

Mr. VARDAMAN. If it will not interrupt the Senator, I should like to make another suggestion. Has the Senator any doubt that a great truth can not be developed in the cultivation of the soil of Georgia and a method discovered by which those lands will produce more than they are now producing without benefiting every citizen within the confines of the Com-

monwealth?

Mr. CUMMINS. I have no doubt of that.

Mr. VARDAMAN: Then, if the Senator admits that, in connection with the fact that the white man is bearing the burdens of the colored man; that the white man is leading the colored man out of the darkness; that the white man is civilizing and improving the colored man, does he not think, in the name of God, that the white man ought to have all the assistance a law of this kind can give him in the solution of that great problem?

Mr. CUMMINS. When it comes to determining whether the General Government should make an appropriation to aid certain States in civilizing or educating a certain class of their people, I shall not be found wanting in generosity or liberality; but that is not the question I am discussing. I have no doubt that the soil of Georgia is capable of producing more than it does produce. I have no doubt that the developments of science will multiply twofold, threefold, fourfold the products of Georgia; nor have I any doubt that the same science will multiply twofold. These are separate and distinct problems, and the point under it all is this: A certain number of people are interested in

tiply twofold, threefold, fourfold the products of my own State. We reckon it to be a large average if our cornfields produce 40 bushels of corn per acre. Indeed, that is a miximum average, taking the years in the past, rather than a fair average. I have no doubt that when the science of agriculture is mastered by the farmers of our State, and when these principles are honestly and diligently applied, Iowa will produce 80 or 100 bushels of corn for every acre that she plants in that crop; and therefore we need the aid just as much as do the people of Georgia.

Mr. WILLIAMS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I do. Mr. WILLIAMS. I wi I wish to make just one suggestion to the Senator. He seems to have the idea that the darky in Mississippl or Georgia would acquire benefit from the operation of this bill solely by a process of infiltration. I desire to disabuse his mind of that impression by calling his attention to what would be the actual fact.

Even if this demonstration work were done upon the land owned by a white man, in nine cases out of ten the actual labor would be done by the black man. He would be brought into direct, not indirect, connection with this work. It would affect him more directly, in proportion to his intelligence, of course, than it would the white man who owned the place. It would be under the direction of the demonstrator that the black man would do the plowing and whatever else was to be done, the fertilizing, and everything else; so it would be an actual object lesson of which he would be a part, and magna pars at that. Therefore the Senator is mistaken in thinking that whatever benefit came to the black man from this bill would be indirect.

It would be direct.

Mr. CUMMINS. I should like to ask the senior Senator from Mississippi a question. The average number of acres in an improved farm in Mississippi is 32.8. The average size in my own State, as has been said so often, is 135 acres. We will say, then, taking the same area, that there are four farms in Missis-

sippi to one in Iowa.

Mr. WILLIAMS. Giving a different definition in the two
States to the word "farm," of course, owing to the difference of conditions

Mr. CUMMINS. Oh, certainly. The reason that the rural population is taken as a standard must be, then, because upon 135 acres in Mississippi there are four times as many people living as there are upon that number of acres in Iowa.

Does the Senator from Mississippi believe that the fact that

in his State there are four times as many people living upon 135 acres as there are in Iowa entitles Mississippi to four times as much aid from the General Government as is given to Iowa when the object is to make each one of those acres as productive as possible?

Mr. WILLIAMS. I think the problem is one of both acreage and population, as far as that is concerned, when you come to

the operation and the effect of it.

The Senator has cited the fact that the farm in Mississippi is very much smaller than in Iowa. As a matter of fact, of course, what you are in the habit of calling a farm-not in the census sense-in Mississippi is from three to four or five times as large as in Iowa. There would be upon one man's plantation 50, 60, or 70 farms; very frequently 10, 20, or 30. Each one of these men is raising a totally different crop from yours, and that is the reason why the farm of the tenant farmer-the share farmer-is smaller.

You can take machinery and raise wheat, and one man can cultivate I do not know how many acres. In corn one man will cultivate 75 acres or so, I am told, with machinery. A totally different growth prevails in your country. You may go over a Mississippi field to-day with one of your machines and clean it thoroughly of all the weeds upon it, and if it rains as soon as you are through you can go back day after to-morrow and start over afresh. That does not take place in Iowa.

Mr. CUMMINS. The Senator is right.

Mr. WILLIAMS. Then, when you come to raising cotton, there is practically no machinery that has been adapted to it, for the simple reason that there is no particular use in adapting it to the cultivation, because with the present methods one man can raise more cotton than he and his family can pick, and as a consequence he must hire somebody to help him pick it. Therefore there never will be any great application of machinery to cotton planting until a machine to pick cotton is invented. As soon as a machine to pick cotton is invented, if it ever is, it will be followed by the application of very much of the machinery already existing to the cultivation and planting

agriculture, and the Government and the people of the United States are interested in making those agricultural producers better producers. Therefore the main thing to be considered is the man who is doing the producing. It is a matter of in-struction by demonstration. If you had two schools, one with a thousand pupils and one with five hundred, I take it for granted that you would want to devote more money to educating the thousand than to educating the five hundred.

The Senator can turn it around as he pleases, and in as many different ways as he pleases, and he is doing it with perfect intellectual honesty; but when he gets through with it all he comes back to the fact that instruction requires an instructor and a man to be instructed, and the chief thing to be considered is the man to be instructed. Therefore the population to receive instruction is the best basis, although no basis can be

Mr. CUMMINS. The Senator from Mississippi has stated the question with entire fairness. I agree to every word he has said. The question is, though, Who is to receive the instruc-I agree to every word he

This is not for the purpose of teaching a man how to handle a hoe. It is not for the purpose of teaching a man how to handle a plow. It is for the purpose of teaching the responsible man, whoever he may be, who controls these acres, how to select his seed, when to plant his seed, how to cultivate the ground, and when and how to harvest whatever shall be produced.

Mr. WILLIAMS. And when and how to fertilize it. Mr. CUMMINS. It is a false conception to think of the whole population that may be upon the soil as receiving this instruction. We shall not be able to make all of the workers upon farms scientists in agriculture, and it is for that reason that I am protesting against the unfairness of this distribution.

Take 135 acres in Mississippi or in Georgia, and I venture to say that instruction to fewer men will be required in order that the land may yield its full harvest than for a similar number of acres in Iowa or Minnesota. If it were intended that each worker who contributes his labor to the farming pursuit should receive this instruction, then there would be much to be said in favor of this basis. That is not the purpose, however. It is utterly impossible to accomplish any such purpose, and if it were intended to devote enough money to this purpose to educate every man in the country in the science of agriculture I for one could hardly favor the proposition.

A man works upon a farm. He may be a worker there this

month; he may be a worker in the city next month; he may be a worker in a dozen avocations within the course of the year. However valuable it would be to the country to educate every man, no matter what his avocation is or how various his employments may be, to the highest point he is competent to reach, that is not the purpose of this bill.

I again say that it seems to me the very argument made by the senior Senator from Mississippi adds to the strength of the amendment I have proposed.

Mr. SMOOT. Before the Senator concludes I should like to ask him a question, with his permission.

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SMOOT. Mr. President, take the percentages of the mountain States. They would be allowed 64 per cent on the basis of the rural population of the United States. On the basis of the improved land in farms, according to the amendment offered by the Senator, the allotment of the mountain States would be only 10.8 per cent.

In other words, if the money should be distributed under the Senator's amendment, the mountain States would be penalized for all of the mountains that are within those States; the allotment would not be based upon the rural population or the population that is engaged in agricultural work; and it certainly would work very great hardship to all of the mountain

Mr. CUMMINS. Montana is the first one. I desire to be entirely fair, and I desire now to take up the mountain States. Under the plan of the bill Montana will receive forty-nine onehundredths of 1 per cent of the appropriation. Under the plan I have proposed Montana will receive seventy-six one-hundredths of 1 per cent, nearly double the amount provided in the bill.

The next State is Idaho. Idaho will receive under the plan proposed by the bill fifty-two one-hundredths of 1 per cent. Under the plan of my amendment Idaho will receive fifty-eight one-hundredths of 1 per cent, an increase of six one-hundredths of 1 per cent.

Wyoming under the plan of the bill will receive twenty-one one-hundredths of 1 per cent. Under the plan of the amendment she will receive twenty-six one-hundredths of 1 per cent, an increase of five one-hundredths of 1 per cent.

Colorado under the plan of the bill will receive eighty onehundredths of 1 per cent. Under my amendment she will receive ninety one-hundredths of 1 per cent.

Under the plan of the bill New Mexico will receive fifty-seven one-hundredths of 1 per cent and under the plan of my amendment thirty-one one-hundredths of 1 per cent, the first State to receive less under my amendment than under the bill.

Arizona, under the plan of the bill, receives twenty-nine one-hundredths of 1 per cent. Under the basis of acres in improved land Arizona receives but seven one-hundredths of 1 per cent.

Utah, under the plan of the bill, will receive forty-one onehundredths of 1 per cent. Under my amendment she will receive twenty-nine one-hundredths of 1 per cent.

Nevada under the bill will receive fourteen one-hundredths of per cent and under the amendment sixteen one-hundredths of

per cent. The Mountain States, in other words, will receive more under my amendment than under the bill.

Mr. SMOOT. Mr. President—
The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I yield. Mr. SMOOT. The figures of the Senator may be right, but they are not in conformity with those that were handed to me, taken from the census. Before I say anything more about it I shall check them up and then call the Senator's attention to them if I find them wrong. The percentages that I spoke of were of the whole of the States and not of any particular State; but, of course, if the percentages which the Senator has just read are right the percentages here do not conform to them.

Mr. CUMMINS. Mr. President, one further suggestion and I shall bring my address to a close. As is well known, the Department of Agriculture has been doing a great deal of work in farm demonstration in the last few years under an appropria-tion made in the ordinary agricultural appropriation bill. Those who are familiar with the matter understand that a very large percentage of the money so appropriated and expended by the Department of Agriculture has been expended in the South. I do not know just what the percentage is, but the Senator from Georgia will correct me if I am wrong.

Mr. SMITH of Georgia. I was trying to hear the Senator. Mr. CUMMINS. I have said that a very large part of the appropriation annually made for the Department of Agriculture for the purposes of farm demonstration was used in the South; I think somewhere between 80 and 90 per cent. I have no complaint of that. I think there was a good reason for so dis-tributing the money. I assume, and I think the Senator from Georgia also understood, that this bill was to take the place of the former arrangement with regard to farm-demonstration work, and that we would no longer continue the appropriations under which the Secretary of Agriculture had been proceeding. That, I am sure, was the understanding of the Department of Agriculture. That would have been the effect of the bill introduced by the Senator from Georgia.

But during the passage of the bill through the House the Department of Agriculture presented an amendment, so I am informed, which I now read. I do not mean that the department formally presented it, but it was instrumental in presenting an amendment to the bill on its passage through the House. That amendment was:

That pending the inauguration and development of the cooperative extension work herein authorized nothing in this act shall be construed to interfere with either the farm-management work or the farmers' cooperative demonstration work now conducted by the Bureau of Plant Industry of the Department of Agriculture.

There could have been no objection to that. It simply provided for a period of transition, a period of organization, a period of preparation. But the House, in the bill before us, accepted a part of that amendment and declined a part. It eliminated the words "pending the inauguration and development of the cooperative extension work herein authorized and adopted this amendment:

Provided, That nothing in this act shall be construed to interfere with either the farm-management work or the farmers' cooperative demonstration work now conducted by the Bureau of Plant Industry of the Department of Agriculture.

So we are not only distributing, as I believe, an unfair proportion of this money in the Southern States, but we are continuing the work already organized, and which was very properly done largely in the South, whereas I am sure that it was the intention of the Senator from Georgia that the work I have last mentioned should continue only long enough to put the plan we are now establishing in full and complete operation.

Mr. SMITH of Georgia. Mr. President—
The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS, I yield.

Mr. SMITH of Georgia. I wish to say that the Senator is right, in my view of the original bill and in my view clearly as to how the bill will finally work out. I understood that the suggestion was made to gentlemen on the other side of the Capitol that they might desire to continue some of that work at some time in the Agriculture appropriation bill, and if the language used in the bill as introduced was adopted, it would be necessary to repeal it or else a restriction would be put upon the Agricultural Committees and the department in doing any work of that character. However, I think we all still agree that, generally speaking, the purpose is to absorb the

Now, just one word more. I think it is true that more of the past demonstration work has been done in the South than anywhere else, because it really originated there. It originated by Dr. Knapp's experiments in Texas in an effort to fight the boll more. weevil. But I think it has been rapidly spreading from the South to other sections. I do not think anything like the same proportion as that which the Senator mentioned is still being spent in the South. I think the policy of the department for the past two or three years has been to carry it into any State where there was a desire to have it used. It has in the past been controlled in its distribution by a Secretary of Agriculture from Iowa, a very great Secretary, too, I think, and certainly there was not any effort sectionally to absorb it.

Mr. CUMMINS. I know that it was done with a sense of equity and fairness by the Secretary of Agriculture. I have no criticism for it. I believe it was well done. I absolve every Representative from the South of any purpose to secure in that work or in this appropriation an undue advantage. But, Mr. President, it is unfair to continue the work as it has been originated. If the appropriation we are about to make is to be made, I intend at the proper time to move to strike from the bill the words I have read and which were engrafted on the bill in the House.

Mr. President, it is of vastly less importance to the people of this country that appropriations be fairly distributed so far as the money itself is concerned than it is to preserve in the minds of all the citizens of the United States an abiding sense that the Congress of the United States intends to deal fairly with all the people for whom it makes laws. There is nothing so disintegrating, there is nothing that so tends to draw the people of the country apart, nothing that so effectually sows in their hearts the seeds of discontent, there is nothing that so shatters the confidence that citizens should hold in their Government as the suspicion, the belief of discrimination, the conviction of

We have already experienced it once. I do not intend to debate the tariff bill, but I repeat here what I said when the tariff bill was under discussion. It is a bill which does discriminate in favor of the East and against the West. It is a bill which does not afford to people of my part of the country the same protection it confers upon the people of another part of the country. It is not sectional in the sense that it favors the South as against the North. It is sectional in the sense that it favors the East and the manufacturer against the West and the farmer. That, however, is water which has gone over the wheel and it can not, at this time at least, be recalled.

But let us avoid introducing a like injustice in the bill now before us. Let us attempt to divide this appropriation in a manner that will appeal to the general equitable sense of the people. None of the people want an advantage, either South or North, either East or West. We will not be faithful to them if we give to any part of the country an advantage over any other we give to any part of the country an actual age or any part. I say again that this standard was not brought forward by the Senator from Georgia, and I do not believe that his committee is originally responsible for it. I know something of the origin of the bill. I know that it was proposed—I think somewhat impulsively proposed without due reflection—by men who have but one object in view, namely, the promotion of the agricultural interests of the United States. I do not think it has ever before received great consideration. That is the reason why I have felt impelled and felt warranted in opening it up in this rather elaborate way, so that we can now without bias, without prejudice, without any sectional feeling, reach a conclusion that will satisfy the highest conscience of the whole people.

Mr. SMITH of Georgia. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa

yield to the Senator from Georgia?

Mr. CUMMINS. I yield.

Mr. SMITH of Georgia. I wish to call the Senator's attention, before he takes his seat, to some of the figures that he that I am not able to verify, and therefore I wanted to hear from the Senator about them. I refer to the comparison of agricultural products between Iowa and Georgia, in which he gave Iowa credit for \$789,000,000, according to the last census, when I find that all the crops of Iowa for that year are

given by the census at \$314,000,000.

Mr. CUMMINS. Mr. President, I have not limited the agricultural products to crop product, neither in the case of Iowa nor in tlo case of Georgia. There are included within these items all the products that are ordinarily known as agricultural products. They include, of course, cattle; they include swine; they include sheep; they include all the things that a farmer produces

Mr. SMITH of Georgia. Mr. President—
The PRESIDING OFFICER. Does the Senator from Iowa yield further to the Senator from Georgia?

Mr. CUMMINS. I yield.

Mr. SMITH of Georgia. I ask leave to suggest, further, to the Senator that, having added up the entire list, embracing all that he has mentioned. I do not make it as much as the sum he gave. I wish also to suggest to him whether he thinks it exactly just to count the animals and also to count the corn that was fed into the animals? Is not that a double claim of production?

Mr. CUMMINS. No, Mr. President; I do not think it is; but I will say with regard to these figures that they were prepared for me by a statistician and used by me in an address that I made during the course of the debate upon the tariff bill. are the same statistics that I used at that time, in so far as the agricultural products of the various States are concerned. I have had no reason to doubt their correctness, although I do not pretend to have gone over them item by item and verified them myself.

Mr. SMITH of Georgia. Then I desire to ask the Senator here also this question: Was there a deduction made in the estimate of the animal products of Iowa for the number of animals brought into Iowa from other sections before they were sold in Iowa, having been brought there to be fed with Iowa's splendid corn?

Mr. CUMMINS. I can not answer the Senator from Georgia definitely, because I simply gave a direction to a statistician, who was formerly, if not then, in the employ of the Census Bureau, to ascertain for me from the census reports the value of the agricultural products of all the States in the Union, and he prepared for me the list or table which I used during the tariff debate. I am not able to say just what items were included in his general results. I assume that he did his work properly and faithfully, and, having used it in the tariff debate and no one having questioned its correctness, I thought the table was probably authentic and right.

Mr. SMITH of Georgia. There is one more question I should like to ask the Senator from Iowa.

The PRESIDING OFFICER. Does the Senator from Iowa yield further to the Senator from Georgia?

Mr. CUMMINS. I yield further. Mr. SMITH of Georgia. Under the plan the Senator suggests is it not true that 83 per cent of Iowa's land classed as improved agricultural lands would form the basis of distribution to Iowa, while the average percentage throughout the United States of improved agricultural land is only 25 per cent, and is it not also true that the Senator's plan would increase the percentage as to 12 States and reduce it for practically all the balance?

I have not undertaken to determine how. Mr. CUMMINS. many States would be increased and how many diminished. I have undertaken to find what I believed was an equitable standard. I believe that Iowa has 83 per cent of all her land under cultivation, and if Iowa is to contribute to the people of this country her products raised upon those acres, and if it is necessary that they shall be made more productive, then she is entitled to that proportion which her acres which she puts to the service of the people bear to all the acres that are used

Mr. SMITH of Georgia. What I was undertaking to suggest to the Senator was that the figures of Iowa's real production were about \$250,000,000 in excess of what I thought was a proper calculation.

Mr. CUMMINS. I do not think so, Mr. President, but I value any suggestion of the Senator from Georgia, and I will undertake to analyze before the bill is put on its passage the statistics relating to Georgia and Iowa, and if I find that the statistician I employed introduced factors that ought not to be introduced, I shall be very glad to make it known to the Senate, whether it affects Iowa disadvantageously or whether it affects Georgia

disadvantageously.

Mr. SMITH of Georgia. No class of figures can fail to give Iowa a splendid position among the agricultural States of this country. I do not want it to be understood that I do not recog-

Mr. CUMMINS. I am sure of that.

Mr. President, I have now concluded what I desired to say upon this amendment; but before I close I ask unanimous consent to have printed as a part of my remarks the various tables which I have used and to which I have so constantly referred during the course of my observations.

The PRESIDING OFFICER. Is there objection to the request

of the Senator from Iowa?

Mr. CUMMINS. They are several in number, but I assume I need not describe them in order that they may be identified.

The PRESIDING OFFICER. There being no objection, the

request is granted.

Total of both groups

The matter referred to is as follows:	
Total vote cast in presidential election of 1912.	
Alabama	117, 879
Arkansas	124, 029
Florida	50, 817
Georgia	121, 524
Kentucky	453, 698
Louisiana	
Mississippi	
North Carolina	
South Carolina	
Tennessee	
Texas	001 000
Virginia	
[
Total	1, 995, 316
Illinois	The second secon
Indiana	654, 473
Iowa	492, 356
Kansas	365, 444
Michigan	551, 016
Minnesota	334, 219
Missouri	744, 962
Nebraska	249, 871
New York	1, 587, 983
Ohio	1, 103, 557
North Dakota	86, 580
Wisconsin	399, 972
Wisconsin	000,012
Total	7, 716, 606

States.	Per cent under proposed plan.	Per cent under plan of Cum- mins amend- ment.	Value of agriculture products, 1910 census.
Illinois Indiana Iowa Kansas Michigan Minnesota Missouri Nebraska New York Ohio North Dakota Wisconsin	4.38 3.16 3.13 2.43 3.01 2.48 3.84 1.79 3.91 4.26 1.03 2.69	5. 86 3. 54 6. 16 6. 25 2. 68 4. 11 5. 14 5. 10 3. 10 4. 02 4. 28 2. 49	\$786, 157, 142 449, 517, 639 789, 642, 784 532, 667, 826 373, 214, 810 420, 808, 700 591, 994, 522 466, 865, 189 551, 311, 116 529, 935, 941 311, 270, 882 381, 806, 062
Total	36.11	52.73	6, 184, 292, 673
Alabama Arkansas Florida Georgia Kentucky Louisiana Mississippi North Carolina South Carolina Tennessee Texas Virginia	4.19 3.51 3.22	2.03 1.69 .38 2.57 3.00 1.10 1.88 1.84 1.27 2.28 5.72 2.06	243, \$37, 496 223, 593, 243 65, 375, 202 344, 006, 114 304, 631, 712 141, 638, 829 255, 270, 338 241, 882, 595 205, 364, 768 278, 841, 030 714, 538, 096 217, 419, 390

Table for agricultural-extension appropriation.

Mr. CUMMINS. Value of all agricultural products in the United States in 1910 census was \$12,337,644,446, of which amount the agricultural products in the first 12 States enumer-7,716,606 ated above constitute 50.12 per cent, while the value of agricultural products in the last 12 constitutes but 26.25 per cent.

Farm land and farm property—Averages per farm, by divisions and States, 1910 and 1900.

	Average acres per farm.				Average value per farm.									
Division or State.	All farm land.		Improved land.		All farm property.		Land.		Buildings.		Implements and machinery.		Live stock.	
	1910	1900	1910	1900	1910	1900	1910	1900	1910	1900	1910	1900	1910	1900
United States	138.1	146.2	75.2	72.2	\$6,444	\$3,563	\$4,476	\$2,276	\$994	\$620	\$199	\$131	\$774	\$536
Geographic divisions:			00.4	10.1	4 500	2 222	0.001	1 477	1 700	1 070	000	100	***	
New England	104.4	107.1	38.4	42.4	4,593	3,333	2,024	1,477	1,782	1,276	269	190	519	390
Middle Atlantie	92.2	92.4	62.6	63.4	6,319	4,759 5,004	3, 122 6, 437	2,512 3,498	2,094 1,462	1,501 827	358 239	239 147	745	506
East North Central	105.0 209.6	102.4 189.5	79.2	76.3 127.9	12, 195	5,488	9,057	3,670	1,407	715	332	186	869 1,398	532
West North Central	93.3	108.4	148.0 43.6	47.9	2,654	1,511	1.694	935	542	319	88	55	330	917 202
South Atlantic	78.2	89.9	42.2	44.5	2,094	1,324	1,273	784	394	250	72	54	354	202
East South Central	179.3	233.8	61.8	52.7	4,069	2,146	2,880	1,264	437	245	127	103	625	534
West South Central	324.5	457.9	86.8	82.9	9,581	5,934	6, 402	2,803	791	538	269	186	2, 119	2,406
Mountain	270.3	334. 8	116.1	132.5	14,643	7,864	11,829	5,953	1,221	798	350	241	1,242	871
Pacific	210.0	001.0	220.2	10210		9,000	Charles Control	2/2001	ALC: CARE	III Desc	-	- Alich	-,-,-	011
New England.	104.9	106.2	39.3	40.3	3,320	2,064	1,441	832	1,219	795	241	148	419	289
Maine	120, 1	123, 1	34.3	36.7	3,833	2,927	1,646	1,211	1,530	1,181	217	176	• 440	360
Vermont	142.6	142.7	50.0	64.2	4, 445	3,276	1,785	1,384	1,657	1,125	311	228	692	539
Massachusetts	77.9	83.4	31.5	34.3	6, 135	4,843	2,859	2,305	2,401	1,885	313	234	562	419
Rhode Island.	83.8	82.9	33.7	34.1	6,234	4,909	2,836	2,441	2,442	1,765	337	231	61,0	472
Connecticut	81.5	85.8	36.9	39.5	5,944	4,205	2,693	1,946	2,466	1,669	258	184	528	406
Middle Atlantic:			-	The state of	· name	and bree	a decrease of			The same of				
New York	102.2	99.9	68.8	68.8	6,732	4,718	3,283	2,431	2,212	1,486	388	247	849	554
New Jersey	76.9	82.0	53.9	57.1	7,610	5,470	3,707	2,694	2,777	1,998	391	269	734	508
Pennsylvania	84.8	86.4	57.8	58.9	5,715	4,690	2,875	2,566	1,873	1,440	323	227	645	457
Fast North Central:	2.3	1 1200	1202	-				0.000		ma	*00	****		17.50
Ohio	88.6	88.5	70.7	69.5			4,727	2,953 3,099	1,354	793 694	188 190	132 123	725	450
Indiana	98.8	97.4	78.6	75.2	8,396 15,505	4,410 7,588	6,164	5,732	1,235 1,717	952	293	170	1,226	494
Illinois	129.1	124.2	111.4	104.9	5, 261	3,396	2,973	2,084	1,381	782	241	142	666	734
Michigan	91.5	86.4	62.0	58.0 66.2	7,978	4,781	5,148	3, 125	1,636	916	299	172	895	389 567
Wisconsin	118.9	117.0	01.2	00.2	1,010	4,101	0,140	0,120	2,000	010	200	112	000	304
West North Central:	177.3	169.7	125.8	119. 2	9, 456	5.100	6.527	3,616	1,558	713	335	195	1.035	576
Minnesota	156.3	151. 2		130.8	17, 259	8,023	12,910	5,497	2,098	1,053	440	253	1,811	1, 220
Iowa	124.8	119.3	88.7	80.4	7,405	3,626	5, 216	2,441	975	521	183	100	1.031	564
North Dakota	382.3	342.9	275.1	212.8	13,109	5, 631	9,822	3,824	1.241	561	590	310	1,456	936
South Dakota.		362.4	203.8	214.5	15,018	5,654	11,625	3,596	1,320	588	435	232	1,639	1,239
Nebraska	297.8	246.1	188.0	151.7	16,038	6, 155	12,450	4,004	1,533	749	341	205	1,714	1,196
Kansas		240, 7	168. 2	144.7	11, 467	4,992	8,648	3,074	1,122	644	272	170	1,426	1,103
South Atlantie:	5000													
Delaware	95.9	110, 1	65.8	77.8	5,830	4, 201	3,224	2,454	1,681	1,101	296	222	629	424
Maryland		112, 4	68.6	76.4	5,849	4,448	3,341	2,616	1,600	1,191	242	187	666	454
District of Columbia.		31.6	23.7	22.1	39,062	42,882	33, 152	36,060	4,781	5,850	426	506	704	466
Virginia		118.6	53.6	60.1	3,397	1,927	2,145	1,195	747	423	98	59	407	250
West Virginia		114.7	57.1	59.2	3, 255	2,196	2,142	1,446	593	366	73	54	448	329
North Carolina	88.4	101.3	34.7	37.1	2,119	1,041	1,352	632	447	235	73	40	247	134
South Carolina	76.6	90.0		37.2	2, 223	989	1,523	642	363	174	80	43	256	130
Georgia	92. 6	117.5		47.2	1,995	1,016	1,273	616	374	200	72 89	44	276	157
Florida	105.0	106.9	36.1	37.0	2,863	1,321	1,874	755	488	244	89	48	412	219
East South Central:	20-0				0.000	0.000	1 000	1 041	con	907	80	65	453	314
Kentucky	85.6	93. 7	55.4	58.6	2,986	2,007	1,869	1,241	583 444	387 281	87	68	450	271
Tennessee	81.5	90.6		45.6	2,490	1,519	1,510	449	271	154	62	39	250	162
Alabama		92.7	36.9	38.8	1,408 1,554	925	926	520	292	168	62	44	274	193
Mississippi	67.6	82,6	32.8	. 01. 1	1 4,001	1 020	1 720	020	200	100	1 00			1 200

	1						, 0,110	Dearca	1910 and 190						
		Ave	erage a	cres per far	m.				Ave	erage val	ue per fa	arm.			
Division or State,	A	ll farn	n land.	Improve	d land.	All farr		>-	Land.	Build	lings.	Imple and ma			stock.
	1	910	1900	1910	1900	1910	1900	19	10 1900	1910	1900	1910	190	00 1910	1900
est South Central; Arkansas		81.1	93.	1 37.6	38, 9	\$1,864	\$1,0	15 \$1,	146 \$588	\$294	\$168	\$79		\$49 \$345	\$210
Louisiana Oklahoma Texas		86. 6 51. 7 69. 1	95. 4 1 212. 9 357. 3	4 43.8 9 92.3	40. 2 1 79. 4 55. 6	2,499 4,828 5,311	1,7 12,5 2,7	12 1,	558 929 413 11,383 909 1,680	413 471 503	288 1 198 285	157 142 136	i	246 371 97 801 85 763	249 1891 683
fountain: Montana		16.7	885.	9 138, 9	129. 9 80. 9	13, 269	8,8		651 3,939	948	700	402	1	275 3,268	3, 901 1, 240
Idaho		71. 5 77. 6 93. 1	183. 4 1, 333. 0 383. 6	0 114.3 93.2	130. 0 92. 1	9,911 15,217 10,645	3, 8, 11, 0 6, 5	71 8,0	092 3,845 858 3,658	815 820 990	391 579 648	340 334 277	1	188 1,616 224 5,971 192 1,520	6,423 2,022
Wyoming Colorado. New Mexico Arizona Utah. Nevada		15. 9 35. 1 56. 7	416. 8 333. 2 212. 4	2 38.0 4 €3.1	26, 6 43, 8 53, 2	4,469 8,142 6,957	4, 30 5, 10 3, 8	78 4,	770 1,407 590 1,965 590 2,070	365 535 833	290 390 549	116 194 206	1	93 1,219 132 2,823 151 1,328	2,577 2,676 1,108
Washington	2	08.4	1, 174. 7 256. 0		262, 3 104, 4	22,462 11,346	13, 13	38 9.5		1,611	1,071	586 297		107 7,145 189 870	5,572
Oregon California	3	56. 8 16. 7	281, 0 397, 4	93.9	92. 9 164. 9	11,609 18,308	4, 82	21 9,0	048 3,157	964 1,513	536 1,068	290 414	1	182 1,307 194 1,447	946
	Total po	pulati	on,	Rural popu	ılation,	All far	ms, A	pr. 15,	Total lane (acres), A			nd in far		Improved farms (acre	land in
Division or State.	Apr. 1	5, 1910).	Apr. 15,	1910.		1910.		1910.	pr. 10,	(acres	1910.	,	15, 19	10.
	Number	. cer	Per nt of otal.	Number.	Per cent of total.	Numb	er.	Per cent of total.	Number.	Per cent of total.	Numb	er. cen	er t of	Number.	Per cent of total.
United States	91, 972, 20			49, 348, 883		6,361	502		1,903,289,600		878, 978,			178, 451, 750	100,00
Geographic divisions: New England Middle Atlantic	6, 552, 68 19, 315, 89	1		1,097,336 5,592,519		468	802 379	2.97 7.36	39, 664, 640 64, 000, 000	2. 08 3. 36	19, 714, 43, 191,	931 2 056 4	. 24	7, 254, 904 29, 320, 894	1. 52 6. 13
East North Central	18, 250, 62 11, 637, 92 12, 194, 89	1		8, 633, 350 7, 764, 205 9, 102, 742		1,123 1,109	,489 ,948 ,881	17. 66 17. 45	157, 160, 960 326, 914, 560 172, 205, 440	8, 26 17, 18	117, 929, 232, 648, 103, 782,	148 13 121 26	. 42	88, 947, 228 164, 284, 862 48, 479, 733	18, 59 34, 34
East South Central	8, 409, 90 8, 784, 53	1		6, 835, 672 6, 827, 078		1,042	,480	16, 39	114, 885, 760 275, 037, 440 549, 840, 000	6.04	81, 520, 169, 149,	029 9 976 19	. 28	43,946,846 58,264,273	10.13 9.19 12.18
Mountain	2, €33, 5; 4, 192, 3€	4		1,686,006 1,809,975		189	, 446 , 891	2. 98	203, 580, 800	28. 89 10. 70	59, 533, 51, 328,	789	5. 84	15, 915, 002 22, 038, 008	3. 33 4. 61
Maine New Hampshire. Vermont Massachusetts. Rhode Island	742, 37 430, 57 355, 98	2		360, 928 175, 473 187, 013		27	,016 ,053 ,709	0. 94 0. 43 0. 51	19, 132, 800 5, 779, 840 5, 839, 360	1.01 0.30 0.31	6, 296, 3, 249, 4, 663,	458 0	0.72 0.37 0.53	2,360,657 929,185 1,633,965	0.49 0.19 0.34
Massachusetts	3, 366, 41	6		241,049		36	917 292 815	0.58 0.08 0.42	5,144,960 682,880 3,084,800	0. 27 0. 04 0. 16	2,875, 443, 2,185,	941 0	. 33	1,184,501 178,344	0. 24 0. 04
Connecticut	9, 113, 6	4		1,928,120		215	,597	3.39	30, 498, 560	1.60	22, 030.	367 2	. 51	988, 252 14, 844, 039	0. 21 3. 10
New Jersey Pennsylvania	2,537,10 7,665,1			629, 957 3, 034, 442		219	, 487	0. 53 3. 45	4, 808, 960 28, 692, 480	0. 25 1. 51	2,573, 18,586,	832 2	29	1,803,336 12,673,519	0.38 2.65
Ohio,	4,767,13 2,700,8 5,638,56	6		2,101,978 1,557,041 2,161,662		251	,045 ,485 ,872	4. 28 3. 39 3. 96	26,073,600 23,068,800 35,867,520	1.37 1.21 1.88	24, 105, 21, 209, 32, 522,	823 2	. 74 . 42 . 70	19, 227, 969 16, 931, 252 28, 048, 323	4. 02 3. 54 5. 86
Michigan	2, 810, 1 2, 333, 8	3		1,483,129 1,329,540		206	,960 ,127	3. 25 2. 78	36, 787, 200 35, 363, 840	1. 93 1. 86	18, 940, 21, 060,	614 2		12,832,078 11,907,606	2. 68 2. 49
Minnesota	2, 075, 76 2, 221, 7 3, 293, 3	08	2. 42	1, 225, 414 1, 544, 717 1, 894, 518	3. 13	217	, 137	2.45 3.41 4.36	51, 749, 120 35, 575, 040 43, 985, 280	2.72 1.87	27, 675, 33, 930,	688 3	. 15	19, 643, 533 29, 491, 199	4.11 6.16
Missouri. North Dakota. South Dakota.	577, 0 583, 8	88		513, 820 507, 215		74	, 244 , 360 , 644	1.17 1.22	44, 917, 120 49, 195, 520	2.31 2.36 2.58	34, 591, 28, 426, 26, 016,	650 3 892 2	. 23	24, 581, 186 20, 455, 092 15, 827, 208	5.14 4.28 3.31
Nebraska Kansas outh Atlantic: Delaware	1, 192, 2 1, 690, 9			881, 262 1, 197, 159			, 678	2.04 2.80	49, 157, 120 52, 335, 360	2.58 2.75	38, 622, 43, 384,	021 4 799 4	. 39	24, 382, 577 29, 904, 067	5. 10 6. 25
Delaware	202, 32 1, 295, 34 331, 00	6		105, 237 637, 154		10 48	,836 ,923 ,217	0. 17 0. 77	1, 257, 600 6, 362, 240 38, 400	0.07	1,038, 5,057,	866 0 140 0 063	. 12	713, 538 3, 354, 767 5, 133	0.15 0.70
Virginia. West Virginia.	2, 061, 61 1, 221, 11 2, 206, 28	2		1,585,083 992,877 1,887,813		96	018 685 725	2.89 1.52	25, 767, 680 15, 374, 080	1.35 0.81	19, 495, 10, 026,	636 2 442 1	. 22	9, 870, 058 5, 521, 757	2.06 1.15
North Carolina South Carolina Georgia	1, 515, 40 2, 609, 13	0		1, 290, 568 2, 070, 471		176 291	434 027	3. 99 2. 77 4. 57	31, 193, 600 19, 516, 800 37, 584, 000	1.64 1.03 1.97	22, 439, 13, 512, 26, 953,	028 1 413 3	. 55 . 54 . 07	8, 813, 056 6, 097, 999 12, 298, 017	1. 84 1. 27 2. 57
Florida ast South Central: Kentucky	752, 61			533, 539 1, 734, 463		28	. 185	0. 79 4. 07	35, 111, 040 25, 715, 840	1.84	5, 253, 22, 189,	127 2	. 60	1, 805, 408 14, 354, 471	0.38
Tennossee	2, 289, 90 2, 184, 78 2, 138, 09 1, 797, 11	3		1,743,744 1,767,662 1,589,803		262	,012 ,901 ,382	3. 87 4. 13 4. 31	26, 679, 680 32, 818, 560 29, 671, 680	1.40 1.72 1.56	20, 041, 20, 732, 18, 557,	657 2 312 2	. 28 . 36 . 11	10, 890, 484 9, 693, 581 9, 008, 310	2, 28 2, 03 1, 88
Mississippi. est South Central: Arkansas	1, 574, 4- 1, 656, 38	9		1,371,768 1,159,872		214	.678	3.37	33,616,000	1.77	17, 416,	075 1	. 98	8,076,254	1.69
Louisiana Oklahoma Texas	1,657,18 3,896,54	5		1, 139, 872 1, 337, 000 2, 258, 438		190	546 192 ,770	1.89 2.99 6.57	29, 061, 760 44, 424, 960 167, 934, 720	1.53 2.33 8.82	10, 439, 28, 859, 112, 435,	353 3	. 19 . 28 . 79	5, 276, 016 17, 551, 337 27, 360, 666	1.10 3.67 5.72
ountain: Montana	376,08 325,59	4		242, 633 255, 696		30	, 214 , 807	0. 41 0. 48	93, 568, 640 53, 346, 560	4.92 2.80	13, 545, 5, 283,	604 0	. 54	3,640,309 2,778,740	0.76 0.58
W yoming	145, 96 799, 05 327, 30	4		102,744 394,184 280,730		10 46	987 170 676	0.17 0.73 0.56	62, 460, 160 66, 341, 120	3. 28 3. 49	8.543	010 0	.97	2,778,740 1,256,160 4,302,101	0.58 0.26 0.90
Arizona	204, 35 373, 35	4		141,094 200,417		9 21	676	0.15 0.34	78, 401, 92 72, 838, 400 52, 597, 760	4. 12 3. 83 2. 76	13,532, 11,270, 1,246, 3,397,	613 0 699 0	. 28	1,467,191 350,173 1,368,211	0.31 0.07 0.29 0.16
Nevada	81, 87 1, 141, 99	0		68, 508 536, 460		56.	689	0.04	70, 285, 440 42, 775, 040	3. 69 2. 25	11,712,	235 1	. 31	752, 117 6, 373, 311	1.33
Oregon. California	672.76 2,377,54	5 3000	200 kg	365, 705 907, 810		45.	502 197	0.72 1.39	61, 188, 480 99, 617, 280	3. 21 5. 23	11,685, 27,931,	110 1	. 33	4, 274, 803 11, 389, 894	0.89 2.38

¹ Includes Indian Territory.

State.	Total population.	Total rural population.	Per cent of total rural population in the United States and by States.	Amount of appropria- tion al- lotted each State.
United States	91, 972, 266	49, 348, 883	53.7	\$3,000,000
Alabama Arizona Colifornia Colorado Connecticut Delaware Florida Georgia daho diaho Illimois Indiana lowa Kansas Kansas Kansas Kansas Kansas Kansas Manine Maryland Massachusetis Michigan Minnesota Mississippi Mississippi Mississippi Missouri Montana Nebraska Newada Newada Newada New Hampshire New York New Hersey New Mexico North Carolina North Dakota Ohio Oklahoma Oregon Pennsylvania Rhode Island South Carolina Tennessee Texas Texas Utah Vermont Virginia Washington	3, 366, 416 2, 810, 1,73 2, 075, 708 1, 797, 114 3, 293, 335 3, 192, 214 81, 875 480, 572 9, 113, 614 2, 537, 167 327, 301 2, 206, 287 577, 605 4, 767, 121 1, 657, 155 672, 765 7, 665, 111 542, 610 583, 888 2, 184, 789 3, 896, 542 373, 351 385, 956	1, 767, 662 141, 094 1, 271, 768 2, 907, 810 394, 184 114, 917 105, 237 2, 970, 471 1, 195, 696 2, 161, 662 1, 557, 041 1, 544, 717 1, 197, 159 1, 734, 463 1, 159, 872 2, 80, 928 837, 154 241, 049 1, 225, 414 1, 594, 518 242, 633 881, 362 68, 508 881, 362 68, 508 175, 473 1, 928, 120 1, 928, 120 1, 938 1, 848, 138 2, 101, 978 1, 374, 945 1, 101, 978 1, 377, 956 1, 200, 568 2, 104, 978 1, 377, 915 1, 743, 744 2, 958, 438 200, 417 1, 856, 608 1, 588, 683 200, 417 1, 858, 183 200, 417 1, 858, 183 200, 417 1, 858, 683 200, 417 1, 858, 683 200, 417 1, 858, 683 200, 992, 877	3. 58 .29 2. 78 1. 84 .23 .21 1. 08 4. 19 4. 38 3. 16 3. 13 2. 43 3. 51 1. 29 2. 48 3. 20 2. 48 3. 20 1. 29 1. 29 1. 20 3. 3. 30 1. 29 1. 20 1. 20 20 20 20 20 20 20 20 20 20 20 20 20 2	107, 400 8, 700 83, 400 24, 000 24, 000 6, 900 6, 900 125, 700 131, 400 94, 800 70, 500 21, 900 105, 300 105, 300 107, 500 117, 300 117, 300 117, 300 117, 300 117, 300 117, 300 117, 9

The PRESIDING OFFICER (Mr. POMERENE in the chair). The question is on the amendment submitted by the Senator from Iowa [Mr. CUMMINS]

Mr. SMOOT. Mr. President, the Senator from Iowa referred to the proviso on page 2 of the bill which reads as follows:

That nothing in this art shall be construed to discontinue either the farm-management work or the farmers' cooperative demonstration work as now conducted by the Bureau of Plant Industry of the Department of Agriculture.

And he suggested that it be made to read:

That pending the inauguration and development of the cooperative extension work herein authorized, nothing in this act shall be construed—

And so forth.

Did I understand the Senator from Georgia to say that he

would accept that amendment to the proviso?

Mr. SMITH of Georgia. No; I did not say that. I said that the original policy was to use the language contained in the bill as first drawn, and that the change was made, as I understand it, solely upon the idea that Congress might deem it advisable at some time in the future to direct some demonstration work by the department and carry it in an appropriation bill, and that the language of the bill as first drawn might prevent it. It was done not so much on the theory of keeping up the present demonstration work as that we would leave Congress in an attitude where without special legislation repealing this act it could not be done.

Mr. SMOOT. I wish to say that the object the Senator has in view, as just stated, meets with my hearty approval, but the amendment suggested by the Senator from Iowa was recom-mended by the department itself, and I am told that if the provision as it appears in the bill, approved by the House, is passed, it will probably embarrass the Secretary of Agriculture in work-

ing out a comprehensive plan.

Mr. SMITH of Georgia. Does the Senator refer to the first provision suggested by the department or the last one?

Mr. SMOOT. The first provision; that is, the provision suggested by the Senator from Iowa adding the words "pending the words "pending the words." the inauguration and development of the cooperative extension

work herein authorized." That, in connection with the House provision, was recommended by the department, and the department itself claims now that unless those words are included in the proviso there will be embarrassment to the Secretary in working out a comprehensive plan.

Mr. SMITH of Georgia. I do not exactly understand the Senator. Does he mean to say that the department prefers the language as first used or the language contained in the House

Mr. SMOOT. As first used and not in the House provision. I call it to the Senator's attention because I apprehend that we can not pass the bill to-night, and in the meantime I should like to have the Senator look up that question.

Mr. SMITH of Georgia. I would prefer the original language

myself.

Mr. SMOOT. I say frankly, so do I; and I think those words

ought to be included in the proviso. Mr. SMITH of Georgia. I will communicate with the department and find out. I was under the impression the change was made to preserve a latitude for the department, if the depart-

ment found out at any time it wanted to ask for a special appropriation for some additional work.

Mr. SMOOT. I have been informed just the opposite, Mr.

President.

Mr. SMITH of Georgia. I may have misunderstood it.
Mr. SMOOT. Therefore I ask the Senator to look it up between now and Monday.
Mr. VARDAMAN. Mr. President—
The VICE PRESIDENT. Does the Senator from Utah yield

to the Senator from Mississippi?
Mr. SMOOT. Certainly.

Mr. VARDAMAN. If the Senator will pardon me, I was engaged when the Senator stated the proposed change. Will he

please state again his proposition?

Mr. SMOOT. I will state that the amendment approved by the House to the original bill, as introduced in the House, and found on page 2 of the bill, beginning on line 15, reads as follows:

Provided further, That nothing in this act shall be construed to discontinue either the farm-management work or the farmers' cooperative demonstration work as now conducted by the Bureau of Plant Industry of the Department of Agriculture.

I was suggesting to the Senator from Georgia, as the Senator from Iowa had suggested, to add the words "pending the inauguration and development of the cooperative extension work herein authorized," so that the proviso would read:

Provided further, That, pending the inauguration and development of the cooperative extension work herein authorized, nothing in this act shall be construed to discontinue either the farm-management work or the farmers' cooperative demonstration work as now conducted by the Bureau of Plant Industry of the Department of Agriculture.

Mr. SMITH of Georgia. I would be glad to have the Senator from Utah put the suggested modification in writing, so that we might have it before us.

Mr. SMOOT. I will do so with pleasure. Mr. PAGE. Mr. President, I should like to have the Senator from Georgia [Mr. SMITH] and the Senator from Iowa [Mr. CUMMINS], as they consider further the question of division, look at the provision of Senate bill No. 3, with reference to this

These additional sums to be allotted annually to the States in proportion to their population engaged in agriculture, as shown by the Federal census next preceding the year for which such allotment is made.

I want to say in behalf of this language that when it was written not the slightest thought was ever given as to how it was going to affect any particular State. I would not for a moment have it inferred from this statement that I believe that the Senator from Georgia and the Senator from Iowa have not designed to be absolutely fair in their respective provisions, but when Senate bill No. 3 was drawn I gave this question a good deal of thought, and it seemed to me then, and it seems to me now—and I say it after having listened with a good deal of care to the discussion that has been going on in regard to this measure—that we are seeking to educate by this bill men engaged in agriculture; we are not legislating as to improved farm lands, we are not educating the rural population, but we are seeking to educ men engaged in agriculture. How it will affect Vermont is not material. I certainly did not know, until some friend called my attention to-day to the fact, that Vermont would not be materially benefited or injured by the change which would be made if the language of Senate bill No. 3 were used; and it occurred to me that, if between these two wings of the discussion, the position of the Senator from Iowa and that of the Senator from Georgia, perhaps this was a very proper and happy medium which might be adopted.

Mr. CUMMINS. Mr. President, unfortunately, the position of the Senator from Vermont is not between that of the Senator from Georgia and myself; it is far beyond that of the Senator from Georgia. If the standard suggested by the Senator from Vermont were used, it would very greatly increase the proportion of the appropriation passing to the States in the South I have been discussing and diminish the proportion of the States which really produce the bulk of the agricultural products of the country, and that for a very simple reason. Practically all of the colored people in the South are classified as persons engaged in agriculture-I think so large a proportion of them that the remainder would be negligible-and while I have not worked out in its effect upon the States the basis suggested by the Senator from Vermont, I think that, upon a little reflection, it would not be insisted upon by anybody. I do not think the Senator had this in mind when he inserted it in his bill. The truth is, we are trying to educate the people who control the manner in which the land shall be used, who control, as I said before, the way in which the soil shall be tilled, the crops that shall be planted, the manner in which they shall be cultivated, and the way in which they shall be harvested. If we depart from that idea and enter upon a general scheme of educating in agricultural science all the people who may at any time work upon the farm, we have quite a different proposition.

I do not know how the Senator from Georgia feels about the matter, but I have not a doubt that he will agree with me that the basis of persons engaged in agricultural pursuits would make the disparity that I have been endeavoring to emphasize

still more marked.

Mr. SMITH of Georgia. I have not examined the matter or conferred with officers of the Census Bureau upon the subject. I inquired for the figures showing the number classified from each State as engaged in agriculture, and I was informed that they had not been completed and that we could not procure them for several months. So I abandoned any further inquiry upon the subject.

Mr. CUMMINS. I think the Senator could obtain them probably as to a few States; at least, I have that information from

Mr. SMITH of Georgia. I should not be at all surprised, from my knowledge, if the view of the Senator from Iowa was

Mr. SMOOT. I think the view of the Senator from Iowa [Mr. CUMMINS] would be borne out by the statistics from the few States which I have already seen. I think he is perfectly

correct in the statement he has made.

Mr. SMITH of Georgia. Mr. President, it had been my purpose to address the Senate this afternoon and present the views which I think sustain the language contained in the bill upon the subject of the distribution, not with the opinion that I could show that they were all we would wish, but rather that they were the best plan to carry out the bill that we could obtain. I find, however, that a number of Senators, even of the few who are still here, are quite anxious for an adjournment,

and I will only make one reference to the subject.

wish to say-and I say it now because I wish it to appear in the RECORD to-morrow morning-that this plan of distribution was not the work of the Representative from South Carolina or of myself; indeed, I do not think either of us had any idea how it would affect the different States. It was the work of a committee from the colleges of agriculture and experiment stations, who acted in connection with Dr. True, Director of Experiment Stations. The committee consisted of Dr. Thompson, of Ohio; Dean Russell, of Wisconsin; Dean Butterfield, of Massachusetts; Dean Jordan, of New York; and Dean Curtis, of Iowa. It was from them that we received this plan of distribution, which they, viewing the matter not in any way sectional, but contemplating it broadly in the interest of the entire country, submitted to us.

Mr. President, I hope to be able to present on Monday some views in reply to the Senator from Iowa [Mr. Cummins]. I now ask that the bill be laid aside, after which I shall move to adjourn, unless some Senator desires to have an executive

The VICE PRESIDENT. Without objection, the bill will be temporarily laid aside.

EXECUTIVE SESSION. .

Mr. O'GORMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until Monday, February 2, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 31, 1914.

INTERSTATE COMMERCE COMMISSIONERS.

Winthrop More Daniels, of Princeton, N. J., to be an interstate commerce commissioner, to fill the unexpired term of John H. Marble, deceased. (Term expires December 31, 1916.)
Henry Clay Hall, of Colorado Springs, Colo., to be an inter-

state commerce commissioner, to fill the unexpired term of Charles A. Prouty, resigned. (Term expires December 31,

COLLECTOR OF CUSTOMS.

Christian A. Niemeyer, of Creston, Iowa, to be collector of customs for the district of Iowa, in place of George L. Godfrey,

APPRAISER OF MERCHANDISE.

James A. Herring, jr., of Tampa, Fla., to be appraiser of merchandise at Tampa, in the district of Florida, in place of Frank W. Morse, superseded.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 31, 1914.

RECEIVERS OF PUBLIC MONEYS.

John W. Cloyd to be receiver of public moneys at Sterling, Colo.

George I. Smith to be receiver of public moneys at Portland,

R. R. Turner to be receiver of public moneys at Roseburg,

PROMOTION IN THE NAVY.

Robert W. Clark to be a passed assistant paymaster.

REGISTER OF THE LAND OFFICE.

Robert R. Wilson to be register of the land office at Dodge City, Kans.

POSTMASTERS.

ARKANSAS.

N. Douglas, Trumann. Ethel Leeper, Lockesburg.

CONNECTICUT.

E. Franklin Byron, Sharon. Edward C. Cox, Wallingford. Edward C. Cox, Wallington.
Adelbert W. Crane, South Glastonbury.
Albert L. Lamb, West Hartford.
Edward P. McGowan, Watertown.
Albert H. McMahon, New Milford.
George B. Moroney, Collinsville.
Philip Troup, New Haven.

ILLINOIS.

Charles S. Barker, Oswego. E. D. Beird, Bluffs. Leo J. Byrne, Rossville. A. McGowan, Manhattan. William Whalen, Franklin.

MICHIGAN.

C. D. Aldrich, East Lansing. George H. Anklam, Pidgeon, Martin M. Bies, Palatka. Mark Burlingame, Bangor, George Cutler, Luther. Francis O. Gaffney, Cadillac. G. Martin Harrington, Bancroft. Levi A. Harris, Gaylord. Albert A. Howard, Watervliet. William J. Irwin, Republic. John A. Jackson, Clare Charles E. Johnston, Merrill. Clinton Joseph, Quincy. H. J. Klee, Rogers.
A. Le Roy Locke, Bronson. Hugh McLaughlin, Iron Mountain. Malcolm McPhee, Newberry. A. H. Meeker, Sparta. W. T. Menge, L'Anse. A. M. Miller, Bay City. Neil Mills, Armada. Le Roy Palmer, Coldwater. A. W. Peterson, Ironwood. Herbert A. Sarford, Mount Pleasant. Edwin Shellhorn, Lake Odessa. Herman G. Spring, Unionville. Henry C. Stevenson, South Lyon. Peter Trudell, jr., Negaunee. John S. Wittliff, Port Huron.

NEW YORK.

Peter T. Conley, Fulton.

NORTH DAKOTA.

Pauline M. Schultz, Leeds.

onio.

P. D. Amstutz, Pandora. Charles J. Betz, Baltimore. Thomas H. Code, Mentor. William R. Foster, Perry William J. Evans, New Berlin. Cyrenius C. Hughs, Utica. Harry C. Lieurance, Jamestown.

PENNSYLVANIA.

Thomas F. Curry, Expedit. B. B. Stewart, Rimersburg.

TENNESSEE.

W. A. Hamby, Crossville. Hiram M. Moore, Portland.

WEST VIRGINIA.

J. Carl Vance, Clarksburg.

HOUSE OF REPRESENTATIVES.

SATURDAY, January 31, 1914.

The House met at 11 o'clock a. m., and was called to order by Mr. Ferris as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the fol-

Be Thou, O God our Father, our inspiration, our counselor, our guide, that we may be the instruments in Thy hands for the furtherance of the great eternal plan which Thou hast ordained, setting above the material the intellectual, moral, and spiritual attainments, that as individuals and as a Nation we may be worthy of the trust Thou hast reposed in us as free moral agents, and we will ascribe all praise to Thee, our God and our Father. Amen.

The Journal of the proceedings of yesterday was read and ap-

RESTRICTION OF IMMIGRATION.

The SPEAKER pro tempore. Pursuant to the previous order, the House automatically resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of H. R. 6060, the immigration bill.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, with Mr. HAY in the chair.

Mr. BURNETT. Mr. Chairman, I ask that the gentlemen op-

posing the bill use some of their time.

Mr. SABATH. Mr. Chairman, will the Chair please inform me how much time has been used by the gentleman from Alabama [Mr. Burnett], and also how much by the gentleman from

Pennsylvania [Mr. Moore]?

The CHAIRMAN. The gentleman from Alabama [Mr. Bur-NETT] has used 2 hours and 3 minutes, the gentleman from Pennsylvania [Mr. Moore] has used 62 minutes, and the gentleman from Illinois [Mr. Sabath] 45½ minutes, and the gentleman from Illinois [Mr. Sabath] 45½ minutes.

Mr. Sabath. Mr. Chairman, I yield to the gentleman from Maryland [Mr. Coady] five minutes.

Mr. COADY. Mr. Chairman, I am opposed to the bill now before the House for its consideration because it contains the literacy test. Such a test is not only undesirable but it is, in my judgment, unfair and unreasonable, and it violates every principle of justice and fair dealing.

It violates the principle that this country shall be a refuge and asylum for the oppressed of other lands, a principle that we were all taught at school and at home to revere and cherish.

The only questions with which we should concern ourselves respecting the immigrant are those that concern his health, his morals, and the condition of his mind.

We should rigidly exclude as undesirables the criminal, the insane, the permanently disabled, the diseased, and all others who are likely to become charges on our communities. believe we have at this time ample provisions in our statutes to meet such cases.

I would have no opposition to offer to this measure with the literacy test stricken out.

We heard a great deal here yesterday about the vetoes of President Cleveland and President Taft, and the gentleman from Alabama [Mr. Burnett] sought to excuse the veto of President Cleveland, and said that conditions were different at that time. But, Mr. Chairman, President Cleveland, in sending his veto message to this Congress, did not say that he was governed by conditions, but he said, on the contrary, that he was governed by principles. [Applause.] Let us see what he said. He said that the ability to read and write, as required in the bill sub-

that the ability to read and write, as required in the bill sub-mitted to him, did not afford a test of contented industry, nor did it supply satisfactory evidence of good citizenship. Prof. Eliot, president emeritus of Harvard, said in a very recent interview published in our papers, that there had been no destruction of our ideals by the immigrants, but that they had lived up to and cherished them.

Yesterday when somebody asked the gentleman from Alabama [Mr. Burnerr] about the veto of Mr. Taft, the gentleman said the people of this country at the last election demonstrated what they thought of Mr. Taft's veto. Why, Mr. Chairman, with all due respect to the gentleman from Alabama, that is the most absurd statement that I have heard in this whole debate, and it is just about as strong and convincing as the other arguments that I have heard on the other side of this question.

Mr. BURNETT. I made no such statement. Mr. COADY. You said it by inference, and the RECORD will prove it. You may have been urged on to say that by the oracle of wisdom who sits at your right, and who has prompted you several times during this debate.

Mr. GARDNER. Is there any necessity for the gentleman

being personal?

Mr. COADY. Oh, Mr. Chairman, I only intended that in a pleasant sort of way.

Mr. BURNETT. It did not sound that way.

Mr. COADY. Mr. Chairman, the great metropolitan dailies of our big cities are opposed to this test, and in this course they are upheld by the overwhelming sentiment of their communities.

I am in favor of education-free public education-for the children; it should be free as the air we breathe, and I believe

in making it compulsory.

But I would not contend that the lack of an education, undesirable as it is, and unfortunate, too, unfits a man for the duties and obligations of citizenship. I know that it does not. Some of the best men I have met were illiterate. They could not read or write, but they were honest, industrious, lawabiding citizens.

They accumulated property; raised large families, and reared them well; gave them education; showed them good example, and by their labor contributed to the welfare and prosperity of

their adopted country.

Only the other day a prominent man, descendant of foreignborn parents, said to me right here in Washington, and he is a man who has met with great success; he said that if a law like this had been in effect when his parents came to this country, they would have been excluded, for neither could read nor write. And this is true of many other prominent men in -prominent in the church, in business, in the prothis countryfessions, and prominent in the activities of organized labor.

The gentleman from Pennsylvania [Mr. Moore] well says in the minority report submitted by him, that this bill fails to take into account the rough manual work that must be done in a great country like ours, and which the educated and morefavored citizen will not do.

It is not only the educated and more-favored citizen who will not do such work, but it is a difficult thing to get anyone for this class of work, except the kind of people this measure seeks

to exclude.

For some time past we have been witnessing the flow of people from the country into the big cities and centers of population. We want immigrants to take the places of these people on the farms. I believe we can get them. I am told that of the foreigners who came here last year, 300,000 are men who till the soil. We want these men, and we want more like them. The trouble lies not in the influx of too many foreigners, but in their locating in the big cities.

And I believe the time is coming-and soon, too-when the problem of distributing them over the country will be successfully solved.

The people of my district are opposed to this bill.

I have received numerous protests, written and oral, against its passage, and few-but very few-have asked me to vote

I sincerely hope it will be defeated, as it deserves to be, because the literacy test it provides is undesirable and unjust, and it will keep from our shores the unskilled labor we need in the great work of developing our resources. [Applause.]

Mr. MOORE. Mr. Chairman, I yield 14 minutes to the gentleman from Missouri [Mr. BARTHOLDT].

Mr. BARTHOLDT. Mr. Chairman, on December 19 I re-

ceived the following telegram:

The 2,000,000 members of the National German-American Alliance vehemently protest against the passage of the immigration bill now before the House. We particularly object to the educational test, which we believe to be foolish and iniquitous. Please present this protest to the House of Representatives.

President of the National German-American
Alliance of the United States.

This protest is significant for more than one reason. In the first place, it represents the deliberate judgment of 2,000,000 American voters, and therefore alone is entitled to respectful consideration. But what makes it still more significant is the altruism which has dictated it. In this you will agree with me when I remind you that the pending bill will affect but very little, if at all, the immigration of Germans into this country. The percentage of illiteracy among Germans, I am happy to say, is not even 1 per cent—hardly worth mentioning. It is less than that of any State of the American Union. Consequently the barrier which the bill proposes to erect will not keep out any Germans to speak of. Yet that element protests most vigorously against its enactment. How do you account for it? Permit me to give you my explanation. In the first place, they do not want to deny to others the opportunity which they or their ancestors have enjoyed. In this they are actuated by a simple sense of justice. But this is not the whole explanation of their attitude. There is something else, even more important than a sense of fairness, and that is a sentiment of lofty patriotism. That element of the population, I dare say, without speaking boastfully, clings most tenaciously to American ideals and tra-ditions. One of those traditions is that America is the asylum of the downtrodden and oppressed of the world. Pass this bill and that proud boast will be forever silenced; pass this bill and you will rob Columbia of one of her crown jewels and at the same time you will commit the identical wrong which formed one of the main indictments hurled by the American colonists against George III. Thus think and speak our fellow citizens of German birth and descent, and I call special attention to their position because it shows that in protesting against a proposed violation of a sound American principle and a needless departure from a time-honored American policy they are again as true to the genius of the Republic as is the magnet to the

I am fully aware, Mr. Chairman, that arguments will not avail anything in this debate. If they did, the fate of this bill would be sealed. There would not be a single vote cast in its favor, because as against the patriotic intellect which condemns it, there is not one valid argument to uphold it. What are the reasons which the advocates of this measure assign for its alleged necessity? Latter-day immigration, they say, is not what it used to be. It has deteriorated, and the elements that are coming now are not as desirable and as easily assimilated as the former immigrants were. It will be remembered that identically the same objections were raised by the Know-nothings in the fifties against the German and Irish immigration and have been raised ever since against every kind of immigrants who came in considerable numbers. It is admitted now that it was mere prejudice against foreigners in general which swelled the sails of the Know-nothing Party, and if it was prejudice then, what is it to-day? A few years ago the so-called Boxer movement in China culminated in infuriated mobs shouting, "Kill the foreign devils." Is it not humiliating to confess that, in spite of our boasted Christian civilization, we have a similar movement in America? We have, Mr. Chairman, and the only difference is one of degree. We do not kill, but we propose to build a Chinese wall around our country for the purpose of accomplishing what? For the purpose actually of excluding the people we do need and of admitting many we do not need. However, to this feature I shall refer later on. First, let me enumerate some of the other so-called arguments constantly advanced in justification of this Boxer movement in America.

Some are actually afraid that the country will soon be overcrowded. Mr. Chairman, if you move the whole population of the United States into Texas, that State will not be populated as densely as Belgium is to-day. When the United States will have a population of ten times a hundred millions, then its population will be about equal in density to that of the German Empire to-day, and not until then. America supports 30 people to the square mile, Europe more than 300. In view of these indisputable figures, how ridiculous the cold sweat of our fainthearted friends must appear to those who come after us and will live a hundred years from now.

will live a hundred years from now.

The advocates of the literacy test no longer pretend that this test is to be imposed in the interest of education. They

admitted in the last Congress that their real purpose was restriction. They lack the courage to name the Italians, the Poles, the Russian and Galician Jews, and so forth, and so they proceed to exclude these classes by shrewdly imposing conditions which many of them can not fulfill. This may be very smart, and we may pat each other on the backs on account of our smartness, but I wonder what the civilized world will say when a Yankee trick, as they will call it, is to be clothed with the dignity of American law? As much as I believe in immigration, as essential as I hold a continued healthy influx of newcomers for the future development of our country. rather see the gates of the Republic closed altogether than have it said that in the enactment of any law this Nation was hypocritical and insincere. If you object to the immigrants of southern Europe because that part of Europe is mostly Catholic, say so like men, or if you want to deny the right of asylum to the Jews fleeing from Russian oppression, make a manly declaration to that effect in the bill, but pray do not creep behind a subterfuge and dignify Anglo-Saxon hypocrisy with the name of law.

In the last Congress during the debate on this bill some of its advocates went so far as to even slander the immigrants by asserting that immigration was proving a menace to the country. This "scum of the earth," they said in so many words, "is lowering our standards, is tending to corrupt the American people physically as well as morally, and is causing trouble everywhere." It is the old charge, Mr. Chairman, of the wolf against the lamb muddying the water, though the little innocent lamb was standing below stream. The ratio of a year's immigration to our total population is like 1 to 300. If every one of the poor fellows who come here merely to better their condition and to make an honest living can spoil, physically and mentally, 300 of our citizenship, then our morality and our physical health as a Nation must, indeed, rest on a pitifully weak foundation. To assert it is really an insult, not to the immigrants, but to the American people. And I challenge the friends of this bill to cite one single case, one single event, in the history of our country in which the attitude of the immigrants and the adopted citizens was other than patriotic to a fault. They rallied around the flags of Washington to fight and die for American inde-pendence. They fought almost to a man under Abraham Lincoln for the preservation of the Union. Indeed, history credits them with having enlisted on the right side of every great question, and with having helped to uphold right and liberty either by their bullets or their ballets.

To cite only one instance of more recent history, it is an admitted fact that by their almost solid vote for sound money they saved the country from the calamity of a corrupted mone tary system and national dishonor. Cause to find fault with our immigrant population, therefore, have only those who in the dark hours of the country's crises were on the wrong side of those great questions. Query: Will the American people, with their proverbial sense of fairness, permit the proposed legislative revenge on the newcomers because the older immigration dared to do what was right for the country? In this connection we may again be told that the new immigration is not what the old was, but I deny it. A man is not inferior to me simply because he was born in a part of the world other than where my cradle stood, and even a lack of education does not make him morally inferior, for the simple reason that education and character are two entirely different things. character alone should be the test of a man's worth.

It is true, Mr. Chairman, that the immigrant has taken part in labor disturbances, for wherever, in field, factory, and forest, the hardest work is being performed there you find the immigrant. But these troubles are not racial, but economical, and where they occur native workmen are usually the leaders. the immigrant joins hands with his native comrades in these emergencies, he simply proves what I have often asserted, namely, that when he finds he has to pay American prices for American goods he also demands American wages, a fact, by the way, which is a complete refutation of one of the stock arguments of our labor leaders, namely, that he, the immigrant, is an unfair competitor in the labor market. And this brings me to the only objection which I recognize as really sincere. the objection of labor to immigration as an economic problem. However, the protest of labor is being paraded on this floor. not out of friendship for labor, but because it suits the purposes of the restrictionists. The workingman looks upon each immigrant as an unwelcome rival, whose presence lessens his opportunity of employment. As will be remembered, he regarded every new invention and every machine in the same light, and yet he has learned that through the introduction of labor-saving machines the opportunities of labor were increased rather than diminished.

The same is true, I claim, of the immigrant, for he is not only a producer but also a consumer, and his coming here and casting his lot with us and spending the earnings for his support in this country is a thousand times preferable, from an economic standpoint, to his remaining in Europe and merely sending the product of his labor to the United States. If immigration would really injure American labor, this bill would not be a proper remedy, for it excludes not only the lowest class of toilers, such as do not compete with our own workingmen, but also admits those who do compete with them, namely, skilled laborers, who as a rule are not illiterates. If the reasons which prompt the protest of organized labor against immigration were economically sound, then the advocates of this legislation were handing labor a gold brick, and, indeed, the western miners appear to have seen through the scheme when in their recent convention they resolved that the gates of the country should be completely shut as long as one American workman is out of employment. A beautiful idea, by the way, but as long as they sincerely believe is feasibility you can not fool them with a bill like this. The arch of a long as they since the state of the like the bill like this. By such a demand on the part of labor I can not help being reminded of a simile. I see before me a vivid picture of that terrible disaster which befell the Titanic, when hundreds of the unfortunate shipwrecked were struggling with the waves, trying frantically to reach the lifeboats and rafts. Supposing those in the boats had prevented these unfortunates from getting a hold and had pushed them back into the roaring sea, though there had still been ample room in the lifeboats, what would you think of such an act? The immigrants who come to our shores are shipwrecked, too, Mr. Chairman, and I will never believe that, if this was made the issue, the arm of American labor would ever earnestly be raised to push the downtrodden of the world back into the sea while attempting to board our wellsupplied craft. [Applause.]

So far I have endeavored to enumerate and answer only a few of the alleged grievances against the immigrant. There are more—in fact, there seems to be a universal outcry against him—and he is commonly regarded as a sort of general scapegoat. If all the several elements of our population could pass by him in rotation, each single one would probably give him a kick, and each one for a different reason. The capitalist and manufacturer denounce him when he joins a strike, the laboring

man when he refuses to do so.

The farmer inveighs against him when he stays in the city, and the city man because he does not go to the country. A. P. A.'s kick him when he happens to be a Catholic, and other people with religious prejudices abuse him when he happens to be a Jew. In fact, a veritable religious war has been kindled on his account, although we live in the enlightenment of the twentieth century; and while this war does not appear on the surface here, for obvious reasons, it is nevertheless being waged with a bitterness which, as a Protestant, I can not characterize otherwise than disgraceful. But he is not yet sufficiently punotherwise than disgraceful. But he is not yet sumclendy plusished. There are others who would like to add their kicks. There are our good friends, the professional prohibitionists, who are afraid that the influx from Europe will eventually swell the ranks of those who oppose their foolish fad, and so they mix their shrill voices in the chorus of condemnation, causing a general hubbub which reminds us vividly of the time when the pious Puritan ancestors of the gentleman from Massachusetts burned witches at the stake. It is a most remarkable social phenomenon, Mr. Speaker, one which is worthy to be described by the future historian as an exhibition showing a strange lack of the Christian virtue of tolerance and humanity. I had almost said a lack of knowledge, too, because the most intense prejudice against the immigrant seems to be displayed by those who do not know him from personal contact, while the only sympathy shown him comes from the representatives of districts which are overrun by and actually congested from immigration.

Even this spectacle, with all its repulsive features, can not shake my abiding faith in the sense of justice of the American people. And justice, plain, simple justice, is all the immigrant asks. He will get it when his case rises above the vote-catching stage and reaches a forum before which his friends can successfully plead the cause of American fair play and the true interests of the country. Two American Presidents, a Democrat and a Republican, have had the courage to stamp this bill out of existence by a veto, and there is no reason to doubt that President Wilson will rise to the same height of consistency

and self-respect as his predecessors have done.

It is easy to plead the cause of immigration. Traduced as it is, no shortcoming of any kind can justly be laid at its door, and in no instance has its influence been other than highly beneficial to the country. The immigrant comes to us with good and honest intentions. In return for a living he offers us his brain and brawn. He is eager to learn and to identify

himself with our institutions, for, even if uneducated, he has one trait which fits him superbly for American citizenship. It is his love of liberty and his hatred of oppresson and injustice. Our whole history is an irrefutable witness to the fact that he becomes a law-abiding citizen and taxpayer, loyally devoted to the flag, and most anxious that his children become good and true Americans through education in the public schools. And do you ever consider that in order to pass through the gates of Ellis Island he must be well-nigh a perfect human being? No country on earth, no matter how densely populated, has immigration laws as strict as the United States has. An immigrant must be absolutely sound in body and mind. His past conduct, too, must have been exemplary, and anarchists, polygamists, or persons who do not believe in the present order of things are rigidly excluded, the same as those who were so reckless as to procure the promise of a job before leaving their homes. If finally admitted, it is only on probation, because for a period of three years they can be deported if they do not behave. Can you beat it? But not enough; it is now proposed to add the requirement of a certain school education. The "land of opportunity" is to penalize those who are guilty, without fault of their own, of a lack of opportunity. No matter how pure their lives, how good their character, how desirable their presence here, if they can not read the door of a happier future will be shut in their faces. They would be readily admitted in heaven, and according to the standards of the Almighty they would be most welcome there, but they are not good enough to enter this free country. In the language of the Latin proverb, it is difficult not to write a satyre. Think of how deeply imbued with the Christian gospel of brotherly love must be the originators of such a plan, and how mindful they must be of the fact that, as a nation of immigrants, we owe everythingour growth, our development, and our very existence-to the source which they now propose to stop!

But let me proceed to the conclusion of my argument. From

what I have already said it must be plain to all that not one of the objections raised against a continuance of the timehonored American immigration policy is well founded, unless it be one which I have not yet mentioned, namely, that the advocates of this bill are expecting something unforeseen and are anxious to take precautions, the same as the people out West do when they take to the cyclone cellar and fasten all the doors behind them. If this is one of their motives, I want to warn them that such precaution might easily hasten the very crisis which they dread. If the majority of this House has confidence in the tariff legislation which they enacted, then they should not deem a further restriction of immigration necessary, and if the new tariff should work out well, which we all hope in the interest of the country, then it would not be necessary. But if, on the other hand, idleness on a large scale should result, this restrictive measure would be no less unnecessary, for the simple reason that immigration, as a rule, regulates itself. In good times it comes and in hard times it goes. If the official figures are any indication-and I think they arethe human influx is not only receding, but the departures of immigrants to their home countries have already begun to an unprecedented degree. In the Immigration Bulletin for December, just issued, I find, under the classification of laborers, that in December 16,911 arrived, while 22,031 departed; in other words, we had over 5,000 more departures than arrivals during During the last fiscal year 220,992 laborers arrived and 191,604 left the country, a surplus of only 29,000 in the whole year. If this keeps on, Mr. Chairman, immigra-

tion will be even less of a problem by the time this bill reaches the President than it is supposed to be to-day.

In conclusion, Mr. Chairman, let me again warn this great body against coining race prejudice into law. It is unworthy of any nation to be actuated by motives such as are the propelling force behind this bill, and it is especially unworthy of the American people, because they are a Nation of immigrants. Immigration has made America what it is to-day. It has kindled the fires in the furnaces, cleared the forests, tilled the soil, built the railroads, and worked the mines. It has identified itself with the country and its institutions, defended liberty and law, and supported loyally every movement for progress, for the betterment of social and industrial conditions, and for the elevation of the race. In peace and war it stood shoulder to shoulder with the American patriots, and in no crisis of the country's history has it been found wanting. It is not because 60 years ago the Know-nothing Party accomplished its purpose, but rather because that party failed in carrying out its exclusion program, that the country has made those strides in industrial development, wealth, and general growth which are the marvel of the world to-day. Therefore, do not undermine the foundations of future growth and development by killing

the goose that lays the golden eggs, and do not withhold the protection of the Stars and Stripes from those who wish to escape from the oppression of the Old World and with a heart full of love of liberty are auxious to cast their lot with us and make for themselves a brighter future in the "land of the free and the home of the brave."

Mr. BURNETT. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. Sharp].

Mr. SHARP. Mr. Chairman, I have asked for this limited time to-day because I shall not be able, unfortunately, on account of serious sickness in my family, to be present and vote on the measure when the roll is called. It is on that account that I wish to express myself in favor of this bill, as I did at the last Congress, when I also voted for practically the same bill. It has seemed to me in considering the arguments that have been made in opposition to the measure, both at this session and in the former Congress, that one important fact has been overlooked, and that is that if we are to undertake to please everybody and to meet with everybody's views we never will have any kind of restriction adopted to prevent the indiscriminate immigration which we have seen coming to our shores in such alarming volume within the last few years. As an illustration, we heard a good many arguments made against the recent banking and currency law, but everybody admits now that there was need of reform in that direction. had waited to conform to the views of every financier and everyone who thought he was a financier, we never would have had this law or any other kind of law on our statute books. This leads me to observe, in criticism of the arguments of my very good friend from Missouri [Mr. BARTHOLDT], that, however serious may have been some of the objections to the banking and currency law, I did not hear anyone bold enough to urge as an argument that because the conditions that then prevailed in the country as regarded the banking and currency laws of 100 years ago were satisfactory we should have no other system or policy now. And for the same reason it seems to me preposterous to undertake to compare conditions that existed 100 years ago with reference to immigration laws to the very serious problems that confront us to-day, when during every year more than one-third as many people come to our shores from foreign countries as were living in this country in those colonial days.

So, Mr. Chairman, if we are to wait until we get a perfect bill we never shall take the initiative. I admit here, having examined the subject somewhat with care, that this literacy test is by no means conclusive. Of course it is not. The mere fact that a man may be required to read some language, even his own, may not make him a good upright citizen in every respect, but it is a step in the right direction, and if we are to-day to answer the appeal-that which I believe to be the almost universal sentiment and desire of nine-tenths of the people of this country-we certainly will take some forward step at this time and put a law upon the statute books that will make for reform. It will not be a perfect law. There may be other needs of further restriction based on better criterions very apparent before it is in operation very long; but as those problems arise I trust the wisdom, patriotism, and justice of this body to solve them in a proper manner.

In making these few remarks I cast no reflection on that sturdy and patriotic body of men who came here years ago from foreign shores and contributed so much to the material prosperity and development of this country. I have all praise for those men.

Mr. MURRAY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SHARP. Mr. Chairman, I wish the gentleman would not interrupt me now, as I have only a very short time. I would be very glad to answer his question, but I can not take the time to do it now. Surely the time has come to take at least a very careful survey of conditions which will permit upward of a million a year to come to our shores of all grades and classes of people, many of whom have no intention of becoming American citizens and whose competition in the field of labor has at times become most distressing with that of our own people to whom we emphatically owe our first duty. I may further say, in answer to the argument of the gentleman from Missouri [Mr. Bartholdt] that instead of its being a stain on the escutcheon of fair Columbia, as he said, it will rather be an additional mark of honor that there is one country on the face of the earth at least where some sort of test of the standard of citizenship is required before such newcomers, many of them so for-eign to a knowledge of our institutions, can take upon themselves the obligation and privilege to exercise the American franchise. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SABATH. Mr. Chairman, I yield three minutes to the

gentleman from Indiana [Mr. Peterson].

Mr. Peterson. Mr. Chairman, since the creation of this Government we have said to the enlightened nations of the world, "Come; the door is open; there is room enough for all."

We are now asked to inaugurate a new policy—to close the door; put up the bars; and say to the world, "Stay out; we want no more of you."

Are we ready and can we afford to do this? This is the

ultimate question for solution.

Gentlemen say, "Oh, no; this is a very mild and reasonable exclusion act; it will only arbitrarily exclude a certain per cent"

Mr. Chairman, that is not the purpose of this measure. This is the beginning of the end; it means final exclusion of all aliens. That is the purpose prevalent in the minds and hearts of those who are urging the passage of this bill. That is the ultimate question we are facing to-day.

We know what an illiteracy test means. It means whatever those charged with its enforcement choose to make it mean.

We have illiteracy tests now relating to the right of franchise, and wherever these tests are enforced it results in total exclusion.

Mr. Chairman, I shall assume that this course of legislation means in the end the final exclusion of all immigrants. Now, are we ready to adopt that course?

We have listened here with much interest to the gentleman from Alaska, Judge Wickersham, who so graphically described to us a few days since the great possibilities of that Territory. He told us of its wonderful opportunities for agriculture, its wealth as a mining country, and one gentleman told us a great fish story. We are going to build a great system of railroads in that Territory. What do we want there for the development of that country? We want people.

The gentleman from Oklahoma [Mr. Ferris] also told us that there were 360,000,000 acres of unsold Government land in this country

in this country.

The gentleman from Oklahoma also suggested that there were many times that many acres of unoccupied land in the United States. What do we need for the improvement of this land? People. A few days ago I made a trip through the South. I saw thousands of acres of unimproved lands, much of it susceptible of cultivation. Gentlemen from the South tell us of the wonderful possibilities of their country, that land of sunshine and perpetual summer. As I rode along in the car I picked up a newspaper published in Mobile and noticed a headline which was the single word "shame." The paragraph read:

Alabama can raise the best corn in the country, yet we shipped in 20,000,000 bushels last year.

I have no doubt there is a shortage of other cereals in that country. What is most needed in the South? People. It is true they have the black man, but the colored man is not a constructive man. He works for to-day. He has no thought of the future. The immigrant works for to-morrow. Gentlemen have spoken of the old immigrants. They have been fulsome in their eulogies of those who came here from Ireland, Germany, and the Scandinavian countries. I venture to say, however, that if this illiteracy test had been enforced against them large portions of them would have been excluded. Perhaps one-half of them came here, as the saying is, "with tags on their backs." If that test had been enforced against this class of foreigners, one-half of the Members of this House would not be here to-day. They might possibly be members of the British Parliament.

There are two objections urged to the present immigrants; one is that they come in competition with American labor. I shall not take the time of the House to answer this argument. It has been fully and conclusively answered by the gentleman from Minnesota [Mr. Manahan] and the gentleman from Missouri [Mr. Babtholdt]. The other argument is that these people are poor, ignorant, and do not readily assimilate with our people. I admit that they are poor; they are not ignorant, and they will assimilate with our people.

I live in the great manufacturing district of Indiana known as the Calumet district. There are 80,000 foreigners in that district, chiefly from southern and eastern Europe. In the city of Gary there are perhaps 12,000 adult foreigners from these countries. I hold in my hand a newspaper printed in my home town. I desire to read a paragraph therefrom:

More than 3,000 men and women are enrolled in the night schools in Gary.

What city in this country of the size I indicate can make such a showing. These foreigners display an intense desire not only to learn to read and to write, but to familiarize themselves with our institutions. Let us take the second generation. I have here a public document printed by the Government. is known as Bulletin No. 51, issued by the Department of Education here in Washington. On the first page of this bulletin is a letter from P. P. Claxton, Commissioner of Education, and addressed to the Secretary of the Interior. Speaking of these immigrants, the writer says:

That these people are interested in the elementary education of their children, or at least obedient to the school-attendance laws, is shown by the fact that the least illiterate element of our population is the foreign-born children of foreign-born parents. The illiteracy among the children of native-born parents is three times as great as that among the native-born children of foreign parents.

Speaking of these immigrants and of the people who oppose them, on page 19 of this bulletin are the following statements:

Such people in their zeal forget that the immigrant frequently brings his contribution to enrich our civilization. The things of the higher kind—the spirituality, the reverence for authority, the love of art and music are valuable to soften the materialism that has accompanied our great advance in prosperity, and they should not be crushed out in the attempt to remake the immigrant.

These people are a people of our blood and our race. are the descendants of some of the greatest and most patriotic nations in the world's history. "Rome in that early day sat upon her Seven Hills and ruled the world." One of the great generals of the Revolutionary War was Kosciusko, the great Polish patriot who came here and offered his services to fight for American freedom.

Mr. Chairman, there is no logic, justice, or reason in favor of the adoption of this literacy test. Further, it is un-American and undemocratic. In our last national convention the Democratic Party declared in no uncertain terms against such unreasonable exclusion acts as the present bill provides for. In approving the sentiments expressed by the gentleman from Minnesota [Mr. Manahan], like he, I desire to disclaim any opposition to the interests of American labor. I am in favor of American labor and the organization of American labor. in favor of its protection, both from improper competition and unreasonable legislation, and I desire to take this opportunity to declare myself in favor of the passage of the Bartlett-Bacon bill. I will support that bill and vote for its passage.

Mr. BURNETT. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. RAKER].

[Mr. RAKER addressed the committee. See Appendix.]

Mr. BURNETT. I will ask the gentleman from Illinois [Mr. SABATH] to use some of his time now.

Mr. SABATH. Mr. Chairman, I yield five minutes to the gentleman from Rhode Island [Mr. O'SHAUNESSY].
Mr. O'SHAUNESSY. Mr. Chairman and gentlemen of the committee, I am opposed to this immigration bill. If it becomes a law, the Democratic Party will have to shoulder the responsibility for its passage. Its enactment will be an acknowledg-ment upon the part of those who favor it that national bumptiousness has been substituted for economics, and that antipathy to the foreigner has taken the place of social science. To the satisfaction of a vast majority of the American people the Democratic Party has recently redeemed its promises and fulfilled its pledges by tearing down the Chinese wall of protection, behind which the special interests of the country fattened for many years upon the vast body of the public. We have liberated trade and bidden the American manufacturers to go forth into the markets of the world in honest competition so that the people may derive a long-deferred justice. Under the stimulating influence of real tariff reform and a currency bill, whose sponsors are the people and not the bankers and manufacturers alone, the country gives evidence of a splendid awakening to renewed opportunities in the commercial arena. And having torn down one Chinese wall, this Congress proposes to erect another without logic or sense. The only argument that ever had substance in support of a measure of this kind was that which was based upon the unfair advantage the manufacturers of the country enjoyed under a high protective tariff; it was argued with plausibility that the bars were up against foreign goods but open to foreign labor, and the cry went up for equality and fair play under the law. But now that we have removed the bar which gave a special advantage to the manufacturer, what just cause is there for complaint? Do we not put ourselves in an indefensible position if we legislate in favor of one class and against another?

I take it that what is sauce for the goose should be sauce for the gander. Now, illogically, the Democratic Party proposes to say to valiant men and women throughout the world, "Keep out; we do not want you here, because, forsooth, you can not read 40 words." Oh, what a humbug and what a preposterous test for admitting aliens! We will have to change the pose of the Statue of Liberty in New York Harbor, now bidding a

thousand welcomes to the men and women who seek our shores in order that they may benefit themselves and their posterity. We will have to change the statue so that with a forbidding countenance and with a defiant hand it shall say in effect. back; we do not want you. The statistics of America prove that your children love Americanism; the statistics of America prove that your children are fond of education. They prove that men like you have made ideal citizens." Educationally considered one seeks in vain for any argument to support it. If we love to consider the liberalizing influences of American civilization, we must stand appalled at the hard-heartedness of those who would deny the extension of our beneficent laws and embracing citizenship to those whose lives attest a love of it. Let us turn for a minute to the statistics dealing with the children of the native and foreign-born whites. We find in the Census of 1910 that the lowest percentage of illiteracy, was among the native whites of foreign or mixed parentage, while among the native whites of native parentage the percentage was 3.7. Here is an eloquent answer to those who decry the influence of the foreigner upon our American institutions. We find their children avid for learning, and their parents making every sacrifice so that their children may fit themselves for the duties and responsibilities of prospective citizenship.

We can not stop the process of evolution. Those who are so

furiously engaged in restricting immigration should remember that the despised immigrant of years ago is the honored citizen of to-day. All around us we have seen where the German was displaced by the Irishman, the Irishman by the Pole, the Pole by the Hungarian, and the Hungarian by the Italian. All of them have been necessary in their time and place in the upbuilding of this great country of ours; in opening up new land, in bridge work, in mining, in the construction of railroads, in the building of sewers and trenches, in the crection of the great buildings in our many cities which house a residential and commercial population. It is farcical to say that we are suffering from a congestion of population. The mountain States of Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, and Nevada have no more than a population of 3.1 inhabitants

to the square mile.

Washington, Oregon, and California have 13.2 inhabitants to the square mile. So I might go on with the other divisions of States, showing that only in 10 out of the 48 is there a population of more than 100 to the square mile. In this House men talk of the opportunities of the West, and only a day or two ago the distinguished gentleman from Oklahoma [Mr. Ferris], in speaking against the Alaska railway bill, spoke of the opportunities awaiting the settlers who would come to cultivate the thousands of acres which were waiting for ownership and labor. The men supporting this bill, consciously or unconsciously, are but drawing a herring across the trail. They are fastening the eyes of the Nation upon the worthy immigrant, painting him in false colors, and diverting the people from a consideration of our own failures and derelictions. migrant laborer here gets but a scanty wage, the fault lies not with him, but in the distribution of the fruits of labor. Let us lay the blame upon our own industrial system and not upon those who have to make their bread and butter under it. Let us have more of the spirit which actuated the great dry goods merchant, Altman, of New York, whose will testifies to his consideration of those who helped him make his fortune. Let us have a multiplication of the beneficence of Henry Ford, of Detroit, who labors not for himself alone, but thinks of those who labor and cooperate with him in his great industrial plant. We have hampered trade by restrictive tariffs and bartered away our natural opportunities for a song. And now, with the sanctity of the Pharisee of old, we are preparing to visit our own sins upon the heads of innocent immigrants. Another thought comes to me: One would imagine, listening to the debate in this House, that immigrants do nothing but labor and that they existed without eating and ran around without clothes. us remember that they are consumers as well as producers and that their needs vastly broaden the market of commerce. If there is no reason other than the obsession of some people on this subject, and that is all there seems to be to it, then this bill should meet with the defeat it deservedly merits.

Oh, my friends, you will be writing a black chapter in the history of American politics the day you enact this legislation.

[Applause.]

Mr. BURNETT. Mr. Chairman, I yield to the gentleman from Tennessee [Mr. Austin].

The CHAIRMAN. The gentleman from Tennessee [Mr. Aus-

TIN] is recognized.

Mr. AUSTIN. Mr. Chairman, something has been said in this debate about the vetoes of immigration bills carrying the illiter-When Prestacy test by former Presidents Cleveland and Taft.

dent Cleveland exercised his veto the percentage of illiterate aliens coming into this country was less than 3 per cent. To-day the illiterates entering our country are over 33 per cent. President Taft vetoed a similar bill to the one we are now considering in a 12-line message, in which he stated that he did it with much reluctance. Now, I wish to submit to the House the utterances of two other ex-Presidents and the present occupant of the White House on the immigration question. President McKinley, on this identical kind of legislation now under discussion—the great McKinley, who was wise, just, and humane—in a message to Congress said:

Our naturalization and immigration laws should be further improved to the constant promotion of a safe, a better, and a higher citizenship. A grave peril to the Republic would be a citizenship too ignorant to understand or too vicious to appreciate the great value and beneficence of our institutions and laws, and against all who come here to war upon them our gates must be promptly and tightly closed. Hilteracy must be banished from the land if we shall attain that high destiny as the foremost of the enlightened nations of the world, under Providence, we ought to achieve.

The Republican convention which nominated President Mc-Kinley placed this plank in the platform:

For the protection of the quality of American citizenship and the wages of our workingmen against the fatal competition of low-priced labor we demand that the immigration laws be thoroughly enforced and so extended as to exclude from entrance to the United States those who can neither read nor write.

Mark you, when this plank was adopted and approved by a large majority of the American voters the percentage of illiterate aliens entering the country was less than 6 per cent, to-day it is more than 33 per cent.

President Roosevelt, one of the political idols of the American people, and twice their choice for President by unprecedented majorities, made this statement to Congress in one of his mes-

The second object of a proper immigration law ought to be to secure a careful and not merely perfunctory educational test some intelligent pacity to appreciate American institutions and act sanely as American institutions.

President Wilson, to-day the head and leader of the Democratic Party, when not seeking as a candidate the so-called "foreign vote," wrote as an impartial historian in 1902 this statement, which will be found in volume 5, page 212, of his History of the American People:

History of the American People:

The census of 1890 showed the population of the country increased to 62,622,250, an addition of 12,466,467 within the decade. Immigrants poured steadily in as before, but with an alteration of stock which students of affairs marked with uneasiness. Throughout the century men of the sturdy stocks of the north of Europe had made up the main strain of foreign blood which was every year added to the vital working force of the country, or else men of the Latin-Gallic stocks of France and northern Italy; but now there came multitudes of men of the lowest class from the south of Italy and men of the meaner sort out of Hungary and Poland—men out of the ranks where there was neither skill nor energy nor any initiative of quick intelligence—and they came in numbers which increased from year to year, as if the countries of the south of Europe were disburdening themselves of the more sordid and hapless elements of their population, the men whose standards of life and of work were such as American workmen had never dreamed of hitherto. The people of the Pacific coast had clamored these many years against the admission of immigrants out of China, and in May, 1892, got at last what they wanted—a Federal statute which practically excluded from the United States all Chinese who had not already acquired the right of residence; and yet the Chinese were more to be desired, as workmen if not as citizens, than most of the coarse crew that came crowding in every year at the eastern ports.

[Applause.]

The gentleman [Mr. Sabath] signing the minority report on this bill tells us that had this bill been in operation he would have been denied admission to this country as an alien, and yet in his personal biography carried in the Congressional Directory he states he attended the "grammar and high schools in Bo-hemia," and I submit that if he attended said schools and could net read 40 words in his own language, then he was, indeed, a very dull scholar. [Laughter and applause.]

Mr. SABATH. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. AUSTIN. Not unless the gentleman gives me some time. Mr. SABATH. That is not the reason I assigned. It was the money test that I assigned.

Mr. AUSTIN. Yes; but this bill, so far as the money test is concerned, is a copy of the very law which was in existence when the gentleman landed, a lad of 15 years of age.

Mr. SABATH. Not the same rules, however. Mr. AUSTIN. The gentleman's own statement, printed in the RECORD this morning, is to the effect that if this bill had been the law at the time of his arrival in this country he would have

than 100,000 unemployed in that city and that every charity agency is overtaxed as never before; that they have been compelled to house and care for the unemployed in the public buildings and in the various churches.

I submit the following letter from the officers of the United Charities of Chicago:

Dear Sir: This is a personal letter to you, respecting a public matter of vital concern. The statement accompanying it contains compelling facts about present poverty conditions in Chicago. Prompt emergency methods must be used to meet this situation, otherwise we will be unable to care for all the families that come to us.

Almost unprecedented conditions of unemployment exist. There is much suffering that the United Charities can alleviate, and more that it can prevent if provided with the means to do so.

Human understanding can not encompass the suffering that results from failure to heed the cry of the destitute. There are many thousands of them.

We are sure that only a very special reason will prevent you from answering this appeal with a contribution as generous as you feel you can make.

Please send your check—now.

Urgently, yours,

Chairman Finance Committee. C. R. Henderson, President.

On the back of this letter I read the following extracts:

HERE ARE THE FACTS.

HERE ARE THE FACTS.

1. The present is a period of almost unprecedented business depression in many circles. It has resulted in more unemployment among small wage earners than Chicago has ever experienced. We believe that fully 25,000 families, or 100,000 individuals, will suffer the cruel sting of poverty here this winter.

2. Two weeks ago in one section of Chicago over 6,000 men out of 36,000 normally employed were reported laid off, while one-half of the remainder were working on half time, with half pay. We have statements to this effect from superintendents of the plants over their own signatures. The cold fact is that thousands more have been laid off in Chicago since then, and employers unite in saying that not a man will be reinstated for three months.

Unemployment is given as the cause in S0 out of every 100 families calling upon us for ald right now. One father of three children was sent to 10 big shops, without getting a job. Unemployment is the forerunner of illness, intemperance, discouragement, and desertion, thus increasing the seriousness of the situation.

3. Appeals for aid from homeless men and boys have increased nearly 400 per cent over last year. From December 1 to 17, 1913, 1,410 families not known to us before came for aid, compared to only 779 during the entire month of the previous year. Our district offices looked after 4,925 families of all kinds from December 1 to 17, 1913, this being 645 more families than we carried during the whole month of December, 1912. Approximately 75 poor families that had been served with eviction papers came to us in one day in December for help to find roofs to cover their heads. Twenty full days' overtime was put in in one week in our west side office by 16 of our workers responding to the avalanche of appeals that poured in upon them.

Because of these facts we have had to spend more money for relief than in other years. Four hundred thousand dollars will be needed for 1914. We need \$148,000 in addition to what we expect to get from our regular subsc

Even in the face of this appalling story of the condition of the unemployed people in the city of Chicago, one of its Rep-resentatives [Mr. Sabath] is demanding that we permit a still further increase in the number of the unemployed in his home town by keeping our doors wide open and continuing to permit more than a million of aliens to land on our shores every year.

The gentleman from Illinois [Mr. Sabath] says there is no demand for this legislation. Let us see. The American Federation of Labor, with a membership of more than 2,000,000 wage earners, in every national convention of recent years, with every State represented, has asked for this legislation. The United Mine Workers of America, with 450,000 deserving and industrious members, favor restriction. In fact, the last resolutions they adopted a few days ago demanded the suspension of all immigration until the million of unemployed mer now in this country could be furnished work.

The Farmers' Union, with a membership of 3,000,000, men who till and cultivate the soil in the United States, demand it. The National Grange, the Farmers' National Congress, the Rail-Trainmen's Association, the Brotherhood of Locomotive Engineers, Conductors, and Firemen, and practically every patriotic organization of this country insists upon and demands this legislation. Pennsylvania, a State having the second largest number of aliens, through its legislature has demanded it, and the Legislatures of Ohio, Vermont, Tennessee, and other States have joined Pennsylvania in its demand. This bill passed the Senate in the Sixty-second Congress without a roll call, for the law at the time of his arrival in this country he would have been embarrassed and perhaps prevented from becoming an American citizen.

Let us see if the city of Chicago, from which the gentleman [Mr. Sabath] halls, is in need of any aliens. During the past 30 days the Chicago daily papers have stated there are more says there is no demand in this country for this proposed legislation.

Mr. GOLDFOGLE. Will the gentleman yield?

Mr. AUSTIN. No.
The CHAIRMAN. The gentleman declines to yield.

Mr. AUSTIN. I am sorry I can not yield, but I have not the me. I commend to my able and genial friend [Mr. Gold-FOGLE], who wishes to interrupt me, the article in last Friday's Washington Times, wherein is told the story of a great public meeting held in his home city, New York, a meeting in the in-terests of the unemployed. The article states that strong men and women broke down and cried over the many stories of hardships, misery, and unhappiness in the ranks of the army of the unemployed in New York City.

The public authorities in that city have not only overcrowded every charitable institution, but have been compelled to even utilize he recreation piers and the boats owned by the city to house and relieve thousands of allens without work. Yet the gentleman from New York City [Mr. Goldfogle] insists that we shall continue to annually accept more than 1,000,000 aliens in this country seeking employment, a great majority of whom are unloaded in the harbor of New York. We have received in this country, 1,500,000 aliens from one of the countries of southern Europe and 850,000, or 54 per cent, of them can not read or write, and only three-tenths of them have become naturalized.

Our last national census was taken on February 15, 1910, and at that time we had in the United States 13,515,886 persons born in foreign lands. From the 15th day of February, 1910, to December 31, 1913, we have received 4,278,889 aliens, making a total of 17,794,775 persons in this country of foreign birth on

January 1, 1914.

The opponents of this bill have taunted us with the great amount of ignorance and illiteracy in the Southern States. They have declared it to be a drawback and an evil to the South. of the South know it. We feel and we realize it, and therefore the Members from the Southern States, almost to a man, wish to reduce, and not increase, ignorance and illiteracy by keeping our doors closed to that class of immigrants from all the world. [Applause.]

Mr. O'SHAUNESSY. Will the gentleman yield?
Mr. AUSTIN, I can not yield. Ill does it become the gentleman from Minnesota [Mr. Manahan] to taunt the author of this bill [Mr. Burnett] about illiteracy in Alabama and the South. The Civil War destroyed our southern homes and cities. The southern Union and Confederate soldiers returned to their homes possessing practically nothing but a brave and undaunted spirit and determination to rehabilitate the South. We had turned over to us 4,000,000 of slaves to educate and train for citizen-

Mr. GOLDFOGLE. Will the gentleman yield? Mr. AUSTIN. No; I will not yield unless the gentleman will

yield me more time.

We know the evils, we know the hardships and difficulties of illiteracy, and we are opposed to illiterates entering the Southern States from Europe, Mexico, India, Japan, Turkey, or any other portion of the world. We have sufficient burdens and responsibilities of this character.

The gentleman from Minnesota [Mr. MANAHAN] is certain the labor leaders of this country and their two or three million followers do not understand this important question, and has assured us that if he and Louis F. Post had an opportunity to address them, they would be convinced of their mistake in be-lieving that this bill is in the interest of the American work-

Samuel Gompers, Frank Morrison, John Mitchell, and the men they represent and speak for, as well as the nine able and distinguished men on the Immigration Commission created by Congress seven years ago, who spent four years of study and investigation in this and foreign countries of every phase of the immigration question, no doubt could be highly enlightened, informed, and convinced by the modest Member from Minnesota.

The gentleman from Minnesota [Mr. Manahan] after criticizing the labor leaders stated the great West needed more farmers and for this reason we should not restrict immigration. I believe the record shows that only 2 per cent of the aliens we are now receiving go upon the farms, although many efforts have been made by various organizations and local, State, Federal, and railroad officials and newspapers to induce a greater number to do so. There are thousands of unemployed aliens at present in our overcrowded cities of the Eastern States from whom Minnesota can recruit its farmers without keeping our doors open for additional millions in foreign lands, who could not be induced or even forced to locate on the farms of the country if permitted to come in. Thirty per cent of the aliens return to their foreign homes to enjoy what gentlemen call

tyranny and oppression. When do they go? After they have saved their wages and accumulated money, never having had any intention to make this their permanent home. Last year \$90,000,000, \$7,500,000 per month, made in America, were sent to their foreign homes in international money orders alone. Yet you say they came here for freedom and the blessings of Republic.

Mr. Speaker, they tell us that we are receiving a blessing in having over 300,000 illiterate aliens land on our shores every 12 months. In this connection let me read a letter from the prosecuting attorney of Somerset, N. J., addressed to President Taft on February 8, 1913:

My duties as prosecuting attorney of Somerset County, N. J., have given me an excellent opportunity to check up in one important particular the investigations and conclusions of the Immigration Commission with reference to the illiteracy test. During the last two years I have kept a careful record of the last 114 criminal cases that I have prosecuted against allens, with the following interesting results:

	Illiterate.	Literate.	
Homicide Atrocious assault and battery Simple assault and battery	3 34 9		
Lareeny Sexual crime Perjury Excise	14 7 2	1	
Marriage Frauds Miscellaneous	3 2 6	1	
Total	91	22	

The following conclusions are deducible from the above:

(1) Of the 114 crimes committed by allens 54 were acts of personal violence; and of these 54, 46 were committed by illiterates, while only 8 were chargeable to those able to read and write.

(2) Of the 46 committed by illiterates, 3 were homicides, 34 were atrocious assaults (by maiming and wounding with a deadly weapon), and only 9 were simple assaults, showing conclusively that the illiterate alien 37 times out of 46 makes use of a deadly weapon in order to avenge his wrongs, fancied or real.

(3) Out of 16 cases of larceny (stealing of all kinds), 14 defendants were illiterate.

(4) Out of 8 sexual crimes, 7 were committed by liliterates, 3 of these being carnal abuse of infants under 10 years of age.

(5) Out of 3 perfury cases, 2 were against illiterates; that is, of those brought to justice.

(6) Out of 16 cases for violation of excise laws, 11 were illiterates, showing an utter diregard for laws.

(7) Of the 4 crimes against the institution of marriage, 3 were illiterates.

(8) Only in cases of fraud did the literate exceed the illiterate.

I am, Mr. President, sincerely, yours,

FREDERICK A. POPE.

Prosecutor of Picas, Somerset County, N. J.

Another interesting document, and one to which I call the

Another interesting document, and one to which I call the special attention of the gentleman from New York [Mr. Gold-FOGLE], is that of Secretary McGarr, of the New York State Commission in Lunacy, printed in the New York Daily Times of March 23, 1913:

INSANE ALIENS.

INSANE ALIENS.

The Times is informed by Secretary McGarr, of the State commission in lunacy, that of the 31,432 insane patients under treatment in the 14 State hospitals on February 10 last, 13,163, or 41.9 per cent, were aliens. Foreign-born patients have increased since the Federal census of December 31, 1903, by 1,552, or 13.4 per cent. In the two State hospitals for the criminal insane there were 1,230 patients on February 10, of whom nearly 44.4 per cent were of alien birth; the Federal census of 1910 showed a percentage of aliens to total population in this State of 29.9 per cent.

The prevalence of insanity among immigrants is evidently much greater than among the native born. Of the 5,700 patients admitted to the civil hospitals for the year ending September 30, 1911, 2,737, or 48 per cent, were aliens, and 1,481, or 26 per cent, were of alien parentage, while only 1,224, less than 26 per cent, were of native stock. Of the whole number, the nativity of but 218, which is 3.8 per cent, was not ascertainable. Insanity among the foreign peoples of this city occurs in a still larger percentage of cases. Of the first admissions to the hospitals, 2,006 out of 3,221 residents of the city were of foreign birth; that is 64.1 per cent, although the foreign-born population is but 40.4 per cent of the whole.

A recent Democratic governor of New York issued an appeal

A recent Democratic governor of New York issued an appeal to the governors of other States for a conference to take steps to provide for the enormous expense of caring for the alien insane that have landed in this country under the present immi-gration laws. Had these laws been rigidly enforced it would have saved the taxpayers of New York State alone from three to five million dollars per annum, and the taxpayers of Pennto nve minion domais per annum. The administration of our im-sylvania \$1,000,000 per annum. The administration of our im-migration laws as it affects the insane, criminal, and pauper class is a fraud, a farce, and a delusion. [Applause.] I make this statement because I was for more than a year in a position to observe and study the American method of immigration inspection.

The very fact that the insane asylums, hospitals, prisons, and other State institutions in New York and Pennsylvania are filled with aliens; that the Black Hand Society, the white

slave operators, the gunmen have flourished in New York and other places; that out of more than a million aliens admitted in 12 months, and less than 25,000 rejected, is convincing proof of the inability or unwillingness of our immigration authorities to rigidly enforce existing laws.

This bill will not accomplish what we hope and expect unless there is greater vigor and thoroughness in its administration and enforcement than we have had under existing immigration

Mr. Speaker, in conclusion I wish to say something about the foreign steamship companies that are responsible, in a large measure, for inducing, encouraging, stimulating, and working up foreign immigration to this country in order that they make from this business \$50,000,000 per annum and use our country as a dumping ground. While in Europe I had occasion to visit the office of a steamship company, and was informed that that company alone had 1,200 agents scattered all over Europe, and I take it that every other steamship company has an equal number of local or field agents. In every attempt we have made to protect our country from the unwise, unjust, and unpatriotic continuation of a policy which brings burdens upon us in caring for the insane and criminal classes and the education of the illiterate of foreign lands we are antagonized and opposed in every conceivable way by the foreign steamship companies. They have no care or concern for our land or people. god is mammon. Their action is selfish and at the expense of our beloved country. We are here to represent the best and highest interest of the American people, who by their votes commissioned us to legislate for them and not for a foreign steamship trust. [Applause.]

Mr. SABATH. I yield to the gentleman from Ohio [Mr.

ANSBERRY].

Mr. ANSBERRY. Mr. Chairman, I am opposed to the literacy test in this bill. I think the balance of it is good legislation, but the literacy test is sufficiently bad to outweigh all the good in the bill, and for that reason I shall vote against it. literacy test not only prevents good men and good women from coming to our shores to establish a home, but it absolutely destroys the best part of our liberal policy, the text of which is found in the Constitution of the United States, in the Declaration of Independence, and in our legislation which has heretofore encouraged honest, healthy, sane men and women to find homes in this country.

In spite of the fact that this committee and the commission heretofore appointed by this House have recommended the literacy test as one of the best means to arrive at a proper solution of the question as to what kind of immigrants are considered undesirable in this country, I hold in my hand a sheet which has, boiled down in epigrammatic sentences, the consensus of the best thought in the United States of America on this

question.

It is the thought of educators, of men at the head of educational institutions throughout the length and breadth of this land-sectarian and nonsectarian, Catholic, Protestant, and Jew-and each and every one of them say in unmistakable terms that it is a reversal of one of our best policies, as well as a right about face on our traditions, and that it is not the proper method of producing legislation that will keep undesirable people from our showes, but its results will be to prevent coming into our country men and women who would make good citizens.

into our country men and women who would make good citizens.

Among these men are Harry Pratt Judson, president of the University of Chicago; Lyon G. Tyler, LL. D., president of William and Marys College, Virginia; George Lewis Mackintosh, president of Wabash College, Indiana; George S. Davis, LL. D., president of the Normal College, city of New York; John Cavanaugh, LL. D., president of the University of Notre Dame, Indiana; James A. B. Scherer, LL. D., president of Throop College of Technology, Pasadena, Cal.; Stephen M. Newman, D. D., president of Howard University, Washington, D. C.; Herbert L. Stetson, LL. D., president of Kalamazoo, Mich.: Winthrop E. Stone, LL. D., president of Purdue University, Washington, D. C., President of Purdue University, Washington, D. C., Stalamazoo, Mich.: Winthrop E. Stone, LL. D., president of Purdue University, Washington, D. C., President of Purdue University, Washington, D. C., Stalamazoo, Mich.: Winthrop E. Stone, LL. D., president of Purdue University Mich.; Winthrop E. Stone, LL. D., president of Purdue University, Lafayette, Ind.; Dr. John A. Earl, president of Des Moines College, Iowa; Leo Haid, president St. Mary's College, Belmont, N. C.; Dr. H. B. Brown, president of Valparaiso University, Valparaiso, Ind.

To this list can be added the name of almost every wellknown educator in this great country. President Cleveland, in 1897, perhaps stated as succintly as possible the principal objection to the literacy test when he vetoed a similar bill to this one

because of that objectionable test. He said:

The ability to read and write as required in this bill in and of itself affords, in my opinion, a misleading test of contented industry, and supplies unsatisfactory evidence of desirable citizenship, or a proper apprehension of the benefits of our institutions. If any particular element of our illiterate immigration is to be feared for other causes than illiteracy, these causes should be dealt with directly instead of making

illiteracy the pretext for exclusion to the detriment of other illiterate immigrants, against whom the real cause of complaint can not be alleged.

President Taft also gave expression to his unalterable opposition to this test when he vetoed practically this selfsame bill

in the last Congress.

Secretary Nagel was of the opinion that illiteracy was often due to oppression, and that it was because of this that many of these immigrants, thus sought to be excluded, were coming to our shores; that they were really striving to free themselves from the conditions which made them illiterate. Ex-President Eliot, of Harvard, states his position as follows:

PRESIDENT ELIOT'S VIEWS.

I beg leave to invite your attention to the following statement of the principles which should govern the national legislation on immigration:

(1) Our country needs the labor of every honest and healthy immigrant who has the intelligence and enterprise to come hither.

(2) Existing legislation is sufficient to exclude undesirable immigrants.

(2) Existing legislation is similarent to exclude undestrable immigrants.

(3) Educational tests should not be applied at the moment of entrance to the United States, but at the moment of naturalization.

(4) The proper education test is capacity to read in English or in the native tongue, not the Bible or the Constitution of the United States but newspaper items in some recent English or native newspaper which the candidate can not have seen.

(5) The attitude of Congress and the laws should be hospitable and not repellant.

The only questions which are appropriate are: Is he healthy, strong, and desirous of earning a good living? Many illiterates have common sense, sound bodies, and good characters. Indeed, it is not clear that education increases much the amount of common sense which nature gave the individual. An educational test is appropriate at the time when the foreigner proposes to become a voting citizen. He ought then to know how to read.

So that I think that I did not overreach the mark when I said in the beginning that the position of the committee was opposed by the consensus of the best thought in America, and the names I have mentioned are but a few, as compared to the vast number of experts in education who take this position. I have before me a statement made by Commissioner of Educa-tion Claxton, a man of broad view and profound learning, as any member of the Committee on Education who has heard him can testify. He said:

The least illiterate of our population are the native-born children of foreign parents. Illiteracy among the children of native-born parents is three times as great as that among native-born children of foreign parents.

I think that there is but little demand in this country for this legislation, and were it not for the spirit of intolerance and bigotry there would be no legislation of this character. district which I have the honor to represent, which has no city in it of more than 10,000 and which has few immigrants within its confines who have been in this country less than 20 years, is not demanding this legislation. I have not received more than 20 letters on this question. It is true that all of these were opposed to the bill; but I am more than satisfied when I consider that less than half a century ago this splendid district in northwestern Ohio was sparsely populated because of dense forests and almost impenetrable swamps. That this condition does not exist to-day is due to the fact that countless thousands of immigrants left the Old World and in that portion of Ohio sought a home and freedom, at least one of which in too many instances had been denied them at home. These men, some of whom with their wives and their children, might have been excluded from participating in this great work had this literacy test been upon the statute books at that time. Their descendants and themselves are as hardy and robust in their Americanism as any within the sound of my voice.

They have made from a swamp and forest as fine and productive a country as the sun shines upon, and I would be wanting in a proper sense of loyalty to these people if I did not oppose with tongue and vote this measure. It is said by the proponents of this bill that this literacy test will exclude a very small percentage of the German and other desirable immigrants of northern Europe. We can not even spare any small percentage of this very desirable class, who, coming here during every period of our national life, have learned to appreciate and to revere our institutions and have made our best citizens. In any event, even though none of the immigrants from northern Europe would be affected, we are not willing to sacrifice the principle, and we are not going to write ourselves as so supremely selfish as to deny others the privileges which we enjoy, particularly since our country can house and take care of, without any inconvenience, millions more.

I am opposed to this bill because I believe, as some one has expressed it, that this country can afford to use and ought to give opportunity to every man and woman who is sound in morals, mind, and body, and who comes here in good faith to spend his or her energies in our life. I am opposed to this bill because it contravenes the consensus of the best thought of

our country; because it turns its back upon our country's best traditions; and because it is dictated by a spirit of intolerance, narrowness, and bigotry, the same spirit of intolerance which but half a century ago dictated legislation of a similar character aimed at the good people who made smiling farms of the forest and impenetrable swamps which once covered the district which I represent. Despite the fact that it is regrettable, every student of our history knows that even though so broad a statesman as Benjamin Franklin bitterly opposed the encouragement offered to the thrifty German immigrants, who in those early days sought here a home; and Otis prided himself in his denunciations of the same class of immigrants who came in in that day from Ireland. Others denounced the immigrants from Denmark, Holland. Sweden, and Norway; and I unhesitatingly say that had the desires of these statesmen been crystallized into legislation the United States would now be a byword and a reproach instead of what it is to-day, foremost among the nations of the world.

Mr. BURNETT. Mr. Chairman, I hope the gentleman from Pennsylvania will now use some of his time.

Mr. MOORE. I wish the gentleman from Alabama would continue, because I have no one at present to yield to. We are so far ahead in the quality of the arguments and the time consumed that I wish the gentleman would proceed. [Laughter.]
Mr. BURNETT. Mr. Chairman I yield to the gentleman from

Illinois [Mr. McKenzie].

Mr. McKenzie. Mr. Chairman, in the discussion of a great public question such as is involved in this bill for the restriction and regulation of immigration to our country all personal or individual interests and prejudices should be laid aside, and we should enter upon the discussion with open minds, striving solely for the ultimate and lasting welfare of our country. I regret that in this discussion and in former discussions on similar measures some of the speeches delivered have bristled with statements plainly indicating the prejudice and bias of those engaging in debate. For myself, I feel that while an advocate of the pending legislation I am not constrained in my support of the same from any desire to unjustly curb or handicap the aspirations of the people of any other land in their efforts to better their condition in life.

I trust that not only I but all who believe in the wisdom of the proposed legislation have more exalted reasons to offer in support of our position. In passing I wish to say that it is true that our country has been peopled by those coming from foreign lands in order that they might enjoy greater opportunity for improving their condition. It is true that in the past they came by thousands from the sturdy middle classes of northern and western Europe-the Irish, Dutch, English, Scotch, Swiss, Germans, Russians, French, and Scandinaviansand here with turgid muscles and hopeful hearts they proceeded to make new homes for themselves. It is true they felled the forests and reclaimed the wilderness and quickly adjusted themselves to our form of government. Practically all these different nationalities were of Anglo-Saxon, Celtic, and Germanic origin, all races well qualified by nature to understand and submit to constitutional representative government, being able to readily comprehend the great basic principle underlying our form of government-majority rule and peaceable acquiescence by the minority.

At this point I wish to say that my position on this measure has been criticized, and it has been said to me, "Your father was an immigrant. How can you favor such legislation?" True, my father was a Highland Scotchman of the most pronounced type, and the memory of old Scotland's lochs and hether were ever dear to him; but he, like the millions from the countries I have mentioned who migrated to our country, became an American citizen and gloried in the institutions of his adopted country. In view of my origin, I might be charged by some with lack of charity for the unfortunate of other lands and that I am narrow minded. God forbid that any other motives than love of country and patriotic devotion to the welfare of our people should influence me in the performance of my duty as a representative of the people.

In the enactment of laws such as is proposed in this bill, bearing directly on the very life and destiny of our Government, we should not be controlled by the present or immediate future effect of such legislation. But we should have in mind the welfare of unborn generations and its effect upon the perpetuity of the Government. I contend by this legislation we aim to remedy some present evils, but the great controlling factor in it is to forestall future impending danger to the Republic. This danger may now seem to be remote, but is none the less certain. For my part, I am willing to concede that some of the provisions of this bill are aimed at the immigration from southern Europe and oriental countries. It is contended by those opposing the bill

that the immigrants from southern Europe, while perhaps illiterate, are honest and industrious and make good citizens, and that we are unjustly and purposely discriminating against them. It is further stated that we need them to perform our common labor and should welcome them with open arms, assuring us that the shrine of liberty will never be desecrated by them. True, they admit that the standard of living of these people is lower than the American's; but what of that? They dig our ditches, grade our railroads, and perform the bulk of our common labor. We need them in our business, so let them come. They dwell on the magnanimity of such a course on our part, extending our hands to the poor and the oppressed of the earth. Have we not listened to the recounting of the long list of poets, philosophers, soldiers, and statesmen of southern Europe? Certainly; and we also read that the light of liberty flickered for a time in Greece and Rome, until extinguished by corruption and barbaric force centuries ago. I am willing to concede all these things to be true. But we are legislating for the future welfare of America. not Greece and Rome.

I intend to support this bill because the class of immigrants it is intended to prevent from coming here, by their ways and

manner of living, tend to lower the standard of American labor, and by this statement I do not simply mean the lowering of the wage of labor, but also the social tone or standard of labor. am inclined to think no one will dispute this. However, if such there be, permit me to ask him, if he had a son, would he consider him occupying as high a plane of labor when placed upon a public work with a gang of such laborers, with whom he could not converse and who inhabit crowded tenements or box cars, as if he were laboring alongside men who recognize the American standard of living? I am speaking of the son who labors, not a foreman or timekeeper. Of course no one would admit such to be the fact. What has been and is the present effect on the standard of labor? To any observer it is plain, so far as common labor is concerned upon public works in our country, the standard has fallen to a level where Americans refuse to engage in it, both on account of the wage and the association. All will agree that labor should be exalted, and no man should blush to admit he labors for a livelihood, and that callouses on the hands produced by honest toil should be considered badges of honor rather than disgrace. But under existing conditions the American youth feels humiliated and disgraced when classed as a common laborer. Why? To my mind it is, in a great measure, due to the lowering of the standard of labor.

While it may be possible for the present generation of American boys to escape common labor, the unborn generations of the future will be unable to do so, and we should have a thought

for them.

This is our country. Our posterity must abide here. Shall we consider their welfare, or shall we, unmindful of them, rush recklessly on, blocking every avenue of opportunity, and all done in the name of the downtrodden of other lands? Let us raise the standard of labor now, or at least make an effort to prevent it going still lower. How much better it would be if those who employ a large number of laborers would aid in raising the standard, pay better wages, and get better results even from Americans. I am fully aware that many of those opposed to this legislation are governed by humanitarian instincts, but I fear there are those more selfish and whose sentiments are expressed in the following lines—the name of the author I do not know:

Breed us more men, ye daughters of toil; Ye alien mothers in far-off lands, Sire them strongly, clean brawn and bone, For we sift from the chaff the wheat alone, When they come to die at our hands.

Think on our greed in your travail throes, Think of us when ye bare your breast, Mine and smelter shall claim their toli. Roads shall be broken and reach their goal, Though ye smell their blood from the west.

We build us strong on your woman's woe Pier of granite and iron span, Glare of furnace and caisson's gloom, Of him whom ye gave us—a man.

Seas shall not bar your sons from harm; Steppe or ferest or alpine slope, Our arms are long to grasp what we need, The New World springs from your trampled seed; Ye drain the dregs of our draught of hope.

So much for the effect of immigration on the standard of American labor. What of the ultimate effect upon our Government of the unlimited immigration of southern European and oriental races? Is it problematical? We are assured there is no danger. I am apprehensive. Not that I consider these races more criminally inclined than others, but the nature and characteristics of these people and freir past history causes me to

doubt their proper assimilation without danger to our country. I do not make this assertion intending to cast any reflections upon them. I know the story of the many brave and brilliant men of southern Europe. But I can not but feel that the people of northern and western Europe have demonstrated to a much greater degree their capacity for self-government and the ability to control themselves at such times when a more hot-blooded race would have plunged into revolution. I am satisfied in my own mind that the admission of countless thousands of immigrants into our country from southern Europe and oriental countries is a danger—remote, perhaps, but no less certain—to the life of our Government. It is revolution within, not danger from without, that will be the ever-present menace to our country.

The congenial assimilation of races so different in temperament and traditions as those of southern Europe and oriental countries with the races of northern and western Europe is a practical impossibility, even in this land of freedom. The former, lacking in comprehension of the true spirit of our institutions, can not be elevated to the true standard of American citizenship by assimilation, but the tendency would be to proportionately lower the present standard. The incentive which brings these people to our shores is different from the incentive which caused the migration of northern and western Europeans to our

With perhaps some exception the immigrants we seek to bar from our shores do not come here with the avowed purpose of making this their permanent abiding place, but for the time being to take advantage of the greater opportunities here af-forded to earn and save some money and later on to return to their native land, there to spend their declining years in comparative comfort on the small fortune accumulated here. do not come with any clear understanding of the meaning and purpose of our Government, nor do they join with patriotic impulse in the hopes and aspirations of our people; they simply come to labor for the gold given as a recompense, never realizing the true sentiment of American citizenship. Strangely different were the feelings of the men of northern and western Europe, who, perhaps, possessed as great a love for native land, gave it up when they landed on our shores, and not only entered into the labor necessary to carve out for themselves homes here but they enter into the spirit of our political institutions, and, as soon as possible, under our laws, swore allegiance to our flag, and with joyous hearts sang in unison with native-born Americans "My country 'tis of thee" and so forth. More than More than this, when revolution threatened our country's existence these men rallied around the old flag, and no braver defenders did it have than the sons of Erin who followed the banner of Sheridan and Birney and brave Phil Kearney; and the Scots, under Mc-Pherson, McArthur, and others; and the Germans who fought with Sigel, who after a hard day's battle in defense of our flag could be heard around their camp fire singing the songs of the fatherland. Thus was our country made strong and mighty by these classes of immigrants. But it is no argument, because this is true, that we should have unrestricted immigration into our country.

Much of the criticism of this bill is directed against that provision which provides for a literacy test, alleging that this is an unreasonable and indefensible provision. That it will permit the educated criminal to come in but will bar out the honest, industrious illiterate. I do not contend that illiteracy necessarily makes one a bad citizen, but I do contend that in a country such as ours the safety of the Government depends upon the intelligence of the people. To my mind it is not an unreasonable requirement to ask of those coming from foreign lands seeking all the privileges and opportunities of American citizenship. Surely to ask a man to be able to read 30 words in his native language as a passport into this land of ours is a very insignificant limitation, and will not be seriously objected

to by anyone who favors restriction at all.

In supporting this bill I feel we are performing a patriotic To charge us with having no charity for the unfortunate of other countries is idle declamation. If our friends who are opposing this bill are sincere in their devotion to the poor and unfortunate of other lands, why bar the pauper immigrant? Why not let him come in where he will have an opportunity to participate in the generous charity and hospitality of our friends, who undoubtedly are better able to contribute to his need than his own countrymen? The truth is that the Fosition of the advocates of this legislation is reasonable, logical, and patriotic. We have our own poor needing our care and charity; we have our own laboring man, whose interest we should guard; we have our country's future welfare to consider. Our own people, our laborers, artisans, and tradesmen, are

entitled to our first consideration. Our institutions should be become burdensome to our institutions.

protected from destruction by improper immigration. Certainly this is our plain duty, and I would say, in the language of that great American, Abraham Lincoln, "with malice toward none and charity for all," I stand first for America, her citizens, her homes, her hopes and aspirations, with a profound desire to see her flag, the emblem of the free, continue to float with ever increasing glory through the coming years. [Applause.]

Mr. BURNETT. Mr. Chairman, I yield seven minutes to the

gentleman from Kentucky [Mr. BARKLEY].
Mr. BARKLEY. Mr. Chairman, I shall vote for this bill because I conceive it to be my duty here as a Representative on this floor to cast my vote and participate in legislation, first, for the United States and for our people; and when I say people," I do not limit that term to the native-born American, but I include within that term all who are now here, whether they were born here or whether they have come from a foreign I shall support this bill, Mr. Chairman, because I am unwilling for a vote I may cast upon this floor to be considered in any way as lending any effort to bringing about any condition of affairs whereby an American born 100 years from to-day, 500 years from to-day, or 1,000 years from to-day shall be denied the privilege and the opportunity of exerting his power and directing his efforts in enterprises, the result of which may be the fullest success and the fullest prosperity which he may deserve. I do not look upon the United States as a temporary institution, but I look upon it, on the contrary, as a permanent institution which shall not only live 100 years, but which shall live for 1,000 years; and it is an economic fact, Mr. Chairman, that the more the population increases, the more thickly any country becomes populated, the more people an acre of land must support; and if conditions of immigration, as they are to-day, shall continue for 100 or 200 years, or a shorter period of time, I can conceive of a condition which will make it necessary for an acre of ground in the United States to support more people than it can possibly support, and that it will be necessary, in order that the American child and the American citizen may be supported and have an opportunity to bring about a condition which will bring prosperity to him, to find an avenue of exit instead of an avenue of entrance. I am unwilling that my vote on the floor of this House shall contribute to a condition, however far removed it may be, when the American-born citizen shall be compelled to find a new avenue of escape into other countries in order that he may find the opportunity to bring about success, the opportunity for education and prosperity which we believe he ought to enjoy here at home. [Applause.] I am unwilling, Mr. Chairman, to cast a vote upon this floor which will, now or hereafter, take from the mouth of any American-born baby one spoonful of food in order to give it to a child born on some other shores. I am unwilling to cast a vote which will, now or hereafter, bring about a condition which will take one single job from an American citizen in order to give it to some one born on a foreign shore. And I do not say that with any prejudice against any man who comes from a foreign nation.

My ancesters, in common with those of every man who sits upon this floor to-day, emigrated from a foreign shore to the American Continent. Why did they do it? Because they sought a betterment of their condition. Why are millions coming to-day from foreign shores? In order that they may better their condition. I am unwilling, Mr. Chairman, to cast a vote here that may be construed as an approval of a continuation of those conditions, so that in the future, however far removed it may be, it will become necessary for my posterity to emigrate to another country in order that they may better their condition and obtain that to which they are entitled here. [Applause.] And I am unwilling that those who come after me and those who shall come after you and all of us shall be compelled to exist in penury, want, and squalor in order that we may afford temporary relief to those who are existing in similar conditions in foreign countries to-day. It is not a political question in the sense that it is partisan; it is not a religious in the sense that it is denominational; it is not a geographical question in the sense that one State wants it and another is opposed to it. It is a question whether we shall continue to exploit our own country to the same degree as in the past, and thus rob millions yet unborn of their rightful patrimony in order that we may give it to others. It is a question whether we shall in haste to-day exhaust the storehouse of our own resources instead of preserving and conserving it for those who shall come after us. whether we shall now and in the long years which shall follow withhold from those now amongst us the opportunities for which they yearn to work and prosper in order that we may accommodate others we do not need and whose presence may

But, Mr. Chairman, I am thoroughly convinced of my duty, as I said at the outset, first to vote in favor of the people of the United States, and if other countries want to bring about a condition which will enable their people to enter here under this bill, let them enact laws to bring about such conditions both as to the people and their Government as will enable them

to come in under the provisions of this law.

I am unable, Mr. Chairman, to see why those Members of this House who have heretofore cried out against the importation of the manufactures and products of foreign labor into the United States on the ground that it interfered with American labor are now willing to turn their faces upon that proposition and vote to let in the foreign laborer who makes the foreign product which they do not want to come into the United States. How can a man believe in the policy of shutting out the manufacture of the Italian or of the Greek or of the Pole or of the Russian because it will come into competition with the American laborer, and yet at the same time raise his voice in behalf of that same man who comes into the United States and takes a position away from the American laborer, whom he pretends to protect upon the floor of this House? It is not a question, Mr. Chairman, as to whether the ignorant man is either a better or worse citizen than a man who is educated. I admit that may not be always a fair test, but it will bring about a decrease in the immigration and permit us to use our efforts and our energies to better the conditions of those already here, and that is the object which is sought in this legislation. [Applause.]
The CHAIRMAN. The time of the gentleman has expired.

Mr. SABATH. Will the gentleman from Pennsylvania [Mr.

MOORE]-yield some of his time?

Mr. MOORE. How much time has the gentleman left?

The CHAIRMAN. The gentleman from Illinois [Mr. Sabath] has 49 minutes left.

Mr. MOORE. I will ask the gentleman to use some of his We have very little on this side.

Mr. SABATH. Do I understand that I have 49 minutes left? The CHAIRMAN. That is the record left here by the chairman of the committee [Mr. HAY].

Mr. BURNETT. A parliamentary inquiry, Mr. Chairman. Is not that the entire time left to those opposing the bill?

The CHAIRMAN. No; that is the time that is recorded here as belonging to the gentleman from Illinois [Mr. Sabath]

Mr. SABATH. Mr. Chairman I yield 30 minutes to the gentleman from New York [Mr. Goldfogle].

Mr. JOHNSON of Washington. Permit me just a moment. The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Washington?

Mr. GOLDFOGLE. Not to come out of my time.
Mr. JOHNSON of Washington. I desire to correct the RECORD just ahead of you, and it will take but a moment.
Mr. GOLDFOGLE. I hope that will not come out of my

Mr. MOORE. That can come up later. Mr. CAMPBELL. I suggest to the gentleman from Washington [Mr. Johnson] that he can correct the RECORD in the

Mr. GOLDFOGLE. I trust this will not be taken out of my

The CHAIRMAN. It will not. The gentleman from New York [Mr. Goldfogle] is recognized for 30 minutes.

[Mr. GOLDFOGLE addressed the committee. See Appendix.]

Mr. SABATH. Mr. Chairman, I will ask the gentleman from Pennsylvania to use some of his time.

Mr. MOORE. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. EDMONDS].

Mr. EDMONDS. Mr. Chairman, the bill before the House No. 6060, known as the immigration bill, has aroused considerable public discussion, both favorable and unfavorable, on account of the proposed literacy test.

Those opposed to the bill and those in favor of it might well be divided into three classes-those in favor for patriotic reasons, those opposed for sentimental reasons, and some in favor of the bill and some opposed to it for economic reasons.

It would perhaps be well to take up each class separately, and after studying what must be the fundamental reasons for the stand taken, place the bill in the balance for judgment.

The first of these great classes are those in favor of the bill for patriotic reasons. Let us examine their contentions. They believe that it is time to call a halt upon the great number of immigrants arriving annually; that the admixture of races foreign to American practices and without education is detrimental to the country; that the continued influx of these people will eventually break down American institutions and cause

revolution; and that the various classes of people who are now immigrating to this country have neither the moral nor intellectual standing to make good American citizens.

Those opposed to the bill for sentimental reasons have an argument equally in their favor. They contend that to stop anyone from entering this country on account of being illiterate is un-American; that being illiterate does not interfere with his or her intellectuality, morality, or civic worth; that in most cases illiteracy is not of one's own choosing, and that the illiterate immigrants have in the past, and will in the future, contribute their fair share of the upbuilding and expansion of our country; that this country would still be undeveloped had it not been for the many thousands of immigrants, many of them illiterate, who have been welded into a homogeneous mass to make America the greatest Nation on earth. There is a kindly feeling for those people who are suffering under burdens that their forebears were able to cast aside when they came to this country.

It must be conceded by every fair-minded person that both of these arguments are very strong and that the opponents of the bill and those in favor of it have an argument equally convincing.

The economic question, however, is one that should be most carefully considered. After all, it is important to consider the public welfare of our country from this standpoint,

From 1899 to 1910, inclusive, there were admitted into our country 9,555,673 immigrants, of whom 2,506,713 were without occupation-including women and children. The remaining 7,048,953 reported as having occupations. Of these, 234 per cent were farm laborers, 35.9 per cent were laborers, and 20.2 per cent were employed in skilled occupations.

There should be no doubt in our minds that a great number of our laborers employed on the farms, in our great public works, or our railroads, must be recruited from this mobile force of workmen reaching our shores almost daily. Therefore, is it possible for us to successfully continue our great public improvements without their assistance?

A study of the following table, showing the countries from which immigration is now the greatest, will lead to some solution of the problem.

	Principal countries reported, 1899-1910.	Number.	Farm labor- ers.	Labor- ers.	Skilled occupa- tions.	Per- cent- age illit- erate.	Number depart- ing for 190 ad- mitted during 1908, 1909, and 1910.
The state of the s	Croatian and Slovenian. English. Finnish German Greek Hebrew Irish. Italian, North Italian, South Lithuanian Magyar. Polish Ruthenian Scandinavian Slovak	123, 008 458, 293 197, 718 £90, 267 376, 268 296, (22 1, 471, 659 141, 540 259, 276 748, 430 128, 400	Per et. 32.8 2.5 5.2 17.9 19.4 6 18.7 34.5 29.5 41.2 30.5 43.4 7.6 35.3	Per ct. 53.6 11.6 12.9 19.8 66.8 11.8 30.6 47.8 42.5 46.6 36.3 44.8 37.2 36.2 44.7	Per ct. 5 48.7 6 30 7.7 (7.1 12.6 20.4 14.6 6.7 8.6 6.3 2 20.5 4.4	36.1 1 1,3 5.2 26.4 26 2.6 11.5 53.9 48.9 11.4 35.4 4 34.4	56 12 18 29 25 8 7 62 55 14 64 30 12 15 59

Taking all the emigration from the country at 100 per cent, we find 10.7 per cent are skilled workmen; 1.5 per cent are farm laborers; 1.4 per cent are farmers; and 64.2 per cent are laborers, showing that labor seeks a market the same as any other commodity, and the farming demand for labor retains a greater percentage of the immigration than either skilled cr ordinary labor.

Take the immigrant from the south of Italy. During the years 1899 to 1910, inclusive, 1,471,659 came to the United States, over half of them being illiterate. Had the bill under consideration been in effect during these years at least 750,000 would not have been able to enter. The statistics for 1908, 1909, and 1910 show that 55 out of every 100 immigrants return home. It will therefore be seen that the ebb and flow of the labor market has evidently taken care of any surplus immigration. But out of the 1,471,659 immigrants, 77 per cent were either farm laborers or labors unskilled, doing work of the kind that is least desirable to American born or educated workmen. The same is true of the Croatian and Slavonian, the North Italian, the Magyar, and the Slovak, and to a less extent among the

During the years 1899 to 1910, taking the six races given, there arrived in the United States 3,364,558 immigrants who had occupations. Of these about 1,100,000 were farm laborers and about 1,500,000 were ordinary laborers. Had this bill

been in operation during this period about 1,200,000 of these

immigrants would have been excluded.

After consulting the report of the Bureau of Immigration, which shows the number of foreigners leaving the United States during 1908, 1909, and 1910, and by applying the same ratio to the period of 1899 to 1910, I find that over 1,640,000, or about 50 per cent of the foreigners from the six aforesaid countries have left our shores for other climes. The permanent growth of our foreign population from these races has therefore become much smaller than the reports of the Immigration Bureau would lead us to believe.

The recent report of the Department of Agriculture shows that only 27 per cent of the tillable land of the United States is actually under cultivation. This report is based upon the reports of over 35,000 correspondents. In other words, for every 100 acres that are now tilled about 375 more acres may be tilled when the country is fully developed. In the development of the agriculture of the country the land which was most easily brought into a state of cultivation, as the great Mississippi Valley, was the first to be brought into such use. Extension of tilled acres will be at greater expense for clearing, drainage,

and irrigation unless we have sufficient labor.

The same is true of our public works. We in Philadelphia are contemplating an extensive system of subways, together with many other larger improvements. Men to do this kind of work are very hard to find among people who have education, no matter what price the labor is paid. This is a fact that must be given serious consideration.

The American Federation of Labor weekly news letter of

January 10, 1914, contains this paragraph:

This literacy test is very broad and liberal. When it is enacted into law it will prove to be equally valuable as a means of protection to native-born American workmen, foreign-born workmen already here, and foreign-born workmen who may come in the future. A foreign-born workman able to read will not be so easily imposed upon as the foreign-born workman who can not read. It will enable such to become more easily acquainted with American institutions and American tradeunions, and protect all from the greed and rapacity of the big corporations that are striving their utmost to keep labor in this country under their subjection.

Theoretically this statement is very true, but as a practical proposition it can easily be seen that an unnatural restriction of the ebb and flow of any commodity such as labor is exactly the same as an unnatural restriction of the ebb and flow of Such a condition is sure to cause trouble and disaster.

money. Such a condition is sure to cause trouble and disaster.

If 150,000 immigrants per year are restricted from coming into this country from the six races mentioned, what will happen to our contemplated extensions of public works? What will become of the present public works which are being carried on in all of the larger cities? What about the great railroad extensions under contemplation? Who will gather the crops during the two or three months of pressing demand made by the farming districts every year, thereby preventing the rulnation of those crops? Will it be possible to recruit from among our present population sufficient workmen to meet the demand even at higher wages? There is not a Member of Congress who does not know that every year during certain months there is a scarcity of labor in his district and that a surplus of labor only exists during a business depression.

The cry has been raised that the foreign laborer does not spend his money here, but takes it back home with him. This is undoubtedly true; but for the wages paid does he not give

his labor in return?

The Panama Canal would not have been finished for years

had the literacy test been in operation on the Isthmus.

Since the report of the Immigration Commission medical science has made such strides that we should in the near future be able to restrict our immigrants to those who are healthy and fit in every way to become American citizens. The proper solution of the immigration question would be for a strict inspection on both sides of the water, so as to prevent any immigrant with either a moral or physical defect entering our

I firmly believe that we should be willing to give opportunity for admission to every man, woman, or child of sound morals, mind, and body. While the bill under discussion contains some very good features, until the literacy test is eliminated, however, I am compelled for the economic reasons given to vote

against it.

Mn MOORE. Mr. Chairman, I yield 9½ minutes to the gentleman from California [Mr. Kahn].

Mr. KAHN. Mr. Chairman, I happened into the Chamber this morning when my colleague [Mr. RAKER] protested against the criticisms that had been launched against the distinguished chairman of the Committee on Immigration [Mr. Bunnert] because the latter's State of Alabama had been pointed out as having a large percentage of illiterates. I think that the criti-

cisms hurled at the gentleman from Alabama are just. When a physician has a remedy or nostrum with which he proposes to cure an evil, if he be afflicted with the disease which his remedy is supposed to heal, he ought to be willing to take a dose of his own medicine to cure himself; and when a barber wants to sell a hair restorer to his baldheaded customers, if he himself be baldheaded, he should be willing to use it first upon himself and bring back the hair on his own head. [Laughter.] cian, heal thyself," is certainly applicable in such cases.

All too frequently prejudice, bigotry, and race hatred are brought into problems of this kind. Questions of this character have cropped out frequently in this country ever since the foundation of Plymouth Colony. The Pilgrims who landed at foundation of Plymouth Colony. The Pilgrims who landed at Plymouth Rock left their native land on account of religious persecution. They had been in the New World but a few years before they drove out into the wilderness Roger Williams because he had broader ideas. broader views on religious subjects than they had. He was the first to proclaim the doctrine of religious liberty in the Colonies, and was exiled by religious

exiles in consequence.

Mr. Chairman, it has been said frequently that we are living in an age of hysteria. The sentiment for much of the legislation we are called upon to enact in these days of fads and faddists has been worked up by hysterical men and women. Why, only last Monday this House passed a bill of that character—the so-called red-light bill. No one on this floor can stand up and defend vice; we all agree that vice, wherever it exists, ought to be eradicated; and yet after that bill was passed what happened? I have heard that some of its most earnest advocates rushed to the White House and asked the President for God's sake not to sign that bill until they had a chance to do something for those unfortunate women that that red-light law would drive into the streets. Why did they not look out for the unfortunate women first? Why did they not try to secure employment for them beforehand? Oh, if they had only taken to heart the lesson that one finds in the New Testament. call the incident of the woman taken in adultery, who was brought before the Christ. Under the Hebraic law she would have been stoned to death. But when the lowly Nazareen was informed of her offense he meekly said, "He that is without sin among you let him first cast a stone at her." Abashed, her accusers sneaked out of the room, and when they had all slunk away and he and she were alone, he exclaimed to the woman in God-like spirit, "Go and sin no more." How much better to meet these questions and these problems in that kind of spirit rather than in the narrow, bigoted, prejudiced spirit in which many of them are met nowadays.

And so, urged on by fanatical, hysterical, but probably wellmeaning, men and women, we are now requested to take another leap in the dark. We are urged to enact this illiteracytest immigration law regardless of the consequences upon those American industries that require the kind of labor that the

illiterates alone seem to be willing to perform.

Mr. Chairman, I know that there are certain publications in the United States that are vigorously advocating this kind of They are also denouncing with bitterness and vinlegislation. dictiveness the members of a certain religious denomination in our country. They carry at the head of their columns the words "For freedom of speech," "For freedom of the press," but they seem to forget or overlook the words "For freedom of religious worship." And to show that the fathers of the Republic held of paramount importance the freedom of religious worship, to show that the right to worship one's God in one's own way was esteemed even a higher right than freedom of speech or freedom of the press, let me call attention to the first amendment to the Constitution, which reads as follows:

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

That language must convince every American citizen that the founders of the Republic held freedom of religious worship

ahead of freedom of speech or freedom of the press

Sir, the petitions I have received in favor of this legislation come almost entirely from the same classes that would ostracize many of our fellow citizens on account of the religious belief of these fellow citizens. The spirit that actuates them in the latter instance—the spirit of blind, unreasoning prejudice is the same spirit that inspires them to ask for this illiteracy test.

Mr. Chairman, we are all agreed that we should oppose the admission to our shores of criminals, paupers, the physically and the mentally unfit. There is no difference of opinion so far as their exclusion is concerned. But these illiterates do a class of work that the native Americans will not do.

The American native born ordinarily does not do the hard work of laying railroad ties and rails, of digging trenches, of balancing roadbeds, and work of that character that these illit-You find this same character of immigrants in England; you find them in Germany; you find them in all of the progressive countries of the world, because the natives of those countries do not do that hard, manual, physical work which educated men everywhere refrain from doing. It is your illiterate, your uneducated man, who has to work with his brawn and not with his brain, who is willing to do it; it is he who is your hewer of wood, your drawer of water; and you want to shut the door upon that kind of immigration. I say you could better afford to keep out some of your educated skilled labor than lose the benefit of the brawn and muscle of the illiterate laborer who is content to take that employment which the educated man can not or will not perform.

Why, sir, the application of the illiteracy test provided for in this bill will deny 250,000 immigrants the right of admission to our shores every year. If that be what you contemplate, why are you not honest enough to say so? Why hide behind a subterfuge of this kind? Why do you not say right out and out, "We want to close the doors against further immigration; we do not want any more immigrants to come here, because we are opposed to their coming on principle"? But you dare not do that. Oh, no; you cloak yourselves behind the illiteracy test.

Mr. Chairman, Nancy Hanks, the mother of President Lin-

coln, was an illiterate, and Andrew Johnson, who became President of the United States, was educated by his wife after he was married. Many of the men who fought in the Revolutionary War, from whom Sons of the American Revolution and Daughters of the American Revolution are proud to be descended, were illiterates who could not write their names. Many of the early colonists could neither read nor write; they had to make a mark in place of a signature in signing important documents. It was not their fault. They did not happen to have the opportunity to learn how to read and write. After all, education is largely a matter of opportunity. And many of the illiterates who come to this country to-day are illiterate because they were denied educational advantages. But we have had this question of excluding immigrants before us at every stage of our history. The gentleman from New York [Mr. Goldfogle] stated awhile ago that even when we were Colonies the great philosopher, Benjamin Franklin, opposed the further immigration of Germans into Pennsylvania. About 20 years later he evidently found that his theories were wrong; that his fears were unfounded; for he was one of the committee of five of the Continental Congress who helped draft the Declaration of Independence, and in the Declaration of Independence one of the complaints against the King of Great Britain is that he refused to pass laws to allow foreigners to migrate to this country. In the early part of the nineteenth century the agitation against immigrants was directed against the Germans and the Irish. Why, even the children of Irish immigrants were insulted in the public schools in the larger cities of this country. The turner halls of the Germans were frequently attacked; the doors were broken and the windows were smashed by the prejudiced haters of foreign immigrants.

Even as late as 1898 there was complaint against the Swedes coming to this country, and it is universally conceded in these days that the Swedes, as well as Scandinavians generally, make a splendid type of American citizen. It is universally conceded in these days that the Irish and the German immigrants of half or three-quarters of a century ago were a fine class of men and Their descendants have added materially to the upbuilding of this American Commonwealth. And yet, if you were to read the attacks made upon them during the period they were flocking to our shores in great numbers, you would find that the language used against them was just as bitter, just as vindictive, as is the language that is being used against the immigrants of our day.

Mr. Chairman, statistics show that an overwhelming percentage of the immigrants of to-day are farm laborers and unskilled workmen. There is a crying demand for farm labor all over the Union. In the West millions of acres of arable land lie undeveloped on account of the scarcity of farm labor. With the opening of the Panama Canal much of this immigration will go direct to the West. We in California have already provided for an immigration commission that will try to locate these immigrants in our orchards, our vineyards, and our farms. The products of the soil will be greatly increased in that State. We will be able to send a greater abundance of the good things of life to the teeming masses of the East. And what is true of

country under this Burnett bill, whose presence here will be the real menace to our institutions and our country's welfare.

Mr. GOLDFOGLE. Mr. Chairman, I also ask unanimous

consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York [Mr. Goldfogle] asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BURNETT. Mr. Chairman, I yield seven minutes to the gentleman from Colorado [Mr. Seldombidge].

Mr. SELDOMRIDGE. Mr. Chairman, if we allowed our judgment upon this legislation to be controlled by the eloquent addresses to which we have listened from the gentleman from New York [Mr. Goldforder] and the gentleman from California [Mr. Kahn], I am sure that we would lose sight of one of the most important elements to be considered in determining our action. As I approach the discussion of this measure I do so entirely from an economic standpoint, because I believe we should so consider it.

If the present volume of immigration is a national asset instead of a national liability, we certainly should not consider favorably legislation looking to its restriction. But after the consideration which I have been able to give to the measure, and after listening to the arguments which have been presented to the committee, I believe, Mr. Chairman, that the course of wisdom and of national prudence lies along the line of the passage of this bill. It is, indeed, a pleasing picture which has been unfolded to us this morning of the great tide of immigration coming to our shores which is to be influenced and affected by contact with our free institutions, rising from childhood to manhood under the influence of American principles and of American government; and were these conditions universal and general so far as the immigrant is concerned, I am sure that our verdict upon this measure would be different. But, Mr. Chairman, as we follow this tide of immigration, and as we see it coming, like the tread of armed men, through the gateways of our country, and as we see it scattering into regions ways of our country, and as we see it scattering into regions of this country where conditions portrayed by the gentleman from New York do not exist, we must admit, Mr. Chairman, that this flow of immigration has been largely due to the demand and to the market furnished by syndicated greed and mand and to the market turnished by syndicated greed and monopoly. When the history of the past 25 years shall have been written by those who are able to give it impartial consideration and portrayal, the record of the thousands of lives which have paid the penalty to human selfishness and to human greed upon the altar of this Moloch of monopoly will arise to condemn this generation for not having adopted and passed legislation of this character years ago.

Mr. Chairman, I come from a section of country which to-day is being visited by an industrial disturbance of serious import and effect. And that disturbance and that trouble is largely due to the presence there of this element of foreigners who have been lured from their homes across the sea by attractive promises of reward and now find themselves exposed to all the hardships and sufferings which can be visited upon that type of people under conditions of labor which exist in our coal-mining camps. The history of West Virginia and of Pennsylvania and of other great industrial centers corroborates, in my opinion, the statement that, were it not for the commercialization of immigration causes for this legislation would largely have disappeared.

Mr. Chairman, I question seriously whether this country has not reached the acme and limit of its absorptive power. I believe with all my heart that America forever should be the land of the free and the home of the brave, but the question with me is whether we do not owe a greater duty to the chil-dren of our own nationality, to those who are already here, to keep and preserve for them the ideals of Americanism and patriotism which have been inherent in the life of this country from its very beginning.

Mr. Chairman, 50 years ago the tide of immigration broke over our borders and found its home in the great prairies of the West. The people who came to us then were those who were stimulated with a hunger and a desire to occupy the land. to-day that tide breaks itself within the great congested centers of population, and the burden put upon the producers of the country by the great growth of our cities, with all the influences that grow out of such a condition, is rapidly weakening our productive energy until we find to-day that the cry is going up with increasing volume from the agricultural sections of this country for relief and for help in order that they may be built

up and developed as in years gone by.

So, Mr. Chairman, I am in favor of the passage of this bill.

Its provisions are most wise and generous. It will tend to California is equally true of all the Pacific Coast States.

I for one have no fear of the illiterate immigrant. It is the educated scoundrel, who could easily work his way into this it will also serve notice to those who live in other lands that this country must ever remain a home for those who are capable of understanding and appreciating the benefits of American civilization and who are willing to come here and join hands with us in the development of those principles of government which have been the characteristic of a true and free people. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. BURNETT. Mr. Chairman, did the gentleman from Colorado consume all of the time-seven minutes?

The CHAIRMAN. He did.

Mr. BURNETT. Now, Mr. Chairman, will the gentleman from

Illinois [Mr. Sabath] proceed?
Mr. SABATH. Mr. Chairman, I have only a few minutes re-

Mr. MOORE. If the gentleman will permit me, Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. Logue].
The CHAIRMAN. The gentleman from Pennsylvania [Mr. The gentleman from Pennsylvania [Mr. Logue] is recognized.

[Mr. I.OGUE addressed the committee. See Appendix.] Mr. BURNETT. Mr. Chairman, I yield to the gentleman from

South Carolina [Mr. Finley].

The CHAIRMAN. The gentleman from South Carolina [Mr.

FINLEY] is recognized.

Mr. FINLEY. Mr. Chairman, I believe in a restriction of immigration for the reason that I believe it is necessary in order to protect and preserve our standard of American citizen-I believe it is necessary not only to protect and preserve our standard of American citizenship, but also to raise that standard, because in my opinion in no other way can we perpetuate and hand down to posterity the institutions of our

Mr. Chairman, a number of gentlemen have made the assertion on the floor of this House that Americans, being themselves only a few generations removed from immigrants, have no right to exclude others from coming to this country. I contend that such an assertion is both incorrect and based upon an inac-curacy of terms. The early settlers who came to America and laid the foundations for its future greatness were colonists, not immigrants. They came both to escape religious persecution and for the purpose of bettering their economic condition. They faced difficulties and evolved a civilization which, though complex, has to a great extent remained Anglo-Saxon in character. It is to a civilization already founded and a country in the full tide of its national career that these later persons, properly termed immigrants, are coming. They seek to share the advantages of this great Republic equally with those whose forefathers made it possible, nor would we wish to exclude any who bring with them health, intelligence, and a desire to have a part in the permanent upbuilding of the country. America has always held itself out as an asylum for religious and political refugees who are worthy and qualified in a proper sense to become American citizens, and against such we never wish to close our doors. It does not follow, however, because of the rather liberal open-door policy which has so long been maintained, that the people of this country have lost their right to say who shall come among them. This privilege has been enjoyed by all peoples since the earliest time. The Hebrews, the Greeks, the Romans, all hedged about their citizenship with the most rigid restrictions. America chooses to be liberal in this respect, but it does not follow that the people of this country have not the right to say what the character of its future citizenship shall be

Immigration has already been somewhat restricted; we do not allow the admission of alien criminals or insane, which in the early days of the immigration movement were freely admitted, to later become a burden upon the taxpayers of this coun-To show the extent of the burden imposed, the census of 1890 disclosed that 33.2 per cent of the insane in the United States were of foreign birth. In 1904 the New York State Lunacy Commission reported to the Department of Commerce and Labor that in Greater New York 60 per cent of the insane were of alien birth. In a recent tabulation of statistics it is pointed out that in 1912 of the 31,624 insane patients of the New York hospitals 13,728 were of foreign birth. Of this latter number 9,241 had never become naturalized citizens, so that 29.2 per cent of the total number of insane cared for by New York State were aliens. The average length of residence of the inmates of insane hospitals is 9.85 years, consequently the 9,241 aliens in the New York hospitals in 1912 represent a future cost to the State of New York of \$25,412,038.44. It can be contended with great show of justice that it is unfair to impose upon New York the burden of meeting a condition for which the National Government alone is responsible. As regards diseased foreigners the immigration commission kept a record of all charity

1908, to February 28, 1909, and of the 23,758 cases 52.3 per cent were foreign born. The expense of caring for these cases fell entirely upon the people of this country. No one now contends that we have not the right to exclude such undesirables. It would be illogical to say that we have no right to go further and exclude illiterates also, provided that we are convinced that their admission is having a detrimental effect on the country.

That the admission of such hordes of illiterates does have a harmful effect is not open to doubt. The statistics do not conclusively show that the illiterate and other foreigners are more criminal in the commission of certain crimes than are the native Americans, but they do disclose the fact that the children of immigrants are more inclined to crime. The report of the Immigration Commission contains the following statement:

The proportion of the more serious crimes of homicide, blackmail, and robbery, as well as the least serious offenses, is greater among the foreign born.

It is not solely on the ground of their criminal inclination, however, that we wish to exclude the illiterates. It is undesirable for any State to have a large body of uneducated men, and particularly is this true of a republic, where each one can exercise the rights of citizenship. They must be educated, and the cost of doing so falls upon the taxpayers of this country.

We do not desire to aim a restrictive clause at any particular nation, yet it is a fact that the great majority of illiterate immigrants come from the countries of southern and eastern Europe. These are the countries with which we have least in common and whose people we find most difficult of assimilation. The number of immigrants coming from Europe is constantly increasing, and the great majority come from southern Europe and the countries bordering on the Mediterranean, Caspian, and Black Seas. Not all but many of these people are of mixed races. For thousands of years people from Asia, the north of Africa, and the south of Europe have contended for supremacy along the borders of these seas, and this in a large measure accounts for the mixed blood of the people living there to-day. The immigrants who came to this country prior to 1883 were mostly from England, Ireland, Scotland, Wales, Belgium, Denmark, France, Germany, the Netherlands, Norway, Sweden, and Switzerland. Those who came after 1883 were chiefly from Austria-Hungary, Bulgaria, Greece, Italy, Montenegro, Poland, Portugal, Roumania, Russia, Servia, Spain, Syria, and Turkey. Many years ago the State of South Carolina passed a law intended to encourage immigration from the north of Europe and by implication to discourage it from the southern European countries. The number coming into the United States from the north of Europe in 1882 was 563,170, as compared to 83,320 from southern European countries.

In 1907 the conditions were reversed, the northern Europeans numbering 227,851 and the southern ones 971,608. Computing from tables for the years 1899 to 1909, the per cent of illiteracy among northern Europeans was found to be 2.7 per cent, while among the southern ones it was 35.6. It will thus be seen that the literacy test will have the effect of excluding many immigrants from the countries of southern and eastern Europe. These people differ from us in their ideas of both government and religion, and coming in such large numbers are very difficult and to a large extent impossible to assimilate. A certain amount of new blood brought into a country may do good, but we do not want so many peoples of such different characteristics, or they will in time change the entire character of our civilization. Last year the immigrants coming to this country exceeded 1,400,000, and the present indications are that the number for this year will exceed 1,800,000. The United States already has one race problem on its hands-what the final solution will be nobody can say with certainty, except that the

white race in this country will always rule.

It is also true that the present-day immigrants from southern Europe compose the large part of that class of transient immigrants which we find becoming such a factor in our civilization. Statistics show that of all the immigrants coming to this country about 30 per cent return home after a stay of a few years

Among the immigrants from eastern and southern Europe about 40 per cent return. Such a course is most beneficial to Europe, and the authorities there never discourage immigration where the immigrant expects to return shortly and invest his savings in his native country. Not only does the capital he brings with him increase the wealth of the home country, but the new ideas he has absorbed in America, the business methods he has learned, and his training there all contribute to make him a more desirable citizen than he was when he left home. He enjoys a state of affluence which makes him the envy of all the natives of his village and stimulates them with a desire patients entering certain New York hospitals from August 1, to follow his example by emigrating to America as he has done and returning home better off financially and in every other

It would be difficult to estimate the amount of American wealth which eventually finds its way to Europe. The news-papers always herald a new foreign alliance or marriage, dwelling upon the millions which will go out from America in the purchase of a foreign title, but the amount of wealth lost in this way is small as compared with the steady stream which flows every year in the wake of the returning immigrant.

It can not be said, however, that the return of the immi-grants' earnings is an absolute loss to the United States. But looking at the question from our standpoint, it would be far better to secure a class of immigrants who intend to remain permanently and have a part in the upbuilding of this country. Then America would have the benefit not only of their energy, but of their accumulated capital as well. The immigrants of the older type from the north of Europe, being mostly of Anglo-Saxon extraction, easily adapt themselves to conditions in the United States and as a rule remain here. It is the races of southern Europe, alien to us in religion, blood, and ideals, that chiefly compose the birds of passage, coming to America for a few years and then returning with all they can carry away. As the literacy clause mostly affects these southern Europeans, it will have the effect of excluding many of the immigrants who come to this country for only a temporary stay.

In looking at any question of this nature it is well to see in just what way it is productive of most good or harmful effects. The demand for restriction comes with greatest insistence from the labor organizations throughout the country, and undoubtedly it is on them that the greatest influence of immigration is The president of the American Federation of Labor, speaking for that organization, as did the officials of the Farmers' Union and many other organizations, including the Junior Order of United American Mechanics and substantially all other patriotic orders in this country, demanded that further restric-

tions be placed on the admission of aliens.

A great many immigrants from eastern and southern Europe go at once into the mines upon their arrival here, the great majority of them being unskilled in any line of employment. Being unable to speak English, and often to read even their own language, they are unable to comprehend intelligently the instructions given them or read the notices posted for their safety. As a result of both their ignorance and carelessness many accidents have occurred, rendering conditions under which the work must be done much less safe than formerly. Many of the later class of immigrants come without their wives or families, and being thus able to live, banded together in camps, they can accept lower wages than those on which the native laborer can As a result the scale of wages has been lowered to the point that the American laborer has been almost driven out of certain lines of employment, and this without benefit to the American people generally in the cost of living or otherwise. It is not the low tariff that results in low wages, but unrestricted immigration. Had the last Republican President been so solicitous for maintaining high wages he would not have vetoed a bill which had that end in view and was desired by labor organizations all over the country.

The literacy test seeks to remedy these evils so far as possible. No one test would absolutely result in separating the wheat from the tares, the good from the undesirable immigrants. By excluding the imporent area because the tares, the good from the undesirable immigrants. By excluding the ignorant ones, however, we rid ourselves of many dangers. Neither do we absolutely close our doors against any persons honestly desiring to better their condition by emigrating to a land of equal opportunities. To learn to read and write one's own language is not an insuperable difficulty, and those persons here will make better citizens if we require who wish to come here will make better citizens if we require of them that they acquire some of the essentials for good citizenship before leaving their native country. I would also have the examination of their fitness made, if possible, at the point of embarkation. Then, at least, America will not be put to the expense of their education, and it will result in giving to us a better, because a more intelligent, and ambitious class of immigrants.

Mr. Chairman, I heartly approve of section 3 of the bill, which I shall insert at the close of my remarks:

which I shall insert at the close of my remarks:

SEC. 3. That the following classes of aliens shall be excluded from
admission into the United States: All idiots, imbeclies, feeble-minded
persons, epileptics, insane persons and persons who have been insane
within five years previous; persons who have had one or more attacks
of insanity at any time previously; paupers; persons likely to become a
public charge; professional beggars; vagrants; persons afflicted with
tuberculosis in any form or with a loathsome or dangerous contagious
disease; persons not comprehended within any of the foregoing excluded
classes who are found to be and are certified by the examining surgeon
as being mentally or physically defective, such mental or physical defect
being of a nature which may affect the ability of such alien to earn a
living; persons who have been convicted of or admit having committed

a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all forms of law, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials or who advocate or teach the unlawful destruction of property; persons who are members of or affiliated with any organization entertaining and teaching disbelled in or opposition to organized government, or who advocate or teach the duty, necessity, or propriety of the minawful assaniting or filling of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, or who advocate or teach the unlawful destruction of property; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in prostitutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons who are supported by or receive in whole or in part the proceeds of prostitution; persons hereinafter called contract laborers, who have been induced, assisted, encouraged, or solicited to migrate to this country by offers or promises of employment, whether such offers or promises are true or false, or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; persons who have come in consequence of advertisements for laborers printed, published, or distributed in a foreign country; persons who have been deported under any of the provisions of this act and who may again seek admission within one year from the date of such deportation, unless prior to heir reamplying for admission; persons who have come

maintain in the United States a status or occupation blacing them within the excepted classes shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section 19 of this act.

That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission intereto, to wit:

All aliens over 16 years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yiddish: Provided, That any admissible alien or any alien heretofore or bereafter legally admitted, or any citizen of the United States, may bring in or send for his father or grandfather over 55 years of age, his wife, his mother, his grandmother, or his unmarried or widowed daughter, if otherwise admissible, whether such relative can read or not; and such relative shall be permitted to eater. That for the purpose of ascertaining whether aliens can read the immigrant inspectors shall be furnished with slips, of uniform size, prepared under the direction of the Secretary of Labor, each containing not less than 30 nor more than 40 words in ordinary use, printed in plainly legible type in the various languages and dialects of immigrants. Each alien may designate the particular language or dialect. No two aliens coming in the same vessel or other vehicle of carriage or transportation shall be tested with the same slip. That the following classes of persons shall be exempt from the operation of the United States; to wit: All aliens who shall prove to the satisfaction of the proper immigrantion officer or to the Secretary of Labor that they are seeking admission to the United States; and mission to the United States; and mission to the United States; and in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: Provided further, That skille

denomination professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants: Provided further. That whenever the President shall be satisfied that passports issued by any foreign Government to its citizens or subjects to go to any country other than the United States, or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holder to come to the continental territory of the United States to the detriment of labor conditions therein, the President shall refuse to permit such citizens or subjects of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone: Provided further, That nothing in this act shall be construed to prevent, hinder, or restrict any alien exhibitor, or holder of a concession or privilege for any fair or exposition authorized by act of Congress, from bringing into the United States, under contract, such alien mechanics, artisans, agents, or other employees, natives of his country, as may be necessary for installing or conducting any business authorized or permitted under any concession or privilege which may have been or may be granted by any such fair or exposition in connection therewith, under such rules and regulations as the Commissioner General of Immigration, with the approval of the Secretary of Labor, may prescribe both as to the admission and return of such persons: Provided further, That nothing in this act shall exclude the wife or minor children of a citizen of the United States.

Mr. BURNETT. Mr. Chairman, I yield to the gentleman from

Mr. BURNETT. Mr. Chairman, I yield to the gentleman from Kentucky [Mr. Powers].

The CHAIRMAN. The gentleman from Kentucky [Mr. Pow-

ersl is recognized.

Mr. POWERS. Mr. Chairman, the bill now before the House for consideration is in substance the one that passed the House and Senate last year by a vote of about 2 to 1, and but for the veto of a former President would now be a law. Last year I strongly advocated this measure, and I desire at this time to

offer some observations upon it.

It has been contended here by gentlemen opposing this bill that it is un-American, and that we are reversing our policy of a lifetime by now attempting to restrict immigration to this country. I want to address myself for a few minutes to that feature of this proposition. I desire to assert that we are not only not reversing our policy in restricting immigrants by this bill but, upon the contrary, we are in thorough harmony and accord with it. From the very moment this Government began to pass laws upon the immigration question down to now it has consistently and in every instance, except one, passed laws restricting immigration. That one exception was when a law restricting immigration. That one exception was when a law was passed in the year 1864 encouraging contract labor. That was repealed in 1868.

A little history of what this Government has done in the past in regard to this question will make perfectly clear the asser-

tion I have just made.

The immigration to the United States is naturally divided

into two periods:
First. The immigrants arriving before the year 1880, known as the old immigration; and

Second. Immigrants after that time, known as the new im-

migration.

From the first settlement of this country down to about 1835 immigrants came here as a matter of course. Practically up to that time the only legislation enacted, and practically all that was proposed, was the law of 1819 regulating steerage passengers at sea and making provision for recording statistics rela-

tive to immigration. None were kept before this.

From 1835 to 1860 the subject of immigration to this country was much discussed, and there sprang up what was known as the "native-American" and "know-nothing" movements, largely basing their opposition to immigrants to this country who embraced the Catholic faith. These movements soon assumed emoraced the Catholic latth. These movements soon assumed the form of a political organization known in history as the American Republican Party and later the "Know-Nothing Party." As a result of these organizations, in the main, affiliating with the new political movement, the United States Senate in 1836 passed a resolution directing the Secretary of State to collect information respecting the immigration of foreign paupers and criminals to the United States.

The House of Representatives in 1838 agreed to a resolution instructing the Judiciary Committee of the House to consider the propriety of passing a law prohibiting the importation of vagabonds and paupers into this country as well as to consider the expediency of making our loose naturalization laws more stringent. This resolution was referred to a committee of seven Members, and their favorable report was the first congressional report ever made concerning any phase of the immigration

question.

A bill was introduced in Congress upon the recommendation of the majority report of the committee, which bill provided that any master of a vessel who took on board an alien pas senger who was an idiot, lunatic, maniac, or one afflicted with an incurable disease, or one convicted of an infamous crime,

with the intention of transporting such person to the United States, should, upon conviction, be fined \$1,000 or be imprisoned from one to three years. This bill was not even considered by Congress, and for some 10 years following little attempt was made to secure immigration legislation; but the great increase in immigration to this country from Europe from 1848 to 1850 put new life and fears in the breasts of those fighting immigration; and it is recorded that in 1855 both the governors and Legislatures of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, California, and Kentucky were "Know-Nothings." The slogan of the "Know-Nothing Party" was that Americans must rule America, and their greatest strength was in the Thirty-third Congress, from 1854 to 1856, when they claimed 43 Representatives and 5 Senators. Ten years later, however, in the Thirty-eighth Congress, there was not a "Know-Nothing" Representative in the House, and the "Know-Nothing Party" disappeared without having accomplished anything against immigration. The truth is that in 1864 Congress passed a law to encourage immigration, especially the importation of contract labor. This law was repealed, however, in 1868, leaving on the statute books the act of 1819, amended slightly by the acts of 1847 and 1848, providing improved conditions in the steerage of immigration ships. The law of 1864 stands out as the only attempt on the part of the National Government to promote immigration. The States, however, have frequently made such attempts. New York, in 1824, passed a law requiring all masters of vessels arriving at the port of entry to make a written report, giving the name, age, and last residence of every person on board during the voyage, and whether any of the passengers had gone on board any other vessel with a view of proceeding to New York.

Another section of the law gave the mayor of New York City the power to require bond of every master of a vessel to indemnify the mayor and the overseer of the poor from any expense incurred for passengers brought in and not reported. This law was held to be constitutional by the Supreme Court of the United States, and in 1829 the State of New York passed another law, which provided that the master of every vessel arriving from a foreign port should pay to the health commissioner \$1.50 for every cabin passenger, \$1 for every steerage passenger, mate, sailor, or marine, and 25 cents for every person

on a coasting vessel.

In 1837 Massachusetts passed a law requiring the owner of a vessel to pay \$2 for each alien passenger brought to her ports and to give bond that certain immigrants should not become a public charge. Both the New York and the Massachusetts statutes were later held in part to be unconstitutional. California and Louisiana passed statutes looking to the limitation of immigration, which were held to be unconstitutional. In Cali-fornia the question of Chinese immigration was so acute that recourse was had to the Federal Government, which resulted in the Burlingame treaty, which was proclaimed on July 28, 1868, and which was the first treaty to deal with Chinese immigration

to the United States.

The attitude of the United States in this treaty toward Chinese immigration was not popular in the Pacific Coast States, and they continued their agitation for further restriction of Chinese immigrants, which resulted in the Congress of the United States passing the act of March 3, 1875, aimed at immigrants from China, Japan, and other oriental countries. This law prohibited the importation of convicts, women for immoral purposes, coolie labor, and Chinese and Japanese subjects without their free and voluntary consent, and fixed heavy penalties for a violation of the provisions of the statute. Later other treaties and Chinese and Japanese exclusion acts forbade the immigration of Chinese and Japanese to this country as well as Korean laborers, skilled or unskilled. And that is the way the matter stands to-day. So the bill now before the House is not intended to exclude Chinese, Japanese, or Korean laborers, skilled or unskilled, as that is already provided for.

And while the National Government was experimenting with immigration in this way the various States had from time to time, as I have said, tried their hands at it. New York, Massachusetts, California, Louisiana, and other States passed immigration statutes of one form and another, the constitutionality of a number of which in time reached the Supreme Court of the United States for final decision. It became apparent that the subject of immigration was too big for State control, and in a very unusual decision of the Supreme Court of the United

States on March 20, 1876, that court decreed that-

We are of the opinion that this whole subject-

Of immigration-

has been confided to Congress by the Constitution; that Congress can more appropriately and with more acceptance exercise it than any other body known to our laws, State or national; that by providing a system of laws in these matters applicable to all ports and to all vessels, a

serious question which has long been a matter of contest and complaint may be effectively and satisfactorily settled.

This decision virtually put the subject of immigration under Federal control, and on July 6, 1876, following the decision of the Supreme Court in March of that year, Senator Conkling and Representative Cox, of New York, introduced bills in Congress fer the national regulation of immigration. No legislation, however, of this sort was put on the statute books until August 3, This law provided, among other things, that a head tax of 50 cents each be levied on all aliens entering the ports of the United States to defray expenses of regulating immigration and caring for needy immigrants after landing; that lunatics, idiots, convicts—except for political offenses—and persons likely to become public charges should not be permitted to land, and that the Secretary of the Treasury be charged with executing the provisions of the act, and that he be empowered to enter into contracts with such State offices as the governor of any State might designate to take charge of the local affairs of immigration within such State.

On February 26, 1885, the first act of Congress was approved forbidding the importation of contract labor to the United States. This law was defective in that no arrangement was made for its general execution, no inspection of the alien was provided for, nor deportation of the contract laborer, if found so to be. This act, however, was amended by an act of February 23, 1887, which gave the Secretary of the Treasury authority to deport within one year from landing any alien who had come to this country contrary to the provisions of the con-

tract-labor act.

In 1889 a standing committee on immigration was established in the Senate of the United States, and a select committee on immigration and naturalization was established in the House.

In 1890 these committees were authorized to make a joint investigation of the immigration question, and especially to look into the various State laws on the subject. These committees, in making their report, suggested that while no very radical changes in the immigration laws were at that time advisable, still they found that throughout the country there existed a strong sentiment for a stricter enforcement of these laws.

The fact is that in the year 1890 one or more political parties in 23 different States demanded additional regulation of immigration. Responsive to this demand for stricter immigration laws and regulations, the Congress of the United States passed, and it was approved on March 3, 1891, an additional immigration act amendatory of previous acts. This act added to the list of aliens heretofore excluded those "suffering from a loath-some or contagious disease," "polygamists," and those "whose ticket or passage is paid for with the money of another or who is assisted by others to come," except, however, that any person living in the United States could pay the way of a relative or friend, provided, of course, that the relative or friend did not belong to some of the excluded classes. This act strengthened further the existing contract-labor law by prohibiting the encouragement of immigration by promises of employment through advertisements published in any foreign country, and steamship companies were forbidden under penalty to solicit or encourage immigration.

The law of 1891 also created the office of Superintendent of Immigration, and instead of some State officer, by appointment of the governor, having charge of the execution of the immigration laws in that State, as provided for in the act of 1882, the whole question of immigration for the first time was com-

pletely under Federal control.

This act also provided that the commanding officer of every vessel carrying aliens to our shores should furnish to the proper immigration officials the name, nationality, last residence, and destination of all immigrants on board; that medical examination of immigrants at United States ports should be made by surgeons of the United States Marine-Hospital Service, and within one year after arrival any immigrant might be returned who had come to this country in violation of law, and that, too, at the expense of the transportation company that brought him. For the first time inspection of immigrants on the Mexican and Canadian borders was established. While this was the most stringent immigration act passed by Congress up to this time, still the subject of immigration continued to be much discussed, and a strong movement for further restriction developed, owing largely to the industrial depression from IS90 to IS96. Investigations more or less extensive were conducted by joint committees of Congress and also by the Industrial Commission.

In 1894 an act was passed raising the head tax from 50 cents to \$1, but President Cleveland vetoed another bill passed by both branches of Congress providing for a literacy test.

Based upon the report of the Industrial Commission made to Congress February 20, 1902, a bill was introduced in the House providing for a complete codification and rearrangement of all immigration acts from March 3, 1875, to the act of 1894. An amendment was offered to this bill and passed by the House by a vote of 86 to 7 providing that all persons over 15 years of age who were unable to read the English language or some other language should be excluded, making an exception in favor of wives, parents, grandparents, and children mder 18 years of age. The bill so amended passed the House May 27, 1902. When it reached the Senate it eliminated the educational test, raised the head tax from \$1 to \$2, and made it unlawful for any person to assist in the entry or naturalization of alien anarchists. The House agreed to these amendments, and the bill was approved by the President March 3, 1003.

It was not until February 20, 1907, that any other immigration act of much import was passed by Congress, although by an act of February 14, 1903, the Department of Commerce and Labor was established and the Commissioner General of Immigration was placed under that department, his official position being that of a head of a bureau. On June 29, 1906, the Bureau of Immigration was changed to the Bureau of Immigration and Naturalization, a uniform rule for the naturalization of allens was provided for, and the administration of the new naturalization law was charged to this bureau.

A little history of the immigration act of February 20, 1907, the latest now on the statute books, with a small amendment of March 26, 1910, and the one sought to be amended by the bill we are now considering, may not be amiss:

A bill introduced by Senator Dillingham, of Vermont, was favorably reported by the Senate committee on March 29, 1906. This bill sought to amend the immigration act of 1903 by increasing the head tax from \$2 to \$5, by adding imbeclies, feebleminded persons, children under 17 years of age unaccompanied, and persons "who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of such a nature which may affect the ability of such alien to earn a living," were added to the excluded classes. The section of existing law excluding prostitutes was amended by adding "women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose."

A division of information was created in the Bureau of Immigration and Naturalization, and steamship companies were for the first time required to furnish to the proper immigration officials lists of outgoing passengers. In the Senate the bill was amended by the insertion of literacy tests very similar to the one this House is now considering and which I will later quote, and the Senate bill as amended by the literacy test passed the Senate May 23, 1906.

When the bill reached the House it was referred to the Committee on Immigration and Naturalization, and they amended it by substituting one of their own, in many respects similar to it, including the literacy test. In the conference between the House and the Senate conferees the head tax was made \$4, the literacy test eliminated, and a commission composed of nine members was authorized to make a complete investigation of the immigration question and report its findings to Congress. Composing this commission were to be three Members of the House, appointed by the Speaker, three Members of the Senate, appointed by the President of the Senate, and the other members of the commission to be appointed by the President of the United States. This commission, after an extensive investigation, both in this country and in Europe, costing \$1,000,000 and covering a period of four years, made a voluminous report covering 42 volumes of printed matter, covering all phases of the immigration question. This commission, after a most thorough investigation of the immigration question, found certain facts to exist and made some specific recommendations to Congress.

In the first place, the commission found that there were too many immigrants coming to this country; that there is now an oversupply of unskilled labor in the basic industries of the United States; that restrictive legislation ought to be passed by Congress; and that the literacy test was the best single method of accomplishing the desired end. Let me quote the exact words of the commission:

The investigations of the commission show an oversupply of unskilled labor in basic industries to an extent which indicates an oversupply of unskilled labor in industries of the country as a whole, a condition which demands legislation restricting the further admission of such unskilled labor. It is desirable in making the reduction that a sufficient number be debarred to produce a marked effect upon the present supply of unskilled labor.

And after enumerating more than a half dozen ways by which this reduction could be brought about, the commission

A majority of the commission favor the reading and writing test as the most feasible single method of restricting undesirable immigration.

And this is not a partisan political report for political purposes. It is a report by men of both parties after a most careful and painstaking investigation. The fact is that the question

of immigration is not a political one.

So from what I have said you will see that the policy of this Government from the time it took any notice of this immigration question at all has been one of restriction, and every bill, with the one exception, that has been passed by Congress from the earliest history of this Government down to now has been one restricting and not encouraging the flow of immigration to this country. In the face of this legislation, showing beyond any doubt that one class of undesirable immigrants after another has been excluded by Federal legislation, I do not understand how Members can assert that by and through the bill before us we are reversing our policy as a Nation toward immigrants coming to this country.

have briefly reviewed the legislation on this question, and before taking up and beginning to discuss the merits of the bill now pending before this House I want to adduce some proof to show that the question is nonpolitical and that restrictive legislation has been demanded in the national platforms of the two dominant political parties in this country. Away back in 1896, more than an eighth of a century ago, when the evils of immigration were not so great and not so well known as now, the Republican Party in its national platform of that year not only demanded a restriction of immigration but specifically indorsed the reading and writing test as a means to accomplish that end. The plank in the platform to which I refer is as follows:

For the protection of the quality of our American citizenship and of the wages of our workingmen against the fatal competition of low-priced labor we demand that the immigration laws be thoroughly en-forced and so extended as to exclude from entrance to the United States those who can neither read nor write.

This is one of the planks in the platform upon which the beloved McKinley was elected, and in his inaugural address he specifically indorsed the immigration plank and recommended an intelligence test to alien immigrants, to the end that American citizenship be protected and American institutions preserved.

In the Republican national platform of 1900 we find this

language:

In the further interests of American workmen we favor a more fective restriction of the immigration of cheap labor from foreign

In his first message to Congress in 1901 ex-President Roosevelt indorsed unequivocally the restriction of immigration and an educational test. He used this pointed language:

The second object of a proper immigration law ought to be to secure a careful, and not merely perfunctory, educational test; some intelligent capacity to appreciate American institutions and act sanely as American citizens.

The Republican national platform this year (1912), the latest expression of the party on the subject, reads as follows:

We pledge the Republican Party to the enactment of appropriate laws to give relief from the constantly growing evil of induced or undesirable immigration, which is inimical to the progress and welfare of the people of the United States.

That the Republican Party stands for a restriction of immigration there is no room to doubt.

The Democratic Party, too, has put itself on record in regard to this great question. In its national platform of 1896 it used this language:

We hold that the most efficient way of protecting American labor is to prevent the importation of foreign pauper labor to compete with it in the home market.

In its national platform of 1900 the Democratic Party, while containing no plank upon the general subject of immigration, indorsed the Chinese exclusion law and recommended its application to the same classes of all Asiatic races.

And the Democratic national platform of 1904 contained no plank upon the general subject of immigration, but did spe-cifically oppose the admission of Asiatic immigrants in this language:

We are opposed to the admission of Asiatic immigrants, who can not be amalgamated with our population.

The Democratic national platform of this year (1912) in-

dorses more stringent immigration laws.

This is the latest expression of the Democratic Party on this important subject of immigration. Not only have the two dominant political parties in this country repeatedly expressed themselves in their national platforms in favor of restricting immigration, but the Republican platform of 1896 and the Republican

President elected upon the Republican platform of 1900 have in express terms favored the literacy test-such a literacy test in substance that we are now considering. And what is that literacy test and what are the terms of the bill now before us?

I will insert at this point section 3 of the bill before us, which covers the classes of alien immigrants to be excluded:

substance that we are now considering. And what is that literacy test and what are the terms of the bill now before us?

I will insert at this point section 3 of the bill before us, which covers the classes of alien immigrants to be excluded:

Sec. 3. That the following classes of aliens shall be excluded from admission into the United States: All kilots, inbedies, feesibe-minded within five years previous; persons who have had one or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; vargrants; persons afflicted with disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon states of the control of the contr

if otherwise admissible, may be imported if labor of like kind unemployed can not be found in this country, and the question of the necessity of importing such skilled labor in any particular instance may be determined by the Secretary of Labor upon the application of any person interested, such application to be made before such importation, and such determination by the Secretary of Labor to be reached after a full hearing and an investigation into the facts of the case; but such determination shall not become final until a period of 30 days has elapsed. Within three days after such determination the Secretary of Labor shall cause to be published a brief statement reciting the substance of the application, the facts presented at the hearing and his determination thereon, in three daily newspapers of general circulation in three of the principal cities of the United States. At any time during said period of 30 days any person dissatisfied with the ruling may appeal to the district court of the United States of the district into which the labor is sought to be brought, which court or the judge thereof in vacation shall have jurisdiction to try de novo such question of necessity, and the decision in such court shall be final. Such appeal shall operate as a supersedeas: Provided jurther, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants: Provided jurther, That whenever the President shall be satisfied that passports issued by any foreign Government to its citizens or subjects to go to any country other than the United States, or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holder to come to the continental territory of the profess that presses or previded furth

It will be observed that that provision of the bill relating to the literacy test excludes from entry into the United States-

All aliens over 16 years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yiddish: Provided, That any admissible alien or any alien heretofore or hereafter legally admitted, or any citizen of the United States, may bring in or send for his father or grandfather over 55 years of age, his wife, his mother, his grandmother, or his unmarried daughter, if otherwise admissible, whether relative can read or not; and such relative shall be permitted to enter.

This literacy test for the purpose of preventing objectionable foreigners from coming to this country is not a new proposition, as I have already observed. Not only have political parties in their national platforms specially declared for it, but Congress itself has unequivocally indorsed it.

The House, in the Fifty-fourth Congress, passed such a measure by the decisive vote of 195 to 20, while the Senate passed

it by a vote of 52 to 10.

That literacy-test bill would have become a law but for the

veto of President Cleveland.

In the Fifty-fifth Congress an immigration bill again passed the Senate, which carried a literacy-test provision, by a vote of 45 to 28.

In the Fifty-seventh Congress an illiteracy-test amendment to an immigration bill passed the House by the sweeping ma-

The fact is that at no time in the history of the country has a literacy-test provision in any immigration bill ever been defeated by either House of Congress.

Upon the contrary, such a provision has invariably been passed by decisive majorities when the question was submitted

And the various votes by both Houses of Congress on this subject is but a reflection of public opinion on the question.

Not all the newspapers, periodicals, and magazines of the country favor this legislation, but I think I am safe in saying that the bulk of the press do favor it.

Resolutions, petitions, memorials have poured in upon Congress, expressing the views and making known the wishes of large and representative bodies of our citizenship on this momentous and far-reaching question.

The Legislatures of the great States of Ohio, Tennessee, Vermont, and other States have memorialized Congress to pass more stringent immigration laws, and have specifically indorsed the literacy test.

The various farmers' organizations throughout the length and breadth of the land, the great labor organizations all over the country, the patriotic societies, powerful bodies representing charity, commerce, and the like, have upon divers occasions passed resolutions memorializing Congress to enact a law em-

bodying an educational test and more stringent immigration laws generally.

There are a greater number of the people of the United States engaged in agriculture than in any other calling. The Farmers' National Congress, a body representing the highest ideals in agriculture in all the States of the Union and composed of representative farmers and students of agriculture from all the States, holds a national convention each year. Delegates are selected to attend these conventions by the governors of the various States as well as by the great agricultural organizations and bodies from the most skilled and scientific agriculturists in the whole country.

At these national gatherings they discuss the various problems affecting the welfare of the farmer, and often express their views in the form of resolutions.

At the last National Farmers' Congress they passed the following resolution:

Whereas the congressional Immigration Commission's report of 40 volumes has just been published and recommend the very measures which this organization has been advocating in its resolutions for years to judiciously restrict undesirable immigration:

Resolved, That we enthusiastically approve the commission's legislative recommendations that the head tax be increased, the illiteracy test be enacted, the foreign steamships be fined for bringing undesirables, and that other judicious measures be adopted, which are hereby urged upon the Congress of the United States.

'The Farmers' Educational and Cooperative Union has a membership of over 3,000,000.

This is possibly the most powerful in point of numbers and influence of any of the farmers' organizations in this country. This organization has been much interested in restrictive immigration laws and has frequently indorsed the literacy test.

At a recent meeting of this organization it expressed itself in this fashion:

this fashion:
Whereas the Immigration Commission, after a four years' investigation at home and abroad, involving an expenditure of a million dollars, reports that "many undeniably undesirable persons are admitted every year"; that "there is a growing criminal element in this country, due to foreign immigration"; and that "substantial restriction is demanded by economic, moral, and social considerations"; and Whereas that commission recommends increasing the head tax, excluding illiterate adults, requiring some visible means of support, fining the foreign steamships for bringing undesirables that could be rejected on the other side, and other measures, law in other new countries, and urged for years by this organization in its resolutions, before congressional committees, and otherwise; and
Whereas it is proposed to relieve the Northeast of its intolerable immigration evils and to continue the unloading of undesirables upon this country by diverting and distributing the incoming, ever-increasing influx from southern Europe, Asia, and northern Africa over the agricultural sections of the South and West.

Then it goes ahead to pass strong resolutions, and asks Con-

Then it goes ahead to pass strong resolutions, and asks Congress to put on the statute books the laws they desire on this

The American Federation of Labor, the largest labor organiza-tion in this country, has for years at its annual gatherings been passing resolutions and petitioning Congress to pass more strict immigration laws, and it has specifically indorsed the educational test-in substance the test we are now considering.

The Grand International Brotherhood of Locomotive Engineers, the Junior Order of United American Mechanics, the Knights of Labor, and other organizations have repeatedly passed resolutions specifically indorsing the literacy test and memorialized Congress to make it a law.

And what are the reasons for this widespread interest in favor of stricter immigrations? Why has the American Congress from 1819 to 1907 been adding one restriction after another to the continued stream of immigrants flocking to our shores?

The law of 1819 was but a little makeshift, regulating steerage passengers at sea.

The law of February 20, 1907, the latest on the statute books and the one we now promise to amend by adding a literacy test, provides in section 2:

provides in section 2:

That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeclies, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assissination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who are supported by or receive in whole or in part the proceeds of prostitution; persons who procure or attempt to bring in prostitutes or women or girls for the purpose of prostitution or for any other immoral pur-

pose; persons hereinafter called contract laborers who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written, or printed, expressed or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as a having been induced or solicited to migrate as above described; any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign Government, either directly or indirectly; all children under 16 years of age unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe; Provided, That nothing in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving turpitude: Provided further, That the provisions of this section relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign Government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: And provided further, That the States to foreign contiguous territory: And provided further, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denominations, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

This section debars many undesirables, but it needs further amendment.

Even under its provisions there reaches the shores of our country every year in the neighborhood of 1,000,000 alien immigrants, from 30 to 40 per cent of whom can neither read nor

The question is not the excluding of immigration entirely; the question is not as to the excluding of desirable immigrants but the question is, Shall this country be flooded each year with some 250,000 ignorant immigrants from the old country? The character of citizenship of any country in the world determines the character of its civilization, the character of its institutions, and the character of its government. Will the dumping of 250, 000 foreign immigrants into the United States yearly who can not even read and write add to the standard of American citizenship? If they will do it, then this bill and all that pertains to it is wrong in principle. If, upon the other hand, the bring-ing into this country and dumping upon our shores yearly 250,000 people who know nothing of American institutions and who are incapable of learning much about American institutions. tions and American life will injure the character of American labor and American ideals, then this bill ought to be supported by every man who wants to elevate the standard of American citizenship, because the purpose of it is to exclude this character of foreign immigration.

The distinguished gentleman from New York [Mr. Goldfogle] in his remarks but a few moments ago said that this country owes much of its greatness to those who come to our shores from Europe and other countries. That is unquestionably true; but the gentleman ought to remember that away back yonder in 1869 there was less than 1 per cent of the character of immigrants which this bill proposes to exclude that came to this country. This bill in its operation will exclude the north Italians—those of them who can not read—and the south Italians, and the Poles. And in the year 1869 there was less than 1 per cent of this character of immigants coming to America, while 75 or 80 per cent of the desirable immigrants the English, the Scandinavians, and the others—at that time constituted the large part of the immigration coming into this country. But year by year the north Italians and the south Italians, and the Poles, and the Slavs increased in number, and from year to year the desirable immigrants decreased in number, until in 1911 about 80 per cent—I am not exactly sure as to the accuracy of the percentage—but, in the neighborhood of So per cent of the immigrants coming to this country were immigrants from southern and eastern Europe, composed of the north Italians, south Italians, Poles, and Slavs.

The argument has been made here that the Southern States-Alabama, Tennessee, Kentucky, and others-ought to be the last States in the world to protest against illiterate immigrants coming into this country, for the reason that a high degree of illiteracy exists in all those States, and that the negroes of these various States, and especially the people living in the mountain sections of them, are known to possess a good deal of illiteracy.

I desire to say that no section of this Union has brainier or better people than live and dwell in the mountains of old Kentucky. There is there this day the purest reservoir on the American Continent of pure old Anglo-Saxon blood. They may fall a little below the people of certain other sections of the Union on technical book information-they have not had the

advantages of some other sections-but in education, in the true sense of the word, they are inferior to none.

They are educated in hand and educated in heart, educated in honesty and educated in industry. In homely virtues they have no peers. In strength of manhood and purity of womanhood they have no equals. I will enter no further defense of the people of the mountains of Kentucky. They need none. They are destined to control the affairs of the State politically and financially.

It comes with bad grace from these gentlemen to prate about the illiteracy of the colored people in Kentucky or elsewhere. Ground down with the chains of slavery for 250 years, deniedaye, forbidden-to read a printed page, no wonder there exists some illiteracy among them now.

But few races in the world have made more progress than the colored people since the master's lash was taken from their bare backs and they given an opportunity to make some strides along educational and other lines

But if it be true, as contended here by gentlemen opposing the literacy test for immigrants, that there is a high degree of illiteracy in the South, and that for that reason we ought not to insist on an educational test for immigrants, my answer is that that is all the more reason why we should insist upon it.

If there is much illiteracy in the South, why add more to it by admitting a horde of illiterate foreigners? Should it not be our duty rather to get rid of what we already have by educating our own people? If the education test had been applied to foreign immigrants years ago, no negro slaves would have been brought from Africa. There would have been no negroes in the We would not have had any Civil War, and there would not to-day be 30 or 40 per cent of uneducated negroes in the South, as stated upon this floor. But I am digressing. just laid the foundation for a discussion of this question of immigration, and before the Burnett bill finally passes this House I shall ask the indulgence of the House for a more extended discussion of this question.

Mr. BURNETT. Mr. Chairman, I yield to the gentleman from

California [Mr. CURRY].
The CHAIRMAN. The gentleman from California [Mr.

Mr. CURRY. Mr. Chairman, I am in favor of this bill and intend to vote for it. It should be amended in two or three particulars by elimination and insertion. I very much regret that the committee did not see its way clear to include the exclusion of Asiatics and Hindus in the measure. I know that Mr. HAYES, Mr. RAKER, and Mr. CHURCH have introduced bills to exclude Asiatic and Hindu laborers, but I doubt very much that this House will be given an opportunity to vote on any of them at this session, and for that reason I hope this bill will be amended so as to include them in the excluded class.

The question is not so well understood in the East as it is in the West. The Pacific coast is the frontier between occidental and oriental civilization.

The activities of the people of our Western States have so far held in check that tide of immigration from India, China, and Japan that would flood our country if given the opportunity. And right here I wish to express my absolute conviction that Asiatic coolieism is a direct menace not simply to our economical and industrial prosperity and to the well-being and material advancement of our people, but it strikes at the very source of the strength and integrity of American civilization.

The constitution of California declares:

ART. XIX, SECTION 1. The presence of foreigners ineligible to become citizens of the United States is declared to be dangerous to the well-being of the State, and the legislature shall discourage their immigration by all means within its power. Aslatic coolieism is a form of human slavery, and is forever prohibited in this State, and all contracts for coolie labor shall be void. All companies or corporations, whether formed in this country or any foreign country, for the importation of such labor, shall be subject to such penalties as the legislature may prescribe.

This is part of the organic law of California. It was embodied in her constitution as the result of bitter experience. It was the conclusion, not of an academic discussion, but of the menacing problems of a reality. It was a protest against an insidious attack upon our ideals, of morals, and of living, and of health in the field, the farm, the shop, and the home.

The constitution of California provides further:

ART. XIX. SECTION 1. The legislature shall prescribe all necessary regulations for the protection of the State, and the counties, rand towns thereof, from the burdens and evils arising from the presence of allens who are or may become vagrants, paupers, mendicants, criminals, or individuals afflicted with contaglous or infectious diseases, and from aliens otherwise dangerous or detrimental to the well-being or peace of the State, and to impose conditions upon which such persons may reside in the State, and to provide the means and mode of their removal from the State upon failure or refusal to comply with such conditions.

This section reflects the serious endeavor of our people to guard themselves against oriental aggression, however plausibly it may be attempted. This section was made part of the organic law of California that Californians might voice their inflexible insistence upon occidental and not oriental standards of right living and morality. What was true when this section of the constitution was adopted is true now. Our patriotism in this regard begins in defending the sacredness of our homes and ends in upholding the honor of the Nation of which we are a part.

I am emphatically in favor of the exclusion of Asiatics. American labor is dignified, intelligent, and progressive. the last analysis it is the great constructive energy of our Re-Its ideals of private conduct and of public life are those of healthy citizenship. It is an imperative duty of every patriotic American, therefore, to protect as far as he is able American labor from competition with inferior peoples. And it is infinitely more necessary for the Government to enact laws to protect American workingmen from the evil of a personal direct rivalry with the representatives of a civilization which, in everything of importance, is the very antithesis of our own. American prosperity is built upon the well-being of all the tre-mendous elements which contribute to rational progress, and an assault upon one should be the concern of all.

It is a traditional right of a nation to prohibit aliens from acquiring property within its boundaries. The common law has justified this right, and the reasons for its exercise are obvious. The lands of a nation belong to its own native-born citizens and to those to whom is granted the privilege of becoming citizens by naturalization. To all others a nation or a State owes it to itself to deny the rights of ownership. Particularly is this so in connection with an allen race with whom we resist either

association or an impossible assimilation.

The Legislature of California at its last session passed a very mild alien land law. The provisions of that law are not nearly so stringent as are the Federal statute and the laws of a number of the States and of most foreign countries. For instance, aliens are not allowed to enter the schools of Japan; they can not own real estate in certain districts or engage in mining. An alien laborer must procure a license, and this is not granted if the job he seeks is wanted by any Japanese laborer. Besides, foreigners residing in Japan are assessed double what the natives are for personal property. If they attend a theater, they must pay double, and in other things it is the same.

Japan recently enacted a law that permits aliens to hold real estate who come from a country that permits Japanese to enjoy a like privilege. Whether or not that law has been promulgated

I do not know. I have been informed that it has not.

The California statute is short, and for the information of the House I will insert it here:

An act relating to the rights, powers, and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all acts or parts of acts inconsistent or in conflict herewith.

The people of the State of California do enact as follows:

acts inconsistent or in conflict herewith.

The people of the State of California do enact as follows:

Section 1. All allens eligible to citizenship under the laws of the United States may acquire, possess, enjoy, transmit, and inherit real property, or any interest therein, in this State in the same manner and to the same extent as citizens of the United States, except as otherwise provided by the laws of this State.

Sec. 2. All allens other than those mentioned in section 1 of this act may acquire, possess, enjoy, and transfer real property, or any interest therein, in this State in the manner and to the extent and for the purposes prescribed by any treaty now existing between the Government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise, and may in addition thereto lease lands in this State for agricultural purposes for a term not exceeding three years.

Sec. 3. Any company, association, or corporation organized under the laws of this or any other State or nation, of which a majority of the members are aliens other than those specified in section 1 of this act, or in which a majority of the issued capital stock is owned by such aliens, may acquire, possess, enjoy, and convey real property, or any interest therein, in this State in the manner and to the extent and for the purposes prescribed by any treaty now existing between the Government of the United States and the nation or country of which such members or stockholders are citizens or subjects, and not otherwise, and may in addition thereto lease lands in this State for agricultural purposes for a term not exceeding three years.

Sec. 4. Whenever it appears to the court in any probate proceeding that by reason of the provisions of this act any heir or devisee can not take real property in this State which but for said provisions said heir or devisee would take as such, the court, instead of ordering a distribution of such real property to such heir or devisee, shall order a sale of said rea

enforced in the manner provided by section 474 of the Political Code and title 8, part 3, of the Code of Civil Procedure. Upon the entry of final judgment in such proceedings the title to such real property shall pass to the State of California. The provisions of this section and of sections 2 and 3 of this act shall not apply to any real property hereafter acquired in the enforcement or in satisfaction of any lien now existing upon or interest in such property, so long as such real property so acquired shall remain the property, so long as such real property so acquired shall remain the property of the alien company, association, or corporation acquiring the same in such manner.

SEC. 6. Any leasehold or other interest in real property less than the fee hereafter acquired in violation of the provisions of this act by any alien mentioned in section 2 of this act, or by any company, association, or corporation mentioned in section 3 of this act, shall eschent to the State of California. The attorney general shall institute proceedings to have such escheat adjudged and enforced as provided in section 5 of this act. In such proceedings the court shall determine and adjudge the value of such leasehold, or other interest in such real property, and enter judgment for the State for the amount thereof together with costs. Thereupon the court shall order a sale of the real property covered by such leasehold or other interest in the manner provided by section 1271 of the Code of Civil Procedure. Out of the proceeds arising from such sale the amount of the judgment rendered for the State shall be paid into the State treasury and the balance shall be deposited with and distributed by the court in accordance with the interest of the parties therein.

Sec. 7. Nothing in this act shall be construed as a limitation upon the power of the State to enact laws with respect to the acquisition, holding, or disposal by allens of real property in this State.

Sec. 8. All acts and parts of acts inconsistent or in conflict with the prov

The white and yellow races are unassimilable. The idea of marriage between whites and Asiatics is revolting. It shatters the very keystone of occidental civilization. It is demoralizing in morality and menacing in problems of a mongrel racial degeneracy. It brings into being dangers of manifest evil to American homes and institutions. I conceive that we would be unworthy of our heritage if we gave countenance to the prostitution of what we honor as the most sacred contract under the law.

According to our standard, the Asiatics are not immoral; they are unmoral. The size of Japan is about half that of California and contains a population of about 75,000,000. Women are not highly regarded. Daughters are sold without shame for immoral purposes, and it is estimated that there are 2,000,000 prostitutes in that country. In men loose morals are universal and in women are uncondemned. Such a condition is usual and is regarded as natural and not wrong. And Japan is the most advanced of Asiatic nations. All Asiatics regard themselves as enjoying a civilization superior to ours. do not want to adopt our ethical and moral standards. What they do want is our trade and the opportunity to peacefully occupy our country by immigration. And, by the way, so far as trade is concerned, the United States is Japan's best cus-We buy from her about one-third of the total exports of the Empire, or about \$75,000,000 worth a year, and export to her about \$40,000,000 a year, thus leaving a balance of trade in her favor of about \$35,000,000. Her national debt is about \$1,500,000,000, and is an awful burden for her miserably poor and struggling people to bear.

We solved the Chinese question by the enactment of the Geary and subsequent acts. We have no Geary Act to keep out the Japanese and Hindus. On the Pacific we know the results of Asiatic competition. The Japanese are not an inventive people. They originate nothing, but they are great imitators of other people's inventions. The advantage they have over our people is their lower and cheaper standard of living and the fact that their men, women, and children work incessantly from early morning to late at night for small remuneration. They are driving our citizens out of every avenue of industry

in which they succeed in securing a footbold.

Everyone will admit that there is not a lazy bone in the body of the average American farmer. The Japanese are driving the American farmer out of business in California.

About 70 per cent, or \$7,000,000 worth, of the vegetables raised in the southern part of California are produced by Japanese truck gardeners.

In my own district they farm by ownership or lease of the land a large portion of the rich delta land of the Sacramento and the San Joaquin. About 4,000 acres of that land is owned by one Japanese, and he farms under lease other tracts. By production and manipulation he controls the potato market around San Francisco Bay.

The Japanese secured a foothold in the thriving farming community of Florin, in Sacramento County. They now own practically all the land in that vicinity and all but one business house in the city. The only store run by a white man in that town is owned by the postmaster, and as soon as his successor is appointed he will have to close up shop.

The Hindus, if permitted to continue to come to this country, will soon be a greater menace than even the Japanese. Stockton Record of December 6, 1913, published the following statement, which I will insert here and make a part of my remarks:

[From the Stockton Daily Evening Record, Dec. 6, 1913.] WHAT HINDUS SENT OUT OF STOCKTON.

WHAT HINDUS SENT OUT OF STOCKTON.

International (foreign) money orders to the amount of \$26,282.82 were sold by the Stockton post office during the month of October. Of this amount \$18,489.27 was sent to British Indian offices.

It was the Hindu.

Three-fourths of all the money sent from Stockton to foreign countries went to India.

Formerly it was thought that the Japanese, among all aliens, absorbed the most money, spent the least, and sent the most home. But during October the Japanese "sent home" only \$3,909, or about one-sixth as much as the Hindus; and the Japanese in this part of the State outnumber the Hindus; and the Japanese in this part of the State outnumber the Hindus; and the Greeks forwarded through the office is likewise a surprise.

The October sales of international orders were not exceptionally large. The total is a low average. Twelve such monthly totals mean easily \$315,000 and more. And 4f the Hindus do not fail of their prosperity during the closing two months of the year, they will probably have sent \$213,000 to their native land. Most of this money will have been earned in the vicinity of Stockton. It is gone—gone far—lost to the community.

A study of the full report of international money-order sales for the month of October as compiled by Myra Elisworth, superintendent of the money-order division of the Stockton office, is worthy of attention. The report shows money-order sales as follows:

Great Britain.

\$358.01

 The report shows money-order sales as follows:
 \$358, 01

 Great Britain
 18,489, 27

 British India
 18,489, 27

 Germany
 303, 93

 I Italy
 1,628, 00

 Greece
 150, 25

 Sweden
 105, 00

 Japan
 3,098, 00

 Norway
 97, 00

 France
 81, 01

 Austria
 853, 10
 150, 25 105, 00 3, 908, 00 97, 00 81, 01 853, 10 86, 75 39, 00 110, 00 France
Austria
Russia
Switzerland
Denmark
Turkey
Azores Islands
Hungary
Holland 15.00 50.00 3.50 5.00

The Hindu is a problem, and no doubt about it.

It took our branch of the human race thousands of years to develop to the government-by-the-people stage of civilization. It was a long, hard climb from barbarism to American civilization. It would be but a short step backward from the highest civilization to semibarbarism. The Good Book tells us that "evil communications (or association) corrupt good manners (or morals)."

The individual liberties of the people and the stability of the institutions of a republic depend primarily on the mental, moral, and physical health of the people, and are best secured by its people being homogeneous, speaking the same language, and occupying contiguous territory. The miscegenation of the white with the yellow race always results in the production of a hybrid mongrel, mentally, morally, and physically inferior to both races, inheriting the mental and physical defects and vices of both parents. It does not elevate the yellow race and does deteriorate the white race.

It is the duty of our Government to protect itself and its citizens against foreign invasion and commercial and industrial exploitation, whether they come in the shape of bombarding men-of-war and devastating armies or in the shape of passenger and freight ships carrying cheap labor and cheap goods.

Japan is the only Asiatic nation that has evidenced any desire to adopt the civilization of the Occident, and she only wishes to borrow our science and mechanical inventions. Her leading statesmen do not hesitate to say that Japan has no use for our literature, our religion, our morals, and our ethics of life, on which our civilization is founded.

The Mongolian, Tartar, and Hindu—Asiatics—ought to be excluded from American soil. Even a small number of them sprinkled through our population has a tendency to reduce the American standard of wages and to lower the morals and degrade the habits of those brought in close social contact with them. It is essential that the blood of the American-Europeans of this country, who, together with their ancestors, developed civilization to its present state, should be kept pure and free from the taint of the decadent orientalism of China, Japan, and India. We have no quarrel with those people. We wish them well in their own countries, but we do not want them in ours,

Mr. BURNETT. Mr. Chairman, I yield to the gentleman from California [Mr. KENT].

The CHAIRMAN. The gentleman from California [Mr. KENT] is recognized.

[Mr. KENT addressed the committee. See Appendix.]

Mr. BURNETT. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. TEMPLE].

The CHAIRMAN. The gentleman from Pennsylvania [Mr. TEMPLE] is recognized for five minutes.

Mr. TEMPLE. Mr. Chairman, I expect to support this bill. I recognize very fully that the prosperity of the country and its rapid growth and development in times past have depended very largely upon the number and the character of the immigrants that have come to our shores. From the very beginning of our history to the present time foreign immigrants have been a very valuable element in our population. I believe that we still need the foreigners, and we probably need a good many of them; but we need the very best that we can get, and it is for that reason that I shall support this literacy test.

It is a little bit hard to realize what the figures mean when we are told that a million foreigners have come to our country in one year, or that twelve hundred thousand have come, or the even larger numbers reached in one or two years. It is hard to know what a million means or to translate it into the terms of human life and human experience. For that reason I have examined the conditions in the twenty-fourth district of have examined the conditions in the twenty-fourth district of Pennsylvania. It is a smaller unit by a good deal than the whole country, and the figures are much more easily realized. That is the district that I have the honor to represent, and I can speak of it with some degree of familiarity. It is made up of three counties—Beaver, Lawrence, and Washington—and in the year 1910 it had a total population of 292,065 persons. Of these 93,468 were set down in the census as males of voting age. Of those men over 21 years old 54,956 were native whites, 35,998 were foreign-born whites, and 2,459 were negroes. Let me repeat, these figures are not for the total population. They cover only men who are more than 21 years old. In the twenty-fourth district of Pennsylvania there are enough men of voting fourth district of Pennsylvania there are enough men of voting age to make 93 regiments of a thousand men each. Thirty-six of those regiments could be composed exclusively of foreign-born whites. Taking up the matter by counties the showing is inter-

In Lawrence County, in 1910, there were 22,636 men over 21. of whom 13,896 were native whites, 8,457 were foreign-born whites, and 248 were negroes. Of the native whites, 140, or 1 per cent, were unable to read and write; of the foreign whites there were 1,861, or 22 per cent; of the negroes there were 41, or 16.5 per cent. The percentage of illiteracy for the combined classes increased from 6.5 in 1900 to 9 in 1910.

In Beaver County, in 1910, there were 25,769 men over 21, of whom 16,760 were native whites, 8,594 were foreign-born whites, and 395 were negroes. The number who could not read and write were: Of the native whites, 197, or 1.2 per cent; of the foreign-born whites, 1,841, or 21 per cent; of the negroes, 44, or 11.1 per cent. The percentage of illiteracy for the combined classes increased from 5.2 per cent in 1900 to 8.1 per cent in 1910.

In Washington County, in 1910, there were 45,063 men of voting age. Of these, 24,298 were native whites, 18,921 foreignborn whites, and 1,816 negroes. The number who could not read and write were: Native whites, 543, or 2.2 per cent; foreign-born whites, 3,904, or 20 per cent; negroes, 263, or 14½ per cent. If, for convenience in counting these men, we should set them off in groups of 1,000 men each, we would have 45 such groups in the one county. If the various classes were equally distributed, there would be in each group of 1,000 539 native-born whites, 420 foreign-born whites, 40 negroes, and 1 Chinese or member of some other race. In the 539 native whites there would be 12 illiterates; in the 420 foreign-born whites there would be 84 illiterates; in the 40 negroes there would be 6 illiterates.

These are interesting figures. They show that we have work to do in the education not only of foreigners, but of our own native-born people as well.

Personally, if there were any way by which we could pick them out, I should be willing to admit every foreigner of good character who had deliberately chosen America from among the countries of the world to be the land of his allegiance—to be his home and the home of his children. Such aliens, especially those of them who could read and write, would in a reasonable time become familiar with our institutions and our reasonable time become familiar with our institutions and our laws and conform themselves to our ways if they should find our ways better than their own.

The problem of immigration is not so much a problem of numbers as of assimilation, and it is an enormous problem. A great literary genius of our day, himself a foreigner and a Hebrew, has called America a melting pot in which men of all nations are to be fused in order that a higher type may be produced. A partial list of the nationalities of foreigners resident in the twenty-fourth district of Pennsylvania will indicate how complicated the blend must be if this country is to be such a melt-

Among the people that live in the twenty-fourth district are native Americans, Irish, English, Scotch, Welsh, Germans, Italians, French, Norwegians, Swedes, Danes, Russians, Hebrews, Greeks, Poles, Magyars, Czechs, Bulgarians, Servians, Montenegrins, Croatians, Slavonians, Dalmatians, Bosnians, Herzegovinians, Ruthenians, Slovaks, Lithuanians, Roumanians, and other nationalities. Like the list of those that heard the preaching of the apostles on the day of Pentecost, it seems to be made up of men from every nation under heaven.

Our problem is to assimilate these people. The public schools accomplish wonderful things for the coming generation, but our problem has to do with the present as well as the future.

I know very well that the ability to read and write is not a test of moral character or even of real mental capacity. I have known men who were not able to read and write who were men of keen perception, good judgment, and trustworthy character, and yet no one would deny that education-even a very little education-would make such men more efficient, more valuable members of society, more useful than they are without educa-

I am fortunate enough to number among my personal acquaintances and friends a good many men of foreign birth, including professional men, merchants, and men in other walks of life. I am convinced that it is for their interest, for the good of the whole country to select from the large number of immigrants who would come to our ports, those who can most easily adapt themselves to the conditions that prevail in this country.

Mr. SABATH. I yield to the gentleman from Connecticut

[Mr. MAHAN].

Mr. Chairman, I am opposed to this bill, and Mr. MAHAN. shall vote against it because of the literacy provision in it.

Mr. Chairman, do you realize what that provision means to the business life of this country? Do you know that you can not get men of education to work as laborers with pick and If you want your railroads built; if you would till shovel? the soil, dig ditches for canals or irrigation; if you would dig the foundation for your public or private buildings, you must depend upon the foreigner to do the rough work.

What are the facts? From 1850 to 1890 came that great tide of immigration from England, Ireland, and Germany. These immigrants worked at all kinds of manual labor. How about immigrants worked at all kinds of manual labor. the children of these foreigners who were denied the privileges of education in their native country? They are found among the skilled workmen in your shops and factories. They are to be found in all the learned professions-doctors of law, medicine, and divinity, professors, and teachers in our schools and col-leges. I might give you a concrete example by calling your at-tention to the fact that 25 per cent of the present membership of this House are the sons of immigrants.

We are told that further immigration will tend to lower the standard of American wages. What are the facts? It is admitted that for several years 1,000,000 immigrants have come to this country every year—to be exact, during the fiscal year that closed June 30 last, 1,079,439 immigrants came to our shores and were admitted-yet, it is a fact that wages for all kinds of manual labor have advanced from 25 to 50 per cent during the

last 10 years.

The United States is to-day a great exporting Nation, the balance of trade in our favor for the last fiscal year being \$653, 000,000. If we would maintain our supremacy in competition with the countries of Europe, we must for the future, as in the past, have the benefit of the new and best blood from the countries of the Old World.

Mr. Chairman, the attempt to prevent the foreigner coming into our country is no new thing in legislation. From the very dawn of the Republic there has been hostility and opposition to the coming of immigrants to our shores. It has been said upon the floor of this House to-day that the illustrious Jefferson, Randolph of Virginia, and Henry Clay were opposed to the admission of immigrants into the country. It was the English, the German, and the Irish that they would have kept out. You who now favor the passage of this bill are good enough to admit that the prediction of ruin then made has not yet materialized. Jefferson, Randolph, and Clay were wrong then, and you are just as wrong now.

Speaking for my own district and State, I wish to deny that the foreigners coming to our shores are undesirable citizens. More than 27 per cent of the population of our State are for-eigners. We have the Jew, the Italian, the Norwegian, the Swede, the Frenchman, the Englishman, and the Irishman, and all of these are honest, God-fearing citizens, as good as you

Our State, although the third smallest in area, ranks, believe, eighth in the value of her manufactured products. We need the immigrants to cultivate our soil, to work in our shops, our mills, and our manufacturing establishments.

This is practically the same bill that has been vetoed by two Presidents-Cleveland and Taft-and should this bill pass may

we not hope for another veto?

Mr. SABATH. I yield to the gentleman from Missouri [Mr.

IGOE].

Mr. IGOE. Mr. Chairman, almost from the foundation of the Government we have had among us those who were opposed to immigration. The same arguments that we hear to-day against admitting foreigners to our shores have been made repeatedly for a century. Time and again have the exclusionists and restrictionists pointed out the dangers to our institutions by reason of the great influx of aliens. If the advice of these extremists had prevailed, our country would be but scantily populated, our industries would be undeveloped, the Nation would not hold the place it does among the Nations of the world, and many great men and women who have rendered invaluable service to the people would never have graced the pages of our history. We are essentially a Nation of immigrants, and the adoption now of an unsound and unreasonable standard of admission is in total disregard of the traditions of

the country and a violation of true democratic principles.

The literacy test proposed by the framers of this bill can not be sustained except as an arbitrary rule, which will exclude many who, under every rational, reasonable, or scientific test, would be admissible. It seems to me that inability to read a few words does not stamp an immigrant as undesirable. That one may not have an education does not mean that he is not honest, industrious, or capable of understanding our institutions. Gentlemen say our immigration to-day is so different from what it was in the good old days when it came from western and northern Europe. Yet if the standard now proposed had been applied in the days of the old immigration, it would have excluded millions who entered our country and have become some of our best citizens. These immigrants who were bitterly attacked and assailed by the restrictionists of their day are now held up as models by the present-day restrictionists.

During the course of the debate a statement was made show ing that in the State of Alabama, the home of the chairman of the committee, the percentage of illiteracy among the nativeborn whites of native parentage was exceedingly high; in fact, almost five times as high as the percentage of illiteracy among the children of foreign or mixed parentage in the same State. The chairman very eloquently pointed out that his people had suffered greatly by reason of the Civil War; that his people for years after those terrible days suffered every trial and We all realize the truth of what he has said, and privation. yet, while he pleads this as an excuse—and it is an excuse—for a certain amount of the illiteracy in his State, he is not willing to take into consideration even worse conditions that have prevailed and still prevail in the countries from which our immigrants come. He is not willing to hold out a helping hand to those unfortunates who come of a people oppressed and downtrodden for centuries. He will not distinguish between a man who has had every opportunity to acquire an education and an unfortunate alien reared in an environment and in a country which not only do not afford educational facilities, but where oftentimes education is discouraged.

The statistics and reports furnish us with convincing proof that our foreign-born inhabitants, given the opportunity to secure an education, not only take advantage of it themselves but almost invariably see that their children receive an education. The last census report shows that, notwithstanding the number of illiterates that are supposed to be coming into this country, there were in the United States in 1910 a total of 788,631 foreign-born illiterates over the age of 21 years. The statistics further show that in the population 10 years of age and over the percentage of illiteracy in the United States among native whites of native parentage was 3.7 per cent, while among whites of foreign or mixed parentage it was 1.1 per cent.

Instead of our aliens being unappreciative of our institutions and not in sympathy with them, these figures indicate an eager and patriotic desire to take advantage of every means afforded to better their own and their children's condition. It is a sufficient answer to those who say the alien is not in sympathy with our institutions.

Many statements have been made here that would indicate that our recent immigration was wholly undesirable for various We have heard much about the old immigration and reasons. We have heard much about the old immigration and the new immigration, but we have received no definite informa-tion as to just when the old immigration ceased and the new immigration began. Repeated statements have been made on the

floor that in my judgment are not warranted by any facts or figures that have been produced. Even the majority report does an injustice to the recent immigrants, in my opinion, when a partial statement from the report of the Immigration Commission in regard to crime is set forth. From this statement it might be assumed that the commission found that the greater portion of our new immigrants, on landing in this country, immediately resorted to homicide, blackmail, and robbery. The quotation is given as one of the reasons for the literacy test, yet when we examine the report of the commission on the same page from which the majority report quotes, we find the following statement:

It is impossible from existing data to determine whether the immigrant population in this country is relatively more or less criminal than the native-born population. Statistics show that the proportion of convictions for crimes, according to the population, is greater among the foreign born than the native born. It must be remembered, however, that the proportion of persons of what may be termed the criminal age is greater among the foreign born than among the natives, and when due allowance is made for this fact it appears that criminality, judged by convictions, is about equally prevalent in each class.

It might not be out of place to examine other portions of that report. Under the heading "Immigration and pauperism," on page 35, the commission says:

page 35, the commission says:

At the present time, however, pauperism among newly admitted immigrants is relatively at a minimum, owing to the fact that the present immigration law provides for the admission only of the able-bodied or dependents whose support by relatives is assured. The number of those admitted who receive assistance from organized charity in cities is relatively small. In the commission's investigation, which covered the activities of the associated charities in 43 cities, including practically all the large immigrant centers except New York, it was found that a small percentage of the cases represented immigrants who had been in the United States 20 years or more. This investigation was conducted during the winter of 1908-9, before industrial activities had been fully resumed following the financial depression of 1907-8, and this inquiry showed that the recent immigrants, even in cities in times of relative industrial inactivity, did not seek charitable assistance in any considerable numbers. Undoubtedly conditions would have been otherwise had it not been for the large outward movement of recent immigrants following the depression; but however that may be, it is certain that those who remained were for the most part self-supporting.

Surely, if the new immigrants are so undesirable, it can not be because they lack industry, thrift, or ability to support and

maintain themselves by their own efforts.

In the course of this debate attention has been called to the number of insane of foreign birth in the institutions of the State of New York. The majority report contains a statement made by one of the officials of that State as to the number of this class of insane. I agree, if insane are being admitted, some more certain system of medical examination must be resorted to, but I doubt very much if a literacy test would have excluded a single one of those who afterwards became insane. In these reports we have no statement as to the percentage of those admitted to asylums for the insane who belong to the new immigration. We do find, however, in the report of the Immigration Commission a remarkable statement of the result of investigation as to the health of the recent immigrants as contrasted with the old immigration. On page 35 of the report we find the following:

we find the following:

The commission included within the scope of the investigation the study of cases admitted to Bellevue and allied hospitals in New York City. These hospitals are public charitable institutions, and a sufficient number of persons are treated there to warrant some conclusions relative to the existence of disease among the poorer classes of the foreign born. While it appears that a considerable number of immigrants are treated at these hospitals for various causes within a comparatively short time after their admission to the United States, it does not appear that the number is sufficiently large or the diseases for which they are treated are sufficiently serious to warrant the conclusion that diseased persons are being admitted in any considerable numbers. A study of these cases, however, permits an interesting and significant comparison between immigrants of the old and the new class with regard to alcoholism. Among the foreign born this treatment was confined almost entirely to the races of the old immigration, such as Irish, Scotch, English, and Germans, while relatively very few southern and eastern Europeans were treated for that cause. A striking difference between the old and new immigration in this regard was also apparent to a greater or less degree in many industrial communities included in the commission's general investigation. Some complaint was made that drunkenness interfered with the industrial efficiency of some southern and eastern Europeans, but these cases were comparatively rare.

This statement is in marked contrast to the general assertion that the new immigrants are overflowing our eleemosynary institutions and becoming a great burden to the taxpayers of the various States

We all agree that if necessary more stringent regulations should be adopted which will insure the exclusion of immigrants who are physically, mentally, or morally unfit, those who have criminal records or criminal tendencies, as well as those who would become public charges. Any amendments to our laws tending to make more certain the exclusion of these undesirables should be welcomed, and it is to be regretted that an opportunity to vote for these amendments is not afforded those of us who oppose this bill because of the literacy test. I am opposed to the literacy test for the reasons previously given. There are many provisions in this bill I would like to vote for, but my opposition to the literacy test is so strong that I shall have to vote against the bill.

Mr. SABATH. I yield to the gentleman from New Jersey

[Mr. HAMILL addressed the committee. See Appendix.] Mr. BURNETT. I yield to the gentleman from Alabama [Mr. HEFLIN]. [Applause.]

Mr. HEFLIN. Mr. Chairman, I have been amused at some of the arguments made by gentlemen who think that they are representing a large per cent of our people in opposing this bill. My friend the gentleman from New York [Mr. Goldfogle] has shown us a literal fulfillment of the Scriptures, that "A little child shall lead them." He has told us of the children of his district waving the American flag and singing, "My country, I commend their example to the gentleman from New York, and I commend their song to him. [Applause.] I heard the gentleman for 35 minutes to-day speaking against the best interests of the American people.

Mr. Chairman, the gentleman from Alabama [Mr. Burnett], the chairman of the Committee on Immigration, has worked faithfully and persistently for the passage of a measure that will protect the American people from the evils of indiscriminate immigration. [Applause.] He has prepared and had reported to this House by his committee a bill that will put a stop

ported to this House by his committee a bill that will put a stop to the practice of allowing undesirable and unfit foreigners to come in droves into this country. [Applause.]

I want to say to the gentleman from Alabama that for his able and patriotic service in this regard he is entitled to the lasting gratitude of the American people. [Applause.] The people whose ancestors came here long ago and those who have come in recent years, who have at heart the best interest of our country, should rejoice that their chosen home has determined to safeguard its civilization and exercise some care and consideration in keeping out people who will not be helpful, but distinctly hurtful, to the highest and best interest of our country. [Applause.] If there are those already here who have no regard for the future well-being of America—who want to throw open our doors to the criminal hordes of other countries-the sooner we let them and the world know that they do not constitute the dominant force in America and do not speak for the great body of American citizens who would protect the life of this Nation from the dangers that threaten it, the better it will be for our country. [Applause.] In the name of all that is dear to the American people I protest against the foolhardy and suicidal course that some would have us pursue-that of throwing our doors open and permitting all classes and conditions to come into our country. The foreign citizen who has cast his lot in our midst for the purpose of bettering his condition and supporting our institutions and contributing to the strength and glory of this Government ought not to allow himself to be used by those who advocate unrestricted, free-for-all immigration, for in doing so he is striking at his own, his chil-

dren's, and his country's best interest. [Applause.]

Let us say to the steamship companies and their hired agents, who trump up the scum of the earth to dump upon our shores in order to furnish traffic to the steamship companies, that their unholy and dangerous work shall stop; that they shall not destroy our civilization and ruin this Government. [Ap-

lause.]

The Farmers' Union of the United States and the Farmers' National Congress and the Federation of Labor-in fact, every patriotic order in the country-have indorsed this bill.

Thousands of foreigners come here, not to pay allegiance to this country, but to accumulate money and return with it to their former home. They carry back about \$150,000,000 a year. Thousands of them are here in competition with American laborers who have never been naturalized and who do not support our institutions. Last year, when their native lands were involved in war, thousands went home, carrying what money they could and fought in the wars of foreign countries.

Mr. Chairman, something must be done to restrict immigration. The fiscal year ending June 30, 1913, 1,400,000 had come to America. For the last four months 600,000 have come, and at that rate, unless something is done to prevent it, this year will find 1,800,000 foreigners landing upon our shores. The time

has come to call a halt. [Applause.]

Mr. BURNETT. Mr. Chairman, I yield to the gentleman from

Idaho [Mr. SMITH].

[Mr. SMITH of Idaho addressed the committee. See Ap-

Mr. SABATH. Mr. Chairman, if I am not mistaken, I have

12 minutes remaining?
The CHAIRMAN. The geutleman is correct.

Mr. SABATH. Mr. Chairman, I yield to the gentleman from

Connecticut [Mr. LONERGAN].

Mr. LONERGAN. Mr. Chairman, in the consideration of this bill we should adhere to first principles. Since the year 1620 foreigners have come to our shores in greater or less numbers. We are all descendants of foreigners, but none the less true Americans. Men from different European countries not only blazed the way as pioneers and established themselves and reared and educated families, but they or their descendants were instrumental in the establishment of a different form of government. It was they who substituted a popular form of government for a proprietary form of government. It was they who furnished large numbers to go to the front in time of need, and thereby exemplified their patriotism and their love for their adopted country. An examination of statistics will show in what large numbers they entered the service in all American wars. They also displayed their patriotism in other effective ways.

We, as representatives of the people of this country, should take cognizance of what is incorporated in the Declaration of Independence, when it is stated among other things in enumerating the grievances against the King of Great Britain:

He has endeavored to prevent the population of these States; for that purpose obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

If the Democratic Party is built upon anything, my friends, it is built upon the Declaration of Independence. It is the corner stone upon which the party is founded. Our party has a great opportunity—an opportunity to defeat this pending legislation. However, partisanship ought not to enter into the bill under consideration, and our friends on the other side of the

House should join in its defeat.

We find on investigation that there are 711,980,000 acres of undeveloped public land in the United States. We can accommodate a population of 500,000,000 people. Is it not necessary to have men come to our shores in order that this land may be developed and that they may contribute toward the material upbuilding of the country? Let us go back, if you please, to 1840, and consider what was done by the immigrants who came from 1840, say, to 1870 or 1880. Were not these men the ones who were employed in the construction of our railroads, telegraph lines, telephone lines, and other public utilities? Were they not the men who built and worked in our factories and settled upon the farms in the great West? May we not classify them as constructionists? We need such men; somebody must do the manual labor, which does not appear to be attractive to the American born. Unskilled labor is necessary to skilled

What we must determine is whether a man or woman is honest and healthy, and not whether he or she is able to read 40 or 50 words to the satisfaction of an inspector. posed to the bill on account of the literacy test. Illiteracy is not necessarily a lack of education, in that all education is not derived from books. Are we not placing a penalty on those who had no opportunity for schooling, which was the case with hundreds of thousands who came to America and who contributed so materially to the welfare of the country? Why should we permit a man of criminal instincts who can read and write to enter this country, and place a barrier before the honest and healthy person who does not have those attainments? The economic value of a citizen should be taken into con-The foreigner is a producer and a consumer, and he is also thrifty. To those who say we have too many immigrants now coming let us remind them that a large number return. Canada promotes immigration.

In the State of Connecticut, which I have the honor in part to represent, the population is 29.6 per cent foreign, and the men who have adopted that State as a permanent place of abode are among our best citizens. They represent the blood of different countries of Europe. They are industrious, enterprising, law-abiding people, who raise large families, and who become, and whose children become, vital forces in the upbuild-They are ing of communities in the Inventive State of Union.

mindful of the duties of citizenship.

In the Nutmeg State, among those who attend the evening schools are to be found a very large percentage of foreign born, both men and women, and that is true of those against whom complaint seems to be especially directed in the discussions on this floor. They are ambitious in every way to better them-selves. They strive by every honorable means to give their children better advantages than those they enjoyed. Some of

the foreign born are among our leading business men, and those of the second generation hold a prominent place in many walks of life.

America is recognized the world over as the land of opportunity, the melting pot of all nations, the asylum of the op-The foreigner pressed, where merit is the measure of men. knows that here may be found not only tranquillity, peace, happiness, and general success in life but good government.

Mr. SABATH. Mr. Chairman, I yield to the gentleman from

New York [Mr. LEVY].

Mr. LEVY. Mr. Chairman, I am strongly opposed to that provision of the pending immigration bill which would subject every alien seeking admission to this country to an educational test. An immigrant should not be denied admission to our shores if he is morally, physically, and mentally sound. The ability of a man to read is not a fair measure of his moral worth nor of his economic value nor of his mental capacity; in other words, it is not a fitting test of a man's honesty nor of his capacity to work with his hands nor of his ability to learn. Experience has proven that moral soundness-simple honestyis independent of intellectual culture; many men are morally sound notwithstanding their ignorance, and many others are

morally unsound in spite of their education.

Ability to read is not a fair measure of a man's economic value, because experience proves that a man's capacity to earn living is not necessarily dependent on intellectual culture. Many immigrants coming to our shores come from countries where, owing to proscribed laws, the opportunity to acquire an education has been unjustly denied them. This is particularly true of Russia and Roumania. I believe it is more important that the applicant for admission to our shores should be made to show by the calloused palms of his hands that he is accustomed to work than to show by glibness of tongue in meeting a In the actual development of our country it literacy test. would have been impossible for us to have accomplished what we have in the construction of railroads, in the development of our farms, and in the establishment of our industries, had we not had the brawny, muscular, and healthy immigrants who have to come to us from different parts of the world. At the present time there is a scarcity of labor in this country to develop our natural resources, and the natives are unwilling to do the work which the alien comes over to do.

Our country is in great part a Nation of immigrants, sons and grandsons of immigrants. It must be borne in mind that our only true native American is the Indian. The illiteracy test, had such a law been in existence a generation ago, would have robbed this country of some of its strongest and greatest men. Some of our ablest lawyers and the best and most progressive men of to-day are the progeny of parents who when they came to this country could neither read nor write. Are those who have not had the advantage of an education in the countries from whence they came to be denied the opportunities held out in this country? Many immigrants are unfortunately illiterate, without any fault of their own, and without lacking intelligence and character which will make them useful and peaceable citizens of this Republic. Most of these who come here are industrious and thrifty and a large proportion are desirous of

learning and of having their children educated.

When a man came to American shores in the steerage of a vessel 150 years ago he was "a settler" or "a colonist." but to-day he is called "an immigrant." No one ever proposed that "a settler" or "a colonist" wishing to land on American soil should be denied the right of admission to this country because

he could not read or write.

The healthy and brawny immigrant is America's man of all work, and his destiny is working itself out with the destiny of the country. Eighty-five per cent of all labor in the slaughtering and packing industries is done by alien laborers. They mine seven-tenths of our bituminous coal. They do 78 per cent of the work in the woolen mills, nine-tenths of all the labor in the cotton mills, and make nineteen-twentieths of all the clothing. Immigrants manufacture more than half the shoes in the country, They turn out four-fifths of our furniture, half the tobacco and cigars, and nearly all our sugar. In the iron and steel industries immigrants share the greatest risks.

The proposition to exclude foreigners is not new. During the administration of John Adams, when this Republic of ours had but completed the first decade of its existence, the same senti-ments as I have heard uttered on this floor to-day were uttered against the foreign born. The period of naturalization was extended from 5 to 14 years in the year 1798 in order to discourage immigration, and during the same session of Congress the ob-noxious allen and sedition laws were passed, which cenferred upon the then President of the United States the power to exclude at his will any foreigner found upon American soil. It is

to the honor of our institutions and to the glory of this Republic that the shame and infamy of that legislation was wiped out when the Democrats of this country elected Thomas Jefferson to the Presidency. In his proclamation concerning foreigners, relative to immigration Jefferson said:

It has been the wise policy of these States to extend the protection of their laws to all those who should settle among them, of whatsoever nation or religion they might be, and to admit them to participation of the benefits of civil and religious freedom; and the benevolence of this practice, as well as its salutary effects, renders it worthy of being continued in future times.

In the Declaration of Independence, as drawn by Jefferson, concerning immigration he said:

He has endeavored to prevent the population of these States, for that purpose obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

From time to time in every succeeding generation there have been those who were opposed to the admission of the foreign born to this country. The same arguments were used then as are used now. This continent is not crowded, and the admission of each healthy, able-bodied immigrant adds that much more enrichment to the country. We all agree that the criminal, the insane and mentally defective, the pauper, the morally unfit, and those who are incapable of earning a livelihood should be debarred; but homeseekers, otherwise admissible, should not be excluded, even though illiterate, for such are needed to develop the abandoned farms, to open our mines, and to build our roads, aqueducts, tunnels, and canals. A strong and rigid educational test, however, should be applied when application is made for citizenship.

Mr. Chairman, I ask unanimous consent to extend my remarks

in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none. The gentleman has used three minutes.

Mr. SABATH. That leaves me four minutes. Will the gentleman from Alabama or the gentleman from Pennsylvania use some time?

Mr. MOORE. Mr. Chairman, how much time have I remain-

The CHAIRMAN. The gentleman has 19 minutes remaining. Mr. MOORE. I desire to be notified, Mr. Chairman, when I have used 15 minutes.

In an introductory way I want to compliment the distinguished chairman of this committee [Mr. BURNETT of Alabama] upon the parliamentary excellence of his management. I may not agree with him about the literacy test, which is the chief feature of this bill, but I do agree in this, that as a skillful manipulator in the committee and on the floor of this House he has no superior in the Halls of Congress. He gave two days in which to bring witnesses from all over the country to hearings in the committee, and on the second day he held us solidly and continuously until 2 o'clock in the morning. And now his influence in this House is so strong that he is able by a rule, which is a cloture measure, to put this bill through with only seven hours of general debate, notwithstanding it affects the misery and happiness, the hopes and the aspirations of at least a quarter of a million souls, and all who are interested in them. I do not blame him, because he believes in what he has undertaken to do. Strong pressure has been brought to bear upon him. I will not speak of lobbys, because I do not know. Men have the right to represent organizations and institutions and to speak to Members of Congress about legislation in which they are interested, but in my judgment the gentleman from Alabama has had such pressure upon him that he is induced to accelerate this measure, and, indeed, it may be found politically expedient to push it through.

FOR AND AGAINST THE BILL.

Two elements have sought the immediate passage of this bill: The representatives of certain patriotic orders and the representatives of certain labor organizations. Opposed to the bill were those who believed that "American institutions" included the right of a haven to those who sought to establish themselves in the "land of the free and the home of the brave."

They pointed to the early settlers generally, who had come to the new country and helped to make it what it is. The German-American National Alliance, the Jewish societies, representatives of the Italians, the Poles, and other nationalities identified with the upbuilding of America, also protested against the bill.

The main point about which all parties contended was the socalled literacy test-that provision of the bill which sets up the ability to read as a qualification for admission to the United States. This test, which is rather against the learning than the manhood or character of the immigrant, is conceded to be

sufficient to keep out of the country at least 250,000 men and women every year. From the standpoint of those who are advocating the bill this is desirable; but those who oppose the bill believe such arbitrary and wholesale exclusion would be unjust, unnecessary, and inhumane. Personally I have no objection to the other main features of this bill because in all essentials it is merely a reenactment of existing law, but I do oppose the literacy test, a new provision which proposes that the men of labor and of brawn who seek a home in this country, like all of our forefathers sought a home here, shall be turned back to the conditions of misery and deplorable hopelessness from which they sought to raise themselves, simply because they have not acquired the art of reading. There is a wholesome belief that we need honest labor in this country; and that while we do not need immigration that is criminal, or vicious, or disturbing, there is a place for honest labor, even though it be uneducated. We raised no such club as an educational test over the heads of our Pilgrim forefathers, or the Cavaliers, or the German, or Irish, or Swedish settlers who aided in the upbuilding of our country, and now that they have come in, and we are in, it seems a travesty upon our boasted institutions of liberty that we should say to others, who, in good faith seek a haven here, "You can not come in."

EXCLUDING THE UNDESTRABLES.

Some of the gentlemen favoring this measure have declared that this is a white man's country and that only white men should be admitted. That statement so obviously presumes a prejudice against the Japanese, the Chinese, and the negro that it may not be seriously answered at this time. If such a prejudice prevails, it ought not to be used as a bar against the Italian, the Russian, or the Roumanian Jew, or any of the other southern Europeans who are believed to be marked for exclusion in this bill.

Other gentlemen contend for the preservation of the Anglo-Saxon race. They throw compliments at our German and Irish ancestors, but think the time has come to put up the bars against those whose present purpose in coming to the United States is to obtain homes and grow up with the country. The Anglo-Saxon argument is an exclusion argument pure and simple. It was answered by President Cleveland in his immigration veto message of 1897 and by President Taft in his veto message of 1913. It has also been answered by utterances favorable to honest immigration by the present President of the United States.

I can not cover the points raised in this debate in 15 minutes, but I wish to refer briefly to the urgency of this measure as represented by some of the patriotic orders. They want the bill passed to preserve American institutions, to uphold the public-school system, and to encourage a respect for the Stars and Stripes. They do not want the United States made a dumping ground for anarchists, or criminals, or other undesirables. In these things they are to be commended, but, except for the literacy test, which is leveled against labor rather than against crime, so far as it may be, Congress has provided for all these

things by existing law.

The latest bulletin of the Bureau of Immigration shows that we do turn back the undesirables, and that for the year ending June 30, 1913, we turned back nearly 20,000 of them—to be exact, 19,938. They included idiots, epileptics, beggars, paupers, contract laborers, criminals, anarchists, prostitutes, and persons afflicted with tuberculosis, or loathsome or contagious diseases, and persons likely to become a public charge. Since the existing law covers these and other undesirables, it is a question if what the patriotic orders want (except the inclusion in this bill of the literacy test) is not efficiency in administration rather than additional legislation.

LABOR UNIONS IN OPPOSITION.

Now, another element which has to a certain extent stood behind the chairman of this committee and the proponents of this bill, is certain leaders of labor organizations, notably the American Federation of Labor. We had before the committee representatives of the railway orders. Mr. Wills, of the Locomotive Engineers, was one of the witnesses. He advocated the passage of this bill. He admitted that illiterates did not come into any very direct competition with the body that he represented, but he cited a controversy over the rate of wages on one of the western railroads where, in the event of a strike, the vast army of unemployed men, which he said existed, would be regarded as a menace. Mr. Clark, vice president of the Order of Railway Conductors, took substantially the same ground. He stated that immigrants did not take the place of conductors, but insisted that, in the event of strikes, their influence would be felt. He explained that it takes about three years for a man to pass through the grades to become a conductor, and that

then he has to be a pugilist, a diplomat, and a Chesterfield combined. These surely are three qualities that are not generally possessed by the illiterate laborer, against whom the present bill is directed. I want to say in this connection that these gentlemen were asked whether the educated American youth was prepared to go into the mines, do the drudgery in the trenches, in the sewers, or upon the farms; and, except as to the farm, they had few, if any, cases in point. The American youth, as one of them said, was cut out for higher things, and the question as to who was to do the dirty work, who was to do the drudgery, dig the sewers and trenches, and go down in the mines, when we stop the crude foreign labor, was left an open one, except as it might be solved by increased wages and effective organization.

THE IMMIGRANT WHO GOES BACK.

The chief spokesman for labor before the committee-and I have every respect for him as a man and an advocate of organized labor-was the associate of Mr. Gompers, of the American Federation of Labor, namely, its secretary, Mr. Frank Morrison. When discussing this question of illiterate labor, Mr. Morrison, in answer to my colleague, Mr. Manahan, summed up as

What I complain about, is that steady stream of people coming in—the unskilled foreigners who come here and work for a few years and go back, so that they can not be organized, and who have made no effort to secure better conditions. They do not assimilate with our people, they do not join with the union, and it is very difficult to retain the wage scale.

Mr. Morrison found fault with the uneducated immigrant because he did not readily yield to organization, but other witnesses at previous hearings had explained that this labor of which he complained, this drudge labor which the American youth considers beneath him, accommodated itself to the economic conditions in this country, came and went as it was wanted, working here at the American wage, and returning, to the relief of American labor, when there was no longer necessity for foreign labor. I intend to quote Mr. Morrison more fully if I have the time, but to clear up some misconceptions of fact about the immigration that is supposed to everrun this country I call attention briefly to the manner in which crude foreign labor does adjust itself to American economic conditions. In 1911, according to the latest report of the Bureau of Labor, it appears that the immigrants admitted were 1,030,300.

The number that left the country-and these are never taken into account by the opponents of immigration—was 518,215, or nearly half as many left the country as came into it. In the year 1912, 1,017,155 came in and 615,292 went out.

Now, in the course of the few minutes reserved to me I shall undertake to make it plain that a man who comes into the United States to do the work of the plodder, to till the soil and do the ugly work which the educated youth of America disdains to do, does not discredit American labor, nor displace it, if the work remains for him to do and he does it at an American wage. There is a vast difference between protecting ourselves against human life and blood of foreign birth that works at the American wage standard after it is admitted to this country, and protecting ourselves against the manufactures of foreigners working for a foreign wage. [Applause.]

The CHAIRMAN. The time indicated by the gentleman from

Pennsylvania has expired.

Mr. MOORE. Mr. Chairman, I shall use the remaining four minutes now, and, because I may overlook it later, I ask unanimous consent to extend and revise my remarks.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. Moore] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

FOREIGN WAGES AND AMERICAN WAGES DIFFER.

Mr. MOORE. Mr. Chairman, in the course of his statement Mr. Morrison was asked in particular about the garment workers and the miners. I am going to put this in the Record, because it is the only way, under this rule, that we can get this evidence before the House and before the country. In regard to the garment workers he admitted that most of them were foreign. He stated that there were substantially 200,000 of them; that in this country they work for the American wage, and that when abroad they worked for a lower foreign wage, and that clothing was cheaper in this country by reason of their being here.

With regard to the miner he admitted substantially the same thing; that whereas a miner got one-half or one-third in Wales or Belgium or England what he got in the United States, yet when he came over here he went to work at the American wage, and that the minimum union wage of the miner in Pennsylvania, for instance, was \$2.56 a day.

I can not go into that any further now, but I want to say that the foreigner who comes into this country is a consumer as well as a producer; that he makes a market for the farmer the moment he comes here, and he brings within his own skin a customer for about 93 per cent of products of the United We can not discredit the foreigner on the ground that he is neither a producer nor a consumer. He is both the moment he enters our ports.

I shall put a little more of this in the RECORD. Mr. Chairman,

how much time have I used?

The CHAIRMAN. The gentleman has two minutes remaining. Mr. MOORE. Then, Mr. Chairman, in those two minutes I shall take up another side of this question very briefly.

Mr. BURNETT. Mr. Chairman, did the gentleman consume all of his time?

A HUMAN SIDE AND A SAVINGS SIDE.

Mr. MOORE. I had two minutes left when the Chairman's gavel fell.

Now, Mr. Chairman, there is a human side to this question. I have here a letter signed by Mr. Herbert Parsons, a former Member of this House, appealing to this House in behalf of the downtrodden Jews in Russia and Roumania against whom this bill is leveled; and among the friends of these unfortu-nates, appealing to us for the freedom of the Jew in Russia, are some very distinguished gentlemen who favor American exclusion, including the gentleman from California [Mr. KENT]. who spoke a little while ago; and in this particular instance no less a humanitarian than Mr. Samuel Gompers, president of the American Federation of Labor.

Now, Mr. Chairman, here is another important phase of the question. I have before me a report of the Philadelphia Savings Fund, one of the greatest savings banks in the United States. Its deposits, amounting to more than \$120,000,000, are invested in the securities of railroads and industries throughout the whole country, aiding in the employment of labor everywhere. During the year 1912 they took on depositors to the number of 43,337, of whom one-half were foreigners; and those foreigners, along with the native Americans, laid by, in deposits, approximately \$25,000,000, thus indicating that they were not carrying their money out of this country, but were investing it here to build up our railroads and our factories and our other great industries and to give us the benefit of that circulation which represents the result of their honest toil. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsyl-

vania has expired.

THE PRESIDENT CLEVELAND VETO.

Mr. MOORE. Then, Mr. Chairman, availing myself of the privilege of extending my remarks, I shall refer to the influence the laborer who comes to the United States has upon the wage condition here. In a speech delivered to the House December 14, 1912, my Democratic colleague, the gentleman from Illinois [Mr. Sabath], engaged in a controversy with some of his colleagues on this subject. I quote from the Record as follows:

Mr. Sabath. I have before me a copy of a message that was sent to the House of Representatives on March 2, 1897, by that great leader of Democracy, the first Democratic President since the war, Grover Cleveland, in vetoing a similar bill. Time does not permit me to read his message, but he, together with thousands upon thousands of Intelligent Americans, after a careful study of this momentous question, has gone on record against this unfair legislation.

Mr. Burnett. Mr. Chairman, will the gentleman yield for a question?

Mr. Sabath. Yes.

Mr. Burnett. Is it not true that at the time Mr. Cleveland vetoed that bill the entire immigration to this country was not as much as the Italian and Greek immigration is now?

Mr. Sabath. In proportion to the population of our country, the immigration to-day is not any greater than it was then.

Mr. LOBECK. Mr. Chairman, will the gentleman yield?

Mr. Sabath. Yes.

Mr. LOBECK. Was it not also a fact that at that time the price of labor in this country was so low that immigration did not come and there was not the demand for labor that there is now, and that was one of the reasons why they did not come?

Mr. Sabath. I think that is true; but right here I desire to say that from all the information I can secure and from all the statistics I have studied, I can not find wherein immigration has even reduced the price of labor, but, on the contrary, you may go over the immigration figures from year to year and you will find that whenever the immigration was large wages were higher.

Mr. POWERS. Will the gentleman yield to the gentleman from Kentucky?

Mr. Sabath. I will yield to the gentleman from Kentucky.

The CHAIRMAN. Does the gentleman yield to the gentleman from Kentucky?

Mr. Sabath. I will yield to the gentleman from Kentucky.

Mr. Powers. Is not it true that the foreign wages of immigrants from foreign countries have mostly driven out the American wage earners in all of western Pennsylvania, and is it not a fact that three-fourths of the wage earners in the basic industries are foreigners? And is not it further true that they get 42 cents a day less than the American wage earners in the Middle States employed in the same occupations?

Mr. Sabath. I can not agree with the gentleman. I desire to say that they have supplanted them as common laborers, but they have provided for the American laboring men higher and better amployment,

and the statistics again will show that, due to immigration, the American laboring man has been advanced to a higher position.

Mr. Moore. And is it not also true that the average American boy does not want to work as a common laborer?

Mr. SARATH. Of course, that is true, and they are acting as foremen, bookkeepers, timekeepers, superintendents, and so forth.

LABOR, ORGANIZED AND UNORGANIZED.

I now invite attention to an extract from the testimony of Mr. Frank Morrison, Secretary of the American Federation of Labor, who was before the Committee on Immigration and Naturalization at the famous midnight session of December 11-12. This statement, as will be seen, has to do largely with the wage question as it relates to native and foreign-born labor.

question as it relates to native and foreign-born labor.

Mr. Moore. As a prelude to the questions I wish to put to you, I want to make it understood that I favor the organization of labor, and that I also favor the maintenance of the American wage standard. As one who believes in protection, of course I could not take any other stand. I also agree with you in undertaking to take care of people here in this country. I will base my questions very largely upon that line of thought.

* * *

The members of the American Federation of Labor, under their constitution and by-laws, are law-abiding, and believe in the operation and maintenance of the laws of the land, and their amendment or correction by due and legal process. I think that is a fair statement, is it not? That is the attitude of the American Federation of Labor?

Mr. Morrison. That is their attitude.

Mr. Moore. And you believe in the rule of the majority?

Mr. Morrison. Yes, sir. We practice it. We not only believe in it, but we practice it.

Mr. Moore. Without intending to take any advantage of you at all, and believing in labor organizations fairly and justly and lawfully conducted, I want to ask how many wage carners there are in the United States, organized or unorganized, if you can tell me?

Mr. Morrison. There are supposed to be about 29,000,000 people in gainful occupations. That includes everybody that works for wages.

Mr. Morrison. Probably that would be all right.

Mr. Morrison. There are supposed to be about 29,000,000?

Mr. Morrison. The freeration has paid members, as I said, 2,071,000. There are about 300,000 people that are on the books that we do not get paid for; that is, there are strikes in the organizations and the internationals do not pay for the members on strike.

Mr. Morrison. The free are strikes in the organizations and the internationals do not pay for the members on strike.

Mr. Morrison. Yes. Then there are 400,000 or 500,000, perhaps, organized outside of the federation, in the brotherhoods and the bricklayers, making it

Mr. Morrison. Yes. Then there are 400,000 or 500,000, perhaps, organized outside of the federation, in the brotherhoods and the bricklayers, making it 2,800,000 at the present time.

Mr. Moorr. The Knights of Labor do not figure very much?

Mr. Morrison. No; there is nothing left except about one member,

Mr. Morrison. No; there is nothing left except about one member, I guess.
Mr. Moore. And a newspaper?
Mr. Moore. That is not regular. It comes out spasmodically.
Mr. Moore. Three million would be a fair statement of the membership, men and women, of the American Federation of Labor and of organized bodies to-day, would it not?
Mr. Morrison. I think so; yes, sir.
Mr. Moore. So that the majority of wage earners is against the organized body; that is to say, there are more unorganized than there are organized?
Mr. Morrison. More in gainful pursuits.
Mr. Moore. And the mission of the federation would be, and is, to organize that great mass of unorganized wage earners in the United States?

States?

Mr. Morrison. Yes, sir.
Mr. Morrison. Yes, sir.
Mr. Morrison. In your statement, if I did not misunderstand you, you said that amongst the members of the American Federation are 400,000 mine workers, most of whom are foreigners.
Mr. Morrison. That is, in the miners?
Mr. Morrison. I think so; the majority, at any rate.
Mr. Morrison. I think so; the majority, at any rate.
Mr. Morrison. It has wer to questions, you have since stated that miners in the Westmoreland district and at McKees Rocks—
Mr. Morrison. That is, the steel men, who make the steel cars.

AMERICAN WAGES OF FOREIGN MINERS.

AMERICAN WAGES OF FOREIGN MINERS.

Mr. Moore. I will leave them out. I want to confine it to miners solely. You have stated that the conditions were deplorable where they were not organized, and that in Westmoreland the unorganized mine workers work for as low as \$1.85 a day?

Mr. Morrison. Yes; that was the statement that was read to me by the chairman, a statement made by Mr. Gompers, and my recollection is that that is as accurate as we could get.

Mr. Moore. That would be the minimum wage, of which you would complain as being unfair?

Mr. Moore. That would be the minimum wage usually. That is the minimum wage paid, but in unorganized mines they hire the people and pay them whatever they want to.

Mr. Moore. Let us take \$1.85 as the unorganized wage, to which the federation takes exception, and then let me ask what is the wage of the miner who is organized in Pennsylvania.

Mr. Moore. Then, so far as \$2.56 per day is concerned for the organized miner at eight hours a day, the federation has done its best in fixing the wage?

Mr. Morrison. Yes; to the United Mine Workers, through organization.

Mr. Moore. Through the affiliated organization?

Mr. Moore. Through the affiliated organization?
Mr. Morrison. And they are working, of course, against great odds to secure better conditions.
Mr. Moore. If that is the case, then \$2.56 is the wage paid to the foreign immigrant worker in the mines in the United States who has joined the organization?
Mr. Morrison. Yes.

FOGEIGN WAGES OF FOREIGN MINERS.

FOGEIGN WAGES OF FOREIGN MINERS.

Mr. Moore. May I ask what wage that same foreign mine worker would have obtained in Belgium or in Wales?

Mr. Morrison. I have not those figures.

Mr. Moore. Would it have been one-half of \$2.56 a day?

Mr. Morrison. I might be able to get that information and give it

Mr. Morrison. I might be able to get that information and give it to you later.

Mr. Moore. Would it have been one-third, do you think, in Belgium? Mr. Moore. That is a low-wage country.

Mr. Holder. The Welsh minimum is 30 shillings a week.

Mr. Moore. Without regard to hours?

Mr. Moore. Then it is a fact that the miner who works abroad does receive less than the miner who works in Pennsylvania, who receives \$2.56 a day. Is that the fact?

Mr. Morrison. Yes. that is a self-evident thing.

Mr. Moore. Is it not a fact that the mine workers are organized in Wales and in Belgium?

Mr. Moore. Then, is it due to organization there that the wages are as low as they are, and is it due to organization here that the wages are as high as they are?

Mr. Moore. Then, is it due to organization in Wales that they are as high as they are?

Mr. Morrison. It is due to organization in Wales that they are as high as they are.

Mr. Key. May I ask a question there? I would like to ask Mr. Morrison right along that line of thought if he takes into consideration the purchasing power over there?

Mr. Moore. I am perfectly willing he should answer that, but I was going to ask that very question in a moment.

Mr. Key. Pardon the interruption, then. I think it is fair that that should be brought out.

Mr. Moore. I have no objection to your answering that question now, Mr. Morrison, if you wish. Mr. Key would like to know whether the living conditions there are different from what they are here.

Mr. Morrison, if you wish. Mr. Key would like to know whether the living conditions there are different from what they are here.

AMERICAN AND FOREIGN LIVING CONDITIONS.

AMERICAN AND FOREIGN LIVING CONDITIONS.

Mr. Morrison. We hold that the living conditions of our organized workers here in many industries are better than they are in Europe.

Mr. Moore. The living conditions?

Mr. Key. I had reference to purchasing power.

Mr. Morrison. What we are trying to do is to prevent people coming over here to destroy the conditions we have established.

Mr. Moore. I understand your position, but I am trying to get at the cause, and I do not think there is any very great difference between us as to the cause except that it be political. Mr. Gompers, in those celebrated letters of his after his tour of Europe, said in one of them that "in no city in Europe did I find rents any cheaper, wages considered, than they run in Philadelphia, Baltimore, Louisville, or in the New England towns."

Mr. Moore. Sut he spoke of wages as being vastly lower than they were in the United States.

Mr. Moore. Sut he spoke of wages being considered.

Mr. Moore. Yes; he said rental conditions were as high there as they are here.

Mr. Moore. Yes; he said rental conditions were as high there as they are here.

Mr. Moore. I grant that the labor union does add in reduction of

Mr. Moraison. That would be in proportion, as I understand it, to the wages received.

Mr. Moore. I grant that the labor union does aid in reduction of hours of labor, does aid in improvement of labor conditions, does aid in Improvement of factory conditions, and all those local conditions where the State has jurisdiction over the factory or over the worker or over the mine; but I have not yet got it clear in my mind how you can claim for the labor union the increase in the daily wage of the miner when he is organized abroad as well as and perhaps better than he is here, and receives there one-half or one-third what he receives in the United States.

Mr. Morrison. Let me give you a little object lesson in organization. There was a strike in one of the steel mills at Cambridge, Ohio—

Mr. Moore. I wish you would confine it to miners for the present.

Mr. Moore. I am coming to steel in a moment, and I have not much time.

WAGES OF FOREIGN-BORN GARMENT WORKERS.

Mr. Morrison. I want to show the organization. The steel men were unorganized. They were getting \$1.56 a day, 10 hours—or \$1.60 a day, 16 cents an hour. The miners of the same nationality and same intelligence were organized. The miners were working 8 hours and getting \$2.56 for 8 hours; one organized, the other unorganized. If they had not been organized, they would have been getting the same as the steel workers and working probably the same hours.

Mr. Moorr, Was there any difference in the hazard of the work which those two relative establishments performed?

Mr. Morrison. The way they ran the steel mills I think the hazard would be in favor of the mines, almost. It would be safer in the mines than in the steel mills.

Mr. Moorr. * * Let us pass from miners now and take up garment workers. You say there are 200,000 garment workers organized and affiliated with the American Federation of Labor?

Mr. Moorrison. Seventy-four thousand and one hundred and thirteen thousand.

Mr. Moorrison. One hundred and eighty-seven thousand, to be accurate, paying members, and there is no question but there are on the books nearly 250,000 members.

Mr. Moorrison. Ves.

Mr. Moorrison. Yes.

Mr. Moorrison. Yes.

Mr. Moorrison. Ves.

Mr. Moorrison. Ves.

Mr. Moorrison. Oh, yes.

Mr. Moorrison. Was better than it was 10 years ago?

Mr. Moorrison. Was better than it was 10 years ago?

Mr. Moorrison. He lead the garment workers several years ago in the great strike in New York?

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Mr. Moorrison. He lead the garment workers several years ago in the great strike in New York?

Mr. Moorrison. He lead the did not favor the passage of a bill containing the liliteracy test?

Mr. Moorrison. I did not know that.

Mr. Sabath. He appeared in opposition to the illit

Sustain me.

Mr. Sabath. He appeared in opposition to the illiteracy test, and very strongly urged opposition on our part.

WAGES HIGHER AND CLOTHING CHEAPER.

Mr. Moore, And frankly he differed from Mr. Gompers and Mr. Morrison on that question,

I want this mentioned at this time to show there is a difference in labor circles on this proposition.

Mr. Morrison. He also has an efficiency system. He was working on that, was he not?

Mr. Moore. That is outside of the inquiry, however. He was the leader of the garment workers at New York, and he did appear before this committee and did take issue with Mr. Gompers and yourself on the question of the passage of this bill, and opposed it because of the illiteracy test.

May I ask, with regard to the garment workers, who are largely foreign, as you have indicated, whether clothing is not cheaper to-day, manufactured as it is, than it was in the days of your boyhood, when it was made very largely by hand or by custom tailor, or by dear old mother, who operated the spinning wheel?

Mr. Morrison. Yes; you can buy a suit cheaper now than you could years ago.

Mr. Morrison. Yes; you can buy a suit cheaper now than you could years ago.

Mr. Moore. You can buy clothing cheaper in the United States now than you could then?

Mr. Morrison. Yes, sir.

Mr. Moore. And there is more clothing than there was then?

Mr. Moore. The old spinning wheel has been dispensed with and the old custom shop has been dispensed with, whether for good or for ill?

Mr. Morrison. Yes.

Mr. Moore. It is also true, is it not, that while clothing has become cheaper the wages of the garment workers have steadily increased in the United States?

Mr. Morrison. They have increased since they stopped their yearly strike under the leadership of Mr. Barondess and formed a leadership under the Federation. They entered into a cooperative agreement or protocol, and they have stopped this striking, and they adjust their grievances, and they meet in conference and get better conditions, and they have improved and organized under these methods without striking, and they have these conditions solely as a result of their organization. If it were not for the organization and this greement, they would be just in the condition key were for years and years—strike every year, get their conditions, go back to the former conditions in a year, and then strike again. It is just the ordinary trade-union movement that has been able to get this agreement and to sustain it.

THE DIFFERENCE IN WORKING HERE.

Mr. Moore. Suppose we concede all you say on that subject without going into the political side of it at all, which I want to avoid. Let me ask what would have been the condition in the United States with regard to the cheaper clothing and the higher wages if these foreign garment workers had remained on the other side, making garments over there for the American trade? They would have been receiving the foreign wage, would they not?

Mr. Morrison. They would have been receiving the foreign wage; yes.

yes.

Mr. Moore. And we would have been purchasing their clothing as made in foreign countries, would we not?

Mr. Morrison. If we could not manufacture it here.

Mr. Moore. Do the Americans engage in the clothing trade to any extent—sewing women, cutters, etc.?

Mr. Morrison. They did years ago until the immigrant came in in this particular trade and took it up and gradually drove everybody else out

this particular trade and took it up and gradually drove everybody else out.

Mr. Moore. If they drove anybody out—
Mr. Morrison. What I mean is that by coming in and doing the work the wages were low and the conditions poor, and the Americans looked out and endeavored to secure work in other lines.

Mr. Moore. We will accept that statement and then I will ask you this: Do you know of any educated young Americans to-day who will go into the steelworks, with the harrowing conditions which you have described there, or into the mines of Westmoreland, and take the places of these foreigners who are working there to-day at an American wage?

Mr. Morrison. Do you mean for 15 or 16 cents an hour?

Mr. Moore. No, sir: I mean for \$2.56 a day in the mines.

Mr. Morrison. Oh, in the mines?

Mr. Moore. Yes; or for \$25 or \$30 a week, as some of the garment workers earn?

Mr. Morrison. I think there are lots of men who will go in if they

workers earn?

Mr. Morrison. I think there are lots of men who will go in if they can get employment; yes.

Mr. Moore. Do you find in the American Federation of Labor that you have or can lay your hands on 200,000 men who would take the places of these foreign garment workers in New York and do that work?

Mr. Morrison. Do you mean now?
Mr. Moore. Yes.
Mr. Morrison. Two hundred thousand?
Mr. Moore. Yes.
Mr. Morrison. I would not like to feel there were 200,000 garment workers out of work. You would have to take them out of some other teductry.

THE AMBITION OF YOUNG AMERICA.

Mr. Moore. You spoke a little while ago in favor of brain, not as wholly against muscle, but for the recognition of the brain power as against mere brute force, and I am bringing that home to you now, merely to find out if you have in mind brainy men who have the education which they acquired in the American schools, who will go down into the mines and do the work these foreigners do to-day?

Mr. Morrison. If the young men felt there was a future—I think when a young fellow has his choice at all, he figures out what he would like to be. I think the youth that has not ripened and looked over the labor field and realizes that somebody ought to do the world's work, that he ought to do a share of it himself, wants to be a minister, or lawyer, or doctor, or enter into business.

Mr. Moore. You have sons, have you not?

Mr. Moore. You have sons, have you not?

Mr. Moore. You have sons, have you not?

Mr. Moore. Mr. Clark was good enough to mention his son a while ago and to say he was on the farm, and when asked if the boy would go into the ditch, he said no, he could do better. Is not that the real spirit of the average American citizen?

Mr. Morrison. I want to say this that I have worked hard and I hope I will live to see that my son shall go on the farm.

Mr. Moore. So do I as to mine. I agree with you thoroughly.

Mr. Morrison. I have a daughter, whom I was able to education, but she wanted to learn to be a nurse, and she is now at Orange, N. J., learning to be a nurse. I said to her she might go if she wanted to do so, but I did not want her to quit school. I feel, however, if she puts

in three years learning to be a nurse, she will be worth something to society, and I will be proud of her.

Mr. Moore. That is very commendable, indeed. I will not press this any further with regard to the mine workers and garment workers, except to note the fact that you concede that these men and women, when organized in the United States, do work for an American wage, the best that can be obtained in this country.

Mr. Morrison. The best that can be obtained.

Mr. Moore And they do not work for the low foreign wage, such as is paid in Great Britain, Germany, Belgium, or Italy?

Mr. Morrison. There is no question about that. We not only concede that, but we admit it.

WAGES IN THE COTTON FIELDS.

WAGES IN THE COTTON FIELDS.

WAGES IN THE COTTON FIELDS.

Mr. Moore, A great deal has been made here of the question of the Steel Trust, and you have quoted from a report with regard to the works at Bethiehem. I am not going to champion that works or any other corporation that employs labor except to express the general hope that we may always have employers of labor, so that labor can have employment. In view of the fact that you referred to the conditions that prevail there without citing any particular wage conditions, as I recall it, and the chairman of the committee having also referred to Bethlehem and having particularly referred to conditions at Westmoreland, I want to ask if you are familiar with the wage conditions in the cotton fields.

Mr. Morrison. Only in a general way, and to know that the wages are low.

Bethlehem and having particularly referred to conditions at westinglend, I want to ask if you are familiar with the wage conditions in the cotton fields.

Mr. Morrison. Only in a general way, and to know that the wages are low.

Mr. Moore. It was testified not long ago before the Ways and Means Committee, by Mr. John Cawlfield, of Stockdale, Tex., that the laborers who actually produce the cotton do not receive on an average of more than 75 cents per day for men, and for women and children 37½ cents.

Mr. Morrison. That was in Texas?

Mr. Moore. That was reported as coming from Texas. That statement is found in the reports of the old Ways and Means Committee at page 4455. Do you know whether that is the wage that prevails in the cotton fields?

Mr. Morrison. I have not the facts only in a general way, except that wages are low everywhere they are unorganized.

Mr. Moore. This witness said that men receive on an average of not more than 75 cents per day, women and children 37½ cents per day, and he added that the children of these families of scholastic age do not attend school on an average of more than two months in the year, which the enrollment and daily attendance roll will show. Are you familiar with those conditions at all, or do you believe them to exist?

Mr. Morrison. Oh, yes.
Mr. Morrison. Oh, yes.
Mr. Morrison. Oh, yes. They do exist in the mills. Down in
Texas we have an organizer in El Paso. There has been a great deal
of trouble there on account of Mexicans coming over. The claim is
they want them there to work for the railroads. The railroads want
cheap men, and always did.

FOREIGN ILLITERATES AND NATIVE ILLITERATES.

FOREIGN ILLITERATES AND NATIVE ILLITERATES.

Mr. Moore. Gentlemen take very great pleasure in constantly referring to conditions in Pennsylvania, and they pick out the Bethlehem Steel Works, and Westmoreland in particular, because strike troubles have occurred there, and they ring changes on them, indicating that Pennsylvania is particularly lax in the industrial world, although it is the greatest industrial State of this Union and perhaps gives more employment to industrialists than any other State. Are you familiar with a book called "The Child that Toileth Not"?

Mr. Moore. By Thomas Robinson Dawley, jr., a book description of some conditions in the South?

Mr. Moore. By Thomas Robinson Dawley, jr., a book description of some conditions in the South?

Mr. Moore. You have not read the book?

Mr. Moore. You have not read the book?

Mr. Moore. Have you made a study of Southern States at all?

Mr. Moore. Souther the south of the conditions very poor in the textile mills.

Mr. Moore. Jud you find that the operatives in the textile mills were foreign or native born?

Mr. Moore. Souther they were people from the mountains. I do not know that there are very many foreigners who have been able to get down there.

Mr. Moore. Very early settlers, were they not?

down there,

Mr. Moore. Very early settlers, were they not?

Mr. Morrison. The people that moved in from the mountains are people who are accustomed to live on very little. They went in with their families and worked in the mills, which has not been a benefit NOT MUCH ORGANIZATION SOUTH.

Mr. Moore. How did you succeed in organizing the millworkers of the South?

Mr. Morrison. We have not been successful in organizing them.

Mr. Moore. Have you any branch organizations of any consequence in Texas?

Mr. Morrison. We have among the trades, but not of the textile

workers.
Mr. Moore. What would you say your membership is in the State of

Mr. Moore. What would you say your membership is in the State of Texas?

Mr. Morrison. I do not know. We have not figured it up by States, but they are located at Fort Worth. San Antonio, El Paso, and Waco. Mr. Moore. In the cities, mostly?

Mr. Moore. Not in the country at all?

Mr. Morrison. No.

Mr. Moore. Not amongst the farmers at all?

Mr. Morrison. The farmers are organized.

Mr. Moore. None amongst the planters at all?

Mr. Moore. None amongst the planters at all?

Mr. Moore. None amongst the planters at all?

Mr. Moore. Have you any organization in Alabama or Mississippi?

Mr. Moore. Have you any organization very extensive there?

Mr. Moore. Is your organization very extensive there?

Mr. Moore. How is it in Georgia.

Mr. Moore. Do you have any strikes in the South?

Mr. Moore. Ob you have any strikes in the South?

Mr. Moore. A hoslery mill?

Mr. Morrison. No; it was a textile mill. There is a large textile industry in that part of the State, and they had a strike there.

Mr. Moore. Do you regard your organization work in the South as satisfactory?

Mr. Morrison. Oh, no.

Mr. Morrison. Oh, pes; we pay attention all over. There was a man who left headquarters the other day to go South. He will be in Atlanta, Ga., in about three weeks, and is going to this point, the name of which escapes my memory. It is quite a large place—

Mr. Moore. Augusta?

Mr. Moore. Do you remember the old slogan, "Eight hours for work; eight hours for sleep; eight hours for what you will"?

Mr. Morrison. Yes; I know all about eight hours.

Mr. Moore. You have made the eight-hour question a specialty for many years?

many years?
Mr. Morrison. Yes.
Mr. Moore. May I ask how the eight-hour question appeals to the

farmer?
Mr. Morrison. Short hours never appeal very strongly to the average

FARMERS' WAGES AND THE EIGHT-HOUR QUESTION.

Mr. Moore. I am confining this to the farmer. I want to know whether the farmers' unions have specifically indorsed or approved the eight-hour proposition?

Mr. Morrison, I do not know.

Mr. Moerison, I do not know.

Mr. Moerison, The eight-hour day? I would not say that it is a fact that they do.

Mr. Moorison. In true that the eight-hour law is made to operate almost exclusively in the industries and is not effective as to the farmers?

Mr. Morrison, I will say this—that in my early youth a man

almost exclusively in the industries and is not effective as to the farmers?

Mr. Morrison. I will say this—that in my early youth a man worked from daylight to dark; but the average farm hand now starts to work about 8 and quits about 6, and if they do not let him do that he goes off into town, where he can have shorter hours and where they are paying more. A man will go where he can get good conditions. There is another thing about the farm laborer that appeals to me: When a man hires a man, he just hires that man. The average man wants to get married and settle down and have a home; and there is very little chance for home life for a man working on a farm part of the time or all the time.

Mr. Moore. Do you know of any journeyman farmer anywhere who makes \$2.56 a day, which is the wage paid to the union miner in Pennsylvania?

Mr. Morrison. I imagine there are lots of men working for farmers who, when you take into account their board and everything they get, would be receiving equal to that and more.

Mr. Moore. Would not that account very largely for the fact that the garment worker, the Jewish garment worker who is making \$25 a week over on the East Side, would prefer to stay there rather than go out on the farm?

Mr. Morrison. Of course, that is work he has been accustomed to do. A man does not change rapidly from one employment to another.

Thus, Mr. Chairman, through Mr. Morrison we have the

Thus, Mr. Chairman, through Mr. Morrison we have the Federation of Labor view of the immigration problem. stands for the right to unionize the laborers who are already in the United States and against the admission of others who may not assimilate with the unions. He admits the industry and thrift and wage-earning power of the newcomer, but thinks the bars should go up against him until those who are already here shall be thoroughly organized.

AN OPPOSITE LABOR VIEW.

On the other hand, associations like the German-American National Alliance, numbering 2,000,000 members, take a wholly different view. Here is an expression from the German-American State Alliances of Ohio and Kentucky. It shows that there is another side to the question.

is another side to the question.

The German-American State Alliance of Ohio and the German-American State Alliance of Kentucky, in joint session assembled, representing 60,000 American citizens, emphatically protest against the adoption of the Burnett immigration bill, now pending before the House of Representatives, as it is detrimental to the welfare of this country. The passage of this bill would exclude hundreds of thousands of workingmen, who are absolutely necessary for the development of this country in their capacity as workers in mines, on streets, railways, buildings, farms, etc. The immigrant is a blessing for this country and not a burden, but he carries the heaviest burden of common labor and represents a comparatively large portion of the Nation's wealth. The immigrant does 85 per cent of the work in all slaughter and packing houses; he brings forth seven-tenths of all coal mined in the United States; he manufactures four-fifths of all house furnishing goods; 78 per cent of all work in the wool factories is done by immigrants and nineteentwentieths of all garments and more than half of all shoes are made by them; the immigrant refines nineteen-twentieths of all sugar and manufactures more than half of all cigars and one-half of all gloves, shirts, and collars. He is a willing and always welcome worker on farms, which he can run successfully without any educational test. We are of the opinion that the men and women engaged in the labor of producing and upbuilding the wealth of our Nation do not require an educational test. What we need are physically well-built men and women—desirable immigrants, who, on account of their moral worth, would improve the citizenship of our country. These people ought to be welcomed in this land of liberty, instead of being excluded for not passing the test provided in the Burnett bill. We know that a class of very undesirable immigrants are easily able to pass the required examination set forth in this bill—every narchist or agitator of un-American doctrines contrary

THE BETURNING IMMIGRANT AS AN UPLIFTER.

That societies even older in patriotic and fraternal endeavor, may be considered in this discussion, I quote from the annual

address (December, 1913) of the president of the New England Society of Pennsylvania, Mr. Alba B. Johnson, who is a large employer of labor as well as a student of economic problems.

Said Mr. Johnson:

Said Mr. Johnson:

The ideals of those who have sought our Atlantic and our Pacific shores have been far removed from those of the Pilgrim Fathers whose landing we celebrate to-night, and as our population has grown, the process of assimilation has grown. The desire to share our fertile acres, our opportunities for lucrative employment, and our better social conditions have attracted foreigners in great numbers. These came first from the more enlightened countries of northwestern Europe, whose civilization was akin to our own, but later from the less civilized and less developed countries of southern and southeastern Europe.

It is true also that of late, when conditions have not been favorable for profitable employment here, the tide of emigration has been reversed, and those who for a time have lived amongst us have returned to their native European villages, to carry back some portion of American standards of living and American ideals. Thus, nearly all the countries of central and northern Europe have many workmen who are more enlightened and more efficient by reason of having worked in America. They have carried with them higher standards of living, higher efficiency as workmen, and a demand for higher wages, all of which tend to bring the scale of living in those countries nearer to our own.

We need these people to hew our wood and draw our water. We need their aid in developing our resources and in operating our industries. Any legislation tending to exclude them for other reasons than physical or moral incapacity is therefore contrary to our interests, and the same liberal laws that have so long governed their admission should be continued.

FLENTY OF FARM LAND FOR TOLLERS.

PLENTY OF FARM LAND FOR TOILERS.

In this debate, Mr. Chairman, gentlemen have argued that immigrants overrun the country and tend to degrade American labor. They go so far as to complain of their crowding the land, as if our resources were fully developed. It is something of a coincidence that during the last few days the Director of the Census should have given us his bulletin on agriculture in the United States for 1910. What does he say about farm lands in the United States? That we have over \$78,000,000 acres, of which 478,000,000 only are improved. Think of it, those of you who fear the toiling immigrant will eat up our resources!

Over 400,000,000 acres of farm and wooded land remain unimproved in the United States. Nearly half of all our land is waiting for some one to till it. But this is not all. Let us consider the farm statistics for the area of the 13 original States. Notwithstanding the intensity of our population in this small area east of the Appalachian chain we still have 78,000,000 acres of unimproved land out of a total of 161,000,000. The Dismal Swamp is in that area. If cleared up and drained it would make a rich farming country. If such a project should ever be undertaken it would require labor. Would it be the labor that can read and write?

MONEY VALUE OF THE IMMIGRANT.

Another point which ought to have consideration before this bill is disposed of relates to the money value of the immigrant. The report of the Commissioner General of Immigration for 1913 shows that the immigrants who came to the United States during the year preceding brought with them \$40,890,197 in cash. That was a tidy sum to enter into our circulation, and answers to a certain extent the oft-repeated assertion that the immigrant carries away our money and does not give us a fair equivalent. It is safe to say that those who brought so large a sum into our country were generally law-abiding and industrious men and women, and that their purpose in coming to the United States was praiseworthy. It is also fair to assume that whether some of them could read or write or not, they were fully as desirable as the educated and clever schemers who expected to live upon their wits in the United States and who would spurn to do the honest manual labor we need to have done here, the reading test to the contrary notwithstanding.

THE SPIRIT OF HUMANITY.

And, finally, Mr. Chairman, it is noteworthy that the Commissioner General of Immigration, who is hedged about by those who advocate restriction, withholds a positive indorsement of the educational test and suggests that the real test should be physical and moral; in fact, a manhood test, rather than one based upon educational qualifications. Inability to read is not a crime; it is a misfortune; but even so it does not prove that the heart and fiber of him who can not read are not as pure and true as those of the greatest scholar. With the educational test included this bill may satisfy the projudges that tional test included, this bill may satisfy the prejudices that have grown up with the immigration problem, but it is doubtful whether it will respond to the economic conditions which its proponents hope to bring about. It will exclude a certain class of human beings in favor of certain other classes, contrary to the spirit which heretofore has permeated American institutions. Of the total number of 1,197,892 reported admitted up to June 30 last, it would turn back 269,988 who were entered illiterate. This bill does not propose that the 1,197,892 immigrants who may knock for admission in 1914 shall be turned back, nor does

it say that only a percentage of that number will be welcome during the year. It declares that 269,988 of that total shall be turned back. Why? Not because of any crime committed; not because they would not honestly labor here, but because they can not read. If we are to admit 927,904 who can read and who may aspire to active competition with the skilled or professional labor of the United States, it does not appear that either patriotism or labor in the United States will gain much by the transaction. On the other hand, the exclusion of the 269,988 who can not read reverses our national policy, and closes the door of hope and opportunity to the downtrodden and op-pressed, who may, after all, be the most deserving of our helping hand and the spirit of human kindness we have extended to others.

Mr. BURNETT. Mr. Chairman, how much time have I? The CHAIRMAN. The gentleman has 20 minutes remaining. Mr. BURNETT. I yield, Mr. Chairman, seven minutes to the gentleman from California [Mr. CHURCH].

The CHAIRMAN. The gentleman from California [Mr. CHURCH] is recognized for seven minutes.

Mr. CHURCH. Mr. Chairman, I am more in favor of this bill restricting immigration than I have been of any bill that has been before this House since I have been a Member of Con-The only objection I have to it is that it is not broad enough to exclude Japanese, Hindus, and other Asiatic laborers. The people of the East do not yet realize the importance of this matter, because they have not come in contact to any extent with this strange people from across the water. California, being on the shores of the Pacific, seems to be a dumping ground for the undesirable from Asia, and I assure you the Hindu and the Japanese is a problem and the greatest plague we have in the West. Japanese are very spirited and proud fellows who consider nothing too good for them. They locate in the garden spots of the State, bringing their customs and manner of living, of course, with them. Consequently as they come in the refined American, with his ideals, goes out. It matters not whether it be city lots or country property, the land adjacent to Japanese habitations continually decreases in value from the standpoint of an American purchaser. These people know no standards of honor, and figure everything as to whether it will bring dollars and cents to them. They should be excluded at

You may be surprised when I say the influx of Hindus into the West threatens to be even a greater menace than the immigration of Japanese. Hindus are now going to the Pacific coast by the thousands. They are an odd, inferior people, bound down by strange traditions and religious fanaticisms. present the appearance of slothfulness, stupidity, and pity. They appear to be oblivious to the sensations of either pleasure or pain. The Hindu is as tough as whalebone, and instead of eating when hungry, simply takes up another notch in his belt. It is impossible for the American laborer to compete with the Hindu laborer. The Hindu will wear the clothes which the American discards, eat the food the Americans will not use,

and can work 20 hours a day if necessary.

Some time ago I filed a bill asking for the exclusion of these strange specimens of humanity. When it comes before the House I am sure every man who understands the true condition will vote for it. They must be excluded sooner or later, and why not now? Every dollar the Hindu gets is sent to his native land, with which to pay the traveling expenses to this country of his cousin, and it is very discouraging when we take into consideration they all seem to be cousins, and millions

of them anxious to come.

As I said before, I am in favor of this immigration bill. Each year from ten hundred thousand to eighteen hundred thousand foreigners come to our shore. Of this number it is estimated 250,000 can neither read nor write in their own lan-When we take into consideration this great influx of densely ignorant and undesirable people we are forced to the

conclusion that greater restriction is necessary.

Many years ago we found it necessary to restrict immigration, so we excluded those whom we considered would be the least desirable to our country—idiots, imbeciles, insane, people afflicted with infectious diseases, and so forth—but we find to-day we are still getting more foreigners than we can assimilate, regardless of the exclusions we have already made. Thus we are driven to the necessity of excluding some other class, and the question is, "What class shall we exclude?" Really there are but two other classes to choose from, the literate and the illiterate, so being forced to make further restrictions we are forced to make a choice between these classes, and in making our choice we have but to decide as wise men which, as a class, would make the most desirable citizens. I submit anyone with as much sense as a vegetable oyster would decide in favor of | that we are an enlightened people, each of which is true. We

the class who can read and write in their own language, for the reason such would be more apt to understand our form of government and aid us in our patriotic endeavors to make this

country the light of the world.

Gentlemen tell us those who can not read their native language are unfortunate, poor, and needy. Such is doubtless the case with a great majority of foreigners who come to this country. Being unable to assist all of the unfortunate, poor, and needy, are we not given the privilege to decide who shall be the recipients of our bounty? Unfortunate, poor, and miserable people pass the door of each Member of this House daily. Do you take them in and warm, feed, and clothe them? No; you decide according to your best judgment, and aid the ones whom you consider are most apt to be worthy. As a class the foreigner who can not read in his own language is an idler, spendthrift, and has no capacity or desire to learn. There are thousands of exceptions, doubtless, to this rule, but what I have stated is the rule.

At least, you will admit the illiterate class has a greater percentage of people who would not make good citizens here than the class which is composed of people who have had energy, opportunity, and capacity to acquire a little intelligence at home. We would not, however, want it to be understood we favor excluding the ignorant people because our hearts do not beat in sympathy with them, but being obliged to exempt another class from the benefits of this country, we consider it wise and just to decide in favor of the intelligent class as being most desirable to us and, as a class, being the most deserving. By making this choice we decide in favor of intelligence and learning, and thus impress upon the people of the world the value of knowledge, and in this way we impress upon the ignorant people of all lands the fact that the human race is developing and that all must keep apace with the times.

The most important matter pertaining to immigration is to keep from our shores all who continue to lower our national standards. The hand that brings down the standards of a nation is an instrument of sure destruction. You might as well take the warmth from the sunbeams of heaven or innocence from the heart of a child as to take away the ideals of a people.

A tidal wave may sweep over a land, wash down its buildings, and change the face of the country, but by and by the sun and time will do its work, the land will become dry and be restored; earthquakes may shake down a city and leave yawning fissures everywhere, but after a while rehabilitation will do its work, and the effect of the earthquake will be no more; famine, gaunt and hungry, may hover for years above a fruitful land, but by and by years of plenty will come, and the nation will still live and prosper; but when the ideals and standards of the people are gone they are gone forever, and destiny has decreed that nation shall cease, and it matters not the size of her standing army or the number of her warships on the sea, "Thou art weighed in the balance and found wanting" is written high upon the wall. Mr. Chairman, I object to promiscuous immigration, because it lowers our national standards.

First. It lowers our standards as to labor. When the Ameri-

can laborer, educated, cultured, and possessed of high ideals, is obliged to work by the side of a man, or a number of men, who can not read or write, and who do not know whether Napoleon Bonaparte was once the Emperor of France or the captain of a whaling vessel on the Northern Sea, it has its effect on labor, and causes a man of spirit to feel that he is too good a man to do no higher grade of work than such fellows are capable of doing. What would a young wife think of her husband if he persisted in working with such a band of human scarecrows? The presence of these ignorant workmen brings

down the American standard of labor.

Second. They bring down the standard of wages as well as the standard of labor. If there are 25,000,000 people in this country who want a job and there are 25,000,000 jobs in this country, each can be accommodated, but send a million more men, making 26,000,000 who desire a job, and they will compete with each other, bringing down the standard of wages and after all a million of them will be obliged to remain idle. Thus will be lowered the standard of American wages.

Third. The standard of living and the standard of morality of our people are lowered by the arrival of this ignorant and immoral horde from across the sea. I tell you whatever lowers the moral standards of our people strikes at the very heart of

this Republic.

Fourth. Intelligence is another one of our great standards. When the immigrant comes to this country, while yet far out at sea, he sees the great monument, the Statue of Liberty— Liberty enlightening the world. From this he gets the idea, first, that we are a liberty-loving, patriotic people; and, secondly,

love to think we are the most enlightened Nation. We love to think the United States of America is the intellectual light of the world. Every person in this country who has a piece of property as large as an oyster shell is taxed to maintain our public-school system. We claim this system to be the best there is in the world. We have hundreds of millions of dollars invested in public schoolhouses, in colleges, and universities of learning. We have State laws compelling children to be sent to school.

In California, my State, every child under the age of 14 years must go to school. If the parents will not send him, the parents are arrested and punished. If the parents are not able to send their children to school, our local authorities will do so; and, as a result, in the great State of California there is not one native son or daughter who arrives at the age of 18 who has not a fair knowledge, at least, of the grammar course. I presume the same condition prevails in the other States of this Union. If they do not now, I am sure in the near future they will, because intelligence is one of our national standards. We do not thus compel a child to attend school simply for the benefit of the child, but we do it to keep up our standards.

I want to ask you gentlemen who are opposed to this bill if you think it would be right, in view of all this, to permit 2,000,000, 1,000,000, or a half a million of full grown men and women, intellectually as dark as night, incapable of reading a word in their native tongue, to come to this country, associate with our children and our people? Will you dare tell me such would not debase the intellectual standard of our people?

Fifth. Unrestricted immigration lowers the standard of patriotism in our country. In considering this phase of the subject let us forget for a moment all other effects which it produces, for they are as nothing compared to this. Labor may be considered a disgrace, wages reduced to a minimum, our schoolhouses and colleges may become inhabited by owls, yet nationally we may live as long as we respect our Constitution and enforce our laws and the fires of patriotism continue to burn. Every man who comes here who does not love this form of Government lowers the standard of patriotism. How can a person love this form of Government who knows nothing about It, and how can a man know anything about this form of Government who has not taken interest in his own to the extent that he can neither read nor write in his native language? After such a one comes to our shores and begins to learn and think, his early environments and naturally debased tendencies may drive him to anarchy and revolution. I like your tariff laws, your banking and currency act, your project to build a railroad into Alaska, all laws calculated for the financial betterment of this country and its people, but these are nothing compared to keeping up the standard of our citizenship. We may lose much of our wealth and yet be prosperous; lose standing among the nations of the earth and yet succeed; but when a large proportion of the people of this country are not in love with our Constitution and laws, we are marked as a lamb for the slaughter.

Gentlemen seem to figure that this Nation, because it is named the United States of America, will endure forever; an unwise conclusion, I assure you. Nations, like everything else, have their morning, their noon, and their night of life, and the only way we can stay the lengthening shadows of this Nation to-day is by keeping our people in harmony with its fundamental principles and desires. When this Nation shall go the way of the other nations of the earth it will not be because some bastile for has come across the waters and sunt our some hostile foe has come across the waters and sunk our ships. It will not be because our valiant Army has been defeated upon the shore, but it will come in the form of revolu-tion; come from within and not from without. When that When that sad day shall come to curse the earth, and this Republic of freedom and liberty shall go down to wreck and ruin, a mighty tower should be erected out on the great highways of the earth, and in that tower the bells should never cease to toll, and on it should be written in letters of black, as an emblem of sadness and warning:

The Government of the United States of America was lost by reason of the lack of patriotism of her people.

[Applause.]

Mr. SABATH. I yield to the gentleman from Colorado [Mr. KINDEL]

Mr. KINDEL. Mr. Chairman, I feel that the Members of the House and Senate of the United States can not, in justice to themselves, to the people they represent, or to the principles of democracy for which they stand, pass the Burnett immigration bill as it now stands.

There is much in this bill that is objectionable, but the chief bone of contention, as we all know, is the clause concerning the so-called illiteracy test.

Much has already been said on the subject, and I can but add

my convictions in the matter.

The Burnett-Dillingham bill has for its object the restriction of immigration to our country, and with this object in view its authors have proposed a test of the literacy of those applying for admission to our shores. We all know that our Nation is a Nation of immigrants; immigrants were our first colonists; immigrants, those strong, sturdy people who fought for the freedom of our country and whose sons have kept that freedom intact ever since its gaining. Were these people literate or illiterate? No one stopped to ask that question. Immigrants to-day form the bankbone of our Nation, yet we talk of excluding these seekers of homes and new opportunities on the grounds that they are unable to read or write. Can this be a just test of any man's ability to become an honest, industrious, and lawabiding citizen?

The contention has been made that we compel our native-born children to attend the public schools before attaining citizen-ship, and we should require the foreigner to possess some substantial education before admitting him to enjoy a part of our country's benefits. It has been observed that many of the people who come to our shores are illiterate because opportunities have been denied them. They have no opportunities to learn to read or write, and in coming to our country they are really trying to free themselves from the conditions which have so restricted them. They are eager to learn and to give to their children that which has been denied them. Therefore I say, Mr. Chairman, our doors should be open to all those who are of good character, healthy and strong, and desirous of earning a good living, and if a literacy test must be made it should be applied at the time of naturalization, when sufficient time has elapsed to give the immigrant an opportunity to prove his purpose by taking advantage of the opportunities here offered him.

Again, the argument is advanced of overcrowded conditions in certain of our cities, caused by this influx of humanity from foreign shores. According to this bill, we are willing to spend, perhaps, more than a million of dollars in increasing the force of immigration officers so as to take care of the immigrants after the manner provided for in the bill. I say, why not use this money to establish a bureau which will have for its purpose the advising and directing of the immigrant, shielding him from impositions, and, instead of allowing all newcomers to settle in these few congested districts, aiding in distributing them in those parts of the country where we most need their

There can be no doubt that we have great need of such labor as these people who are coming to our land can and will do. Our native-born citizens are seemingly too far advanced to do the manual labor which our immigrants perform willingly and well, for the mere fact that a man is illiterate does not imply that he is unable to work efficiently and faithfully.

We are right in excluding the morally or physically unfit from our land, but until it can be said that all our territory is filled and that we have no more need of manual labor in the further development of the land, we will not only be doing an injustice to future immigrants, but to our own citizens as well, by refusing admission to voluntary immigrants who come here in the hope of realizing their ideals of freedom and who hope to find here the opportunities for advancement denied them in their mother countries. So much has been said on this subject that I conclude my brief remarks by referring to and indorsing the able argument of the gentleman from Minnesota [Mr. Man-AHAN], appearing in the RECORD, page 2601.

Mr. SABATH. I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Illinois asks unani-

mous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SABATH. I yield the balance of my time to the gentleman from Connecticut [Mr. Reilly].

The CHAIRMAN. The gentleman from Connecticut [Mr.

REILLY] is recognized for four minutes.

Mr. REILLY of Connecticut. Mr. Chairman, in view of the expressed sentiment in favor of restriction of immigration, I sincerely hope that sentiment is not based in any way on the fact that the present Connecticut delegation is made up of Ken-NEDY, DONOVAN, LONERGAN, MAHAN, and REILLY. [Laughter and applause.]

I am opposed to this bill principally because of the illiteracy test. In the name of 35,000 citizens of Italian birth or parentage; in the name of 10,000 people of Polish birth or parentage; in the name of 10,000 people of French-Canadian birth or parentage; in the name of 10,000 people of Jewish birth or parentage; in the name of 50,000 people of German birth or parentage; in the name of 70,000 people of Irish birth or parentage in the district I have the honor to represent, I protest against this bill. In the name of all people who still believe that this is the land of the free, I protest against this un-American measure. [Applause.]

Mr. Chairman, I might have referred to these people as

Mr. Chairman, I might have referred to these people as Jewish-Americans, as Polish-Americans, as German-Americans, as French-Americans, as Irish-Americans, if I saw fit, but I do not believe in a hyphenated Americanism. [Applause.] We are all Americans as soon as we come here and assume the duties

of citizenship.

The test of character, as has been well said, is not education. The fundamental principles of good citizenship are good character and good health. Yet this bill will keep out those of good character and good health, but will allow the mental crook, the educated rascal, to come in. [Applause.]

This is not a fair and honest bill. If it were, it would come out in the open and declare what it really means, namely, complete restriction of immigration. Why, then, put in a literacy test? Why not restrict without trying to dodge behind this mental examination, this literacy or educational knowledge?

There has been no general demand for this bill. Two Presi-

dents have seen fit to veto a similar bill, and I sincerely hope that a third President will do likewise. I am not authorized to speak for him, and I do not believe the gentleman from Mississippi was yesterday authorized to speak for him when he said he would sign it. I simply hope that the President will veto this legislation that is so absolutely un-American in its illiteracy test. If the test of Americanism were to be direct descendency from Plymouth Rock, few would be found to meet it, and if the permanency of American institutions were to depend on that there would not be a rush to take out a longevity insurance on them. [Laughter.] If this test had prevailed 50 or 60 years ago, how many of us would be here to-day? I am sure I would not be, because my father, through no fault of his, but because of conditions he could not control in the land of his birth, was not able to read when he came here. But he learned soon after, and he saw to it, poor, hard-working man though he was, that his children also learned to read and write, and they received the benefit of a common-school education, the best his means afforded. If this bill had been a law half a century ago a great portion of the best citizenship of the United States would not be in evidence to-day.

The gentleman from Alabama [Mr. Hefun] says he is in favor of Americans "creating their own immigration." It is a good thing the perpetuity of the Republic does not depend solely upon American propagation—American in the sense the advocates of this bill talk. The genial gentleman from Alabama, who defends this bill with its literacy test, has one child; there are seven children in the Reilly family. [Laughter.]

The CHAIRMAN. The time of the gentleman has expired.
Mr. BURNETT. Mr. Chairman, gentlemen have made all kinds of pathetic appeals and have harked back to the days of Know-Nothingism and resorted to every possible harsh and prejudiced argument for the purpose of trying to defeat this bill.

The gentleman from New York [Mr. Goldfogle], with tears in his voice—and I noticed the tears were responded to by some gentlemen near him who thought as he did—pictured the awful conditions of some of the poor aliens if not permitted to come to this country. Mr. Chairman, I want to call your attention and the attention of this House to a picture nearer home.

Mr. Morrison, secretary of the Federation of Labor, when he was before our committee the other day in support of this bill, referring to the native Americans and old immigrants that once worked in the mines and other industries of a district in Pennsylvania, gave us this picture:

sylvania, gave us this picture:

I was through that district a number of years ago, when the strike was on and the fight was made, and I saw conditions there that I wish the members of the committee could have seen. The strike was on for many months. The coal barons, men on horseback, to my way of viewing it, incited trouble by riding through the men who were marching, clubbing them, shooting in the air, and doing other things that would cause the strikers to either say or do something that would bring them within the pale of the law. I do not want to give you a gruesome picture, but I put in one of the saddest hours of my life when I went to the camp where those people had been on strike. It was after a rainstorm which had happened the night before. The water scaked through the tents into the beds and the floors where the tents were east were nothing but mud. I saw hundreds of women there in bare feet, without shoes. I saw little children cold and crying on their mothers' breasts. As I say, I am Scotch, and I have been taught, since I was big enough to stub my toe, that any man that shows any feeling or sheds a tear is unmanly; but I want to tell you that I choked when I saw those people suffering in that way and was informed that the coal barrons desired to drive them out of that district.

Mr. Chairman, by whom were they displaced? By the very

Mr. Chairman, by whom were they displaced? By the very element that this bill will keep out. Men of America, whether you be foreign born or not, these men were of your blood. They are of our people; they are of our blood; they are

of the kind that the gentleman from Colorado spoke of the other day as the old immigrants driven out by recruits from southern Europe. They are the kind that are being driven out in Michigan by these imported grasshoppers who come and leave year by year. The gentleman from Pennsylvania [Mr. Moore], it seems to me, weakened his case when he referred to the hundreds of thousands that go out from here every year and return to their own countries. They are the kind we object to; they are birds of passage, that come here and beat down the wages and break down the standards of living of the American laborer, and then fold their tents like the Arabs and silently steal away, and steal everything else they can lay their hands on. [Laughter.] These are the men the bill seeks to provide against. The gentleman from Pennsylvania [Mr. MOORE] says that the law that we have is all-sufficient, and he and the gentleman from Massachusetts [Mr. MURRAY] recite its various provisions. Gentlemen, does the law keep them out when six hundred and twenty thousand came in during the last four months? When fourteen hundred thousand came in during the last 12 menths, does it keep them out? Does it work the purpose that this bill seeks to do-that is, keep out the men who break down the price of labor and contaminate the very fountains of our civilization and demoralize the moral conditions of our country?

Mr. SABATH. Mr. Chairman, will the gentleman yield? Mr. BURNETT. Mr. Chairman, I can not yield, because I

have only a short time, and I must decline to yield.

Mr. Chairman, this test is fair, and it is certain. The law excluding those liable to become a public charge, referred to by gentlemen on this floor, is of such a character that the immigrant does not know whether he will be declared a public charge until he gets here, but every man before he leaves the other side knows whether he can read his own language or dialect, and the steamship companies, who say that they do not know whether people are insane or diseased, can easily know whether these people can read their own language or dialect, and they will see to it that they are kept out if they can not read.

It has been said by the gentleman from Minnesota [Mr. MANAHAN] that this test would do nothing, as the steamships would simply substitute the literate alien for the illiterates. If the steamship companies do not think there are teeth in this bill, why is it that their agents with gum shoes are going through this Capitol and through the Office Building trying to

thwart the passage of the bill?

Mr. Chairman, I have here, but I will not take time to read it, a letter from a representative of an Irish organization in Brooklyn, sent last year, directed to Mr. Sulzer, when he was here, stating that he, Mr. Sulzer, was misrepresenting the Irish people of that district when he contended that they were against this bill. I have a letter from Louis W. Dongres, an editor of Chicago, who states that, notwithstanding the contention of the gentleman from Illinois [Mr. Sabath] to the contrary, the Bohemians of that city and of this country are in favor of this bill. I have here, Mr. Chairman, petitions from 14,000 people in New York City asking for the passage of this bill, and, as Mr. Morrison said when he was before our committee, many of them are aliens themselves, who believe that this thing has gone far enough and that there ought to be some check put to it. I have here petitions with several thousand names from the city of New Orleans, represented by able and distinguished gentlemen, appealing to them to protect the workingmen of that city against the crowd of immigrants that is coming into our country.

Gentlemen have sought by what seems to me harsh and unjust attacks upon me and my State to try to create a prejudice against this bill. Mr. Chairman, if I can secure for the people of my country in the South immunity from the conditions that pervade so many sections of the North, I am willing to be the goat at whom these gentlemen may level their little flings if they desire to do so. Gentlemen on this floor have tauntingly referred to illiteracy in Alabama, and especially in my district, but they were not fair enough to look up the literacy among the younger white people of my State and district between the ages of 10 and 20, but take the illiteracy of all my people generally. Perhaps they do not know, though some of us do who were children during that terrific fratricidal war which bedewed my country with the blood of brave men who wore the blue and of brave men who wore the gray—perhaps they do not know the conditions that prevailed then and for many years after that awful war. The gentleman from Massachusetts [Mr. Gardner], who, at my solicitation, sits at my right, to aid in securing the passage of this bill, with the fact that he had defended the South more than he—Mr. Murray—had heard any New England man do in regard to the Civil War.

The gentleman from Massachusetts [Mr. Gardner] has often been South and has learned of the fearful conditions that once prevailed there. He has learned of the poverty and distress that once enshrouded my people of the South, and though he is of a party different from that which controls in the South, he is brave enough and fair enough to do us justice. Would that some Democrats could do the same.

Mr. MURRAY of Massachusetts. Mr. Chairman, will the

gentleman yield?

Mr. BURNETT. Mr. Chairman, I decline to yield; I have not the time to spare. I do not want to be diverted from this proposition. Mr. Chairman, the old Confederate soldiers came home from that war to devastated and ruined fields. They came to find their property gone. They came to start anew to rise Phœnix-like from the ashes of their adversity. Those were men of courage, those were the days that tried men's souls. I was one of the boys then myself, and perhaps you were, Mr. Chairman-I do not know-but 60 milestones have just passed behind me, and I remember those dark days; I remember when my countrymen scarcely had bread upon which to live. Those were the days when the illiterates in my country came up, and it is unkind and unjust in gentlemen, for the purpose of trying to excite prejudice in the minds of men from the North, to make such unkind flings at a devastated country and at a ruined people, who were overthrown by superior numbers. [Applause.]

Mr. MURRAY of Massachusetts. Mr. Chairman, will the gen-

tleman yield?

Mr. BURNETT. Mr. Chairman, I can not yield. I have

already stated that.

The CHAIRMAN. The gentleman declines to yield.

Mr. BURNETT. Mr. Chairman, gentlemen have referred with great glee to the literacy of the children of the foreigners, but are not fair enough to tell you that in a large majority of cases that high percentage is by reason of the fact that those are the children of literate parents. The illiterates that this bill strikes down are people a majority of whom do not bring their wives to this country. Most of those at whom this bill strikes come from southern Italy and are men who leave their wives behind them and have no children here. Hence their argument falls, because the bill does not cut out many of those whose children show such educational strides in this country.

Mr. Chairman, gentlemen have referred to the fact for the

purpose of trying to excite a prejudice, that great cardinals and great prelates have inveighed against this bill. that argument, Mr. Chairman, I desire to call attention to the fact that a gentleman who appeared before our committee, P. J. McNamara, vice president of the Locomotive Firemen and Trainmen's Association, who himself is of the church to which these

prelates and cardinals belong, said:

Representing labor, as I do, knowing and understanding what labor needs, I appeal to this committee as the representative of more than 100,000 firemen.

And he said that in that organization and the organization of the railway conductors and trainmen more than 100,000 of them

belong to that same church.

I wish I had time to say a little about a Mr. Scharf, who has been going through the offices trying to play that same kind of politics and get up a religious scare. I will read just one extract from what that splendid Catholic gentleman and gallant Knight of Columbus, Representative Ben Johnson, of Kentucky, has said about Emil Scharf, Ph. D., and so forth, and so forth, who has been trying to frighten Members of Congress into voting against this bill. Scharf had been lobbying for a certain bill and trying similar methods to secure its passage to those he is now using to try to defeat this bill. Mr. JOHNSON said:

I wish to warn this House against a lobbylist, a man who is lobbyling for the passage of this bill that is now up, and who lobbles for various other bills that come along, and then in the meantime offers to deliver to any candidate who will pay him a monetary consideration the Catholic vote and the vote of the Order of the Knights of Columbus in the United States, which I know he can not do. In justice to the membership of this House I wish to make this statement.

But the day of such lobbyists as Scharf has passed, and his threats fall impotent at the feet of those against whom they are

Mr. Chairman, most of the taunts and flings that have been hurled at me I have borne in silence unless they were such that no self-respecting gentleman could fail to fling back. But when my people are ridiculed because of the illiteracy for which they are not responsible, I would be recreant to the trust that they have reposed in me did I not defend them. They want this legislation because they hope that the scum of southern Europe may be turned back before their sons and daughters see the red flag of anarchy erected in their midst. We are told that the illiteracy test will not keep out the Black Hand leaders. It will not; but there are other sections of the bill that will, and the

illiteracy test will keep out thousands of those who are pliant tools in the hands of Black Hand leaders. It will keep out those who at Lawrence, Mass., a few months ago, followed the flags on which were emblazoned: "No God, no law, no master." A gentleman representing the Order of Railway Conductors

recently told me that he and his sister 20 years ago worked in the textile mills at Lawrence, and that it was then perfectly proper for respectable girls to work there. But he said that since the low class of foreigners had driven the Americans and the old Europeans from these mills it had become the breeding ground for the white-slave trade and that few decent girls want to live within that contaminating atmosphere.

Gentlemen have said in this debate that Americans would no longer do the class of work that the immigrant from southern

Europe does

Mr. Chairman, this is not true. Go with me to the hills of north Alabama and I will show you thousands of white men, honest, brave, and true, working in the mines, on the railroads, at the furnaces, on the farms, and at all the honest avocations of

As I have had occasion to say before, if you will go with me to Alabama City and to Pell City, two beautiful little cotton-mill cities in my district, I will show you girls and women working in the mills whose characters are as pure as the driven snow. Only a few weeks ago I had the honor of speaking to an audience of four or five hundred men working at the car shops in my home town. They were my neighbors and my friends, and I was proud to call them such.

There was not a Greek or Italian face in the crowd, and Mr. Portner, the superintendent, a splendid Irish gentleman himself, told me with pride that he did not and would not employ a dago in all that plant. The great and splendid Farmers' Union United American Mechanics ask for it. I was made happy to-day by receiving the following telegram from a council in

my home town:

GADSDEN, ALA., February 4, 1914.

N L. BURNETT, House of Representatives, Washington, D. C.:

Gadsden Council, No. 14, Junior Order United American Mechanics, indorses immigration bill and urge you to use utmost effort to retain literacy test.

JUNIOR ORDER No. 14.

The great labor organizations urge it. Thousands of farmers, mechanics, laborers, business and professional men have urged me to pass it. A few months ago a large meeting of farmers and business men in my home city unanimously adopted a resolution commending me for refusing to give up the chairmanship of the Committee on Immigration to take the chairmanship of

the Committee on Public Buildings and Grounds.

In the famous Mulhall lobby investigation by Congress last summer it was testified that I was one of seven Members of Congress singled out by the lobbyists for defeat. I have no doubt but that the steamship companies were behind this conspiracy to bring about my destruction. I have felt the keen edge of their opposition at every step in the progress of this bill. Their emissaries are in the galleries to-day watching every move that we make. When we defeat them in this House they will concentrate their forces against the bill in the Senate. When the bill passes that body they will lay siege upon the White House. God grant that their wicked schemes may be thwarted and that the voice of the people may triumph.

Mr. Chairman, I had rather be known as the father of this bill than of the currency or the tariff bills, for I feel that the very foundations of our Republic are being endangered unless

this legislation prevails.

Right must and will triumph, and if I can give to my children and children's children the heritage of the good name that this bill will entitle me to I can say, "Lettest Thou Thy servant depart in peace, since I have seen the salvation of the Lord."

The Clerk read as follows:

The Clerk read as follows:

Be it enocted, etc., That the word "allen" wherever used in this act shall include any person not a native-born or naturalized citizen of the United States; but this definition shall not be held to include Indians not taxed or citizens of the islands under the jurisdiction of the United States. That the term "United States" as used in the title as well as in the various sections of this act shall be construed to mean the United States, and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone; but if any alien shall leave the Canal Zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens. That the term "seaman" as used in this act shall include every person signed on the ship's articles and employed in any capacity on board any vessel arriving in the United States from any foreign port or place.

That this act shall be enforced in the Philippine Islands by officers of the general government thereof designated by appropriate legislation of said government.

Mr. SABATH. Mr. Chairman, I desire to offer the following

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Strike out the semicolon after the word "States," on line 5, page 1, and insert a comma, and after the comma insert the words "or one who has not resided continuously in the United States for a period of at least five years."

Mr. SABATH. Mr. Chairman, if this amendment is adopted, and I hope it will be, it will eliminate the hardships which, if this bill passes in its present form, will be imposed upon thousands and thousands of our people who have resided in this country for many, many years. As I stated yesterday on the floor of this House, under the definition of the word "allen" appearing in this bill it would be absolutely impossible for people who are not native-born or naturalized citizens, though they may have resided here for many years, to enter our shores again after returning from what may have proven to be their last earthly visit to father, mother, brother, or sister, who reside abroad, without being subjected to all of the drastic provisions of this bill. I do not think it was intended that we should impose these hardships upon people who are part and parcel of us. We know the conditions here, and we also know that frequently they can not be changed. Many of these people have resided in our country, as I have said, for 10, 15, or 20 years, and due to the conditions existing in the sections of our country where they have resided it has been absolutely impossible for them to become naturalized.

It is for these deserving people that I am pleading, and I hope that the chairman of the committee, as well as the rest of you gentlemen, will vote in favor of this amendment. As you will observe. I provide that they must reside here at least five years before they shall have the same privileges as a naturalized citizen or one of native birth as far as this bill is concerned.

Mr. CAMPBELL. Will the gentleman yield for a question?

Mr. SABATH. I will.

Would that deny the right of voting under Mr. CAMPBELL.

a declaration of intention?

Mr. SABATH. Oh, yes. This will deny the right of anyone who is not a naturalized citizen to vote; but that question does not enter into this matter. What I am trying to bring out is that unless this amendment is adopted these people who have not become naturalized will be unjustly discriminated against when they seek to return to this country after a short visit to their native land, for they will be forced to comply with all of the drastic regulations of this bill, and I maintain that this is not fair and equitable.

I do not think it was the original intention of the committee

to go as far as they did.

Mr. MADDEN. Will my colleague yield?

Mr. SABATH. I yield to my colleague.

Mr. MADDEN. It would be a good plan, in addition to what my colleague has already stated in his amendment, to add:

Those who have resided in the United States for five years and have declared their intention to become citizens.

Mr. SABATH. I am willing to accept that amendment. Mr. MADDEN. I think that is what ought to be in here. Mr. MADDEN.

Mr. SABATH. I am willing to accept the amendment.
Mr. MADDEN. Mr. Chairman, I offer to amend the amend-

ment to that extent. The CHAIRMAN. The gentleman from Illinois [Mr. MAD-

DEN1 offers an amendment to the amendment, which the Clerk will report

Mr. GARDNER. I raise the point of order that the gentleman has not the floor.

The CHAIRMAN. The gentleman from Illinois [Mr. Sabath] yielded to his colleague [Mr. MADDEN].

Mr. GARDNER. Not for the purpose of offering an amendment. I wish to be heard in opposition.

The CHAIRMAN. The Chair understood the gentleman yielded to his colleague for the purpose of offering an amendment.

Mr. GARDNER. Then he must yield the floor.
The CHAIRMAN. Certainly.
Mr. GARDNER. But I wish to be recognized under the Under the rules he must be recognized for five rules to reply. minutes, and then whoever first obtains the floor to reply is

The CHAIRMAN. The time of the gentleman from Illinois

[Mr. SABATH] has expired.

Mr. MADDEN. Am I recognized to offer my amendment

now?

The CHAIRMAN. Not until the gentleman from Massachusetts [Mr. GARDNER] has gotten through.

Mr. GARDNER, Mr. Chairman, so far as the definition of the word "alien" is concerned, this bill does not change existing law except as to verbiage. For years the law has been interpreted to mean that any alien, no matter how long he may

have lived in this country, if he sees fit to travel abroad, must on his return be subjected to just the same examination as any newly arrived alien. In other words, we do not propose, except in the case of our own citizens, to allow men to go abroad and then, on their return, escape the salutary safe-guards which we have thrown around the influx of aliens.

It is true that this question of the rights of resident aliens has been a matter of dispute. A number of times it has been brought before the court to decide whether or not a resident alien, on his return to this country, should be held to be subject to the rules which govern the admission of immigrant aliens. Many persons have claimed that an alien who has resided here 10 years has the right to journey abroad without being subject to any restrictions as to his readmission. other words, it has often been claimed that an alien of the kind described has, so far as admission to the United States is concerned, the same rights as an American citizen. However, the Supreme Court of the United States has decided that resident aliens, if they desire to go abroad without having taken the previous precaution of becoming naturalized, must do so at their own risk.

Now, Mr. Chairman, let me call your attention to another result which would ensue from the adoption of the amendment offered by the gentleman from Illinois [Mr. Sabath]. If his amendment is adopted, we can not deport prostitutes or procurers after they have resided here for five years. As the law stands at present, procurers or prostitutes may be deported so long as they are aliens. If this amendment is adopted, it will be impossible to deport any alien when more than five years subsequent to his arrival have elapsed, because by the terms of this section he will have acquired the privileges of an American citizen, so far as the immigration law is concerned.

Mr. SABATH. Mr. Chairman, will the gentleman yield? The CHAIRMAN. Does the gentleman yield?

Mr. GARDNER. I yield. Mr. SABATH. The gentleman means the deportation of those prostitutes, and so on, in accordance with an act which we passed, which I, together with the gentleman from New York Mr. Bennett], succeeded in passing in the Sixty-first Congress. Is not that true, I will ask the gentleman? Mr. GARDNER. That is right.

Mr. SABATH. And the same proviso was drafted by me. Mr. GARDNER. It is in section 19 of this bill.

Mr. MURRAY of Massachusetts. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to his colleague?

Mr. GARDNER. Yes. Mr. MURRAY of Massachusetts. Of course, Mr. Chairman, I do not want to have any amendment put through that will permit the permanent residence of prostitutes and procurers; but the gentleman knows that there is real hardship in admission to citizenship through the naturalization courts on the part of many aliens who sincerely desire to become citizens. Can not the suggestion of the gentleman from Illinois [Mr. Madden] meet the objection in regard to prostitutes and procurers that my colleague makes, and if it can not meet that objection, why can it not?

Mr. GARDNER. Of course, the gentleman's suggestion is an

amendment to the amendment.

Mr. MURRAY of Massachusetts. The gentleman knows that females can not apply for citizenship.

Mr. GARDNER. Oh, yes, they can; and so can the pro-

curers.

Mr. MURRAY of Massachusetts. Then why not expressly say, "excepting the prostitutes and procurers"?

Mr. GARDNER. No; I think that would be dangerous.

Mr. MURRAY of Massachusetts. We will join with you in remedying that defect. Will you not join with us on the rest

Mr. GARDNER. No; of course I shall not. The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. GARDNER] has expired. The question is on agreeing to the amendment to the amendment.

Mr. MADDEN. Mr. Chairman, I offer an amendment, which the Clerk has in his possession.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add at the end of the amendment the words, "and has declared his intention to become a citizen," so that the amendment to the amendment will read, "or one who has not resided continuously in the United States for a period of at least five years and has declared his intention to become a citizen."

Mr. MADDEN. Now, Mr. Chairman, I desire to say, in respect to this amendment, as suggested to be amended, that if a person comes to this country and declares his intention to

become a citizen and is for any reason called out of the country within the five-year period there ought not to be anything in the law which would prohibit him from reentering the country unless there was something in his life which justified his exclusion. It would be unfair to say that a man who has declared his intention to become an American citizen and has lived here during the period of five years and was unable to complete his citizenship during that period and happened to be called out of the country before he had been able to complete his citizenship ought not to be permitted to enter this country. It would be a great hardship, a great injustice, and there is no reason, if we want to be fair in the enactment of the law that we now have under consideration, we should make the fullest possible provision to protect men who do want to become citizens of the United States and have declared their intention to do so.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment offered by the gentleman from Illinois

[Mr. MADDEN].

The question-was taken, and the Chairman announced that

the "ayes" seemed to have it.

Mr. BURNETT. Mr. Chairman, I ask for a division. not know that the gentleman was through. I wanted to be heard on the amendment.

Mr. MURRAY of Massachusetts. Mr. Chairman, I ask unanimous consent that the gentleman from Alabama be heard on the amendment.

Mr. MANN. The gentleman has the right to be heard. Mr. GOLDFOGLE. I ask, Mr. Chairman, that the a

I ask, Mr. Chairman, that the amendment be again reported.

The CHAIRMAN. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Insert, at the end of the amendment, the words "and has declared his intention to become a citizen."

The CHAIRMAN. The gentleman from Alabama [Mr. Bur-NETT] is recognized.

Mr. BURNETT. Now, Mr. Chairman, I desire to be heard in opposition to that, because it seems to me it makes it ridiculous.

Mr. SHERLEY. Mr. Chairman, I rise to a point of order. The House has voted, or, rather, the committee has voted, and a division was demanded. I make the point of order that the only thing before the House is the division on the vote, on the declaration of the Chairman, on the amendment.

Mr. GARDNER. I should like to be heard on the point of

order.

The CHAIRMAN. The Chair will hear the gentleman from Massachusetts

Mr. GARDNER. The negative had not been put.
Mr. MADDEN. Oh, yes; it had.
Mr. GARDNER. I leave that question to the Chair.
Mr. MADDEN. The Chair declared the amendment carried. Mr. MANN. Where a division is asked after a viva voce vote and debate has not been closed, debate is in order until the negative is put on the division. If the gentleman from Kentucky will think for a moment, he will remember that to be the fact.

Mr. SHERLEY. I have no memory of anything of the kind. When a vote is had, in the absence of a division the Chair states the result of the viva voce vote, and that determines the result. Now, to say that a division can be demanded and thereby open

up the debate is a proposition I never heard of before.

Mr. MANN. That is the parliamentary rule which the gentleman will find in Jefferson's Manual, because when a division is demanded there is no final vote until the negative is taken on that division. Of course if debate had been closed, that would be another proposition, but debate had not been closed.

The CHAIRMAN. The Chair overrules the point of order.
Mr. GOLDFOGLE. Mr. Chairman, I offer the following sub-

stitute. The CHAIRMAN. The gentleman offers a substitute, which

the Clerk will report.

The Clerk read as follows:

Insert between the words "United States"-

Mr. BURNETT. Mr. Chairman, I make the point of order that that is out of order.

The CHAIRMAN. The Chair thinks the gentleman can offer

Mr. BURNETT. A division had been ordered. Mr. SHERLEY. Now the gentleman is taking the other side of his own point of order. The gentleman wanted to open the matter up in order to debate it and I wanted to close it.

Mr. GARDNER. Mr. Chairman, a parliamentary inquiry. Mr. GOLDFOGLE. I ask for the regular order. The CHAIRMAN. The gentleman from Massachusetts rises to a parliamentary inquiry.

Mr. GARDNER. Is this a substitute for the amendment of the gentleman from Illinois on my right [Mr. Sabath] or a substitute for the amendment of the gentleman from Illinois on my left [Mr. MADDEN 1?

Mr. GOLDFOGLE. This is a substitute for the matter before the House.

The CHAIRMAN. The Chair understands this is offered as a substitute for the two pending amendments.

Mr. GARDNER. Has the Chair considered the parliamentary effect of that?

The CHAIRMAN. The gentleman has a right to offer a sub-

Mr. GARDNER. He has a right to offer a substitute for either one of the amendments.

The CHAIRMAN. The gentleman from New York has a right to offer a substitute for the two amendments.

Mr. GARDNER. I think not.
The CHAIRMAN. The Chair thinks otherwise. the amendment offered by the gentleman from Illinois [Mr. SABATH] can be perfected first before the substitute is put, but that does not prevent the gentleman from New York from offering a substitute for the whole matter. The Clerk will report the amendment.

The Clerk read as follows:

Insert between the words "United States" and the word "That," on line 7, page 1, the following: "Nor shall it include anyone who has continuously resided in the United States for a period of five years and who has, under the naturalization laws, declared his intention of becoming a citizen of the United States, and who is not subject to deportation or exclusion for any immoral or criminal act, as in this act provided.

Mr. GOLDFOGLE. Mr. Chairman, I have heard some criticism from the gentleman from Alabama upon the amendments that have been offered. To meet such criticism, I have offered The effect of the substitute will be that if one this substitute. who declared his intention to become a citizen of the United States and who resided continuously in the United States for a period of five years, and who has not committed, either on the other side or this side of the water, any immoral or criminal act for which he could have been either excluded or deported under the law, then the term "alien" as used in this bill shall not apply.

Mr. MURRAY of Oklahoma. Will the gentleman yield?

Mr. GOLDFOGLE. Yes.

Mr. MURRAY of Oklahoma. I want to ask the gentleman if he uses the word "continuously" or "continually" in his amendment?

Mr. GOLDFOGLE. "Continuously." Those who were admitted into this country, took up their habitation here, remained in the United States for five years, committed no act on the other side which would have subjected them to exclusion, or immoral or criminal conduct, and who did not commit any crime or immoral act for which they could be deported, ought not be subjected to the hardships that frequently come to aliens who have not gone through such five years' actual residence in this country and are free from all immoral or criminal taint.

Mr. BARTHOLDT. Mr. Chairman, I move to strike out the

last word.

Mr. GARDNER. Does the gentleman from Missouri rise to oppose the amendment?

Mr. BARTHOLDT. I do not.

Mr. GARDNER. Mr. Chairman, I wish to be heard in opposition to the substitute.

The CHAIRMAN. The Chair will recognize the gentleman

from Massachusetts.

Mr. GARDNER. Mr. Chairman, there seems to be a misconception as to what the amendment will do to existing law. What the gentleman proposes to do is to amend the law as we have had it for many years. As the law stands to-day if a man comes here and lives with us for 10 years and then goes back to Italy, before we readmit him to the United States we have the right to ask him, "Are you a contract laborer? Are you

diseased? Are you a pauper?"

Mr. MURRAY of Massachusetts. Will the gentleman yield?
The Supreme Court has simply said that that is the law and not that it ought to be the law; and we are simply trying to

write a milder law than the present law.

Mr. GARDNER. I have not said anything to the contrary.
Mr. MURRAY of Massachusetts. The gentleman is referring to this as the existing law and bringing in a Supreme Court declaration, saying that it ought to be the law.

Mr. GARDNER. I do not think the gentleman has listened

to what I said.

Mr. MURRAY of Massachusetts. That is one thing that I

Mr. GARDNER. If the gentleman will allow me to proceed. I was trying to explain to the House that under existing law, if an alien goes abroad to-day, he goes at his own risk. When he comes back we say. "Are you diseased, are you a contract laborer, are you a pauper?" Now comes the gentleman from New York [Mr. Goldfogle], who proposes that we shall no longer be permitted to question the returning alien. He insists that we must give an alien who has for a few years resided here the same privileges as we accord to a citizen of the United States returning homeward. If the alien is diseased, if he has tuberculosis, if he is a contract laborer, we must nevertheless admit him to our shores.

Mr. GOLDFOGLE. I think the gentleman is mistaken.

Mr. GARDNER. That is the whole effect of your amendment. You remove resident aliens who may travel abroad from the operation of this law. Obviously you remove them from the operation of section 3, which seeks to exclude diseased aliens and contract laborers. American citizens have the right to enter this country whether they are diseased or not and whether they are contract laborers or not. You seek to give resident aliens the same privilege as American citizens.

Mr. BARTHOLDT. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I am sure that even the advocates of this bill will vote for the proposed amendment if they could all understand what it really contemplates. Let us take a An immigrant who has taken every legal step concrete case. to become a citizen of this country by having filed his appli-cation in the proper court is called abroad for some reason before he can complete the process of becoming a citizen, and while abroad contracts innocently some sort of a disease. He may be run over by a railroad train while traveling abroad, when he gets back to our country, unless this amendment is adopted, he would be excluded because physically defective, although he may have established a business in this country, and although his application for citizenship is pending in the courts. Therefore, unless this amendment be adopted, it would be a great hardship for many who really need our protection. I hope sincerely that the amendment will be adopted.

Mr. MURRAY of Oklahoma. Mr. Chairman, it occurs to me that the discussion of this proposed amendment does not reach the real question involved. For instance, this is a definition of the word "alien":

That the word "alien" whenever used in this act shall include any person not a native-born or naturalized citizen of the United States.

Then the substitute proposes to take out of the definition of an alien a person who has lived here "continuously" for five years and who has made an application for citizenship. Certainly such definition of an "alien" should include any individual who is not a citizen. All persons who are not citizens should be regarded as "aliens," and therefore, as it reaches the question of definition. Let matching the rest think the the question of definition, I do not think the amendment should be adopted, because when a man becomes a citizen under the Supreme Court decisions you can not limit that citizenship unless it is upon some act performed by the person. So that citizenship is in the nature of a vested right, and yet you give such vested right to a man who is not a citizen, either naturalized or natural, but you give him that vested right because he has resided here for five years.

Mr. MURRAY of Massachusetts. Oh, no-and who has de-

clared his intention to become a citizen.

Mr. MURRAY of Oklahoma. Wait until I get through-and who has declared his intention to become a citizen. Certainly you ought not to take out of the definition of what an "alien is a man who does not meet all of the obligations of citizenship. Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Oklahoma. Yes.

Mr. MADDEN. In some States of the Union men who have declared their intention to become citizens are permitted to vote. Is not that true?

Mr. MURRAY of Oklahoma. That is true in some States

Mr. GARDNER. Mr. Chairman, will the gentleman yield? Mr. MURRAY of Oklahoma. In a moment. The question of State law relating to the matter of suffrage, where one is presumed to come from some other State, and who does come within the immigration law, is an entirely different question. I now yield to the gentleman from Massachusetts.

Mr. GARDNER. Mr. Chairman, is it not a fact that an immigrant can file his declaration to become a citizen the day

Mr. MURRAY of Oklahoma. I rather believe he can. Mr. MURRAY of Massachusetts. If he does file it the day

he lands, is he not likely to become a pretty good citizen?

Mr. MURRAY of Oklahoma. That does not necessarily follow

Mr. MURRAY of Massachusetts. If he is keen enough to become a citizen the first day he lands, and makes application on that day, is he not made of the right kind of stuff to make a good citizen?

Mr. MURRAY of Oklahoma. But he should not be included within the class of citizens referred to in the definition of an alien. This section relates only to the definition.

Mr. MURRAY of Massachusetts. Surely. Mr. MURRAY of Oklahoma. It does not relate to the question of exclusion, but to the question of definition, and you ought not to upset all of the decisions of the courts for years in order to affect the question of exclusion. If you are in favor of any exclusion at all, if you are in favor of any legislation that will distinguish between a foreigner or an alien and a citizen, you certainly ought not to have the substitute offered here anyway.

Mr. SABATH. Mr. Chairman, will the gentleman yield? Mr. MURRAY of Oklahoma. Yes.

Mr. SABATH. The gentleman will recollect that this definition applies only to this act.

Mr. MURRAY of Oklahoma. It is a definition of an alien

and a citizen.

Mr. SABATH. It is for the purpose of this act alone, and for no other purpose at all.

The CHAIRMAN. The Chair desires to make a statement. few moments ago the Chair made a ruling on a point of order made by the gentleman from Kentucky [Mr. Sherley]. The parliamentary situation was this: The Chair had put the affirmative side of a question, and also the negative side, and the Chair had announced the vote, the Chair stating that he thought after having done that it would be proper to recognize gentle-men to further debate the question which had been put. The Chair upon examination finds this authority, and this is the only authority he does find. In Jefferson's Manual, section 39, it is said:

After the Speaker has put the affirmative part of the question, any Member who has not spoken before to the question may rise and speak before the negative be put, because it is no full question until the negative part be put.

The Chair thinks, under that authority, the Chair was in error in overruling the point of order made by the gentleman from Kentucky

Mr. MANN. Before the Chair makes the ruling to that effect. permit me to call the attention of the Chair to the fact that when a division is demanded and a viva voce vote is taken and vacated and the question has to be resubmitted, the rule has been-and it has been annunciated more than once from that chair-the viva voce vote having been vacated, debate is in order then until the negative is put.

The CHAIRMAN. Will the gentleman from Illinois furnish the Chair the authority for that?

Mr. MANN. I am not sufficiently interested to take the time to look it up, I will say to the Chair.

Mr. BURNETT. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BURNETT. What is the parliamentary status of the

question? I asked for a division.

The CHAIRMAN. The gentleman from Illinois [Mr. Sabath] offered an amendment, to which the gentleman from Illinois [Mr. MADDEN] offered an amendment, to which the gentleman from New York [Mr. Goldfogle] offered a substitute. The question is now on the amendment offered by the gentleman from Illinois [Mr. Madden] to the amendment offered by the gentleman from Illinois [Mr. Sabath].

The question was taken, and the Chairman announced the

noes seemed to have it.

On a division (demanded by Mr. MADDEN) there were-ayes 55, noes 68.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the substitute

offered by the gentleman from New York.

Mr. LENROOT. Mr. Chairman, I want to call the attention of the gentleman who proposed this amendment as to what it will do if adopted, and I am very sure the gentleman would not wish this adopted if he fully understood what it will accom-Turning to page 8, the literacy section, if this amendment is adopted it will prevent any alien under the present definition, a man who has lived here five years, and declared his intention to become a citizen—will prevent him from send-ing abroad for any member of his family if such member of his family can not comply with the literacy test. That section

All aliens over 16 years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yiddish.

And then a proviso is made in favor of any alien or any alien heretofore or hereafter legally admitted, or any citizen of the United States, permitting him to send for his family, but where would it leave this man that you are now trying to protect? He would be neither an alien nor a citizen, and the proviso would not apply to him.

Mr. SHERLEY. Will the gentleman yield?

Mr. LENROOT. I will.

I will.

Why can not we attend to that when we Mr. SHERLEY.

mr. SHERLEY. But we will reach that.
Mr. LENROOT. I am speaking of the definition.
Mr. SHERLEY. But we will reach that.
Mr. LENROOT. This is only one of the results that would happen from the bill.

Mr. SHERLEY. The bill has not been passed. We can not

reach them all at one time.

Mr. LENROOT. That is true, I will say to the gentleman, but I do not believe these gentlemen would care to press the amendment and take the chance on doing grievous injury to hundreds of thousands of aliens under the present definition of the law. do not think they would take the chance that that would be remedied later on, because if it was not remedied it would cut them out from the protection given by this bill itself as it now

The CHAIRMAN. The question is on the substitute offered

by the gentleman from New York.

The question was taken, and the substitute was rejected. The CHAIRMAN. The question is on the amendment offered

by the gentleman from Illinois [Mr. Sabath].

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, I move to strike out the last word. May I ask the gentleman in reference to just what this means concerning the Philippine Islands? What will be the effect? The bill states this act shall be enforced in the Philippine Islands by officers of the general government thereof designated by appropriate legislation of said government. I as-

Mr. BURNETT. That is existing law.

Mr. MANN. I assume that means the Philippine Legislature, not the United States Government.

Mr. BURNETT. That is my understanding, and that is the way it has been construed, as I understand, by the department.

Mr. GARDNER. That is the act of February 6, 1905. Mr. MANN. What will be the effect, then, if the Legislature of the Philippine Islands does not provide appropriate legisla-tion? I take it this in effect is intended to leave to that legislature the determination whether this bill, if enacted, shall be enforced.

Mr. BURNETT. My understanding is we have provided for it, and that it is in effect now in the present law; and I should think it would continue in effect, just as it is now, in this law.

That may be. I asked for information. Mr. BURNETT. That is my opinion.

The Clerk read as follows:

Mr. BURNETT. That is my opinion.

The Clerk read as follows:

Sec. 2. That there shall be levied, collected, and paid a tax of \$5 for every allen, including allen seamen regularly admitted as provided in this act, entering the United States. The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States, or by the alien himself if he does not come by a vessel, transportation line, or other conveyance or vehicle. The tax imposed by this section shall be a lien upon the vessel or other vehicle or carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied on account of aliens who have in accordance with law declared their intention of becoming citizens of the United States or on account of aliens who shall enter the United States after an uninterrupted residence of at least one year immediately preceding such entrance in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor on account of otherwise admissible residents of any possession of the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States and who later shall go in transit from one part of the United States and who later shall go in transit from one part of the United States and who later shall go in transit from one part of the United States on other manner fo

Mr. LEVY. Mr. Chairman, I offer the following amendment. The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 15, strike out the words "including alien seamen."

Mr. LEVY. Mr. Chairman, I think it is very unfair to charge a poor sailor, who enters a port and stays there for a week, \$5. When he comes into the port of New York or any other port of the country he spends his money. we prevent him from doing so by imposing a tax of \$5 on him? That is a plain question. I think that such a provision is unfair to those who go out to sea, and upon whom we all depend so much. When he comes into port we should let him spend his \$5 instead of taxing him that amount.

Mr. BURNETT. The gentleman entirely misinterprets the proposition. It is not intended to tax seamen who merely come off of a vessel temporarily with the expectation of returning to

the vessel. It does not do that.

Mr. LEVY. This says so.

Mr. BURNETT. No. We have a provision further on in the bill for that. It has been found that ships have been actually engaged in bringing aliens over as sailors. And it has been held by our courts that an alien seaman would escape the examination and escape the head tax and escape all the restric-tions the law threw around other aliens. Now, this is for the purpose of remedying that. We have several sections toward the end of the bill requiring either ship lists or manifests of all the crew, those given the protection required from the steamships against this kind of desertion. Now, they may be admitted, however, just like any other alien who appears regularly, and this is for the purpose of guarding against the desertion from ships, and levying and collecting a tax of \$5 for every alien, including every alien seaman regularly admitted, as provided in this act. That is all. This requires that a man who gets in and gets in to stay will be required to pay just like anybody else.

The CHAIRMAN. The question is on the amendment offered

by the gentleman from New York [Mr. LEVY].

The question was taken, and the amendment was rejected. Mr. MOORE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, lines 3 to 6, inclusive, strike out the proviso.

Mr. MOORE. This is offered for the purpose of perfecting the bill. I did not notice it before. There seems to be no necessity for that proviso, because it applies to aliens who are not admitted, and of course no head tax would be levied upon an alien who is not admitted. All that is provided for in the ear-lier part of section 2, lines 14, 15, and 16. The proviso in this instance seems to be without meaning.

Mr. BURNETT. I did not catch the reading of the amend-

ment.

The CHAIRMAN. Without objection, the Clerk will report the amendment again.

The amendment was again reported.

Mr. MOORE. The point is, there is no meaning to that proviso, since no head tax would be charged against an alien who is not admitted, that being provided for in the early part of the section.

Mr. GARDNER. Aliens are admitted into Guam and Hawaii. Mr. MOORE. The proviso that is to be stricken out, as mentioned in the amendment-and I am offering it more for the purpose of perfecting the bill than otherwise-is:

Provided further, That in the cases of aliens applying for admission from foreign contiguous territory and rejected, the head tax collected shall, upon application, be refunded to the alien.

There will be no head tax imposed upon such an alien.

Mr. GARDNER. The gentleman is mistaken. The head tax is a lien on the vessel or other transportation company which brings that alien. In the case of railroads on this continent the tax is paid by the alien to the transportation company as part of his fare. The amount received by the railroad company is paid to the United States, whether the alien is admitted or rejected. On the recommendation of the Bureau of Immigration we have provided that when an alien comes here by land he

shall get his \$5 back again provided he is rejected.

Mr. MOORE. To whom would the alien who is rejected pay

Mr. GARDNER. He would have already paid it to the transportation company which sold him his ticket.

Mr. MURRAY of Massachusetts. Mr. Chairman, does the

gentleman think it ought to be made necessary for the alien

to ask for that money? I notice you have the words "upon application." Should not that money be paid back to him as a matter of fact, so that he would not have to depend upon his knowledge or lack of knowledge of the law?

The alien who knows he can get it on application may get the \$5, but the alien who does not know-and most of them are not likely to know about it—will never get it back; and surely, it seems to me, those words, "upon application," should be stricken out even if the section should not go out.

Mr. BURNETT. That is for the convenience of the Gov-Otherwise the Government would not ernment employees. know where he is.

Mr. MURRAY of Massachusetts. Give it to him when you

are deporting him, when you are ordering him back.

Mr. BURNETT. Suppose that money were paid into the

Treasury and the man has gone.

Mr. MURRAY of Massachusetts. The Government knows where he is when it is deporting him. It is not fair to take his money away and not let him in.

Mr. MOORE. Mr. Chairman, I call the attention of the chairman of the committee to the language of section 2, page 2, lines 14, 15, 16, and 17. Beginning with line 17, it says:

The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States, or by the alien himself if he does not come by a vessel, transportation line, or other conveyance or vehicle.

Now, the question raised by the gentleman from Massachusetts [Mr. Murray] seems to be very pertinent, because if the tax goes into the Treasury I contend it will not be refunded at all if the man is required to hunt up the collector, or if there should be no collector to hunt up the master, the agent, the owner, or the consignee of the vessel or conveyance. He would

have great difficulty in getting it.

Mr. GARDNER. The law does not say that the tax shall be collected from every alien, but that it shall be collected for every alien, and that it "shall be paid to the collector of customs of the port or customs district to which said alien shall come." The amount is a lien against the transportation line.

Mr. MURRAY of Massachusetts. Does it not make it any easier to pay it back to him without his application?

Mr. GARDNER. The two gentlemen are talking about two different things. In a minute I shall take up the question as to the necessity of requiring that the rejected immigrant must make an application as a prerequisite to the return of his head-

Mr. MOORE. Will the gentleman explain how it would operate in the case of an alien who comes from contiguous territory and is required to pay the head tax? In the event of the money being paid into the customhouse, how will it be refunded

Mr. GARDNER. It will be refunded to him by the Government. Please listen while I read the recommendation of the Department of Commerce and Labor on this subject. The department submitted a draft for a new immigration law two The explanation accompanying the draft contained years ago. these words:

A provision is inserted also for the refund of head tax exacted on account of aliens applying at the land boundaries; this to avoid complaints which arose under the act of 1903 from the collection of head tax on aliens who were rejected at the land boundaries, etc.

We have adopted the exact words recommended by the department, unless I am mistaken, in its draft of the bill.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. Moore] has expired.

Mr. GARDNER. Mr. Chairman, I move to strike out the last

Mr. MOORE. Does the gentleman from Massachusetts move to strike out the last two words?

The CHAIRMAN. The gentleman from Massachusetts [Mr.

GARDNER] is recognized in his own right.

Mr. MOORE. Mr. Chairman, will the gentleman permit an inquiry?

Mr. GARDNER. Certainly.

Mr. MOORE. The money having been collected by the steamship company or the railroad company, and having been paid into the Treasury of the United States, would the applicant for that \$5 to be refunded apply to the Treasury or to the Department of Labor? Because if he has to apply to the Treasury he will have a difficult process to go through. If he has to apply to the Department of Labor the thing might be simplified. The question I put to the gentleman is this: If this money goes into the Treasury, this \$5—a small amount paid by an alien residing at a distance—will he not have little chance to get it back without an act of Congress?

Mr. GARDNER. The head tax is paid to the collector of customs at the port or customs district to which the alien shall come, and the law provides that "if there be no collector at such

port or district, then to the collector nearest thereto."

Mr. MOORE. Will the Treasury agent pay that money back

without some authority?

Mr. GARDNER. We assumed that the law officers of the department drew the proper language for accomplishing their purpose, and we adopted their exact language.

Mr. ROBERTS of Massachusetts. Mr. Chairman, will my

colleague yield for a question?

The CHAIRMAN. Does the gentleman yield?
Mr. GARDNER. I want to answer my other colleague from
Massachusetts [Mr. Murray] first. He has waited patiently, and he has brought forward the question as to why the alien should be required to make application to have his money re-I am a little puzzled how to reply. Frankly, I say to the gentleman that it is impossible for anyone to keep in mind the reason for the insertion of each clause in this bill.

Mr. MURRAY of Massachusetts. As an original matter Mr. GARDNER. One moment. In conference last year, when this change was suggested, we took the matter up with Mr. Parker, law officer of the Immigration Bureau. Inasmuch as Mr. Parker originally drafted this provision, we questioned

him about it.

im about it. I have totally forgotten his answer. Mr. MURRAY of Massachusetts. Then let us treat it independently as a matter of right and wrong.

Mr. GARDNER. As a matter of right and wrong I should prefer to trust to the decision of the conference committee and Mr. Parker, after they had given the matter thought, rather than trust to the insufficient consideration of Members of Congress who never heard of this particular provision until this

Mr. MURRAY of Massachusetts. Yes; but it is our business to write this law. It is not our business to follow blindly the Solicitor of the Department of Labor. Mr. GARDNER. That is very true.

Mr. MURRAY of Massachusetts. Let us try it out independently as a matter of right and wrong. Is it right to give back the head tax to an immigrant who happens to know he can get it back upon application, and to withhold it from an immigrant who does not know he can get it back upon application?

Mr. GARDNER. I can not tell the gentleman whether he is correct or not. I am willing to admit that I find some difficulty in answering questions as to the reason for every word in a bill of 57 pages. I remember distinctly that this question was raised a year ago in the conference between the Senate and House on the immigration bill which President Taft later on vetoed. We had plenty of time to examine the matter. consulted with the department, and some reason was given us for inserting those words. I confess I can not remember what that reason was, but I shall not vote to strike out those words solely because on their face they seem to be superfluous,

Mr. ROBERTS of Massachusetts. Mr. Chairman, I move to strike out the last two words, for the purpose of asking the gentleman from Massachusetts who has just taken his seat a question for my information. Apparently the paragraph now under discussion treats an alien from foreign contiguous territory differently from an alien coming from territory not contiguous. I should like to ask the gentleman why the distinction is made with regard to the refund of the tax?

Mr. GARDNER. The reason is this: Aliens coming by rail pay their head tax in addition to their fare. Aliens coming from Europe pay their head tax as part of their fare. Under the present law the tax is refunded, as I understand it, to steamship companies, who claim a refund in the case of rejected allens for whom they have paid the head tax. When a steamer arrives in New York it has on board a great many aliens as well as a great number of citizens of the United States. The steamship companies average the passage price, and aliens and citizens pay the same amount. You or I coming into the United States by sea would pay the same passage money as an allen would pay. For each alien the steamship company would pay a head tax into the Treasury of the United States.

Mr. SABATH. Four dollars.

Mr. CARDNED Town 1.1.

Mr. GARDNER. Four dollars.

Mr. SABATH. And under this new law it will be \$5.

Mr. GARDNER. Four dollars, and under the new law it will be \$5. Now, the committee believed that the European immigrant is not specifically charged with this head tax, and, more-over, it is impossible to ascertain how much in reality the European immigrant pays for head tax, inasmuch as he pays no greater steamship fare than the returning citizen of the United States.

We felt that the immigrant coming by sea direct from Europe stands upon a different footing from the immigrant coming by rail. We therefore accepted the suggestion of the department and confined this new provision for repayment to those who had specifically paid their \$4 extra in addition to their railroad

Mr. ROBERTS of Massachusetts. Mr. Chairman, I should like to ask the gentleman a further question solely for informa-tion. If a railroad train is crossing the boundary, either on the north or south, it probably has on board passengers who are citizens of the United States and passengers who are aliens. Is there any difference in the fare those passengers pay on the railroad trains for the same accommodation?

Mr. GARDNER. Yes; unless the alien has been domiciled

one year in Canada or Mexico, in which case he is exempt.

Mr. MURRAY of Massachusetts. Why should he be exempt for that reason?

Mr. ROBERTS of Massachusetts. How is that fact ascertained? For instance, I myself have been across the Canadian line, and when I came back no questions were asked me.

Mr. GARDNER. I beg the gentleman's pardon.

Mr. ROBERTS of Massachusetts. I was not aware that I paid any more or less railroad fare than any other passenger.

Mr. GARDNER. The gentleman is mistaken. There a

printed lists of questions. I myself came across the Canadian line very recently. There are printed blanks that have to be filled out.

Mr. SLAYDEN. With the permission of the gentleman from Massachusetts who has the floor, I want to say that I have crossed the border from Mexico a hundred times or more, and I have never failed to respond to a printed list of interrogatories as to my nativity, citizenship, and so forth.

Mr. ROBERTS of Massachusetts. I will state that the last

time I came from Canada to this country no such questions were

presented to me or to any of the others in the party.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. Moore].

The amendment was rejected.

Mr. MURRAY of Massachusetts. Mr. Chairman, I move to strike out the words "upon application," in line 5, page 4. The CHAIRMAN. The gentleman from Massachusetts offers

an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 4, in line 5, by striking out the words "upon applica-

Mr. MURRAY of Massachusetts. Mr. Chairman, the purpose of this amendment is to make it so that the head tax will be refunded to all aliens who may be deported. The bill, as reported by the Committee on Immigration, provides that in cases of aliens applying for admission from foreign contiguous territory and rejected the head tax collected shall, upon application,

be refunded to the alien.

Some aliens may know about this provision of the law and be wise enough to apply for the \$5 head tax to be refunded, but a good many aliens will not know about the provision. They will not know anything except that they are being examined for admission and rejected. I have asked my colleague why it is that a discrimination of that sort is allowed to continue in this law. The only thing I can find out as a reason is that the solicitor of the Department of Labor, who apparently drafted this bill, says that it ought to be in there. As one of the Representatives in this Chamber, I am not willing to abdicate my legislative function and allow the solicitor or anybody else to exercise that function. If there is some good reason that can be advanced why this provision should be made, I may be willing to withhold my amendment to strike it out. I say to you that the only argument I have heard is that the solicitor of the Department of Labor says that the words ought to be in, and that last year the conferees would not agree to strike out these words.

Will the gentleman yield? Mr. OLDFIELD.

Mr. MURRAY of Massachusetts. Yes.

Mr. OLDFIELD. Does not the gentleman think the words might be left in in order to make up a good record?

Mr. MURRAY of Massachusetts. What does the gentleman

Mr. OLDFIELD. When a man is refunded his money if he asks for it, there will be an application for its return—

Mr. MURRAY of Massachuetts. Then let him sign a receipt.

Mr. OLDFIELD (continuing). So that the officer may know that he is entitled to a return of the money.

Mr. MURRAY of Massachusetts. The gentleman is confusing

a receipt with the application for a refund. The gentleman knows the difference, does he not?

Mr. OLDFIELD. It seems to me that they might as well apply for a return of it as not to apply; and why should they

Mr. MURRAY of Massachusetts. Let us suppose a case. The gentleman and I are immigrants and we are both rejected. Let us suppose he knows about this law and I do not, because he knows so many things that I do not.

Mr. MURRAY of Oklahoma. He will admit that. [Laughter.]

Mr. MURRAY of Massachusetts. Of course he will admit it. [Laughter.] The gentleman knows the law and so will get back his \$5. I do not know the law and I go off without mine. Does the gentleman think that is fair?
Mr. OLDFIELD. No; it is not fair.

Mr. MURRAY of Massachusetts. That is what happens under the law as it is now.

Mr. OLDFIELD. Does not the gentleman think that the money would be refunded unless an application is made?

Mr. MURRAY of Massachusetts. Oh, the gentleman gets a

lot of money paid him that he does not apply for. A man that owes him money sends him a check.

Mr. OLDFIELD. They do not send me a check; they usually

send me a bill. [Laughter.]
Mr. MURRAY of Massachusetts. And especially, as the gentleman near me suggests, they do not send it to him if he does not know that they owe it to him.

Mr. O'SHAUNESSY. May I suggest an amendment which I think would cover the objection urged by the gentleman from Massachusetts?

Mr. MURRAY of Massachusetts. I would be willing to agree to an amendment.

Mr. O'SHAUNESSY. To provide for an application which must be furnished to him, and then there will be a record, and at the same time the immigrant will not be buncoed by this generous Government of ours?

Mr. MURRAY of Massachusetts. I do not care how it is done. I would rather have it done by the committee than to do it myself, for then I would know that it would be done. But now all they say is that the Solicitor of the Department of Labor says that these words ought to remain in. The conferees said that they ought not to be stricken out, and my colleague says that he does not know anything more about it than that. That is not a fair statement of the case. The gentleman and I as fellow Representatives have our share of the responsibility of drafting this legislation and putting it through in a proper way. We can not go back to our districts and say that that might be an injustice, but the Solicitor of Labor wanted it that way and we had to leave it so. Our people will not accept that excuse. This is a provision in the law to pay one man because he knows that it is the law and to withhold the payment from the other man because he does not know it is the law

Mr. BROCKSON. Mr. Chairman, I am opposed to the amendment proposed by the gentleman from Massachusetts. These words were put in the bill for a purpose. That purpose is to relieve the Government from the unnecessary burden and expense of running after aliens who have been rejected and sent

back to a foreign country.

Mr. MURRAY of Massachusetts. Will the gentleman yield? Mr. BROCKSON. Yes.

Mr. MURRAY of Massachusetts. Do they have to run after them at the time they are deporting them? They are in custody, are they not?

Mr. BROCKSON. The money might not be where he could get it at that time.

Mr. MURRAY of Massachusetts. Let them give it to him at the time he is in custody.

Mr. BROCKSON. Will the gentleman ask a question, if that

is what he desires to do?

Mr. MURRAY of Massachusetts. My question is, Do they have to run after the immigrant while he is in custody to be deported?

Mr. BROCKSON. The man that has him in custody does not have the money in his possession.

Mr. MURRAY of Massachusetts. He could have it in his possession, could he not?

Mr. BROCKSON. No; the deputy marshal is not a cashier.
Mr. MURRAY of Massachusetts. The deputy marshal does

not deport him; it is the immigrant official that deports him.

Mr. BROCKSON. The deputy marshal?

Mr. MURRAY of Massachuetts. Do not the immigration authorities deport them?

Mr. BROCKSON. They do. Mr. MURRAY of Massachusetts. And could not the Immigration Department pay the extra \$5 at the time of deporta-

Mr. BROCKSON. It could do a great many things. Has the gentleman another question?

Mr. MURRAY of Massachusetts. Yes; I have that question still unanswered.

Mr. BROCKSON. What is that? Mr. MURRAY of Massachusetts. Whether or not the Immigration Department could not pay back this money at the same

time it was deporting the aliens?

Mr. BROCKSON. It might, if it collected the money and kept it in hand at the same place for that purpose.

Mr. MURRAY of Massachusetts. Very well.

Mr. BROCKSON. I am not willing to assume that this Government is going into the business of robbing unfortunate aliens of \$5 who come into this country.

Mr. GORDON. That is what they are trying to do now, is it

Mr. BROCKSON. No; they are not. Undoubtedly, if a man is deported the Government will pay back the \$5 to every man deported if he can be found at the time. The Government will give him an opportunity to request the payment. It will not try to shirk that duty; but, on the other hand, the Government officials will undertake to seek the man to pay him. Take the case of some fellow who rushes off and goes back to the other country and this \$5 is left in the hands of an officer, then you would impose upon the Government the duty of keeping the \$5 and seeking him out at the expense, perhaps, of many more dollars

Mr. GOLDFOGLE. Mr. Chairman, will the gentleman yield?

Mr. BROCKSON. Yes. Mr. GOLDFOGLE. Could not the Government devise a blank upon which the immigrant could place his name and his place of residence, where the money could be sent in case of refund?

Mr. BROCKSON. It could, undoubtedly, and he would get

his \$5. There would be no difficulty about that.

Mr. GOLDFOGLE. The department has no authority to pay back, save on application. That is in existing law. in the proposed bill. Why not make it plain, so that the Secre tary of the Department of Labor may provide a blank such was suggested, and which the gentleman says would be all right, and then the Government, in the event of refund, could send the money to the alien at the address specified in the

Mr. BROCKSON. When he had done that he would have complied with all the requirements. This bill does not require him to make a written application, but any application in person or through a friend would be sufficient.

Mr. GOLDFOGLE. But why put the burden upon the alien to get back his money through a formal application, when he

may not know that he is entitled to get it back?

Mr. BROCKSON. Why put the burden on the Government to search after the alien?

Mr. GOLDFOGLE. It might all be regulated by a printed

Mr. GARDNER. Mr. Chairman, will the gentleman yield?
Mr. BROCKSON. Yes.
Mr. GARDNER. Suppose, on page 4, after line 5, after the word "application," these words were inserted "upon a blank which shall be furnished him," so that it would read:

The head tax collected shall, upon application upon a blank which shall be furnished him, be refunded to the alien.

Mr. Chairman, the gentleman from Alabama [Mr. Burnett] has just been to the telephone to ascertain the views of Mr. Parker, the solicitor of the department, upon this question, and he has just returned.

The CHAIRMAN. The time of the gentleman from Delaware

[Mr. Brockson] has expired.

Mr. BURNETT. Mr. Chairman, if I may have five minutes, I think I can explain what the Immigration Department de-

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama that he be permitted to proceed for

There was no objection.

Mr. GOLDFOGLE. Mr. Chairman, before the gentleman from Alabama begins, the intention of the gentleman from Massachusetts [Mr. GARDNER] is no doubt very good, but the difficulty is that the language which the gentleman seeks to employ will not reach the trouble that I think we all must concede

Mr. SLAYDEN. Why not?
Mr. GOLDFOGLE. Not the form which is now suggested by
the gentleman from Massachusetts. The intention of the gentleman is to correct the evil.

Mr. SLAYDEN. May I interrupt the gentleman?

Mr. GOLDFOGLE. Certainly.

Mr. SLAYDEN. The suggestion of the gentleman from Massachusetts is that there shall be provided and handed to the rejected alien at the time he is rejected-

Mr. GOLDFOGLE. Oh, that is all right.

Mr. SLAYDEN. A blank form on which to prepare his application, which is notice to him that his money will be refunded.

Mr. GOLDFOGLE. If you put it that way, I am content. Mr. SLAYDEN. That is precisely what the proposition of

the gentleman from Massachusetts means.

Mr. BROCKSON. But the alien may be rejected because he can neither read nor write, and that would be imposing upon him an additional burden, which would be unnecessary

The CHAIRMAN. The question is on the amendment offered

by the gentleman from Massachusetts [Mr. Murray].
Mr. BURNETT. Mr. Chairman, I move to strike out the last word. I have just called up the attorney for the Immigration Bureau, and he says, as the gentleman from Delaware [Mr. BROCKSON] was saying as I went out, substantially, that the reason for that was a matter of bookkeeping as much as anything else.

Along the borders of the other side we have ports of entry where these people come in. We have an arrangement with the railroad companies to collect this head tax and then the alien The railroad companies sometimes do not settle up for some time, make returns, and make their statement. Now, for the purpose of getting at the alien, thinking that they might lose him in the shuffle, they require him to make application, and I inquired further whether there was any objection to requiring that this blank be furnished the alien, and he said none whatever, so that the suggestion of the gentleman from Rhode Island [Mr. O'SHAUNESSY], if it is satisfactory all around, can be agreed to.

Mr. SABATH. Mr. Chairman, some gentlemen are under the impression that the aliens themselves pay this tax to the different authorities. This is not so. This tax is really paid by the immigrant to the steamship company, and the steamship company then settles with the Government. This section of the bill provides, too, that the tax shall be paid to the collector of customs of the port or customs district to which said alien shall come. Now, that money is to be paid to the collector of the port. These allens, as a rule, are within the port, but they are denied admission to our country; therefore this provision for a head tax applies to all aliens who are rejected as well as those who are admitted. Last year there were nearly 20,000 rejected, and I venture to say that the steamship companies have had returned to them by the Government every dollar that they paid in as a head tax on these aliens; but how are we to know how many or how few of these rejected immigrants really had refunded to them by the steamship companies the amount of this head tax? Now, what we are interested in is that the money shall not be kept by the steamship companies, but that it shall be returned to the unfortunate immigrants who are denied admission. Frequently they have expended practically their entire savings to purchase a ticket to this country, and then, after undergoing many hardships, they reach the end of their journey only to be turned back, often without cause or justification.

They should at least have returned to them this head tax which they have been obliged to pay, and which to them means a great deal. I do not believe we should legislate in favor of leaving it to the steamship companies. Surely, in justice to these aliens they should not be deprived of the amount they have been forced to pay as a head tax, when in fact they have been denied admission, It is for the reasons that I have stated above that I believe the amendment offered by the gentleman from Massachusetts, as well as the amendment offered by the gentleman from Rhode Island, should be adopted.

Mr. GORMAN. Will the gentleman yield?
Mr. SABATH. I will.
Mr. GORMAN. If it is a fact that this money is paid by the alien to the transportation company, why should we legislate on that matter at all? Is it not a matter of contract between the alien and the steamship company, and is it not up to him to see that he gets his money back from the steamship company, and is it not a matter with which this Congress should not have anything at all to do?

Mr. SABATH. As a rule the alien is informed that the \$4 head tax goes to the Government. In a great many instances, however, he is not so informed and he does not know enough to make application for this refund. Mr. Chairman, I am of the opinion that it is our duty to protect these people and make it as easy as possible for them to receive that which is theirs, that which they are entitled to, and which often means much to them.

The CHAIRMAN. The time of the gentleman has expired. Mr. RAKER. Mr. Chairman, the statement of the gentleman from Illinois shows that the amendment of the gentleman from Massachusetts ought not to be adopted. From the very statement it shows that the alien paid to the steamship company as part of his passage the extra \$5. Now, there is no record of that except he has paid out his money to enter the United States. Where is there any record that he is going to get his money back; and, as stated by the gentlemen, why should we legislate and put in a special provision? We say the steamship company requires an extra \$5 from the alien when he imports him and that we want to legislate to have him get that \$5 back.

And is it not for the sole protection of the alien that this amendment is engrafted upon this bill, that when he makes his application on the ground that he has been rejected, there is the rejection, his application for admission, and here is his application for the return of the \$5, and he will get his money without any question is the control of the \$5. without any question if this law is adopted as it is, rather than to turn it over to the steamship company to handle? And this applies particularly to those who come here, as provided in the bill, from contiguous territory. Contiguous territory of the United States only applies to Canada and Mexico, so far as the bill is concerned, and when coming from Canada ought they not to be able to make their written application for the money when undoubtedly they live over there, and so can receive their \$5? It is paid at one place and the record is made of it, and when it is returned it comes from another source. There must be some bookkeeping in regard to this matter, and it ought to be done. It is a clean and clear protection of the alien, assuring him that he may get his money back, and certainly that is no hardship. Certainly the man coming from Canada will know that he is entitled to have his \$5 when he is rejected, and the same is true with the man from Mexico. It seems to be a sympathetic argument that is being made here that because we require the \$5 fee for the purpose of keeping up the system the alien ought not to be provided for and the Government ought to send out agents to hunt him up to give him his \$5 back

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. O'SHAUNESSY. Mr. Chairman, I offer a substitute for the amendment.

The CHAIRMAN. The gentleman from Rhode Island offers a substitute, which the Clerk will report.

The Clerk read as follows:

Page 4, line 5, after the word "application," insert the words "upon a blank which shall be furnished and explained to him."

Mr. MURRAY of Massachusetts. Mr. Chairman, I may say that substitute is entirely satisfactory to me, because it does the very thing that I want to have done.

The CHAIRMAN. Does the gentleman from Massachusetts ask unanimous consent to withdraw his amendment?

Mr. MURRAY of Massachusetts. Certainly.

Mr. BURNETT. It is satisfactory to us.

The CHAIRMAN. Is there objection to the gentleman from Massachusetts [Mr. Murray] withdrawing his amendment? [After a pause.] The Chair hears none. The question is on the amendment offered by the gentleman from Rhode Island [Mr. O'SHAUNESSY!

Mr. SABATH. Mr. Chairman, I ask unanimous consent to have the amendment read.

The CHAIRMAN. Without objection, the Clerk will again

report the amendment.

The amendment was again reported.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

The Clerk read as follows:

SEC. 3. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had one or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; vagrants; persons afflicted with tuberculosis in any form or with a loathsome or dangerous contaglous disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all forms of law, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials; persons who are members of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocate the duty, necessity, or propriety of the unlawful assault-

ing or killing of any officer or officers, either of specific individuals or officer organized provernment, becamen of the unfeet distance or of any other organized provernment, becamen of the unfeet distance or of any other into the United States for the purpose of prostitution or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who are supported by or receive in whole of the nart the proceeds of prostituding or for any other immoral purpose; persons who are supported by or receive in whole of the nart the proceeds of prostituding or growth of the purpose of prostituding or for any other immoral purpose; persons who are supported by or receive in whole of the nart the proceeds of prostituding or promises of employment, whether such offers or promises are consistent of the proceeds of the country by offers or promises of employment, whether such offers or promises are supported by or provided the proceeds of the pro

Provided further, That nothing in this act shall be construed to prevent, hinder, or restrict any alien exhibitor, or holder of a concession or privilege for any fair or exposition authorized by act of Congress, from bringing into the United States, under contract, such alien mechanics, artisans, agents, or other employees, natives of his country, as may be necessary for installing or conducting his exhibit or for preparing for installing or conducting any business authorized or permitted under any concession or privilege which may have been or may be granted by any such fair or exposition in connection therewith, under such rules and regulations as the Commissioner General of Immigration, with the approval of the Secretary of Labor, may prescribe both as to the admission and return of such persons: Provided further, That nothing in this act shall be construed to apply to accredited officials of foreign Governments, nor to their suites, families, or guests: Provided further, That nothing in this act shall exclude the wife or minor children of a citizen of the United States.

During the reading of the above the following occurred:

During the reading of the above the following occurred:

Mr. TOWNER. Could we by unanimous consent agree that we might take up separately these provisions? This is a very long section and refers to very many different matters. I am quite sure it would suit the convenience of many of the Members if by unanimous consent these clauses could be taken up instead of waiting until the whole section is read.

The CHAIRMAN. The gentleman from Iowa [Mr. Towner] asks unanimous consent to read the section by paragraphs. Is

there objection?

Mr. BURNETT. I prefer that the entire section be read first, The CHAIRMAN. The gentleman from Alabama [Mr. Bur-NETT | objects, and the Clerk will read.

The Clerk concluded the reading of the section.

Mr. MURRAY of Oklahoma, Mr. HAYES, Mr. GREGG, Mr. SABATH, Mr. BURNETT, and Mr. WALLIN rose.

The CHAIRMAN. The Clerk will first report the committee amendment.

The Clerk read as follows:

Page 5, amend by inserting after the word "officials," in line 8, the following:
"Or who advocate or teach the unlawful destruction of property."

The CHAIRMAN. The question is on the committee amend-

Mr. MANN. Mr. Chairman, was the gentleman from Alabama going to make any request or suggestion about the debate on this section?

Mr. BURNETT. I thought we would adopt the committee amendment before we did so.

Mr. MANN. If it can be done at all, it can be done now as

well as at any other time.

The CHAIRMAN. The Chair will state to the gentleman from Illinois that no amendment is pending except the committee

Mr. MANN. But the committee amendment is debatable, and I have the floor, I will say to the Chair.

The CHAIRMAN. Undoubtedly.

Mr. MANN. I just made the inquiry. I thought there might

be some arrangement.

Mr. BURNETT. In regard to the literacy test, I should like very much to reach an agreement with the gentleman if I could. Of course it is regarded by gentlemen on both sides as the most important matter in the bill. For that reason I should not think it would be fair or just for me to attempt to take any advantage to cut off reasonable debate.

The CHAIRMAN. The Chair will suggest to the gentleman from Alabama that after the amendment is offered the gentle-

man can arrange about the time.

Mr. MANN. I do not know how many amendments may be offered to this section, but I wondered whether it would be practicable to agree upon a time for debate on the section.

Mr. HAYES. Mr. Chairman, I would have to object to that,

Mr. BURNETT. I would agree to that. Mr. SLAYDEN. Does the gentleman mean to agree upon the total time to be expended on that section?

Mr. SLAYDEN. Then if that is done, would not the time spent upon these amendments be in the nature of a new general

Mr. FOWLER. Mr. Chairman, I rise to a point of order. The CHAIRMAN. The gentleman will state it.

Mr. FOWLER. I make the point of order that the discussion is not germane to the amendment.

Mr. MANN. This discussion relates to "unlawful destruction of property," and that is what the amendment is about-

unlawful destruction of talk. [Laughter.]
The CHAIRMAN. The Chair does not think the discussion

Mr. MANN. Of course, if the gentleman objects, I shall not

Mr. BURNETT. Has there been objection made by the gentleman?

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] makes a point of order, and the Chair will have to sustain it. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 5, insert in line 16, after the word "character," the follow-g: "or who advocate or teach the unlawful destruction of property."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The amendment was agreed to.
The CHAIRMAN. The Clerk will report the next one.

The Clerk read as follows:

Page 7, in line 4, insert after the word "chemists" and before the word "engineer" the word "civil."

Mr. STAFFORD. Mr. Chairman, I desire recognition. The CHAIRMAN. The gentleman from Wisconsin [Mr. Staf-

FORD | is recognized.

Mr. STAFFORD. Mr. Chairman, I would like to ask the chairman of the committee, or anybody connected with the committee, why he singles out civil engineers, and not electrical or mining or other engineers? As reported, it says "civil engineers." Why make the exception as to civil engineers when mining and electrical engineers are of the same grade and efficiency and are as much needed in this country as civil engineers?

Mr. BURNETT. The application was general before as to all engineers, and by that general application it would have admitted locomotive engineers and engineers of that class, and, as they were laboring people, we thought that would permit those to come into competition with the men who were earning their living in that line of business, and we thought it ought

not to be general for that reason. Mr. STAFFORD. But, as I understand the gentleman, he has not answered my question at all. In fact, he has empha-sized the need of having the language of this amendment extended. There is no reason whatsoever why you should single out civil engineers and not extend it to technical and mining engineers, and electrical engineers, and mechanical engi-

Mr. BURNETT. Does not the gentleman think they would be embraced under the general terms "civil engineers

Mr. STAFFORD. No. No one would construe the words "civil engineers" as covering electrical or mining or mechanical engineers.

Mr. BURNETT. I see no objection to an amendment of that kind. It was proposed with a view to protecting the locomotive That is the reason we put that limitation in. engineers.

Mr. STAFFORD. Mr. Chairman, I move to strike out the word "civil." My purpose is to eliminate that, because I do not see any need of singling out any one class of engineers.

Mr. BURNETT. I object to that, because that would let in locomotive engineers.

Mr. REILLY of Connecticut. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?
Mr. STAFFORD. Yes; I will yield to the gentleman.
Mr. REILLY of Connecticut. I was going to make the suggestion that it would accomplish that purpose by saying "engineers other than locomotive engineers."

Mr. BUTLER. That might include stationary engineers.

Mr. STAFFORD. I would like to ask the chairman of the committee or the members of the committee whether the words "technical engineers" would still keep out the class that the chairman of the committee objects to?

Mr. BURNETT. I think it would; although perhaps it might let them in. If you say "technical engineers," I am afraid of that term. I am afraid it might include a locomotive engineer I am afraid of or a stationary engineer, who might be regarded as a technical engineer. I do not know how that word would be construed.

Mr. TOWNER. Might the object the gentleman suggests be reached by using the word "graduate" instead of "civil" engineers? That would obviate all the difficulties and allow that class to come in.

Mr. STAFFORD. The suggestion is made by the gentleman from Iowa [Mr. Towner] to use the descriptive word "graduate" engineers.

Mr. GARDNER. Mr. Chairman, the gentleman is seeking to amend the provision which is said to be designed to exclude Asiatics other than Chinese.

Mr. STAFFORD. I was not so advised.

Mr. GARDNER. If the gentleman will cast his eye upon line 22 he will find the words-

Persons who can not become eligible under existing law to become citizens of the United States by naturalization.

No one except a black man or a white man can be naturalized. This proposed amendment would enlarge the scope of the clause excepting certain classes of men of other colors. These exceptions correspond substantially with the exceptions included in the Chinese exclusion act. The word "graduate" engineer would not describe the status of a man educated as an engineer in India. Perhaps it would be appropriate to amend by the in-sertion of the word "professional" before the word "engineer." I do not know whether it would or would not be appropriate. I suggest this amendment because I find that the Bureau of Immigration, which prepared the list of professional occupations to be excepted from exclusion, suggested the inclusion of "engineers," with the following explanation:

The term "engineer" is here used, of course, in a professional sense. The committee felt that there was a doubt whether the word "engineer" would be interpreted as being used in the professional sense. So we inserted the word "civil." Would it not be possible to specify the kind of engineers whom we might admit as exceptions to the clause excluding all persons who can never become naturalized Americans?

Mr. STAFFORD. I should think the word "professional"

would still include locomotive engineers.

Mr. BUTLER. Oh, no.

Mr. GARDNER. Why not have it "electrical, mechanical, mining, or civil?"

Mr. STAFFORD. I offer an amendment to insert after the word "civil" the words "electrical, mechanical, and mining."

Mr. BURNETT. I do not like the word "mining."
Mr. PETERSON. Do you not want to strike out the word "civil"

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the clerk will report.
The Clerk read as follows:

Insert, after the word "civil," the words "mechanical, electrical, and mining."

Mr. MOORE. Mr. Chairman, I am not in favor of the adoption of this amendment, any more than I am in favor of the tion of this amendment, any more than I am in layor of the exemption of a number of those who are especially relieved from the operation of this law by this paragraph. What do we propose to do, now, if we pass this amendment? We propose to enlarge the scope of the professional men who may be admitted to this country as against common laborers. We admitted to this country as against common laborers. We propose to cater, now, to the tutored man, the instructed man, the college man, who can pass any kind of a literary test that this Government assumes to set up. What need have we in this country for any more civil engineers or mechanical engineers or electrical engineers than we have to-day? What need have we in this country to-day for any of them?

If you are going to par common and trenches, what need have we for any more ministers, religious trenches, what need have we for any more ministers, religious trenches, what need have we for any more ministers, religious If you are going to bar common labor that goes into the enough lawyers in this country now to do all the law business for the next 400 years. We have enough lawyers in this House to keep this country in turmoil to the end of time, if Congress continues in session. [Laughter.] Why do we want any more teachers, students, authors, editors, journalists, merchants, or bankers? The Lord knows we have a surfeit of them now. If you bar the doors to those who would come here to do the drudgery, why open the doors to men from the colleges-educated men, professional men-and ask them to come and take a front seat and tell us how to run our Government and conduct our business and all our affairs? I do not think we want to widen the field to the professional men. I think we have done enough of that in this paragraph already. If the committee will pardon me for a breach of committee confidence, I myself am responsible for having stricken out the word "journalist." I am a newspaper man, or used to be and practiced nalist." I am a newspaper man, or used to be, and practiced the newspaper business. In those days a "journalist" was a man who lived up to the reputation of a newspaper man, but he did not work at it. He was a man who fattened upon the work of the active newspaper man. We do not need any more professionals in the United States. We have plenty of them now.

Mr. BROCKSON. Will the gentleman yield?

Mr. MOORE. I will yield to the gentleman.
Mr. BROCKSON. Does the gentleman from Pennsylvania favor admitting into this country all Chinese and Japanese laborers?

Mr. MOORE. I hope the gentleman will not press that question just now, because the gentleman from California has distinctly said that he does not want that issue brought into this

discussion, and I will not add to his confusion by accommodating the gentleman from Delaware.

Mr. BROCKSON. Then the gentleman refuses to answer my question?

Mr. MOORE. I refuse to add to the confusion of the gentleman from California and embarrass the Democratic administration that has enough trouble on its hands now besides this particular question.

Mr. BROCKSON. I am not asking about the Democratic administration. I am asking the gentleman for his views.

Mr. MOORE. The President and the Secretary of State and

the Secretary of Labor have all they want to do now to settle that question.

Mr. BROCKSON. And the gentleman from Pennsylvania has more than he wants to do to answer the question.

I do not want to embarrass the administration. The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. The question is on the amendment to the

The question was taken, and the amendment to the amendment was lost.

Mr. COOPER. Mr. Chairman, I would like to call the attention of the gentleman from Alabama to the language on lines 15 and 16, page 4, of the bill. It is enumerating the excludable classes. It says, "persons who have been insane within five years previous," and then it says, "persons who have had one or more attacks of insanity at any time previously." What is the use of the five-years' limitation if persons are excluded who have been insane at any time previously?

Mr. BURNETT. Mr. Chairman, as I understand it, the dif-

ference is this: Insane persons are those who are insane when That is the class that is intended to be kept they come here. out there. The other is to reach those who have had spells of insanity at different times.

Mr. COOPER. But the word "previously" is used in both classes, and applies to the time before they arrive here. Five years is the first time, and then it says "at any time previously."

Mr. HAYES. I think that is in the present law.

Mr. GARDNER, Mr. Chairman, I think that is a misprint. I think the gentleman from Wisconsin is correct. The existing law says " persons who have had two or more attacks of insanity recently," which would explain the discrepancy. I think it is a misprint, but I will look up the last year's bill to make

The CHAIRMAN. The question is on the committee amendment.

The question was taken, and the committee amendment was

agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 7, line 5, strike out the words "editors, journalists, bankers." The CHAIRMAN. The question is on the committee amendment.

The committee amendment was considered and agreed to. Mr. GOLDFOGLE. Mr. Chairman, I offer the following

The Clerk read as follows:

Strike out all words that appear on page 7 from line 15 to 25, inclusive, and all that appear on page 8 from line 1 to 23, inclusive, and also the word "Territory," in line 24, the same composing the so-called literacy or educational test.

Mr. GOLDFOGLE. Mr. Chairman, before proceeding to discuss the amendment-

Mr. MOORE. Will the gentleman from New York yield in order to see if an understanding can be had as to time allowed for debate on this amendment?

Mr. GOLDFOGLE. My object in addressing the Chair was to ascertain what time we would take for the discussion of the amendment, which really appears to be the crucial question.

Mr. MOORE. That is what I wanted to get at.

Mr. GOLDFOGLE. It was stated by the chairman of the Committee on Immigration, the gentleman from Alabama, that, after all, the literacy test is the principal feature of the bill on which discussion ought to be had and a liberal time allotted. That I understand to be the attitude of the gentleman from

Mr. BURNETT. I think we have had a pretty liberal discussion-seven hours. I said that I would not undertake to avail myself of the privilege to move the previous question until after we had had more than the usual time. agree to one hour.

Mr. GOLDFOGLE. I do not think that that is quite enough,

Mr. MOORE. I think we ought to have half an hour on this There have been a number of requests on this side for time

Mr. GOLDFOGLE. There have been a number of requests on

this side, too.

Mr. MOORE. May I ask whether the arrangement for time will deal only with the literacy test or the whole section?
Mr. GOLDFOGLE. The amendment to the literacy test?

Mr. BURNETT. No; to the whole section. Mr. STAFFORD. I want to say to the gentleman that there are other provisions in this section to which we wish to offer

Mr. MURRAY of Oklahoma. Mr. Chairman, this motion is intended to strike out certain language. Under the parliamentary rules we have a right to perfect the provision before the language is stricken out. I therefore offer an amendment to perfect the text.

Mr. GOLDFOGLE. Mr. Chairman, before the gentleman offers an amendment, would it not be well to have an understanding as to the time that will be occupied upon the literacy-

test provision

Mr. MURRAY of Oklahoma. But this does not refer to that

at all.

The CHAIRMAN. The Chair will indulge gentlemen until they can agree on an amount of time, and then he will recognize the gentleman from Oklahoma.

Mr. MURRAY of Oklahoma. Mr. Chairman, I ask that my

amendment be now reported for the benefit of the committee.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

Amend, page 8, line 16, after the words "to wit" strike out all words down to and including "persecution," in line 20, and insert in lieu thereof the following:

"All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious persecution, whether such persecution be evidenced by overt act or by discriminatory or oppressive laws or regulations."

Mr. GOLDFOGLE. Mr. Chairman, I assume that that is not offered as an amendment to the amendment that I offered.

understand that to be the pending amendment.

Mr. MURRAY of Oklahoma. We have to perfect the text of provision before an amendment to strike it out is in order. The gentleman moves to strike it out, and the portion stricken out includes all that language down to line 23, and I offer this in order to perfect the text.

Mr. GOLDFOGLE. Mr. Chairman, not having been able to follow the reading very closely, I will ask the gentleman whether his amendment covers my amendment to strike out?

Mr. MURRAY of Oklahoma. It is an amendment within the

language to strike out.

The CHAIRMAN. The gentleman from Oklahoma proposes an amendment to perfect the text of the bill and the gentleman from New York moves to strike out. It would be in order to perfect the text, the Chair thinks, before the motion to strike

out is in order.

Mr. GREGG. Mr. Chairman, I have an amendment which, I believe, is substantially that offered by the gentleman from Oklahoma, and I would like to have the amendment again re-

The CHAIRMAN. If there is no objection, it will be again reported.

There was no objection, and the Clerk again reported the amendment offered by the gentleman from Oklahoma.

That is exactly my amendment.

Mr. BURNETT. Mr. Chairman, I thought that we yielded in order that the gentleman might have an amendment pending,

until we could reach an agreement as to time?

The CHAIRMAN. The Chair will call the attention of the gentleman from Alabama and other gentlemen to the rule which provides that there shall be seven hours of general debate, and that afterwards the bill shall be considered under the five-minute rule. The Chair would like to hear the gentleman from Alabama on the question of whether or not he thinks the committee has a right to change a rule made by the House. Chair does not think so.

Mr. BURNETT. The rule provides that the bill shall be read

under the five-minute rule.

Mr. MURRAY of Oklahoma. Let the gentlemen agree on time, and not take it out of the five minutes that I am to have on my amendment.

Mr. BURNETT. Would that mean that follow the rule as to the five-minute debate?
The CHAIRMAN. The Chair thinks so. Would that mean that we would have to

Mr. BURNETT. Whatever agreement we may make as to time would not conflict with that, that each speech should be limited to five minutes.

Then the gentleman would better ask The CHAIRMAN. unanimous consent that debate on this particular amendment offered by the gentleman from New York be confined to such time as may be agreeable.

Mr. BURNETT. That was the purpose that I was trying to get at.

Mr. LENROOT. Mr. Chairman, may I suggest that the rule does not change the general rules of the House at all so far as the consideration of this bill is concerned, but we are to follow the same practice that is usually followed in the consideration of bills under the five-minute rule, and that is the practice followed in the consideration of any bill in the Committee of the Whole?

The CHAIRMAN. The gentleman from Alabama will submit his request for unanimous consent.

Mr. BURNETT. Mr. Chairman, we are trying to agree upon a time.

The CHAIRMAN. Then the Chair will recognize the gentleman from Oklahoma.

Mr. GARDNER. Mr. Chairman, may I ask unanimous consent that the amendment of the gentleman from Oklahoma may be again reported?

The CHAIRMAN. Without objection, the amendment of the

gentleman from Oklahoma will be again reported.

There was no objection, and the Clerk again reported the amendment of the gentleman from Oklahoma.

Mr. GOLDFOGLE. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. MURRAY of Oklahoma. I hope my time is not going on. Mr. GOLDFOGLE. The discussion under the amendment offered by the gentleman from Oklahoma [Mr. Murray], of course, will not come out of any time that will be agreed upon, I hope, between the gentleman from Alabama and this side. The CHAIRMAN. There has been no agreement yet made,

and therefore it is impossible to take any time out.

Mr. MURRAY of Oklahoma. If there are, Mr. Chairman, two principles above others in the theory and principle of our Government, it is that it is an asylum to protect every creed and faith, and along with that is the doctrine that every creed and every religious faith shall keep its hands out of the Treasury and no church or creed shall be favored by governmental administration. This provision of my amendment is merely to change the verbiage of the bill submitted by the committee in this, that the committee's provision would leave much in the discretion of the immigration officer. Certainly in matters of religion as little discretion as possible should be permitted in an officer who may himself have religious prejudices. This provision, if construed in the light of the committee's intention, would admit to this country the Jews, the Mennonites, and the Armenians. I for one do not want any immigration officer to possess a discretion whether those people shall be admitted.

I regret that in the discussion of this bill much religious feeling has been attempted to be used both for and against it. All that we as legislators should have to do with religion or that we should consider is its effect upon civilization, and under that we might include as wholesome to civilization every Christian creed or sect or church, and we must also include Judaism and the doctrines of Zoroaster, Buddha, We would not include Brahmanism or Moand Confucius. hammedanism. But, Mr. Chairman, when we consider from this standpoint these sects that would possibly be admitted by reason of persecution in Europe, I wish to call attention to the fact that the Jewish religion may not suit the most of us, but it is certainly a religion that looks toward a betterment of man-When Spain, in 1492, drove out of her country upward of 300,000 Jews, it then being the greatest country in Europe, it resulted in the deterioration of that country ever since. Whenever you find many Jews in a town you will find a live town. When they leave a town its prosperity, its thrift, its business energy and push is over. We have among the Jews less number in the poorhouse, the almshouse-less paupers; less number in the penal institutions and less anarchists, a more self-sustaining, self-governing citizenship than any other sect, creed, nationality, or race. Therefore I am for the Jew [applause] as an immigrant to this country. The Mennonites live unto themselves. They never disturb the country; they never encumber the courts. They add greatly to the sum of production, are self-sustaining, and make good citizens. The same may be said of the Armenian, and I want to make the language of this bill so clear that their admission will be beyond a question of a doubt. I do not want, as I said before, any discretion lodged in the mind of the immigration officer. I want this country to be truly an asylum for every religion that is wholesome to our civilization. I want it to be truly one established to protect and defend the liberty or the religion of I want it at the same time to see that no man's every man. religion gets its hand into the Public Treasury or receives favoritism at the hands of public officers or receives governmental favoritism.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREGG. Mr. Chairman-

Mr. GARDNER. Mr. Chairman, the gentleman's amendment puts a great deal more

Mr. GREGG. Who did the Chair recognize?
The CHAIRMAN. The Chair recognized the gentleman from Texas, but the gentleman from Massachusetts is a member

of the committee and has begun-

Mr. GARDNER. Mr. Chairman, I wish to speak in opposi-tion to the amendment. The amendment suggested by the gentleman from Oklahoma puts a great deal more discretion in the power of the immigration inspector than the clause which he seeks to supersede. The amendment which he offers is substantially that which was presented to the committee by Mr. Marshall, president of the American Jewish Society, except in one respect. The amendment of Mr. Murray of Oklahoma makes no provision for political refugees, whereas the amendment offered by Mr. Marshall, president of the American Jewish Society, included them. What does the gentleman from Oklahoma propose? He proposes that if an immigrant can prove to the Secretary of Labor or to the proper immigration officer— look at the discretion there—that he is coming here to avoid religious persecution of any kind, then he shall be admitted. Furthermore, the immigrant inspector is bound to regard alleged overt acts as well as alleged discriminatory or alleged oppressive laws or regulations as religious persecution.

Now, who is to determine whether the immigrant who is seek.

ing to come in here had an overt act of persecution committed against him or not? Obviously the immigrant inspector, to whom the alien tells his story of that overt act. Why it seems to me that, instead of lessening his discretionary powers, you are putting unlimited discretion into the hands of the immigrant inspector. Under the proposed amendment he must determine not only whether laws are, in fact, discriminatory or whether, in fact, oppressive, but also whether the acts complained of by the alien seeking admission into this country were, indeed, overt acts of oppression for religious reasons.

Now, Mr. Chairman, the real difference between the amendment of the gentleman from Oklahoma and the committee provision consists of just one word. The committee requires that the men who wish to plead that they are fleeing from religious persecution must prove to the proper authorities that that is their sole motive for coming to the United States. Now, that is the only practical difference between the amendment of the gentleman from Oklahoma [Mr. MURRAY] and the bill as it We require that the would-be immigrant must show that he is solely fleeing from persecution. When this exception in behalf of those fleeing from religious persecution was first suggested eight years ago next June, at the time of the atrocious persecutions in Russia, it was proposed on the floor of this House by Mr. Littauer, of New York, speaking for the Jewish people. He proposed to apply the English statute and to except those fleeing from religious persecution.

If I recollect rightly, I called the attention of the House to the fact that the English law which was spoken of contained the word "solely." I regret to say that the Jews regard that word as destructive to the whole purpose of the exemption. To my mind it is a necessary safeguard. Any immigrant can come here and say to the inspection officer, "I fled from religious persecution." According to some people there is religious persecution going on in Bulgaria and elsewhere to-day. So long as religious persecution can be alleged to exist in his neighborhood, it is the easiest thing in the world for an immi-grant to say that it was persecution which drove him over here. stiff immigration laws are just as much in the interest of Jewish Americans as of anyone else. This whole discussion is proceeding on the supposition that Jews are asking special exemptions. I do not believe that they want any different treatment

from what everyone else gets.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. The gentleman from Texas [Mr. Gregg]

is recognized.

Mr. GREGG. Mr. Chairman and gentlemen of the committee, I have prepared an amendment substantially the same as the amendment offered by the gentleman from Oklahoma [Mr. Mura-RAY], and I now desire to make a few remarks in support of the The law as it now reads is:

That the following classes of persons shall be exempt from the operation of the literacy test, to wit, all persons who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States solely for the purpose of escaping religious persecution.

Now, this amendment changes that, and the first important part of the change is to leave out the word "solely." The gentleman from Massachusetts [Mr. GARDNER] says that when a man comes from a country where it was claimed there was religious persecution it would be a very easy matter for him to say that he came because of that religious persecution. Why would it not be just as easy for him to say that he came solely because of that persecution, if he is going to perjure himself?

Why say, "solely for the purpose of avoiding religious persecution"? If he comes partly for that purpose and partly for the purpose of benefiting himself, and becoming a good citizen of this country, and partly to enjoy the freedom, both religious and political, thrown around the citizens of this country, why should he not be permitted to come? If he has in his mind any other purpose, if he comes partly because he loves this country, partly because he wants to breathe the free air of America, it would not be solely to avoid religious persecution, and he would have to be turned back, as the bill is now.

Then the next change is this

Mr. O'SHAUNESSY. Will the gentleman yield just for a

Mr. GREGG. Yes, sir. Mr. O'SHAUNESSY. Is it not farcical to say that a man comes solely on account of religious persecution? Does it not follow that he comes to live here?

Mr. GREGG. It sounds ridiculous to say that he should be excluded because he comes partly for other purposes. That is what occurs to me.

Mr. O'SHAUNESSY. I agree with you.

Mr. GREGG. Now, then, what do you mean by religious persecution? They persecute in different ways in different countries, some in one way and some in another, and this amendment simply enlarges the provision and the scope of the law so as to include every device and every means by which religious persecution is practiced.

In some countries or sections religious persecution is evidenced by overt acts, and if they want to flee from that they

should be admitted here.

In other countries or sections they persecute by discriminatory and oppressive laws and regulations. If they come from a section where that method of persecution is resorted to, then our doors should be open to them. America has always been the asylum for the oppressed of earth. I have no patience with political intolerance. All good citizens abhor political persecutions. Let us say to the people of the world: "If you are religiously persecuted, by whatever means, we open our arms to you and offer to you an asylum of protection." [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired. The question is on agreeing to the amendment offered

by the gentleman from Oklahoma [Mr. MURRAY]

Mr. BURNETT. Mr.-Chairman, I move to strike out the last

The CHAIRMAN. The gentleman from Alabama [Mr. Burnett] moves to strike out the last word.

Mr. BURNETT. Mr. Chairman, I think this amendment of the gentleman from Oklahoma [Mr. Murray] would be a most dangerous one. The gentleman from Oklahoma [Mr. MURRAY] said it would let in Assyrians, and that I am sure would be one of the worst lots that could be admitted. The gentleman's amendment simply allows an exemption from the illiteracy test. suppose the gentleman had reference to those whom we call I suppose the gentleman had reference to those with the suppose the gentleman had reference to those with the suppose the gentleman had reference to those with the suppose the gentleman had reference to those with the suppose the gentleman had reference to those with the suppose the gentleman had reference to those with the suppose the gentleman had reference to those with the suppose the gentleman had reference to those with the suppose the gentleman had reference to those with the suppose the gentleman had reference to those with the suppose the gentleman had reference to those with the suppose the gentleman had reference to those with the suppose the supp country.

Now, Mr. Chairman, if we were to strike out that word "solely" from the pending bill, that would open it up so that every mean peon in Mexico could escape the illiteracy test in coming here, because he would say there is a regulation in some little State-the language of the amendment is "discriminatory laws or regulations"—he can say there is some little neighbor-hood or some little State in Mexico in which is a regulation which says that no Protestant or that no Catholic shall be allowed to do such and such things. You can see how easy it will be to pick almost any kind of a pretext, the smallest kind, will be to pick almost any kind of a pretext, the smallest kind, for the purpose of emasculating the very provision that we want to pass in order to keep out that Mexican and Syrian crowd and all that class of people. The bill as it is framed amply protects those fleeing from religious persecution without the amendment of the gentleman from Oklahoma.

Mr. MURRAY of Oklahoma. But I am for your bill.

Mr. BURNETT. I know it; and I am glad that the gentleman is for it, because the gentleman is nearly always right. But he is dead wrong when he attempts to extend the provision in regard to religious persecution that we already have in the bill.

Mr. Chairman, the amendment of the gentleman from Oklahoma will not help the Jewish people, and they are the ones, I reiterate again, that I especially desire to hold out open gates for more than any other people who are oppressed for religion's sake. Almost every single Jew over 16 years of age coming to this country can read the Yiddish Bible, and we put that provision in this bill and specified "Yiddish or Hebrew" in order to aid him to come in.

I believe it would be most hurtful and most dangerous to adopt the amendment of the gentleman from Oklahoma, because it would let in a class of people along the American border in Mexico of whom 90 per cent are illiterates and who would be kept out by this bill. They are the very class of people that the railroads in the Southwest are bringing in by trainload lots to beat down the price of wages all over the country. That situation recently became so acute in Kansas that some of the labor people wrote me from Topeka and called my attention to the fact that one railroad company within the last few months had brought in several trainloads of Mexicans to work on some new road that they were building.

Mr. MURRAY of Oklahoma. Mr. Chairman, will the gentle-

man yield to me?

The CHAIRMAN. Does the gentleman yield? Mr. BURNETT. I regret that I have not the time.

Mr. MURRAY of Oklahoma. I want to correct the gentleman

about Mexico. There is nothing in that. [Laughter.]

Mr. BURNETT. Oh, yes; there is something in it. labor people said the railroads were bringing them over in trainload lots, and that in violation of the contract-labor law.

I complained to Secretary Nagel about it, and he said our inspectors there could not detect the violations of the contractlabor law. I went over and talked with the Commissioner General of Immigration, and he sent an inspector who is a gentleman in whom I have the utmost confidence, both as to his ability and his integrity. This inspector assured me that there was some kind of a collusion between those people, but it was hard to detect it. He stayed there for several months and studied the situation, and said he believed that they were coming in in violation of the contract-labor law, but the inspectors were not able to get proof sufficient to exclude them.

Now, if we make this provision, as to fleeing from religious persecution, more liberal than it is, we shall find those people from that border swarming in here and we will be unable to keep them out. We will find hundreds of Syrians coming in, claiming that there is some kind of religious persecution in their country, and that that is a part of the reason why they come. Although the main reason for their coming is to get better wages and take some other man's job away from him, yet if a part of the reason is because there is a little local persecution, or because there are some rules or regulations or laws that they do not like, they will say it is on account of their religion and come in, if the amendment prevails. It is a dangerous amendment, Mr. Chairman, and I hope it will not be adopted.

The CHAIRMAN. The question is on the amendment offered

by the gentleman from Oklahoma [Mr. MURRAY].

The question being taken, on a division, demanded by Mr. MURRAY of Oklahoma, there were-ayes 65, noes 77.

Mr. SABATH. I demand tellers.

Tellers were ordered, and the Chairman appointed Mr. Mur-RAY of Oklahoma and Mr. BURNETT.

The committee again divided; and the tellers reported-ayes 73, noes 89.

Accordingly the amendment was rejected.

Mr. HULINGS. Mr. Chairman, I offer an amendment. Mr. GOLDFOGLE. I make the point of order that there is an amendment pending.

The CHAIRMAN. The Chair will have to hear the amendment of the gentleman from Pennsylvania before he can pass on the point of order.

Mr. GOLDFOGLE. I did not understand that the amendment was offered to the amendment offered by me, and unless

The CHAIRMAN. The Chair can not tell what the amendment is until he hears it read. The Clerk will report the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Amend by inserting, after the period in line 3, page 8, section 3, the

following:

"Provided further, That any man 35 years of age or more, accompanied by his wife and one or more sons or daughters under the age of 16 years, presenting evidence that he seeks to enter the United States

with the intent to become a citizen of the United States and establish here a permanent home, shall, if otherwise admissible, be permitted to enter, whether able to read or not."

Mr. GOLDFOGLE. I make the point of order against the amendment

The CHAIRMAN. The Chair overrules the point of order. The Chair thinks the gentleman from Pennsylvania is endeavoring to perfect the section of the bill, and that he has the right to do that before the amendment to strike out is voted on.

Mr. HULINGS. Mr. Chairman, in this bill there are 27 reasons assigned for which any person seeking to enter our ports may be excluded. There is no doubt at all that as to the persons—the insane, the pauper, the criminal, and all the others—who are excluded by operation of those 27 reasons pretty much everybody will agree. But in order to still further restrict immigration another cause is assigned, and that is the restrict ininigration another cause is assigned, and that is the "literacy test"; and I suspect that is the crux of this whole situation. I suspect that public policy is not the end in view, but rather to restrict; and I regard the "literacy" test as a poor test of character and the qualities desirable in persons seeking citizenship.

Everybody knows that there are thousands of people who come into this country every year without the intention of becoming citizens. They can not be shut out for any of the 27 reasons, and the fact that they can read adds nothing to their qualifications. They are, as has been suggested, "birds of These men enter into competition with American passage." labor. They herd in camps, in tenements, handled in droves in a system of peonage, living as American labor can not live, and American labor is injured by that competition, and it is most natural that American labor should come to an American Congress in order to get relief from conditions that should not These swarms of undesirable people who are coming over to this country, who can not be excluded under the 27 reasons, you seek to exclude under the twenty-eighth reason, because they can not read. But the rule goes too far. It does not exclude an undesirable who may be able to read and it does exclude honest, desirable persons who can not read. I do not believe it is in the heart of the American workingman to exclude any other honest-hearted man who comes of an assimilable race, and who, pulling up his stakes in the old country with the intent to cast his lot here and become an American citizen, brings his family with him-I say I do not think it is in the heart of the American workingman to exclude an honesthearted, stalwart, and industrious man of that sort simply because he can not read.

Mr. GARDNER. Will the gentleman yield?
Mr. HULINGS. Certainly.
Mr. GARDNER. Has the gentleman examined, at the foot of page 7, the exceptions which permit an alien to bring his father or grandfather, his wife, mother, grandmother, or his unmarried or widowed daughter?

Mr. HULINGS. Yes; the alien can do so if he himself can read and if he is otherwise admissible.

Mr. GARDNER. Yes; but if the daughter can read she can bring in her father if he is over 55 years old.

Mr. HULINGS. The gentleman does not seem to quite catch the idea that I intend in presenting the amendment. thousands of men who ought to be excluded because they are not valuable additions to our citizenship, but they are not paupers or criminals and so you can not exclude them, and you seek to exclude them because they can not read. Literacy is no test of Scholarship does not even imply honesty or sobriety. character. Your bill lets in the smart rogue and shuts out many an honest For among those who can not read there are many who would make valuable additions to our citizenship. My amendment proposes to allow an honest man, who may be 35 years old, accompanied by wife and children, coming here with the intent to become citizens, to come in and build his home here under the American flag.

Mr. Chairman, I do not object to reasonable restrictions upon the numbers of immigrants. They should not be allowed to the numbers of immigrants. come in faster than they can be assimilated, and the fact that in all our great cities they are segregated in Italian quarters and Jewish quarters and Slav and Hungarian quarters, maintaining the same habits and modes of living that they brought with them, shows they have been coming too fast. The facts show, too, that our laws have been too lax, admitting people of bad character.

But while I believe that as a matter of prudence we should restrict the number, I believe also that we should scrutinize more carefully the character of those admitted, and I do not believe that a mere "literacy test" will properly restrict the number nor furnish any sufficient guaranty of the character of

those admitted.

Mr. BURNETT. Mr. Chairman, I do not think this amendment ought to be adopted any more than I do the amendment offered by the gentleman from Illinois, Judge Sabath. I move that all debate on this amendment now close.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was lost.

Mr. MOORE. Mr. Chairman, I offer the following amend-

The Clerk read as follows:

Page 8, line 12, strike out the second "the" in the line and insert lieu thereof the word "a" and transpose the other words so that e line shall read: "the words printed in such language or dialect on site." the lin

Mr. MOORE. Mr. Chairman, it has been brought to my attention that this language might be misinterpreted by the administrative officers, in that they might hand the immigrant slips printed in a series of languages, to the confusion of the immigrant, and he might get the slip containing the language which he was unable to speak.

Mr. GARDNER. Mr. Chairman, I think the committee will

mr. BURNETT. I think that amendment is all right.
The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was agreed to.
Mr. MOORE. Mr. Chairman, I offer the following amend-

The Clerk read as follows:

On page 8, line 12, strike out the second "the" and insert in lieu thereof the word "a" and transpose the other words so that the line will read: "the words printed in such language or dialect on the slip."

Mr. MOORE. I submit to the gentleman that this perfects the paragraph in view of the amendment already adopted. The slip to be handed to the immigrant is intended to be a slip in the language designated by him and not such a slip as would

contain a variety of languages.

Mr. GARDNER. Mr. Chairman, I think this time the gentleman from Pennsylvania is mistaken. I think it becomes clear now what is meant. The bill as we have it now provides that the 40 words must be printed in plain, readable type in some one of the various languages, and so forth. And then it goes on to say that the alien shall be required to read the words printed on the slip in such language—that is, one of the languages he might select.

Mr. MOORE. The gentleman from Massachusetts is correct,

and I will not press the amendment.

The CHAIRMAN. The gentleman from Pennsylvania withdraws his amendment.

Mr. LENROOT. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 8, in lines 18 and 19, strike out the words "are seeking admission to the United States" and insert "emigrated from the country of which they were last permanent residents."

Mr. LENROOT. Mr. Chairman, this amendment relates to those aliens who shall be exempted from the literacy test. As the bill now reads exemption is made of aliens who prove that they are seeking admission to the United States solely for the purpose of escaping from religious persecution. Strictly speaking, and I do not know but broadly speaking, it would be impossible for any alien to make such a showing, namely, that he was seeking admission to the United States solely for the purpose of escaping from religious persecution, because the whole world might be open to him except the country from which he emigrated, and therefore if that were so it would be impossible for him to prove that he was seeking admission to the United States solely for the purpose of escaping from religious persecution. He might go to England or South America if he chose, The amendment I propose would strike out the words "seeking admission to the United States" and in lieu thereof insert "emigrated from the country of which he was last a permanent

Mr. GARDNER. I suggest to the gentleman that he should strike out the word "are."

Mr. LENROOT. I think that is in the amendment. Mr. GARDNER. The gentleman did not so state it just now.

Mr. LENROOT. So if he is emigrating from the country of which he was last a resident on account of religious persecution the literacy test shall not apply. It seems clear that that was the intention of the committee, and I sincerely hope the committee will accept the amendment I have suggested.

Mr. BURNETT. Did the gentleman use in his amendment the word "immigrate" or "emigrate"?

Mr. LENROOT. "Emigrate." Mr. GARDNER. Suppose the immigrant did not say he emigrated from any country, but was simply a refugee for tem-

porary purposes.

Mr. LENROOT. This only exempts him from the literacy test; all other provisions of the bill would apply. That is all

this does in any event.

Mr. COOPER. Mr. Chairman, I would like to ask my colleague how a man at the port of New York could prove any more satisfactorily that he emigrated from any country because of religious persecution solely than he could prove that he came to this country solely for that purpose?

Mr. LENROOT. Because the one thing he would have to

prove in case my amendment be adopted is that he emigrated from that country for that sole purpose. As the language now stands in the bill it is necessary for him not only to prove that, but that he seeks admission to this country for that sole pur-

Mr. COOPER. In either case the motive of the man is something exclusively within his own consciousness, and the ability to prove it or not to prove it is just as difficult in one case as it is in the other. It is a hidden secret motive, known only to himself.

Mr. LENROOT. But that argument goes not to the amendment, but to the subject itself, and my amendment certainly removes one element of proof that is now necessary for him

to make under the paragraph as it stands.

Mr. GOLDFOGLE. Mr. Chairman, I ask unanimous consent that the amendment of the gentleman from Wisconsin be again

reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

Mr. GOLDFOGLE. Mr. Chairman, I will ask the gentleman

who offered the amendment whether that would not still leave the word "solely" in the bill?

Mr. LENROOT. Yes, it would; but it would limit it to proof that he emigrated from a country solely for that purpose, and it would not compel him to prove that that was his sole purpose in seeking admission to the United States. In other words, it is largely in favor of the immigrant.

Mr. BURNETT. Mr. Chairman, the desire of the committee, of course, was to allow those admission who were fleeing

from their country on account of religious persecution. My judgment is that the expression used by the committee would be so construed; but in order to have no doubt about it, as far

as I am concerned, I am willing to accept the amendment.

The CHAIRMAN. The question is on the amendment offered

by the gentleman from Wisconsin.

The question was taken, and the amendment was agreed to.
Mr. MOORE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 6, line 17, after the word "stowaway," insert the words "if otherwise admissible."

Mr. MOORE. Mr. Chairman, the reason for this amendment is that if the bill passes as it is written it will give to the Secretary of Labor an extraordinary discretion in the matter of stowaways. His sympathies might be worked upon in certain cases where the stowaway is "not otherwise admissible." A stowaway, of course, ought not to be admitted to the country without scrutiny. A stowaway comes clandestinely, and he should not be permitted to enter without undergoing the same examination that other immigrants have to undergo. It might be possible that one not otherwise admissible having gotten in on a ship contrary to the regulations, could work on the sympathies of the Secretary of Labor and be admitted. It seems to me the Secretary ought not to have this discretion, and that the same lawful conditions that hold with regard to other immigrants should be applied to the stowaway.

Mr. GARDNER. Mr. Chairman, the gentleman suggests that

language after the second word "stowaway"?

Mr. MOORE. That is correct; after the second word "stowaway." The language I suggest is "if otherwise admissible." That would remove some of the discretion that perhaps the

Secretary himself would not enjoy.

Mr. BURNETT. Mr. Chairman, we will accept that amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from New York [Mr. Goldfogle].

Mr. GOLDFOGLE. Mr. Chairman, having occupied the floor during general debate on this bill and discussed at some length the objectionable literacy-test clause, I will not now detain you with extended remarks on the amendment I have proposed, It brings us squarely to the real issue involved and it presents

the crucial question in this immigration measure

That the literacy test has been placed in the bill as a means for restriction is a fact now conceded. That it is not a test of character has been to an extent also admitted. Its enactment would controvert our country's boast that this is the land of opportunity. It would give bold contradiction to the profession America has made that this land affords a refuge to the downtrodden and oppressed who, worthy of our considerate sympathy, knocks at our gates for entrance. It would penalize men and women who were denied educational advantages because of inequalities existing among the people of their native land, or because of oppressive and proscriptive laws in the countries from whence they come.

You would by this educational test exclude the physically, mentally, morally sound immigrant merely because he could not read, while at the same time the clever schemer, the cunning rascal, or the viciously inclined might be able to gain admit-tance because he could read and write. In short, the test of reading determines nothing to establish worth or character.

I undertook this morning under general debate to show you briefly what immigration has done for this country for its upbuilding and the promotion of its welfare. Experience has demonstrated the fact that an illiteracy test will tend to keep out many who are well deserving and who make decent, well-behaved, and industrious dwellers in the different communities

in which they happen to settle or to dwell.

The denunciation leveled by so many of the advocates of the bill against immigration was, as you were told, directed in years gone by against the immigration which now very rightly and justly receive praise as a good, peaceful, industrious people, whose citizenship is most worthily born by them and whose civic and patriotic duties they have with fidelity discharged. Now, however, your attacks are directed mainly against the Italians and against the Russian and Romanian, Hungarian and Galician Jews, against Poles and Slavonians, and some Germans, too, who, if they happen unable to pass the reading test you would bar from entrance to our shores

Against such narrowness of vision-against what I must after yesterday's and to-day's debate conclude is an ill-conceived prejudice and antagonism against a class of people whose character, whose worth and industrious qualities many of the supporters of the bill do not and can not understand. I must enter my serious and emphatic protest. We still need those who will do the hard, sometimes rough manual labor that no longer the man who can read and write seems willing to do. We still require the hands who are willing to work the farms and till the soil the American boy rapidly abandons for the alluring life of town and city. We still want to further develop the resources of our country. We must preserve inviolate American ideals and live up to the principles of justice, humanity and fair play upon which after all this Government was foundedprinciples which this very test would violate. I trust, Chairman, that my amendment will be adopted. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

[Mr. BUCHANAN of Illinois addressed the committee. See Appendix.]

Mr. CANTOR. Mr. Chairman, I would not take up the time now to address this House upon the proposition contained in the amendment offered by the gentleman from New York [Mr. Goldfoele], to strike the literacy test from this bill, were it not for some remarks made by the distinguished chairman of the Committee on Immigration, the gentleman from Alabama [Mr. BURNETT], which I quote from the RECORD as follows:

But, Mr. Chairman, this bill strikes at those who come here for the purpose of beating down the price of labor, who come here for the purpose of establishing low standards of morals and living, and to drive out those who desire to make an honest living and maintain their families in decency and self-respect.

I deny that that statement is accurate or true. I know that the great immigration that has come to this country did not come for this purpose at all. The immigrants come for reasons that have already been expressed on this floor during the seven hours of debate; they come here because they are driven from their homes for religious and political reasons; they come here for the purpose of bettering their condition. They do not come here for the purpose of lowering the standard of living or for the purpose of reducing the wages of the American workingmen.

Mr. Chairman, I represent in part the greatest immigration city in the civilized world. There are more immigrants in New

York City and in New York State to-day-and I think I am correct in the statement—than there are in the whole of the United States outside. The standard of civilization in New York is as high as the standard of civilization in any city in this country. And the people who come from abroad and are employed in the workshops and the mercantile establishments of my city are as happy and as prosperous a people as you can find anywhere within the borderlands of this country. There is not this great idleness that has been referred to on this floor. There has been no great demand for this bill from New York. Almost a solid delegation upon this floor from that State is opposed to this bill. Every newspaper in New York State of any influence or power, without regard to party politics, is opposed to it. If the standard of civilization had been lowered in New York. if this large immigration had the effect of reducing the wages of American workmen in New York State and New York City, do you not suppose that protests would go up from the laboring organizations there, or from the newspapers, or from some of our civic societies? I have not received a single petition from New York City except one, and that was from the Junior Order of American Mechanics, in favor of this bill.

Every request that has been made and every petition that has reached me has been opposed to this measure, and for two reasons: First, because they do not believe the literacy test should be the qualification for admission to America; and, secondly, because this word "solely," contained in the measure, puts an arbitrary power in the commissioner of immigration, and can be used to nullify the bill, and could serve the purpose of keeping illiterates out who come here because of religious persecution in their native land. Mr. Chairman and gentlemen, we have in New York City this large immigration; we have not the percentage of illiteracy that they have in other parts of the

country.

I realize that the South passed through a devastating period, and I realize also that it will be some time before it can recover from the effects of the Civil War, but while the South is recovering from those effects it might engage for a time, at least, in educating its illiterates. There is one county in Ken-

tucky that is devoting itself to that proposition. [Applause.]
The CHAIRMAN. The time of the gentleman from New

York [Mr. Cantob] has expired.

Mr. CANTOR. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from New York asks unan-

imous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

Mr. SLAYDEN rose.

The CHAIRMAN. The gentleman from Texas [Mr. SLAYDEN] is recognized.

Mr. SLAYDEN. Now, Mr. Chairman, if these gentlemen have finished with their questions I will undertake to make the few remarks that I have expected to address to the House on this question of the restriction of immigration. When the bill was before us a year ago and on other occasions prior to that I addressed the House rather fully, and it is not necessary now that I should make an elaborate speech to explain why I am in favor of a restriction of immigration.

In the course of this debate much has been said about the

necessity of a homogeneous people if we are to continue a free, representative, republican government in the United States. Diversity of races, training, and opinions, when that diversity of opinion is deep-seated and the result of training under other political conditions, make an unfavorable environment for the maintenance of the sort of government we received from our fathers, and which some of us hope to hand unimpaired to the

next generation.

When one takes a general survey of the governments of the world, he discovers that not a very great many people have manifested peculiar fitness for self-government. In a few countries like England, France, Switzerland, Holland, the Scandinavian countries, and Germany that fitness for self-government has manifested itself in some form. But outside of these there is little to indicate that in the last hundred years the people have developed encouragingly in a political way. In Russia, a very large and important part of the world, we still find an autocracy. A few years ago the people were granted a constistitution and a parliament, but the stormy and unimportant career of the Russian Parliament seems to suggest that it was prematurely given to the people of that country. At least, the legislature of that Empire has not made itself felt in an important way in the affairs of government. China has converted itself into a government which has been officially called a republic, but which is really ruled by a dictator, who is nominally a president, and who as soon as he had a difference with the Parliament of that country ordered it to disperse, and it

promptly effaced itself. The Turkish effort for free government is not promising. Even in Germany, where the people are unquestionably fit for almost any form of government they may undertake, a military autocracy is still largely in control, and recently in a conflict between the civil and military authorities the power of government in favor of the latter was invoked

in a harsh and effective way.

It is reasonable to assume that people who have not adopted our system of Government, or one which approximates it, either lack sympathy with it or a sufficient acquaintance with our methods to adopt them. If they lack sympathy certainly they can add no strength to this Republic when they become American citizens. If they lack knowledge of how to adjust themselves to it they can certainly add no political strength to our Government. Looking behind the handicap of an oversupply of pauper labor from Europe to the political effect of unlimited and unregulated immigration it takes no prophet to see a great danger to American institutions. I will not deny, few men would be rash enough to deny, that in time, that after the birth of another generation, these people may be able to adjust themselves to American institutions, but certainly until that adjustment shall have been made there is danger in the situation and it is one of such importance that prudent men would like to

Wage earners in this country are seriously alarmed at the prospect of an increasing number of competing laborers from Europe. They have appealed to Congress to relieve them from

this great and real danger.

The gentleman from New York [Mr. CANTOR] has complained at the statement made by the chairman of the Committee on Immigration [Mr. Burnert] that the effect of this unrestricted immigration will be to beat down the social, moral, and wage standard in the United States. He seems particularly to object to that part of the statement made by the gentleman from Alabama that the moral standard will be lowered by excessive immigration. In that connection I may be permitted to say, I hope, that the criminal records of the northeastern States, where the bulk of this immigration has settled, thoroughly sustains the position taken by the gentleman from Alabama, although I think that in discussing the question the chairman of the committee particularly had in mind the wage scale.

More than one Representative from the State of New York has said in the course of this debate that that great State has invested the tremendous sum of \$36,000,000 in the care and support of alien insane. It could hardly be denied that a large part of this insanity embraces the class we commonly refer to as the criminal insane. In the heat of debate exactness of speech is not always found, and, while the idea of the gentleman from Alabama is, in my judgment, perfectly sound in every respect, I think in the speech complained of he was referring more to the scale of wages than to anything else, because in support of his idea he referred to the attitude of the associations of organized labor, the Grange, farmers' unions, and other associations of wage earners on this question of restriction, and their argument has been specially addressed to the economic features

Mr. CANTOR. I quoted the gentleman's exact language.

Mr. SLAYDEN. Possibly; yet no one will deny, I fancy, that competition does have the effect of beating down prices. And if real competition always has that effect-and it certainly has-when an unlimited number of immigrants come into the country seeking employment they necessarily compete with those who were here before them, and it must have an effect upon the wages paid for labor. Of course in a country with resources like ours, with a great and expanding commerce and a steadily expanding agriculture, it does not have the same effect it would have in a country that is at a standstill.

The CHAIRMAN. Does the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. SLAYDEN. I have only a little time, and I prefer not to.

Mr. CRAMTON. Very briefly?

Mr. SLAYDEN.

Very well, go on. Does the gentleman not think the same ef-Mr. CRAMTON. fect as to our standard of living here may be secured by bring-ing from abroad without restrictions the products of cheap labor in those countries?

Mr. SLAYDEN. Oh, Mr. Chairman, I am not here now for the purpose of discussing the tariff, but the bill we have be-

I believe absolutely in the declaration of Mr. Frank Morrison, secretary of the Federation of Labor-that in the considerasecretary of the rederation of labor—that in the Considera-tion of this bill our prime duty is to the Americans; the Amer-icans who are, not the Americans who may be, and the pur-pose that I have in view in taking my position on this question is to benefit them. With me it is not a measure of hostility

to people who reside in other countries. It is no lack of interest in their welfare at all, but, if you please, a selfish interest in Americans who are here. It is discriminating legislation, but it discriminates in behalf of our own people, and if that be

selfishness, then I submit, sir, it is enlightened selfishness.

My friend from Missouri [Mr. Bartholdt], whom I esteem highly but do not always agree with, made the statement this morning that if all the people in the United States were moved into the State of Texas they would not crowd that State more than is now the situation in the Kingdom of Belgium. Heaven forbid that they should all be moved into the State of Texas, and heaven forbid that we should ever have conditions in Texas such as he and I have seen in the Kingdom of Belgium. I have been all over that little country, as he has, from one side to the other—north, south, east, and west—and I have never been in a city of Belgium where I have not seen teams engaged in transportation, teams engaged in making a living for families that were composed of women and dogs hitched side by side. That has never happened and I hope never can happen in the State that I have the honor in part to represent in this House. I am pleased to say that in Texas we confine such service to the ordinary beasts of burden.

Mr. SMITH of Minnesota. Mr. Chairman, will the gentle-

man vield?

Mr. SLAYDEN. If the gentleman will be brief, I will yield. Mr. SMITH of Minnesota. Have you in Texas an immigration bureau supported by the State?

Mr. SLAYDEN. No; we have not. Mr. SMITH of Minnesota. I wish to inform the gentleman that the State of Minnesota spends thousands of dollars a year trying to get Democrats to take up our lands.

Mr. MADDEN. Mr. Chairman, will the gentleman yield? The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Illinois?

Mr. SLAYDEN. I will yield to the gentleman.

Mr. MADDEN. Will the gentleman tell us how it was that the city of Galveston, in Texas, donated to the Government of the United States the land upon which was erected an immigration station, which they very much wanted in the State of Texas?

Mr. SLAYDEN. Mr. Chairman, the gentleman from Illinois knows as well as I do that any community in the country seems to be glad to have a Federal appropriation for the construction of a public building in that community; but the city of Galveston does not represent public sentiment in the State of Texas on this question of immigration.

The city of Galveston is made up of pushing, energetic citizens who do all they can to develop the commerce and importance of that city, and who in the face of adversity, almost without par-allel, have made it the second port of the United States in the value of its exports and a commercial center of which every citizen of my State feels proud. But the problems which confront the city of Galveston are not the problems which concern the people of the interior, and they do things differently.

Getting back to my argument, Mr. Chairman, I will say that, in my judgment, this bill is in the interest of every resident American, no matter what country he came from, whether of European, Asiatic, or African origin. It is for resident Americans at this time that I speak. I admit no call to legislate for the people of any other country, not even those who expect to come to the United States at some future time. I want to avoid the crowded conditions that obtain in many sections of Europe, because wherever you find people densely packed together you find difficult problems arising out of that density which we have not yet been compelled to try to solve here in the United States, Belgium, for example, has intense economic conditions, low wages, general unrest, strikes, and riots. Men have multiplied more rapidly in Belgium and in other centers in Europe than the opportunities for remunerative employment. Gentlemen who discuss these questions have sometimes permitted their minds to become confused, because they fix their attention on aggregate values and commerce rather than on details. A country may have a great balance sheet in international trade. It may export huge quantities of manufactured produce, and yet individual prosperity may not be high. It is the individual for whom I plead, the human unit in which I feel an interest,

Low wages and dense population invariably go together. In China and Japan, where density of population is greatest, we find the result of such crowding. The people there can hardly be said to live; they merely exist. And Japan has made great sacrifices of men and money to find a home for her surplus population, because she can not take care of them at home, and for that reason she has extended her control to Formosa and Korea and has set the eye of covetousness on Manchuria.

Gentlemen say that it is a far cry from present conditions in the United States to such as exist in Japan, or even in the over-crowded countries of Europe. That is true; but I want the possibility of it put still further away. I want to make it forever impossible in America. We are charged with selfishness in taking this position, but I much prefer to have that charge hurled at me rather than to do anything which in 2, 5, or even 10 generations will bring to this country the conditions which we all know to exist in the older parts of the world. I want to keep the lands of Texas, the lands of the whole United States, in fact, for Americans and for their descendants, and I am confident that there will be plenty of them to need it all.

Statistics show an alarming increase in the number of tenant farmers in the United States. I regard that as a very great misfortune, and if we can only legislate so as to reduce the number of tenant farmers in our country to the vanishing point we will have done something for which future historians will praise us as wise statesmen. Nothing will do more to promote the stability of government and the continuance of our political institutions as set up by the fathers of the Republic than the universal ownership of land.

One of the Representatives from New York, Mr. Goldfogle, said in the course of this debate that we must have these imported laborers to reduce the cost of living; that without them we can not produce greater crops and thus lower the value of farm produce, for which he and other Representatives of the great cities are so persistently clamoring.

Mr. Chairman, I am not trying to find a method of reducing the prices farmers get for their crops. I want to see the prices of farm products kept at a remunerative basis. My commission of farm products kept at a remunerative basis. My commission as the representative of a district composed of producers, of farmers, was not given me with the idea that I would legislate against their interests, as the gentleman from New York virtually says I would be doing if I opposed this bill. I would much prefer to legislate in such a way that it would increase the prosperity of the farmers, give them more comforts and gradually bring to the wives and daughters of the men who produce those things we eat and wear a degree of luxury. They are equally entitled to the refinements of life and they have just as much right to share the luxuries as the people who live in the great cities. in the great cities.

The argument for the immediate development of the whole country makes no special appeal to me. If we make haste slowly there will be fewer blunders, fewer errors to correct. The country is now developing more rapidly than any other ever did in the history of the world and, unfortunately, along some lines that do not commend themselves always to men of prudence. We ought to be willing to leave something for future generations to do. We ought to make provision for the future in such a way that succeeding generations will have an opportunity to own part of the soil of the country to which they will owe allegiance. The opponents of this bill say that we should not limit immigration; that we should throw our gates wide open and admit freely all the millions who are "fleeing the poverty and scorn" of the Old World. They want us to continue a policy which will finally crowd our own country to suffocation and in some future time will compel Americans to

seek other parts of the world to escape conditions that now admittedly exist in Europe and Asia. But where will they go?

The unoccupied parts of the world are being rapidly taken up. Is it not immeasurably better to protect these future generations against such conditions by saving for them the conditions which now exist rather than undertake to compel them to meet problems which will be harder to solve hereafter?

I will now quote from a circular letter which came to me in

December, and which was probably sent to other Members of the House:

Our country needs the labor of the toiler who is willing to work our mines, highways, and railroads. The farmers, cattle and fruit ranchers of South and West are hungering for labor to do the work which our native born and the older immigrants refuse to engage in. Properly directed by an efficient bureau of distribution this immigration, even though illiterate, will be bound to add to the country's wealth and well-being, to the end that the present high prices of farm and mine products may be materially decreased. Our prosperity, which should not only secure higher wages but also maintain the buying power, depends largely upon the continuance of the stream of immigration to which we owe our past growth. owe our past growth.

I specially invite attention to that part of this quotation in which these words are found:

To the end that the present high prices of farm and mine products may be materially decreased.

I do not know how miners may relish the idea of having the value of their products reduced, but an argument of that sort can not be expected to have much weight with the representatave of a farming constituency.

From another part of the same letter I quote these words:

You are therefore most earnestly requested to aid in its defeat, to vote and to work against it, and to help along the cause of reduction of the prices of our life's necessaries, not by restricting but by encouraging production where it is most needed.

Apparently the writers of the letter did not want us to forget the fact that the competition from Europe would reduce the value of farm products, for it is repeated in a very emphatic way.

If I did not know that my position on this bill reflected the views of an overwhelming majority of my constituency I would still be willing to appeal the matter to them on these two statements found in this one letter, in which the defeat of the bill is recommended.

Mr. Chairman, this question has been debated for so long that every possible point of view has been presented, and it is not necessary or useful to prolong the discussion, and I shall close my remarks by quoting an editorial that recently appeared in the San Antonio Express, one of the great dailies of the State of Texas:

the San Antonio Express, one of the great dailies of the State of Texas:

THE LITERACY TEST.

No question before Congress is going to arouse more or keener interest during the weeks that may hiervene before President Wilson acts upon the expected legislation than that affecting the immigration of foreigners into the United States. Within a day or two, at the most, the Burnett bill, prescribing and enforcing a literacy test for all allens who wish to become residents of this country, will probably have passed the House of Representatives. In all its essential features this measure nearly became a law a year ago. It passed both the Senate and the House of the Staty-second Congress by overwhelming vote, and, when yetoed by President Taft, was sent through the Senate by a constitutional majority of two-thirds. In the House the presidential veto was such as the senate of the Staty second Congress by overwhelming vote, and, when the other than the movement for a Federal statute that will have the effect of greatly retarding immigration, even of cutting its numbers, at least, in haif, has not been allowed to lag. The American Federation of Labor has again gone on record as demanding the enactment of the Burnett bill into law. The Farmers' Educational and Cooperative Union, said to represent 3,000,000 tillers of the soil, has passed a resolution favoring the passage of the bill and even threatening those who cypose it with a hostility that will not end until Members of Congress who work against it are driven from public life. Numerous other to undo the disapproval of William H. Tests have called on Congress to undo the disapproval of William H. Tests have called on Congress to undo the disapproval of William H. Tests have called on Congress to undo the disapproval of William H. Tests have called on Congress to undo the disapproval of William H. Tests have called on Congress to undo the disapproval of William H. Tests have called on Congress to undo the dissue that the stative of the President will not have the service

Mr. BROWN of New York rose.

The CHAIRMAN. The gentleman from New York [Mr. BROWN] is recognized.

Mr. BROWN of New York. Mr. Chairman, I would not oppose the adoption of the literacy test if I were not prepared to offer substitutes which I believe to be both just and adequate.

In the permission given me yesterday to extend my remarks in the RECORD I endeavored to show that an enormous proportion of crime, pauperism, and degeneracy in men, with its invariable equivalent of harlotry in women, is the direct result of inherited mental defect.

Mr. Chairman, I went further in my argument yesterday. endeavored to show that since the year 1910, when the Immigration Commission reported to Congress, on whose recommendations this illiteracy clause is based, it has been proven beyond the question of a doubt that these inherited mental defects follow the known law of biology, the Mendelian law, and it is now possible to predict with reasonable accuracy the kinds of children you would get from any known union where one or both of the contracting parties were afflicted in any way with a mental defect.

Mr. Chairman, I scarcely expect the members of this committee to follow me in this argument unless they shall be familiar with the operation of the Mendelian law as applied formerly to plants and animals and lately to the color of the hair, albinism, brachydactylism, and other phases of human development; but I trust that the committee will realize that we are to-day in a sense acting as the cradle of the Nation, endeavoring to see to it that future generations shall be born sane, industrious, virile, and desirable, according to the provisions which we in-corporate in the bill. Children arrive in this country by but two routes, and the steamship route is one of them. Over the other route Congress has but very little control. [Laughter.]

Mr. ASHBROOK. Has it any?

Mr. BROWN of New York. Over the steamship route it has exact and absolute control. Therefore I urge upon members of the committee to remember that everything they put into the committee to remember that everything they put into the committee to remember that everything they put into the committee to remember that everything they put into the committee to remember that everything they put into the committee to remember that everything they put into the committee to remember that everything they put into the committee to remember that everything they are the committee to remember that everything they are the committee to remember that everything they are the committee. bill will react for good or for bad, for generation after genera-tion, until the end of time. [Applause.]

Mr. SLAYDEN. I ask unanimous consent to extend my re-

marks in the Record.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. BYRNES of South Carolina. Mr. Chairman, while the gentleman from Texas [Mr. Slayden] was on the floor the gentleman from Illinois [Mr. Madden] wanted to know why, if the State of Texas was opposed to immigration, Galveston had sought to have established at its port an immigration station. I venture to predict that if the people of Texas offer inducements to immigrants, they will have the experience of South Carolina.

In 1904 there were but 5,500 foreign-born persons in the State of South Carolina. Some gentleman, prompted, doubtless, by the best of motives, conceived the idea of establishing an immigration bureau. Thirty thousand dollars was spent in an effort to induce settlers from abroad to come to South Carolina to secure employment in the cotton mills and on the farms of that State, and in 1906 the Wittekind sailed into Charleston Harbor with about 450 steerage passengers. They were a carefully selected class of immigrants. I do not believe that to-day one of those 450 is in the State of South Carolina, and certainly I know that the immigration bureau is not there. It would be difficult to find the man who first suggested its organization. Our experience with that carefully selected cargo resulted in the legislature at its next session abolishing the immigration bureau and going even to the other extreme and prohibiting any State official attempting, directly or indirectly, to induce immigrants to come into the State of South Carolina.

Mr. KEATING. Will the gentleman yield for a question?

Mr. BYRNES of South Carolina. Yes.

Mr. KEATING. Is it not a fact that in your mills in South Carolina, where you employ native-born citizens, the wages are lower than they are in the mills of Massachusetts, where these same foreigners or their cousins are employed?

Mr. BYRNES of South Carolina. No; I do not think so; at

least not for the same class of work.

Mr. KEATING. I thought it was so. Mr. BYRNES of South Carolina. Gentlemen who come from the State of New York seem unable to make an argument on this question without referring to the percentage of illiteracy in the South.

Mr. GOLDFOGLE. What is the percentage of the foreignborn population in South Carolina?

Mr. BYRNES of South Carolina. Now?

Mr. GOLDFOGLE. Yes.

Mr. BYRNES of South Carolina. Very small. I do not know There were about 5,500 in 1906. the exact figures.

Mr. GOLDFOGLE. It does not reach 1 per cent?

Mr. BYRNES of South Carolina. No.

Mr. GOLDFOGLE. What is the percentage of illiteracy in

South Carolina among the whites?

Mr. BYRNES of South Carolina. The percentage of illiteracy among the whites that my friend loves to refer to is due to the unfortunate conditions existing just after the close of the war, and criticism comes with ill grace from you, because it is due to the fact that the people of your section saw fit to so devastate our country in the days of reconstruction that it was not until the last few years that we have been able to recover. I am glad to say that with improved financial conditions our educa-

tional system has developed, and now practically every white child in the State of South Carolina of school age is in the schools of the State. And not only the white children, but we are sending to school in South Carolina to-day more negroes than white children. Ten years from now you will not ask the percentage of illiteracy, because the effect of what the people from your section of the country did to us during reconstruction will have disappeared.

Mr. GOLDFOGLE. Will the gentleman answer one more

question?

Mr. BYRNES of South Carolina. Yes. Mr. GOLDFOGLE. Do you think that the illiterate whites in your State are a detriment to your community?

Mr. BYRNES of South Carolina. The illiterate native-born South Carolinian can not be compared with your illiterate immigrant, because the native of South Carolina, even though he be illiterate, has inherited a love for American institutions.

Even though poverty has denied him the blessings of an education, it has not taken from him his love of the country for which his ancestors in many cases gave up their lives. He is of the soil and will remain to assist in the development of the country. But this is not true of the immigrant who will be excluded by the terms of this bill. Your immigrant does not come to stay. He knows nothing of our institutions and cares less. His sole desire is to stay long enough to save some money, when he will return to his native land to spend it among his own people. By reason of his habits he can underlive the American, and therefore works for less, beating down the price of labor. We had an experience years ago with the importation of laborers. order to develop the cotton-growing industry negroes were imported into our State. The industry developed, but the trouble that that imported slave labor has given us has made it the dearest labor any country ever secured. Now, in our own way our people are doing their best to solve this vexed question, but we would have little hope of solving it if there were dumped upon us a class of immigrants such as are now coming to our shores from southern Italy, Greece, and Turkey. They have no capacity for assimilation with our white people. They must have some society, and we fear they would turn to the negro race, mingle with them, and so aggravate our race problem as to make it hopeless.

In favoring the restriction of immigration I am not unconscious of the fact that it was through immigration that our own country was developed years ago, but when gentlemen refer to that fact they fail to refer to the difference in the class of immigrants then and now. In the early part of the last century South Carolina offered inducements to settlers and home seekers from abroad, and as a result the English, German, Irish, and Scotch-Irish came to our State, but to-day we receive little or no immigration from these countries. Southern Italy is furnishing the largest percentage, and now the Asiatics are threatening to come to drive American workingmen out of employment. J. Ingram Bryan, a professor in the Imperial College of Japan, in an article appearing in Munsey's Magazine of

August, 1913, says, among other things:

The man of the East has proved his capacity to adapt himself to all circumstances and therefore his fitness to live. He can underlive, and therefore can outlive, any occidental.

Again, he says:

The occidental-

Which covers the Caucasian race-

can not live save at a cost sufficient for the maintenance of 20 oriental lives.

There is an oversupply of unskilled labor in the country today, and consequently the workingman is in favor of restricting in some way the tide of immigration. Last year there were admitted 1,427,227 immigrants, and the figures indicate an inadmitted 1,421,221 immigrants, and the lightes indicate an increased number this year. Where years ago the employees of the Steel Trust were English-speaking people, it is claimed that to-day 90 per cent are foreigners. In some manufacturing plants few native-born persons are employed, and it seems that they have concluded that they can better control the uneducated foreigner and that he can be driven to work longer hours for

The annual report of the Commissioner of Immigration for the port of New York for the year 1911 contains the following:

the port of New York for the year 1911 contains the following:

The new immigration, unlike that of the earlier years, proceeds in part from the poorer elements of the countries of southern and eastern Europe and from backward races with customs and institutions widely different from ours and without the capacity of assimilating with our people as did the early immigrants. Many of those coming from these sources have very low standards of living, possess filthy habits, and are of an ignorance which passes belief. Types of the classes referred to representing various alien races and nationalities may be observed in some of the tenement districts of Elizabeth, Orchard, Rivington, and East Houston Streets, New York City. Such immigrants differ also widely from the earlier ones in respect of their occupations and the localities to which they go. Contrary to what was formerly the case

n large proportion are unskilled laborers who go to the manufacturing and mining centers where the Immigration Commission recently found that there existed an oversupply of unskilled foreign labor. Over three-fifths remain in five Eastern States, while an undue proportion are pouring into the congested areas of our large cities, where they begin their American life amongst unfavorable surroundings, and exposed to many evil influences. They often herd together, forming in effect foreign coionies in which the English language is almost unknown. Miserable economic and sanitary conditions exist in many of these colonies; witness, for instance, in New York City the frequency with which the State factory inspectors are compelled to attach the red "unclean" tag to articles made in shops and factories where aliens and employed, the threatened use of this tag constituting often the best means at their disposal of compelling the maintenance of even a semblance of cleanliness in such places.

Repeatedly the new immigrant obtains his job at the expense of an older employee, who loses his. Certain employers seek new immigrant labor in preference to other and more efficient labor, of which there may be an abundance, because of the willingness of the new immigrants (or "greenies," as they are termed) to work at the outset unduly long hours or at unduly long wages, or both, and perhaps also to pay the foreman or padrone a bonus. Later, as they become more proficient and demand higher wages, they are discharged and their places filled with immigrants who have arrived more recently.

Restrictive legislation is demanded by the people. American Federation of Labor and the labor organizations of various States have urged that the literacy test be prescribed. It is favored not only by them and by the Junior Order of United American Mechanics, but by the National Farmers' Union, the Grange, and other agricultural organizations. Several States have memorialized Congress to prescribe this test, and it was recommended by the Immigration Commission after an investigation of four years, costing nearly a million dollars. It has heretofore been approved of by both the House and Senate and would to-day be the law had it not been vetoed by President Taft. Whom would it keep out? The distinguished chairman of this committee, who has carefully studied the statistics, says:

It would not keep out the splendid German people that come to this country, the magnificent Scandinavians, who have built up the great Northwest. Not one in a thousand of these would fall under the ban of the reading test. It would not keep out the English or the Irish, the Welsh or the Scotch. The record shows that less than 1 per cent of those great nationalities would fall under the rule and be excluded. It would not keep out 2 per cent of the Germans or the Hollander, it would not keep out 1 per cent of the Bohemians, it would not keep out the Frenchman or the Switzer; but, Mr. Chairman, it would strike down fifty-odd per cent of those from southern Italy, from along the borders of the Mediterranean Sea, from Sicily, and the Islands of the Mediterranean.

* * It would keep out those who, at Lawrence, Mass., during the strike last year, were following the flag of Black Hand leaders, the followers themselves unable to read their own language—those who had inscribed upon the banners by the leaders they blindly followed 'No law, no God, no master.' That is the class at which this bill is leveled. It would keep out about 30 per cent of the Poles, about 40 per cent of the Greeks, some 60 or 70 per cent of the Turks, and the other day I received a letter from Dr. Wightman, of Providence, R. I., who, I believe, is at the head of the State medical officials there, and an alienist, which letter I shall put in the Recomp, in which he says that recently hundreds of Turks and Kurds—and in reply to an inquiry of mine as to what the Kurds were, he said they were the people from Kurdistan, and similar to Turks—were coming there while hundreds of good men were out of employment, taking the jobs of men who wanted to toil, but who were not willing to labor at the standard of wages paid to those people, and he says the literacy test would not only keep them out now, but it would do so for the next thousand years. thousand years.

There seems to have been a consistent effort to organize the Jews in opposition to this measure, but this bill is not aimed against them. The Jew who can read either in Hebrew or Yiddish will be admitted, and there is hardly an adult Jew who can not read his Bible. Furthermore, the man who can prove that he is fleeing from religious persecution is admitted, and the provisions as to the admission of relatives are liberal.

I am satisfied that the gentlemen who oppose the bill in the House are prompted by the sincerest of motives, but I fear that some of the protests we are receiving in the mail are inspired by those who have selfish interests at stake. spired by those who have sensu interests at same. I can well believe that it will be a severe blow to the great steamship companies, considerably reducing the profits they receive from their passenger traffic, but it is time to enact this legislation. The people demand it, and I am confident that if this bill passes the House and Senate at the hands of President Wilson it will not meet the untimely fate that befell it during the Taft administration.

Mr. GREENE of Massachusetts, Mr. Chairman, I have listened to the remarks of the gentleman from South Carolina [Mr. Byrnes] who has just taken his seat. I am a resident of Fall River, Mass., the largest cotton manufacturing city in the United States. I resided there first in 1844, when nearly all the operatives in the mills were Americans, and to-day the operatives are nearly all foreigners or descendants of foreigners. I am willing to compare figures with the gentleman from South Carolina as to the rate of wages paid in both places, and I would remind him that women and minors under Massachusetts laws can not work more than 54 hours per week nor after 6 o'clock at night, and I would also inform him that the wages

in the city of Fall River are from 20 to 30 per cent higher than they are in the State of South Carolina.

Mr. BRYNES of South Carolina. Will the gentleman yield?
Mr. GREENE of Massachusetts. I decline to yield; I have only five minutes. I wish to further state that I have lived among the foreign born all my life practically, for I went to Fall River when I was but 3 years of age. I will read to you what the United States Census figures of 1910 show in the official statistics relative to the population of the city where I reside. The statement follows:

There was a French population of 32,236; English (England, There was a French population of 32,236; English (England, Canada, Scotland, Wales, and Newfoundland), 26,498; American, 16,296; Irish, 15,104; Portuguese, 13,334; Austrian, 3,953; Russian, 3,467; Italian, 1,624; Atlantic Islanders, 1,304; Turks, 540; Germans, 533; Swedes, 171; Greeks, 138; Danes, 83; Finns, 60; Norwegians, 52; Roumanians, 52; Dutch, 6; Hungarians, 6; and all others 3,668, making a total of 119,225. That comprises more than one-half of the population of the district which I have the honor to represent on this floor, and many others of foreign, high, or parentage live in the city, of Taumton, and foreign birth or parentage live in the city of Taunton and many of the towns of the district.

Mr. BYRNES of South Carolina. Will the gentleman yield? Mr. GREENE of Massachusetts. I can not yield. I desire to state that I have lived among these people all my life and I know something of their characteristics. I know how energetic they are, and how they have built up the communities in which they live, and how orderly and peaceable they are.

In 1904 there was a six months' strike in my city, the result of which was that 111 cotton mills were closed for six months. There was not a single case of disorder arising from the strike that was brought before the court. The strike was peaceably settled at the end of six months. I want to say to you further that in the month of December last the operatives of my city asked for an increase of wages. As a matter of fact, every union in the city asked for it. It is as well unionized as any city in America. All the unions met and asked for an increase

of wages.

The manufacturers met them in a proper spirit, as they have for many years, and I challenge you to find another city in the United States where the mill owners meet the operatives in a better spirit than they do in the city in which I live. They met the labor leaders and held conferences with them. They finally made answer why they could not give the increased wage that was asked. The unions met to receive the answer of the manufacturers, and only in the case of one union did the majority of them vote to strike. They have a very good rule, which is that they will not order a strike unless a two-thirds vote in favor is cast by the union. All the other unions voted by majority not to strike. As I have stated, I am pretty well acquainted with the labor situation of my own city. I have not the scale of wages here, but I can furnish it.

The time of the gentleman from Massa-The CHAIRMAN. chusetts has expired.

[Mr. Greene of Massachusetts received permission, by unani-

mous consent, to extend his remarks in the Record.]

Mr. GREENE of Massachusetts. Naturally, with so large a population of foreign birth and parentage in the fifteenth congressional district of Massachusetts, I have frequently been interested in behalf of my constituents who have friends and relatives in the countries from which they came who seek an opportunity to enter the United States

I find the restrictions in the existing law and rulings by department officials debar many persons from entering here. These restrictions are reenacted in the pending bill, and I do not object to the physical and mental tests in general therein provided.

But I have always opposed the illiteracy test as a specific measure, because long experience has convinced me that it is entirely unnecessary and might prove harmful rather than beneficial. In every instance when this issue has been presented since I became a Member of this body I have voted against this proposition, and I shall vote against this bill. I could cite many cases that have come to my knowledge of children of illiterate foreign-born parents, educated in our public schools, who have acquired distinction in civic, university, political, and business life in harmony and in competition with those who claim American ancestry

The patriotism shown by those who come from abroad and their loyalty and devotion to the Government of their adoption, added to the training their children obtain in the public schools, inculcate in the minds of the entire family the true spirit of American citizenship. This spirit precludes the possibility of antagonisms, which the proponents of this bill seem to fear are liable to arise unless the illiteracy test is applied at the ports of entry.

In Massachusetts every voter since the year 1857 has been required to read a portion of the Constitution and write or print his name on the registry book in order that he may be entitled to vote. The only other requirement is that he shall be native born or possess a final certificate of naturalization. I have known during my career in municipal life many persons to whom this test of reading is a hardship and embarrassment.

To persons coming to a strange country, and amid new surroundings, such a test, I believe, would be a much greater embarrassment and hardship, and that it would prove highly detrimental in shutting out worthy and otherwise qualified persons from contributing their energies to the upbuilding and perpetuity of our Nation.

I can testify from actual knowledge of the prejudice that existed against the immigrants more than half a century ago. But these immigrants have assimilated with and strengthened the purposes of the early settlers. It must be admitted that the illiteracy test will not debar the anarchist.

Labor unionism did not originate in the United States. Many of its most active and efficient officials and a large proportion of the membership of labor organizations in this country will, I am quite sure, be found to be either former immigrants or their direct descendants. I refer to this matter only as it seems to me it is an effective answer to the charge that immigration, under existing law, is or has been detrimental to the cause of organized labor.

When President Jefferson proposed the acquisition of the lands west of the Mississippi River known as the Louisiana Purchase the citizens of Boston in public meeting assembled protested strongly against the project.

They, like those who now take the narrow view on the question of immigration, feared that we could not assimilate the people of this vast territory. Their fears have been proven groundless in the light of our earlier and later experiences. In view of the experience the country has already had with the immigrants who have come to our shores our powers of assimilation ought to prove that they are not detrimental to our best interests. For nearly three centuries the United States has taken under its sheltering wings emigrants from the lands across the seas. These persons have helped to make the United States great and prosperous. They helped us to acquire our independence. Their wisdom and patriotism formulated our Constitution and created a Nation which has been the marvel of the civilized world. Those coming to us in later years have builded our railroads and developed our resources in times of peace and helped us fight our battles and preserve our Union in times of war. If we are to take a new departure and create new conditions, let us hope that the result may not prove as detrimental as many of those who oppose the literacy test believe.

If this test proves detrimental after trial, if it should be adopted, the Congress of the future may reverse our action in this respect.

Mr. DERSHEM. Mr. Chairman, this is a good bill, and I am heartily in favor of every one of its provisions.

It is said of us that we as a nation are less patriotic than of yore; that if conditions similar to those which preceded the Revolutionary War, when the hand of the oppressor was grievous and hard to bear, prevailed to-day, there would be no revolution, because patriotism burns but dimly in our breasts, and that day by day, as a people, we care less for our country and its institutions.

A writer gives as his reason for this supposed condition the number of immigrants coming to this country, without a spark of love for the homeland and even less for the country to which they come. These alien people gather in our larger cities, and by precept and example debauch and degrade our citizens. They are here but a few years when they are allowed to vote for city officials, members of the State legislature, Members of Congress, governors, judges of our courts, and President of the United States. Their influence reaches far into the very life of our Government and is certainly not unlifting.

of our Government and is certainly not uplifting.

Personally I am sure where the foreign born are not a large part of the population our people love our country and revere its flag as much or more than in the days gone by.

Be this as it may, this I know: When our forefathers came here the very best and most patriotic people of Europe were coming to our shores, with zealous hearts, longing for a country in which they might find peace, prosperity, and happiness. But now conditions have changed, and of the million or more immigrants coming to our country every year at least 80 per cent are of a very low type of humanity, who care very little, or not at all, for the welfare of this Nation, and by association and amalgamation with our people lower the standard of our

citizenship. The healthy, strong, intelligent foreigner I would welcome to our land, but I am opposed to making this country an asylum for the undesirables of all the world. We say within ourselves that conditions may improve, but instead they are rapidly getting worse.

The deplorable political and financial conditions of the eastern and southern countries of Europe, coupled with the prosperous condition of the United States, creates a large natural emigration to our shores. The most convincing proof in the eyes of the people of these countries of the exceptional prosperity of our country is the large sums of money, almost unprecedented to them, which annually arrive from friends and relatives residing Besides this natural emigration, however, in the United States. we are burdened with a dangerous and most injurious unnatural emigration which from year to year assumes larger proportions. This unnatural emigration consists of paupers and assisted emigrants, and is induced and brought about by the unscrupulous and greedy activity displayed by a large number of agencies and subagencies having well-established connections in the United States and abroad, apparently unknown to the steamship companies, which activity manifests itself in the peddling of steamship tickets and prepaids on the installment plan, both here and abroad, the constant agitation and offers of inducements by subagents in Europe, occupying semipublic positions, who, in order to earn commissions, play upon the ignorance and susceptibility of the plain peasant, frequently inducing him to sell or mortgage all his belongings for the purpose of raising the necessary traveling expenses, which latter transaction is also turned to profit by such agent.

In my own State the foreign-born criminal and insane cost the State of Pennsylvania, every two years, more than \$4,000,000. This does not include the foreign-born poor confined in our poorhouses and jails. The Pennsylvania Legislature for the two years ending June 30, 1913, appropriated to the various State, semi-State, and private institutions \$15,578,553.78. Twenty-seven per cent of this amount, or about \$4,000,000, were expended for the maintenance of the foreign born who were in the various institutions of our State. On December 31, 1911, there were in the eastern penitentiary 1,350 and in the western penitentiary 980 convicts, making a total of 2,330. About 28 per cent of these were foreigners. The criminals confined in Pennsylvania's four penal institutions cost annually about \$1,600,000. If 25 per cent of this amount is charged to the foreigners, the amount is \$400,000. We can readily see by these figures that more than 25 per cent of the entire appropriation to State, semi-State, and private institutions goes to maintain the foreigner, and the foreign-born criminal and insane cost the State of Pennsylvania every two years more than \$4,000,000.

The average weekly cost per capita in the five State hospitals for the insane in Pennsylvania is \$4.35, although only about one-half of the insane in Pennsylvania are cared for in these five institutions. This is a fair and, I am inclined to believe, a low average rate. The total number of foreign born confined in the insane institutions in Pennsylvania May 31, 1911, was 4,577. This number, at the average cost of \$4.35 per week, reaches the enormous sum of \$1,035,317.40 per year.

EDUCATIONAL TEST.

In many cases this provision may work some hardship, and as a matter of theory it possibly is unfair. In practice, however, you would find it would be the means of keeping out the class of people we are now hoping to keep out in some other way. It is quite probable something could be done, as has been suggested by a former Commissioner General, in the way of distributing immigrants throughout the West to prevent congestion in the seaboard cities. We ought to check the evil at the outset; however, and keep out the worst aliens, so that we would have to distribute only the better classes. If men are undesirable, the more you distribute them the worse off you are.

The percentage of illiteracy is enormously greater among the undesirable nationalities than among those we have always been glad to welcome to the United States. But is not the ignorant man as good a workman as one who knows how to read and write? Ought one to put up the bars against poor people whose illiteracy is the fault of the country where they were born, and who, perhaps, come to the United States as much to get an education for their children as for any other reason? There is the sentimental argument. Of course, we ought to be generous about our own advantages, but there is no God-given right by which men can come to this country and expect us to educate them. The fact of the matter is that the uneducated foreigner, who can neither read nor write in his own language, can not be reached by our educational institutions. He remains in a condition of hopeless ignorance, and while he may be a good

workingman he is not a good citizen. We might take his children, if he has any, and keep him out, except for the inhumanity of such a proceeding, but it is an undeniable fact that the grown man, who comes here illiterate, seldom or never rises sufficiently to be reached by our American institutions. These ignorant people can not meet the competition of the educated men of their own nationality. They are too ignorant to know where the conditions are best for them, and they herd together in the cities. They can not be reached by our schoolteachers or the missionaries, and they are the ones who first go to the hospitals and the poorhouses, because they can not bring themselves to learn anything from their own people or from their American neighbors. I believe we can institute a practical educational test which will work well and which would not be more unfair than is any other test.

To our own very heavy burden of defectives and degenerates we are adding every year thousands of aliens, whose presence here will result, because of their own defects and those of their offspring, in lowering the physical and mental standards of the American race. We have much still to learn about heredity, but we know enough to be sure that if the quality of our race is to be preserved there must be a far more careful selection of our immigrants than we have ever attempted to make. The need is indeed imperative for applying eugenic principles in our legislation, but the greatest, the most logical, the most effective step that we can take is to begin with the proper eugenic selection of the incoming alien millions.

We hear much of the conservation of our natural resources, but the conservation and improvement of the American race is vastly more important than all other conservation.

wealth of a nation is the quality of its people. Of what value are endless acres of forests, millions of tons of coal, and billions of gallons of water if the race is not virile and sane and sound?

[Mr. LANGLEY addressed the committee. See Appendix.]

Mr. Barton, by unanimous consent, was given permission to extend remarks in the RECORD.

Mr. BURNETT. Mr. Chairman, I move that all debate on

this amendment close in 30 minutes.

The CHAIRMAN. The gentleman moves that all debate on this section and amendment close in 30 minutes.

Mr. HAYES. The gentleman means on this amendment to the literacy test?

Mr. BURNETT. I mean to this paragraph, and that is the only amendment.

Mr. OGLESBY. I hope the gentleman will extend that time. Mr. GOLDFOGLE. Mr. Chairman, I understand the gentleman from Alabama refers only to the amendment offered by me to strike out the educational test.

The CHAIRMAN. The Chair so understands the gentleman from Alabama. The gentleman from Alabama moves that all debate on this amendment close in 30 minutes.

The question was taken; and on a division (demanded by Mr. GOLDFOGLE) there were 62 ayes and 61 noes.

So the motion was agreed to.

Mr. BARTHOLDT. Mr. Chairman, I was very much interested in the statements of my friend from Texas, Mr. SLAYDEN, and I cordially reciprocate the sentiments of friendship which he has expressed. I want to go further than he has, however, and say that I agree with him on nearly all questions save this one. I was interested in his remarks, not because of what he said about conditions in Belgium, and so forth, but because of the State which he so well represents on this floor. I remember the time when Representatives of the great State of Texas stood upon this floor protesting against the National Government undertaking to regulate the question of immigration, for the reason that while conditions in the North—in New York and Pennsylvania and the other crowded sections of the countrymight justify legislation to exclude foreigners, such justification did not exist in the State of Texas, and for that reason they expressed a preference for the sovereign right of the State to regulate a question of that kind according to its own sweet will; and while it is true that the question of immigration is national, yet the Representatives from that great State at that time made the argument that the National Government was doing something against which they were bound to protest on account of the conditions existing in their State. What might suit New York might not and did not suit Texas, they said, and because of the difference of conditions they demanded different treatment.

Mr. Chairman, will the gentleman yield? Mr. SLAYDEN.

Mr. BARTHOLDT. I have only five minutes.

Mr. SLAYDEN. Does the gentleman say that the State of Texas has the right to prevent the handling of the immigration question by the National Government?

Mr. BARTHOLDT. Oh, no. These seasoned lawmakers understood that they had no such right, yet they protested against the regulation of the question by the National Government as an iniquity and injustice to their State, a State which they said needed immigration, and the Lord knows it needs it just as much to-day as it needed it 20 years ago, because Texas has more land and less people than any other section of the country.

I am opposed to the literacy test, for three reasons: First, because it is insincere and hypocritical. It is proposed in the name of education, while in reality you merely want to restrict, and you propose here to coin hypocrisy into American law, and against that I protest. Secondly, I am opposed to it because it punishes a lack of opportunity. Think of it, the land of opportunity is to go on record before the civilized world as punishing the lack of opportunity of those poor people who could not get the necessary education at home in order to pass this test

Do you know that every one of the men and women, in order to be admitted, under existing laws must well-nigh be an angel? Look at these laws and the drastic restrictions you have placed around the poor immigrant. He must be physically sound and mentally sound. If there has been blot on his character in the past, he can not say, like our friend from Mississippi, the Hon. John Allen, "Never mind the past, but I point with pride to my spotless future." [Laughter.] No; his good intentions for the future avail him nothing. Before he can pass the gate it is necessary for him to point to spotless past in the first place. Why, persons, male or female, who succeed in getting by the inspectors at Ellis Island would be good enough to be readily. admitted into heaven, whether they can read and write or not; but in order to be admitted into this free country they must be able to read. In other words, our restrictionists propose to set up a test more stringent than that which would easily entitle an immigrant to eternal bliss.

My third objection is that an educational test is no test of character-in fact, is no test of the fitness of an immigrant at all. From a practical standpoint it would be better to exclude educated classes and admit those who have not had the benefit of a school training, because the latter we really need for our rough work, while we have an ample sufficiency of the former class in our own country. As honest and self-respecting legislators we can not and should not depart from the truism that

character is the only test of a man's worth. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

By unanimous consent, Mr. BARTHOLDT, Mr. TAYLOR of New York, and Mr. Loft were granted leave to extend their remarks in the RECORD.

Mr. MANN. Mr. Chairman, I realize the opposition there is to very large immigration to our country, and I question the desirability of having too large a number of immigrants coming into this country. No one would question the fact that we do not desire immigration more rapidly than we can properly assimilate it, but, Mr. Chairman, I have never yet been willing to judge of the honesty of a man or of his capacity, morally, mentally, or physically, by the test of whether he could read, when he had been brought up without the opportunity to learn to read. [Applause.] I think it is perhaps a reflection upon a citizen of the United States, born and raised here close to free public schools, if he has taken no advantage of his opportunity and learned to read, but I can not believe that it is a reflection upon a citizen of a foreign land who has not had the same opportunity of free public schools in which he might learn to read. And we all know that if in the history of our country those who were not able to read had not been permitted to be pioneers of the country, the country would still remain un-settled, and if those who were not able to read had not been permitted to come into the country we still would be a desert land.

I can not bring my conscience to the point where it enables me to judge of the desirability of a foreigner becoming an American citizen, with the right to rear his children here, by the test of whether, without the opportunity, he has been able to learn to read. There ought to be other tests which will enable us to properly restrict immigration. I do not believe that this land of ours, held up as the hope of the ignorant every-where in the world, held up as the hope of the oppressed throughout the lands of the world, that here we can afford to say, No matter how willing you are to become a good citizen, no matter how industrious you may be, no matter how eco-nomical you may be, no matter how willing to work you may be, yet you can not become one of us except by the arbitrary, test of whether, without the opportunity which we had, you have learned to do that which we have learned to de, namely, to read. I hope we will never reach that point. [Applause.]

Mr. BURNETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to; accordingly the committee rose, and Mr. Garrett of Tennessee having assumed the chair as Speaker pro tempore, Mr. Hay, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6060 and had directed him to report that it had come to no conclusion

HOUR OF MEETING.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that

the House meet at 11 o'clock on Monday.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent that when the House adjourns to day it adjourn to meet on Monday next at 11 o'clock. Is there objection?

Mr. DONOVAN. Mr. Speaker—
The SPEAKER pro tempore. For what purpose does the gentleman rise

Mr. DONOVAN. To ask a question-is it 11 o'clock a. m.

Mr. MANN. Mr. Speaker, reserving the right to object, may I ask the gentleman from Alabama what the understanding is, if there be one, whether this bill has the right of way on Monday or whether the Unanimous Consent Calendar will be

Mr. BURNETT. If we meet at 11 o'clock of course this bill will have the right of way from 11 to 12, but what the ruling of the Speaker will be on that question I do not know, but we

shall ask for the right of way that day.

Mr. MANN. The right of way, of course, would not depend upon the House meeting at 11; that would not be the test, of course. I do not know whether there was any understanding.

Mr. BURNETT. No; there is not.
Mr. MANN. I have no objection.
Mr. GOLDFOGLE. Mr. Speaker, reserving the right to object, suggest to the gentleman from Alabama that many of the Members of the House, this being Saturday night, will probably go away to spend Sunday with their families. Now, they may not be able to get here as early as the gentleman from Alabama suggests, if the House meets at 11, so I suggest to the gentleman that he ought not to press his request.

The SPEAKER pro tempore. Is there objection? Mr. GOLDFOGLE. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from New York objects.

Mr. BURNETT. Mr. Speaker, I move that the House do now adjourn. I withhold that motion for one minute for the gentleman from Washington.

CONSTRUCTION OF BRIDGE AND APPROACHES ACROSS COLUMBIA RIVER, VANCOUVER, WASH.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to take from the Speaker's table and pass the bill S. 4094, an act providing for the erection of a bridge and approaches thereto across the Columbia River at or near Vancouver, Wash.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent to take from the Speaker's table

Senate bill 4094.

Mr. MANN. It does not require unanimous consent.

The SPEAKER pro tempore. Is there a similar bill on the House Calendar?

Mr. JOHNSON of Washington. Yes; and a favorable report from the Committee on Rivers and Harbors.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

S. 4094. An act authorizing the construction of a bridge and approaches thereto across the Columbia River at or near Vancouver, Wash.

Mr. GARDNER. Mr. Speaker, has not the stage of business gone for the gentleman to take it from the table?

Mr. MANN The gentleman asked unanimous consent.

The SPEAKER pro tempore. It has, except by unanimous consent; but the gentleman asked unanimous consent.

Mr. MANN. Let the bill be reported.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read as follows:

Be it enacted, etc., That the county of Multnomah, in the State of Oregon, the county of Clarke, in the State of Washington, or the said counties of Multnomah and Clarke, acting jointly, be, and they or either of them are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation, at or near Vancouver, Wash., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. Is there objection?

Mr. GARDNER. Mr. Speaker, reserving the right to object, would like for the gentleman to give an explanation of this bill.

Mr. JOHNSON of Washington. Mr. Speaker, this is a bill authorizing the building of a bridge to cost nearly \$3,000,000 between the two States, and is to be paid for by the people of the two counties named. A favorable report has been made by the Committee on Interstate and Foreign Commerce of the House and the bill has passed the Senate.

Mr. GARDNER. Is a similar bill now on the House Cal-

endar?

Mr. JOHNSON of Washington. Yes; and reported favorably. Mr. GARDNER. And reported unanimously? Mr. JOHNSON of Washington. Yes.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read a

third time, and passed.

On motion of Mr. Johnson of Washington, a motion to reconsider the vote by which the bill was passed was laid on the

ADJOURNMENT.

Mr. BURNETT. Mr. Speaker, I move that the House do now

The motion was agreed to; accordingly (at 6 o'clock and 28 minutes p. m) the House adjourned until Monday, February 2, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Key West Harbor, Fla., with a view to construction of a harbor of refuge and a safe anchorage for vessels (H. Doc. No. 680), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed, with illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HOUSTON, from the Committee on the Territories, to which was referred the bill (S. 48) to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes, reported the same with amendments, accompanied by a report (No. 204), which said bill and report were referred to the Comma tee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:

By Mr. MAHER: A bill (H. R. 12740) to provide for compensation for mechanics, generally known as machinists and toolmakers, employed by the United States Government; to the Committee on Labor.

By Mr. FOSTER: A bill (H. R. 12741) to provide for and encourage the prospecting, mining, and treatment of radiumbearing ores in lands belonging to the United States, for the purpose of securing an adequate supply of radium for Government and other hospitals in the United States, and for other purposes; to the Committee on Mines and Mining.

By Mr. HUMPHREY of Washington: A bill (H. R. 12742)

to improve the efficiency of Marine Engineers of the United States, and to create a grade of certificates to be known as "Apprentice engineers' certificates"; to the Committee on the

Merchant Marine and Fisheries.

By Mr. KAHN: A bill (H. R. 12743) to authorize the Secretary of the Treasury to cause to be erected a suitable building or buildings for marine-hospital purposes on the present marine-hospital site at San Francisco, Cal., and to remove all or any of the present structures on said site; to the Committee on Public Buildings and Grounds.

By Mr. COX: A bill (H. R. 12744) requiring the Secretary of War to manufacture certain supplies for the Army in the quartermaster's depot at Jeffersonville, Ind., and making an appropriation therefor, and for other purposes; to the Committee on Military Affairs.

By Mr. DHLON: A bill (H. R. 12745) permitting seeds, cuttings, bulbs, roots, scions, and plants to be placed under parcelpost laws and regulations; to the Committee on the Post Office and Post Roads.

By Mr. HOWARD: A bill (H. R. 12746) to provide for the establishment, operation, and supervision of a cooperative national farm-land bank system in the United States of America, and for other purposes; to the Committee on Banking and Currency.

By Mr. MONTAGUE: A bill (H. R. 12747) authorizing the Secretary of War, in his discretion, to deliver to the city of Richmond, Va., a bronze cannon; to the Committee on Military

By Mr. PALMER: A bill (H. R. 12748) fixing the annual salary of clerks of circuit courts of appeals; to the Committee on the Judiciary.

By Mr. WICKERSHAM: A bill (H. R. 12749) to increase the compensation of the register and receiver of the Juneau (Alaska) land office; to the Committee on the Public Lands.

By Mr. McCOY: A bill (H. R. 12750) relating to procedure in

United States courts; to the Committee on the Judiciary. By Mr. LENROOT: A bill (H. R. 12751) for the relief of the St. Croix Chippewa Indians of Wisconsin; to the Committee on Indian Affairs

By Mr. FALCONER: A bill (H. R. 12752) for the erection of a monument to the memory of John Ericsson, inventor of the Monitor, at Washington, D. C.; to the Committee on the

By Mr. GOEKE: A bill (H. R. 12753) for the erection of a memorial building at Fort Amanda, Allen County, Ohio; to the

Committee on the Library.

By Mr. BROUSSARD: A bill (H. R. 12754) to create a waterways commission and a board of river regulation to promote interstate commerce by the development and improvement of the rivers and waterways and water resources of the United States and the coordination of and cooperation between rail and water routes, and by providing a fund for the regulation and control of the flow of rivers and for the maintenance at all seasons of a navigable stage of water in waterways and for the connection of rivers and waterways with the Great Lakes and with each other, and as a means to that end to provide for flood prevention and protection and for water storage and for the beneficial use of flood waters for irrigation and water power and for the conservation and use of water in agriculture and for the protection of watersheds from denudation and erosion and from forest fires and for the cooperation in such work of Government services and bureaus with each other and with States, municipalities, and other local agencies; to the Committee on Rivers and Harbors.

By Mr. NORTON: A bill (H. R. 12755) for the establishment of a farm-credit bureau in the Department of Agriculture, to reduce the rate of interest of farm mortgages, and to encourage agriculture and the ownership of farm homes; to the Committee on Agriculture.

By Mr. TAYLOR of New York: A bill (H. R. 12756) providing for the completion of the Tarrytown Harbor, N. Y.; to the Committee on Rivers and Harbors.

By Mr. SMITH of Idaho: Joint resolution (H. J. Res. 207) providing for a commission to contract for finishing the historical frieze in the Rotunda of the Capitol; to the Committee on the Library

By Mr. FINLEY: Joint resolution (H. J. Res. 208) providing for the printing of the roster of the officers and enlisted men of the Union and Confederate Armies; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE of Wisconsin: A bill (H. R. 12757) granting an increase of pension to August H. Strains; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 12758) granting a pension to Dora R. Boyle; to the Committee on Invalid Pensions

Also, a bill (H. R. 12759) granting an increase of pension to William A. Barber; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 12760) granting a pension to William H. Ratcliff; to the Committee on Pensions

Also, a bill (H. R. 12761) granting an increase of pension to C. E. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12762) to correct the military record of George W. Hall; to the Committee on Military Affairs.

By Mr. CULLOP: A bill (H. R. 12763) granting an increase of pension to Nancy J. Steward; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 12764) granting a pension to Charles F. Mow; to the Committee on Pensions.

By Mr. DOREMUS: A bill (H. R. 12765) for the relief of

John W. Wischmeyer; to the Committee on Military Affairs. Also, a bill (H. R. 12766) granting a pension to James S.

Kensler; to the Committee on Pensions.

By Mr. EDMONDS: A bill (H. R. 12767) for the relief of John Holly Wilkie; to the Committee on Claims.

By Mr. FALCONER: A bill (H. R. 12768) to amend the milirecord of John Morrow; to the Committee on Military

By Mr. FRANCIS: A bill (H. R. 12769) granting an increase of pension to Alexander Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12770) granting a pension to Allie E. Stillwell; to the Committee on Invalid Pensions.

By Mr. GARRETT of Texas (by request): A bill (H. R. 12771) for the relief of the legal representatives of John Fletcher and Harriet A. K. Fletcher, deceased; to the Committee on War Claims.

By Mr. GOEKE: A bill (H. R. 12772) granting an increase of pension to John W. Williams; to the Committee on Invalid Pensions

By Mr. HELVERING: A bill (H. R. 12773) granting an increase of pension to Michael H. Dibert; to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 12774) granting an increase of pension to Andrew J. Halley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12775) granting an increase of pension to

George W. Hutchison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12776) for the relief of Frederick A. Holden; to the Committee on Claims.

By Mr. HULINGS: A bill (H. R. 12777) granting an increase of pension to William Eastlick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12778) for the relief of W. D. Stoyer, administrator of the estate of Henry S. Stoyer; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 12779) to correct the military record of William Vanover; to the Committee on Military Affairs

By Mr. LAZARO: A bill (H. R. 12780) to provide for the payment of the claim of J. O. Modisette for services performed for the Chickasaw Indians of Oklahoma; to the Committee on Indian Affairs.

By Mr. LESHER: A bill (H. R. 12781) granting a pension to George H. Cope; to the Committee on Pensions.

By Mr. LEWIS of Pennsylvania: A bill (H. R. 12782) granting a pension to David Good; to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 12783) granting a pension to William H. Crawford; to the Committee on Pensions.

Also, a bill (H. R. 12784) to reimburse Saunders Lewis, jr.,

for expenses of the office of clerk of the circuit court of appeals for the third circuit; to the Committee on Claims. By Mr. POWERS: A bill (H. R. 12785) granting a pension to

William G. Pennington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12786) granting a pension to Stephen House; to the Committee on Pensions.

Also, a bill (H. R. 12787) to add to the records of the War Department the name of James B. Partin, and to grant him an honorable discharge; to the Committee on Military Affairs. By Mr. TAGGART: A bill (H. R. 12788) to correct the mili-

tary record of Alfred Rebsamen; to the Committee on Military

By Mr. TOWNER: A bill (H. R. 12789) granting a pension to Henry Webb; to the Committee on Pensions.

Also, a bill (H. R. 12790) granting an increase of pension to Charles F. Haines; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12791) granting an increase of pension to Harrison Rightmire; to the Committee on Invalid Pensions.

By Mr. WHALEY: A bill (H. R. 12792) for the relief of Mrs.

Thomas G. Prioleau and others, heirs at law of Thomas G. Prioleau, deceased; to the Committee on Claims.

By Mr. DYER: A bill (H. R. 12793) granting an increase of pension to Gideon W. Carmichael; to the Committee on Invalid Pensions.

By Mr. CLAYPOOL: A bill (H. R. 12794) granting an increase of pension to Isaac Hill; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of sundry citizens of Philadelphia Branch, No. 430; Workmen's Circle of Cleveland, Ohio; Lodge No. 281, Independent Order B'rith Abraham, of Rochester, N. Y.; and Newark (N. J.) Young Men's Lodge, No. 154, Independent Order B'rith Sholom, protesting against the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturalization.

Also (by request), petition of the Paul Revere Branch of the American Continental League, of Leominster, Mass., protesting against the "One hundred years of peace celebration"; to the

Committee on Foreign Affairs.

By Mr. ASHBROOK: Petition of Henry Heckman and 10 others, of Newark, Ohio., protesting against Federal prohibition; to the Committee on the Judiciary.

Also, petition of Silver Star Council of Daughters of Liberty, of Newark, Ohio, favoring more stringent immigration laws; to the Committee on Immigration and Naturalization.

By Mr. BAILEY (by request): Petition of citizens of Pennsylvania, favoring investigation of the Menace; to the Committee on Rules.

Also (by request), petition of German-American Alliance of Johnstown, Pa., against House joint resolution 168; to the Committee on the Judiciary.

By Mr. BURKE of Wisconsin: Memorial of the Wisconsin State Conference of Brotherhood of Painters and Paper Hangers,

favoring House bill 1873; to the Committee on the Judiciary.

Also, petition of the Kewaskum (Wis.) Branch of German-American Alliance, against House joint resolution 168; to the Committee on the Judiciary.

By Mr. BUTLER: Petition of Joshua Sharpless, favoring an investigation of the publication called The Menace; to the Committee on Rules.

Also, petitions of the Daughters of Liberty of Berwyn and Chester, Pa.; Edgmont Council, No. 833, Order of Independent Americans, of Gradyville, Pa.; and sundry citizens of the United States, favoring the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. CALDER: Petition of citizens of New York, favoring House bill 6060; to the Committee on Immigration and Naturalization.

Also, memorial of South Brooklyn (N. Y.) Lodge, No. 174, Independent Order of B'rith Abraham, against House bill 6060; to the Committee on Immigration and Naturalization.

Also, memorial of the Maritime Association of the port of New York, favoring House bill 3328; to the Committee on Interstate and Foreign Commerce.

By Mr. CARLIN: Papers to accompany House bill 12678: to

the Committee on War Claims.

By Mr. CARY: Petition of the Milwaukee Aerie, No. 137, Fraternal Order of Eagles, of Milwaukee, Wis., protesting against the passage of House joint resolution 168 and Senate joint resolutions 88 and 50, or any other prohibition measures; to the Committee on the Judiciary

By Mr. CLANCY: Petition of sundry citizens of Camillus and Jordan, N. Y., favoring the passage of House bill 5308, relative to mall-order houses; to the Committee on Ways and Means. By Mr. DANFORTH: Petitions of Flower City Lodge, No. 281,

Independent Order of B'rith Abraham, of Rochester, N. Y.; American-Jewish Committee of New York City, and the Polish National Alliance of the United States, against House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. DILLON: Petition of citizens of Beresford, S. Dak. protesting against the passage of the Sabbath observance bill (H. R. 9674); to the Committee on the District of Columbia.

Also, petition of citizens of Jefferson, N. Dak., relative to aid for Enright's place against the ravages of the Missouri River; to the Committee on Rivers and Harbors.

By Mr. DYER: Petitions of citizens and organizations of Missouri, against House bill 6060; to the Committee on Immigration and Naturalization.

Also, petitions of St. Louis (Mo.) Council, No. 1, Junior Order United American Mechanics, and citizens of St. Louis, Mo., favoring House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. EAGAN: Petition of the Italo-American Democratic Club of Hoboken, N. J., protesting against the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. EDMONDS: Petition of the George Rogers Clark Branch of the Continental League, of Philadelphia, Pa., protesting against "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

Also, petition of Council Branch, No. 47, Order of United American Mechanics, favoring House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. FITZGERALD: Petition of National League of Commission Merchants of the United States, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petitions of Santa Margherita Belici, of Brooklyn, N. Y., and citizens of Cincinnati, Ohio, protesting against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, memorial of General Assembly of the Commonwealth of Kentucky, relating to use of Kentucky stone in the erection of the Lincoln Memorial Building at Washington; to the Committee on Public Buildings and Grounds.

Also, memorial of the Hide and Leather Association of New York, favoring change in the Bureau of Foreign and Domestic Commerce; to the Committee on Interstate and Foreign Com-

Also, petition of New York State Fruit Growers' Association, of Penn Yan, N. Y., protesting against the passage of the McKellar cold-storage bills; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Utica Association of Credit Men, relative to flood protection; to the Committee on Rivers and Harbors.

Also, memorial of the board of directors of the Maritime Association of the Port of New York, favoring the passage of House bill 3328, relative to construction of four new revenue cutters; to the Committee on Interstate and Foreign Com-

By Mr. GILMORE: Petition of the Hebrew Socialist Club, Brockton, Mass., and Plymouth Rock (Mass.) Lodge, No. 289, Independent Order B'rith Abraham, against House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. GOODWIN of Arkansas: Papers to accompany House bill 12692; to the Committee on Claims.

Also, papers to accompany House bills 12693 and 12694; to the Committee on War Claims.

By Mr. GRAHAM of Pennsylvania: Petition of the Order of Independent Americans of Pennsylvania, favoring House bill

6060; to the Committee on Immigration and Naturalization.
By Mr. HUMPHREY of Washington: Petitions of J. G.
Jenkins, Elmer Wittie, and C. H. Hart, of Bellingham, Wash.,
favoring a two-battleship program; to the Committee on Naval Affairs.

By Mr. IGOE: Petition of the Polish National Alliance of Chicago, Ill., protesting against the passage of House bill 6060 restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. JOHNSON of Utah: Petition of D. H. Morris and 38 others, of St. George, Utah, favoring the passage of House bill 8947, extending the free delivery of mails; to the Committee on the Post Office and Post Roads.

By Mr. JOHNSON of Washington: Petition of Aberdeen (Wash.) Central Labor Council, favoring seamen's bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. KENNEDY of Iowa: Petition of members of the Grand Army post at Bonaparte, Iowa, protesting against the passage of the Towner bill, for paying soldiers' pensions each month; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: Memorial of Providence (R. I.) Lodge, No. 591, Independent Order of B'rith Abraham. protesting against the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of Branch No. 25, United National Association of Post Office Clerks of the United States, of Providence, R. I., favoring the passage of House bill 10827, relative to increase in salary; to the Committee on the Post Office and Post Roads.

By Mr. KIESS of Pennsylvania: Papers to accompany bills for pensions to George R. Robinson and Jessie Byerly; to the Committee on Invalid Pensions.

By Mr. LEE of Georgia: Papers to accompany House bill 12154, a bill granting an increase of pension to John Loughmiller; to the Committee on Invalid Pensions.

By Mr. LEVY: Petitions of the Workmen's Circle of New York City and sundry citizens of Cincinnati, Ohio, protesting against the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of C. Tennant, Sons & Co., of New York City, relative to treatment of European governments as to the tariff on cottonseed oil; to the Committee on Ways and Means.

Also, memorial of the Merchants' Association of New York, protesting against the passage of Bartlett-Bacon anti-injunc-

tion bills; to the Committee on the Judiciary.

Also, memorial of the New York Wholesale Grocers' Association, at Utica, N. Y., favoring the right to make resale price by manufacturers of goods; to the Committee on Interstate and Foreign Commerce.

Also, petitions of N. L. Carpenter & Co., William Meyer & Co. Ignaz Strauss & Co., Weingarten Bros., all of New York City, favoring the passage of the Ransdell-Humphreys bill, relative to flood control; to the Committee on Rivers and Harbors

Also, memorial of the Northern New York Development League, relative to deepening of the St. Lawrence River where necessary, etc.; to the Committee on Rivers and Harbors.

Also, petition of R. C. Williams & Co., of New York City, protesting against the passage of House bill 9833, relative to labels bearing the year of packing; to the Committee on Interstate and Foreign Commerce.

By Mr LINDQUIST: Petition of citizens of Carson City, Vickeryville, Butternut, Coral, and Shepherd, all in the State of Michigan, favoring the passage of the Lindquist pure fabric and leather bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Andrew Macombe Post, No. 141, Grand Army of the Republic, relative to flag; to the Committee on Military

Affairs.

By Mr. LONERGAN: Petitions of the Polish National Alliance of Chicago and the American-Jewish Committee of New York, protesting against the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Boston Fish Bureau, protesting against the passage of the McKellar cold-storage bill; to the Committee

on Interstate and Foreign Commerce.

By Mr. MOORE: Memorial of Palestina Lodge, No. 273, Independent Order B'rith Abraham, protesting against the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturalization.

Also, memorial of General Sumter Branch of the American Continental League, of Philadelphia, Pa., protesting against the "One hundred years of peace celebration"; to the Committee

on Foreign Affairs.

By Mr. PAGE of North Carolina: Petitions of citizens of Ontario and Wayne Counties, N. Y., favoring the amendment to the Constitution relative to sale, etc., of intoxicating liquors; to the Committee on the Judiciary.

By Mr. PALMER: Memorial of Palestine Lodge, No. 273, Independent Order B'rith Abraham, protesting against the passage of House bill 6060, restricting immigration; to the Com-

mittee on Immigration and Naturalization.

By Mr. REILLY of Connecticut: Petition of Polish National Alliance, of Chicago, Ill., protesting against restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Boston Fish Bureau, of Boston, Mass., protesting against the passage of the McKellar cold-storage bill; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTS of Massachusetts: Memorial of veterans of Civil War, in reference to House bill 9324; to the Committee on Naval Affairs.

By Mr. SCULLY: Petition of German-American Alliance of Middlesex County, N. J., protesting against the passage of House joint resolution 168, for Federal prohibition; to the Committee on the Judiciary

By Mr. SELDOMRIDGE: Petition of the Polish National Alliance, of Chicago, Ill., against House bill 6060; to the Committee on Immigration and Naturalization.

Also, petition of Centennial Council No. 7, Daughters of Liberty, of Pueblo, Colo., favoring House bill 6060; to the Committee on Immigration and Naturalization.

Also, petition of John Olgorkeke, of Picton, Colo., House joint resolution 168; to the Committee on the Judiciary

By Mr. J. M. C. SMITH: Petition of the Amalgamated Electric and Street Railway Employees of Kalamazoo, Mich., favoring Bartlett-Bacon bill; to the Committee on the Judiciary.

Also, petition of citizens of Michigan, favoring free press and

free speech; to the Committee on Rules.

By Mr. SUTHERLAND: Papers to accompany House bill

12530; to the Committee on Invalid Pensions.

By Mr. TEN EYCK: Statement of Jay Fowler, carrier on rural route No. 1, of Slingerlands, Albany County, N. Y., show-ing actual cost of necessary equipment and maintenance of same, to properly serve his route during the year 1913; to the Committee on the Post Office and Post Roads.

Also, statement of George W. Latta, carrier on rural route No. 1, of Delmar, Albany County, N. Y., showing actual cost of

necessary equipment and maintenance of same, to properly serve his route during the year 1913; to the Committee on the Post Office and Post Roads.

Also, statement of Calvin Bushnell, carrier on rural route No. 1, of Altamont, Albany County, N. Y., showing actual cost of necessary equipment and maintenance of same to properly serve his route during the year 1913; to the Committee on the Post Office and Post Roads.

By Mr. UNDERHILL: Petition of the Workmen's Circle of New York and citizens of Cincinnati, Ohio, against the immigration bill; to the Committee on Immigration and Naturaliza-

tion.

Also, memorial of the Northern New York Development League, favoring deepening of St. Lawrence River; to the Committee on Rivers and Harbors.

Also, memorial of Merchants' Association of New York,

against House bill 1873; to the Committee on the Judiciary.

Also, memorial of the Utica (N. Y.) Association of Credit Men, favoring completion of Mississippi levee system; to the Committee on Rivers and Harbors.

Also, petition of the New York Wholesale Grocers' Association, favoring legislation giving the independent manufacturer of trade-marked goods the right to make the resale price on his own products; to the Committee on Interstate and Foreign

Also, petition of the Twenty-second Annual Convention of the National League of Commission Merchants of the United States, favoring House bill 4322; to the Committee on the Post Office

By Mr. WEAVER: Petition of farmers of Garvin County, Okla., favoring the passage of a bill for rural credit system;

to the Committee on Banking and Currency.

By Mr. WILSON of New York: Petition of the Polish National Alliance, of Chicago, Ill., protesting against the passage of House bill 6060, restricting immigration; to the Committee on Immigration and Naturalization.

SENATE.

Monday, February 2, 1914.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the

following prayer:

Oh Lord our God, Thy kingdom ruleth over all. We can not by any means take ourselves out of the jurisdiction of Thy law. Thy kingdom is an everlasting kingdom. All forms of human endeavor and all the activities of organic life must come within the province of Thy kingdom and within the jurisdiction of Thy law.

We pray that the may be inspired with a sense of God's right to rule and with responsive love to Thee for all Thy goodness to us, so that every act of our life may be brought into conformity to Thy will and that we may act as the stewards of God, commissioned of Thee to perform a great work for Thy people, and that we may constantly receive the blessed benediction of our Father in heaven. For Christ's sake. Amen.

The Journal of the proceedings of Saturday last was read and

REPORT OF THE CAPITAL TRACTION CO. (H. DOC. NO. 682).

The VICE PRESIDENT laid before the Senate the annual report of the Capital Traction Co., of the District of Columbia, for the year ended December 31, 1913, which was referred to the Committee on the District of Columbia and ordered to be printed.

REPORT OF THE WASHINGTON GAS LIGHT CO. (H. DOC. NO. 683).

The VICE PRESIDENT laid before the Senate the annual report of the Washington Gas Light Co., of the District of Columbia, for the year ended December 31, 1913, which was referred to the Committee on the District of Columbia and ordered to be printed.

REPORT OF WASHINGTON RAILWAY & ELECTRIC CO. (H. DOC. NO. 687).

The VICE PRESIDENT laid before the Senate the annual report of the Washington Railway & Electric Co., of the District of Columbia, for the year ended December 31, 1913, which was referred to the Committee on the District of Columbia and ordered to be printed.

REPORT OF GEORGETOWN & TENNALLYTOWN RAILWAY CO. (II. DOC. NO. 685).

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown & Tennallytown Railway Co. for the year ended December 31, 1913, which was referred to the Committee on the District of Columbia and ordered to be printed.

REPORT OF POTOMAC ELECTRIC POWER CO. (H. DOC. NO. 684).

The VICE PRESIDENT laid before the Senate the annual report of the Potomac Electric Power Co., of the District of Columbia, for the year ended December 31, 1913, which was referred to the Committee on the District of Columbia and ordered to be printed.

REPORT OF CITY & SUBURBAN BAILWAY (H. DOC. NO. 686).

The VICE PRESIDENT laid before the Senate the annual report of the City & Suburban Railway, of Washington, for the year ended December 31, 1913, which was referred to the Committee on the District of Columbia and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 4094) authorizing the construction of a bridge and approaches thereto across the Columbia River at or near Vancouver. Wash.

The message also announced that the House had passed a bill (H. R. 12235) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented memorials of George Washington Branch, American Continental League, of Philadelphia, Pa.; of Wissinoming Tribe, No. 133, Improved Order of Red Men. of Pennsylvania; of General Sumter Branch, American Continental League, of Philadelphia, Pa.; of Commodore Oliver Hazard Perry Branch, American Continental League, of Valley Falls, R. I.; of General Richard Montgomery Branch, American Continental League, of Philadelphia, Pa.; of the Emmet Asso-ciates, of Lynn, Mass.; of the Robert Emmet Literary Society, of Portland, Ore.; of the Robert Fulton Society, of New York City, N. Y.; and of Commodore Thomas MacDonough Branch, American Continental League, of Philadelphia, Pa., remonstrating against any appropriation being made for the celebra-tion of the so-called "One hundred years of peace among English-speaking peoples," which were referred to the Committee on Foreign Relations.

Mr. FLETCHER presented a resolution adopted by the Southern Commercial Congress at its fifth annual convention, held in Mobile, Ala., October 27-29, 1913, favoring the improvement of the waterways of the country, etc., which was referred to the Committee on Commerce.

He also presented resolutions adopted by the Southern Commercial Congress at its fifth annual convention, held in Mobile, Ala., October 27-29, 1913, favoring an appropriation for the conof the floods of the navigable rivers of the country, which were referred to the Committee on Commerce.

He also presented a resolution adopted by the Southern Commercial Congress at its fifth annual convention, held in Mobile, Ala., October 27-29, favoring the enactment of legislation to provide an expert board to devise a comprehensive plan for the improvement, maintenance, and use of the waterways of the country, etc., which was referred to the Committee on Commerce.

He also presented a resolution adopted by the Southern Com-mercial Congress at its fifth annual convention, held in Mobile, Ala., October 27-29, 1913, favoring the enactment of legislation to induce the construction of a merchant marine, which was referred to the Committee on Commerce.

He also presented a resolution adopted by the Southern Commercial Congress at its fifth annual convention, held in Mobile, Ala., October 27–29, 1913, favoring the enactment of legislation to provide for an industrial survey of the country, which was referred to the Committee on Commerce.

He also presented resolutions adopted by the Southern Commercial Congress at its fifth annual convention, held in Mobile, Ala., October 27-29, 1913, favoring the enactment of legislation authorizing the adoption of a system of vitality reports by the Federal Government, which were referred to the Committee on the Census.

He also presented resolutions adopted by the Southern Commercial Congress at its fifth annual convention, held in Mobile, Ala., October 27-29, 1913, favoring the enactment of legislation for the improvement of the cotton industry, etc., which were referred to the Committee on Agriculture and Forestry.

He also presented resolutions adopted by the Southern Commercial Congress at its fifth annual convention, held in Mobile, Ala., October 27-29, 1913, favoring the enactment of legislation to provide a system of rural credits for the country, which were referred to the Committee on Banking and Currency.

He also presented a resolution adopted by the Southern Commercial Congress at its fifth annual convention held in Mobile, Ala., October 27-29, 1913, favoring the enactment of legislation providing for the distribution of aliens throughout the South, etc., which was referred to the Committee on Immigration.

Mr. BRISTOW presented a petition o. sundry citizens of Pittsburg, Kans., praying that an appropriation be made for the construction annually of two new battleships, which was referred to the Committee on Naval Affairs.

Mr. SMITH of Arizona. I present a set of telegrams and resolutions calling for Federal investigation of conditions in the Michigan copper camps, being a telegram from T. P. Esmond, secretary-treasurer of the Jerome Miners' Union, of Jerome, Ariz.; a telegram from Al. J. Jagerson, treasurer of the Chloride Miners' Union, of Chloride, Ariz.; a telegram from R. A. Campbell, secretary of the Arizona State Federation of Labor, of Phoenix, Ariz.; a telegram from the Warren District Trades Assembly, of Bisbee, Ariz.; a telegram from W. E. Holm, secretary of the Western Federation of Miners, of Bisbee, Ariz.; another telegram from Holm; and resolution of the Cooks and Waiters' Union, of Bisbee, Ariz.; resolutions of the Brother-hood of Painters, Decorators, and Paper Hangers of America, of Bisbee, Ariz., Arthur T. Thatcher, secretary; resolution of the Meat Cutters and Butchers' Union, o. Bisbee, Ariz., James the Meat Cutters and Butchers' Union, o. Bisbee, Ariz., James W. Troxell, president, and J. K. Joy, secretary; resolution of the Warren District Trades Assembly, of Bisbee, Ariz., Frank J. Vaughan, Arthur T. Thatcher, and W. E. Holm, committee; resolution of Bisbee Miners' Union, W. E. Holm, secretary; resolution of the Local Phoenix Socialist Party, W. J. Ghent, J. J. Corrigan, and H. F. Kane, committee; resolutions of the Miami Miners' Union, Kenneth Clayton, president, and J. S. Steiner, secretary; resolution of the Warren District Trades Assembly, Arthur T. Thatcher, secretary; of the Globe Miners' Union, of Globe, Ariz., C. E. Bright, president, Sidney Adgers, secretary; and of the Phoenix Trades Council, John W. Martin. secretary; and of the Phoenix Trades Council, John W. Martin, secretary, asking for Federal investigation of Colorado and Michigan mining camps. I move that the telegrams and resolutions be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. BURTON. I present a telegram in the nature of a memorial from the Cincinnati Stock Exchange, which I ask may be printed in the RECORD and referred to the Committee on

Banking and Currency.

There being no objection, the telegram was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

[Telegram.]

CINCINNATI, OHIO, January 28, 1914.

Hon. THEODORE E. BURTON, United States Senate, Washington, D. C.:

The Cincinnati Stock Exchange at a special meeting of all its mem-ers, held January 28, 1914, unanimously adopted the following reso-

The Cincinnati Stock Exchange at a special meeting of all its members, held January 28, 1914, unanimously adopted the following resolution:

That we earnestly protest against the passage of Senate bill No. 3895, introduced by Mr. Owen, entitled "A bill to prevent the use of malls and of the telegraph and telephone in furtherance of fraudulent and harmful transactions on stock exchanges," for the following reasons:

First. We declare that the title of the bill is misleading and a reflection upon the integrity of exchanges and the members thereof, as a recognized stock exchange protects any legitimatized transactions.

Second. The bill is in violation of the Constitution of the United States and is illegal.

Third. This bill, if enacted into law, would subject the laws of the several States to the sole authority of the Postmaster General, in violation of State rights.

Fourth. It would disorganize and destroy the market and collateral value for securities of all kinds, and many of the corporations would withdraw their stocks and bonds from the stock-exchange list.

Fifth. Legislation as proposed in the bill is reactionary and not progress and interferes with the publication of quotations in the newspapers, which keep the public advised as to the values.

Sixth. It will destroy real estate values by destroying the real estate exchanges and indirectly affect all real estate.

Seventh. The proposed legislation, instead of creating wide markets and publicity for securities, will have the opposite effect, and the results will do incalculable harm.

H. M. Eazell, Secretary.

H. M. EAZELL, Secretary.

Mr. BURTON presented a memorial of 15 Jewish labor unions of Cleveland, Ohio, remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which was referred to the Committee on Immi-

He also presented a memorial of sundry citizens of Huron County, Ohio, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. SIMMONS presented a petition of sundry citizens of Elm City, N. C., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. SHIVELY presented a memorial of the Alliance of German Societies, of Evansville, Ind., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which was referred to the Committee on the Judiciary.

Mr. WEEKS presented a petition of the Boston Branch of the National Association for the Advancement of the Colored People, of Massachusetts, and a petition of sundry citizens of Dedham, Mass., praying for the adoption of the so-called Jones amendment to the agricultural extension bill, which were ordered to lie on the table.

He also presented resolutions adopted by the Lettish Workmen's Associations, of Boston, Mass., favoring an investigation into the conditions existing in the mining districts of Michigan, which were referred to the Committee on Education and Labor.

He also presented resolutions adopted by the Board of Trade of New Bedford, Mass., favoring an appropriation for the construction and improvement of aids to navigation in and about Buzzards Bay, in that State, which were referred to the Committee on Commerce.

He also presented a memorial of the Prince Henry Veteran Association, of Boston, Mass., remonstrating against the adoption of an amendment to the Constitution prohibiting the manufacture, sale, and importation of intoxicating liquors, which was referred to the Committee on the Judiciary.

was referred to the Committee on the Judiciary.

He also presented a petition of the Citizens' Association of Indian Orchard, Mass., praying for the continuance of the village experimental delivery service at that place, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Emmet Associates of Lynn, Mass., remonstrating against an appropriation being made for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which was referred to the Committee on Foreign Relations.

He also presented memorials of Local Branch No. 43, Yiddish National Arbeiter Verband; of the Hebrew Socialist Club; of Hebrew Socialist Circle, No. 10; Independent Workmen's Circle, No. 67; of Branch 11, Labor League; and of Moses Montifiore Lodge, No. 15, all of Brockton; of Local Lodge No. 304, Independent Order B'rith Abraham, of New Bedford; and of Plymouth Rock Lodge, No. 289, Independent Order B'rith Abraham, of Brockton; and a memorial of sundry citizens of Springfield, all in the State of Massachusetts, remonstrating against the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented a petition of Local Branch No. 116, National Association of Civil Service Employees, of Chicopee Falls, Mass., praying for the passage of the so-called civil-service retirement bill, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a memorial of sundry citizens of Dedham, Mass., and a memorial of Local Branch No. 764, National Association of Letter Carriers, of Dedham, Mass., remonstrating against the removal of any branch of the Government service from under the rules and regulations of the Civil Service Commission, which were referred to the Committee on Civil Service and Retrenchment.

Mr. OLIVER presented a memorial of sundry citizens of the thirtieth congressional district of Pennsylvania, and a memorial of the Northampton Branch, German-American Alliance, of South Bethlehem, Pa., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of Benjamin Harrison Branch, American Continental League, of Philadelphia; of General Richard Montgomery Branch, American Continental League, of Philadelphia; of Wissinoming Tribe, No. 133, Improved Order of Red Men, of Pennsylvania; of George Washington Branch, American Continental League, of Philadelphia; of General Sumter Branch, American Continental League, of Philadelphia; of Commodore Perry Branch, American Continental League, of Philadelphia; and of Commodore Thomas MacDonough Branch, American Continental League, of Philadelphia, all in the State of Pennsylvania, remonstrating against any appropriation being made for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which were referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Wrightsville, Pa., remonstrating against the enactment of legislation authorizing the discontinuance of the free mail-delivery service, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Warren and McKees Rocks, in the State of Pennsylvania, praying for the

enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration

were referred to the Committee on Immigration.

Mr. NELSON presented memorials of Local Union No. 77,
Cigar Makers' International Union, of Minneapolis; of the
Deutscher Frauen Club, of Minneapolis; of Local Union No.
205, Beer Bottlers' Union, of Minneapolis; of sundry citizens of
Minneapolis; and of the St. Anthony Turnverein, all in the
State of Minnesota, remonstrating against the adoption of an
amendment to the Constitution to prohibit the manufacture,
sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of the Socialist Party, of Sebeka, Minn., praying for an investigation into the conditions existing in the mining district of Michigan, which was referred to the Committee on Education and Labor.

He also presented a petition of the Federated Trades Assembly, of Duluth, Minn., praying for the enactment of legislation providing governmental construction of railroads in Alaska, which was referred to the Committee on Territories.

He also presented a memorial of Northwestern Lodge, No. 74, Independent Order of B'rith Abraham, St. Paul, Minn., and a memorial of Minnesota Lodge, No. 428, Independent Order of B'rith Abraham, Minneapolis, Minn., remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which were referred to the Committee on Immigration

He also presented a petition of the Missionary Society of the Presbyterian Church, of Howard Lake, Minn., and a petition of the Conference Board of the Woman's Home Missionary Society of the Methodist Episcopal Church of Minneapolis, Minn., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented a memorial of the Commercial Club of Two Harbors, Minn., remonstrating against the passage of the so-called La Follette seamen's bill, which was ordered to lie on the table.

He also presented a petition of Zenith Court, No. 7, Guardians of Liberty, of Duluth, Minn., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. PERKINS presented petitions of the congregations of the First Congregational Church of Woodland; of Christ Church, of Los Angeles; of St. Mark's Lutheran Church, of Los Angeles; of the Fourth Congregational Church of Oakland; of the Methodist Episcopal Church of Riverbank; of the First Baptist Church of Winters; of the First Baptist Church of Reedley; of the Union Congregational Church, of Colegrove; and of the First Baptist Church of Oakland, all in the State of California, praying for the suspension for one year of the naval programs of the great powers, which were referred to the Committee on Naval Affairs.

He also presented a memorial of the Canners' League of Callfornia, of San Francisco, Cal., remonstrating against the proposed separation of the Central and Southern Pacific Railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Associated Chambers of Commerce of the Pacific Coast, praying that an appropriation of \$250,000 be made for the participation by Alaska in the Panama-Pacific Exposition, which was referred to the Committee on Industrial Expositions.

He also presented a petition of sundry citizens of Richmond, Cal., praying for an investigation into the conditions in the mining district of Michigan, which was referred to the Committee on Education and Labor.

He also presented a petition of Grant Council, No. 19, Junior Order United American Mechanics, of San Francisco, Cal., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. McLEAN presented a memorial of the German-American Alliance, of Seymour, Conn., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a memorial of Capitol City Lodge, No. 119, Independent Order of B'rith Abraham, of Hartford, Conn., remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which was referred to the Committee on Immigration.

THE NEW YORK COTTON EXCHANGE.

Mr. TILLMAN. Mr. President, the necessity for Congress to regulate the New York Cotton Exchange becomes more apparent every day to those from the South who are familiar with conditions there.

I send to the desk a letter just received from a prominent mill president at Columbia, S. C., which I desire to have read for the information of the Senate.

What is needed is a law to compel those who sell futures to deliver what they sell and not tender something else, as has

been the custom of the New York Cotton Exchange.

After the letter has been read, I desire that it be referred to the Committee on Agriculture and Forestry, and express the hope that that committee will, as soon as practicable, bring in a bill to regulate this important matter and protect the manufacturers and southern farmers against the manipulators who have been running the New York Cotton Exchange.

The VICE PRESIDENT. Without objection, the Secretary

will read as requested.

The Secretary read the letter, as follows:

HAMPTON COTTON MILLS Co., OFFICE OF PRESIDENT AND GENERAL MANAGER, Columbia, S. C., January 29, 1914.

OFFICE OF PRESIDENT AND GENERAL MANAGER,
Columbia, S. C., January 29, 1914.

Senator B. R. TILLMAN,
Washington, D. C.

Dear Senator: I note with pleasure that you have recovered from your recent indisposition, and I sincerely hope and trust that you have regained your strength, for the Democrats have done so much good so far, and I realize that your long experience and good judgment has been an aid to the Democrats now that we have a majority.

In looking over the Journal of Commerce for Monday, January 26, I note that it is stated a spinner tried to secure 3,000 bales of good middling cotton in New York City, and that this spinner was asked 192
points above the quotations of March cotton, which closed on that day at 12.57 cents. According to my addition this cotton manufacturer was forced to pay 14.49 cents per pound for March delivery for spinable cotton, when the New York Cotton Exchange quoted middling cotton at 12.57 cents for March delivery, and their basis is that good middling cotton has a value of 65 points over middling. According to the New York Cotton Exchange quotations this cotton should have been priced to the spinner at 13.22 cents. Now you can see that the trading in actual bales for good middling cotton for March was on a basis of 14.49 cents, and the theoretical trading engaged in by the speculators was on a basis of 13.22 cents. Now cotton manufacturers have to pay the price for good cotton and make their cloth on that basis. Yet when we go to New York to sell cloth we always continually have thrown in our faces the New York Cotton Exchange prices, and according to this basis of figuring same is 1.27 cents too low, or for a 500-pound bale \$6.35. I am not giving you anything except facts, and the truth is that 14.47 cents represents just about what it would cost a spinner to get good middling cotton for this mill for March delivery.

In view of the fact that the New York papers continually criticize Congress for attempting to regulate the New York Cotton Exchange, or for having anything to do

H. G. WELBORN.

Mr. TILLMAN. I ask that the letter be referred to the Committee on Agriculture and Forestry. The VICE PRESIDENT. Without objection, it will be so referred.

REPORTS OF COMMITTEES.

Mr. SMITH of South Carolina, from the Committee on Immigration, to which was referred the bill (S. 3419) admitting to citizenship and fully naturalizing George Edward Lerrigo, of the city of Topeka, in the State of Kansas, reported it without amendment.

He also, from the same committee, to which was referred the joint resolution (S. J. Res. 44) transferring office furniture, equipment, etc., heretofore used by the Immigration Commission to the Department of Labor, reported it without amendment.

Mr. WALSH. I am directed by the Committee on the Judiciary to report back adversely the joint resolution (S. J. Res. 10) proposing an amendment to the Constitution of the United States, fixing the time for the convening of Congress and commencement of the terms of the President, Vice President, Senators, and Representatives, and I submit a report (No. 212) thereon. I ask that the joint resolution may be placed on the calendar.

The VICE PRESIDENT. The joint resolution will be placed on the calendar.

Mr. ASHURST. On behalf of the junior Senator from Tennessee [Mr. Shields], who is necessarily absent, I wish to give notice that he will submit the views of the minority in respect to the joint resolution which has just been reported adversely by the Senator from Montana [Mr. Walsh], and, on behalf of that Senator, I request that he be granted five days in which to prepare and submit the views.

The VICE PRESIDENT. Is there objection? The Chair

hears none, and permission is granted.

BRIDGE ACROSS TUG FORK OF BIG SANDY RIVER.

Mr. SHEPPARD. I report back favorably from the Committee on Commerce without amendment the bill (S. 4019) to authorize the Tug River & Kentucky Railroad Co. to construct a bridge across the Tug Fork of the Big Sandy River at or near the mouth of Blackberry Creek, in Pike County, Ky., and I submit a report (No. 211) thereon. I ask unanimous con-I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its con-

sideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows

By Mr. BRISTOW:

A bill (S. 4285) authorizing the Secretary of War to donate to the Hall of Topeka Post, No. 71, Grand Army of the Republic, for use in its plat in the Mount Auburn Cemetery, in Topeka, Kans., four cannon or fieldpieces (with accompanying paper)

A bill (S. 4286) authorizing the Secretary of War to donate to the O. M. Mitchell Post, No. 69, Grand Army of the Republic, Osborne, Kans., two cannon or fieldpieces;

A bill (8, 4287) authorizing the Secretary of War to donate to the city of Concordia, Kans., two cannon or fieldpieces; and A bill (8, 4288) to remove the charge of desertion against James B. Smock (with accompanying paper); to the Committee

on Military Affairs.

A bill (S. 4289) granting a pension to William Deay;

A bill (8, 4290) granting a pension to Marshall Ray; A bill (8, 4291) granting a pension to Lemuel Abbott;

A bill (S. 4292) granting an increase of pension to Richard M. J. Miller; and

A bill (S. 4293) granting a pension to James D. Reeves; to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 4294) to provide for inspection of virus, serums, and toxins shipped in interstate commerce; to the Committee on Agriculture and Forestry.

A bill (S. 4295) to prevent the manufacture, sale, or transportation of adulterated or misbranded linseed oil, for regulat-ing traffic therein, establishing standards, and making labeling provisions; to the Committee on Manufactures.

A bill (S. 4296) granting increase of pensions to ex-prisoners

of war; to the Committee on Pensions.

By Mr. NEWLANDS: A bill (S. 4297) providing for the payment of the findings reported by the Court of Claims in favor of certain engineers. firemen, mechanics, and laborers for extra time; to the Committee on Claims.

A bill (S. 4298) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, as heretofore amended, and for other purposes; to the Committee on Interstate Commerce.

By Mr. OVERMAN:

A bill (S. 4299) granting a pension to Robert H. Cowan; A bill (S. 4300) granting a pension to Annie J. Miller;

A bill (S. 4301) granting a pension to Henry C. Miller (with accompanying papers); and

A bill (S. 4302) granting a pension to Hannah Hensley (with accompanying paper); to the Committee on Pensions.

A bill (S. 4303) to authorize the president and directors of

the Georgetown Gas Light Co. to lay a gas main in and along the Conduit Road from a point beginning at the existing gas main in the Foxhall and the Conduit Roads to the District line; to the Committee on the District of Columbia.

By Mr. SMITH of Arizona:

A bill (S. 4304) to provide for the construction of a bridge across the Colorado River at or near Topock, Ariz.

The VICE PRESIDENT. The bill will be referred to the

Committee on Commerce.

Mr. SMITH of Arizona. I would rather have the bill go to the Committee on Indian Affairs, for it is a question of a bridge over a stream in an Indian reservation.

The VICE PRESIDENT. Is it a navigable stream?

Mr. SMITH of Arizona. It is said to be, though no boats have been on it for years. It is not navigable at the point where the bridge is proposed to be constructed.

The VICE PRESIDENT. Without objection, the bill will be referred to the Committee on Indian Affairs.

By Mr. SMITH of Arizona: A bill (S. 4305) to amend section 5 of the act of Congress of June 25, 1910, entitled "An act to authorize advances to the reclamation fund, and for other purposes"; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. SHEPPARD:

A bill (S. 4306) to amend an act entitled "An act providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees," approved July 15, 1913; to the Committee on Interstate Commerce.

By Mr. MARTINE of New Jersey:

A bill (S. 4307) for the relief of Elizabeth Thomas; to the Committee on Claims.

By Mr. CLAPP:

A bill (S. 4308) giving jurisdiction to the Court of Claims in the matter of the Chippewa Indians in the State of Minnesota, with reference to Fond du Lac lands; and

A bill (S. 4309) to give the Court of Claims jurisdiction in the matter of the petition of Charles J. Wright et al.; to the Committee on Indian Affairs.

By Mr. JONES:

A bill (S. 4310) permitting Charles M. Hickerson to include a portion of allotment No. 36 to Se-cum-ka-nullax, of Chief Moses's Band, in his homestead entry, and providing for allotment to Se-cum-ka-nullax in lieu thereof on the Colville Indian Reservation; to the Committee on Indian Affairs.

A bill (S. 4311) for the relief of Edward Stewart; to the

Committee on Military Affairs.

A bill (S. 4312) granting an increase of pension to John T. Campbell; to the Committee on Pensions.

By Mr. PAGE:

A bill (S. 4313) granting an increase of pension to Fred Mayo; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 4314) granting an increase of pensior to Henrietta L. Beckwith; and

A bill (S. 4315) granting an increase of pension to Ethan Little; to the Committee on Pensions.

By Mr. HOLLIS:

A bill (S. 4316) to regulate the use of public-school buildings and grounds in the District of Columbia; and

A bill (S. 4317) for the extension of Albemarle Street from Wisconsin Avenue to the east line of Thirty-ninth Street NW.; to the Committee on the District of Columbia.

By Mr. TILLMAN:

A bill (S. 4319) to provide a revenue tax on agricultural products, where sold for future delivery; to the Committee on

By Mr. JAMES:

A joint resolution (S. J. Res. 107) relating to supervision of the Lincoln Memorial; to the Committee on Appropriations.

ALASKA DEVELOPMENT BOARD.

Mr. CHAMBERLAIN. I desire to introduce a bill and to

make a very brief statement about it.

The bill (S. 4318) to provide for the administration of national property and interests in the Territory of Alaska, and

for other purposes, was read twice by its title.

Mr. CHAMBERLAIN. Mr. President, the purpose of this bill is, as stated in its title, to create a board, with a fixed habitat in Alaska to take control of the resources of Alaska, transferring the powers, jurisdiction, authority, and work of the departments here, as well as of the independent commissions and other bureaus, to the Alaska development board.

One of the great obstacles in the way of the development of

Alaska has been that it takes so long to accomplish anything in the way of perfecting title, in the way of acquiring rights of way, and in other matters affecting the public domain there, that it has practically amounted to a denial of justice to would-be settlers in that section of the country.

Mr. SHAFROTH. May I ask the Senator from Oregon whether there is any determination in his bill as to the policy

which is to be pursued as to leases or royalties?

Mr. CHAMBERLAIN. Nothing at all. I will say to the Senator from Colorado this is simply a bill to transfer to a local board in Alaska the duties and functions which are now performed here in Washington by the several departments, commissions, and bureaus. It takes about eight months, sometimes, to secure action on an application for a right of way through a forest up there where the application is made by a prospector or other person. The object of this bill is to obviate those difficulties and to place all the different resources in the hands of one board, who shall reside in Alaska, with a final appeal to the Secretary of the Interior in all matters.

I desired to make this brief statement in reference to the bill. I will state further that there is now under consideration a number of bills which have for their purpose the leasing or other disposal of coal lands and other resources in Alaska, and they will follow in their order. I thought it was proper, in view of the passage of the act authorizing the construction of a railway in Alaska by the President, that this should be one of the first steps looking to the development of the Territory in connection with the railroad or railroads which are to be constructed. The other bills will follow in order.

I move that the bill be referred to the Committee on Terri-

tories.

The motion was agreed to.

IRRIGATION BY THE RESERVOIR SYSTEM.

Mr. BRISTOW. On Saturday I introduced a bill (S. 4281) providing for the continuance of investigation authorized by the act of August 10, 1912, upon the feasibility and economy of irrigation by the reservoir system or plan in western Kansas and western Oklahoma, for the extension of the investigation to western Nebraska, eastern Colorado, and eastern New Mexico, and for the construction of reservoirs and lakes for the purpose

of impounding the waters of these States.

I asked that the bill be referred to the Committee on Commerce, and it was so referred. Since then I have learned that the act of August 10, 1912, which made the original appropriation, was the bill carrying the appropriations for the Department of Agriculture reported from the Committee on Agriculture and Forestry, and since that committee had the original investigation in charge and the appropriation was made originally through that committee, I ask that the Committee on Commerce be discharged from the further consideration of the bill and that it be referred to the Committee on Agriculture and Forestry. I have talked with the senior Senator from Florida [Mr. Fletcher] in regard to it, and he has no objection to the change of reference.

The VICE PRESIDENT. Without objection, that action will

be taken.

AMENDMENT TO POST OFFICE APPROPRIATION BILL.

Mr. KENYON submitted an amendment providing that hereafter fourth-class mail matter shall embrace seeds, cuttings, bulbs, roots, plants, etc., intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

COOPERATIVE AGRICULTURAL EXTENSION WORK.

Mr. HITCHCOCK submitted an amendment intended to be proposed by him to the bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture, which was ordered to lie on the table and be printed.

NELLIE BOND.

Mr. HOLLIS submitted the following resolution (S. Res. 257) which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Nellie Bond, sister of John C. Ryan, late a messenger in the United States Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

THE UNITED STATES STEEL CORPORATION.

Mr. NEWLANDS. Mr. President, I ask that Senate resolution No. 241 be taken up.

There being no objection, the Senate resumed the consideration of Senate resolution 241, directing the Interstate Commerce Commission to conduct an examination to ascertain whether facts or evidence exist justifying the Government in instituting proceedings for recovery of fines, etc., from the United States Steel Corporation, its subsidiaries, or any common carrier, be-cause of unlawful rebates within the last six years, which had been reported from the Committee on Interstate Commerce with amendments.

Mr. NEWLANDS. Mr. President, I ask for a vote on the pending amendment to the resolution reported by the Committee on Interstate Commerce.

The VICE PRESIDENT. The question is on the amendment

reported by the committee.

Mr. LANE. Mr. President, before the vote is taken, will it be in order for me to say a word?

The VICE PRESIDENT. The resolution is before the Senate. Mr. LANE. Does the Senator from Nevada desire a vote on the amendment at this time?

Mr. NEWLANDS. I desire a vote at as early a time as will suit the convenience of Senators.

Mr. LANE. Mr. President, I owe it to the Senator from Nevada [Mr. NEWLANDS], the chairman of the Committee on Interstate Commerce, to the Senate, to the committee, and to myself to make an explanation, for their information, in regard to some of the proceedings of the preceding meeting of the

I then used a term which was unparliamentary and against the rules of this body. I had not quite finished my remark when I was called to order for having used it, and I withdrew it. I was referring at that time-and I am now going to reiterate, if I may be allowed to do so and the rules will permit, the statement which I was at that time making, and do it in a more parliamentary manner, keeping myself well under the protecting wing of the rules of this distinguished body, and refer to the fact that the report of the committee's proceedings did not, in my opinion, present a full, free, and complete record of the manner in which this resolution of mine had been treated, and I thought that an injustice had been done to me. I felt that the courtesy of the Senate and its distinguished rules and precedents were as much intended to cover the acts of one Senator as those of another, and that we met here upon an equal plane—some more distinguished than others, some very much less so, to the latter class of which I am perfectly willing to concede that I belong—yet I felt that in a report of proceedings which had to do with matters in which the welfare of the people of this country was concerned, wherein they are being unjustly treated and a charge to that effect had been made in good faith, with the honest intent to remedy a condition which is wrong and, I guess, criminal-that a full, fair, open, and complete statement of both sides of the question was due.

The resolution which I introduced was referred to the committee, the chairman of that committee having asked that it be referred to his committee. I tried my little best to have the matter decided here in the open Senate. I did not want it to go into the committee for the reason, as I alleged at the time, that it would probably cause delay. I am saying this without any reference to the members here. When I want a thing to go in one direction and some other gentleman evinces a desire to have it go somewhere else, I do not at all times fall right into line with his suggestion. If I want to give a man, a committee, or a body of gentlemen something, I like to do it freely; and when I assure them that I do not want them to have it I would prefer-this is merely personal; just a little habit of mind which I have-to go the way I started.

But, at any rate, the resolution went into the hands of the committee. The committee came in with a report to this body, a copy of which I have here. In that report the first two pages are taken up with some reading matter which, I was afterwards informed by the Senator from Arkansas [Mr. Robinson], was purely informal. I understood him to say that that is the was purely informal. I understood him to say that that is the informal portion of the report. But it was presented formally; it states plainly what it is; it sets forth that it is a preface to the report—an introductory, if you please. In that introductory preface I do not find stated some facts, some matters, some occurrences which took place at that time which to me seemed important. It is quite evident that they did not seem so important to the committee.

Mr. ROBINSON. Will the Senator from Oregon yield to make

Mr. ROBINSON. Will the Senator from Oregon yield to me? The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Arkansas?

Mr. LANE. Yes.

Mr. ROBINSON. The only statement which I made was the statement which I submitted on the floor of the Senate. That was, that at the first meeting of the committee to consider this resolution no stenographer was present. I suggested that a stenographer be called. In the meantime the statements of Mr. Clark, the chairman of the Interstate Commerce Commission. and of a representative of the Department of Justice, had been made. Their two statements were not taken down by a reporter for the reason that no reporter was present. It was on my suggestion that a reporter was called. The proceedings after that time, so far as I know, were taken down and correctly reported. That is the only statement I made.

Mr. LANE. That is what I meant. I understood the Senator

from Arkansas to say that. I accepted exactly what the Senator stated as being the truth. I noticed that—and I am willing to concede that-at the first meeting there was no stenographer I thought I saw a gentleman taking notes, but he might have been engaged on some business of Senators. That, however, does not matter. I know of no stenographer being there. The fact is there was nobody else there except the committee, two other gentlemen, and myself; one of those gentlemen proved to be an assistant to the Attorney General, who had

been engaged in a conference with the committee before arrived. He had made some statements to the committee which I did not hear and, of course, I do not know what they were. At the time I came in some questions were asked of the chairman of the Interstate Commerce Commission in regard to it, and he gave an explanation, a part of which is in the preface of this report. Two other things which he stated, in reply to interrogatories by myself, do not appear in the prefatory remarks or in the introductory matter; they are not printed in the report

If the committee quotes the statements of either the Assistant Attorney General or the chairman of the Interstate Commerce Commission in regard to this matter, I do not see why they should not all be quoted-the two sides to the question, if you please; the two points, the one upon which I was insisting and the point upon which the chairman and the committee were insisting. They do not appear in these prefatory remarks. I will ask the chairman of the committee if they do? I am willing to verify, by the members of the committee, that the protest which I made in the first place against the matter of not having open hearings does not appear there, nor does the statement of the chairman of the Interstate Commerce Commission that this was a subject well within the power of his commission to handle; that they would do so if it were referred to them; and that it was not an improper method of taking charge of this kind of a proceeding. I also suggested to the committee at that time if that were true, why not turn the subject over to the commission right there, and report back to the Senate, if they cared to do so afterwards, that they had taken that action.

There is no statement to that effect in the report. These statements which occurred at the first meeting are left out of this prefatory or introductory matter. I do not think any member of the committee will question my statement in this respect. I should like to have anyone do so if there is anything about it which does not conform entirely to the facts. If no member of the committee makes such a statement, I shall assert that what I have stated is true, and ask them hereafter to hold their peace in regard to my assertion, for I certainly am entitled to that much.

I did not consider that fair; I did not consider that a full, free statement; I did not consider that such a statement as would have been published, say, if a reporter of some of the newspapers had been present. If the gentlemen who are used to handling news had been present, I think they would have presented the full and entire case-if you may call it a "case. There was, it seems to me, what the newspaper men call a "featuring" of certain parts of it, with but little attention given to other things, as to which I may be entirely mistaken, but which I say are important for the people of this country to know.

The chairman of the Interstate Commerce Commission said he had the right and had the power to take this matter under consideration, and would do so if it were tendered to him by the committee or by anyone else. I thought that the action in not printing his statement to that effect was not just right; and that was one reason why I was a little bit out of humor about it. Later along, amongst the interrogatories which were taken down by the reporter, there was a question advanced by the chairman of the committee which I thought also, in justice to myself, ought to appear.

The chairman of the committee is an able attorney; he is a man who weighs his words well and uses them carefully; I have listened to him a great many times; I have great respect for his ability; and his speeches, when published, read like texts from a man who handles the English language well and clearly and with a definite object in view. Among attorneys and in the practice at the bar-I am not an attorney; I am

by profession a physician, yet I have been—
Mr. NEWLANDS. Mr. President, if the Senator will permit an interruption, as I understand the Senator, he first complains that a full report of the first day's proceedings was not presented to the Senate. That is true, because there was no reporter

to the Senate. That is true, because there was no reporter present to take down the proceedings on that day.

Mr. LANE. Then, I ask why was part of it put in?

Mr. NEWLANDS. Second, the purpose of putting in the stenographer's report of the second day's hearing as a part of the report was to give the full testimony of Mr. William H. Green, upon whom the Senator relied for the information which was to be furnished in this investigation.

The Senator complains that nothing appears in the record regarding his protest that the hearing was held behind closed doors. It is true that when the Senator entered the room on the first day's hearing he did protest against locked doors, and later on, on the second day, when the hearing was being reported, he referred to his protest on that line, complaining of the fact that when he had entered the room on the preceding day the doors were closed.

If both Senators yield to me for a moment, I Mr. MYERS want to call attention to the fact that the Senator from Nevada has overlooked another very grave charge, which is that the Committee on Interstate Commerce has two committee rooms, one in the Senate Office Building and one in this building, for the convenience of the members; and also another very grave charge that the name on the Senator's office door appears in very small letters. I merely wanted the Senator from Nevada

not to overlook those two grave charges.

Mr. NEWLANDS. Mr. President, I simply want to call attention to the fact that the stenographic report of the hearing on the second day does record the Senator's protest. The Senator said, as appears on page 14 of the report:

Senator Lane. That is all right. I told you, if I remember aright—and I would like to get that into the record, as I see a record is being taken—I had no doubt at all about it. I told you very frankly that I worked as hard as I could to keep this out of the hands of the committee; that I wanted it to go straight over the line where I started to put it, to the Interstate Commerce Commission, that I did not like these investigations going on behind locked doors, which I found to be the case here on that date, and that irritated me somewhat.

The Charman. I will state that I inquired as to how the doors were locked, and I was told by my clerk that the guides in the Capitol are in the habit of bringing sight-seers, and that fearing that it would interrupt the proceedings of the committee, without any direction me, he did lock the door. But you will also recall that as soon as my attention was called to it, I ordered the doors to be unlocked and the meeting to be an open one.

I may say, Mr. President, that, of course, every Senator of experience in this body realizes of how little consequence this talk about locked doors is. There is not a committee in this body that does not have its open sessions and its executive sessions, and it is certainly no impropriety whatever to have an executive session. An executive session is, of course, held behind closed or locked doors. All I can say is that I wished to humor the Senator in matters of contention, and as soon as he called attention to the matter I ordered that the doors be opened. Of course, it is not a matter of much consequence.

Mr. LANE. Mr. President, I do not know just where I was when I left off. I believe I was saying that in the courts of law, in trials, I have noticed that where an attorney upon one side asks a question that is what they call a leading question, a suggestive question, one which suggests an answer, or something of that sort, there is almost always a protest from the opposing attorney; and quite frequently I have seen the judge declare the question out of order, and relieve the witness from making answer to it.

There was a certain question asked by the chairman of the witness-who, as I said before, was very much embarrassed and overawed at finding himself in the company of so many distinguished men-that suggested to him an answer. It was not strictly a question, but an assertion incorporated in a query. Mr. Green, the witness, had been opposing an investigation at that time, for the reason that he claimed he wanted an open one before the jury of the people; and the chairman suggested to him: "Now, Mr. Green, you see that you have had an open hearing here; an open public hearing, with the doors unlocked."

Well, the "open public hearing" consisted of the members

of the committee, the witness, and myself. There were no other persons present. It was not an open public hearing, for the reason that there was no public there. It might have been that they could have found their way in there. I did not receive notice that the hearing was to be held at the time it was until I had a telephone message from the committee or the clerk. It seems that a letter had been mailed to me the day before, but it did not reach me until that morning, too late for me to open. So if the witness had answered, "Oh, yes," he would have immediately conceded away his case. He would have had his foot right in a position where he could not have extricated it, and he would have been in the lamentable position of having protested against the thing which he finally conceded had been granted. He would have conceded his case away.

I saw that point. It was not what I called an open hearing; and I suggested to the witness and to the committee, "Oh, yes,"

that this was a very large and public hearing, and if the witness would look around him he would see large numbers of the public seated all about the room. That was a sarcastic remark. If that had been taken down, I presume it would have been considered a concession on my part. I should have labeled it as being sarcastic.

I did not consider that a fair proceeding. If all the evidence was to go into the report, if all the things which the witness and the committee said are to go in, why not print all that occurred? So I say I made remarks which were unparliamentary, and which I withdrew; for that reason I did not consider it a

fair presentation, nor do I now. I do not want to say that it was done advisedly and unjustly. It might have been that some clerk edited the report. It might have been that the words were omitted in the stenographic report; but at any rate the remark did not appear, and I thought it should appear.

I will give way now to the Senator from Nevada, if he cares

to have me do so. I will ask the Senator if he does not remember that query of his to the witness at that time?

Mr. NEWLANDS. Mr. President, I was not paying attention to the Senator at the time. To what does he refer?
Mr. LANE. It will not be found in the report. What I refer to is the suggestion which the Senator from Nevada made to the witness, accompanied by the query, "You see and will agree, Mr. Green, that you are having a public hearing here. The doors are unlocked, and you are having a public hearing." Does the Senator remember making that suggestive leading question to the witness?

Mr. NEWLANDS. I do not recall it. The record will show it if it was said.

Mr. LANE. It will?

Mr. NEWLANDS. This record contains all of Mr. Green's testimony.

Mr. LANE. And if it does not appear in this record, then it did not happen? Is that what I am to understand?

Mr. NEWLANDS. Yes. I will read the part to which the Senator refers.

Mr. LANE. On what page is it? Mr. NEWLANDS. On page 32:

Mr. NEWLANDS. On page 32:

Senator Oliver. I should like to ask Mr. Green a question. Mr. Green, you, of course, have explained that you can not give us the names of the witnesses at present. Is there any particular reason why you should not give this committee a fair statement of the facts, without naming any person or without bringing anybody else into the controversy, as to what actually has been done? You say that rebates have been granted. That is merely general. Can you give us any specifications without giving names?

Mr. Green. No, sir; I can not, unless the inhibition is put on that it is a public hearing.

Senator Oliver. You want to talk to the newspapers and the public instead of the legislative tribunals that are set up for the purpose of investigating such things as that? Is that your position?

Mr. Green. I do not know—

The Chairman. You will understand, Mr. Green, that this session is not executive. Anybody can come in here, and whatever is reported here will be given to the press if they desire it, so that you are now having the benefit of a public hearing, so far as that is concerned.

Senator Townsend. Every word of it can be published by the newspapers. It can be printed.

Mr. Green. Anything I give I want to give it under oath, where I will have the protection. I will give you some of this evidence when I am put under oath.

Senator Townsend. What protection that you would get under oath did you have in mind, Mr. Green?

Senator Inne. He means that he would not be a voluntary witness, I presume; that he would not be compelled to testify.

Senator Oliver. He says he is not a witness at all; that he does not know anything.

Senator Townsend. You would not state anything under oath that

know anything.

Schafor Townsend. You would not state anything under oath that you would not state to this committee? One would be just as truthful as the other?

Mr. Green. Yes, sir; it would be just as truthful, but it would not be

I suppose that is what the Senator refers to.

Mr. LANE. Mr. President, it pains me to say that it is not.

That is not what I refer to. It was about the last question which was asked, some time after that. It was not really a question; it was a suggestion, accompanied by a question: "Now, Mr. Green, you see that you have had a full, public, and open hearing, do you not?" or words to that effect. I can not quote them exactly, but that was the meaning of it.

I made reply to that, and I do not think you will find my reply there. If you do, I have entirely overlooked it. I think the chairman of the committee must remember that. Other members of the committee must remember it. I should like to have any Senator who was present at the time to say whether it happened or not.

I have not the stenographic notes, nor could I read them if I had. That was, in part, what I complained of; for, in my opinion, it was the very crux of the situation. I believe the people of this country will not at any time secure their rights, nor be properly represented, until their business is carried on out in the open. That may sound very foolish to many who think this method of going behind locked doors and carrying on their business is a matter of minor moment, but it strikes me differently. I think if the public business is carried on through committees and reports are to be made they should be full and complete, and let the facts lie as they fall, without prejudice to anyone, without malice.

I objected to that, and I object now, and I protest the record to that extent. How much else it lacks I can not say. I can not check it back. I have not had access to a translation of the stenographic notes. Whether there are other omissions or not I do not know. I do know of those, however, and I detected them on casual reading, and I called attention to them.

There are other matters in connection with the report to which I shall call attention later. I should like to have the Senator from Nevada say now whether he did ask that question or whether he did not, and whether it was not exactly as I

Mr. NEWLANDS. I do not quite understand the Senator. The Senator asks me

Mr. LANE. Whether the Senator from Nevada did not make

Mr. NEWLANDS. What statement?

Mr. LANE. A statement to the witness asking him to bear witness to the fact that he had had a full, free, open, and public hearing that day before the committee?

Mr. NEWLANDS. I have no recollection of making such a

statement in those words.

Mr. LANE. Well, perhaps, not quite; but as a matter of fact was not that said by him in closing, aside from the other state-

ment which has been read?

Mr. NEWLANDS. I have read the part of the record in which I state to the witness that the meeting is being held with open doors, and any one can attend. I have already read that. I have no recollection of making any other statement on that score.

Mr. LANE. I remember it distinctly.

Mr. NEWLANDS. If I did, it will appear in the report of the meeting.

Mr. LANE. Then I will say, without reflecting at all upon anything or anyone except the Senator's memory—and that is all right, for I have a bad memory myself—that I remember it distinctly. I will say, further, that it does not appear in the report. Now, that is my best belief, and that is without any discourtesy being intended to the Senator.

In explanation to the Senator, I wish to say that that was the reason, or one of the reasons, that prompted me in calling

this report what I did the other day, which remark I withdrew.

I understand that the Senator's memory does not recall this to his mind. Later along, before this report was printed or submitted, I will ask the Senator if he remembers coming to me and stating that if I would accept the committee's amendment this testimony would not be published?

I have no recollection of making any such Mr. NEWLANDS.

statement, Mr. President. Mr. LANE. All right.

Mr. NEWLANDS. That this testimony would not be published?

Mr. LANE. Yes; that this testimony would not be published;

that it would not be necessary to publish this report.

Mr. NEWLANDS. Mr. President, I made no such statement, Mr. NEWLANDS. Mr. President, I made no such statement, if the Senator implies that I wished in any way to prevent the publication of this report. The fact was that I did wish the Senator to accept without discussion the amendment offered by the Senate Committee on Interstate Commerce just as a matter of protection to the Senator himself. I thought he would be a little bit sensitive about being made the instrumentality of a lot of unscrupulous men in presenting a matter to the United States Senate, and out of regard to him I suggested to him that the easiest way of disposing of the matter would be to accept the disposition suggested by the committee, which would refer the entire matter to the Attorney General and the Interstate Commerce Commission, one being charged with the duty of bringing a suit, if the facts were presented to him, and the other being charged with the duty of making an investigation under oath. Whatever suggestion I made upon that line was with a view to protecting the sensibilities of the Senator from Oregon.

Mr. LANE. Mr. President, I have not charged any unworthy motive to the Senator. As he says, it may have been all intended in kindness to me, and it may have been a hint. It is said that "a word to the wise is sufficient"; but, as I say, I did not quite understand why it would be better for me not to have this testimony published and accept the amendment. I wish to call attention to that, which did not strike me as just right, and I have made mention of it; it occurred. I wish to assert that it actually did occur, and I know an occurrence when I see it.

Mr. MYERS obtained the floor.

NEWLANDS. Mr. President, may I ask the Senator Mr. from Montana to yield to me for a moment? Mr. MYERS. Certainly.

Mr. NEWLANDS. I wish to ask the consent of the Senate that a vote may be taken on this matter at quarter past 1

Mr. NORRIS. Mr. President-

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Nebraska?

Mr. MYERS. Certainly.

Mr. NORRIS. I wish to ask a question of the Senator from Nevada, and perhaps of the Chair. The Senator from Nevada speaks of the committee amendment. As I understand the parliamentary situation, there is no committee amendment, at least properly speaking. I do not know that I have any objection to considering it as an amendment; but the committee has not suggested any amendment to the resolution. It has simply reported a resolution itself, asking that the resolution proposed by the Senator from Oregon be referred to the Attorney General

and to the Interstate Commerce Commission.

Mr. NEWLANDS. But that is in the shape of an amendment to the resolution offered by the Senator from Oregon. The amendment consists in the insertion of these words at the very

commencement of the resolution:

Resolved, That Senate resolution No. 241, reading as follows: Then comes the further amendatory part, at the close

be referred to the Atterney General and to the Interstate Commerce Commission for investigation and for such action as shall be deemed advisable by them, or either of them, in the public interest.

Mr. NORRIS. Mr. President, I suggest to the Senator that that does not constitute an amendment. The committee has said: "Resolved, That Senate resolution No. so-and-so," which they set out, "be referred so-and-so." That is simply a recommendation of the committee. It is not a part of the resolution. If we vote on that and make it a part of the resolution, it seems to me it is taking a step in the way of amending a resolution that we can not properly take as a parliamentary body.

I call the attention of the chairman of the committee to the fact that nowhere does the so-called amendment suggest any change in the resolution. It neither strikes out anything nor adds anything to it. It is simply a resolution of the committee that such a resolution be referred to some other body. An amendment, it seems to me, would have either to strike out or to add to it, or both.

Mr. NEWLANDS. Mr. President, I think the whole matter

is entirely clear. The report says:

The committee therefore reports the resolution back with certain amendments, so that when amended it will read as follows:

Then these amendments appear in the amended resolution in italics, and they constitute the amendments which were made by the committee. It seems to me the matter is entirely clear. I ask unanimous consent that a vote be taken on this matter at quarter past 1

Mr. CLARK of Wyoming. I will ask the Senator if that can

be done under the rule which was recently adopted?

The VICE PRESIDENT. There will have to be a roll call if a request for unanimous consent is to be made.

Mr. NEWLANDS. Very well; I withdraw the request. Mr. MYERS. Mr. President, I have the honor of being an humble member of the Interstate Commerce Committee of this body, and I simply wish to present to the Senate some views of this question, which are different, I believe, from any others that have been presented.

I doubt if Members of the Senate and the people of the country appreciate the gravity and tremendous importance of the issue now before the Senate. When I came here three years ago I was thoroughly imbued with the fact that the country was all to the bad; that the plutocratic holders of predatory wealth were in the saddle; that the Aldriches and Paynes were running the Government; and that the very lifeblood of the people was being crushed out. But never in my wildest days did I dream that such a horrible state of affairs existed as that the Interstate Commerce Committee of the Senate should have two committee rooms, one in the Senate Office Building and the other here in the Capitol, so that when the members of the committee want to hold extemporaneous meetings while the Senate is in session they can be close at hand.

I doubt if the country realizes the horrible import of that state of affairs. Think of it for a minute. Suppose that grand patriot and sturdy defender of the rights of the people, that eminent citizen of the country, Mr. David Lamar, wanted to go to the committee room to lay bare before the committee some terrific onslaught on the rights of the people of this country, he would not know to which room to go; he might go to one committee room and the committee might be in the other, and he might go to the other committee room and the committee might be meeting in its room in the Capitel, so that it might be

a sort of hide-and-seek, hocus-pocus arrangement.

Another horrible thing of which I was not aware when I came here was that the Senator from Nevada [Mr. Newlands] had his name in small type on the door of his office in the Senate Office Building, and that as you enter the room of the

Committee on Interstate Commerce in the Senate Office Building you have to enter a door that leads through an antercom. Horrible thought! How many innocent men have to their grave danger sought the committee room through the avenue of this anteroom. How many innocent men have been foully murdered as they sought the committee room through the avenue of this antercom. Whenever I enter it I find a mild-mannered gentleman sitting at his desk ready to show me anywhere I want to go or to give me any information. I believe he is the secretary of the Senator from Nevada [Mr. Newlands]. I never imagined that he was such a bloodthirsty individual as to imperil the lives or liberty of anybody who might enter the room where he was sitting

However, once getting into the committee, we learn that those gentlemen who are known to the country as enemies of our Government, the Senator from Nevada [Mr. NEWLANDS], the Senator from Oklahoma [Mr. Gore], the Senator from Ohio [Mr. Pomerene], the Senator from South Carolina [Mr. SMITH], the Senator from Minnesota [Mr. CLAPP], and others sit in a dark corner of the room, and what they do there, I suppose, is beyond the wildest flight of imagination of the most apprehensive opponents of the rule of predatory wealth. These are things which I think ought to be forcibly impressed on the people of this country and given all the publicity possible.

Speaking seriously, I will say that when this matter came up before the committee, after hearing the statements of the Senator from Oregon [Mr. Lane] and Mr. W. H. Green, who was brought before the committee, I was in favor of reporting back favorably the resolution that had been introduced by the Senator from Oregon [Mr. LANE]. It occurred to me that it would be all right to do it; but as practically all the other members of the committee seemed to think that it would be beyond our power to direct or command the Interstate Commerce Commission to do anything in the line of the discharge of its duties, in as much as we exercise the functions of a separate branch of the Government, and as I believed that contention was sound, I agreed to the amendment to the resolution which has been reported here. I believe it accomplishes every purpose the original resolution would have accomplished. It provides that the original resolution shall be referred for investigation not only to the Interstate Commerce Commission but to the Department of Justice. That is the exact language—that it be "referred for investigation." That is an implied direction or request that it be investigated not only by one, but by both of those bodies; and it seems to me that accomplishes everything that was intended to be or could be accomplished by the original resolution. I believe it is all sufficient to cover the necessities of the case. While I disagreed in committee with some of my associates in regard to it, I am now heartily in accord with them in wanting this body to adopt the amendment suggested by the committee.

Mr. BANKHEAD. Mr. President, on Friday it was agreed that on to-day the Senate would consider the Glass case. morning I had a conference with members of the Committee on Privileges and Elections and other Senators, and it has been decided that the case shall be called up to-morrow morning immediately after the reading of the Journal.

Mr. LANE. I should like to ask what the pending question

is on which we are to vote.

The VICE PRESIDENT. The Senator from Nebraska [Mr. Norms] made a parliamentary inquiry as to the state of the It is somewhat doubtful whether this is or is not an amendment of the resolution, but the Chair does not think that it is very important whether it be treated simply as a question on concurring in the report of the committee or whether it be considered as an amendment to the resolution, because either accomplishes the same purpose. The sole point is whether the resolution of the Senator from Oregon [Mr. Lane] shall be referred to the Attorney General and to the Interstate Com-merce Commission for such action as may be deemed advisable by them, or by either of them, in the public interest.

Mr. CLARK of Wyoming. Mr. President, a parliamentary aquiry. There seem to be two propositions presented—one the resolution of the Senator from Oregon and the other the resolution as modified or the disposition of it as recommended by the committee. Perhaps some of us would like to vote separately on those propositions. For instance, an affirmative vote for the amendment would put the matter squarely before the Senate on the report of the committee, and some might not be in favor of the resolution as amended but would be in favor of

The VICE PRESIDENT. Subject to appeal from the decision of the Chair, the Chair is going to treat it as an amendment to the resolution and put the question as an amendment.

Mr. CLARK of Wyoming. That is right.
The VICE PRESIDENT. That gives an opportunity for two votes on the question.

Mr. CLARK of Wyoming. That is what I meant.

Mr. BRISTOW. Mr. President, I shall vote against the amendment, because I believe this complaint should have been investigated and that we should ask the Interstate Commerce Commission to investigate it. I care nothing about the character of the man who brings it, and there is nothing against the character of Mr. Green, so far as I have heard; but if he be a man of intelligence and having some standing in his State, as I understand he has, and if he has knowledge that makes him think the Steel Corporation has been receiving rebates in violation of the law and it is brought to the attention of the Senate, I think we should ask the Interstate Commerce Commission to make the investigation or make it ourselves, because the Steel Corporation is a powerful industrial corporation that monopolizes very largely and controls one of the great industries of America.

The complaint that we have no authority to ask the Interstate Commerce Commission to make such an investigation I think has no weight, because we have made such requests time and again, and they have been complied with. We had an investigation of the Frisco Railroad filed with us just a short time since. That was made upon a request from this body; and other investigations have been made by the Interstate Commerce Commission at our request.

I have not evidence to substantiate the charge, but I believe, from what I have heard, the Steel Corporation has had rebates, and I think we ought to know about it. I do not think that it could have developed its great business unless it received favors from great transportation companies that its competitors did not get. Rebates and the control of transportation lines have had more to do with the development of the great industrial

trusts in this country than anything else.

I do not intend to vote to sidetrack or in any way weaken any request that might go from the Senate to the Interstate Commerce Commission for an investigation of this concern; so I shall oppose this amendment which, I think, sidetracks the resolution.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Nevada.

Mr. NORRIS. I wish to make a further inquiry, Mr. President. If this is regarded as an amendment, after it is voted on as a committee amendment the entire resolution will still be before the Seuate for further amendment or to offer a substitute?

The VICE PRESIDENT. Undoubtedly.

Mr. NORRIS. I have no objection then to the course sug-

The VICE PRESIDENT. The question is on agreeing to the amendment of the Committee on Interstate Commerce.

Mr. LANE. I should like to have a yea-and-nay vote on that

question.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). I am paired for the day with the Senator from Louisiana [Mr. Thornton]. If I were at liberty to vote I would vote "yea."

Mr. BURTON (when his name was called). I am paired with the senior Senator from Virginia [Mr. Martin] and con-

sequently withhold my vote.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. Stone]. I am informed that that Senator is absent because of illness, and therefore I withhold my vote.

Mr. FLETCHER (when his name was called). I have a pair with the Senator from Wyoming [Mr. WARREN]. I do not kn how he would vote on this question, and I withhold my vote. I do not know

Mr. HUGHES (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. CATRON]. Therefore I withhold my vote.

Mr. NELSON (when his name was called). pair with the senior Senator from Georgia [Mr. Bacon], who is not present, and therefore I withhold my vote.

Mr. O'GORMAN (when his name was called). general pair with the senior Senator from New Hampshire [Mr.

Gallinger], and in his absence I withhold my vote.

Mr. ROOT (when his name was called). I have a general pair with the Senator from Colorado [Mr. Thomas], and there-

fore withhold my vote.

Mr. SAULSBURY (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr.

COLT]. I transfer that pair to the senior Senator from Maryland [Mr. SMITH] and vote. I vote "yea."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan The senior Senator from Michigan [Mr. SMITH] is unavoidably absent. I understand that he is paired with the senior Senator from Missouri [Mr. REED].

Mr. SUTHERLAND (when his name was called). paired with the senior Senator from Arkansas [Mr. CLARKE]. He is absent, and on that account I withhold my vote.

Mr. RANSDELL (when Mr. Thornton's name was called). I wish to announce that the senior Senator from Louisiana [Mr. THORNTON) is absent on account of sickness.

Mr. WALSH (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. Lippitt].

I transfer that pair to the junior Senator from Nevada [Mr. PITTMAN] and vote. I vote "yea."

Mr. CLARK of Wyoming (when Mr. WARREN's name was called). My colleague [Mr. WARREN] is detained from the Chamber by illness. He is paired with the Senator from Florida

[Mr. Fletcher].

Mr. WILLIAMS (when his name was called). I have a general pair with the Senator from Pennsylvania [Mr. Penrose], but an arrangement has been made to transfer the pair and I feel at liberty to vote. I vote "yea."

The roll call was concluded.

Mr. SMITH of Arizona. I was requested to announce that the Senator from New Mexico [Mr. Fall] is absent by reason of sickness in his family.

Mr. SMITH of Georgia. I wish to state that the senior Senator from Georgia [Mr. Bacon] is detained in his room by sickness. I wish this statement to continue for the day.

Mr. SHIVELY. My colleague [Mr. KERN] is detained on important business from the Senate. He is paired with the senior Senator from Kentucky [Mr. BRADLEY].

Mr. ROOT. I will transfer the pair which I have already announced to the Senator from Illinois [Mr. Sherman] and vote. I vote "yea."

Mr. KENYON. I desire to announce the absence of the senior Senator from Wisconsin [Mr. La Follette], who is detained by illness. Were he present, he would vote "nay."

Mr. SUTHERLAND. As stated by the Senator from Mississippi [Mr. Williams], an arrangement has been made by which the Senator from Pennsylvania [Mr. Pennose] will stand paired with the Senator from Arkansas [Mr. Clarke]. This transfer will enable me to vote. I vote "yea."

Mr. BRANDEGEE. I announced that I am paired with the Senator from Louisiana [Mr. THORNTON], but I am informed that were he here he would vote the same way that I announced I would vote, and the way that I do vote. I vote

yea.'

Mr. DU PONT. I have a general pair with the senior Senator from Texas [Mr. Culberson]. I understand that an arrangement has been made by which the Senator from Texas [Mr. CULBERSON] will stand paired with the Senator from Wyoming [Mr. WARREN,] which will permit the Senator from Florida [Mr. Fletcher] and myself to vote. I vote "yea."

Mr. FLETCHER. Under the announcement made by the Senator from Delaware [Mr. DU PONT] I am allowed to vote.

and I vote "yea."

Mr. SMOOT. I desire to announce that the senior Senator from New Hampshire [Mr. Gallinger] is unavoidably detained from the Senate and that he is paired with the Senator from New York [Mr. O'GORMAN].

Mr. SHEPPARD. I wish to announce the necessary absence of my colleague, the senior Senator from Texas [Mr. Culberand to state that he has a general pair with the Senator from Delaware [Mr. DU PONT].

Mr. SHAFROTH. I wish to announce the unavoidable absence of the senior Senator from Colorado [Mr. THOMAS] and to state that he is paired with the senior Senator from New

York [Mr. Root].

Mr. MARTINE of New Jersey. I was requested to announce a pair existing between the Senator from Tennessee [Mr. Lea] and the Senator from South Dakota [Mr. Crawford].

The result was announced—yeas 35, nays 25, as follows:

Brandegee	Lodge
Bryan	McCumbe
Burleigh	Myers
Chilton	Newlands
Dillingham	Oliver
du Pont	Overman
Fletcher	Page
Gore	Perkins
Johnson	Ransdell

	oo.
	Robinson
er	Root
	Saulsbury
S	Shields
70	Shively
1	Simmons
	Smith, Ari
	Smith, Ga.
071	Smith, S.

Sterling
Sutherland
Thompson
Townsend
Vardaman
Walsh
Weeks
Williams
the same of the sa

	N	AYS-25.	
Ashurst Borah Brady Bristow Chamberlain Clapp Cummins	Goff Gronna Hitchcock Hollis James Jones Kenyon	Lane Martine, N. J. Norris Poindexter Pomerene Shafroth Sheppard	Smoot Stephenson Tillman Works
	NOT	VOTING-35.	
Bacon Bankhead Bradley Burton Catron Clark, Wyo. Clarke, Ark, Colt Crawford	Culberson Fall Gallinger Hughes Kern La Follette Lea, Tenn. Lee, Md. Lewis	Lippitt McLean Martin, Va. Nelson O'Gorman Owen Penrose Pittman Reed	Sherman Smith, Md. Smith, Mich. Stone Swanson Thomas Thornton Warren

So the amendment of the Committee on Interstate Commerce was agreed to.

The VICE PRESIDENT. The question recurs on the adoption of the resolution as amended.

Mr. NORRIS. Mr. President, there was some confusion at the time and I did not hear the announcement of the vote on the amendment to the resolution. Was the amendment agreed to?

The VICE PRESIDENT. It was agreed to.
Mr. NORRIS. Then, I offer the substitute, which I send to the desk, for the amended resolution now before the Senate.

The VICE PRESIDENT. The Senator from Nebraska pro-

poses an amendment in the nature of a substitute to the resolution, which will be read.

The Secretary read as follows:

Resolved, That the Interstate Commerce Commission is hereby directed to conduct an examination and inquiry for the purpose of ascertaining whether the United States Steel Corporation or any of its subsidiaries have been guilty of giving or receiving any unlawful rebates, offsets, or preferences, especially within the last six years; and if said commission finds that such unlawful rebates, offsets, or preferences have been given or received, then the commission is directed to report the dates and amounts thereof to the Senate for its information.

Mr. NORRIS. Mr. President, it seems to me that this substitute eliminates some of the objections, at least the technical objections, made by many of those who have opposed the original resolution. Of course, as the resolution has been amended it simply refers the matter to the Interstate Commerce Commission and to the Attorney General. It has seemed to me all the way through that the Senate ought to take definite action in regard to the matter and either order an investigation or not do so. There were those who objected to the original resolu-tion on account of some of the propositions contained in it, on technical grounds that had more or less merit; that, for instance, it was asking something to be done that we have no constitutional right to ask should be done. It seems to me that those objections, at least, will all be eliminated if we pass the substitute ordering the investigation by the Interstate Commerce Commission. I do not care to debate it.

Mr. WILLIAMS. Mr. President-The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Mississippi?

Mr. NORRIS. I yield to the Senator. Mr. WILLIAMS. I merely want to suggest to the Senator from Nebraska that I think there would be no doubt about the correctness of his position if he would make this a concurrent or a joint resolution. Preferably it ought to be a joint resolution, so as to have the force of law, and there then could be no doubt at all about it. I think that would be a very happy solu-

tion of the whole problem.

Mr. NORRIS. The resolution I have offered—

Mr. WILLIAMS. As I understand, the Senator's resolution is merely a Senate resolution?

Mr. NORRIS. Yes.

Mr. WILLIAMS. I very seriously doubt the right of the Senate alone or of the other House alone to direct or instruct the Interstate Commerce Commission; in fact, I doubt it so seriously that I have not any doubt about it at all. I do not think either House has any such power or any such right. It is very easy to make this a joint resolution, and I hope the Senator from Nebraska will do so. I have no doubt that it would then pass both Houses of Congress.

Mr. NORRIS. I will say to the Senator from Mississippi that his objection, it seems to me, is met. It was argued, for in-

stance, the other day, I think, by the Senator—
Mr. WILLIAMS. It is a mere suggestion. I do not care to debate it.

Mr. NORRIS. That the Senate had no right whatever to order an investigation unless, for the purpose of the Senate, such investigation was necessary. The substitute which I have offered directs the Interstate Commerce Commission to report to the Senate the amounts of the relates and the dates the rebates were received, if it were found that there were rebates. So it comes clearly within the power of the Senate, for the purposes of the uses of the Senate, to order this investigation.

Mr. WILLIAMS. I understand that,

Mr. NORRIS. That is the usual course. We have been fol-

lowing this procedure regularly—right along.

Mr. WILLIAMS. In other words, if the Senator will pardon me, the Senator from Nebraska, by the mere technical annexing of dates and report making seeks to obtain a jurisdiction for the Senate to direct the course of a public utilities commission. Technically, possibly that may give us jurisdiction, but I doubt it; in fact, I do not believe it does so, but I would rather we should go at this in a straightforward way. I would rather Congress should direct the commission to make this investigation, not for the information of Congress, but for the information of the country and the punishment of the culprits, if there are any culprits.

Mr. NORRIS. The theory, Mr. President, at least is that the Senate needs this information for the purpose of properly legislating. I have no objection to changing the word "direct" to "request," if that will suit the Senator from Mississippi, because the Interstate Commerce Commission, if we direct them to do this or if we request them to do this, are going to do it, as they have said before the committee in this case, as I under-

stand, and as they have always done when similar resolutions have been passed by the Senate. It seems to me that enough has developed here to show that we ought to have an investigation and that the Interstate Commerce Commission is the

proper body in which it should take place.

The other objections that have been urged against the original resolution of a technical nature I think are all met by this I hope the chairman of the committee will offer no opposition to the substitute and let us pass it. It will settle the matter. If the resolution shall be passed in its original form, we shall have simply shifted the responsibility to another body as to whether or not there shall be an investigation of a

matter which we ought ourselves to decide.

Mr. LODGE. Mr. President, I think there can be no doubt of the proposition of the Senator from Mississippi [Mr. WIL-LIAMS], that one House of Congress has no right to impose duties on a board whose duties are fixed by law; but it is impossible, Mr. President, here and now to change a Senate resolution into a joint resolution. A joint resolution must be introduced and have its two readings. A Senate resolution never has such readings and never has what is required for a bill or a joint resolution. Of course, a joint resolution can be introduced and take the regular course; but we can not make a joint resolution by simply changing the title of a resolution pending before the Senate.

Mr. NEWLANDS. Mr. President, I should like to ask the

Senator from Nebraska whether he amends his substitute by inserting the word "requested" for the word "directed"?

Mr. NORRIS. I should be willing to do that if that would be agreeable to the Senator.

Mr. NEWLANDS. Does the Senator do that?

Mr. NORRIS. I have offered to do that if the Senators who are opposed to it in its present form would so prefer. If, with that change, it will meet with the approval of the chairman of the committee, I shall be glad to make the change. I do not, how-ever, care to make that change if those who are asking it are going to vote against the resolution anyway.

Mr. NEWLANDS. Well, Mr. President, I should like to know

in what form the Senator presents the resolution, so that I can address my discussion to that form.

Mr. NORRIS. I have offered it as a substitute.

Mr. NEWLANDS. If the Senator offers it as a direction to the Interstate Commerce Commission, then it is clear that the Senate is usurping the law-making functions of Congress. The Senate has no right, by a separate resolution, to direct the action of a tribunal that has been created by the action of Congress, approved by the President. The Senate has, however, a right to make a request of the Interstate Commerce Com-

Mr. NORRIS. Will the Senator yield to me?

Mr. NEWLANDS. Certainly.

Mr. NORRIS. In order to comply with the Senator's desire, modify the resolution by changing the word "directed" to

the word "requested."

Mr. NEWLANDS. Now, Mr. President, that simplifies the matter very much. We now have a request to the Interstate Commerce Commission to inquire into this question of rebates received by the United States Steel Co. and to report to Congress. I regard the resolution which has been reported by the

means nothing. Congress can not act after receiving the report, except in the shape of legislation; it can do nothing whatever in the way of the enforcement of the law, because that belongs to the executive department. The resolution reported by the Interstate Commerce Committee refers the whole subject matter both to the Attorney General and to the Interstate Commerce Commission for investigation and action.
Mr. VARDAMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Mississippi?

Mr. NEWLANDS. I do. Mr. VARDAMAN. I would suggest to the Senator from Nevada, so as to meet the desires of the Senator from Nebraska, that if the committee amendment to this resolution should be amended by providing that the matter be referred to the Attorney General and the Interstate Commerce Commission for investigation, and that the commission should report its findings of facts to the Congress, then the Congress can take such action as it may see fit with reference to directing the commission. That would meet the desire of the Senator from Nebraska.

Mr. NEWLANDS. Yes; but i' would be simply delaying the

Mr. LODGE. Mr. President, if I may rise to a question of order, I do not think we can amend an amendment that has been adopted.

Mr. VARDAMAN. I understand that.

Mr. NEWLANDS. What is that?

Mr. LODGE. I think we can not amend an amendment that has just been adopted.

Mr. VARDAMAN. I understand that can not be done, Mr.

President, except by unanimous consent.

Mr. NEWLANDS. Mr. President, the disposition made by the committee is the best disposition, because it is the more direct; it refers the whole subject matter to the Attorney General's office-the Department of Justice-and to the Interstate Commerce Commission, the only organizations which are charged with responsibility in such cases, under the law.

Mr. BORAH. Mr. President—
The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. NEWLANDS. I do. Mr. BORAH. Mr. President, the resolution which the Senator from Nevada has reported as chairman of the committee reads:

Resolved, That the Interstate Commerce Commission is hereby directed to conduct an examination—

Do I understand now that the Senator believes that we can

not direct them to conduct the examination?
Mr. BRANDEGEE. Mr. President, if the Senator from Nevada will allow me, I think the Senator from Idaho is mistaken about that

Mr. NEWLANDS. To what resolution does the Senator from Idaho refer

Mr. BORAH. The resolution reported by the Senator from Nevada.

Mr. BRANDEGEE. If the Senator will allow me, I think there is confusion as to the matter, but the fact is, if the Senator will read the amendment reported by the committee

Mr. BORAH. I am reading the resolution-

Mr. BRANDEGEE. But that is not the thing to read, because the amendment reported by the committee recommends "That Senate resolution No. 241, reading as follows," and so forth, be referred to the Interstate Commerce Commission.

Mr. BORAH. The resolution, which is to be referred to the

Interstate Commerce Commission, reads as follows:

Resolved, That the Interstate Commerce Commission is hereby directed to conduct an examination—

The resolution which we are referring to them has that in it, has it not?

Mr. NEWLANDS. Yes.

Mr. BORAH. Then, what are we doing? Are we directing them to make this examination, or are we not?

Mr. NEWLANDS. We are not.

Mr. BORAH. Then what is the need of passing the resolution at all?

Mr. NEWLANDS. That is a matter upon which the Senator can exercise his own judgment. I insist that the action of the committee is the proper action; that Congress has already created a commission, with powers of investigation regarding rebates. It is the duty of that commission, whenever it finds that rebates have been received, to call the attention of the Department of Justice to the matter; and it is made the duty of the Attorney General to institute a suit for three times the amount of the rebates received. Are we to take the methods of committee as more desirable than that. A report to Congress | circumlocution in this matter and refer it to the Attorney Gen-

Ashurst

eral and to the Interstate Commerce Commission with instructions to report back to us, or are we to refer it to them for investigation and such action as they deem advisable under the discretion imposed upon them by the law in the interest of public justice? The resolution offered, as amended, meets the entire situation and offers a speedy solution of this entire difficulty. As soon as the resolution is passed the Interstate Commerce Commission will make the investigation, and if the facts alleged are disclosed they will be brought to the attention of the Attorney General, and doubtless he will act upon them, and, even without going to the Interstate Commerce Commission, if probable cause is shown to the Attorney General, he will doubtless institute suit.

The purpose of this resolution as originally introduced was to secure the institution of suits. Let us therefore refer the whole matter to the tribunals charged with the administration

of the law and not require further reports to Congress

Mr. BORAH. Mr. President, the Senator will admit that we do not even request the Interstate Commerce Commission to do this under his resolution. You put in the word "direct," but you rob it of all effect by simply referring it without passing the resolution itself. Therefore you neither direct nor request the Interstate Commerce Commission to do this thing.

The Senator from Nebraska has offered a resolution in which the Senate goes on record as desiring it to be done and requesting the commission to do it. That expresses the view and the conviction of the Senate that it ought to be done. In the other

form the Senate expresses no view whatever.

The VICE PRESIDENT. The question is on agreeing to the amendment in the nature of a substitute proposed by the Sena-

tor from Nebraska [Mr. Norris].

Mr. L'ORRIS. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). I am paired with the senior Senator from Louisiana [Mr. THORNTON]. Not knowing how he would vote on this amendment, I will withhold

Mr. BURTON (when his name was called). I again announce my pair with the senior Senator from Virginia [Mr. MARTIN].

Mr. CLARK of Wyoming (when his name was called). Again announcing my pair with the senior Senator from Missouri [Mr. Stone], who is detained from the Chamber by illness, I withhold my vote.

Mr. SMITH of Arizona (when Mr. Fall's name was called). I again announce the absence of the senior Senator from New Mexico [Mr. Fall] on account of sickness in his family. I ask

that this announcement may stand for the day.

Mr. SHIVELY (when Mr. Kern's name was called). announce the unavoidable absence of my colleague [Mr. Kern] who is paired with the senior Senator from Kentucky [Mr.

Mr. KENYON (when Mr. La Follette's name was called). I again announce the detention from the Chamber of the senior Senator from Wisconsin [Mr. LA FOLLETTE] on account of illness. If he were present, he would vote "yea."

Mr. MARTINE of New Jersey (when the name of Mr. Lea of Tennessee was called). I announce the absence of the senior Senator from Tennessee [Mr. Lea] and the fact that he is paired with the senior Senator from South Dakota [Mr. Craw-

Mr. NELSON (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. BACON]. In his absence, I withhold my vote.

Mr. O'GORMAN (when his name was called). I am paired with the senior Senator from New Hampshire [Mr. Gallinger],

and therefore withhold my vote.

Mr. ROOT (when his name was called). I transfer my pair with the senior Senator from Colorado [Mr. Thomas] to the senior Senator from Illinois [Mr. Sherman], and will vote. I vote "nay."

Mr. SAULSBURY (when his name was called). my pair with the junior Senator from Rhode Island [Mr. Colt] to the senior Senator from Maryland [Mr. SMITH], and will

vote. I vote "nay."

Mr. WILLIAMS. Repeating the announcement made by me upon the last roll call, I vote "nay."

The roll call was concluded.

Mr. WALSH (after having voted in the negative). I wish to announce that I am paired with the senior Senator from Rhode Island [Mr. Lippitt]. I transfer that pair to the junior Senator from Nevada [Mr. Pittman], and will allow my vote to stand.

Mr. DU PONT. I confirm the announcement made by me on the last roll call, and vote "nay."

Mr. SUTHERLAND. I make the same announcement with reference to my pair as upon the last vote, and will vote. I vote "nay."

Mr. BRANDEGEE. I have been informed since I announced my pair that if present my pair would vote "nay" upon this

I therefore vote "nay."

Mr. HUGHES. I have a general pair with the junior Senator from New Mexico [Mr. Catron]. I desire to transfer that pair to the junior Senator from Illinois [Mr. Lewis] and will

vote. I vote "yea."

Mr. DU PONT (after having voted in the negative). The senior Senator from Florida, I understand, is absent from the Chamber, so I withdraw my vote and stand paired with the senior Senator from Texas [Mr. Culberson].

Mr. SHAFROTH. I wish to announce the unavoidable absence of the senior Senator from Colorado [Mr. Thomas] and to state that he is paired with the senior Senator from New

York [Mr. Root].

Mr. SAULSBURY. I am requested to announce that the junior Senator from Missouri [Mr. Reed] is paired with the senior Senator from Michigan [Mr. Smith].

Mr. SHEPPARD. I wish again to announce the unavoidable

absence of my colleague [Mr. Culberson].

Hitchcock

Mr. TOWNSEND. I desire again to announce the absence of the senior Senator from Michigan [Mr. SMITH] on business. He is paired with the junior Senator from Missouri [Mr. Reed]. I desire this announcement to stand on all votes for the day.

The result was announced—yeas 33, nays 27, as follows:

YEAS-33.

Martine N. J. Smith S C.

Borah Brady Bristow Bryan Chamberlain Clapp Goff Grouna	Hollis Hughes James Jones Kenyon Lane Lee, Md. McCumber	Norris Overman Perkins Poindexter Sheppard Shively Simmons Smith, Ariz.	Sterling Tillman Townsend Vardaman Works
HISTORY OF THE	N	AYS-27.	
Bankhead Brandegee Burleigh Cummins Dillingham Gore Johnson	Lodge Myers Newlands Oliver Page Pomerene Ransdell	Robinson Root Saulsbury Shafroth Shields Smith, Ga. Smoot	Stephenson Sutherland Thompson Walsh Weeks Williams
	NOT	VOTING-35.	
Bacon Bradley Burton Catron Chilton Clark, Wyo. Clarke, Ark. Colt Crawford	Culberson du Pont Fall Fletcher Gallinger Kern La Follette Lea, Tenn, Lewis	Lippitt McLean Martin, Va. Nelson O'Gorman Owen Penrose Pittman Reed	Sherman Smith, Md. Smith, Mich. Stone Swanson Thomas Thornton Warren

So Mr. Norris's substitute was agreed to.

Mr. SHIVELY. Mr. President, I desire to submit a confer-

Mr. LODGE. Mr. President, the substitute has not yet been adopted as a resolution. The amendment proposed by the Senator from Nebraska [Mr. Norris] was substituted for the original resolution, but the resolution as amended has not been agreed to.

The VICE PRESIDENT. The question is on agreeing to the resolution as amended.

Mr. NEWLANDS. On that I ask for the yeas and nays. The yeas and nays were ordered, and the Secretary proceeded

to call the roll.

Mr. BRANDEGEE (when his name was called). announce my pair, as on the previous roll call. Not knowing how my pair would vote if present, I will withhold my vote.

Mr. BURTON (when his name was called). I announce my pair with the senior Senator from Virginia [Mr. Martin] and withhold my vote.

Mr. DU PONT (when his name was called). eral pair with the senior Senator from Texas [Mr. Culberson], and therefore withhold my vote. Were I at liberty to vote, I

should vote "nay."
Mr. O'GORMAN (when his name was called). I again announce my pair with the senior Senator from New Hampshire

[Mr. GALLINGER] and withhold my vote.

Mr. ROOT (when his name was called). pair with the senior Senator from Colorado [Mr. Thomas] to the senior Senator from Illinois [Mr. SHERMAN] and will vote. I vote "nay."

Mr. SAULSBURY (when his name was called). I repeat the announcement of my pair and its transfer to the senior Senator from Maryland [Mr. SMITH] and will vote. I vote "nay."

Mr. SUTHERLAND (when his name was called). the same announcement as on the previous vote respecting the transfer of my pair and will vote. I vote "nay."

The roll call was concluded.

Mr. FLETCHER. I have a pair with the junior Senator from Wyoming [Mr. WARREN]. In his absence, I withhold my vote. If he were present, I should vote "yea."

Mr. MYERS. I am authorized to announce the enforced absence of the senior Senator from Missouri [Mr. STONE] on account of illness. This announcement may stand for the day.

Mr. WALSH (after having voted in the affirmative). I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT]. I transfer that pair to the junior Senator from Nevada [Mr. PITTMAN] and will allow my vote to stand.

Mr. HUGHES. I have a general pair with the junior Senator from New Mexico [Mr. Catron]. I transfer that pair to the junior Senator from Illinois [Mr. Lewis] and will vote. I

'yea.'

Mr. CHAMBERLAIN (after having voted in the affirmative) I voted in the absence of my pair, the junior Senator from Pennslyvania [Mr. Oliver]. I transfer that pair to the senior Senator from Oklahoma [Mr. Owen] and will allow my vote to stand.

Mr. MARTINE of New Jersey. I desire to announce the pair existing between the senior Senator from Tennessee [Mr. Lea] and the senior Senator from South Dakota [Mr. CRAWFORD].

The result was announced—yeas 41, nays 11, as follows:

	YE	AS-41.	
Ashurst Borah Brady Bristow Bryan Chamberlain Chilton Clapp Gronna Hollis Hughes	James Jones Kenyon Lane Lee, Md. Martine, N. J. Myers Newlands Norris Overman Perkins	Poindexter Ransdell Robinson Shafroth Sheppard Shields Shively Simmons Smith, Ariz, Smith, Ga.	Sterling Thompson Tillman Townsend Vardaman Walsh Williams Works
	NA	YS-11.	
Burleigh Cummins Dillingham	Goff Lodge Page	Pomerene Root Saulsbury OTING-43.	Stephenson Sutherland
Bacon Bankhead Bradley Brandegee Burton Catron Clark, Wyo. Clarke, Ark. Colt Crawford Culberson	du Pont, Fall Fletcher Gallinger Gore Hitchcock Johnson Kern La Follette Lea, Tenn. Lewis	Lippitt McCumber McLean Martin, Va. Nelson O'Gorman Oliver Owen Penrose Pittman Reed	Sherman Smith, Md. Smith, Mich. Smoot Stone Swanson Thomas Thornton Warren. Weeks

So the resolution as amended was agreed to.

LINCOLN MEMORIAL COMMISSION.

Mr. OVERMAN. I ask unanimous consent to submit a report from the Committee on Appropriations. I am directed by the Committee on Appropriations. I am directed by the Committee on Appropriations, to which was referred the joint resolution (S. J. Res. 107) relating to supervision of the Lincoln Memorial, to report it favorably without amendment. I call the attention to the Senator from Kentucky [Mr. James] to the joint resolution.

Mr. JAMES. I ask unanimous consent for the present con-

sideration of the joint resolution.

The VICE PRESIDENT. Is there objection.

Mr. ROOT. May the joint resolution be read?
The VICE PRESIDENT. The Secretary will read the joint. resolution.

The Secretary read the joint resolution, as follows:

Resolved, etc., That in the exercise of its control and direction for the construction of the Lincoln Memorial, authorized by act of Congress approved February 9, 1911, the commission created by said act shall designate, to perform the duty of special resident commissioner to represent the commission in the oversight of the work, the Hon. Joseph C. S. Blackburn, recently appointed a member of the Lincoln Memorial Commission, as the successor to the Hon. Shelby M. Cullom, deceased, and for the special service of the member so designated, he shall be entitled to receive compensation at the rate of \$5,000 per annum out of the appropriations for the construction of such memorial.

The VICE PRESIDENT. Is there objection to the present

consideration of the joint resolution?

Mr. ROOT. I do not wish to antagonize the joint resolution, but I should like to suggest to the Senator from Kentucky whether it would not be useful to have it dispose of some questions of authority which have arisen regarding the performance of the duties of the commission,

Mr. JAMES. I will state to the Senator from New York that the joint resolution is in the exact language of the joint resolution passed through this body creating the position of resident commissioner and naming Hon, Shelby M. Cullom for the performance of the duties.

Mr. ROOT. I know; I drafted that joint resolution and introduced it, and I supposed its terms were not open to any doubt, but doubt seems to have arisen, something amounting to almost a conflict of authority between the commission and the Secretary of War. If we are going to pass the joint resolution now, I think it would be a good thing to put something in—a few words might do it—which would prevent further difference

of opinion.

Mr. JAMES. Of course, I would prefer that this joint resolution should be considered to-day, because the commission is going to meet in a day or so, and ex-Senator Blackburn has been appointed by the President and he would be able to act with them. I sincerely hope the Senator from New York will not delay the passage of this resolution. If legislation is necessary to settle questions of authority between the commission and the Secretary of War, that can be done in a separate bill, which

would not delay this resolution.

The VICE PRESIDENT. The morning hour having expired, it is the duty of the Chair to lay before the Senate the unfinished

business, which will be stated.

The Secretary. A bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

Mr. SMITH of Georgia. Several Senators were prevented from introducing bills, and I would be glad to yield to them,

without objection.

The VICE PRESIDENT. The Senator from Georgia asks that the unfinished business be temporarily laid aside?

Mr. SMITH of Georgia. Yes. The VICE PRESIDENT. Wi

Without objection, the unfinished business will be temporarily laid aside. The question is on the request of the Senator from Kentucky [Mr. James]. Is there any objection to the present consideration of Senate joint resolution 107?

Mr. JAMES. I have consulted with the Senator from New

York, and he has no objection.

There being no objection, the joint resolution was considered

as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SHIVELY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 832) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1 and

2, and agree to the same.

BENJ. F. SHIVELY, N. P. BRYAN, P. J. McCumber, Managers on the part of the Senate. J. A. M. ADAIR, JOE J. RUSSELL, J. N. LANGHAM, Managers on the part of the House.

The report was agreed to.

Mr. SHIVELY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 833) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amend-

ments of the House numbered 2, 4, 6, 16, 18, 20, and 25.

That the House recede from its amendments numbered 1, 3, 5, 7, 8, 9, 11, 12, 13, 14, 15, 17, 19, 21, 22, and 23, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 10, and agree to the same with an

amendment, as follows:

"The name of John D. Kirkpatrick, late of Company D, Fifty-second Regiment, and Company C, Sixty-ninth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 24, and agree to the same with an amendment, as follows:

"The name of Jacob H. Gabbard, late of Company A. Forty-seventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

And the House agree to the same.

BENJ. F. SHIVELY, N. P. BRYAN, P. J. McCumber, Managers on the part of the Senate.

J. A. M. ADAIR, JOE J. RUSSELL, J. N. LANGHAM,

Managers on the part of the House.

The report was agreed to.

Mr. SHIVELY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 834) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amend-

ments of the House numbered 1, 2, 3, and 10.

That the House recede from its amendments numbered 4, 5, 6, 7, 8, and 9.

Benj. F. Shively, N. P. Bryan, P. J. McCumber, Managers on the part of the Senate.

J. A. M. ADAIR,
JOE J. RUSSELL,
J. N. LANGHAM,
Managers on the part of the House.

The report was agreed to.

ELECTION OF SENATORS.

Mr. WALSH. I desire to give notice that on the disposition of the report of the Committee on Privileges and Elections upon the credentials of Mr. Glass, of Alabama, I shall ask the Senate to resume the consideration of the bill (S. 2860) providing a temporary method of conducting the nomination and election of United States Senators.

SIXTH INTERNATIONAL DAIRY CONGRESS (S. DOC. NO. 400).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and the House of Representatives:

In view of the provision of law contained in the deficiency act approved March 4, 1913, that—

Hereafter the Executive shall not extend or accept any invitation to participate in any international congress, conference, or like event, without first having specific authority of law to do so—

I transmit herewith for the consideration of Congress and for its determination, whether it will authorize the acceptance of the invitation, a report from the Secretary of State, with accompanying papers, being an invitation from the Government of Switzerland to that of the United States to send delegates to the Sixth International Dairy Congress, to be held at Berne from the 8th to the 10th of June, 1914, and a letter from the Acting Secretary of Agriculture showing the favor with which the Department of Agriculture views the proposed gathering.

It will be observed that the acceptance of the invitation will involve no special appropriation of money by the Government.

Woodrow Wilson.

THE WHITE HOUSE, February 2, 1914.

INTERNATIONAL CONGRESS OF OCCUPATIONAL DISEASES (S. DOC. NO. 401).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was

read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and the House of Representatives:

In view of the provision contained in the deficiency act approved March 4, 1913, that "hereafter the Executive shall not extend or accept any invitation to participate in any international congress, conference, or like event without first having specific authority of law to do so," I transmit herewith for the consideration of the Congress and for its determination whether it will authorize the acceptance of the invitation and the appropriation necessary to defray the expenses incident thereto a report from the Secretary of State, with accompanying papers, being an invitation from the Government of Austria-Hungary to that of the United States to send delegates to the Third International Congress of Occupational Diseases, to be held at Vienna in September, 1914, and a letter from the Department of Labor showing the favor with which that department views the proposed gathering, and recommending an appropriation of \$1,000 to defray the expenses of participation by the United States.

WOODROW WILSON.

THE WHITE House, February 2, 1914.

HOUSE BILL REFERRED.

H. R. 12235. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

COOPERATIVE AGRICULTURAL EXTENSION WORK.

Mr. SMITH of Georgia. I ask the Senate to resume the consideration of House bill 7951, which is the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

the United States Department of Agriculture.

The PRESIDING OFFICER (Mr. Robinson in the chair).

The pending question is on the amendment offered by the Sena-

tor from Iowa [Mr. CUMMINS].

Mr. CUMMINS. Mr. President, I do not rise to resume the

argument upon this amendment. I concluded that on Saturday. During the course of my address the Senator from Georgia [Mr. Smith] challenged some of the statements that I made with regard to the agricultural production of Georgia and Iowa. I said in reply that the figures which I gave had been prepared by a former employee—possibly he then was an employee—of the Census Bureau, and that I had not examined the details, but I would do so. Since that time I have investigated the matter, and I have before me now the original sources of information. I have the details from which the statement I presented to the Senate on Saturday was made up.

I find that the statement I made was accurate, and I do not desire to change it in any way. There needs, however, to be made, I think, an explanation in one respect. The agricultural product of live stock is not an annual product, and the statistics that I furnished the Senate include all the live stock both in Iowa and in Georgia. For instance, in Iowa there were, in 1909, domestic animals of the value of \$398,131,193. Those animals were not all produced in one year, of course. There were in Georgia in the same year domestic animals of the value of \$87,280,340. It is likewise true that these were not all produced in one year. The method of computation pursued by the statistician who prepared the statement that I gave to the Senate is exactly the same in Iowa and in Georgia, and proportionately, therefore, the result is the same. There is no difference in the outcome.

I have the pleasure of sending to the desk of the Senator from Georgia [Mr. SMITH] these tables; which will enable him to see at a glance precisely the method employed by the person who computed the matter in reaching the result which I stated to the Senator.

Mr. BRADY. Mr. President-

Mr. CUMMINS. If the Senator will allow me just a moment. I find no error, but I thought it was due to say that the live stock, not being an annual product, the value of it is found in both States in the same way. I yield to the Senator from Idaho.

Mr. BRADY. When the Senator was addressing the Senate on Saturday, he quoted some statistics giving the population and acreage in cultivation and the votes cast in several of the different States of the Union. I should like to inquire of the Senator whether the statistics that he furnished include the State of Idaho?

Mr. CUMMINS. The statements to which I referred many times in the course of my address do include information with regard to the State of Idaho.

Mr. BRADY. Will the Senator be good enough to give it?

Mr. CUMMINS. I will be very glad to give it.

According to the census report Idaho had a population of 325,594. The rural population of that State is 255,696. The percentage of the rural population of Idaho compared with the total rural population of the United States is fifty-two one-hundredths of I per cent, and that is the percentage of the appropriation provided in the bill to which Idaho would be entitled.

I find further that Idaho had a total land area, according to this report, of 53,346,560 acres. Of this the land in farms amounted to 5,283,604 acres, and the improved land in farms, which is the basis I present in the amendment offered, amounts to 2,778,740 acres. That is fifty-eight one-hundredths of 1 per cent of all the improved land in farms in the United States, so that Idaho would receive under the amendment I have offered fifty-eight one-hundredths of 1 per cent of the appropriation, whereas under the bill as it is Idaho will receive fifty-two one-hundredths of 1 per cent. The amendment which I have offered increases the allotment to Idaho six one-hundredths of 1 per

Mr. BRADY. At the same time, if I remember correctly, the Senator gave a comparative statement of the votes cast in Georgia, Iowa, and other States. Has the Senator the number

of votes cast in Idaho?

Mr. CUMMINS. Unfortunately I have not. I have only the votes cast in 24 States, 12 in the North and 12 in the South, which I compared, and the list does not include Idaho. So I have not before me the statistics upon that matter.

Mr. BRADY. The vote cast in Idaho at the last general election was something over 108,000. I should like to have the

Senator show that in his figures.

Mr. CUMMINS. I will be very glad to include that, if the Senator from Idaho will wait a moment. Take Georgia. The vote cast was 121,524. How many votes were cast in Idaho?

Something over 108,000.

Mr. CUMMINS. There were pretty nearly as many in Idaho as in Georgia, but Georgia receives of this appropriation 4.19 per cent and Idaho received fifty-two one-hundredths of 1 per cent.

Mr. BRADY. I would suggest to the Senator that it might be a good idea to have this fund distributed on the votes cast instead of the acreage or the population. The voters are the people who take an interest in the affairs of the State and the

Mr. CUMMINS. While that would work very well, of course, for some States, I am not prepared to say that it would be in and of itself a fair standard. I think it is one of the things that ought to be considered, and if it were thought best by those who are in charge of the bill to compound a standard out of the votes cast, the rural population, and the acreage of improved farms, we would through that composite standard reach a more perfect quota certainly than we will reach in accepting the basis of the bill.

Mr. BRADY. Mr. President, I fully realize that it is going to be a very hard matter indeed to have this appropriation distributed entirely equitably. At the same time I feel that there is so much merit in the bill and there is such grave need of its passage at this time that I believe it would be well for us to give careful consideration to the division as suggested by the

bill as it stands.

I happen to be a member of the Committee on Agriculture and Forestry, and I know that the Senator from Georgia [Mr. SMITH! has worked very earnestly and faithfully to have the bill perfected in the most beneficial manner. If we can get the bill enacted into law at this time, later on we can mutually agree upon some plan of distribution of the appropriation, if this distribution is found to be inequitable, that will be fair

to each and every State.

I believe that the work we have to do at this time is more in the nature of getting a bill that will extend the benefit of this appropriation to the farmers of the country than we are in providing for an exact and, you might say, equitable dis-tribution of an appropriation of this kind, for I am convinced that the Department of Agriculture will recommend and that Congress will pass any remedial legislation that may be necessary in order that the rural and farming population of every State shall receive its just share of the funds appropriated in case it is found that the method of distribution provided in this bill does not do justice to the agricultural States taking advantage of this act.

The farming community is one that we must give some attention to. It is one that has been more or less neglected, and the manner of handling this fund has been worked out, in my judgment, on the best plans and lines that it is possible to do at this time.

On Saturday during the very able address of the Senator from Iowa [Mr. Cummins] he made the statement that these meetings of the farmers, where they were to be instructed by these demonstrators, would be on the larger and better farms. have been carrying on this work in a small way in our State for some years, and we have found that the best way to have a demonstration made is with the farmer whose farm is not in as good condition as that of his neighbor who has been able to give his farm proper attention. The best success we have had in this work has been by taking a farm that has been neglected and run down and have the demonstrator go upon that particular farm and demonstrate to that farmer and his neighbors what can be done by taking a poor or a neglected farm and improving it and placing it in a high state of cultivation. It has been demonstrated on many occasions that the output from a farm of this character can be doubled and sometimes quadrupled by proper

seeding, proper cultivation, and a proper planting of the crops.

This appropriation that we are making is comparatively very small indeed when we consider the great advantage it will be to the rural population and farmers of our country. I am advised that the Corn Exchange of Chicago gives to the farmers of this country \$1,000,000 a year for this class of work. They do that as a simple business proposition, for they believe that it will enable them to have the farmers market a sufficient crop to justify an investment of \$1,000,000 each year by one concern in one city. If they can afford to do that as a simple business proposition it seems to me that we can afford as a Nation to extend a helping hand to the farmer by the

passage of this bill.

I sincerely hope that the Senate will give this bill that fair and equitable consideration to which it is entitled, and let us see that it is passed at the earliest possible moment.

Now, with reference to the distribution of the appropriation according to acres and the population, this matter was presented to the committee by men who were earnestly trying to decide how this appropriation should be distributed; and, as the Senator from Georgia said on Saturday in his remarks, it was decided to distribute it according to rural population upon the advice of the representatives of the different agricultural colleges of the country and not upon the suggestion of any

State or any particular individual.

We have in many of the States very large farms, farms running as high as from 5,000 to 10,000 acres, owned by one man; we have in other States small farms, consisting of from 1 to 5 or 10 acres. The man who is on the small farm is entitled to just as much educational advantage as is the man who is on the larger farm. It seems to me that it is human beings, and not broad acres, that we are trying to educate; we are trying to improve the man; so that the man, by his superior knowledge, may improve the farm, thus bringing added wealth to our country. I sincerely hope that we may agree on this bill and enact it into law at the earliest possible moment.

The work being done by the Agricultural Department and the agricultural colleges of the various States in demonstrating on the ground in a practical way to the farmer the advantages of scientific methods applied to agriculture is so beneficial and farreaching in effect that there can be no question as to the advisability and necessity of extending assistance in this way to the men who produce the major part of the material wealth of this Nation. We have recently enacted legislation for the benefit of the manufacturer in the tariff law; we have recently enacted legislation for the benefit of the banker in the currency act, and it is only just that we shall enact some legislation for the benefit of the farmer.

Mr. SMITH of Georgia obtained the floor.

Mr. VARDAMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. SMITH of Georgia. I yield. Mr. VARDAMAN. I rise for the purpose of suggesting the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Pa Pe Po Ra Ro Sa Sh Sh Sh

Bankhead
Bradley
Brady
Bristow
Bryan
Burton
Chamberlain
Chilton
Clapp
Clark, Wyo.
Cummins
Dillingham
Gronna

Hollis		
Hughes		
Johnson		
Jones Kenyon		
Lane		
Lodge		
McCumber		
McLean Martine, N.	T	
Norris	٠.	
O'Gorman		
Oliver		

Smith, Ariz.
Smith, Ga.
Smith, Md.
Smith, S. C.
Smoot
Stephenson
Sterling
Sutherland
Thompson
Townsend
Vardaman
Williams

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum is present. The Senator from Georgia will proceed.

Mr. SMITH of Georgia. Mr. President, as I stated on Saturday afternoon, the plan for the distribution of this fund was presented to Representative Leven and myself by Dr. Thompson, of Ohio; Dean Russell, of Wisconsin; Dean Butterfield, of Massachusetts; Dean Jordan, of New York; Dean Curtis, of Iowa; and Dr. True, Director of Experiment Stations. It was presented not with a view of accommodating the needs of any particular State or of turning the appropriation in the direction of any particular State. I do not think one of these men had worked out the problem as to just where the fund would go; I certainly did not know myself. It was based upon distribution according to rural population; it was to be a fund to be used in the rural sections to carry information and knowledge to the people of the rural sections. Therefore those able educators, the leaders, the committee representing the colleges of agriculture and the experiment stations suggested a plan of distribution that would carry the fund according to population, where they thought the fund should go and should be used.

The Senator from Idaho [Mr. Brady] a few moments ago expressed admirably the purpose of the distribution and the plan of distribution. If we turn to the bill, we find that it is to diffuse "among the people of the United States useful and practical information on subjects relating to agriculture and home economics," to diffuse information among the people relating to agriculture and home economics. It is to be administered by the colleges of agriculture. The work is to consist of "the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise." It is to carry information to people engaged in agricultural work. These gentlemen considered that the best way to determine who were interested in agricultural work was to accept the classification of "rural population" as fixed by the Census Bureau and as followed by our Government in census enumerations for a number of years.

The amount of work, Mr. President—the number of people needed for the work—does not depend upon acreage. One State might have large farms cultivated by a few men through the use of machinery; another State might have small farms largely cultivated by individual persons, where machinery could not do the work. It is instruction to be given to the people. I believe it will reach in time not only to the grown man on the farm, but that will involve the direction of the children in the schools whose parents are on the farm. will also cover advice in marketing farm products. It will involve instruction requiring an amount of work dependent upon the people who are to receive the instruction. This was the view of the committee representing the colleges of agriculture and experiment stations. This was the view of officers of the Agricultural Department, and this was the reason why they made this selection.

But the Senator from Iowa [Mr. CUMMINS] presents another plan. He asks that the distribution be made upon the basis of improved farm lands. I may say that if he had examined the statistics upon this subject he would certainly have found that he had selected a plan that at least would be generous to That he had selected a plan that at least would be generous to Iowa, because in the percentage of improved lands Iowa stands ahead of any State in the Union. The percentage throughout the Union is 25; the percentage in Iowa is, I believe, 83; so that Iowa, using this plan of distribution, would be from 200 to 300 per cent better off that any other State in the Union in proportion to the lands of the respective States.

Mr. CUMMINS. Mr. President, I am sure the Senator from

Georgia does not mean that.

Mr. SMITH of Georgia. I should not have said "than any other State"; I should have said "than the average State." The average in the Union is 25 per cent, but in Iowa the average is 83 per cent.

Mr. CUMMINS. Of course "the average" includes Iowa.

Mr. SMITH of Georgia. Yes.

Mr. CUMMINS. Of course the improved lands of Iowa ex-I do not question that, and that is the

reason why our lands can be put to better use.

Mr. SMITH of Georgia. The Senator has selected a basis that puts Iowa ahead of every other State in the Union and gives her 83 per cent to 25 per cent for the average State. The average of improved lands as compared with all the lands in the United States is 25 per cent; the average of Iowa is 83 per cent; and the Senator from Iowa has selected a basis of distribution which, as between Iowa and the other States of the Union, gives her 83 and them 25 per cent,

Mr. CUMMINS. But, Mr. President, the Senator Georgia must certainly see the injustice of comparing Iowa with the average State. Compare Iowa with the other agricultural States. My plan gives Illinois 5.86 per cent; it gives Indiana 3.54 per cent; it gives Iowa 6.16 per cent; it gives Kan-

sas 6.25 per cent; and so on.

Mr. SMITH of Georgia. It gives a few States of the Central West around Iowa a substantial increase, but it reduces the percentage to over 30 States.

Mr. President, the Senator was again generous to Iowa in his estimate of Iowa's agricultural products, according to the last census. He gave those products at \$789,000,000. The Senator was entirely inaccurate in that statement. He has told us this morning that he has found that the figures giving her production for that year as made up included all her live stock. Live stock that may have lived 15 years all came into that year's

Mr. CUMMINS. I think the Senator from Georgia ought to remark, in that connection, that the figures were made up on exactly the same basis, so far as Georgia is concerned, as were those for every other State.

Mr. SMITH of Georgia. Precisely, Mr. President; but Georgia is not a cattle-raising State; Georgia is not a stockraising State, and Iowa is. So that Iowa would get the benefit of \$300,000,000 worth of stock and cattle, while Georgia would

get less than \$100,000,000, a little over \$50,000,000.

Mr. CUMMINS. Eighty-seven million dollars.

Mr. SMITH of Georgia. The only fair way to make this estimate is to take your increase that year. Suppose we had kept our cotton for 10 years, that we had held it in Georgia, and that we had had a billion dollars worth of cotton on hand in 1910, would it have been fair, in determining our production for 1910, to say: "We have a billion dollars worth of cotton"?

Mr. CUMMINS. Mr. President, I think the Senator ought to compare cotton with corn. In making up these tables the annual product of corn is given and the annual product of cotton,

and they are treated exactly the same in the two States.

Mr. SMITH of Georgia. But it is an unfair comparison to the States that are not cattle-raising States. If you propose to take live stock, which may require you 10 years to accumulate, and treat it as a product of a single year, the State that engages in raising live stock has an advantage in the statement over the State that does not. We might just as well accumulate our agricultural products for 10 years and put them against yours as for you to take live stock, which it may have required 10 years to raise, and treat your whole live stock as an annual production.

Mr. GRONNA. Mr. President—
The PRESIDING OFFICER. Does the Senator from Georgia

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from North Dakota?

Mr. SMITH of Georgia. Yes,

Mr. GRONNA. With the permission of the Senator from Georgia, I want to ask the Senator from Iowa if he has the figures for North Dakota, which is purely an agricultural State and not a stock-raising State?

Mr. CUMMINS. Yes; I have them.
Mr. SMITH of Georgia. I do not yield for that at this time. wish to proceed with the discussion of Iowa. Mr. GRONNA. Very well.

Mr. SMITH of Georgia. The census shows a production in Iowa for 1909 of only \$598,000,000, instead of \$789,000,000. That \$598,000,000 includes a full estimate for the sale of her beeves and her other live stock, and for the corn fed to them. So even that statement gives Iowa her corn twice over; it gives her her corn as raised and her corn again fed into her beeves and increased in value. Not alone is that true, but a careful study of the figures discloses the fact that a large part of the beeves were not raised in Iowa, but were brought into that magnificent farm-producing State-the best, I think, in the Union-and fed for a few months in Iowa before they were sold. So that be-fore we can find the real agricultural production of Iowa for 1909 we must deduct the corn and the oats and the hay fed to your beeves, fed to your stock, fed to your sheep, and fed to your poultry, and you must deduct what you paid for the beeves brought into Iowa before they were fattened.

Mr. CUMMINS. Oh, Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia

yield further to the Senator from Iowa? Mr. SMITH of Georgia. Yes.

Mr. CUMMINS. I suppose, then, that in order to ascertain the entire product of Georgia, if she had cotton mills within her borders, as she has, you would have to deduct from the product of the cotton mills the cotton that was grown in Georgia in order to find out what Georgia was really doing.

Mr. SMITH of Georgia. Undoubtedly, Mr. President.

Mr. CUMMINS. Well, Mr. President, I repudiate that way

of ascertaining what a State really is producing.

Mr. SMITH of Georgia. I think any other would be utterly If we took our lint cotton first and settled what it was worth, then we took our yarns and added our yarn production, then took our gray goods and added that production, then took our bleached goods and added that production, and then took our dyed goods and added that production, we would be running our lint cotton through four different processes and have it recognized as a production of the State five different times. When it went into the yarn it would have its second count, when it went into the grays it would have its third, when it went into the bleached it would have its fourth, and when it went into the dyed goods it would have its fifth count, and it would be utterly unfair. I would admit that it was a case of padding if I did it for Georgia. What I want to find out is what has the State really produced. We have produced lint cotton; then we produced the increased value incident to the yarn, but we did not produce the cotton again when we made the yarn; we produced an increased value when we wove it, but we did not produce the yarn again; and so on.

So, Mr. President, the only fair way to determine what Iowa really produces is to take \$598,000,000 and deduct all the corn and the hay and the oats fed to the stock, and deduct also about \$75,000,000 to \$100,000,000 paid for stock brought into Iowa and fattened there, and then we will find that this splendid State-for it ranks right at the head among our great States, certainly in agriculture—has made the magnificent contribution to our country of about \$400,000,000, instead of \$789,000,000.

Now, Mr. President, with regard to my own State, it is true that the Senator from Iowa treated Georgia as to cattle just as he treated Iowa. The trouble is that ours is not a cattle State; ours is not a stock State; and while he treated us the same way, he treated our cattle and stock production, which amounts relatively to scarcely anything, in a way that gave Georgia little increase, while he treated the production of cattle and stock of his State, which runs up into the \$300,000,000, in a way it did not deserve, and Iowa would get a benefit on \$300,000,000, while Georgia would get it on \$50,000,000.

Mr. President, I would not utter a word that was not in praise of Iowa. I have sounded throughout my own State the praise of the splendid college of agriculture in Iowa; I have told the people of my State the story of how that college and Iowa's splendid agricultural leaders, under the leadership of the present Senator from Iowa [Mr. Cummins], improved the character of the seed and increased their corn products as a result of his leadership and their work; but I wish to say just a word about my own State. The figures of 1909 do not show anything comparable with the present product of Georgia. Those figures gave us in cotton one hundred and twenty-odd million dollars. Last year our cotton production and the seed from the cotton passed \$200,000,000.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from

Georgia yield further to the Senator from Iowa? Mr. SMITH of Georgia. Yes.

The Senator is doing his own State an in-Mr. CUMMINS. justice. I think the amount produced in Georgia in 1909, including the cotton seed, is \$149,000,000. That is my recol-

Mr. SMITH of Georgia. Well, I am trying now to turn to exact figures.

Mr. CUMMINS. If the Senator will turn to the table which

I furnished him, he will find them.

Mr. SMITH of Georgia. I have the figures here. The Senator says the value of the cotton grown in Georgia that year was \$140,000,000, I believe. Is that the Senator's statement Mr. CUMMINS. My recollection is that it was \$149,000,000.

I may be wrong about that; it may be \$140,000,000.

Mr. VARDAMAN. Of cotton?

Mr. SMITH of Georgia. Cotton in Georgia in 1909. I think the Senator from Iowa is mistaken.

Mr. CUMMINS. Will the Senator allow me to examine the table I gave him? It is the census table.

Mr. SMITH of Georgia. Certainly.

Mr. CUMMINS. This table shows that the value was \$149,-

Mr. SMITH of Georgia. Then it includes cottonseed oil, too.

I have the original census report here.
Mr. CUMMINS. That is the census report; it is clipped

from a census bulletin.

Mr. SMITH of Georgia. Well, the total of cotton, as laid down here in the census report, is \$126,695,000.

Mr. CUMMINS. Then the cotton seed, if you will add

Mr. SMITH of Georgia. I do not see cotton seed given here at all. It gives the total of cotton as \$126,695,000. total of cotton last year, leaving out the seed, went to \$170,-000,000, an increase of nearly one-third. Our corn production went from 13 to 19 bushels per acre, and nearly doubled in the four years. The truth is that the whole system of farming is being revolutionized in the State, and I am glad to say that some of the good work that is being done is by white farmers coming down from the Middle West.

I wish to call attention to another fact connected with our two States. During the 10 years preceding the last census, Iowa fell off in rural population 120,000, while Georgia increased The number of farms in Iowa decreased 12,000, while the number of farms in Georgia increased 66,000. The total population of Iowa decreased 7,000, while that of Georgia in-

creased 393,000.

All these facts might well be considered in connection with this problem of distribution if we were to consider anything except the one proposition that we have presented in this bill, namely, rural population; but the Senator from Iowa has presented a plan, and I wish to see how it works.

The Senator's plan is to make the distribution according to the improved farm lands. In improved farm lands Iowa has 83 per cent. The average in the United States is 25 per cent. Iowa, with a population of 2,225,000 people, would receive a larger proportion of this fund than New York, Pennsylvania, and New Jersey combined, with a total population of 19,300,000 people and a rural population of 5,600,000 against 1,545,000 in

Mr. CUMMINS. Will the Senator from Georgia give the per-centages of each of the States he has just mentioned under the

pending bill?

I can give them together. Mr. SMITH of Georgia.

Mr. CUMMINS. And will the Senator give them under his

plan of distribution, also?

Mr SMITH of Georgia. Under the pending bill New York, Pennsylvania, and New Jersey would receive 11.34 per cent and Iowa 3.13 per cent. Under the improved-land amendment New York, Pennsylvania, and New Jersey would receive 6.13 per cent and Iowa 6.16 per cent.

Mr. CUMMINS. There is not a great deal of difference. Mr. SMITH of Georgia. Still, it is more to Iowa; more to Iowa than to New York, Pennsylvania, and New Jersey; more to 2,225,000 inhabitants than to 19,300,000 inhabitants; more to

1.545,000 rural population than to 5,600,000 rural population. Mr. CUMMINS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Geor-

gia further yield to the Senator from Iowa? Mr. SMITH of Georgia. I do.

Mr. CUMMINS. When the Senator from Georgia is making these comparisons, he ought not to overlook the fact that under the plan of the pending bill Georgia gets a great deal more than New York, a great deal more than Pennsylvania, and I am not sure whether or not it gets as much as New Jersey and Pennsylvania combined.

Mr. SMITH of Georgia. Mr. President, this, if correct, is not an answer to what I was telling the Senator about his figures. He is seeking to defend the shocking result of his proposed plan by going back to ours. The Senator is wrong, however. Pennsylvania receives 6.15 per cent under the pending bill. The Senator is wrong in stating that under the terms of the bill Georgia would receive more than Pennsylvania; it

Mr. VARDAMAN. Mr. President-The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. SMITH of Georgia. Yes. Mr. VARDAMAN. I wish to ask the Senator if he has the figures as to the relative rural population of Georgia and New

Mr. SMITH of Georgia. I can give them to the Senator. The rural population of New York is 1,928,000. The rural population of Georgia is 2,000,000. The rural population of Pennsylvania is 3,034,000.

Mr. VARDAMAN. Are not small towns embraced in that classification of rural population?

Mr. SMITH of Georgia. The rural population, as taken by the census, is found in towns of less than 2,500 inhabitants. That has been the rule in the classification between urban and rural population since we have had a census. The specialists who have had charge of the problem of seeking to find a basis of separation between urban and rural adopted that rule, and it has been continuously recognized in the United States.

Mr. VARDAMAN. As a matter of fact, I presume Georgia really has more than three times the rural population that New York has, because Georgia has very few towns; and that is true

of most of the States in the South.

Mr. SMITH of Georgia. As the Senator from Iowa has said, if we should change to what is termed agricultural population the discrepancy would be far greater, but the division has been placed at the place which our census enumeration for years has been made.

Mr. O'GORMAN. Mr. President-

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New York?

Mr. SMITH of Georgia. I do.

Mr. O'GORMAN. If I may interrupt a moment, I should like mr. O'GORMAN. If I may interrupt a moment, I should like to make a statement in answer to the suggestion of the Senator from Mississippi. New York State has about 150 cities with a population of 2,500 or more. The State of Mississippi has 29 cities or towns with a population of 2,500 or more. The State of Georgia has 45. The State of Iowa has 70.

Mr. SMITH of Georgia. What I wished to do was to point

out the result of the plan offered by the Senator from Iowa, to show how completely it took care of Iowa, and how it treated New York, Pennsylvania, and New Jersey. I have run through the calculations, and it cuts the distribution to over 30 States. It substantially increases it to a small number of States around

Now, the difference between those States and most of the States of the Union is in the size of their farms, and the difference in the size of the farms is due to the character of the land, which makes possible cultivation by machinery and enables one man to do vastly more than several men might do in

other sections. I return to the proposition with which I started: No plan of distribution could be perfect. The Senate committee did not select this plan, nor did the House committee. I did not select it. Mr. Lever did not select it. The presidents of the colleges of agriculture, together with officers of the Department of Agriculture who are to have charge of this work, comprehending the character of the work they were to do, with a broad vision of the entire country, in the interest of no locality, with no purpose but a purpose of national service, selected rural population as the basis of distribution. When I introduced the bill I had no idea what part would go to Georgia and what part would go to Iowa. Indeed, only in the last few days has my attention

been called to that subject.

Mr. HITCHCOCK. Mr. President—
The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Nebraska?

Mr. SMITH of Georgia. Yes.

Mr. HITCHCOCK. The Senator says that no plan of distribution would be perfect, and I agree with him, on account of the great variety in agricultural pursuits, the great differences in the size of the farms, and the nature of the products. Inasmuch as two plans are presented here, however, one by the Senator from Iowa and one by the Senator from Georgia, and as it is conceded that neither one can be perfect I wish to ask the Senator from Georgia what he would think of this method of compromise: Adopt both plans, give each factor an equal value, and make the distribution in some such way as this, so that it would read:

Such additional sums shall be used only for the purposes hereinbefore stated, and shall be allotted annually to each State by the Secretary of Agriculture and paid in the manner hereinbefore provided, in the proportion which the rural population of each State bears to the total rural population of all the States, and in the proportion which the acreage of improved land in farms of each State bears to the acreage of improved land in farms of all the States, each factor to be given equal value in arriving at the result.

The effect of that would be a compromise midway between the proposition offered by the Senator from Georgia and the proposition offered by the Senator from Iowa.

Mr. SMITH of Georgia. I think it would not be as bad as

the proposition of the Senator from Iowa, but not nearly so good as the bill as it stands.

Mr. WALSH. Mr. President—
Mr. SMITH of Georgia. It would be only half as bad as the suggestion of the Senator from Iowa.
Mr. HITCHCOCK. Then I should like to ask the Senator

what he means by the statement that no plan is perfect. I assumed that he meant by that to admit that certain inequalities grow out of the extreme plan which he presents, which obviously is apt to favor certain States, just as certain inequalities grow out of the plan which is presented by the Senator from Iowa. In view of the fact that neither plan is perfect, would not the suggestion of some such compromise as that I have suggested appeal to the sense of justice of the Senator from Georgia?

Mr. SMITH of Georgia. If the Senator from Montana will wait just one moment, I wish to answer the Senator from Nebraska.

What I mean by saying that no plan would be perfect is that we can not find any exact census enumeration that will give us with absolute accuracy the people engaged in agricultural pursuits and the people who are to be reached and trained in agriculture. I think the only plan that would be absolutely perfect would be one that made our distribution exactly according to the people to be taught and who are to be advanced in their work through the results of this bill, but that a distribution according to rural and urban population is the most accurate basis we can find to accomplish the result which ought to be accomplished.

Mr. HITCHCOCK. Of course the Senator realizes that in taking out of the Treasury of the United States money that has been put there by the power of taxation and in making a distribution of that money to the various States it is of the utmost importance to have it done in such a way as not to arouse in any direction a feeling that an injustice is being perpetrated. That is the reason I am moved to suggest this compromise. It is a very delicate matter to have even the suspicion of an injustice under which, if you look at the figures, certain regions of the country seem to be getting more than their share of benefit. I desire particularly to urge upon the Senator from Georgia again the idea that if he admits that the method of distribution which he has proposed is not perfect there ought to be some middle ground agreed upon by way of a compromise, under which two factors instead of a single factor could be taken, as more likely to arrive at a reasonable adjustment of the differences.

Mr. SMITH of Georgia. Mr. President, the mere addition of another factor, unless that factor is one in the direction of greater equality, does not necessarily improve it; and the factor of distribution according to the improved farm lands is entirely, of distribution according to the improved ratin tails is entirely, contrary to the spirit and purpose of the bill, which is to teach people, to instruct men, women, and children. It adds an element that carries us further off in our distribution from a plan which would distribute according to the people to be instructed. The perfect plan, I think, would be one that would enable us to answer that question exactly.

Mr. HITCHCOCK. I wish to ask the Senator from Georgia what reason there is for Representatives or Senators from an urban population to vote for this distribution of money to agricultural districts? If there is any theory at all upon which it can be defended, it is that the effect of the distribution of this money for the purpose of educating the farmers is to reduce the cost of living by reducing the cost of food. The Senator from Georgia will realize that the great prairies out here that are cultivated, as he says, by machinery more than by men, are the very regions where the food of the cities is produced; and it is in the improvement of agricultural conditions upon those great fields that the man living in the city can hope, by an increase in the production of food, to secure a reduction in his cost of living. So there is some basis for maintaining that the money to be taken out of the Treasury should be distributed not only in proportion to the number of people living in rural districts, but also in proportion to the possibilities of improving the food product of the great western farms, not for the benefit of the westerners, not for the benefit of the farmers of the West, but for the benefit of the dwellers in cities, the cost of whose food is increasing year by year, and the cost of whose living is being raised in that way.

Mr. SMITH of Georgia. Mr. President, the small farms around the big cities, the small farm in New Jersey, the small farm in New York, the small farm in Pennsylvania, the small farm in Maryland, and in the balance of the States will be increased in their capacity to furnish this food by the training to be given to the individual man, and the training given to the individual man as a result of this bill is the training which will increase the food supply and take care of the great cities, as well as the rural population.

Mr. WALSH. Mr. President-

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Montana?

Mr. SMITH of Georgia. I do.

Mr. WALSH. I rose to inquire of the Senator from Georgia about the origin of this basis of distribution. We know, as a matter of course, that measures of this character have had the consideration of the professional educators of the country for quite a number of years. Was the basis of distribution the subject of consideration by the committee? And from what source, if outside of the committee, did this suggestion of distribution on the basis of rural population come?

Mr. SMITH of Georgia. It came from the executive committee of the colleges of agriculture and from Dr. True, the

director of the experiment stations of the United States. I have already given their names—Dr. Thompson, of Ohio; Dr. Russell, of Wisconsin; Dr. Butterfield, of Massachusetts; Dean Jordan, of New York; Dean Curtis, of Iowa; and Dr. True,

director of the experiment stations.

Mr. WALSH. Will the Senator advise us whether the question of the proper basis of distribution was ever the subject of consideration in any of the national conventions of educators?

Mr. SMITH of Georgia. I do not recall that fact. I recall the fact that in discussing the subject they regarded it as a matter of instruction to be given to men and women and children

Mr. WALSH. Then what does the Senator mean by saying, in answer to the question, that the language originated with them? Did they draft the bill?

Mr. SMITH of Georgia. They brought us the bill with that

provision in it.

Mr. WALSH. Which was the basis of your report?

Mr. SMITH of Georgia. Yes; which was the basis of the final bill.

Mr. CUMMINS. Mr. President-

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. SMITH of Georgia. I do.

Mr. CUMMINS. Does the Senator from Georgia remember the basis adopted in the Lever bill which passed the Senate in the last Congress?

Mr. SMITH of Georgia. It used this language.

Mr. CUMMINS. Does the Senator remember the basis that was adopted in the bill presented by the Senator from Vermont [Mr. PAGE].

Mr. SMITH of Georgia. It used the language "engaged in

Mr. CUMMINS. The Senator does not mean to say that there never has been any discussion with regard to this basis,

Mr. SMITH of Georgia. I did not say that. What I said was that I could not recall any discussion in conventions. The Senator from Montana asked me if the subject had been discussed in any of these conventions.

Mr. CUMMINS. What the Senator from Georgia means to say is that the Committee on Agriculture and Forestry did not consider it; that is, there was no discussion there with regard to the basis. I think he said that the other day, and I have

accepted that as being true.

Mr. SMITH of Georgia. I do not recall any discussion.

Mr. CUMMINS. But the Senator from Georgia does not mean to leave the impression that the deans of agriculture to whom he has referred were unanimous in favor of any such basis as this, does he?

Mr. SMITH of Georgia. I do not know.

Mr. CUMMINS. I am quite sure they were not.

Mr. SMITH of Georgia. I simply have no information about I only know that the measure came to us indorsed by all

Mr. CUMMINS. I think I know something about it. was a good deal of difference of opinion among these deans. was not present at any of their consultations; I only know from hearsay; but they finally did settle down upon this plan. It never has received investigation at the hands of a committee of the Senate, and it is now receiving its first real consideration, save as it was considered at the hands of this committee composed of members from various agricultural colleges

I am saying that only in order that we may all know that it is an open question, and that the Members of the Senate have never really taken it up and looked at it from all its sides, as I hope they will now. If the Committee on Agriculture and Forhope they will now. estry had gone into the matter-and possibly there was no reason why it should-and had deliberated upon it and had reported as it has reported, one might think that it was taking the first step, anyhow, toward its settlement legislatively. think, however, the Senator from Georgia means to be under-stood as saying that the Committee on Agriculture and Forestry did not regard it as a disputed point, and therefore allowed it to come into the Senate without any discussion.

Mr. SMITH of Georgia. I can not say that that is true. There was no objection made to the plan from any source. first objection I have heard urged was by the Senator from

Mr. CUMMINS. But the Senator from Georgia must remember, I am sure, that there has been a good deal of discussion arising over the Lever bill of the last Congress and over the Page bill of the last Congress and over the Page bill of the last Congress with regard to the proper basis of distribution. We did not discuss it here because we never reached, probably, a stage at which it could be discussed here;

but there has been a good deal of discussion through the colleges about it.

Mr. SMITH of Georgia. I was not referring to the colleges en. The Senator had directed my attention to discussions in the Committee on Agriculture and Forestry, and I stated that there was no discussion; that an explanation was made of the plan of distribution, and it was accepted by everyone as a proper plan. I had stated before that there may have been discussion of the plan of distribution in some of the gatherings of the presidents of the colleges at some of their conventions, but with regard to that I was not familiar. All that I knew was, so far as the heads of the colleges of agriculture were concerned, that they brought up this plan, and they unanimously presented it to us, and it seemed to us a fair and just plan, the object being to give instruction to those who were or would be connected with agricultural work, the object being to train men, women, and children so that a greater product would come from the soil and considering that the number to be taught was the element which probably would settle, at least to the largest extent, if not entirely, the cost of the instruction. So far as the Committee on Agriculture and Forestry is concerned, there was unanimity in, or at least no dissent from, the plan of distribution presented to us by the executive committee of the colleges of agriculture and by the director of the experi-I might say that Dr. Knapp informally conferred with them also. The plan of distribution which they presented was accepted by the Committee on Agriculture and Forestry, understanding what it was and believing that it was sound, though it was not subjected to adverse criticism there. How much adverse criticism there may have been amongst the deans of the colleges or the presidents of the colleges before they reached the conclusion I do not know. They brought us this conclusion, and we thought it sound, and we accepted it without undertaking to make a calculation as to what State would receive the most money.

Mr. VARDAMAN. There was no difference of opinion among

the heads of the colleges as to this plan of distribution?

Mr. SMITH of Georgia. None was ever suggested to us. Mr. VARDAMAN. Were there representatives from every agricultural college in the United States on that board?

Mr. SMITH of Georgia. They finally had an executive com-

mittee of five.
Mr. VARDAMAN. From what States were they?

Mr. SMITH of Georgia. Ohio, Wisconsin, Massachusetts, New York, and Iowa. Dr. True was originally from New Hampshire, but he is now from the whole United States.

Mr. VARDAMAN. There was really no difference of opinion respecting it?

Mr. SMITH of Georgia. None at all.

You will find in the report of the Agricultural Committee upon the bill at the last session letters, I think, from the president of every agricultural college in the United States indorsing this bill. The colleges could not be more thoroughly committed to it than they have been. Conventions all over the country of farmers have indorsed it.

Mr. CUMMINS. Mr. President, there is no doubt about that. They indorsed the Page bill with equal heartiness, and the Page

bill had an entirely different method of distribution.

Mr. SMITH of Georgia. Some of them did indorse it. Mr. CUMMINS. I think I heard the Senator from Vermont [Mr. PAGE] state here one day that he had the approval for the bill of every prominent educator of the country save one. not remember who the exception was, but that is my recollection of his statement.

Mr. SMITH of Georgia. You will find quoted in the reports of the Committee on Agriculture and Forestry in the last Congress the language of approval by the heads of the colleges of the bill, which was then pending before the Committee on Agri-

culture and Forestry.

Mr. SIMMONS. If the Senator from Georgia will yield to me, I have just received a communication from Dr. True, with whom I had a conference this morning, dealing with the very subject the Senator is now discussing. With the Senator's permission I should like to read that communication.

Mr. SMITH of Georgia. I will yield to the Senator while he reads it, then I wish to call attention to a few other indorsements.

Mr. SIMMONS. The letter is as follows:

United States Department of Agriculture, Office of Experiment Stations, Washington, D. C., February 2, 1911.

Hon. F. M. SIMMONS, United States Senate.

distribution of the fund. The relative advantages of the distribution, according to areas of farms, cultivated land, and rural or agricultural population, were discussed on the basis of figures taken from the last census. Inasmuch as the work proposed in this measure is essentially educational, it was decided as a fundamental proposition that it would be better to make the distribution of money according to people rather than land. By increasing as much as possible the efficiency of people engaged in agriculture it was believed that agricultural production would be promoted in the highest degree. If the farmers became more intelligent and progressive and were informed regarding the best methods of agriculture, they would be in a position to utilize the land in the best way. This would lead on the one hand to an extension of cultivated area as far as this was practicable, and on the other hand to a greatly increased production per acre and per man. This might lead to some readjustment of the location of the farm population, but on the whole would result in greater production and more prosperous agricultural communities.

It was realized that if the Federal funds for extension work were distributed on the basis of rural or agricultural population, a number of States which have the largest areas of cultivated land and where agriculture is practiced on an extensive system with machinery and horses, would receive relatively less than the States where cultivated areas are not so extensive and a more intensive system of agriculture, involving a large amount of human labor, is practiced. But it was thought that If the basis of distribution of the funds was made the areas of improved farm lands, the former group of States would be given too much advantage.

In considering the work proposed under this measure the term "agriculture" is used in its broad sense to include not only the growing, truck farming, and other forms of horticulture, as well as dairying, poultry raising, etc. The more intensive agricultural occupatio

B. T. GALLOWAY, Acting Secretary.

Approved.

I wish to add, Mr. President, that in addition to what is said here, in the conversation I had this morning with Dr. Galloway, Prof. Spillman, and Dr. True, I gathered from what they stated that the subject as to what is the proper basis of distribution of this fund was one very much discussed and very thoroughly considered, and that the conclusion stated in this letter was

Mr. GRONNA. Mr. President, may I ask the Senator from North Carolina what he refers to when he says it was discussed with these college professors? Does he mean to say that it was discussed before the Committee on Agriculture and Forestry?

that reached after most mature discussion and consideration.

Mr. SIMMONS. I meant that the question of the proper basis for the distribution of the fund was discussed by the gentlemen who are referred to in this letter of Dr. True.

Mr. GRONNA. I wish to say as a member of the Agricultral

Committee

Mr. SIMMONS. He does not refer to the committee at all. Mr. GRONNA. It has not been discussed before that committee.

Mr. SIMMONS. He does not refer to any discussion by the committee, if the Senator please. I will read again the first part of it. He says:

When the Lever bill for agricultural extension work by the State agricultural colleges was being drafted, the executive committee of the Association of American Agricultural Colleges and Experiment Stations and myself were consulted with reference to the basis of distribution of the fund. The relative advantages of the distribution according to areas of farms, cultivated land, and rural or agricultural population were discussed on the basis of figures taken from the last census.

The Senator is mistaken. There was nothing said in my conversation with Dr. True and Dr. Galloway this morning about any discussion before the committee. It was confined to a discussion between the representative of the agricultural colleges and the representative of the national experiment stations, but I did gather from them, as I do from the letter, that the dis-cussion as to what is the proper, the fair and equitable, and the most beneficial basis of distribution is a subject that was very thoroughly gone into by them and that they reached a conclusion, and the conclusion is that embodied in the bill.

Mr. SMITH of Georgia. Mr. President, I wish to state again,

unless there may have been confusion about what I said,

that I did not say there was any discussion before the Committee on Agriculture and Forestry. I did not say that there was not a discussion before the board representing the colleges. What I said was that I did not know of any discussion in any convention in which the question of the distribution was carefully considered. I did not mean by that to treat the committee as a convention. I understood that representatives of the colleges and the Director of the Experiment Stations and the Secretary of Agriculture had gone into the subject and satisfied themselves as to what was the best plan for distribution, but I have seen no record that in any of their conventions where they were all together the subject of distribution was discussed. I think in those conventions, as the Senator from Iowa has indicated, it was the general scheme of the bill that they were in favor of, and they never undertook to consider it in detail.

Mr. GRONNA. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from North Dakota?

Mr. SMITH of Georgia. Yes.

Mr. GRONNA. I do not question the statement of the Senator from Georgia at all. The Senator will remember that there was a subcommittee appointed, and undoubtedly the question was taken up with the subcommittee. I did not happen to be a member of that subcommittee. As the Senator knows, it was not discussed before the entire committee.

Mr. SMITH of Georgia. Before the committee itself it was

not discussed.

Mr. GRONNA.

Mr. GRONNA. No. Mr. SMITH of Georgia. The plan was stated and explained and nobody questioned the soundness of the plan. The place where I know it received the most thorough discussion is indicated in this letter from Dr. True. I know that the present Secretary of Agriculture and the former Secretary of Agriculture approved it, and I understood, also, that Dr. Knapp was consulted. I knew the older Dr. Knapp, in treating of the question of farm teachers through demonstrations or through farm leaders, has stressed the fact that the number of the teachers must have reference to the number of people to be

Mr. O'GORMAN. Mr. President, I am in hearty sympathy with the main purpose of this legislation. It will be of no particular service to the State which I in part represent. That State for many years has made ample provision for vocational and agricultural education. Many other States have made ample provision along those lines. This is peculiarly a State function. It is a duty of the State to educate its citizens. I am well aware that in some States this duty has been overlooked or neglected. I recognize the fact that there may be reasons, and perhaps satisfactory reasons, for those conditions, and in a broad way I recognize the need of the Federal Government to exert itself to do something for the advancement of agricultural education throughout the country.

But while I approve of the main purpose of this legislation, the bill itself is far from satisfactory. It proposes to take out of the National Treasury vast sums of money, beginning with an appropriation of \$480,000, and each year thereafter for four years there will be an additional appropriation of \$600,000.

Mr. CUMMINS. Mr. President

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Iowa?

Mr. O'GORMAN. Certainly.

Mr. CUMMINS. I rise simply to suggest to the Senator from New York that the Senate has amended the bill so that the appropriation of an additional \$600,000 continues for seven

Mr. O'GORMAN. For seven years, and that is to be followed, I read the bill correctly, by a permanent appropriation of \$3,000,000

Mr. SMOOT. More than that.

Mr. CUMMINS. The permanent appropriation is just a little over \$5,000,000. I am simply suggesting that, not because I am opposed to the addition.

Mr. O'GORMAN. I understand.
Mr. CUMMINS. I am very much in favor of it.
Mr. O'GORMAN. The language I am now reading from the bill speaks of \$3,000,000, but in connection with the other appropriation it would average, as the Senator from Iowa states, something like \$5,000,000 a year, and that is intended to be a permanent charge on the Treasury of the United States. And why? Because certain States, few in number, for reasons which we need not now discuss, are not fully discharging the duty which, as I said, every State owes to every one of its citizens to provide the means of an education. It is surely not a duty resting upon the Federal Government.

Mr. SIMMONS. To what States does the Senator refer to as not discharging their duty?

Mr. O'GORMAN. I am speaking of no particular State. I am stating that the State I represent does not ask for this legislation. This is, however, but preparatory to the main ob-

jection I have to the bill.

I can sympathize with the Senator from Georgia [Mr. SMITH] when he spoke of the difficulties in the way of adopting a purely just and equitable method for the distribution of this money. Every plan that has been suggested is to my mind very objectionable. The three States to which the Senator from Georgia alluded a little while since, New York, Pennsylvania, and New Jersey, have a population of 19,000,000 people, almost 20,000,000, which would be one-fifth or 20 per cent of the entire population of the country. And yet under the language of the pending bill those three States, representing approximately 20 per cent And yet under the language of the pending of the entire population, receive but about 1 per cent of this

Mr. SMITH of Georgia. Oh, no.

Mr. O'GORMAN. The total amount of the three States, I think, would aggregate out of the \$3,000,000 appropriation, on that basis, something like \$330,000 a year.

Mr. SMITH of Georgia. It is over 10 per cent.

Mr. O'GORMAN. Yes; I will correct the statement; they receive a trifle over 10 per cent, which shows quite a disparity between what they are receiving and what they presumably contribute to the Public Treasury.

I should have no objection, considering the great good that may come from this legislation, to have these appropriations for a period of about five years. Any feature of this proposed legislation which would require a drain on the National Treasury for an indefinite period should not be regarded favorably by the Senate; and with respect to such a provision, I am in direct opposition. At the proper time I shall offer an amend-ment to strike out the provision on page 4, lines 1 and 2, pro-

viding for the permanent annual appropriation.

Mr. SIMMONS. Mr. President, I do not know that I should have engaged in the discussion at all but for the fact that the Senator from New York [Mr. O'GORMAN], as I understand him, attacks the merit of this proposition. I had supposed that there was hardly a division of sentiment in the Chamber as to the merit of the general proposition. I had supposed that the system which it is now proposed to extend and enlarge had been so thoroughly tested out in recent years by actual experimentation in practically all the States of the Union that its benefits were so obvious there were no dissenters whatsoever and that everybody was agreed that it was a good thing, and that the Government ought to go into it more thoroughly and extensively than heretofore,

Mr. President, there is one fact in our economic history during the 127 years that we have been an organized Government that, to my mind, stands out more prominently than any other. Everyone knows that at the beginning of that period the chief industry of the people of this country was agriculture. We had very little manufacturing. We had very little commerce. The era of railroads had not yet dawned. When the Civil War began that situation had not been very materially changed. Agriculture was still the dominant pursuit of the people. Manufacturing had not been developed except to a very limited extent. Our commerce had not reached very large proportions,

For the last 50 years, beginning at the close of the war, there has been a very remarkable change in that situation. To-day our manufacturing interests are abreast of those of any nation upon the earth. To-day our commerce is equal to that of any nation upon the face of the earth. To-day our transportation system is equal to that of any nation upon the earth, if not the best in the world. But it is a fact, and a lamentable fact, that to-day the United States of America is more backward in its agriculture than any nation of the world standing in the same

class with the United States.

Now, what has brought about that result? Mr. President, I am not speaking about this in a partisan sense, and I am not speaking about it for the purpose of either criticizing it or ap-We know that at the close of the war the Government entered upon a policy of aiding and promoting the development of its manufactures and by indirect taxation, by indirect subsidies, by indirect bounties, the people of this country have contributed to the development of our manufacturing industries millions upon millions, yea, billions upon billions of dollars. As I said, as the result our manufacturing industries are abreast of and probably a little in advance of those of any other nation upon the earth.

We started about the same time upon a career of aiding our railroad development by land grants, by subsidies, both on the part of the National Government and the State governments and

county governments and municipalities. During that period of time, through this public donation, so to speak, we have con-tributed millions and billions of dollars as a bounty toward the development of our railroad system in this country. body knows it, no one knows it better than the farmers of this country, that during all this period when we have been helping in the development of our manufacturing, when we have been helping by bountles in the development of our railroad system, when we have been helping by annual contributions in the development of our water transportation, we have been doing practically nothing to aid the agricultural interests of the country.

Mr. President, partly as the result of that and partly as the result of other factors which need not now be discussed, we have this condition, obvious to everybody in the country to-day, that agriculture is behind every other industry, and we are actually reaching a condition in this country where we are not producing much more than enough to supply our own population. A country with the broadest acres, a country with the most fertile soil, a country with a people inherently adapted to agriculture, is hardly producing enough to supply the actual needs of the country. In that situation, when we come here and ask for the expenditure of what in comparison with the end to be attained is the pitiful sum of \$600,000 a year, to be gradually increased as the demands may require until it requires the small sum of \$5,280,000 a year, we are told that this is a degree of liberality toward the farmers which the Government can not afford, and that we ought not to indulge in it. Mr. President, I confess I do not appreciate that sort of an argument.

I want to say again what I said a few days ago, that during my service in the Senate it has seemed to me that whenever it is proposed to make an appropriation for the benefit of agriculture the Senate at once became penurious and stingy and closefisted. I have noticed since I have been here that we pass appropriation bills carrying a hundred million dollars or more for the Navy, nearly \$100,000,000 for the Army-\$40,-000,000, \$50,000,000, or \$60,000,000 once a year, I believe— \$80,000,000 for rivers and harbors, carrying two or three hundred million dollars for the Post Office Department, and we have passed at times those great appropriation bills here with-

out a day's debate.

When the little Agriculture appropriation bill comes in here. it generally carries from twelve to fifteen million dollars. When I first came here, I do not think it carried quite \$12,-000,000, though it probably has now reached \$16,000,000. I am not sure about the figures, but I think the Senator from Georgia [Mr. SMITH] will probably corroborate me, that it is not much over \$16,000,000; and if it is \$16,000,000, it has just reached that amount, for it has generally been from \$12,000,000 to \$15,000,000. We have sometimes haggled over it, debated it, analyzed it, dissected, and criticized it for days, and sometimes for weeks, before we could get the bill through, and this has struck me with amazement, Mr. President, in view of the fact that we are still a great agricultural country, and most of us represent agricultural constituencies and ought to be deeply interested in everything that contributes to the benefit of agriculture. It has been demonstrated conclusively-it is not a matter of theory; it is not a matter of conjecture, but it has been conclusively demonstrated—that through the medium of this demonstration instruction the productivity of the lands in this country has been greatly increased and is being increased every day in the year. We have been heretofore making small appropriations for that purpose. I think our appropriation now amounts to something like \$400,000 for that particular purpose, but the effect has been electrical. There is not a farmer, certainly in my section of the country, who does not believe that the benefit of this instruction that the Government has brought to him at his very door has been worth tenfold more than it cost the Government. I do not believe that instruction through bulletins and things of that sort has resulted in one-tenth the benefit to the farmers of this country as has this practical demonstration.

We have now 48 States, Mr. President; we have more than 6,000,000 farmers in this country to be instructed, and we are proposing here to begin a little appropriation, amounting to less than a million dollars the first year and finally getting to about \$5,000,000, which is less than \$1 to every farmer, to assist in teaching him what? In teaching him how to make two blades of grass grow where one now grows; in teaching him how to increase the productiveness of his wheat lands, his cotton lands, and his potato lands; and, in the name of heaven, do the farmers not need to be instructed in that direction? It is humiliating for an American farmer to go to Europe and find how much more the European farmer is producing on an acre of ground than the American farmer is producing.

trouble is not so much that there are not enough people living in the rural districts engaged in agriculture in order to supply the food wants of this country, but it is that we are producing such small quantities per acre.

I do not conceive of any way in which we can confer a greater benefit upon the people of this country as a whole—not only the bread consumer, but the man who produces the corn and the wheat out of which the bread is made—than by teaching the farmer practically how he can make more wheat per

Mr. President, I think the Senator from Iowa [Mr. Cum-mins] intimated that probably the South was getting rather more than her share of the present appropriation. That may be justified if you take the amount that has been spent in the South and the amount that has been spent in other sections

The Senator from Iowa, however, overlooks the fact that one of the appropriations that go to make up the total amount that is now being spent in connection with agricultural demonstration work in the South was an appropriation made specifically for the purpose of meeting the conditions created by the existence of the boll weevil. The department made an effort to combat the boll weevil. They failed in that effort. As a result of much study and much experimentation, however, it was finally determined that the only way to reach the boll-weevil evil was with reference to the manner of culture; and the department came here, not asking, as in the case of the gypsy fly that so much troubles the trees in the section of the Senator from Massachusetts [Mr. Lodge], and asked for an appropriation to stamp out the fly; they did not come, as they do in cases of the diseases of cattle and diseases of sheep and ask for an appropriation to stamp out the diseases, but they came and said, "We can not combat the boll weevil; we have got to circumvent it by methods of culture;" and they asked for an appropriation to enable them to demonstrate to the farmers the particular method of culture by which the boll weevil might be circumvented and its march arrested. Through the use of this specific boll-weevil fund-and that is practically the only use of it that has been made in the South—the march of the boll weevil has been arrested, and even in the fields where it has taken possession it has, to a measure, been made innocuous.

So, if the South has seemed to get more than its share of this appropriation it has been on account of the boll weevil, just as we have made appropriations with reference to diseases of live stock or with reference to diseases of trees and similar appropriations which were expended altogether in the North or in the West. There is a general fund that has nothing special to do with this demonstration work, but yet is spent on account of the farmers, that is distributed throughout the country without any reference to local conditions.

I want to say to the Senator from Iowa that I do not agree with the Senator from Mississippi [Mr. Vardaman] about the question of color. I do not think that this fund ought to be given to the South because we have colored people there who are not quite such efficient laborers as are the white men of the West. I am not making any appeal here on account of the colored population of my State. The colored man is one of our burdens; we have accepted him as such; we are dealing with him with fairness. He is developing; he is growing; he is becoming a factor in the industry of the South. Largely he is yet occupied with agriculture, but he is an independent farmer. The idea that the colored men of the South are mere hirelings on the farm is a mistaken idea. In my section of the country and I think that is true of most of the South; possibly not so true of Louisiana and of Mississippi as it is of the balance of the South, but certainly in Georgia and in Alabama and in the Carolinas—the colored man is an independent farmer.

or he owns his land; he cultivates it upon his own initiative.

On my little farm I should say that more than half of my tenants are colored people; they own their teams; they rent their lands; they either pay a certain amount of money or they pay a part of the crop. They cultivate the land upon their own initiative; they do not come to the landowner or to the superintendent of the farm and ask how their farm is to be cultivated. So he must be treated as an independent farmer, having his own notions about farming; and he has notions about it-and they are very firm and fixed and stubborn notions, too-which you can not get out of his head by telling him that they are bad or that some other plan is better. You can not get them out of his head by sending him literature. The only way you can get these notions out of his head, if they are bad—and in some instances they are bad, because he is not a very successful farmer—is to teach him by object lessons the better way; to show him some particular method by which he can increase the yield of his cotton patch, his corn patch, or his potato patch.

Let him see as a matter of actual demonstration the wellcultivated land right by the side of his poorly cultivated land, and let him see the method employed from day to day in developing the new cultural methods, and next year he will adopt them, for he is an imitative creature. Show him they are good and he will adopt them, but you have got to show him by demonstration. Therefore, Mr. President, there is no class of farmers in the South to-day that are being more benefited by this demonstration work than are the independent colored farmers of the South.

Mr. SMITH of Georgia. Practically all of them are inde-

pendent.

Mr. SIMMONS. Yes; practically all of them are independent.
One of the troubles, I think, which the farmers have down
there with their colored tenants is to get them to adopt the methods that they indicate to them are the better methods and of abandoning old methods. You can only get the colored

farmer to do it, as I have said, by actual demonstration work.

Mr. President, if I have a proper conception of the object of this bill, it is to instruct men in the art of farming, to teach them how to better farm, to teach them how more economically to farm, to teach them how to farm so as to produce a greater result in the cultivation of their land. It is the man that this bill seeks to teach; it means to teach the man of small means who has a one-horse farm as much so as the man who has a hundred-horse farm. It means, not as the Senator understood me to say the other day when I asked him a question, that we are going to go to every individual farmer, that a demonstrator. is to stop at his house and go out next morning and give him demonstration; but it does mean that in every community where this system is to be put into operation, within a reasonable radius, every farmer, small or great, may have an opportunity to come; that there is going to be an actual demonstration of methods, so that they may see the work as it is done this week and next week, as the crop develops, from the time that the land is prepared into a seed bed and the seed is sowed and germinates and grows into a plant.

I know that there is one Member of this body who probably owns 10,000 acres of improved land. In my section of the country, where the farms, according to the census, would average, I think, about 80 acres, that is more than 100 farmers In the area that is embraced and encompassed in the farm of that one Senator to whom I refer there will be living 100 or 150 independent farmers. This bill seeks to reach every one of them. If you give them their money in proportion to their acreage and give the individual Senator to whom I have referred in proportion to his acreage, that Senator will get as much of this money for the purposes of instruction to him in the better method of farming his own land as those 100 or 150 farmers in my State will get.

But you say that you produce more per man, and that the standard should be how much a man produces in this country. I suppose, if you will take the census reports, that you can show that in the western country very much more is produced per man than in the southern country, but you can not show that you produce more per acre in the western country than we do in the southern country. The difference is merely apparent; it is not real; you do not produce more per man. at the Agricultural Department this morning that a certain Member of Congress, before he came to Congress, himself cultivated, broke, harrowed, seeded, and harvested, with the assistance of machinery and eight horses, and no other help what-soever, 400 acres in wheat. That was not the work of one man; that was the work of eight horses; that was the work of immense machinery that carried with it probably many, many horsepower. In my section of the country to cultivate in cotton 400 acres would take 30 or 40 men; and yet, when you get the results from your 400 acres of wheat you will not realize as much profit, or anything like as much—not one-tenth as much, probably—as would be realized from 400 acres in cotton. The difference is relative.

It will not do, Mr. President, it seems to me, to divide this fund upon the basis of the improved acreage, because in the western country, the section from which the Senator from Iowa has drawn his illustration, farming is done very largely by machinery-horses and machinery, steam plows, and implements of that sort. It is not done in that way at all in the South, and can not be done in that way. We in the South raise peculiar crops which place a limitation upon the amount of machinery that can be used. That is true of the cotton crop especially. You can not find any machine that will pick cotton, and yet the picking of the cotton is nearly one-fourth of the value of the raw cotton in the seed. You can not find machinery that will weed and hoe the cotton. That constitutes a large part of the labor and it has got to be done by the individual man. That has brought about the condition which we find in the South of small farms and the large number of people necessarily employed in order to cultivate a small area of land.

The intensive system of farming grows more and more in this country, and it will continue to grow. It has grown marvelously in my country since these demonstrations began down there; and I want to say in this connection—and I say it with a great deal of pride—that I do not believe there is another State in the Union that has increased the production per acre of its staple crops to the same extent during the last four or five years as has North Carolina. Two years ago, when I investigated the matter, North Carolina was the only State that had really increased that year its average yield per acre in wheat. It has increased its yield of corn from 15 to, I think, 22 or 23 bushels per acre, starting at a very low average, it is true. The increase in tobacco is in the same proportion; and, by the way, tobacco is a crop that you can not cultivate with machinery. Tobacco is our other chief staple crop. Cotton and tobacco are our main money crops. You can not employ machinery in growing cotton and tobacco, as you can in your wheat fields or as you can in your cornfields. With us corn is a by-product. We merely make it to feed our stock. We do not make much wheat; we do not make much grain. Our chief crops are the crops that can not be cultivated with much machinery; you have to cultivate them by hand; but the yield per acre in money is large. In my State the yield per acre this year averaged in tobacco from \$200 to \$300. Why? Because we are producing a better grade of tobacco than we have heretofore produced, and it is purely the result of the instructions that our people have received through the Agricultural Department with reference to the culture of tobacco and the kinds of tobacco best adapted to our climate.

Mr. President, I dislike, of course, to antagonize the wishes of the Senator from Iowa in this matter, because I do believe him to be a thorough-going, whole-hearted friend to the farmer, but I feel that the method of distribution which he proposes is not a just method of distribution. I have not heard of it having been advanced except in this debate. It seems that it has been discussed in connection with this bill by those who have been engaged in this work, not only here at Washington, but in various States in the Union, and that they have repudiated it and have agreed upon and recommended the method of distribu-

tion provided in this bill.

Mr. President, without going further into this discussionand I have said very much more than I intended to say when I began-I trust that the amendment of the Senator from Iowa will not prevail.

Mr. LODGE. Mr. President, I do not desire to delay a vote on this amendment, for I know the Senate is anxious to dispose of it and to pass the bill. I wish, however, to say a single word

in regard to the vote which I shall give upon this amendment.

It seems to me, as has been said frequently in this debate, that the purpose of the bill is to instruct the farmer—that is, to instruct men—and therefore I think the distribution fund

should rest upon the men who are to be instructed.

My own State is not a farming State; it is an industrial State. At the same time, we have a large number of small farms, and, though the total farm acreage has decreased somewhat in the last 30 years, I think, owing to the efforts of our agricultural board and our agricultural college, there has been a distinct improvement in the methods of production. farming is necessarily for the local market and is intensive. It seems to me that the small farmer, especially the farmer engaged in such farming as we have in my State and in some others of the densely populated industrial States of the East and the North, is the very man who needs more than any other all the aid that science can furnish; and for that reason it appears to me to be fairer to base the distribution of the fund on the rural population than upon the number of acres.

The average farm in Massachusetts is 77 acres; the average farm in some other States rises nearly to 400 acres. the acreage system, the amount that would go to one farmer in a State, with an average farm of 400 acres, would have to be distributed among four or perhaps five men in my State. It seems to me, therefore, that the proper way to do this is as the committee proposes; and for that reason I shall vote against the proposition to distribute the fund on the basis of acreage.

That, Mr. President, is all I desire to say. I merely wished

to explain the vote which I was about to give.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Iowa [Mr. CUMMINS].

Mr. CUMMINS. Mr. President, the Senator from Georgia has charged me with betraying a very deep interest in my own State. To that charge I plead guilty,

Mr. SMITH of Georgia. Mr. President, I want to say that I did not make the charge, but I am sure the Senator does have such an interest in his State, and that he has rendered great service to it. That was what I meant; I certainly did not in any sense intend it to be anything like a charge.

Mr. CUMMINS. I have great affection for the State and have great pride in her people and in their accomplishments, but I hope that this interest does not lead me into a sugges-

tion that does injustice to any other State.

The argument just made by the Senator from Massachusetts [Mr. Lodge], which is a repetition of the argument of the Senator from Georgia [Mr. SMITH] and the Senator from North Carolina [Mr. Simmons], seems fair, but it is fallacious. It is not true that we intend to devote this money to the education of those persons who are classified in the census report as belonging to the rural population. We intend to devote it to those persons who will take the instruction, accept the knowledge, absorb the science of agriculture, and in that way in-

crease the great output of the farms of the country.

The Senator from Georgia says that Iowa has 83 per cent of her land in improved farms and that the average throughout the United States is but 25 per cent. He is quite right about that. I think it is 84 per cent rather than 83 per cent; but that correction is not material. We have in the United States 478,451,750 acres of land in cultivation. When I use the word "cultivation" I mean land that is commonly embraced within the meaning of the word "farm"; I mean the land that in rotation, whether it be in one crop or another, furnishes to the people of the United States their necessities in food and in clothing. Of these 478,000,000 acres of land that are thus in the service of the people of this country—acres that are annually pouring into the channels of trade our mighty agricultural product—Iowa has substantially 29,000,000; and when we go about the work of trying to make these 478,000,000 acres of land more productive, more fertile, when we go about inculcating the state of the productive of the people of the productive of the people of the productive of the people of the peopl the science of agriculture so that we may have our food and our clothing, in so far as agricultural products result in clothing, it is manifest that we ought to be guided by just one rule: What can we do that will make each of these 478,000,000 acres better answer the demands which the American people are making upon their soil?

My friends from Georgia and from North Carolina and from Massachusetts are insisting that if there are 20 people on 1 acre of land, they ought to have twenty times as much as one man on 1 acre of land. They are insisting upon a rule which, it seems to me, while seemingly fair, while very plausible, is fundamentally wrong—a rule that will not produce the results which the Senator from Georgia, I am sure, so fervently hopes will follow the passage of this bill. I am quite as much in favor of the appropriation as he can possibly be; but I am very far from being convinced that the appropriation will be a permanent one; that he will establish a permanent policy if he insists

upon the unfairness in this distribution.

I note the suggestion of the Senator from Nebraska [Mr. HITCHCOCK]. I say of it, as the Senator from Georgia saidfrom, however, a divergent standpoint—it is partly right; it is more nearly right than the plan of the bill, but not so nearly

right as the plan I have proposed.

I earnestly hope this amendment will be adopted. I recognize the rather persuasive appeal of my friend from Georgia when he said that my amendment would reduce the proportion of the appropriation of 30 States. He is in error as to one State only. It does reduce the allotment of 29 States as I have computed it. It increases the allotment of 19 States. I desire the Senate to hear for a moment, however, just what it does with regard to the 29 States whose proportion of the appropriation is decreased.

Under the plan of the bill Maine has seventy-three one-hundredths of 1 per cent. Under the operation of the amendment

Maine has forty-nine one-hundredths of 1 per cent.

Under the bill New Hampshire has thirty-five one-hundredths of 1 per cent. Under the amendment, nineteen one-hundredths of 1 per cent.

Under the bill Vermont has thirty-eight one-hundredths of 1 per cent, and under the amendment thirty-four one-hundredths of 1 per cent, a difference of four one-hundredths of 1 per cent.

Under the bill Massachusetts has forty-nine one-hundredths of 1 per cent, and under the amendment twenty-four one-hun-

dredths of 1 per cent.
Under the bill Rhode Island has four one-hundredths of 1 per cent, and under the amendment four one-hundredths of 1 per cent. There is no change in that,

For Connecticut the bill awards twenty-three one-hundredths of 1 per cent. Under the amendment Connecticut is awarded twenty-one one-hundredths of 1 per cent.

In New York the bill gives aid to agriculture to the amount of 3.91 per cent. The amendment I propose gives to New York 3.10 per cent, substantially the same.

Under the bill New Jersey has 1.28 per cent. Under the

amendment New Jersey has but thirty-eight one-hundredths of 1

Under the bill Pennsylvania has 6.15 per cent. Under the amendment Pennsylvania has but 2.65 per cent.

Mr. NELSON. Will the Senator from Iowa give me the figures for Minnesota?

Mr. CUMMINS. With pleasure. Under the bill Minnesota is given 2.48 per cent. Under the amendment Minnesota has 4.11 per cent.

I shall not pursue this further, because it may be wearisome. I have, however, stated enough to show that with the exception of Pennsylvania the changes are among those Northern States in which agriculture is of very subordinate interest, and the change is not large. The great changes are in the awards to the Southern States, and for reasons which were stated here on Saturday with the utmost frankness.

There is not any doubt with regard to the reason that led to I think no one who is familiar with the development of the subject can doubt the reason, whether it is a good reason or a bad reason, which finally led those who considered the matter to adopt the rule of rural population. I shall not enter upon that again, because it is so fully understood and was so fully debated on Saturday. The increases here are among those States which furnish the people of this country with more than 50 per cent of all its agricultural products. The decreases, with the exception of the 12 Southern States that I recapitulated Saturday, are among those States that have no great agricultural product, and that are awarded under the bill proportions so small that they become in and of themselves negligible and

The rule I have proposed divides the appropriation fairly among the people who actually produce the agricultural com-modities of which my friend from North Carolina [Mr. Sim-MONS] has spoken so eloquently and so wisely. There is no doubt about his position. We have neglected agriculture. We have given scant attention to the development of this science, whether in the States or by the General Government.

It is only within the last 10 rears that the thought of men has been turned toward the learning of agriculture. It is only recently that we have become acquainted with its beauty, because the science of agriculture is not only full of profit to those who pursue it but it is full of interest as well. I can conceive of no field of human learning so crowded with beauty as well as with profit as the field devoted to the development of agriculture.

I want no word I have said criticizing the manner in which this appropriation is to be distributed to reflect upon the purposes of the bill itself. The purposes of the bill are wise. They are comprehensive. If carried out they will yield in the future years a richer reward to the American people than any other like amount of money that has been or will be appropri-

ated from the Public Treasury.

Mr. McCUMBER. Mr. President, if I understand the purpose in the mind of the Senator from Georgia it is that a given expenditure under the provisions of his bill will give the same quantum of information to the same number of individuals. If his bill means anything, if its intendment is anything, that must be the purpose, because it is based upon rural population. Yet can not the Senator easily see, comparing his own State with one of the larger agricultural States where the agricultural effort is principally employed in cereal raising, that he does not secure any such result? If under this bill there is a thousand dollars spent in my State and another thousand dollars spent in the State of Georgia, the thousand dollars spent in my State ought to reach just as many persons as the thousand dollars spent in the State of Georgia; but the Senator can easily see why that would be impossible under the bill as it is now framed.

Let us suppose here is a full section of land, 640 acres, 1 mile square. In my State that probably would be divided into four quarters, with a farmer on each quarter. If we had some establishment for demonstration in the center of that section it would give its illustration and its information to four persons. If it were in Georgia, with only 40 acres to each farmer, it would give the same instruction to 16 persons.

The Senator can easily see that under his bill he is getting four times as much benefit for his people individually as we are getting, because it will cost just as much to give this information to the four farmers in my State as it would cost to give it to the 16 in his State. I am speaking now of the physical demonstration. It will cost exactly the same. It does not add tions are held by men of the highest character and ability,

to the expense that 16 pairs of eyes are viewing the work or that 16 pairs of ears are listening to the instruction that is being given. The real thing that you are going to affect, after all, is the 640 acres within the compass of those four lines. That is what you are going to increase in its productiveness. If that be the case, instead of our having just one-fourth as much as the State of Georgia, in order to get the same instruction and have it affect the same number of acres we would really have to have four times as much as the State of Georgia should have under this provision.

So I confess I can not see the justice of the distribution according to the rural population, as is suggested in the bill. If the real purpose is to increase the productive capacity acre for acre throughout the United States, we ought to have a course of instruction that would reach the greatest number of acres, and that, at a given expense, should be given to those States having the greater acreage so that it would equal the expense as it is applied where the population is much more dense than in the West.

If it were supposed that the appropriation we make would reach every farmer in every one of the States, of course it would make little difference whether we adopted the plan of the Senator from Georgia or whether we adopted the plan proposed by the Senator from Iowa. The expenditure of this sum of money can not by any possibility give instruction to all the agriculturists in all of the States, however; and as we can not reach them all, we ought to reach them upon some fair and equitable plan.

It does seem to me that the amendment proposed by the Senator from Iowa is the most equitable and should adopted. For that reason I shall cast my vote in favor of the amendment.

Mr. GRONNA. Mr. President, I do not intend to delay the Senate in taking a vote on the amendment, nor on the bill; but I desire to remind the Senators who have talked so earnestly about this bill that the farmer who raises grain, the farmer in the great West, has to depend on nomadic labor. Whether this bill is passed or not, we shall have to instruct the labor which comes from the cities.

In the South and in the East you have the same labor from year to year. It is not so with us; and, as my colleague has so well said, the expense of cultivating an acre of land should be and must be taken into consideration. Not only that, but where you employ men to handle intricate machinery there is infinitely more risk in leaving the machinery to those men than there is in leaving them with a hoe or with a spade, as is being done in some other sections of our country.

A great deal has been said about the benefit that is going to accrue to the American farmer from the passage of this bill. I have yet to find the first farmer who has asked for this appropriation; and I have made it my business to inquire, not only among the farmers of my own State, but among the farmers of other States. I am not opposing the bill, because I believe in scientific methods; but so far as it applies to our section of the country, I wish to say that the farmer in the West is not wholly ignorant of the new and scientific methods of farming. We have had for the last decade or two our agricultural institutes where the farmers go, and where they talk over new methods, not only of raising grain, but of rearing stock.

I might say, in this connection, that I have been criticized as opposing this measure. At no time have I opposed it; but I have favored a plan which has a wider scope, namely, the socalled Page bill. According to the arguments of Senators you are now trying to do under this bill exactly what was intended to be done under the Page bill, to educate each and every individual in vocations and trades. That is not the purpose of this bill. If it is, I misunderstand the language contained in the bill.

The purpose of this bill, as I understand it, is to aid in diffusing among a certain class of people in the United States practical knowledge and scientific methods in the industry in which they are now engaged. The bill states specifically that the money is to be used to disseminate practical information on subjects relating to agriculture and home economics. This work is to be done in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of a certain act of Congress approved July 2, 1862.

It will be seen from the provisions of section 2 of this bill that the work is to be carried on in such manner as may be agreed upon by the Secretary of Agriculture and the State agricultural colleges receiving benefits from the act. The work is not specifically outlined in the bill, but is left to the judgment of the faculties of the various colleges and the Department of Agriculture.

who will work for the betterment of the conditions on the farm. we are apt to meet with disappointment, and the large sum of money which is appropriated by the bill will go to waste, so far as the farmer is concerned. We appropriate \$480,000 per year, \$10,000 of which is to be paid annually to each State which by the action of its legislature shall assent to the provisions of the bill. As the bill now reads there will be appropriated annually for a term of seven years an amount of \$600,000, and for each year thereafter there is permanently appropriated the sum of \$3,000,000, to become available to the colleges of the various States if the State appropriates a like amount, and to be paid in the proportion which the rural population of each State bears to the total population of all the States, as determined by the next preceding Federal census.

The amendment proposed by the Senator from Iowa [Mr. CUMMINS] is designed to do justice to the States where the population is not so large. Take my State, for instance, the State of North Dakota: We produced in the year 1910, according to the Federal census, more than \$311,000,000 of agricultural products, and yet you accord to us 1.03 per cent of this appropriation. Ours is purely an agricultural State. As my colleague has so well said, it requires more money to disseminate this knowledge among the farmers of our State than it does in the more thickly populated States. Under the plan proposed by the Senator from Iowa, North Dakota would get 4.28 per cent of the appropriation, to which I believe we are justly entitled. In other words, North Dakota would receive only \$30,000 under this bill, provided the State legislature appropriated a like amount.

Out of the permanent annual appropriation of \$3,000,000 based upon the rural population North Dakota would receive one and three-one hundredths of 1 per cent, or approximately \$30,000; that is, if the State of North Dakota assents to this provision and appropriates a like amount. As I have stated, according to the Federal census, the total production of agricultural products for the year 1910 was more than \$311,000,000. and it would seem that an unfair division and distribution is

made of this money.

Mr. President, I have been criticized as being opposed to this bill, and while I am perfectly willing to admit that I believe that this bill will not be welcome by the farmer as a real help to him, it can not be truthfully said that I have opposed the passage of the bill because I have supported another bill which contains all there is in this bill and a great deal more. I have supported the Page bill, believing it to be a better bill, of far greater scope, and of real practical value to the people of the United States. The Page bill contains, as I have said, the same provisions that this bill contains, making appropriations for farm demonstration work and home economics; but it also provides for vocational education, and although I do not care to discuss in detail the provisions of the Page bill, especially that part of it which applies to vocational education, I want to say that it is my belief that there is more urgent need for the training of the American boy in the vocations and trades than there is in teaching the farmer how to farm. I know of no one who is opposed to improved methods of farming, and I want to say, for the information of my colleagues, that in the great empire of the West the farmer is not unmindful of the importance and the value of new and scientific agricultural methods. In the State which I have the honor in part to represent we have for the last decade had agricultural institutions and discussed every phase of the agricultural problems, not only the methods of how to produce and the harvesting of crops but the rearing and management of live stock. I am not ready to admit that our farmers are wholly ignorant in husbandry, and while we are not an old State we have learned long ago that rotation of crops and intensive cultivation is absolutely necessary in order to produce satisfactory results. Our farmers have learned how to conserve moisture and also how to put back that compound substance which furnishes nutriment to plants; they know that changing their wheat fields to tame grasses, to clover, and alfalfa, which extracts the nitrogen from the air and which is deposited in the earth through the roots of these plants, is not only important but absolutely necessary to plant life. The farmer has learned long ago how to properly care for the farm, and while he may not in all instances be able to give a lecture on it he knows how to do it.

Mr. President, I do not want to appear as in any way minimizing the value of scientific up-to-date farming, because personally I believe in it; but there is something more fundamental; there is something in which the farmer is more vitally interested, and that is in a market. I wish I could discuss this phase of it without having to refer to any party, but the legislation enacted during the last session of Congress, namely, the Simmons-Underwood tariff bill, has taken from the Ameri-

can farmer what properly belonged to him and which to him is the most valuable, namely, the American market. In his own country under the present tariff law the American farmer is obliged to compete with the world in selling his products. With the exception of a few articles, the products of the farm are not receiving the benefits that we accord to the products of the factory. That it has already had its damaging effects no one who is a student of the conditions of this industry will deny; that it has injured those who are now engaged in the industry and discouraged others who might engage in it no one who is qualified to speak on this subject can deny. What the farmer needs more than anything else is a proper method in the marketing of his products, better facilities in the distribution of his products, and methods of transportation and handling of his grain and stock which are less expensive. We can not expect that intelligent men will engage in an industry which they know by the experience of other intelligent men is not profitable; and while the theory advanced by the free trader, that in order to give the consumer cheaper food we can not afford to protect those who are engaged in the production of the necessities of life, is a beautiful theory, it, however, works an injustice on those who are engaged in it, and unless we have free trade in all our industries it can not be anything but a discrimination, and a discrimination against a class in which millions of people are engaged-an industry which can not be made a trust. By its very nature those who are engaged in the industry can not make it a monopoly and oppressive to the rest of mankind.

Mr. President, I dislike very much to disagree with my good friend the Senator from Iowa, but I do not admit that farming is profitable in all sections of the United States. I want to say to him and to the Senate that as an industry, as a business,

farming is not a profitable industry.

Mr. CUMMINS. Mr. President—
The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Iowa?

Mr. GRONNA. I yield.
Mr. CUMMINS. Without going into a discussion as to whether it is profitable or unprofitable, I think the Senator from North Dakota must have misunderstood me, because I made no assertion with regard to the matter one way or the

Mr. GRONNA. I understood the Senator to speak of it as an industry which is beautiful as well as profitable.

Mr. CUMMINS. No; I said the study of the science of agri-

culture is beautiful as well as profitable.

Mr. GRONNA. I am very glad to have the Senator's explana-tion, because as a farmer it sounded to me as though the Senator said that the industry of farming is a profitable one.

Mr. CUMMINS. I am not prepared to say that it is not, Mr. President, but I did not enter on that subject. I was trying to suggest that a science which a few years ago was looked upon as a dry-as-dust affair is really one of the most beautiful fields of exploration that we have lately discovered.

Mr. GRONNA. I understand now that we can well proceed upon the theory that the science of agriculture is not only a

beautiful one but a profitable one.
Mr. CUMMINS. Very.

Mr. GRONNA. I agree with the Senator on that point, but I do not admit that farming, especially at the present time, is profitable. If it was profitable, there would be no need of this cry coming from every human being in our land that we must get more people back to the farms. Human intelligence will seek the industries that are most profitable, and if the industry be profitable and if it be beautiful, as the Senator from Iowa so well says, the people of the United States will go back to the farm, and there would be no occasion for the people of the cities to interest themselves in the farmer to their own detriment and perhaps loss.

Mr. WORKS. Mr. President-

The VICE PRESIDENT, Does the Senator from North Dakota yield to the Senator from California?

Mr. GRONNA. With pleasure.
Mr. WORKS. I am very much afraid that the declaration of the Senator from North Dakota, who is himself a practical farmer, that as an industry farming is not profitable, will not be very greatly calculated to entice anybody back to the farm.

Mr. GRONNA. Mr. President, I consider that every word I say here in the Senate should be said truthfully, and I can say from my own experience as a farmer that this year I have lost several thousand dollars in the industry of farming.

Mr. McCUMBER. Mr. President-

The VICE PRESIDENT. Does the Senator from North Dakota yield to his colleague?
Mr. GRONNA. Certainly.

Mr. McCUMBER. If my colleague will yield to me, I might suggest to the Senator from California that you are never going to get an excess of population from the city back to the farm again by any siren song of the beauties of nature. You have got to show those people a profit, and you are not going to show them much of a profit so long as you swing the doors of agriculture wide open to the products of all the world. As my colleague has justly said, if you will give the American farmer the American market I think the farmer would be able at least to live. But I agree with my colleague that there is no use of telling people that it is a beautiful occupation and get them to join in it when, as a matter of fact, we can not find a market for the products that we produce.

Mr. WORKS. Mr. President—

The VICE PRESIDENT. Does the Senator from North Dakota yield further to the Senator from California?

Mr. GRONNA. I yield with pleasure.
Mr. WORKS. I have always admired my good friend the junior Senator from North Dakota for his frankness and candor. I always expect of him a truthful statement of facts as he understands them. I was only moved to remark that the statement of the truth as he understands it is not calculated

to entice anybody back to the farm.

Whatever the cause may be, whether it is because of unjust legislation on the part of Congress or something else, the fact seems to remain that the industry of farming is not profitable, and until something is done to make it profitable it is hardly fair to ask anyone to go back on a farm if he can make a living somewhere else. I regard that as very unfortunate, Mr. I am sorry to have it said here by a man who knows that farming is not profitable, because certainly it is important to this country that it should be made profitable and that the people should be called back to the farm instead of living, as they are, crowded in the cities.

Mr. McCUMBER. If my colleague will permit me—
Mr. GRONNA. Certainly.

Mr. McCUMBER. My colleague has already pointed out the

way to make farming profitable-indeed, the only way to make it profitable in this country-and that is to give us the same protection that you give to the manufacturers. Give us the American market, protected to exactly the same per cent and extent, and I think we will make it at least reasonably profit-

Mr. WORKS. Mr. President, I said in some remarks I made a few days ago that what the farmer needs is not charity, is not legislation like this, in my judgment, but fair and just laws that will enable him to work out his own problems. Certainly the Senator from North Dakota can not lay it upon me that there has been any unjust legislation affecting the interests of the farmer. I have not believed in this bill because I do not believe it will bring relief or help to make farming profitable to the farmer.

Mr. McCUMBER. I agree with every word the Senator has

said.

Mr. GRONNA. Mr. President, there seems to be no disagreement or opposition among us, but I want to give a simple illustration. What industry is there in which a man is engaged in which he has to accept the price offered him by the buyer

except the industry of agriculture?

We will take the industry of making shoes in the great State of Massachusetts and other eastern States where they are engaged in the manufacture of shoes. If a million pair of shoes are required and they are worth \$2 a pair, do you suppose that those manufacturers are going to manufacture 2,000,000 pair and sell them for a less price? That is practically what the American farmer has to do. When you inproduction you decrease the price of his products. The farmer in raising wheat which costs him a dollar a bushel to produce-and I make the statement now that no man in the United States can raise a bushel of wheat for less than \$1 a bushel. He is selling that wheat to-day for from 60 cents to 70 cents per bushel, and it does not take a very wise man to figure out that he is not making very much profit.

Supposing we allowed the men engaged in this industry, which is such a beautiful one, to transact business the same as people engaged in other industries, so that when the bushel of wheat costs \$1 to produce he shall be allowed to add his profit to that cost, you place the American farmer upon a business method and the American farmer will succeed.

I resent, Mr. President, the statement that the American farmer is wholly ignorant about producing crops. We have We have in the Western States college graduates engaged in the industry of farming. They have spent a lifetime in that industry. They meet and confer with their fellow farmers as well as people in other industries meet and confer with their

associates. I doubt very much, as I think was said by the Senator from California [Mr. WORKS] the other day, and so well said, if some of these so-called demonstrators can teach the western farmer anything about the new methods of pro-

Mr. President, I shall not oppose this bill; it is doing us no harm; but, as I said a moment ago, I have yet the first farmer in my State to hear from asking me to vote for legislation of

this kind. I have yet to hear from the first farmer anywhere in this country asking me to support legislation of this kind.

Mr. CUMMINS. I assume that the Senator from Georgia desires to continue the session until after the pending amendment is voted upon.

Mr. SMITH of Georgia. Yes.

Mr. CUMMINS. In that event I suggest the absence of a quorum, for there ought to be a majority of the Senate here.
The VICE PRESIDENT. The Secretary will call the roll.
The Secretary called the roll, and the following Senators an-

swered to their names:

Ashurst	Hitchcock	Newlands	Simmons
Bankhead	Hughes	Norris	
Brady	James	O'Gorman	Smith, Ariz.
Bristow	Johnson		Smith, Ga.
		Oliver	Smith, Md.
Bryan	Jones	Overman	Smith, S. C.
Burton	Kenyon	Page	Smoot
Chamberlain	Kern	Pomerene	Sterling
Chilton	Lane	Ransdell	Sutherland
Clapp	Lee, Md.	Robinson	Townsend
Clark, Wyo.	Lodge	Root	Vardaman
Cummins	McCumber	Saulsbury	Walsh
Dillingham	Martine, N. J.	Shafroth	Works
Fletcher	Myers	Sheppard	HULES
Gronna	Nelson	Shields	

Mr. MARTINE of New Jersey. I was requested to announce that the junior Senator from New Hampshire [Mr. Hollis] is

absent on official business

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. There is a quorum present. The question is on the amendment proposed by the Senator from Iowa [Mr. Cum-

Mr. CUMMINS. On the amendment I ask for the yeas and

The yeas and nays were ordered, and the Secretary proceeded

to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. I transfer that pair to the junior Senator from Maine [Mr. Burleigh] and vote "yea."

Mr. FLETCHER (when his name was called). I am paired with the Senator from Wyoming [Mr. WARREN], but I transfer that pair to the Senator from Oklahoma [Mr. Gore] and vote. I vote "nay."

Mr. HUGHES (when his name was called). I have a general pair with the Senator from New Mexico [Mr. Catron], and desire to transfer that pair to the junior Senator from Illinois [Mr. Lewis] and vote. I vote "nay." [Mr. Lewis] and vote.

Mr. JAMES (when his name was called). I have a general pair with the junior Senator from Massachusetts [Mr. Weeks]. I transfer that pair to the junior Senator from New Hampshire [Mr. Hollis] and vote "nay."

Mr. MYERS (when his name was called). I am paired with the Senator from Connecticut [Mr. McLean]. He is absent on business. In his absence I withhold my vote.

Mr. NELSON (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. Bacon]. For that reason I withhold my vote, the Senator from Georgia not being present.

Mr. O'GORMAN (when his name was called). I am paired with the senior Senator from New Hampshire [Mr. Gallinger],

and therefore withhold my vote.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from California [Mr. Per-KINS], but I transfer that pair to the senior Senator from Oklahoma [Mr. Owen] and vote "nay."

Mr. REED (when his name was called). I have a pair with the Senator from Michigan [Mr. SMITH], and therefore with-hold my vote. If at liberty to vote I should vote "nay." Mr. ROOT (when his name was called). I have a pair with

the Senator from Colorado [Mr. THOMAS], but I am assured that if present he would vote upon this question as I intend to

vote. I therefore vote "nay."

Mr. REED. I desire to transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from New Hampshire [Mr. Hollis] and vote. I vote "nay."

Mr. SAULSBURY (when his name was called). I have a pair with the junior Senator from Rhode Island [Mr. Coll] which I transfer to the junior Senator from Virginia [Mr. Swanson], and vote. I vote "nay."

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Arkansas [Mr. Clarke].

On account of his absence I withhold my vote.

Mr. WALSH (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT]. I transfer that pair to the junior Senator from Nevada [Mr. Pittman] and vote. I vote "nay."

The roll call was concluded.

Mr. BURTON. I am paired with the senior Senator from Virginia [Mr. MARTIN], who is unavoidably detained from the

Chamber to-day. In his absence I withhold my vote.

Mr. WILLIAMS (after having voted in the negative). I am informed that I am paired with the Senator from Pennsylvania [Mr. Penrose], and I am also informed that I can transfer that pair to the Senator from Colorado [Mr. Thomas]. I therefore transfer my pair to the Senator from Colorado and will permit my vote to stand.

Mr. KERN (after having voted in the negative). I inquire if the senior Senator from Kentucky [Mr. Bradley] has voted? The VICE PRESIDENT. The Chair is informed that he has not voted.

Mr. KERN. I withdraw my vote, being paired with that

Mr. JAMES (after having voted in the negative). When I voted a moment ago, the junior Senator from Massachusetts [Mr. Weeks] was absent, but he is now in the Chamber. So I withdraw the transfer of my pair with him to the Senator from New Hampshire [Mr. Hollis], and will allow my vote to stand.
Mr. SUTHERLAND. I transfer my pair with the Senator

from Arkansas [Mr. Clarke] to the Senator from Illinois [Mr. Sherman] and vote. I vote "nay."

The result was announced—yeas 16, nays 41, as follows:

YEAS-16.

Borah Bristow Clapp Clark, Wyo,	Cummins Dillingham Gronna Jones	Kenyon Lane McCumber Norris	Page Poindexter Sterling Works
	NA	YS-41.	
Ashurst Bankhead Brady Bryan Chamberlain Chilton Fletcher Hitchcock Hughes James Johnson	Lee, Md. Lodge Martine, N. J. Newlands Oliver Overman Pomerene Ransdell Reed Robinson Root	Saulsbury Shafroth Sheppard Shields Shively Simmons Smith, Ariz. Smith, Ga. Smith, Md. Smith, S. C. Smooth	Sutherland Thompson Tillman Townsend Vardaman Walsh Weeks Williams
	NOT V	OTING-38.	
Bacon Bradley Brandegee Burleigh Burton Catron Clarke, Ark. Colt Crawford Culberson	du Pont Fall Gallinger Goff Gore Hollis Kern La Follette Lea, Tenn. Lewis	Lippitt McLean Martin, Va. Myers Nelson O'Gorman Owen Penrose Perkins Pittman	Sherman Smith, Mich. Stephenson Stone Swanson Thomas Thornton Warren

So the amendment of Mr. Cummins was rejected.

Mr. O'GORMAN. Mr. President, this bill provides in substance that there shall be appropriated \$490,000 the first year, an additional appropriation of \$600,000 for the next year, and each succeeding year for seven years there is to be an increase not exceeding \$600,000 upon the sum appropriated for the preceding year. I have estimated that under this feature of the bill the total amount that will be taken from the Treasury of the United States in seven years will be \$20,000,000.

Those provisions are succeeded by a provision making a permanent appropriation of \$4,480,000 per year. I believe that we might very well content ourselves with the seven-year experimental period and not commit ourselves at this time to a definite policy which will require an appropriation of almost \$5,000,000 per year for any indefinite period. To strike out the latter provision, retaining only the seven-year provision, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Senator from New York offers

an amendment, which will be stated.

The Secretary. On page 3, line 24, it is proposed to strike out all after the word "year" where it occurs the first time in the line down to and including the word "provided" at the beginning of line 3, page 4, and also to strike out the word "permanently," in line 8, page 3.

The VICE PRESIDENT. The question is on the amendment

proposed by the Senator from New York.

Mr. O'GORMAN. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BURTON (when his name was called). I again announce my pair with the senior Senator from Virginia [Mr. MARTINI

Mr. FLETCHER (when his name was called). nounce my pair with the Senator from Wyoming [Mr. WARREN]. but I transfer it to the Senator from Oklahoma [Mr. Gore] and vote "nay."

Mr. KERN (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. Bradley]. In his absence, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. MYERS (when his name was called). I reannounce my

pair with the senior Senator from Connecticut [Mr. McLean], and on account of his absence withhold my vote.

Mr. O'GORMAN (when his name was called). I transfer the pair which I have with the senior Senator from New Hampshire [Mr. Gallinger] to the junior Senator from New Hampshire [Mr. Hollis] and vote "yea."

Mr. OVERMAN (when his name was called). nounce my pair with the senior Senator from California [Mr. Perkins]. Not knowing how he would vote if present, I with-

hold my vote.

The roll call was concluded.

Mr. ROOT (after having voted in the affirmative). On reflection, I think that I am not at liberty to vote on the pending amendment during the absence of the Senator from Colorado [Mr. Thomas], but I will transfer my pair with him to the Senator from Maine [Mr. Burleigh] and allow my vote to stand.

Mr. WALSH (after having voted in the affirmative). I suppose I should have again, when my name was called, gone through the formality of announcing my pair with the senior Senator from Rhode Island [Mr. Lippitt] and the transfer of that pair to the junior Senator from Nevada [Mr. PITTMAN]. I allow my vote to stand.

Mr. WILLIAMS (after having voted in the negative). I have just thought of the fact that I am paired with the senior Senator from Pennsylvania [Mr. Penrose]. I transfer that pair to the junior Senator from Virginia [Mr. Swanson] and allow my vote to stand.

Mr. OVERMAN. I transfer my pair with the senior Senator

Hitchcock

Kenyon

Bristow Clapp Commin

from California [Mr. Perkins] to the Senator from Oklahoma [Mr. Owen] and vote "nay."

Mr. SAULSBURY. I am paired with the junior Senator from Rhode Island [Mr. Colt] and therefore withhold my vote. Mr. SHAFROTH. I announce the unavoidable absence of my colleague [Mr. Thomas], and state that he is paired with the Senator from New York [Mr. Root].

The result was announced-yeas 17, nays 31, as follows:

YEAS-17.

Norris O'Gorman

Weeks Works

Dillingham Gronna	Lane Lodge Martine, N. J.	Root Walsh	
	NA	YS-31.	
Ashurst Bankhead Brady Bryan Chamberlain Chilton Fletcher James	Johnson Jones Lee, Md. Nelson Overman Poindexter Pemerene Ransdell	Robinson Shafroth Sheppard Shively Simmons Smith, Ariz. Smith, Ga. Smith, Md.	Smith, S. C. Smoot Sterling Thompson Townsend Vardaman Williams
	NOT V	OTING-47.	
Bacon Borah Bradley Brandegee Burleigh Burton Catron Clark, Wyo. Clarke, Ark. Colt Crawford Culberson	du Pont Fall Gallinger Goff Gore Hollis Hughes Kern La Follette Lea, Tenn. Lewis Lippitt	McCumber McLean Martin, Va. Myers Newlands Oliver Owen Penrose Perkins Pittman Reed Saulsbury	Sherman Shields Smith, Mich. Stephenson Stone. Sutherland Swanson Thomas Thornton Tillman Warren

So Mr. O'Gorman's amendment was rejected.

Mr. SMOOT. Mr. President, I offer the following amendment, to come in after the word "that," on page 2, line 15:

Pending the inauguration and development of the cooperative extension work herein authorized.

So that, if amended, the proviso will read:

That pending the inauguration and development of the cooperative extension work herein authorized nothing in this act shall be construed to discontinue either the farm-management work or the farmers' cooperative demonstration work as now conducted by the Bureau of Plant Industry of the Department of Agriculture.

Mr. SMITH of Georgia. That was the original action of the Senate committee. After conference with the department, I am ready to accept that amendment.

The VICE PRESIDENT. The question is on agreeing to the

The amendment proposed by the Senator from Utah.

The amendment was agreed to.

Mr. SMITH of Georgia. Mr. President, there are several other amendments, and therefore I can not hope to press the bill through to-night.

I desire to submit the following unanimous-consent agree-

It is agreed by unanimous consent that at 4 o'clock on February 3 the Senate will proceed to the consideration of House bill 7951 and vote upon any amendments that are pending, any amendments that may be offered, and upon the bill through the regular parliamentary stages to its final disposition; and that after 4 o'clock no Senator shall speak more than once nor longer than five minutes upon the bill, nor more than once nor longer than five minutes upon any amendment.

The VICE PRESIDENT. The Secretary will call the roll. The Secretary called the roll, and the following Senators an-

swered to their names:

Ashurst Bankhead Brady Bristow Hughes Norris O'Gorman Simmons
Smith, Ariz.
Smith, Ga.
Smith, Md.
Smith, S. C.
Smoot
Sterling
Thompson
Townsend
Vardaman
Walsh
Weeks
Williams Johnson Jones Kenyon Overman Page Poindexter Bryan Chamberlain Chilton Clapp Cummins Dillingham Fletcher Gronna Hitchcock Poindexter Pomerene Ransdell Robinson Root Saulsbury Shafroth Sheppard Shively Kern Lane Lee, Md. Lodge Martine, N. J. Myers Nelson Newlands

The VICE PRESIDENT. Fifty-two Senators have answered

Mr. SMITH of Georgia. I will present the unanimousconsent agreement again, although I find it is going to be objected to. I was under the impression before that there would be no objection. I do not know that it is necessary to read it, but I present it.

The VICE PRESIDENT. Is there any objection to the proposed unanimous-consent agreement?

Mr. JONES. Mr. President, I desire to state that I have pending an amendment which I consider of very great importance. In fact, I think it is of far greater importance than the amendment we have been discussing for three or four days. I did not know this request for unanimous consent was going to be presented. Under the circumstances, much as I regret to do so, I believe I shall have to object to it. I wish to assure the Senator in charge of the bill, however, that so far as I am concerned there will be no unnecessary delay in the discussion and consideration of the amendment I propose.

The VICE PRESIDENT. Objection is made.

EXECUTIVE SESSION.

Mr. KERN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 25 minutes spent in executive session the doors were reopened, and (at 6 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 3, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 2, 1914. CONSUL GENERAL.

Stuart K. Lupton, of Tennessee, now consul at Karachi, to be consul general of the United States of America at Guatemala, Guatemala, vice George A. Bucklin, jr., nominated to be consul at Bordeaux.

CONSULS.

George A. Bucklin, jr., of Oklahoma, now consul general at Guatemala, to be consul of the United States of America at Bordeaux, France, vice Alfred K. Moe, resigned.

George N. Ifft, of Idaho, now consul at Nuremberg, to be consul of the United States of America at St. Gall, Switzerland,

vice Dominic I. Murphy, nominated to be consul at Amsterdam.

James Oliver Laing, of Missouri, now consul at Malta, to be consul of the United States of America at Karachi, India, vice Stuart K. Lupton, nominated to be consul general at Guatemala.

James C. McNally, of Pennsylvania, now consul at Tsingtau, to be consul of the United States of America at Nuremberg, Bavaria, vice George N. Ifft, nominated to be consul at St. Gall.

Dominic I. Murphy, of the District of Columbia, now consul at St. Gall, to be consul of the United States of America at Amsterdam, Netherlands, vice Frank W. Mahin.

COMMISSIONER OF IMMIGRATION.

Elmer E. Greenawalt, of Lancaster, Pa., to be commissioner of immigration at the port of Philadelphia, Pa.

RECEIVER OF PUBLIC MONEYS.

Juan N. Vigil, of Talpa, N. Mex., to be receiver of public moneys at Santa Fe, N. Mex., vice Benigno C. Hernandez, resigned.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. Commander Robert W. McNeely to be a commander in

the Navy from the 20th day of December, 1913.

Lieut. Burrell C. Allen to be a lieutenant commander in the

Navy from the 1st day of July, 1913.

Lieut. (Junior Grade) Willis W. Bradley, jr., to be a lieutenant in the Navy from the 1st day of July, 1913.

Ensign James L. Oswald to be a lieutenant (junior grade) in

the Navy from the 6th day of June, 1913.

Ensign Norman R. Van der Veer to be a lieutenant (junior grade) in the Navy from the 6th day of June, 1913.

John B. Walker, a citizen of New York, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 23d day of January, 1914.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 2, 1914.

UNITED STATES MARSHAL.

William Osborne, West Virginia.

POSTMASTERS.

ALABAMA.

W. B. Jones, Camden. Randolph St. John, Sylacauga.

ARIZONA.

Winchester Dickerson, Ashfork.

CALIFORNIA. J. A. Phiney, Tustin.

COLORADO.

O. W. Ward, Colorado Springs.

DELAWARE.

John T. Mullins, Marshallton. Albert I. Swan, Delaware City.

Honora M. Murray, Priest River.

ILLINOIS.

Walter C. Shoupe, Carlyle.

INDIANA.

Harvey H. Flora, Frankfort. Andrew V. McKamey, Cloverdale. Emsley Roberts, Mooresville. A. Bert Weyl, Franklin.

IOWA.

Fred W. Buls, Tripoli. John S. Darrah, Gilman. John S. Darran, Gilman.
Benjamin Delaney, Marcus.
Daniel Fitzpatrick, Moville.
Harry J. Hoeger, Waverly.
George W. Jones, Radcliffe.
Joseph M. Kelly, Early.
John H. Kerr, Pleasantville.
Lohn L. Makiring Relevant John L. McAlpine, Belmond. Adolph Meyer, Hampton. Royal G. Mitchell, Manly. R. C. Smith, Burt. Henry H. Stevenson, Shellrock. Harry R. Wilson, Colo.

A. T. Dockery, Morgantown. W. C. Morris, Bowling Green.

MARYLAND.

Oliver H. P. Clark, Silver Spring. MICHIGAN.

Harvey J. Campbell, Benton Harbor, Freeman Ware, White Pigeon.

MISSISSIPPL

Lizzie Dillon Oltenburg, Winona. Amos K. Porter, Boyle.

NEW YORK.

Edwin B. Dusenberry, Huntington. Matthew T. Hutchinson, Port Washington. William H. Murray, Albany.

NORTH CAROLINA.

B. R. Avent, Jonesboro. Leroy L. Massey, Zebulon.

George H. Gee, Salem.

OKLAHOMA.

I. W. Bebout, Orlando. I. O. Diggs, Stillwater. E. H. Howard, Porter. James A. Long, Wetumka. C. A. Vaughn, Sapulpa.

SOUTH DAKOTA.

Thomas McAllen, Bristol. George W. Turley, Willow Lake.

T. J. Abell, Wharton. J. S. Billingsley, Wylie. J. A. Crow, Plano. Penrose N. Ions, San Angelo. S. A. Kendrick, Quitman.

George Biehn, Selah.

HOUSE OF REPRESENTATIVES.

WASHINGTON.

Monday, February 2, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the fol-

lowing prayer:

We rejoice, our God our Father, in the consciousness of Thy presence, displayed in the works of Thy hands, in the mighty forces which environ us, in the love which provides for our necessities, in the faith which holds us to Thee, in the hope that inspires to action, in the love that quickens the affections. Strengthen our bodies, illumine our minds, widen our sympathies, and make straight our paths as we thus enter upon a new congressional week, that we may think wisely, act nobly, and thus fulfill the needs of an expectant people. And Thine be the praise, in Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, January 31,

1914, was read and approved.

PERSONAL STATEMENT.

Mr. LEVY. Mr. Speaker, I rise to a question of personal privilege, and send to the Clerk's desk an article which appeared in yesterday's New York Sun and several other newspapers throughout the country, in which my remarks before the Judiciary Committee on Saturday last in advocacy of an antitrust bill introduced by me have been misconstrued. I ask that the article be read.

The SPEAKER. The gentleman from New York rises to a question of personal privilege. The Clerk will read the extract referred to, so that it can be seen whether there is a question of

personal privilege involved in it or not.

The Clerk read as follows:

[From the New York Sun, Sunday, Feb. 1, 1914.]

CALLS ANTITRUST BILLS REVOLUTION BREEDERS—REPRESENTATIVE LEVY SAYS SUCH LEGISLATION STARTED FRENCH REVOLUTION.

WASHINGTON, January 31.

Declaring that the French Revolution came from "such obnoxious and drastic legislation" as is now proposed in the administrations antitrust program, Representative Levy, of New York, a Democrat and candidate for the United States Senate, told the House Judiciary Committee to-day that the Sherman law "has been the cause of panic and disaster to the entire country."

"It is astounding," said Mr. Levy, "that intelligent men should for one moment propose or agitate more drastic legislation than the present Sherman law. It has interfered with commerce and retarded our advancement and progress by 20 years."

Mr. Levy criticized legislatures for "their desire to pander to the violent demands of socialism, of communism, and pass laws not based on reason." He then praised the Supreme Court's "rule of reason."

Mr. BARTLETT. Mr. Speaker, I do not desire to prevent the gentleman from being heard, but this does not present a question of personal privilege. I will ask unanimous consent that the gentleman be heard if he wants to.

The SPEAKER. The Chair does not think any question of personal privilege is involved. The gentleman from Georgia

asks unanimous consent that the gentleman from New York [Mr. Levy] may proceed for five minutes. Is there objection?

Mr. BARTLETT. No; for seven minutes. Mr. ADAMSON. Mr. Speaker, I want to say that the gentleman is accused of being a candidate for the United States Senate. That seems to me to constitute a question of personal

rivilege. [Laughter.] Mr. BARTLETT. I ask unanimous consent, Mr. Speaker,

that the gentleman may have seven minutes.

The SPEAKER. The gentleman from Georgia [Mr. Bartlett] asks unanimous consent that the gentleman from New. York may have seven minutes. Is there objection?

There was no objection. Mr. LEVY. No one is a more ardent admirer of the present administration than I, and no one is a more enthusiastic in-dorser of the propositions of the present administration to cor-rect the abuses of the Sherman law and make it more plain and clear to the public than I.

In order that my position may be made clear, I send to the Clerk's desk that portion of my remarks which has been misconstrued, so that they may be read for the information of the

The SPEAKER. Without objection, the Clerk will read it.

The SPEAKER. Without objection, the Clerk will read it. The Clerk read as follows:

Mr. Chairman and gentlemen of the committee, I appear before you this moraing in advocacy of the bill (H. R. 12106) introduced by me providing for the investigation of combinations, monoproles, trusts, and the providing for the investigation of combinations, monoproles, trusts, and the providing for the investigation of combinations, monoproles, trusts, and the providing for the providing the providing the prov

The SPEAKER. The time of the gentleman from New York has expired.

ADDITIONAL JUDGE, EASTERN DISTRICT OF PENNSYLVANIA.

Mr. CLAYTON. Mr. Speaker, I desire to present a conference report on the bill (H. R. 32) to provide for the appointment of an additional district judge in and for the eastern district of Pennsylvania.

The SPEAKER. The gentleman will send it to the Clerk's desk. Mr. CLAYTON. Of course, under the rule, Mr. Speaker, this conference report would have to be printed and lie over for

one day.

The SPEAKER. The gentleman is correct about that. The Clerk will report the title of the bill.

The Clerk read as follows:

An act (H. R. 32) to provide for the appointment of an additional district judge in and for the eastern district of Pennsylvania.

The SPEAKER. The conference report, with the accompanying statement, will be printed under the rule.
Mr. CLAYTON. Mr. Speaker, I ask unanimous consent that

the conference report may be considered now.

The SPEAKER. The gentleman from Alabama [Mr. Clay-TON | asks unanimous consent that the report be considered now.

Is there objection?

Mr. DYER. Mr. Speaker, reserving the right to object, I would like to know what the report is. I would like to have the gentleman state in a word whether or not the Cullop amendment is agreed to.

Mr. CLAYTON. I can tell the gentleman. Mr. HAMLIN. Mr. Speaker, that ought to go over.

The SPEAKER. The gentleman from Missouri [Mr. HAMLIN]

LEAVE TO PRINT.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to have printed in the Record a letter of date January 12, 1914, relating to the bill H. R. 9266, in relation to cold storage of apples. It is a short letter.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks by printing a certain document, which he names, in the RECORD. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I

could not hear the request.

Mr. RAKER. The request is that I have inserted in the RECORD a letter of date January 12, 1914, from the Rives Bros., in California, in relation to H. R. 9266, the bill 9830, and the bill 9987, as to the effects of cold storage on apples.

Mr. MANN. Has the gentleman an estimate as to how many letters have been received on that subject by Members of

Mr. RAKER. This is so valuable and presents the subject so clearly and lucidly that I think it ought to go into the RECORD to show the attitude of the great apple interests of California

upon this subject.

Mr. MANN. The other day I received a letter that was very lucid and very valuable, and I did the proper thing with it. I sent it to the committee that had charge of the matter, where it will receive lucid and valuable attention. [Laughter.] If it had been inserted in the RECORD they probably never would have seen it.

Mr. RAKER. I want to call the attention of the gentleman to the fact that sometimes when a letter is referred to a committee that committee is so busy and has so many matters before it, and so many parties appearing before it, that a valuable, clear, and lucid letter is not read by the committee. This one being so valuable, I thought it ought to go into the Record, so that it could in that way be called to the attention of the House.

Mr. MANN. The gentleman has already read the letter

himself?

Mr. RAKER. Yes; but I am only one of 434 Members.
Mr. MANN. The gentleman knows that no one in the House
will read it if it is inserted in the Record.

Mr. MADDEN. If I may be allowed to inject myself into this discussion-

Mr. RAKER. Certainly; I am always pleased to have the gentleman inject himself into any discussion.

Mr. MADDEN. It would be much more interesting if the gentleman would retain the letter until the matter is up for consideration in the House, and then let the gentleman portray the contents of the letter in the way in which nobody but he can do it.

Mr. RAKER. I thank the gentleman for the suggestion, but If we wait until the matter is up in the House the committee will not read it, and we want a favorable report from the com-Therefore I want this to come to the committee in the

proper channel—through the RECORD.

Mr. MANN. The other day the gentleman from Wyoming [Mr. MONDELL] asked unanimous consent to insert in the RECORD a short resolution passed by the National Wool Growers' Association. I think it was the distinguished gentleman from Missouri [Mr. BORLAND] who objected to cumbering up the RECORD with such matters, and in his absence I do not think we ought to proceed to do it now.

Mr. RAKER. I hope the gentleman will not punish me for what some one else did to the distinguished gentleman from

Wyoming [Mr. Mondell].

Mr. MANN. I am only trying to protect the gentleman from Missouri in his absence.

The SPEAKER. Is there objection?

Mr. MANN. I object. The SPEAKER. The gentleman from Illinois objects.

Mr. RAKER. I thank the gentleman.

PERSONAL EXPLANATION.

Mr. MURRAY of Massachusetts. Mr. Speaker, in the course of the debate on the immigration bill on Saturday, January 31, in a colloquy between my colleague from Massachusetts [Mr. GARDNER] and myself, some reference was made to the Solicitor of the Department of Labor. We were discussing at the time the matter of refunding the head tax of \$5 to aliens who were being deported by the Department of Labor. It was rather incorrectly believed by me that my colleague [Mr. GARDNER] had indicated that the Solicitor of the Department of Labor had drafted the provision of the pending legislation.

May I just say that any reference I made to the Solicitor of the Department of Labor was not founded on fact. He did not draft the objectionable section. I may add that I know the Solicitor of the Department of Labor, Hon. John H. Densmore, of Montana. Mr. Densmore is a very able and attractive gentleman, who is worthy to fill not only the office which he now holds, but any office, even the highest, in the Department of

Labor. [Applause.]

Mr. GARDNER. I do not think the gentleman understood me correctly. I have no objection to the gentleman correcting any statement, but I said that the bill was drafted by the law officer of the Bureau of Immigration. I may or may not have mentioned his name. He is Mr. Parker.

YAKIMA INDIAN RESERVATION—CHANGE OF REFERENCE.

Mr. LA FOLLETTE. Mr. Speaker-

The SPEAKER. For what purpose does the gentleman from

Washington rise?

Mr. LA FOLLETTE. To ask to have referred to the Committee on Indian Affairs a bill which was referred to the Committee on Irrigation of Arid Lands. On January 14 I introduced the bill H. R. 11622, to provide water for the irrigable lands of the Yakima Indian Reservation, State of Washington, and for other purposes. As this bill deals only with Indian matters and Indian affairs, I think it should have gone to the Committee on Indian Affairs instead of to the Committee on Irrigation of Arid Lands. I ask that it be referred to the Committee on Indian Affairs.

Mr. GARNER. Has the gentleman consulted the chairman of the Committee on Irrigation of Arid Lands about this proposed

change of reference of this bill?

Mr. LA FOLLETTE. I have not.

Mr. GARNER. Does not the gentleman think it would be courteous to the chairman of that committee to call his attention. tion to it before asking to have it transferred from his committee to the Committee on Indian Affairs?

Mr. LA FOLLETTE. I shall be glad to do that. I never knew that that was necessary when the bill was plainly referred

to the wrong committee.

Mr. GARNER. I think that is customary; and in the absence of my colleague from Texas I will ask the gentleman to let the matter go over until he can speak to him in regard to it.

Mr. LA FOLLETTE. I have no desire to be discourteous, and I will withdraw the request until I can consult with the chairman of the committee.

JUDICIAL PROCEDURE OF UNITED STATES COURTS.

Mr. McCOY. Mr. Speaker, a parliamentary inquiry. The SPEAKER. The gentleman will state it. Mr. McCOY. On Monday last the bill H. R. 10946, to regulate judicial procedure of courts of the United States, was under consideration on a motion to suspend the rules. I want to ask the Chair if it is in order now to move to recommit that bill to the Committee on the Judiciary? The Speaker will remember that the point of order was made that there was no quorum present.

The SPEAKER. That would come up whenever suspension

of the rules was in order.

Mr. McCOY. One further question, whether or not the order

of business now is not to call the committees?

Mr. BARTLETT. Mr. Speaker, I am not positive about it, but it occurs to me that under a ruling of the former Speaker of the House, Mr. Cannon, where a bill was under consideration on a motion to suspend the rules and went over, it did not thereby get any favored position; but the next day, when the suspension of the rules was in order, it would be considered. It would take its place as usual and be in order when such bills are called up under the rule.

Mr. McCOY. Mr. Speaker, perhaps I can solve the problem

by asking unanimous consent to have it recommitted.

Mr. MANN. Mr. Speaker, when the House adjourned two
weeks ago on unanimous consent and suspension day, the gen-

tleman from New Jersey [Mr. McCov] had moved to suspend the rules and pass the bill, and debate had been exhausted, and a vote was had. I made the point of no quorum. Personally I do not think the matter comes up again until the Unanimous Consent Calendar is disposed of, when we reach motions to suspend the rules, and then it is the right of the gentleman from New Jersey to withdraw his motion without asking unanimous consent.

Mr. BARTLETT. He has the right to do it whenever the bill is in order to be considered?

Yes. Mr. MANN.

Mr. BARTLETT. That is the point I make.

Mr. McCOY. Mr. Speaker, I ask unanimous consent to with-draw the motion now and have the bill recommitted to the Committee on the Judiciary.

Mr. BRYAN. Mr. Speaker, reserving the right to object, what is the number of the bill?

Mr. McCOY. Ten thousand nine hundred and forty-six.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey? [After a pause.] The Chair hears

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 474. An act to authorize the issuance of absolute and unqualified patents to public lands in certain cases; and

S. 2563. An act for the relief of Rebecca C. Pepper.

LEAVE OF ABSENCE.

Mr. Helm, by unanimous consent, was granted leave of absence indefinitely, on account of illness

The SPEAKER laid before the House the request of Mr. AINEY for indefinite leave of absence, on account of illness.

The SPEAKER. Is there objection?

Mr. WILLIS. Mr. Speaker, reserving the right to object, I desire to say that I happen to know that the gentleman from Pennsylvania [Mr. AINEY] is seriously ill in his apartments. at the Farragut, and I trust that no one will object.

The SPEAKER. Is there objection?

There was no objection.

RECONSTRUCTION OF MILITARY ROAD BETWEEN FORT WASHAKIE AND JACKSONS HOLE, IN WYOMING.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent for a rereference of the bill (H. R. 10546) making appropriation for the reconstruction of a part of the military road between Fort Washakie and Jacksons Hole, in Wyeming. The bill was referred to the Committee on Military Affairs, and I have discussed the reference with the chairman of the committee, and inasmuch as the road is within a forest reserve and the bill provides for its improvement by the forestry officers, it ought to go to the Committee on Agriculture. The chairman of the Committee on Military Affairs takes the same view.

The SPEAKER. Without objection, the bill will be rereferred

to the Committee on Agriculture.

There was no objection.

ORDER OF BUSINESS.

Mr. BURNETT. Mr. Speaker, I call attention of the Speaker to the fact that a rule was adopted last Friday by which I think the House automatically goes into the Committee of the Whole House on the state of the Union for the consideration of the immigration bill.

Mr. MANN. Mr. Speaker, I ask for the regular order, and make the point of order that the business before the House is

the Unanimous Consent Calendar.

Mr. FERRIS. Mr. Speaker, the gentleman from Illinois has stated what I wanted to say, except that I hope the gentleman from Alabama will not crowd out the bills that properly come up under the Unanimous Consent Calendar even if he has the power, which I do not admit that he has. This is unanimousconsent day, and it is the only time that we can get up these little bills.

The SPEAKER. Does any gentleman desire to be heard on the point of order?

I desire to be heard.

Mr. HARDWICK. I desire to be heard in favor of the position occupied by the gentleman from Alabama, to wit, that the

order of business is the immigration bill.

Mr. GARDNER. Mr. Speaker, I desire to be heard on the

same side.

Mr. CAMPBELL. Mr. Speaker, with due regard for the posi-

would like to be heard on the other side of that very interesting

parliamentary question.

Mr. MANN. Mr. Speaker, I was wondering whether it would not be practicable to devote the time to the Umnimous Consent Calendar which would otherwise be devoted to arguing this point of order and then proceed with the consideration of the immigration bill. I understand the gentleman from Tennessee [Mr. Houston] has a motion to suspend the rules, which will

take only a few minutes.

Mr. GARNER. Mr. Speaker, I would like to submit a request for unanimous consent, and then we will see whether we can get away from this hour or hour and a half discussion on the point of order. I ask unanimous consent that the time up to 2 o'clock p. m. be devoted to the consideration of the Calendar for Unanimous Consent, and that at that time, or sooner if the calendar be disposed of, the House automatically resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the immigration bill. .

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. BURNETT. If we can reach that agreement, that will he satisfactory.

Mr. MANN. Mr. Speaker, let us be perfectly frank about it. The Alaska bill is before the House as a House bill. It comes up again on Wednesday next. The Senate has passed an Alaska bill, which has been referred to the Committee on Territories and reported back to the House. The gentleman from Tennessee [Mr. Houston], as I understand, expected to move to suspend the rules and make it in order to take up the Senate bill in place of the House bill, upon the same conditions under which the House bill is being considered. I do not know how it strikes the rest of the House, but it seems to me that that request ought to be granted. Otherwise we will have the House and the Senate working to no advantage, and my desire is to find out whether it would be practicable to agree by unanimous consent to dispose of the Unanimous Consent Calendar, which, of course, can be disposed of, if some gentleman desires to object, in five minutes, and then give the gentleman from Tennessee the right to make his motion, after which we could take up the immigration bill.

Mr. GARNER. Mr. Speaker, I will say, in response to the gentleman from Illinois, that I do not believe we can get unanimous consent to that effect, knowing somewhat the attitude of some gentlemen with respect to the consideration of the Alaska bill. I am trying to facilitate the bill in the House. That is to say, I think within the hour or hour and a half left before 2 o'clock, with only 12 bills on the Calendar for Unanimous Consent, we can dispose of them. That would save the hour and a half of discussion on the point of order as to whether or not the gentleman from Alabama is correct in his position.

Mr. MANN. Mr. Speaker, I was seeking to ascertain if it would be practicable in the unanimous-consent agreement to authorize the gentleman from Tennessee to make his motion to suspend the rules?

Mr. GARNER. I do not believe that the gentleman could obtain that unanimous consent, from remarks that I hear on this

side.

Mr. FITZGERALD. Mr. Speaker, I do not think that is

practicable, from information in my possission.

Mr. GARNER. Then, Mr. Speaker, I will submit my request for unanimous consent that until the hour of 2 o'clock p. m. we can consider the Calendar for Unanimous Consent, and that at that time, or sooner, if we dispose of the Calendar for Unanimous Consent, the House automatically resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the immigration bill.

Mr. FERRIS. Mr. Speaker, I hope the gentleman will grant us a little more time than that. I think we ought to have

until at least 3 o'clock.

Mr. GARNER. Mr. Speaker, the gentleman from Oklahoma [Mr. Ferris] must realize that in case the House desires to dispose of this calendar quickly it can do so. There is no man on the floor to-day who is going to object to a bill on this calendar who does not know at this time that he is going to object to it. We usually take from 30 to 40 minutes on a bill merely to reply to some inquiry. I believe that we can get through this in an hour and a half; but, in order to satisfy other gentlemen, I will ask that the time be set at half past 2 o'clock.

Mr. BURNETT. I would agree to that, Mr. Speaker.

Mr. PAYNE. Mr. Speaker, reserving the right to object, I think this parliamentary question ought to be disposed of now. tion taken by the gentleman from Alabama [Mr. Burnett], I | It will not take any longer to dispose of it now than it would at some other time, and I am disposed to object to anything except

Mr. MANN. Mr. Speaker, if the gentleman from New York will permit, a decision of the parliamentary situation to-day, if it was a final decision of the question, might be desirable to have, but the decision to-day depends probably upon the wording of a special rule which might possibly never come before the House again in those words. I do not think it is as desirable to have the ruling as it would be upon a question which covered what might be a precedent hereafter.

Mr. PAYNE. Mr. Speaker, I desire to suggest to the gentleman that if there was a decision by the Chair in regard to this rule and the decision was settled, then the Committee on Rules when coming in with other special rules could take that into sonsideration, and the House might know when voting on a special rule just how far it was going, whether it was destroy-ing the other rules of the House.

The SPEAKER. Is there objection?

Mr. SABATH. Mr. Speaker, reserving the right to object,
I wish to state that I am of the opinion that the Unanimous Consent Calendar has preference over this bill, but realizing the fact that that would be disposed of by objection within 10 or 15 minutes, I do not care to object that the matter should

go on until about 2.30 o'clock.

The SPEAKER. The gentleman from Texas [Mr. GARNER] asks unanimous consent that the time from now until half past 2 be devoted to the Unanimous Consent Calendar, provided the Unanimous Consent Calendar requires that much time, and that when that is exhausted, or when 2.30 arrives, that the House shall automatically resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the immigration bill. Is there objection?

Mr. FITZGERALD. Mr. Speaker, a parliamentary inquiry. The SPEAKER. The gentleman will state it. Mr. FITZGERALD. If that agreement be made by the House, what is the understanding-that motions to suspend the rules would not be recognized by the Chair?

The SPEAKER. Under the gentleman's request—Mr. MANN. Well, that would depend.

Mr. FITZGERALD. We want to know.

Mr. MANN. The committee might rise at any time, at which time a motion to suspend the rules would be in order.

Mr. FITZGERALD. If we are to consider the immigration bill under such conditions, we ought to know it.

The SPEAKER. The Chair will state to the gentleman from New York that at least half a dozen Members, maybe more, have indicated their desire to be heard on the point of order as to whether this bill cuts out the business assigned under the general rule to this day or not, and if that question is going to be argued later under this request of the gentleman from Texas it might as well be done now as at any other time.

Mr. FITZGERALD. Perhaps the Chair did not understand

The SPEAKER. The Chair understood the gentleman to ask this question: That at the end of this request of the gentleman from Texas, whether it would be competent to make motions to suspend the rules? Well, now, that is the very question of parliamentary law that is raised by half a dozen gentlemen.

Mr. FITZGERALD. But that can be settled if the Speaker feels this agreement will be binding upon him and will not

recognize anybody to move to suspend the rules. Under that

condition there will be no trouble.

The SPEAKER. No; if any gentleman should ask unanimous consent to substitute to-morrow for to-day-

Mr. FITZGERALD. I shall object to that.

The SPEAKER. Well, if the same question is going to arise when we get through with Mr. Garner's request, it might as

well be settled now.

Mr. FITZGERALD. Mr. Speaker, my purpose is to ascertain whether if this request be granted and the Unanimous Consent whether the Speaker feels in Calendar is taken out of the way, whether the Speaker feels, in view of the agreement, that he should not recognize motions to suspend the rules.

The SPEAKER. Why, it would be persuasive to the conclusion that the Speaker ought not to do it to-day, although the Chair is not settling that thing definitely, but he wanted the House to understand what it was doing.

Mr. FITZGERALD. I wanted to know, too, because an entirely different question arises once the Unanimous Consent

Calendar is out of the way.

Mr. GARNER. Mr. Speaker, may I make this request, and I think I can clear up this matter. I would ask to change the request in one particular, and that is that until 2.30 to-day the business of to-day shall be in order under the rules and at that time the House automatically resolve itself into the Committee | of the Whole House on the state of the Union for the purpose of considering the immigration bill.

Mr. MANN. The gentleman from New York [Mr. FITZGERALD] has already given notice that he would object to that.

The SPEAKER. No—

Mr. FITZGERALD. No; I asked the Speaker whether if that agreement were made the Speaker would feel called upon not to recognize motions to suspend the rules.

Mr. GARNER. I hope the gentleman will not object.

The SPEAKER. No; the gentleman from New York did not say he would object to that.

Mr. FITZGERALD. I was trying to find out the attitude of the Speaker. I think it is not unfair to endeavor to find out

what the situation is—

Mr. MANN. Pretty soon 2.30 will be here.

Mr. FITZGERALD. The determination of the question whether the immigration bill has the right of way depends on this Unanimous Consent Calendar.

If the Unanimous Consent Calendar be out of the way, this being suspension day, a motion to suspend the rules would suspend this special order as well as any other rule. The motion to suspend the rules could not be made until the Unanimous Consent Calendar was out of the way. It is fair that the House shall know whether the Speaker would feel disposed to recognize motions to suspend the rules if the Unanimous Consent Calendar were taken out of the way by this agreement. Of course it might affect Members in their action in objecting or in refraining from objecting to the agreement,

Mr. MANN. The gentleman understands that the Unanimous Consent Calendar is the calendar of committees under the rule. Usually on this side we have been in favor of maintaining the integrity of the Committee Discharge Calendar, while you are

trying to evade the rules.

The SPEAKER. The question of the gentleman from New York [Mr. FITZGERALD] raises precisely the same matter at 2.30 p. m., provided the request is granted, that the gentleman from

Georgia [Mr. Hardwick] raised in the beginning.
Mr. FITZGERALD. I think not, Mr. Speaker, because with the Unanimous Consent Calendar, if that be the order of business, the Speaker has no discretion. If the Speaker were to hold that the Unanimous Consent Calendar must be called, he can not interfere with it, but after it is disposed of motions to suspend the rules would be in order; but if he were to hold that the special order took precedence, no motion to suspend the rules could be entertained. But if the Unanimous Consent Calendar were out of the way, the question of recognition for suspension is wholly within the discretion of the Speaker. It is not a matter of right to any Member, and that part of it depends on what the attitude of the Speaker is toward such motions.

Mr. GARDNER. The gentleman is aware that there is an extant ruling to the effect that a motion to suspend the rules is not in order during consideration of a bill under the special order, so there might be a difference between the question of suspension of rules and the question of the Unanimous Consent Calendar in view of that decision.

Mr. MANN. Will the gentleman from New York [Mr. Firz-GERALD] yield?
Mr. FITZGERALD. I will.

Mr. MANN. The unanimous-consent request submitted by the gentleman from Texas [Mr. GARNER] was that at 2.30 p. m. the House would automatically resolve itself into the Committee of the Whole on the immigration bill. That unanimous-consent request, if agreed to, would prevent anything under the suspension of the rules, and doubtless, if reached before that time, would require the House to go into the Committee of the Whole

The SPEAKER. The Chair thinks that statement of the gentleman from Illinois [Mr. Mann] is correct. The gentleman from Texas [Mr. GARNER] asks unanimous consent Unanimous Consent Calendar be considered until 2.30 o'clock p. m., if it takes that much time, and when it is exhausted or 2.30 o'clock p. m. arrives, that the House will automatically resolve itself into Committee of the Whole on the special order.

Is there objection? [After a pause.] The Chair hears none.

The Clerk will call the first bill on the Unanimous Consent Calendar.

PATENTS TO TRANSFEREES OF TOWN LOTS.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 4938) providing for the issuance of patents to transferees of town lots purchased from the United States at public sales in certain cases.

The bill was read in full.

Mr. MANN. Mr. Speaker, reserving the right to object-Mr. FERRIS. Mr. Speaker, I ask unanimous consent that that bill remain on the calendar without prejudice. I agree with the gentleman from Illinois [Mr. MANN].

The SPEAKER. The gentleman from Oklahoma [Mr. Ferris] asks unanimous consent that the bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the next bill.

SALE OF LAND TO CITY OF LAWTON, OKLA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10258) authorizing the Secretary of the Interior to sell to the city of Lawton, Okla., a tract of land to be used for watershed and water-supply purposes.

The Clerk read the bill, as follows:

Be it enacted, ctc., That the Secretary of the Interior is hereby authorized to sell to the city of Lawton, Okla., and issue appropriate conveyance therefor at any time within six months from and after the passage and approval of this act, for the sum of \$1.25 per acre, the following-described tracts of land: The west half section 1 and all of section 2, township 3 north, range 13 west, the same to be used by the city of Lawton as a part of the watershed and water supply: Provided, That in the event the lands above described cease to be needed or used for the purposes above mentioned, the same shall revert to the Government of the United States.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 1, line 8, after the word "half," insert the word "of."

Mr. BARTLETT. Mr. Speaker, should not this bill be considered in the Committee of the Whole?

The SPEAKER. The Chair is aware of that. We are having these amendments read for the information of the House.

Mr. BARTLETT. Oh, yes. The SPEAKER. The Clerk will report the other amendments.

The Clerk read as follows:

Line 10, after the word "Lawton," insert the word "solely," In line 1, page 2, after the word "supply," insert the words "for said city and other public uses."

The SPEAKER. This bill is on the Unanimous Consent Calendar

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to consider it in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the bill may be considered in the House as in the Committee of the Whole. Is there objection?

Mr. MANN. Reserving the right to object, I would like to have the gentleman make a statement concerning it.

Mr. FERRIS. This bill authorizes the sale of six quarters of land on the edge of the Wichita Mountains for the use of the city of Lawton for water-drainage purposes. It is worthless, gravelly, thin land, and it is about 25 miles from the town. The enactment of this bill is recommended in the strongest kind of terms by the department. The land is needed in connection with the water supply. The city in which I live has gone to the almost marvelous expense of building a \$250,000 dam, and they have bonded themselves and almost "busted" themselves in building the dam. They need this additional land to protect their drainage area.

Mr. COOPER. What is the meaning of the words "for said

city and other public uses"

Mr. FERRIS. The Fort Sill Military Reservation gets water from our dam, and the Government Indian school also gets water from the dam. They are going to get water from it up to the 30-foot level.

Mr. COOPER. I do not know what the exact provisions are, but that would permit the sale of water for the development of

electric power, would it not?

Mr. FERRIS. There is no power there. This dam merely collects the surface water and water from the little springs.

Mr. COOPER. Is it a dam without its having the possi-bilities of power development?

Mr. FERRIS. There is no big stream there. It is merely surface water coming down from the mountains. I do not care particularly about that, except for the fact that the Government has been glad to get water from there for the Indian school and for the fort. That is the reason this insertion is made.

Mr. FITZGERALD. Mr. Speaker, I desire to ask the gentle-

man how much this land is worth per acre?

Mr. FERRIS. The report of the department says it is thin, gravely, poor land. I am acquainted with it myself. It is about 25 miles from any town or railroad. The facts are as stated in the report. The Printing Office has printed the letter from the First Assistant Secretary of the Interior in large type, but that is the letter of the department. It is signed by one of the department officials. It should have been printed in fine

Mr. FITZGERALD. It is stated in the report that the Reclamation Service contemplates enlarging the dam that has been

erected by the city of Lawton.

Mr. FERRIS. There is some talk of that, I will say to the

gentleman.

I will be glad to state fully what is going on in that regard. The city has been informed by the engineers of the department that all they need is water up to the 30-foot level. Above the 30-foot level and up to 50 feet they are asked to turn over the water to the Reclamation Service, so that it can use the water for irrigation purposes. The water below the 30-foot level is to be used by the Fort Sill Military Reservation for a nominal

consideration and by the Indian school without charge.

Mr. STEPHENS of Texas. Mr. Speaker, will the gentleman

yield?

Mr. FERRIS. Yes.

Mr. STEPHENS of Texas. Is it not a fact that we have made quite a large appropriation for the purpose of building an Indian hospital on this reservation?

Mr. FERRIS. Yes.

Mr. STEPHENS of Texas. The question I desire to ask the

gentleman is this: Will this furnish water to this hospital?

Mr. FERRIS. Yes; it will; and in ample supply; and as the building of the hospital will be an adjunct of the school, it will be supplied with the school.

Mr. FITZGERALD. Should there not be a provision of law

providing that the water shall be furnished to the Indian school by the city of Lawton free of charge?

Mr. FERRIS. The gentleman does not want to offer an amendment of that kind. The city has already expended about a quarter of a million dollars in securing this water supply by means of the dam, and they only ask the right to buy some outlying land for drainage purposes; and while this is being done as a voluntary proposition, I do not think that provision ought to be incorporated in the law. I do not think the gentleman would want it. The city has bonded itself, and the fact that it wants to pay the Government a price for a piece of land 25 miles from a railroad would make it unfair out of all propor-

tion to insert any provision of that kind.

Mr. FITZGERALD. The acquisition of this land is said to be important to protect the water supply both of the Indian reservation and the military reservation, and it is pointed to as an argument for the passage of this bill that the water is furnished to the military post for a nominal consideration and

to the Indian school free of charge. Mr. FERRIS. That is true.

Mr. FITZGERALD. Why not protect the Government in its rights by putting in this bill a provision that water shall be furnished to the military reservation and to the Indian school free of charge, as one of the considerations for this legislation?

Mr. FERRIS. The gentleman would not want to inject any

such provision as that?

Mr. FITZGERALD. I would.

Mr. FERRIS. I hope not; for the reason that the city has purchased all of the land at its own expense and has built a dam at its own expense, and has gone through with the whole dam at its own expense, and has gone through with the whole project, and acquired all the necessary land save and except these six quarters of rocky, gravelly land. The gentleman would not want to inject a proposition of that kind into the law. The city could not afford to comply with it. This is a city of less than 10,000 inhabitants, and they have almost bankrupted themselves to build this dam. It is a most amazing thing that the people of that city should, at their own expense, go out and buy land and build this enormous dam. It is an instance of municipal generosity which is almost without a parallel in the history of Government institutions.

Now, we want to buy some land which is practically worthless for any other purpose to complete our drainage area. The gentleman does not want to inject any proposition of the kind that he suggests, because, of course, that would kill the bill. could not afford to submit to anything of that kind.

Mr. FITZGERALD. Why not?

Mr. FERRIS. Because it would be totally unjust.

Mr. FITZGERALD. Why would it be unjust? It is being done now.

Mr. FERRIS. If the gentleman had spent \$1,000,000 on a project and needed to buy \$5 worth of land, it would be utterly unjust for me to step in and compel the gentleman to agree to assume a burden which was out of all proportion to the value of the land which he wished to purchase.

The SPEAKER. The time of the gentleman from Oklahoma

has expired.

Mr. FERRIS. I ask unanimous consent to continue for five minutes.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to proceed for five minutes. Is there objection? There was no objection.

Mr. FERRIS. It would be out of all proportion to compel them to do that.

Mr. FITZGERALD. I have very serious doubts as to whether this bill should pass without containing that provision. The First Assistant Secretary of the Interior points out that-

This system supplies palatable and healthful water not only to the inhabitants of Lawton but to Fort Sill military post, which has been recently enlarged, and the Indian school maintained by the Government. Water is furnished to the military post for a nominal consideration and to the Indian school free of charge.

Why not protect the Government—
Mr. FERRIS. What right would you have to take my property to protect the Government?

Mr. FITZGERALD. You are asking for something. We are not asking for anything.

Mr. FERRIS. We are asking to buy this land.
Mr. FITZGERALD. You are asking to buy land which is necessary in order to complete this project, and asking to obtain the land from the Government at \$1.25 an acre.

Mr. FERRIS. That is about all it is worth.

Mr. FITZGERALD. If this Medicine Bluff, Creek is to be further utilized by being dammed for reclamation or irrigation purposes, the land which you desire to buy is essential as a part of the project. The gentleman is asking that the Government sell the land at a nominal price, according to the report of the Assistant Secretary of the Interior. If the Government is to sell this land at a nominal price to the city of Lawton, why should not the city of Lawton agree to continue to furnish water to the military post and to the Indian school, both of which institutions are for the benefit of Oklahoma, at a nominal

Mr. FERRIS. Because the city could not afford to accept any such onerous proposition as that as a mandatory proposition, after it has already expended a million of dollars.

Mr. FITZGERALD. But it is doing it now.

Mr. FERRIS. They want to buy a little remnant of land, merely, to complete their drainage area. The gentleman has idea of fairness; and when a little town of less than 10,000 people has spent a sum so enormous, the gentleman does not want to impose on them a burden which they can not afford, simply because they want to buy a small area of land to complete the drainage area.

Mr. FITZGERALD. I do not propose to impose on the beople anything which they are not doing at the present time.

They are furnishing this water now free.

Mr. FERRIS. To the school.

Mr. FITZGERALD. And at a nominal price to the military

Mr. FERRIS.

Mr. FITZGERALD. Why not provide that they shall continue to furnish water free to the school and at a nominal price

to the military post?

Mr. FERRIS. For the same reason that I ought not to go and claim some of the gentleman's private property because it became necessary for him to buy a right of way across a little piece of land,

Mr. FITZGERALD. This is what the First Assistant Secretary of the Interior said-

Mr. FERRIS. I remember what he says.

Mr. FITZGERALD. I shall put it into the RECORD:

I am clearly of the opinion that the proposed grant, for a nominal price, should be made. It is obvious that the benefit thus to be secured to the Indians would outweigh the small sum that might accrue to them through a sale of the land under the act of June 30, 1913.

Mr. FERRIS. That statement is a little wrong, for the reason that the Indians parted with every vestige of title they had, in 1901, when they signed the treaty. I presume the gentleman was a Member of Congress at that time.

This is Government land-poor land-lying up on the edge of the mountain 25 miles from the town, and the city would like to buy it to increase their drainage area and keep the water from being polluted by cattle being pastured on it. The legislature has passed an act to enable them to do it.

Mr. STEPHENS of Texas. There is no doubt but that the

title has passed from the Indians.

Mr. FITZGERALD. I think it affects very vitally the Indian

The SPEAKER. The time of the gentleman from Oklahoma has expired. Is there objection to the consideration of this bill in the House as in Committee of the Whole?

There was no objection.

The Clerk read the committee amendments, as follows: Amend by inserting the word "of" after the word "half" and before the word "section" in line 8 of the bill; and further amend by insert-

ing the word "solely" after the word "Lawton" and before the word "as" in line 10 of the bill; and furthur amend by inserting "for said city and other public uses" after the word "supply" and before the semicolon in line 10 of the bill.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ACTION FOR DEATH ON THE HIGH SEAS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6143) relating to the maintenance of action for death on the high seas and other navigable waters.

The Clerk read the bill.

Mr. McCOY. Mr. Speaker, I ask that that bill go over without prejudice.

The SPEAKER. Without objection, the request of the gentleman from New Jersey will be granted.

There was no objection.

Mr. BRYAN. Mr. Speaker, reserving the right to object, I have objected heretofore to the bill, and now I want to be permitted to put my views in regard to the bill in the RECORD as

an extension of my remarks.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD. Is

there objection?

There was no objection.

Mr. BRYAN. Mr. Speaker, the reason or excuse for the enactment of the pending bill is that there is no Federal statute authorizing recovery for death due to negligence on the high seas. I think, however, the real purpose of this bill and the real effect of the bill would not be to supply a remedy to the dependents for loss of life at all, but would merely create a new and exclusive jurisdiction wherein such cases could be tried.

So at the outset let us consider the general scope and effect of the bill to determine, first, what additional remedy it will supply, if any, to those who are damaged by the loss of dependents at sea; second, what innovations will it introduce as to procedure.

As to the first matter, the proponents of this bill say we have no Federal statute for loss by death at sea and that this bill will provide such a statute. They say England had no such law till the Lord Campbell act. That is true. The following is a copy of Lord Campbell's act enacted August 26, 1846:

with provide such a statute. They say England had no such law till the Lord Campbell's act emacted August 26, 1846:

An act for compensating the families of persons killed by accidents (26th Aug., 1846).

Whereas no action at law is now maintainable against a person who, by his wrongful act, neglect, or default, may have caused the death of another person, and it is oftentimes right and expedient that the wrongdoer in such case should be answerable in damages for the injury so caused by him: Be it therefore

Enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the authority of the same, that whensoever the death of a person shall be caused by wrongful act, neglect, or default, and the act, neglect, or default is such as would (if death had not ensued) have entitled the party injured to maintain an action and recover damages in respect thereof, then and in every such case the person who would have been liable, if death had not ensued, shall be liable to an action for damages notwithstanding the death of the person injured, and although the death shall have been caused under such circumstances as amount in law to felony.

II. And be it enacted that every such action shall be for the benefit of the wife, husband, parent, and child of the person whose death shall have been so caused, and shall be brought by and in the name of the executor or administrator of the person so deceased; and in every such action the jury may give such damages as they may think proportioned to the injury resulting from such death to the parties respectively for whom and for whose benefit such action shall be brought; and the amount so recovered, after deducting the costs not recovered from the defendant, shall be divided amongst the beforementioned parties in such shares a sthe jury by their verdict shall find and direct.

III. Provided always, and be it enacted, that not more than one action shall lie for and in resp

vII. And be it enacted that this act may be amended or repealed by any act to be passed in this session of Parliament.

Since enactment this act has been amended so as to make it accord with modern civilized thought. For instance, it was amended so that insurance carried and received by the dependents of a deceased person could not be deducted from the amount of damages, and other amendments have made this law accord

with modern thought. Note the title of Lord Campbell's act, "An act for compensating the families of persons killed by accident." There is not a word in this act about loss of life at sea. Yet it has effect on English vessels, and only on English vessels, at home or at sea, because a vessel floating the English flag at sea is construed by the law of nations to be in the situation of a floating island under British authority. The laws of England follow the flag when at sea, and may be applied, in so far as they confer rights upon individuals, by the courts of any nation when that court has acquired jurisdiction of the parties in an action in personam, or of the rem if the action be one in rem.

WE CAN LEGISLATE ONLY FOR AMERICAN SHIPS AND AMERICAN WATERS.

It will be seen that this Congress can not pass any law for English ships while not in American waters. The title of this act would better read: "An act relating to the maintenance of actions for death on American vessels on the high seas and on all vessels on American navigable waters."

That this Congress can not go further than that is in part at issue in the *Titanic* case, now before the United States Supreme Court. But the question has often been passed on in State and Federal courts

Chief Justice Marshall, in United States v. Palmer (3 Wheat., 643), interpreting a general statute against piracy on the high

The crime of robbery committed by a person on the high seas on board of any ship or vessel belonging exclusively to subjects of a foreign State is no piracy within the true intent and meaning of the act entitled "An act for the punishment of certain crimes against the United States," and is not punishable in the courts of the United States.

It might be suggested that any layman would know that this Congress can not pass laws governing the conduct of seamen or others on foreign ships sailing in the Mediterranean Sea or elsewhere out of the jurisdiction of our flag.

I will cite a civil suit involving property rights and liability t sea. In Lindstrom v. International Navigation Co. (123 Fed., 475) Judge Wallace, speaking for the circuit court, says:

The territorial sovereignty of a State extends to a vessel of the State when it is upon the high seas, the vessel being deemed a part of the territory of the State to which it belongs; and it follows that a State statute which creates a liability or authorizes a recovery for the consequences of a tortious act operates as efficiently upon the vessel of a State when it is beyond its boundaries as it does when it is physically within the State.

Other authorities are the Hamilton (207 U. S., 398), La Bourgogne (210 U. S., 95, 138), the E. B. Ward (17 Fed., 456), the Jane Gray (95 Fed., 693).

For text-book authorities I cite Wharton on Conflict of Laws

(third edition), 356:

A ship in the open sea is regarded by the law of nations as part of the territory whose flag such ship carries * * *. In respect to principle, ships at sea and the property in them must be viewed as a part of the country to which they belong.

Minor, an accurate and eminent text writer in Conflict of Laws, section 195, says:

In cases of tort committed on the high seas, the tort must be regarded as committed in the territory of the State or country to which the vessel belongs. The law of the flag is the lex loci delicti.

Of course, it follows that we can not pass laws for German or French or Italian or Japanese vessels on the high seas. European nations have the death-liability law, anyway, and the English law is a much better one than that which is here proposed. This is a weak, puerile statute that should not be considered for a moment.

We have seen that we can legislate only for American ships on the high seas. But every American ship is necessarily registered at some American port, and every American port is part of some American State, and every American State has already enacted a law much better than the Lord Campbell Act. No State has any such limping, feeble statute as that proposed in the pending bill. Of course, a Federal statute would promote uniformity of law as between the States by wiping out the State statutes and would establish one Federal law for the sea and State laws for the land; but what the necessity for uniformity at sea any more than on land among the States? There is none, or at least very little.

WOULD ABRIDGE THE RIGHT OF JURY TRIAL.

Now, let us take up the second question stated. What innovation would this bill introduce as to procedure? It would provide for trial of these damage cases by an admiralty judge in- | Federal law conflicts. If we enact this bill into law, it will

stead of by jury. A suit for death on an English ship would not come up exclusively before an admiralty judge-there a jury would pass on these matters.

In the Times Law Reports, Friday, July 11, 1913, reporting an English case of O'Brien against The Oceanic Steam Navigation Co. (Ltd.), being one of four actions brought to recover damages for the death of persons drowned while passengers on the Titanic, the jury found there had been no negligence in the navigation of the ship, so far as the keeping of the lookout was concerned, but that there had been negligence as regards the speed at which the vessel was traveling at the time of the disaster.

This case will be found reported in volume 20, page 629, Times Law Reports. While I have not had opportunity to go to any great length at investigation of English cases, it will be seen from this case that the question of negligence by the shipowner was a fact which was determined by a jury.

I will have more to say as to the abolishing of jury trial later in discussing the limiting-liability statute of the United States and the way it works in the case of the loss of the Titanic.

This bill if enacted into law would not only destroy the right of trial by jury, but would, when used in conjunction with the limiting-liability statutes, compel litigants to try their cases in the forum selected by the shipowner and would entail great expense and long journeys in many cases.

It would deprive State courts and judges elected by the people of jurisdiction and transfer that jurisdiction to Federal judges, who sit, by appointment, for life.

Claimants could not employ lawyers whom they knew, in many instances, but would have to refer their case to lawyers in some distant city where the admiralty court selected by the shipowner was domiciled,

This bill if enacted into law would not be complete in itself and would have to be considered together with other general maritime law, because of the ancient wording of the last portion of the first section. Section 1 reads as follows:

That whenever the death of a person shall be caused by wrongful act, neglect, or default occurring on the high seas, the Great Lakes, or any navigable waters of the United States the personal representative of the decedent may maintain a suit for damages in the district courts of the United States in admiralty for the exclusive benefit of the decedent's wife, husband, parent, child, or dependent relatives against the vessel, person, or corporation which would have been liable to a suit for damages by or in behalf of the decedent by reason of such act if death had not ensued.

Suppose, for instance, after this act has become law, a man is badly burned at sea on a vessel registered at San Francisco by the bursting of a steam pipe due to the negligence of the shipowner. If he lives, he has a right to sue for the injury in the State court before a California judge, who, by the way, is subject to recall. Suppose he dies; then his case goes to the Federal court, unless he has been induced to accept a settlement which has been entered of record in court before he died. In such case the heirs or dependents are robbed by the proviso at the end of the last section of the bill:

Provided, That there shall be but one recovery by the person injured or by or in behalf of any of the persons mentioned in section 1.

The bill has nothing to do with injuries less than death, except here where it provides for a settlement before death to rob the widow and children after death. These settlements or agreements are specially outlawed in the American employers' liability act.

But let us suppose that he died without a "recovery before death" and his widow sues. His widow must set up and prove that if he had not died he would have had a cause of action. Surely it is plain to my colleagues that we do not want to enact such a provision as that into law. If we are going to give the right to recover damages in case of death, let us say so in plain words, such as are used in the employers' liability act.

COMPLICATIONS UNDER WASHINGTON STATE STATUTE.

This if-death-had-not-ensued contingency might bring on all sorts of complications if the death occurred anywhere in the world on a vessel registered at any port in the State of Washington or if the death or accident causing death occurred on any American or foreign vessel while in the State of Washington. I will not discuss the application to a foreign vessel while in the State of Washington now, but in the case of Washington boats, whether in the State or on the high seas, the employees have no cause of action for any injury less than death, nor do the dependents have any cause of action where death ensues. My State of Washington is the only State, I understand, that has an industrial insurance act that includes steamboats under its provisions. Of course a Washington boat is subject to Washington law on the high seas as well as in State waters, unless

provide an exclusive remedy for death on the high seas. Washington law will then lose jurisdiction on Washington boats on this particular subject matter the minute a boat clears Dun-

geness Spit in the Straits of Juan de Fuca.

After clearing this point on a Washington boat a man is badly burned, from the effects of which he later dies. The accident having occurred on the "high seas," he must turn to a Federal judge. It would be Judge Cornelius H. Hanford if the people out there had not raised such objections to him that Congress sent the gentleman from New Jersey [Mr. McCov] who has charge of this bill out there with two other members of the Judiciary Committee to investigate him, and when the investigation got hot he resigned. The first thing the attorney—no; he would have to be a proctor—would have to allege for the widow of this man in his complaint would be that the plaintiff would have had a right to sue if he had not died

from the injury, as is provided in the first section of this act.

The proctor in admiralty employed by the steamboat owner would deny that the deceased would have had a right to sue if he had lived, and would present, to substantiate his allegation, section 1 of chapter 74 of the session laws of 1911, as follows:

DECLARATION OF POLICE POWER.

SECTION 1. The common-law system governing the remedy of workmen against employers for injuries received in hazardous work is inconsistent with modern industrial conditions. In practice it proves to be economically unwise and unfair. Its administration has produced the result that little of the cost of the employer has reached the workman and that little only at large expense to the public. The remedy of the workman has been uncertain, slow, and inadequate. Injuries in such works, formerly occasional, have become frequent and inevitable. The welfare of its wageworker. The State of Washington, therefore, exercising herein its police and sovereign power, declares that all phases of the premises are withdrawn from probate controversy, and sure and certain relief for workmen injured in extra-hazardous work and their families and dependents is hereby provided regardless of questions of fault and to the exclusion of every other remedy, proceeding, or compensation, except as otherwise provided in this act; and to that end all civil actions and civil causes of action for such personal injuries and all jurisdiction of the courts of the State over such causes are hereby abolished, except as entering 2 and show that steemboats.

He would then refer to section 2 and show that steamboats are included as involving hazardous employment, and that men working on Washington steamboats have no right to sue for any kind of personal injuries. With this act prohibiting this widow from going to any other court than admiralty, and the steamboat owner having the right, and in fact being compelled under the Federal act, to abide by the admiralty court, could the widow get any relief?

AN ANCIENT AND MUSTY STATUTE.

The truth about this bill is that it is about 50 years behind statute-Lord Campbell's-which was enacted 68 years ago. Why hang on to ideas and forms used before any of us were born? I ask the gentleman why this act was not patterned after the employers' liability act? That is modern, that is up to date. It covers the land and provides for loss by death through neglect of common carriers by railroad. There is no reason why the same modern and humane principles should not be applied to

Before leaving section 1 of this bill I desire to direct the attention of Congress to two more features designed to help out the shipowner and make it harder to recover. One of these is the use of the word "exclusive." This word is not in Lord Campbell's act and not in the employers' liability act. Some admiralty lawyer—proctor in admiralty, I should say—put it there thinking it might help a little. He knew it could not possibly help the claimant, so he put in the word.

The use of this word and several others confirm what is said of the bill by Mr. Fitz-Henry Smith, jr., in the committee

report:

The bill was drafted by a committee of the Maritime Law Association of the United States, an association which is composed of judges of the Federal courts and many of the leading maritime lawyers of the country. It was submitted to all the members of the association for criticism, and was adopted at the last annual meeting only after the most thorough consideration. Its passage is carnestly advocated by both the Maritime Law Association and the American Bar Association.

The other feature of section 1 of the bill designed to make recovery before the admiralty judge a little harder, if possible, is the provisions defining or naming those who have the right of recovery in case of death.

Lord Campbell's act-see sections 2 and 5-give the right of recovery to wife, husband, parents, child, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, grand-

daughter, stepson, and stepdaughter.

The employers' liability act gives the right of recovery to the surviving widow or husband and children of such employee; and if none, then of such employee's parents; and if none, then of the next of kin dependent upon such employee.

The workman's compensation act of the State of Washington provides that in case of death the award shall go to the widow, widower, or child under the age of 16 years, invalid child over the age of 16 years, daughter under 18 years of age, father, mother, grandfather, grandmother, stepfather, stepmother, grandson, granddaughter, stepson, stepdaughter, brother, sister, half sister, half brother, niece, nephew, who at the time of the accident are dependent, in whole or in part, for their support on the earnings of the workman, except where otherwise provided by treaty; aliens, other than father and mother, not residing within the United States at the time of the accident are not excluded.

Now, let us see the provision of the pending bill "drafted by eminent judges and the leading maritime lawyers of the coun--also indorsed by the American Bar Association with no less distinguished a president than William H. Taft, former President of the United States, and also approved by the unanimous report of the Judiciary Committee of the Congress of the United States of America.

Under the pending bill, listen to the legal phraseology and the profound words of wisdom:

That whenever the death of a person shall be caused by wrongful act, neglect, or default occurring on the high seas, the Great Lakes, or any navigable waters of the United States, the personal representative of the decedent may maintain a suit for damages in the district court of the United States in admiralty for the exclusive benefit of the decedent's wife, husband, parent, child, or dependent relatives against the vessel, person, or corporation which would have been liable to a suit for damages by or in behalf of the decedent by reason of such act if death had not ensued.

What does it mean? Here a proctor in admiralty, he will tell you, after he has gone through his library of admiralty law, considered it in connection with the State law, and weighed it all out thoroughly.

YOUNG KUEHNE, "MONROE"-" NANTUCKET" HERO.

Let us apply the remarkable composition to the parents of young Ferdinand J. Kuehne, the hero of the Monroe-Nantucket disaster off the Virginia Capes last Saturday morning, "He died as a hero should."

Those are the words of the gray-haired parents, as they sit yonder in their little cottage in the Bronx, with aching hearts, bereaved and saddened by the loss of their boy and their support in the trying scenes of old age that are coming upon them. "We wouldn't have him otherwise," they said Saturday. "We wouldn't have had him fail in the test. He was brave, our boy. It is just like him. But it is hard to lose him like this."

For years, ever since he grew old enough to earn money of his own, young Kuehne was the principal support of his parents. He was the only son, and they had become more and more

dependent on him.

He is the hero of the wreck, because he stayed at his post while the captain was hopping into the first lifeboat that was launched. He knew he could not swim and that the boat would go to the bottom in a few minutes, but he unbuckled his life preserver and adjusted it about the waist of a young woman whom he had never seen before. He could see light and glory in the path of duty, even though it did lead to death.

But what about his aged parents recovering under this bill? Considering for the present this first section only, these parents having consulted a proctor in admiralty, the proctor would reason about like this: "These parents of young Kuehne have a right of action against some rem or some personam if Kuehne would have had a right of action if he had not died as a result of the act of the owner of the vessel which he is to sue. In order to determine if young Kuehne would have had a right of action if he had not died, I must give due consideration to State law, where all questions of damages from acts which do not result in death may be subject to legislation. I must consider the doctrine of assumption of risk; if he assumed the risk, if he was fully warned by the facts of the danger of his position, he can not recover. Then, did he do what he did through the fault of a fellow servant, and was he negligent; did he use due diligence to save himself; and, then, did the boat captain use due diligence; was the accident due to the wrongful act, neglect, or default of the boat owner or the boat's officers?"

What would you give for the chances of these parents to receive any part of that which society has appropriated, absorbed,

and taken away from them?

I have not gone into any of the other sections of this bill that these big steamship lawyers want us to rush through this Congress quickly without debate. Every remaining section is as full of jokers and jokerettes as the American Bar Association is full of lawyers. The whole statute is a voice from the tomb of the ages past. It does not partake of the ideas of this day. There is no sympathy in it. It contains none of the milk of human kindness. It is written to save dollars, not to do

Look here at section 2. There are two features to the section, and each of them is abominable:

Sec. 2. That the recovery in such suit shall be a fair and just compensation for the pecuniary loss sustained to the persons for whose benefit the suit is brought and shall be apportioned among them by the court in proportion to the damage they may severally have suffered by reason of the death of the person by whose representative the suit is brought.

"Pecuniary loss" to be determined by a stranger, a Federal judge on the bench for life—no jury—and the amount of the recovery shall be apportioned by this Federal judge. He may be a good and honorable man-and I know that most Federal judges are both good and honorable-but who wants to give away the constitutional right of trial by jury at the behest of the American Maritime Association and the American Bar Association, even if this Judiciary Committee of the House does report the bill for passage? I doubt if a member of the committee studied the bill, and none of them gave the matter adequate consideration.

The third section of the bill as proposed by these eminent lawyers and judges fixed one year for the commencement of the suit and provided that action would be barred by the statute of limitations if not begun in that time. The law would allow the company three years in which to sue one of its employees for a dollar he owed the owner on account of board, but one year only for the employee's dependents to sue for death. The committee has recommended that this time be increased from one to two years, Of course, this is a substantial improvement.

Section 5 keeps alive the doctrine of comparative negligence.

It charges up to the widow and the orphan the least act of negligence on the part of the deceased which led to the accident. I say the entire loss should be charged up to society. to the particular industry, and the widow and the orphan and other dependents should be paid in full.

SECTION 6 PRESERVES A DISGRACEFUL STATUTE.

While Congress has failed to pass laws to remunerate the widow and orphan except as to accidents by common carriers by railroad, it has not failed to pass laws of general maritime jurisdiction limiting the liability of shipowners. These were passed to "save our rapidly disappearing merchant marine." The act of 1851 was the original liability statute. In 1884 it was amended, and in 1886 its benefits were extended to the shipowners on the Great Lakes and to every river, bayou, or lake in the country. Of course, this extension, whatever consideration may be indulged in as to the original act, was not to preserve the flag on the ocean or the lakes, since there was chance to compete with foreign nations on the lakes or rivers, but to prevent seamen, passengers, and shippers from getting adequate damages for losses and injuries, and survivors from obtaining adequate damages for lives lost on vessels, which were amply provided for in the State courts. So far as lake and inland traffic was concerned, this statute by Congress was a Federal invention intended solely to save dollars to shipowners at the expense of shippers, employees, and passengers.

In 1851, when Senator Hamlin, of Maine, put the bill through

the Senate of the United States, he stated in the debates that it was predicated on the English law, and that "it places our commercial marine on the same basis as that of England."

But this statute which still stands on our books and by this inexplicable act of marine benevolence has been extended to the Great Lakes and inland waters is to-day far more liberal to shipowners than is the British statute for limiting liability. State courts when attempting to collect damages for death and other injuries from shipowners have to meet that statute and stand for its limitations

It is an unconscionable statute, and the fact that it is on our statute books ought to strike shame into the hearts of these men who now appear before the Senate Judiciary Committee and propose this bill, which is of very little use, if any, without suggesting the repeal of this liability statute at least in so far as personal injuries, whether resulting in death or not, are con-cerned. It is worthy of note that Senator Hamlin put this original liability bill through on March 3, 1851, making it one of those last-moment acts rushed through without adequate consideration. The important features of the act as passed and as it stands to-day without amendment, although extended to the Great Lakes and inland waters, are known as sections 4283, 4284, and 4285 of the Revised Statutes, and read as follows:

SEC. 4283. The liability of the owner of any vessel for any embezzlement, loss, or destruction by any person of any property, goods, or merchandise shipped or put on board of such vessel, or for any loss, damage, or lajury by collision, or for any act, matter, or thing lost, damaged, or forfeiture, done, occasioned, or incurred without the privity or knowledge of such owner or owners shall in no case exceed the amount or

value of the interest of such owner in such vessel and her freight then pending.

SEC 4284. Whenever any such embezzlement, loss, or destruction is suffered by several freighters or owners of goods, wares, merchandise, or any property whatever on the same voyage, and the whole value of the vessel and her freight for the voyage is not sufficient to make compensation to each of them they shall receive compensation from the owner of the vessel in proportion to their respective losses, and for that purpose the freighters and owners of the property and the owner of the vessel, or any of them, may take the appropriate proceedings in any court for the purpose of apportioning the sum for which the owner of the vessel may be liable among the parties entitled thereto.

SEC 4285, It shall be deemed a sufficient compliance on the part of such owner, with the requirements of this title relating to his liability for any embezzlement, loss, or destruction of any property, goods, or merchandise, if he shall transfer his interest in such vessel and freight, for the benefit of such claimants, to a trustee, to be appointed by any court of competent jurisdiction, to act as such trustee for the person who may prove to be legally entitled thereto, from and after which transfer all claims and proceedings against the owner shall cease.

Rules 54 and 56 in admiralty, prescribed by an honorable

Rules 54 and 56 in admiralty, prescribed by an honorable Federal judge for life, do about as much enacting as does the original statute, for these rules provide that when a shipowner shall file suit to limit liability under this act in admiralty court the judge of such court may issue a restraining order enjoining suit being commenced in any other court than that particular one by any other claimant. This, of course, enables the ship-owner to pick his judge and then compel all claimants to bring their claims to the forum thus selected and abide the decrees or await the delays of this particular judge, including all delays of appeal to higher courts touching the question of limiting liability. By this injunction process this Federal judge in admiralty is enabled to supersede State courts and other judicial forums wherein claimants may have preferred to file their claims. And the liability decree of the admiralty court is binding on all parties. Here is the way the court rules, supplements, augments and adds to the congressional statute matter which no doubt Congress would have refused to enact, notwithstanding the rush of a last-day seance of emergency and unanimous-consent legislation:

when any ship or vessel shall be libeled or the owner or owners thereof shall be sued ——, and he or they shall desire to claim the benefit of limitations of liability provided for in sections 3 and 4 of the act of March 3, 1851, ——, the said owner or owners shall and may file a libel or petition in the proper district court of the United States —— praying proper relief in that behalf; and thereupon said court, having caused due appraisement to be had of the amount or value of the interest of said owner or owners, respectively, in such ship or vessel and her freight for the voyage, shall make an order for the payment of the same into court, or for the giving of a stipulation, with sureties, for payment thereof, into court whenever the same shall be ordered; or, if the said owner or owners shall so elect, the said court shall, without such appraisement, make an order for the transfer by him or them of his or their interest in such vessel and freight to a trustee to be appointed by the court under the fourth section of said act; and, upon compliance with such order, the said court shall issue a monition against all persons claiming damages for any such embezzlement, loss, destruction, damage, or injury, citing them to appear before the said court and make due proof of their respective claims at or before a certain time to be named in said writ, not less than three months from the issuing of the same; and public notice of such monition shall be given as in other cases, and such further notice served through the post office, or otherwise, as the court in its discretion may direct; and the said court shall also, on the application of the said owner or owners, make an order to restrain the further prosecution of all and any suit or suits against said owner or owners in respect of any such claim or claims.

This court rule affords an illustration of the legislative power

This court rule affords an illustration of the legislative power of a Federal judge. The extraordinary writ of injunction is here conferred by court order to supersede all other State or Federal jurisdiction. Congress would have spurned a statute providing for such an injunction, but an admiralty judge could pass the necessary legislation in his study.

THE "TITANIC" AVOIDS ENGLISH JUSTICE.

The pending cases against the Oceanic Steam Navigation Co. (Ltd.), the White Star Line, for loss of life and property on the *Titanic* illustrates the injustice both of this limitation of liability statute and the injunction against other suits provided by enactment of the Federal judge.

The incidents connected with the Titanic disaster are fresh in the minds of my colleagues on this floor. The Titanic, a ship of British register, was built in Belfast and launched in 1911 under the ownership and control of the Oceanic Steam Navigation Co. (Ltd.), also known as the White Star Line. On April 10, 1912, the *Titanic*, with passengers and cargo on board, left Southampton on her maiden voyage, bound for New York. On April 14, at about 11.40 p. m., in midocean, latitude 41 degrees 46 minutes north and longitude 50 degrees 14 minutes west, the ship came into collision with an iceberg, and at 2.20 a. m., on April 15, 1912, she sank, a complete loss, except 14 lifeboats which were saved. Seven hundred and eleven persons of her crew and passenger list were saved and a large number perished, as well as her entire cargo, including freight, baggage, and mails.

In due course a large number of suits and claims were filed against the owners of this vessel in American State courts.

These suits are not filed, however, under American laws, except as to procedure, for the British vessel was subject to English law, which also had advanced far ahead of American jurisprudence and passed a law (Lord Campbell's act) creating such liability.

AN ENGLISH COMPANY DOES LOVE UNITED STATES LAWS, DON'T CHER KNOW.

There is an English liability law governing shipowners, but here, again, even the reputed selfishness of John Bull had not permitted any such liability limitation as Uncle Sam had provided in this rush-me-through-quick-by-unanimous-consent act of Senator Hamlin, of Maine, in 1851. The British act provides a limitation of £15 per ton of ship and cargo. In the case of the Titanic English liability law would render the owners of the vessel liable for an amount aggregating \$3,000,000. The American statute would limit the liability to \$96,000 plus the value of the Titanic as it now lies at the bottom of the ocean.

The Oceanic Steam & Navigation Co. (Ltd.) had offices in several cities of this country, and relying on the English statute, for the *Titanic* was an English ship flying the English flag, proceedings had been brought against the owners for damages sus-

tained by reason of the Titanic disaster, as follows

In the United States District Court for the Southern District of New York: By Louise Robins, as administratrix, and so forth, of George Robins, deceased, for damages for loss of the life of George Robins

In the supreme court, New York County, N. Y.: By Frederick W. Shellard, as administrator, and so forth, of Frederick B. Shellard, deceased, for damages for loss of the life of Frederick B. Shellard,

In the superior court, Cook County, Ill.: By John Devine, as administrator, and so forth, of A. Willard, deceased, for damages for the loss of the life of A. Willard.

In the district court, Ramsey County, Minn.: By Carl Johnson for damages for alleged personal injuries sustained and for loss of baggage. By Oscar Hedman, for damages for alleged personal injuries sustained and for loss of baggage.

ENGLISH DEFENDANTS WANTED TO CHOOSE THE COURT AND NAME THE JUDGE.

Of course, the wise English shipowners did not want these American passengers and employees and their dependents to sue them in these several American courts.

In the first place, they naturally wanted all such cases tried in some court of their own selection, before some judge of their own selection, and, of course, without a jury.

Then, in the second place, they wanted American liability law applied, if possible, so as to let them off on \$96,000 liability,

rather than English law, with \$3,000,000 liability.

Now, I do not suppose there is any Member of Congress here who will blame these English shipowners for wanting these things. But, thanks to this representative Government of ours, this land of the free, this home of the brave, no Congress would ever pass a law that would permit their first want; and as to their second want, court precedents can be relied upon by interpretation of an honorable and learned judiciary to decide that legal matter right; so the litigants can rest in peace. Congress, which alone has the right to legislate, has not lost sight of their rights. Finding no restriction in the laws of Congress as to where he shall sue, one claimant, an administrator, sues for loss of life in the State court of Minnesota, having obtained jurisdiction of the foreign ship-owning corporation under the laws of that State; another in New York and another in Illinois. Here they were within the law, with a forum at home and before a court and under procedure with which they were familiar.

All of a sudden, like a bolt of lightening out of a clear sky, these litigants and all other claimants that can be found, and, of course, the ship-owning company has the whole list, are searched out by a United States marshal, and an order of Federal Judge Holt, of the Southern District of New York, is served upon them, each and every one, and they are commanded to quit suing these English shipowners in any court but that of the said judge. And all who have not yet commenced suit are ordered to "come ye hither unto me and sue before me or otherwise pester ye not that English syndicate."

Amazed they consult their lawyers in Minnesota, in New York, and in Illinois. "Why you are getting me into trouble," each of them says; "you told me I had a right to bring this

case here under the law."

THE ATTORNEY FORGOT TO CONSULT THE RULES.

The attorney very correctly insists that he is right and within the law of nations, of the United States, and of the State, but these attorneys failed to take cognizance of the lawmaking power of Federal judges, and upon reference it is found that these litigants must go to the Federal court, many miles away, and await the movements of the procedure which there prevails

and put up with the expense and inconvenience because a Federal judge, or perhaps several judges, have prepared a rule which confers this unusual right.

I must pause here to impress upon the attention of Congress the tendency of the Federal judges thus to encroach upon the power of Congress and the legislative branch of this Government. These litigants could stay in the State courts and contest the constitutionality of the statute if Congress had ordered them to go to New York to try the cases, but it is different with this order of Judge Holt, based not on a statute, but on a judgeenacted rule of court.

WITH THE IMPUDENCE OF AN OLIVER TWIST.

An attorney in New York named A. Leonard Brougham, believing that a right to sue in any court of competent jurisdiction and to have a jury trial was a substantial and a vested right of his client which the law and the Constitution protected as it does other rights, disregarded the order not to sue before any judge except this admiralty judge and filed a suit for the representative of a person who had lost her life on the Titanic through the sinking of the ship. Remember, there is no Federal law as to loss of life, and if there were any law it could not affect this English ship. The law of England must be applied in the American court.

The attorney was at once haled into court before the legislative department sitting at the time in "admiralty" and fined \$200 for thus starting a suit for his client in the court of his and his client's choice, where he could have a jury trial and stand some chance of having his case tried in a reasonable time.

Mr. Broughman insisted that the injunction was issued without right, and he demanded of the court by what statute or right had it summoned him to answer for contempt. "My rules, right had it summoned him to answer for contempt. "My rules, man; have you not read my rules?" "Ah, Mr. Broughman," says the judge, "you did not look into my rules. It is there provided by my own enactment that I have the right to issue an injunction prohibiting all claimants from suing any shipowner in any court but my own when the shipowner selects me and petitions me to be his tribunal and to limit his liability. True enough, I got my power to limit liability from an act of Congress, which has no application whatever to this English ship, but my power to put all State courts out of business and to supplant juries and be the sole forum whether there be a thousand claims, as in this case, or more, even though not one of them wants me to try his case, is a right I gave myself by my own rules—see rules Nos. 54 and 56. Now, you, sir, have violated my rules. You have not violated the law of the Congress of the United States. No statute forbids the State court in the State of New York to hear your case. There is nothing in the Constitution against it; in fact, your right is protected in your State constitution and in your State law, but my rules, my rules, man, you have violated them, and I fine you \$200. I let you off light because it is your first offense."

Mr. Brougham is a fighter, and he appealed the case to the circuit court. He showed to the circuit court that by the decision of Judge Holt himself, which is now on appeal in the United States Supreme Court, Judge Holt had no right at all to proceed under the American liability statute or any American law whatever; yet the circuit court affirmed the contempt order.

INJUNCTION GOOD, BUT NOTHING ELSE WILL HOLD.

I have no doubt the court will hold that the English liability statute prevails in the case of the *Titantic*, which was at the time of the disaster to all intents and purposes a floating island under English jurisdiction, and that the \$3,000,000 liability will be applied. Judge Holt so decided, and the case is now before the United States Supreme Court on appeal. Yet this Federal court by injunction process has acquired jurisdiction over all these cases to the exclusion of State judges and juries

I am opposed to the bill now under consideration because it refers to and perpetuates this outrageous American limitation of liability statute. It should only be referred to to be repealed and abolished. The times do not longer require such a statute, surely not in so far as claims for personal injuries are concerned. For a very reasonable premium liability insurance will

carry all such liability.

It is preposterous for a civilized Government to tell the claimants to take the Titanic out there at the bottom of the ocean as the revenues of the voyage. Or, to refer again to the case of the collision between the *Monroe* and the *Nantucket* off the Virginia Capes the other day, if it appears "that the *Monroe* is to blame," to tell these victims to go dive for the hull of the Monroe if they want to find their loss

It would be a parallel case to tell the dependents of a man who was killed by a rifle to go and take the rifle, or by an automobile to go and take the automobile, or in the case of a

wrecked train to tell the dependents of the victims to go and take the train.

I will introduce a bill to abolish this absurd liability limitation, and I hope the Judiciary Committee will be prompt and earnest to get that bill on the floor here so it can be passed.

THE HERO OF THE "MONROE" AND "NANTUCKET" DISASTER.

Suppose we return to the hero of the Monroe-Nantucket dis-Under the right of American ships to limit their total liability to the value of the ship and the revenues of the voyage—under those provisions what will the parents of young Kuehne receive? Of course, in this case there is a chance to charge the liability up to the Nantucket if it be held to blame for the wreck, but if the Monroe is to blame, under the benevolence of the American law these aged parents may go to the poorhouse. It would not be so under English law.

The provisions of the statute regulating jurisdiction are, with-

out doubt, conflicting. Sections 1, 7, and 8 establish a joint admiralty jurisdiction with the State over all the navigable admiralty jurisdiction with the State over all the navigable waters of the United States not the high seas, and an exclusive admiralty jurisdiction over the high seas. Then it says the present jurisdiction of the State shall not be abridged. But it is impossible to give exclusive admiralty jurisdiction to the Federal court over the high seas without abridging in part the jurisdiction of every coast State. All of the Atlantic and Pacific Oceans are included in the high seas, but the State jurisdiction extends out 2 miles diction extends out 3 miles.

In the State of Washington the high seas extend inside the In the State of Washington the high seas extend inside the Straits of Juan de Fuca to New Dungeness Lighthouse. All that portion of the straits bordering on Clallam County is a part of the high seas, yet it is within State jurisdiction. The boundary of the State of Washington follows the boundary line between the United States and British Columbia, thence south parallel to the shore but 3 miles out to the line of the

Columbia River extended.

Our workmen's compensation act applies to all the steam-boats of the State and I am certainly unwilling to help the Government take away from the State any part of its jurisdiction in favor of an admiralty judge. I do not believe the bill would help matters, but that it would do a great injury. I favor repealing the limitation of the liability act. I favor a modern humane employer's liability act for the high seas, but I am opposed to this bill am opposed to this bill.

I have introduced the following bill, which I hope will be

promptly reported and passed:

A bill relating to the maintenance of actions for death or injuries on the high seas.

A bill relating to the maintenance of actions for death or injuries on the high seas.

Be it enacted, etc., That every person, firm, or corporation engaged in transporting of passengers or freight by water, or who shall own or operate any vessel or sailing craft on the high seas, Great Lakes, or any navigable water of the United States within the admirality jurisdiction of the United States and out of the jurisdiction of any particular State, shall be liable in damages to any person suffering injury while such person is employed on any such vessel, or is a passenger thereon, or is on or upon any such vessel under any other conditions, or in case of death of any such employee, passenger, or person, to his or her personal representative, for the legal benefit of the surviving widow or husband or children of such person; and if none, then of such employee's parents; and if none, then of the next of kin dependent upon such employee, for such injury or death resulting in whole or in part from the negligence of any of the officers, agents, or employees of such person, firm, or corporation, or by reason of any defect or insufficiency, due to its negligence, in its engines, appliances, machinery, works, boats, wharves, or equipment.

Sec. 2. That in all actions hereafter brought against any such person, firm, or corporation under or by virtue of any of the provisions of this act to recover damages for personal injuries to an employee, or where such injuries have resulted in his death, the fact that the employee may have been guilty of contributory negligence shall not be considered.

Sec. 3. That in any action brought against any such person, firm, or corporation under or by virtue of any of the provisions of this act to recover damages for injuries to or the death of any of its employees, such employee shall not be held to have assumed the risks of his employment to prevent or limit recovery.

Sec. 4. That any contract, rule, regulation, or device whatsoever, the purpose or intent of which shall be to enable any such

SEC. 7. That nothing in this act shall be construed to abridge the rights of suitors in the courts of any State or Territory to a remedy given by the laws of any State or Territory in case of injury or death from injury received on the high seas or elsewhere.

SEC. 8. That the personal liability of any shipowner or person sued under this act shall not be subject to any form of limitation on account of the provisions of Congress or general admiralty laws as to limiting liability of shipowners.

APPRAISERS' STORES BUILDING AT MILWAUKEE, WIS.

The next business on the Unanimous Consent Calendar was the bill (H. R. 5487) to authorize an additional appropriation for the erection of the United States stores building at Milwankee, Wis.

The Clerk read the bill, as follows:

The Clerk read the bill, as follows:

Be it enacted, etc., That in addition to the sum of \$75,000 heretofore authorized by the act of Congress approved June 25, 1910, being chapter 383 of the Laws of the Sixty-first Congress, second session, for the construction on a site at Milwaukee, Wis., already purchased by the Government for such purpose, of a suitable and commodious appraisers' stores building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and purpose of the United States Government appraising goods and merchandise imported from foreign countries and into Milwaukee, Wis., the additional sum of \$50,000 is hereby authorized, at a total cost, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed \$125,000, for which plans, specifications, and full estimates shall previously be made and approved according to law.

With the following committee amendments:

With the following committee amendments:

Amend by striking from line 1, on page 2, the figures "\$50,000" and insert in lieu thereof the figures "\$40,000."

Strike from line 4, on page 2, the figures "\$125,000" and insert in lieu thereof the figures "\$115,000."

The SPEAKER. Is there objection to the consideration of

Mr. FOSTER. Mr. Speaker, reserving the right to object, on last unanimous-consent day this bill providing for an increase of limit to the cost for the erection of appraisers' stores building in Milwaukee, Wis., I asked that it might go over so that I might have an opportunity to look further into the merits of the proposition. During the intervening time I have looked up such arguments in favor of the bill as I have been able to get, principally those of the gentleman from Wisconsin. I have become convinced that this building as now planned can not be built without some additional appropriation. I doubt, however, whether it will be necessary to have as large an amount as \$40,000. I will suggest to the gentleman from Wisconsin that it is said that the lowest bid was about \$25,000 above the present available amount. Now, I think the gentleman is giving considerable of a margin to increase it to \$40,000. I think that if he feels that it is necessary to have this appropriation he ought to be governed a little more by what the real amount above the bids is necessary.

Mr. STAFFORD. Mr. Speaker, in answer to the gentleman I will say that both Assistant Secretary Hamlin and his predecessor, Mr. Allen, recommended that \$40,000 additional be appropriated. The gentleman can readily understand that we do not wish to be in the same predicament when the new bids are received as we were when the last ones were received—that is, to have an inadequate appropriation so that we were unable to award the contract. In view of that statement, I really think it is absolutely necessary to have an additional appropriation, and if, perchance, the amount is a little in excess, there will be no change, and the Government will not be out a dollar.

Mr. FOSTER. I never heard of any money being turned back into the Treasury after having been appropriated for a public building

Mr. STAFFORD. We desire an ample appropriation, so that we can go right on with the building.

Mr. FOSTER. I hope the gentleman can make this appropriation \$30,000. I think there would be less objection.

Mr. STAFFORD. I should be afraid to take that risk, for we might be in the same position we were in before and run the risk of not having a sufficient amount of money to meet the contracts

Mr. FOSTER. It is so easy for people to come to Congress and ask for more than they really need that I think Congress

ought to watch these matters closely.

Mr. ESCH. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. ESCH. Would not the allowance of this increase at this time prevent their coming to Congress subsequently asking for an increased appropriation. The growth in the city of Milwaukee in recent years is such as to warrant the demand now made for a building of this capacity, and it would be economy to grant it now.

Mr. FOSTER. Mr. Speaker, I will say to the gentleman from Wisconsin that I suppose in making the plans for this building they have anticipated something for the future?

Mr. STAFFORD. They have anticipated so far as the superstructure is concerned. It is to be a two-story building, so constructed that they can extend it three additional stories in case of need. However, as I stated to the gentleman before, the building is not an ornate building. It simply meets the pressing necessities of the business of Milwaukee. In fact, since this bill was considered, part of the basement of the present Federal building, where the appraisers' stores are now kept, is being utilized for parcel-post purposes, and there is a pressing need for an increase of space for both purposes. I do not wish to see the building further delayed by an appropriation that will not be sufficient to meet the needs.

Mr. FOSTER. The gentleman does not think but that \$30,000

will be enough?

Mr. STAFFORD. I really do.

Mr. FOSTER. I suggest to the gentleman that the gentleman from New York [Mr. Andrus], who was a member of the Committee ou Public Buildings for a number of years, was a careful business man, and I think while on that committee he carefully looked into all matters pertaining to projects for buildings. He at that time thought they were giving all of the money that was necessary for this building.

Mr. STAFFORD. But the gentleman is aware that his estimate went awry, and the \$75,000 he thought would be sufficient has not been sufficient, and we have been delayed more than a year by reason of his judgment being followed rather than that of the judgment of the Treasury officials. Here you have the judgment of the Treasury officials recommending \$40,000.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Certainly.
Mr. COOPER. Mr. Speaker, the gentleman from Illinois [Mr. Foster | has just spoken highly of the judgment of a gentleman from New York, a former Member of the House. Does not the gentleman from Illinois remember that a few years ago that particular gentleman from New York whom he has just mentioned informed the House with much earnestness that there was then being offered to the House a tract of land for \$423,000, for which, he said, more than \$600,000 had been asked a short time before, and that, in speaking of that alleged reduction, he said, "Evidently somebody's conscience had been pricked"? And does not the gentleman from Illinois [Mr. Foster] also know that it was demonstrated on this floor that the gentleman from New York, Mr. Andrus, was utterly, completely mistaken in telling the House that the reduction was on the Rock Creek property, when as a matter of fact the reduction was on Meridian Hill property and not on Rock Creek property which was then before the House? That important mistake then made on this floor showed that the gentleman from New York, whom the gentleman from Illinois [Mr. Fosten] has quoted as an authority, was very far from being infallible on propositions before the House involving dollars and cents.

If the gentleman from Wisconsin [Mr. Stafford] will further yield, I will add that in my judgment he has an absolutely Two Acting Secretaries of the Treasury have recomgood case. mended the proposed increase, and one of them, in an official

letter to the House of Representatives, says:

As it is very improbable that such keen competition could be secured if the work were again placed on the market, it is estimated that an increase of \$40,000 in the present limit of cost will be necessary to construct the building as designed.

Respectfully,

CHARLES S. HAMLIN, Acting Secretary.

That is followed up by a letter from Sherman Allen, Acting I hope that our good friend from Illinois will not Milwaukee is a growing city and already one of the

country's really great manufacturing centers.

Mr. FOSTER. Mr. Speaker, I realize there is some argument in what the gentleman from Wisconsin says, and yet I hesitate about voting to give additional appropriations for so many public buildings that are being authorized all over the country. I do not want to say there is a studied effort to have this done, but I will say that in a great number of cases which come to the attention of Congress we ought not to grant the request that is made for additional appropriations. Congress passes an authorization for a public building it ought to be the rule of the Treasury Department to construct that building within the limit of cost, unless it can be shown beyond question that it is necessary to increase the cost because of some conditions that have arisen since that time. In this case the gentleman from Wisconsin makes out a fairly good case, and yet my judgment upon the bill is that \$40,000 is more money than they need. I do not think I shall object to this going through, and yet I believe we are making a mistake here in voting more money than is necessary for this project.

Mr. STAFFORD. Permit me to assure the gentleman that

conversation with Assistant Secretary Sherman Allen, asking him whether there was any possible way whereby he could scale down the plans and specifications so as to provide for the erection of this building with the \$75,000 appropriation. He stated that he could not. I did everything in my power, as I wanted to get the building built because there was pressing need for it. Now, I do not wish to be beset with the same condition by having an inadequate appropriation and to call for bids a second time by not having an adequate appropriation.

Mr. FOSTER. I fully agree that this building ought to be built; I concede the necessity for it; and the urgent necessity for this building is the only reason why I am going to withdraw my objection; but I desire to say in the future, so far as I am individually concerned, if it is proposed to increase the limit of cost of these public buildings, they will not go through by unanimous consent unless the reason for the increase is very convincing.

Mr. AUSTIN. Will the gentleman yield?

Mr. AUSTIN. Will the gentleman yield.

The SPEAKER. Is there objection?

Mr. AUSTIN. Mr. Speaker, I wish to say to the gentleman from Illinois that this proposition was thoroughly investigated by the Committee on Public Buildings and Grounds, and that there was not a dissenting vote in that committee against a favorable report. Now, during the recent special session of Congress we reported three or four emergency propositions for Members who sat on the other side of the Chamber, and in discussing it we thought we ought to recognize this side, and we picked this proposition out as one of the emergency propositions that had merit in it and ought to receive the approval of the committee and the House.

Mr. FOSTER. I do not think that the gentleman from Tennessee, my good friend, is undertaking to say on the floor of this House that because we passed one or two bills on this side then you ought to pass one or two on that side. I will say to the gentleman from Tennessee very frankly that so far as my understanding of these bills is concerned it does not matter whether they belong on that side or this side or any other side, and we ought not to be governed by any political reasons whatever.

Mr. AUSTIN. I want to say this— Mr. FOSTER. While it may be politics has been played in

Mr. FOSTER. While it may be politics has been played in the allowance of some public buildings—

Mr. AUSTIN. Absolutely none in this matter.

Mr. FOSTER. I do not doubt that, but if it is done it is a bad thing, and they ought to be built where they are necessary

for the good of the public service.

Mr. AUSTIN. I want to say to the gentleman I have been on that committee five years, and there has been absolutely no politics at all, but every proposition has been upon its merits alone; but complaint was made to the committee that during the special session of Congress we reported emergency cases for the majority Members of this House and had failed to investigate and report a single meritorious proposition from this side of the House, and the gentleman will doubtless recall, Augusta (Ga) case, that we passed through this House, I think, by unanimous consent or vote, a bill to increase the limit of cost of the public building at that place \$125,000, and in view of that fact and in view of the merits of this proposition

view of that fact and in view of the merits of this proposed it ought to go through without a single dissenting vote.

Mr. STAFFORD. Question, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore (Mr. FITZGERALD). The gentle-man from Wisconsin asks unanimous consent that this bill be considered in the House as in Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, line 4, strike out "\$50,000" and insert "\$40,000." Page 2, line 7, strike out "\$125,000" and insert "\$115,000."

The question was taken, and the amendments were agreed to. The bill as amended was ordered to be engrossed and read third time, was read the third time, and passed.

On motion of Mr. Stafford, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next

UNITED STATES FISH RESERVATION, BAIRD, CAL.

The next business on the Calendar for Unanimous Consent when this matter was last under consideration, and information was conveyed to me by the Assistant Secretary that the bids were beyond the amount appropriated, I went down and had a States fish reservation at Baird, Shasta County, Cal. The bill was read, as follows:

Be it enacted, etc., That the people of the State of California are hereby granted the right to open and perpetually maintain a State highway, to be constructed under and by virtue of the provisions of the State highways act of California, upon and across the United States fishery reservation at Baird, Shasta County, Cal., according to a location approved by the Secretary of Commerce.

The SPEAKER pro tempore. Is there objection to the con-

sideration of the bill?

Mr. MANN. Reserving the right to object, may I ask my distinguished friend from California [Mr. Raker] why this bill was sent to the Committee on the Public Lands, where it did not belong, rather than to the Committee on the Merchant Marine and Fisheries, which had the proper jurisdiction of it?

Mr. RAKER. I will answer that as nearly as I can. It was

placed in the basket-

Mr. MANN. I apprehend that when it was put in the basket it had a memorandum on it. At least, all the bills I put in the basket I place a memorandum upon as to the committee to which they are to be referred. Of course, it does not bind a bill.

Mr. FERRIS. The Committee on the Public Lands always

handles those bills.

Mr. MANN. Not at all. The Committee on the Public Lands does not have the jurisdiction over any hatcheries. Fish hatcheries do not come from the Committee on the Public

Mr. FERRIS. Here is a great reservation made of public lands. What for? For fish-hatchery purposes. We have noth-

ing to do with the buildings.

Mr. MANN. And you have nothing to do with the land.

Mr. FERRIS. I am not so sure about that. It is public land.
Mr. MANN. I am sure about it. The same way as to the
lighthouses; you have no jurisdiction over a lighthouse reservation or over a life-saving reservation or a fisheries reserva-

Mr. FERRIS. We grant the right of way over public lands

all the time.

Mr. MANN. Not over reservations where other committees have jurisdiction of the particular matter.

Mr. FERRIS. I do not know about that. Of course, we are

not building fish hatcheries.

Mr. MONDELL. Reserving the right to object, will the gentleman inform me under what law this fish reservation was

created?

Mr. RAKER. I think you will find it was an act of Congress. I do not have the date here. The Attorney General went over the matter fully with the authorities in the State of California, the highway commission, and also with the Bureau of Fisheries. The State tried to get the right of way through the commission of commerce, and they held that it was created by act of Congress as a fish reservation. This is my belief.

Mr. MONDELL. What act of Congress?
Mr. RAKER. Just a moment. And being for that purpose, and that alone, they would have to apply to Congress for a right of way across that particular tract of land, which has 280 acres in the reservation.

Mr. MONDELL. Under what act of Congress?

Mr. RAKER. I have not the special act.
Mr. MONDELL. Under what act of Congress was the land reserved?

Mr. RAKER. I have not the special act, and I did not think

it was necessary

Mr. MONDELL. Well, is it the gentleman's opinion that there is any act of Congress concerning it? Does the gentle-man have in mind any act of Congress which authorizes the

creation of fish reservations?

Mr. RAKER. My recollection is, but I would not like to state it definitely, that this is a reservation reserved by departmental order, and then the fish hatchery was established. That is my understanding of it, but I would not want that to be considered as definite without first going to the statute to confirm it. But the matter having been taken up directly with the Attorney General and with the Secretary of Commerce, they have stated that it was necessary to have a special act of Congress to secure the right of way across the reservation.

Mr. MANN. Will the gentleman yield?

Mr. RAKER. I yield.

Mr. MANN. I notice the bill is reported without amendment, and I notice that the Attorney General says:

I have the honor to suggest that an amendment of the bill may be advisable.

Why is not the Attorney General's amendment incorporated

in the bill?

Mr. RAKER. In answer to the gentleman I will state that the exact language referred to in the Attorney General's opinion is in the bill now as reported to the House.

Mr. MANN. Could not the Attorney General tell whether it was in there or not?

Mr. RAKER. Well, it is in there now.
Mr. MANN. Why, the Attorney General reports upon a bill nine lines long, and recommends an amendment be added to the bill. The gentleman says the amendment is already in the bill, while the Attorney General recommends that an amendment be added to it.

Mr. RAKER. It is. The committee took it up and considered it, and it is in the exact language recommended by the Attorney General. The Attorney General's opinion reads as

follows:

The location to be approved by the Secretary of Commerce.

The bill provides that the highway is to be constructedaccording to a location approved by the Secretary of Commerce.

Mr. MANN. Why did the Attorney General recommend that the bill be amended? Does not the gentleman suppose that the

Attorney General had read the bill?

Mr. RAKER. The recommendation made by the Attorney General and the language of the bill correspond. It was the intention, from the recommendation of the Secretary of Commerce, that it should be located according to the direction of

the Secretary of Commerce.

Mr. MANN. I do not wish to reflect upon the Attorney General by assuming that he had read a bill covering nine lines and then wrote a report several pages long recommending an amendment to the bill to insert something that was already in the bill of nine lines. That would be a serious reflection, not neces-

sarily on the Attorney General himself personally, but on some one in his office.

Mr. COX. What amendment did the gentleman state? Mr. MANN. The amendment that the gentleman read The amendment that the gentleman read, I confess from lack of knowledge, seemed to me to be already in the Yet I could not conceive of the Attorney General reading a bill nine lines long and then writing a report several pages long recommending an amendment to be inserted in it that was already in it.

Mr. FERRIS. Might not the gentleman take this view of it: That the Attorney General was especially solicitous to have that language retained in the bill, so that he wanted to call it to the attention of the committee, and the committee, finding it

already there, kept it there?

Mr. MANN. I hope the Attorney General or some one in his office will have his attention called to it, and I hope that he will be sufficiently solicitous about such matters as to ask the gentleman who really makes a report hereafter to read a bill before he makes a report on it.

Mr. COX. Mr. Speaker, reserving the right to object, I want to ask the gentleman in charge of the bill whether he does not think this bill ought to carry another section—reserving the right to alter, repeal, or amend?

Mr. MANN. I will state to the gentleman from Indiana that if consideration is given to the bill I propose to offer an amendment to that effect

Mr. RAKER. Of course I would not make any fight on it. would rather have that in than not to pass the bill.

Mr. MANN. It is only a matter of custom, probably.

Mr. RAKER. I see no objection to it.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The bill is on the Union Calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COX. Mr. Speaker, I offer an amendment to the bill

under consideration, to constitute section 2.

The SPEAKER pro tempore. The gentleman from Indiana [Mr. Cox] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Add a new section, as follows: "SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.
Mr. LENROOT. Mr. Speaker, I wish to offer an amendment
by inserting the words "to be" in line 8 after the word location."

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Wisconsin [Mr. Len-

ROOT .

The Clerk read as follows:

Amend, line 8, after the word "location," by inserting the words "to be."

Mr. RAKER. I have no objection to that. It is simply grammatical. It is all right.

The SPEAKER pro tempore. The question is on agreeing to

the amendment

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. RAKER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LIEU LANDS, IMPERIAL COUNTY, CAL,

The next business on the Calendar for Unanimous Consent was the bill (H. R. 122) authorizing the State of California to select public lands in lieu of certain lands granted to it in Imperial County, Cal., and for other purposes.

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, etc., That the State of California or its grantees may, with the approval of the Secretary of the Interior, reconvey to the United States any of the lands heretofore granted to said State in the townships authorized to be resurveyed by the act of July 1, 1902 (32 Stat. L., p. 728), and select in lieu thereof an equal amount of vacant, unappropriated, surveyed, unreserved, nonmineral public lands within said State: Provided, That any application to select land under this act must be presented within three years from the date of its passage: Provided further. That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent conveying to Victor E. Shaw, of Los Angeles, Cal., the south half of section 26, in township 11 south, range 13 east, San Bernardino base and meridian, containing 320 acres, in Imperial County, Cal., upon the express and prior condition that said Victor E. Shaw shall execute and deliver to the Secretary of the Interior a grant and deed satisfactory to the Secretary of the Interior a grant and deed satisfactory to the Secretary of the Interior relinquishing and conveying to the Government of the United States all his right, title, and interest in and to the north half of section 36, in township 16 south, range 13 east, San Bernardino base and meridian, Imperial County, Cal., according to the original survey, containing 320 acres, now known as part of tract 37, in township 16 south, ranges 13 and 14 east, San Bernardino base and meridian, according to the resurvey.

Sec. 2. That the Secretary of the Interior may make proper rules and regulations for carrying this act into effect.

Mr. MANN. Mr. Speaker, I make the point of order that

Mr. MANN. Mr. Speaker, I make the point of order that the gentleman can not introduce a bill of this character in the House. The committee had no jurisdiction to report it. It is not possible to combine in one bill a private bill and a public bill under the rules of the House. The bill would undoubtedly take a little time, and I suggest to the gentleman that he ask

to pass it over to-day.

Mr. RAKER. I hope the gentleman will not—

Mr. MANN. The gentleman need not express any hope about it.

Mr. RAKER. I always have hope until the last breath is

drawn.

Mr. MANN. What I am trying to get at now is whether the gentleman desires to have the next hour consumed on this bill or whether he wishes to pass it over and give other gentlemen an opportunity to have their bills considered. The gentleman has the opportunity to ask unanimous consent to pass the bill over without prejudice. If he does not wish to do that, he will have to take the consequences.

Mr. RAKER. Of course the consequences will be disastrous

to the bill, and that being the case, Mr. Speaker—
Mr. MANN. The first consequence would be that I would argue the point of order for some time, unless objection were made to the present consideration of the bill.

Mr. RAKER. I do not want to delay other gentlemen, and for that reason I ask unanimous consent to pass the bill with-

out prejudice.

The SPEAKER. The gentleman asks unanimous consent to pass the bill without prejudice. If there be no objection, it will be so ordered.

There was no objection.

STEAMSHIPS "BUCKMAN" AND "WATSON."

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10084) to authorize the changing of the names of the steamships Buckman and Watson.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed, upon the application of the owner, the Alaska Pacific Steamship Co., of Portland, Me., to change the name of the steamship Buckman, official number 3904, and to change the name of the steamship Watson, official number 81788.

Mr. MADDEN. Mr. Speaker, I should like to ask the gentleman from Washington [Mr. Johnson] what is the purpose of changing the names of these vessels?

Mr. JOHNSON of Washington. Mr. Speaker, this bill has been reported from the Committee on the Merchant Marine and

Fisheries. The report explains the purpose. The company owning these vessels, the steamships Watson and Buckman, has changed its name to the Admiral Line, and the purpose is to change the names of these two steamships to the Admiral Watson and Admiral Evans. The vessels being encumbered, it requires an act of Congress to authorize the change of the name.

Mr. MADDEN. Is there not some law which prevents the changing of the name of a vessel unless a certain amount of

money is expended in repairs?

Mr. MANN. No; these are American vessels.

Mr. JOHNSON of Washington. It requires an act of Congress to authorize the change of name, because these vessels are encumbered. The vessels are now in the dry dock, and ready to come out as soon as these changes of name are authorized.

Mr. MADDEN. Does this relieve the vessels from any finan-

cial obligation?

Mr. JOHNSON of Washington. On the contrary, it guarantees that the obligation shall attach to the vessels under their new names. The report is quite full. Exactly similar bills have passed for the steamships Syracuse, Boston, Harry A. Hayward, and others.

Mr. MADDEN. If there is a libel against these ships, does

the libel still obtain?

Mr. JOHNSON of Washington. Certainly. Every legal obligation will stand. In addition to the report of the committee, we have a report from the Department of Commerce, authorizing this, or, rather, not objecting to it.
The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. Johnson of Washington, a motion to recon-

sider the last vote was laid on the table.

COPYRIGHTS

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9897) to amend section 12 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909.

The bill was read as follows:

The bill was read as follows:

Be it enacted, etc., That section 12 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909, be, and the same is hereby, amended so as to read as follows:

"Sec. 12. That after copyright has been secured by publication of the work with the notice of copyright as provided in section 9 of this act, there shall be promptly deposited in the copyright office or in the mail addressed to the register of copyrights, Washington, D. C., two complete copies of the best edition thereof them published, or if the work is by an author who is a citizen or subject of a foreign state or nation and has been published in a foreign country, one complete copy of the best edition then published in such foreign country, which copies or copy, if the work be a book or periodical, shall have been produced in accordance with the manufacturing provisions specified in section 15 of this act; or if such work be a contribution to a periodical, for which contribution special registration is requested, one copy of the issue or issues containing such contribution; or if the work is not reproduced in copies for sale there shall be deposited the copy, print, photograph, or other identifying reproduction provided by section 11 of this act, such copies or copy, print, photograph, or other reproduction to be accompanied in each case by a claim of copyright. No action or proceeding shall be maintained for infringement of copyright in any work until the provisions of this act with respect to the deposit of copies and registration of such work shall have been complied with."

Sec. 2. That all acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Sec. 3. That this act shall go into effect on the 1st day of January, 1914.

With a committee amendment striking out section 3.

The SPEAKER. Is there objection?

Mr. GOLDFOGLE. Mr. Speaker, reserving the right to object, should like to ask the gentleman in what respect this alters

Mr. Mann. Mr. Speaker, I do not know who is in charge of this bill, but I can give that information. The only difference between the present law and this bill is the inserting of this language:

Or if the work is by an author who is a citizen or subject of a foreign state or nation and has been published in a foreign country, one complete copy of the best edition then published in such foreign country, which copies or copy, if the work be a book or periodical, shall have been produced in accordance with the manufacturing provisions specified in sections 15 of this act.

The existing law requires two copies of the best edition; and it is stated in the report that sometimes the copies are so expensive that they refuse to take out any copyright here, and the librarian thinks they would take out a copyright if they

only had to furnish one copy of the best edition.

Mr. FITZGERALD. The gentleman is usually very accurate, but I think he is in error. The report says that if this requirement of two copies be insisted upon it may result in foreign

publishers not taking out a copyright.

Mr. MANN. I understand that to be the fact, that they might be willing to furnish one copy, whereas they are not willing to

Mr. FITZGERALD. If there was no copyright taken out, that might be advantageous to the public, because they could publish it here without infringement

Mr. MANN. But these highly technical books or fancy edi-

tions, no one wants to republish here. Mr. GOLDFOGLE. As I understand, these books come to the library in a printed form from the other side,

M. MANN. I understand so.
Mr. GOLDFOGLE. I do not see how it is so very expensive.
Mr. MANN. If a book costs \$100 or \$50 a volume to get it

Mr. MANN. If a book costs \$100 or \$50 a volume to get it up, that makes it quite expensive to furnish two volumes.

Mr. GOLDFOGLE. I can not see why, simply because it is a little more expensive to furnish another volume, the law should be changed, especially in this hurried way.

Mr. COOPER. Will the gentleman yield?

Mr. MANN. I will yield to the gentleman.

Mr. COOPER. I find in the report that it is stated—

It seems highly probable that insistence much the denosit of two

Mr. COOPER. I find in the report that it is stated—
It seems highly probable that insistence upon the deposit of two copies in the case of expensive works may result in the foreign publisher remitting his claim to copyright rather than pay the cost involved, and therefore no deposit may be made in the case of such books. In such cases the library would not receive the books, and if copies are required would be obliged to purchase them. During the time since the copyright act went into effect, July 1, 1909, a considerable number of valuable works, including expensive engravings and works on art and architecture and modern and highly desirable scientific and technical books, have been deposited and placed in the library. It is believed that if only one copy were required as proposed in the bill instead of two copies as now, a larger number of valuable books of that character would be deposited, and the library and its users would be correspondingly benefited.

Mr. FOSTER As I understand if this proposed law will

Mr. FOSTER. As I understand it, this proposed law will affect only foreign copyrights?

Mr. MANN. It changes the law only as to foreign copyrights. Mr. FOSTER. The old law still applies in this country, and authors here must file two copies?

Mr. MANN. Yes.

Mr. FOSTER. So we are giving the foreigner an advantage

over our own people?

Mr. MANN. Yes; to that extent. We are giving it at the request of the Librarian of Congress, who says that under the existing law they do not get any copies of many things, and he thinks that if it is limited to one copy that they would get more.

Mr. FOSTER. It may be a good plan, but it occurs to me that there are in the United States authors who might want to print books that would be just as valuable as those printed in foreign countries.

Mr. MANN. But there is not the same inducement for a foreigner to copyright a book in this country that there is for an American author to copyright a book.

Mr. FOSTER. Yes; I think that is true.
Mr. MANN. That is the situation. The Librarian of Congress thinks that we gain by it, and I think his judgment usually is right.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the following committee amendment:

Page 2, strike out section 3, "that this act shall go into effect on the 1st day of January, 1914."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

DRIDGE ACROSS THE COLUMBIA RIVER AT VANCOUVER, WASH.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11816) authorizing the construction of a bridge and approaches thereto on the Columbia River at or near Vancouver, Wash.

Mr. COVINGTON. Mr. Speaker, I move that that bill be laid upon the table, as a similar Senate bill has been passed by the

The SPEAKER. The gentleman from Maryland moves that this bill lie on the table.

The motion was agreed to.

BRIDGE ACROSS THE MISSISSIPPI RIVER NEAR HANNIBAL, MO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9574) to authorize the Missouri, Kansas & Texas Railway Co. to construct a bridge across the Mississippi River near the city of Hannibal, in the State of Missouri.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Missouri, Kansas & Texas Railway Co., a corporation organized under the laws of the State of Kansas, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation, from a point on the Missouri shore near the confinence of Bear Creek with said Mississippi River to a point in the State of

Illinois opposite thereto, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time. was read the third time, and passed.

On motion of Mr. Covington, a motion to reconsider the vote

whereby the bill was passed was laid on the table.

BRIDGE ACROSS ST. ANDREWS BAY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11283) to authorize the construction of a bridge across the navigable waters of St. Andrews Bay.

The Clerk read the bill, as follows:

was the bill (H. R. 11283) to nuthorize the construction of a bridge across the navigable waters of St. Andrews Bay.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Birmingham, Columbus & St. Andrews Railroad Co., a corporation duly created and existing, is hereby authorized to build and maintain a railroad bridge across the navigable waters of St. Andrews Bay, in Bay County, Fla., at or near a point on the north arm of said bay known as Grassy Point, on North Bay, the said bridge to be so constructed as not to interfere with the navigation of said navigable waters.

SEC. 2. That any bridge constructed under this act shall be built and located under and subject to such regulations for the security of the navigation of said navigable waters as the Secretary of War shall prescribe; and to secure that object the said company shall submit not the Secretary of War, for his examination and approval, a design and drawing of the proposed bridge and a map of the location, giving, for the space of at least one-half mile above and one-half mile below the proposed location, the topography of the banks of the arm of the bay, the shore lines at high and low water, and the direction and strength of the current, and the soundings accurately showing the bed of the stream, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until said plan and location of the bridge are approved by the Secretary of War.

Sec. 3. That the bridge constructed under this act shall be a lawful structure, and shall be reconjized and known as a post route, upon which no higher charge shall be made for the transportation over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for transportation of said malls, troops, and munitions of war over the railroads and public highways leading to said bridge, and the United States shall have the right of way for a postal tribegraph across said bridge, and the leaguap

With the following committee amendments:

Page 1, line 6, strike out the word "Bay."
Page 1, line 7, at the beginning of the line, insert the word "Wash-

ington."

Page 1, lines 7 and 8, after the word "point," insert the words "suitable to the interests of navigation."

Page 2, lines 1, 2, and 3, strike out the words "the said bridge to be so constructed as not to interfere with the navigation of said navigable waters" and insert the words "in accordance with the provisions of the act entitled 'An act to regulate the construction of bridges over navigable waters," approved March 23, 1906."

Pages 2, 3, and 4, strike out sections 2, 3, and 4.

Page 4, change the numbers of the sections 5 and 6 to 2 and 3.

The SPEAKER. Is there objection to the present considera-

tion of the bill?

There was no objection.

The SPEAKER. Unless there is objection, all of the amend-

ments will be put en grosse.

Mr. COVINGTON. Mr. Speaker, I would like the first amendment to be put separately, so that it may be disagreed to. It transpired that the amendment made by the committee was not warranted by the geography of Florida. As a matter of fact, this location is in Bay County, and not in Washington County, so that that amendment ought to be disagreed to.

Mr. FITZGERALD. When did the gentleman get his geography corrected, and by whom?
Mr. COVINGTON. By the gentleman from Florida [Mr.

WILSON]

The SPEAKER. The question is on agreeing to the first

The question was taken and the amendment was rejected.

The SPEAKER. Without objection the other committee amendments as reported by the Clerk will be agreed to.

Mr. MANN. Mr. Speaker, may I call the attention of the gentleman to an error in reference to section 2 of the bill as amended. Originally section 5 ought to go out entirely, and that was evidently an inadvertence. That will be involved in one of these hills

Mr. COVINGTON. I think the gentleman is correct. I did not have charge of the amendments of this bill at the time it

was considered in the committee.

The SPEAKER. Does the gentleman from Illinois offer that as an amendment to an amendment?

Mr. MANN. There is an amendment made by the committee to strike out section 5 and insert section 2 in place thereof. That relates to the numbering of the section. I think that the whole section ought to go out and I wish to offer an amendment to strike out that section.

The SPEAKER. The Chair asked the question whether the gentleman's proposition is an amendment to the bill or an

amendment to an amendment?

Mr. MANN. The reason I answered the question as I did is because the committee has recommended the numbering of section 5 to be stricken out and that section 2 be inserted, and if the House would agree to that it might not be possible afterwards to I want to strike it out.

Mr. WILSON of Florida. Is not that simply a matter of re-

Mr. MANN. That is renumbering.
The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, strike out all of lines 9 to 12, inclusive, being the language:
"SEC, 5. That the act shall be null and void if actual construction
of the bridge herein authorized be not commenced within one year and
completed within three years from the approval of the act."

The SPEAKER. Without objection, that amendment and all

of the others will be agreed to.

There was no objection.

Mr. COOPER. Mr. Speaker, I think the words "or near," in line 7, page 1, should be stricken out, and I move to strike them out.

Mr. MANN. Mr. Speaker, will the gentleman yield? Mr. COOPER. Certainly.

Mr. MANN. As it reads, it says "near a point suitable to the interests of navigation." Of course, that evidently was not intended. The bill originally read, "at or near a point on the north arm of said bay." I think if the gentleman would insert a comma after the word "point" and after the word "navigation" it would reached a comma after the same and after the word "navigation".

a comma after the word "point" and after the word "navigation" it would probably cover the case.

Mr. COOPER. Mr. Speaker, I do not think it should be near a point. It should be at the point suitable for navigation.

Mr. MANN. But this is at or near a point on the north arm of said bay known as Grassy Point. It might not be just at Grassy Point that it was suitable to the interests of navigation.

Mr. COOPER. It seems to me that the only not the content of the comme to the content of the cooperation.

Mr. COOPER. It seems to me that the only way that a law of this kind should be drawn is in the ordinary form, and that is that the bridge must be constructed at a point suitable to the interests of navigation on the north arm of so and so and not

near a point.

Mr. COVINGTON. Let me suggest to the gentleman from Wisconsin, he is entirely accurate. The ordinary form of that clause of a bridge bill is, "at a point suitable to the interests of navigation," but the statement of the gentleman from Illinois is also correct that the original act was intended to provide for the location of this bridge near a point on the north arm of the the location of this bridge near a point on the north arm of the bay known as Grassy Point. If you will transpose that language and make it "at a point suitable to the interests of navigation," and then leave in the expression "near a point on the north arm of said bay," and so forth, that will meet the situation.

Mr. MANN. Make the language read like this and it would be clear: "At a point suitable to the interests of navigation at

or near the north arm of said bay known as Grassy Point."

Mr. COVINGTON. So that the language will read, "at a point suitable to the interests of navigation at or near a point on the north arm of said bay," and so forth.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 7, strike out the words "or near."

The question was taken, and the amendment was agreed to.

Mr. COVINGTON. Now, Mr. Speaker, I move to insert in line 8, after the word "navigation," the words "at or near a point."

The Clerk read as follows:

Page 1, line 8, after the word "navigation," insert the words "at or near a point."

The question was taken, and the amendment was agreed to.

Mr. COVINGTON. Mr. Speaker, I move to amend page 4, in line 13, by striking out "section 3" and inserting the words "section 2" in lieu thereof.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 13, strike out the words "section 3" and insert in lieu thereof the words "section 2."

The question was taken, and the amendment was agreed to. The bill as amended was ordered to be engrossed and read a third time

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced the noes seemed to have it.

Mr. WILSON of Florida. Division, Mr. Speaker. The House divided; and there were-ayes 35, noes 0. So the bill was passed.

TOLL BRIDGE ACROSS THE HUDSON RIVER AT TROY, N. Y.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11325) to authorize the reconstruction of the existing toll bridge across the Hudson River at Troy, N. Y., and the maintenance of the bridge so constructed.

The Clerk read the bill, as follows:

Be it enacted, etc., That authority be, and is hereby, granted to the Troy & West Troy Bridge Co., a corporation organized under an act of the Legislature of the State of New York, passed April 23, 1872, known as chapter 310 of the laws of 1872, entitled "An act authorizing the construction of a bridge across the Hudson River at the city of Troy," its successors and assigns, to reconstruct the bridge of said company with the necessary piers, abutments, and approaches and to maintain and operate the same across the Hudson River from the foot of Congress Street in the city of Troy, State of New York, to a point on the opposite side of the said river in the city of Watervillet, on the line of the existing bridge of said company; but such reconstruction shall be subject to the provisions of the act entitled "An act oregulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the time of the commencement of the reconstruction of

1906.
SEC. 2. That the time of the commencement of the reconstruction of said bridge shall be within one year and said bridge shall be completed within three years from the date of the passage of this act.
SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The committee amendments were read, as follows:

Page 2, line 3, after the word "from," insert the words "a point suitable to the interest of navigation at." Page 2, line 7, insert, at the beginning of the line, the words "at a point suitable to the interest of navigation." Page 2, line 9, strike out the words "subject to" and insert in lieu thereof the words "in accordance with." Page 2, strike out all of section 2, lines 13, 14, 15, and 16. Line 17, change the section

The CPEAKER. Is there objection?

Mr. COOPER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Maryland of what use it is to insert the customary language which the gentleman has inserted by amendment, "a point suitable to the interest of navigation," if following that is language fixing the location at the foot of Congress Street?

Mr. CO.INGTON. I will say to the gentleman from Wisconsin, I am not familiar enough with the street locations of the city of Troy to know whether that language has any meaning or is meaningless.

Mr. COOPER. War Department. That does not leave any discretion with the

Mr. MANN. If the gentleman will permit a suggestion with regard to that. A bridge is now located at this place, and the insertion "at a point suitable to the interest of navigation" would be construed by the War Department as authority to place it somewhere else, if they did not deem that point suitable to the interest of navigation.

Mr. COOPER. I did not know that a bridge is now located there.

Mr. MANN. There is a bridge located there.

Mr. COVINGTON. There is an existing bridge to be reconstructed. It has been in use for a good many years, and is used by the electric railways going back and forth across the Hudson River. This amendment is in conformity with the suggestion made by the War Department. It was in fact framed by the War Department. The bill was transmitted to the War Department for their views, and it came back with the alterations in its language in the form in which it is now presented to the House. I think it is for the purpose the gentleman from Illinois suggests.

Mr. MANN. I think it is fair to say that I originated the expression "at a point suitable to the interests of navigation," after the national bridge law was enacted, and consulted with the War Department as to what, in their opinion, would be the effect if we said "at a point suitable to navigation from A Street in one place to B Street in another," because that would absolutely fix the point, and we pass many a bill like that.

And we inserted "at a point suitable to the interests of navigation," and the officials stated it would be construed, if that went in, that if they considered it was not a point suitable to the interests of navigation they would not issue the permit.

Mr. COOPER. Replying to the gentleman from Illinois [Mr. Mann], while not wishing in any way to criticize the construction of a statute by the War Department, yet it strikes me as possibly a little forced to say that when Congress, which, under the Constitution, has exclusive jurisdiction over navigable waters, says in a statute that a bridge shall be constructed at "Congress Street at a point suitable to the interests of navigation," the War Department can say that that point is not suitable to the interests of navigation. When, by statute, Congress has said, "at a point suitable to the interests of navigation at Congress Street," that language ought, under the ordinary rules of statutory construction, to be held a finding by Congress that it would be suitable to the interests of navigation to build a bridge at that street.

Mr. MANN. It is undoubtedly susceptible to that construction, but when Congress adopted the policy of inserting that language in these bills it was not for the purpose of determining that the point was suitable to the interests of navigation, but for the purpose of having the War Department determine whether it was suitable to the interests of navigation.

Mr. COOPER. But the gentleman from Illinois will remember that the ordinary language in this, "at a point suitable to the interests of navigation," not at "a certain street at a point suitable to the interests of navigation."

Mr. COVINGTON. The effect of this language is simply that where the two expressions are placed in the act, the one dealing with the interests of navigation is paramount to the one fixing the location. The engineers think they have the power, when both expressions are used in the act, to determine which shall be paramount, and they always rule that the interests of navigation are paramount to the location clause of the act. That is a forced construction, but that is the practice.

Mr. COOPER. It is not only somewhat forced, but it is badly forced if, when Congress says they may construct a bridge at Congress Street, at a point suitable to the interests of navigation, the department can hold that it is not a point suitable to the interests of navigation.

Mr. ADAMSON. Mr. Speaker, your committee deems it wise not only to bear in mind always the principle but to preserve the form, especially where it can do no harm. If this street is just the width of the bridge proposed, which is improbable, and the War Department is favorable to building it at that place, it has done no harm for us to preserve the form as well as the principle. If, on the contrary, the War Department should determine that at that street, or on any side of that street or in the middle of that street, it was not a point suitable to the interests of navigation, the gentleman from Illinois is correct, and the bridge would not be constructed at all. I do not know whether the bridge is exactly the width of the street or not. I do not think there is any trouble in the matter myself

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. Covington, a motion to reconsider the vote by which the bill was passed was laid on the table.

RESTRICTION OF IMMIGRATION.

The SPEAKER. Under the unanimous-consent agreement, the House resolves itself into the Committee of the Whole House on the state of the Union for the consideration of the immigration bill.

Mr. BURNETT. Before that is done I make the point of no quorum.

The SPEAKER. The gentleman from Alabama makes the point of no quorum, and the Chair will count. [The Speaker proceeded to count.]

Mr. BURNETT. Mr. Speaker, I withdraw the point of no quorum.

The SPEAKER. The gentleman from Alabama [Mr. Burnerr] withdraws the point, and the House resolves itself automatically into the Committee of the Whole House on the state of the Union, with the gentleman from Virginia [Mr. Hay] in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6060, which the Clerk will read by title. The Clerk read as follows:

A bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The CHAIRMAN. When the committee rose on Saturday there was left 20 minutes' debate on the amendment proposed by the gentleman from New York [Mr. Goldfogle].

Mr. LOBECK rose.

The CHAIRMAN. The gentleman from Nebraska is recognized.

Mr. LOBECK. Mr. Chairman and Members of the House— Mr. MADDEN. Is the gentleman for or against this amendment?

Mr. LOBECK. I am opposed to the literacy test as expressed in this bill. I believe that the test for honesty should be made at the source. I believe we should determine on the other side of the water, before the intending immigrant embarks on the steamship for our shores, whether he will be fit morally to become an inhabitant of this country and make a good, honest citizen. We have the necessary machinery to do the work through our Consular Service.

I believe that honesty, a good record, properly verified to by the officials from whence the immigrants come and presented to the United States officials for approval before being permitted to take passage on vessels coming to our ports of entry, is by far a better test than the so-called literacy test to secure a good citizenship for the United States.

I am the son of foreign-born parents, born in Illinois. My father came to this country because he could not agree with a monarchy in his own, and my mother and her family came to this country to find a home. Their history as citizens of this country was of the best type, honored and respected in every community in which they lived.

The story of those people who came in that early day to western Illinois is almost tragic. I hold in my hand a photographic copy of the list of 225 passengers, old and young, who came over in the bark *Charles Tottie* in 1849 and landed in New York. Thence they went by boat up the Hudson and by Erie Canal and around the Lakes they came to Chicago, seeking a home in that far western country. Asiatic cholera came, was epidemic at the time, and of my mother's own family of 11, 6 passed away after they came to Chicago and on journey to the new home in western Illinois.

How those people surmounted those difficulties is something wonderful. My father was an educated man. The family would not have been eliminated by this bill on account of the literacy test. The New England settlers that lived in that countrythe Americans-came to him for advice and for help to conduct their business. Those people knew what it meant to develop the country, and the American of that day who lived in that country had to hustle and move forward to keep up with the The door of my parents was ever open to all procession. honest people, however poor; to every nationality, foreign born or native, regardless of creed or religion, and they were ever welcome. I do not know whether every man and woman or child on the bark Charles Tottie could read or write. makes no difference, for I do know that they tilled the soil, sowed the seeds, harvested the crops, and made that country blossom as a rose.

I have had some experience among these people. As a clerk, as a traveling man throughout the Western States, as a merchant, and as a public official for many years I have been brought into close contact with the German, with the Scandinavian, with the Bohemian, with the Pole, Hungarian, the Jewish, and the people from southern Europe, Jew or gentile. A large majority of them have become good citizens, have supported our public schools, have paid promptly the taxes levied for city, county, school, or State purposes, and their children have attended our schools and have made an enviable record in educational lines for themselves.

I do not know whether the widow "Anna Maja" who came on that vessel could read or write. It may be she could not. But when the call came for men to save the Union, she sent her three sons to the front, and they rendered honorable service, as a soldier should do. The same story could be told of the immigrants that went to Texas. I have read a story of a family who went there in the early thirties, when Texas was seeking her independence, where they fought side by side with the native born; and when this country got into civil war they followed their neighbors and stood for what they believed was right. [Applause.]

right. [Applause.]
The CHAIRMAN. The time of the gentleman from Nebraska

has expired.

Mr. LOBECK. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. The gentleman from Nebraska [Mr. Lobeck] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LOBECK. In every avenue of activity from the Atlantic coast to our western shores they did their full share to develop the resources of the Nation. They have been successful, first as laborers, then farmers, mechanics, miners, lumbermen, factory men, and city builders, as merchants, bankers, and educators, they have succeeded with the foremost in the Nation.

As inventors, our immigrants have been keen to observe; their inventions have been a great factor in modern methods of business. Their brain and handiwork are shown in agricultural

and mechanical implements.

The great inventors of the present are Morse, Bell, Edison, Ericsson, and Marconi. Their inventions have revolutionized the methods of peace and war.

Time does not permit me to go into details, but the immigrant coming to our shores has kept up with the high standards of to-day. These immigrants in the last century were in the main to-day. These immigrants in the last century were in the main poor. They were often spoken of in derision. Many did not seem desirable; but as a class they have been helpful to our civilization.

I do not believe that the literacy test is the better test to exclude undesirable immigrants. I believe that every restrictive measure should be strictly enforced that will bar the vicious, the diseased of body and mind from coming to our shores.

I am in favor of enacting law that will provide that every single man or woman over 16 years of age, every married man or head of a family, whether educated or illiterate, shall furnish to our consuls, or any official designated by the United States, a certificate signed and properly verified by the officials of city or country in which they live or have resided as to their moral character; that they must have a clean record as to honesty and good citizenship; and that the steamship companies receiving the immigrants must have presented to them these certificates of good character before they can accept them as passengers, subject to such rules and regulations as set forth by our Government. In that way we will get a good type of immigrants. The literacy test does not prevent the undesirable from coming here, but it does prevent good, honest men who have not had the advantage of an education in their old homes, who wish to come and hope to make homes here for themselves and their families.

Further, the so-called literacy test will not long bar immi-

grants from coming.

Education is spreading everywhere, so this test will not long

be a bar to those who wish to come.

Originally the people coming to America were called colonists or settlers; to-day we use the word "immigrants." Many of the English who came were not able to read. The same can be said of other nationalities, but they have become a good citizenship. Many of our leading statesmen and educators believe that a test for morality is far better than the literacy test.

President Wilson several times during his campaign for Chief

Executive spoke and wrote freely in favor of a liberal immigra-

tion policy. I quote from one of his letters:

I think that this country can afford to use and ought to give opportunity to every man and woman of sound morals, sound mind, and sound body who comes in good faith to spend his or her energies in our life, and I should certainly be inclined, so far as I am concerned, to scrutinize very jealously any restrictions that would limit that principle in practice.

A splendid sentiment, which every good citizen can indorse. Further, I quote extracts from college presidents:

[Harry Pratt Judson, LL. D., president University of Chicago, Chicago, Ill.]

If we can establish a test which will exclude those who are really undestrable—that is, who are unlikely to make intelligent, industrious, and law-ablding citizens—such test I shall approve. I do not believe that the literacy test conforms to that condition.

[Bernard J. Otting, S. J., president St. Louis University, St. Louis, Mo.] I can not respect the intelligence of the man who can make literacy the test of fitness, and I am driven to suspect some underlying motive—which he is ashamed to make public—in the statesman who would make this test the law.

[Edward Cummings, S. J., president Spring Hill College, Mobile, Ala.] Read the roster of our great men these days and you will find them children of men that came over here to escape persecution without, perchance, the knowledge of the alphabet.

[Lyon G. Tyler, LL. D., president College of William and Mary, Williamsburg, Va.]

Illiteracy is a mere accident that may affect a family in one generation, but be conspicuously absent from succeeding generations.

[George Lewis Mackintosh, president Wabash College, Crawfordsville, Ind.]

Unquestionably immigrants who could not measure up to the most rudimentary test of literacy may yet be industrious, honest, and very desirable men.

[George S. Davis, LL. D., president Normal College of the City of New York.]

It [the literacy test] would be inadequate and misleading, often resulting in the exclusion of worthy and desirable additions to our population.

[John Cavanaugh, C. S. C., president University of Notre Dame, Notre Dame, Ind.]

I am convinced that the effort to restrict immigration by a literacy test is un-American as well as unwise.

[James A. B. Scherer, LL. D., president Throop College of Technology, Pasadena, Cal.]

I used to incline toward a belief in much stricter immigration laws, but upon becoming acquainted with the sons and daughters of possibly objectionable immigrants, I saw that the "melting pot" does its work effectively and advantageously.

[Stephen M. Newman, D. D., president Howard University, Washington, D. C.]

Some of the best immigrants who ever came to America could not read when they landed, but settled down into helpful American lives. I do not believe that a literacy test should be enacted.

[Herbert L. Stetson, LL. D., president Kalamazoo College, Kalamazoo, Mich.]

I believe that immigrants fleeing from religious and political per-secution should not be subjected to a literacy test should such test be enacted.

[Winthrop E. Stone, LL. D., president Purdue University, Lafayette, Ind.]

There are many valuable men and women who could be of service in this country who possibly can not read and write.

I believe I am representing the opinion of a large majority of my constituents when I believe and stand for that honesty, morality, good character, and a good citizenship shall be the test for men and women of healthy mind and body coming to our land. I have received the following telegrams asking me to protest and vote against the literacy test in this bill now being considered, as follows:

MINNEAPOLIS, MINN., January 12, 1914.

Hon. C. O. LOBECK.

131 A Street NE., Washington, D. C.

DEAR FRIEND: I feel that I voice the sentiments of my friends and citizens in asking you to oppose and vote against the Burnett literacytest bill. If the bill becomes a law, it will bar from our country the strong and honest labor which we sorely need for the development of our immense resources.
Yours, respectfully.

A. G. JOHNSON.

Publisher Svenska Folkets Tidning (Swedish People's News), Minneapolis, Minn.

OMAHA, NEBR., January 12, 1914.

Hon, C. O. Lobeck, Washington, D. C.:

As a constituent of yours, I feel that I voice the sentiments of my friends, neighbors, and townsmen in asking you to refrain from voting in favor of the Burnett literacy-test bill. My reason for asking you is that if the bill is enacted into law it will bar from our heretofore hospitable shores the honest and sturdy people still so sorely needed for the development of our immense resources.

Vac Buresh,

VAC BURESH,
President Pokrok Publishing Co.

OMAHA, NEBR., January 12, 1914.

Hon. C. O. Lobeck, Washington, D. C.:

As a constituent of yours, I feel that I voice the sentiments of my friends, neighbors, and townsmen in asking you to refrain from voting in favor of the Burnett literacy-test bill. My reason for asking you is that if the bill is enacted into law it will bar from our heretofore hospitable shores the honest and sturdy people still so sorely needed for the development of our immense resources.

OMAHA POSTEN (Swedish weekly),
Omaha, Nebr.

SOUTH OMAHA, NEBR., January 12, 1914.

Hon. C. O. Lobeck.

131 A Street NE., Washington, D. C.:

As a constituent of yours, I feel that I voice the sentiments of my friends, neighbors, and townsmen in asking you to refrain from voting in favor of the Burnett literacy-test bill. My reason for asking you is that if the bill is enacted into law it will bar from our heretofore hospitable shores the honest and sturdy people still so sorely needed for the development of our immense resources.

Thomas Kozaol.

Thomas Kozaol.,
Publisher of the Polish Newspaper,
606 North Twenty-fifth Street.

OMAHA, NEBR., January 12, 1914.

Hon. C. O. Lobeck, Washington, D. C.:

As a constituent of yours, I feel that I voice the sentiments of my friends, neighbors, and townsmen in asking you to refrain from voting in favor of the Burnett literacy-test bill. My reason for asking you is that if the bill is enacted into law it will bar from our heretofore hospitable shores the honest and sturdy people still so sorely needed for the development of our immense resources.

N. Fabruarni.

N. FABEMENNI, Publisher Corriere del Popolo, Omaha.

OMAHA, NEBR., January 12, 1914.

Hon. C. O. Lobeck, Washington, D. C.:

As a constituent of yours, I feel that I voice the sentiments of my friends, neighbors, and townsmen in asking you to refrain from voting in favor of the Eurnett literacy-test bill. My reason for asking you is that if the till is enacted into law it will bar from our heretofore hospitable shores the honest and sturdy people still so sorely needed for the development of our immense resources.

Publisher Omaha Tribune (German).

OMAHA, NEBR., January 12, 1914.

Hon. C. O. Lobeck, House of Representatives, Washington, D. C.:

As a constituent of yours, I feel that I voice the sentiments of my friends, neighbors, and townsmen in asking you to refrain from voting in favor of the Burnett literacy-test bill. My reason for asking you is that if the bill is enacted into law it will bar from our heretofore hospitable shores the honest and sturdy people still so sorely needed for the development of our immense resources.

JOHN G. ROSICKY,

President National Printing Co.;

Publisher Hospodar Oseveta Amerika Wilberske
Listy Cesky Odzor Minnesotske Noviny Kansaske Rozhledy.

To the officers and directors of the American Association of Foreign Language Newspapers (Inc.), New York, N. Y.

Gentlemen: We, the undersigned, publishers and editors of the Gwiazda Zachodu, published in Pollish in the town of Omal, county of Douglas, State of Nebraska, hereby authorize you to act in our behalf in defending the rights of our people with regard to the Burnett-Dillingham literacy test bill, or any other immigration bill which may be presented for consideration by the present Congress or by the President of the United States.

We give you herewith the names of our United States Senators: Senator Gilbert M. Hitchcock, Senator Grorges W. Norris, and of our Congressman, C. O. Lobeck, from district No. 2, with the authority to appeal to them in the name of their constituents in our behalf.

Assuring you that we will cooperate with you in his laudable undertaking in every way possible to accomplish the defeat of any bill, which is presented or may be presented, which is detrimental to the interests of our people, we are,

GWIAZDA ZACHODU. THOMAS KOZIOL, Publisher. LEO KOWALSKI, Editor. JOHN ZABAWA.

To the officers and directors of the American Association of Foreign Language Newspapers (Inc.), New York, N. Y.

Gentlemen: We, the undersigned, publishers and editors of the Danish Pioneer, published in Danish in the town of Omnha, county of Douglas. State of Nebraska, hereby authorize you to act in our behalf in defending the rights of our people with regard to the Burnett-Dillingham literacy-test bill, or any other immigration bill which may be presented for consideration by the present Congress or by the President of the United States.

We give you herewith the names of our United States Senators: Senator G. M. Hitchcock, Senator George W. Norris; and of our Congressman, C. O. Lobeck, from district No. 2, with the authority to appeal to them in the name of their constituents in our behalf.

Assuring you that we will cooperate with you in this laudable undertaking in every way possible to accomplish the defeat of any bill which is presented or may be presented which is detrimental to the interests of our people, we are,

THE DANISH PIONEER, SYLVESTER NORLE, Publisher and Editor in Chief.

Further, I quote from an article credited to the Omaha Daily News that seems singularly appropriate in this discussion:

ANOTHER SIDE OF IMMIGRATION.

ANOTHER SIDE OF IMMIGRATION.

This is a nation of immigrants, sons and grandsons of immigrants. It must not be forgotten that the Indian is your only true American native, and even the Indian is denied this claim by some scientists who assert he is a mere interloper from Asia by way of the Bering Straits.

It is well to remember this when one hears the periodical agitation in Congress about restriction of immigration. The right kind of restriction is one thing, but there is another kind which virtually says: "We are in. You are out. You stay out."

But there is still another side to immigration. It is the bitter, cruel industrial side which uses the blood and brawn, the bodies and the lives of the children of immigrants to further our so-called progress, to build our great works, to carry on our great undertakings. Gordon Thayer thus expresses it in exceptionally strong verses in the Survey:

Breed us more men, ye daughters of toil, Ye alien mothers in far-off lands;
Sire them strongly, clean brawn and bone,
For we slift from the chaff the wheat alone When they come to die at our hands.

Think on our greed in your travail throes, When they come to die at our hands.
Think on our greed in your travall throes,
Think of us when ye bare your breast.
Mine and smelter shall claim their toll,
Roads shall be broken and reach their goal,
Though ye smell their blood from the West. Though ye smell their blood from the West.

We build us strong on your woman's woe
Pier of granite and fron span,
Glare of furnace and caisson's gloom,
Crane and derrick, shall rear the tomb
Of nim whom ye gave us—a man.

Seas shall not bar your sons from harm;
Steppe or forest or alpine slope,
Our arms are long to grasp what we need;
The New World springs from your trampled seed;
Ye drain the dregs of our draught of hope.

d like to see that poem in the hands of every agitate

We would like to see that poem in the hands of every agitator against "foreigners." We believe it would cause them to temper their speech, to soften their assertions, to be just a little more genuinely American in their way of approaching a great and serious subject.—Omaha (Nebr.) News.

There are human derelicts on every hand. They come from every class. The hobo ranks of to-day are recruited from the educated as well as the illiterate. This is familiar to every Member present. They have come to your doors and mine. I cast no stone at these unfortunates. I would rather extend a helping hand.

The children of the present immigrant attend our public schools. They are anxious to secure an education. So was the immigrant child in the past. Therefore, I see in the future a great citizenship that will help make this a great Republic, prosperous Nation, a leader for better government among the

nations of the earth. [Applause.]

Mr. FESS rose.

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] is recognized.

Mr. FESS. Mr. Chairman, a deep impression has been made on the Members of this House by the argument offered by the opponents of the literacy test. Some of it has appealed to our patriotism. Others have touched the chord of real martyrdom, while still others have placed the cause on the basis of costhat the Nation's sympathy should mopolitan philanthropygo out to all the world.

While I appreciate very deeply the strength of that argument, and while I recognize the "talking" points in opposition to this test and to the bill, yet I really believe, as a Member of the House anxious and desirous to vote right, that we ought not to allow mere sentiment to direct us entirely on this vote, but we ought also to appeal to the future of our own country as well as to the unfortunate situation of the people who live in other countries. That being the thing that is most deeply impressed upon my mind, I am going to vote for this bill [applause], and I am also going to vote for this test.

I do not think, to say the least, that it is inconsistent for an American citizen who lives in a State that requires educacation by compulsory law, and who lives in a Nation in which most of the States have compulsory education, to require as much of the foreign immigrant as we require of our own individuals.

It seems to me that if we require an educational test on the part of our own people and regard the lack of education as sufficiently undesirable so that we make compulsory laws to remove that lack we ought not to be regarded as unwise, unfair, or inhuman when we put the same test upon the immigrant who comes to our shores.

If this bill shut out the victims of religious persecution, I would vote against it, but it does not. The individual who is persecuted for his religion can come to our country under this law. If the argument was put upon the arrogant basis of religious narrowness, I would also vote against it, and if one who can not read would be permanently excluded by this bill I would vote against it; but to the industrious person in Europe who desires to fit himself to meet the requirements of this bill it only defers the time of his coming, for he can ultimately meet that requirement, as we have shown in many of our States where we have removed adult illiteracy.

Therefore, Mr. Chairman, believing that it is in the interest of a higher citizenship and that it will bring to us better immigrants, I shall vote for this test, in the belief that it is my duty to look squarely to the effect of the influx of foreign population into our country upon the future citizenship of our country. There are those who say that the immigrants who come to this country can be assimilated easily. I admit that that used to be true, but when you pick up a little Italy and set it down in one of our cities you multiply the problems of our cities, the one signal, serious situation in our country to-day.

Mr. GOLDFOGLE. Does the gentleman know the fact that in my city of New York the schools in the parts of the city

where foreign-born population are most numerous are crowded with foreign children who learn quickly, and even the night schools are filled with many of the foreign adults who learn English quickly? In other words, they assimilate readily

Mr. FESS. Mr. Chairman, my time is running. I understand what the gentleman says is true. I have not a word to say against the foreigner or his children. I realize what has been done by the American system of schools in New York and Pittsburgh and other centers, but what I mean is that we do not want to voluntarily increase illiteracy in this country by a system of immigration, when our laws are against illiteracy and in favor of compulsory education for our own people. What the distinguished gentleman from New York says is but a corroboration of my statement to the effect that the desirable, industrious citizen of Europe, who is now shut out by this test, may remove the inability. It only shuts out that element without energy and industry.

Now, Mr. Chairman, to the critic who twits those who favor this section as arrogant and pharisaical, as one who thanks his Maker that he is not as other men are, we answer: While we desire to favor the unfortunate of other countries our sympathy for them must not interfere with our duty to care for those who have already landed upon our shores. Sentiment must not prevent our quick comprehension that Europe's relief of millions of emigrants is our burden.

So long as we could certainly Americanize the immigrant by actual contact, the fear of foreignizing the American did not appear. But at a time when the rate of importation actually endangers foreign dominance it is time to call a halt. No man will go further than I in his admiration for those who have come to our shores and who have distinguished themselves in every line. No man can say our Government has not been the most magnanimous in its policy toward our naturalized citizens. Think of it! Here upon this floor, in the very Capitol of the Republic itself, we hear pleading the cause of immigration the men who are living examples of the magnanimity of this coun-You must not think us unkind if we say we pity your unfortunate foreign lands, but we must legislate for the future of our own people as well. We can not safely permit our pity to multiply the problems of our cities, to stimulate the various born under foreign oppression and propagated here in American soil. Ignorance has ever been regarded a handicap, to be removed if possible. Education has ever been looked upon as a goal to be reached. In this country the major portion of the people's energies has been and is now being devoted to the removal of the incubus of ignorance by a system of education, in most States compulsory. This is placed upon the basis that the welfare of our future must depend upon the intelligence of the citizen. As yet we have not made a reading test a qualification for voting in the States, but it is undoubtedly coming to that in the future.

Our various States look upon education sufficiently important as to make it criminal to keep children from the schools. Yet when we, acting as the Representatives of the people of the entire Nation, attempt to set a reading test for the immigrant who wishes to come to our shores we are at once met with various charges of un-American conduct. I want to say to such that it is more un-American for us to set one test for our own citizen and another for a foreign subject.

This test does not keep out the desirable. If, unfortunately, some otherwise desirable foreigner is excluded because he can not read, the industry that would make him a desirable citizen of this country will enable him to get ready for the test. As I have said before and as has been stated by the Member from New York [Mr. GOLDFOGLE], it will but defer the time if he is such as we wish to admit. We have sections in our own country where

50 per cent of the illiteracy was removed in five years.

Believing, as I do, in the protection of American labor against the competition of cheap European labor, a principle for which I have always stood and for which I still stand, I can not consistently vote against raising the standard of intelligence of the immigrant who comes here to compete with our labor of higher standards. I do not mean to exclude the foreigner, but, rather, to raise the standard of the immigrant. Whatever may be proposed upon this floor by the opponents of this test, it must be admitted by all candid minds that ignorant workingmen will increase the labor problems of the country. The German industrial expert makes sport of our country's policy in attempting to utilize the cheap foreign labor in competition with our American labor. It has small effect in the higher grades of skilled workmanship, but in the lower skills it produces the situation in Lawrence and elsewhere in the zones of labor dis-Men in the heat of debate are apt to make unwarranted declarations. This test is not in the interest of any sect or religion, neither is it against any sect or religion. I would not vote for a measure that results from any religious or antireligious propaganda. The time for religious persecution is past, and I sincerely trust the time for religious jealousies will also soon pass away, if they have not already done so. Neither is this measure written against any particular race because of any prejudice of whatever character.

It is simply, as I understand it, in the interest of a higher

class of immigrants, in the interest of our own Nation in the

future.

An undesirable individual, no matter what his race, his color, or his religion, should be prevented from coming here. While no test is sufficient to cover all undesirables, it must be admitted that education will assist in this selection. If it will not, then the history of the progress of the nations in the past is mere It does not appear rational that a citizen of this country could hold seriously that a literacy test will have no effect in producing a better type of immigrant. This does not

argue that a person who can not read is not a good citizen; on the contrary, we know a great many who are good citizens. But as a class those who can learn to read are most certainly more desirable than those who can not.

Most certainly no man will argue that a foreigner ignorant of our Government and incapable of gleaning any information from the printed page will be as desirable a citizen as the foreigner who can learn by reading what our Government stands for. And yet this seems to be the trend of the argument of those opposed to the bill.

I am for this test, because we as a Nation have ever been in favor of education, and our greatest battle is against ignorance, both among our native and foreign population.

I am for it because it does not definitely keep out the in-dustrious, the determined, but simply defers the time of their coming.

I am in favor of it because it will keep out the ignorant and

thriftless, without energy or industry.

I am for it because it will tend to maintain the American policy of protecting our American labor from the competition of an ignorant European and Asiatic cheap labor.

I am for it because it will through selection produce a better grade of immigrants, who can be more easily assimilated to American ideals.

I am for it because it will not so likely engraft upon American institutions foreign ideals, with all that means to this

I am for it because it will not be so easy to pick up a little Italy or Hungary in Europe and transplant it here to reproduce itself in American soil. We want such immigrants as can comprehend our institutions, as can distinguish between liberty and license, as can appreciate law as against lawlessness.

When our Nation reaches a position that it is dominated by foreign-born people not acclimated to our ideals, then the order has been reversed; instead of our Americanizing them, we have been foreignized by them, a consummation that must be feared in some of our cities already. When we have reached that point we are not doing our duty either to our own citizens or to the immigrant who refuses to be an American after he reaches us, save by record of the courts.

The educational test is right. It is demanded by our own people, native as well as foreign born, and I shall therefore

vote for it.

Mr. DONOVAN. Mr. Chairman, to be practical for just a moment, the demand for this literary test comes mainly from the part of the country that knows least of the foreign brother. If this bill passes, it will pass by the votes of those Members who have the least foreign population within their States. The fact remains that where the foreign population is large the children of foreign-born parents make a better average showing in the schools than the children of the native born. My educated friend from Ohio [Mr. Fess], being a practical teacher, ought to welcome to this country the children of uneducated foreigners who, in acquiring an education, often surpass the children of the native born. [Applause.]

Our President stated in Philadelphia the other day that we ought to revere our ancestors, the people who made this country. Our Speaker stated at the same time that 75 per cent of those people were illiterate. Yet they made the greatest country on earth, and the result of their action has affected every nation on earth in the direction of bettering their condition. That is the result of the earnest work of the illiterates, many of whom were the early settlers of this country. Our President says we should revere our ancestors. He says

further:

I feel that it would be inconsistent with our historical character as a nation if we did not offer a hearty welcome to every honest man and woman who comes to this country to seek a permanent home and opportunity.

[Applause.]

That is the language of our President. This bill would keep out many honest men and women. If the mother of the greatest man that ever lived in this country, Abraham Lincoln, was an immigrant applying for admission at Ellis Island to-day, with this law in force she would be refused admission, and my friend the great educator from Ohio [Mr. Fess] would turn her from the shores that gave Lincoln to this country. He would turn from our shores Joan of Arc, who won the greatest battle for her country, because she could not read or write. Would the gentleman include in the Panama Canal bill a literacy test? Yet the 30,000 men who constructed that great work were mostly foreigners and illiterates.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DONOVAN. I ask unanimous consent to extend my

remarks in the RECORD.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection. Mr. Gordon was recognized.

Mr. BURNETT. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. BURNETT. I would like to know whether the gentleman from Ohio is for or against the bill.

Mr. GORDON. I am against it. Mr. BURNETT. I have made the inquiry because I understood the Chair was recognizing gentlemen alternately for and

The CHAIRMAN. The Chair is trying to do so, and is doing

the best he can.

Mr. GORDON. Mr. Chairman, if the mother of Abraham Lincoln had been subjected to the literacy test prescribed by this bill as a condition of her continuance in this country, she would have been deported, because she could neither read nor write in any language, and yet she was born and lived all her life in this country of free public schools. She was simply unfortunate in being the child of parents who lived on the frontier, where schools were inaccessible.

Mr. FESS. Will the gentleman yield?

Mr. GORDON. Certainly.

Mr. FESS. That was in 1809. This is 1914-over 100 years later.

Mr. GORDON. That makes no difference.

Mr. COADY. Are not the principles of 1809 the same as

1914?

Mr. GORDON. Of course, principles do not change. Mr. Chairman, I rose for the purpose of bearing witness on this question, because I was born and raised in a community largely settled by foreigners, the majority of whom, if subjected to this test, I dare say, would have been excluded. They came to this country from Europe and settled in northwestern Ohio in the Black Swamp, and they cut down the timber, cleared, drained, and cultivated the lands, and have made, by their industry and toil, that country the richest farming community

on the face of the globe.

I knew these people intimately and well; I attended school with their children. These children to-day are, many of them, among the leading citizens of northwestern Ohio. It seems to me that the gentlemen who are pressing the literacy test upon this bill have not fully considered the consequence of what they are doing. Our brethren of the South, who have no foreign born among them to speak of, come here and vote upon this question without any actual knowledge concerning these people. Where is the sentiment in favor of the literacy test? We hear gentlemen from the rural districts, like the one represented by the gentleman from Ohio [Mr. Fess], who spoke a few moments ago, sympathizing with the cities. He himself is a resident of the country. Now, I am a resident of the largest county in Ohio, the one which has the largest proportion of

foreign born of any in the State.

Mr. LANGLEY. Will the gentleman yield?

Mr. GORDON. No; I will come to the gentleman's case in a minute. [Laughter.] I say, I come from a county that has the largest proportion of foreign-born population of any in the State. Illiteracy! Where is the illiteracy in the United States Why, it is among the oldest inhabitants of the country, down there in the mountain districts of the South. There are families down there over 150 years old, who can trace their ancestors back that far, the most illiterate white people in the United States to-day.

This bill does not attempt to deal with the naturalization laws in a single particular; it merely prescribes additional conditions upon those who, without any choice of their own in the matter, were born elsewhere and who may wish to improve their condition by acquiring a home somewhere within the territory of

By reason of the peculiar character of our free institutions it has become the settled policy of the United States to exclude by law from admission to our territory persons afflicted with a contagious or infectious disease, idiots, imbeciles, insane, and feeble-minded, persons likely to become a public charge, persons who have been convicted of crime involving moral turpitude, who have been convicted of crime involving motal tarpitude, those who advocate the commission of crime against persons and property or organized society, and those who come here pursuant to contract with or by virtue of pecuniary inducements offered by others, and those who by reason of inherent racial causes are incapable of amalgamation with the white race without injury to both, and who for this reason are rendered ineligible to naturalization under the laws of the United States.

Although we are the only Nation on earth, I believe, which has enacted this legislation, it has become our settled policy, and there is no substantial sentiment in this country favoring a material change by repealing any of the existing laws restricting immigration.

But this literacy test is a new departure from our past and existing policy; it prohibits from landing on our shores and authorizes the forcible deportation by the strong arm of the law of persons who may be sound and healthy in body, mind, and morals, who may be honest and industrious, but who, by reason of the lack of opportunity in the country in which they were born and reared, are unable to read correctly a 40-word thesis.

There is an exception in the bill which can not be justified on any theory of the advocates of the literacy test. Its proponents contend that they are not influenced in any degree by class prejudice or the accident of place of birth, but solely by a desire to protect the people already here from the results of coming in contact with persons who are excluded; and yet it is proposed to exempt from this literacy test those who come here solely as a result of religious persecution, although they may be unable to read a single word in any language. If this test is proposed exclusively for the benefit of those already here, and is necessary for their defense and protection, why open the door to those who are beyond our jurisdiction and entitled, under the theory of those who have formulated this test, to no consideration at the hands of Congress in framing this legislation? This very exception exposes the inherent weakness in the logic of those who advocate a literacy test.

The only real original Americans are the Indians, and our American civilization is rapidly ruining them; but among the people of this country, since the repeal of the laws of primogeniture and entail by and through Jefferson, it has become a common saying, almost a maxim, that "there are but three generations between shirt sleeves and shirt sleeves," and this rule applies equally to all persons, regardless of their place of

birth.

It might well be argued that, if this "literacy test" is made a condition precedent to the right of coming to this country, it ought to be applied to those already here, who have for years had free access to our public schools; and yet, if the people of the mountain districts of the South were subjected to this test, it would almost depopulate that section of the country. Twentytwo and one-half per cent of the population of the tenth district of Kentucky, 10 years old and over, are unable to read or write. Permit me to call your attention to some of the census returns of 1910 from four congressional districts in the United States: The tenth Kentucky, represented by Mr. Langley; the second Tennessee, represented by Mr. Austin; the sixth Ohio, represented by Mr. Fess; and the twentieth Ohio, represented by myself.

The number of persons out of each 100 10 years old and over in these four districts who can neither read nor write is as

follows:

Twentieth Ohio_____

Yet in these returns are included all foreign-born persons over 10 years of age, of which there were in the twentieth district of Ohio, 77,167; in the sixth Ohio, 3,219; second Tennessee, 1,667; and tenth Kentucky, 187. In my district the foreignborn number nearly one-half as many as the natives-160,890while in the other three districts the total number of foreign born is but 5,073, or less than one-fifteenth of the number in the twentieth district of Ohio alone.

It is true that great portions of the South are still suffering from the effects of the destruction and devastation of the Civil War and the theft and vandalism of the reconstruction period, but not these mountain counties. They were almost universally on the Union side and welcomed the northern armies as deliverers, and not as invaders; their soil and people were too poor to attract the cupidity of the carpetbagger; and the fact that almost the entire population of these mountain counties who are old enough are either on the pension rolls or trying to get there is proof that they never shared the political views and were never subjected to the discrimination suffered by the great mass of the southern white people.

What these figures prove is that education does not depend upon the place of birth but upon means of communication with and access to schools and the means and methods of education. In these two mountain districts of Kentucky and Tennessee the population is almost entirely native-born whites, but it is scattered over the mountain sides, making travel to and from school difficult and even dangerous and the cost of maintaining schools

very expensive in proportion to population. They certainly do not prove that children of foreign birth and parentage are less able to learn with the same opportunity than are those born in this country. On the contrary, returns made up from the census reports appear to indicate that much more rapid progress is made by children of foreign birth or parentage, but this is probably due to the fact that with less knowledge and familiarity with our language and places of amusement more time is devoted to school work, and this more than overcomes the handicap imposed upon them by constant contact and communication with their parents whose knowledge and information concerning our language and institutions may be and generally is limited.

Literacy! It seems to me that my friends on the Democratic side ought to consider this question more fully. You ought to remember what has been the historic policy of the Democratic Party ever since it was organized and not force this thing

upon your Democratic brethren.

There are so many things to be said against this proposition that one hardly knows where to start. I say it is no proper test to impose upon immigration. You will exclude sober, honest, industrious, sound, healthy men and women; those are the people who helped to make this country what it is. It seems to me, gentlemen on the Democratic side, that you ought to pause and heed and consider some of the things that have been said in this debate on this question. You ought to weigh the testimony of those who come from the parts of the country where these people against whom you are inveighing live and move and have their being. It seems to me that if you give this matter careful and honest consideration you will vote down this literacy test on the roll call. [Applause.]
Mr. HEFLIN. Mr. Chairman, I have listened to the remarks

of the gentleman from Ohio [Mr. Gospon]. He said, "We ought to keep in mind the principles of the Democratic Party." The founder of the Democratic Party ought to be good authority, and he said, "While we are providing for the fortification of our country against a foreign fee, I am in favor of fortifying it against the influx of undesirable immigration." [Applause.]

We are making no fight upon the forefathers who came to this country. They have wrought mightily for us and our country. My great-grandfather came over to this country a long time ago. Those of us who are here are charged with the responsibility of supporting the institutions of this country and of protecting this Nation from the dangers of indiscriminate and unrestricted immigration. Our duties and responsibilities in this regard are great. Let us give intelligent attention to the kind of people who are to come here in the future. Too many of the undesirable and injurious element are coming in now. Criminals of every character are coming over every year. And, Mr. Chairman, the time has come to show our good sense and patriotism by looking to the future welfare of our country. Give our own people a chance. The children born of the men and women already in our country will marry and keep up the standard of living and citizenship and fulfill the Scripture, which says: "Multiply and replenish the earth." [Applause.]
Mr. DONOVAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. Would a motion now be in order to move to strike out the last two words?

The CHAIRMAN. It would not.
Mr. DONOVAN. Would the Chairman state how the gentleman from Alabama obtained the floor by striking out one word? I am opposed to the motion of the gentleman from Alabama.

Mr. GOLDFOGLE. Mr. Chairman, I rise to a question of

The CHAIRMAN. The Chair will first answer the parlia-mentary inquiry of the gentleman from Connecticut. The gentleman from New York [Mr. Goldfogle] offered an amendment. The gentleman from Alabama [Mr. Heflin] offered an amendment to the amendment. It is not now in order to offer an amendment to that amendment.

Mr. DONOVAN. Mr. Chairman, another parliamentary inquiry.

The CHAIRMAN. The gentleman will state it, Mr. DONOVAN. Would it be in order to rise to oppose the amendment offered by the gentleman from Alabama?

The CHAIRMAN. It would, and the Chair has already rec-

ognized the gentleman from Illinois [Mr. MADDEN] for that

Mr. MADDEN. Mr. Chairman, my contention is that morality, integrity, sobriety, frugality, industry, obedience to law, willingness to work-everything that makes a man-ought to be the test of admission to our shores. My contention is that the man who makes the sewers and lays the water mains in our great cities performs a more important function to society than the man who runs the bank. The man who builds the sewers

provides the sanitation which enables us to live in perfect health, while the man who runs the banks preys upon the necessities of the people. Educational qualifications have nothing whatever to do with any of the things I have coumerated. A man may have been born in such unfortunate surroundings that it was impossible for him to obtain an education; and are we on that account to ostracize him, prevent him and his children from enjoying the blessings of liberty? I hope not. Every man with a clean mind and an honest heart who is willing to work and create wealth and obey our laws ought to be permitted to become a citizen of the United States. I can well remember as a boy when every man who did the laboring work in our community was an Irishman. Their sons and daughters attended the public schools. After attendance upon the public schools, they went into the other activities. They became bankers, law-yers, doctors, and merchants, and they became the most useful people in America. Following them came the Germans. same processes of evolution took place with them, and their children to-day are among the most influential and patriotic men and women in the life of the country.

Following them came the Swedes, and the same process of evolution took place in their families, and their boys and girls to-day are among the most valuable citizens we have. Then came the Poles, and their children attended our public schools, and this same process of evolution took place, and to-day they are counted among our lawyers, merchants, manufacturers, and bankers, and they exert a potential influence on the life of the Nation. Nobody will dare to say they are not patriotic citizens. Following them came the Austrians, and the same process of evolution took place with them. Then came the north Italians, the Bohemians, Lithuanians, and Hungarians, and the same process of evolution has taken place with them, and to-day we are allowing the south Italians to come, and my hope and belief is that the same process of evolution will take place as to their children. And so I say that this test of an educational qualification as to the fitness of the man to become a citizen of the United States is not only unjust but it is mislending. No: we need have no fear; they will learn to love our institutions and will fight to defend them if need be. Let them come. I can not bring my conscience to believe that we ought to apply such a test as this to determine the fitness of any man for admission to our shores. [Applause.]

Mr. STAFFORD. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. Does the gentleman from Alabama withdraw his amendment?

Mr. HEFLIN. I withdraw the amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment by Mr. STAFFORD:

"Insert after the semicolon, in line 20, page 8, the following: 'All aliens who have been lawfully admitted to the United States and who have resided therein continuously for five years, and who have, in accordance with the law, declared their intention of becoming citizens of the United States, and who will return to the United States within six months from the date of their departure therefrom.'"

Mr. BURNETT. Mr. Chairman, I make the point of order this is out of order and that all debate has been closed.

The CHAIRMAN. That does not apply to the right of a Member to offer an amendment to an amendment, which the Chairman understands the gentleman does.

Mr. BURNETT. I understood the gentleman from Alabama to offer an amendment to the amendment to strike out the last

The CHAIRMAN. And the gentleman also withdrew the amendment.

Mr. BURNETT. There is where he made a mistake, then. Mr. MANN. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. MANN. Is not the amendment of the gentleman from New York [Mr. GOLDFOGLE] to strike out the paragraph, and, of course, it is not an amendment to the amendment, but it is an amendment to perfect the text. The CHAIRMAN. In any event-

Mr. MANN. In any event it is in order as an amendment to perfect the text, and an amendment to perfect the text is subject to another amendment.

Mr. GOLDFOGLE. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it. Mr. GOLDFOGLE. We could not hear over here and I want

to know whether the gentleman from Wisconsin offers that as an amendment to my amendment or whether he offers it merely as an amendment to perfect the bill?

The CHAIRMAN. The gentleman offers it as an amendment to the amendment, but the Chair thinks it is an amendment to the text of the bill.

Mr. GARDNER. If the Chair pleases, the amendment is introduced as a perfecting amendment to the text of the bill which the gentleman seeks to strike out, and I submit to the Chair it is well worthy of consideration whether the time for debate has not expired.

The CHAIRMAN. Well, unquestionably the time for debate on the amendment of the gentleman from New York has expired, but the Chair does not think that would prevent the offering of an amendment to perfect the text of the bill, as the committee would not desire to vote on the amendment of the gentleman from New York until the text of the section had been perfected.

Mr. GARDNER. If the Chair pleases, I was suggesting not that the amendment was not in order, but that debate on the amendment was not in order.

The CHAIRMAN. But the only debate which has been closed is the debate on the amendment offered by the gentleman from New York, and any other amendment of course is subject to

Mr. GARDNER. Well, Mr. Chairman, of course that would probably necessitate somebody moving to close debate on the whole paragraph.

Mr. BURNETT. Mr. Chairman, I move to close debate on the entire paragraph.

Mr. GOLDFOGLE. Mr. Chairman, I rise to a question of

order. The CHAIRMAN. The gentleman will state his point of

Mr. GOLDFOGLE. My point of order is that the gentleman

from Alabama can not in this way take the gentleman from Wisconsin off the floor. The gentleman from Wisconsin was recognized by the Chair to offer an amendment and was about to proceed to argue the amendment when the gentleman from Alabama made his motion.

The CHAIRMAN. The Chair thinks the gentleman from Wisconsin [Mr. Stafford] is entitled to the floor, as the gentleman had begun to debate his amendment, and the Chair, there-

fore, recognizes the gentleman for five minutes.

Mr. STAFFORD. Mr. Chairman and gentlemen, this amendment is along the lines of the one that was offered to the first section of the bill on Saturday, but it meets the objection that was offered by some of the opponents of that amendment, in that it exempts from the literacy test only those who have heretofore been lawfully admitted to the United States and who have resided therein for five continuous years and who have in accordance with law declared their intention of becoming citizens and who return to this country within six months from the date of their departure.

I can not conceive how any person, unless he is an absolute prohibitionist of all immigrants and wishes this country to be nothing but America for Americans, would object to the provisions of this amendment. We know that there have been hundreds of thousands of worthy immigrants in this country who have permanent homes here and who on occasions wish to visit relatives abroad, perhaps to pay a last visit to their relatives on their deathbed. This provision will only seek to give those who are bona fide residents of this country the privilege of going back and returning within six months without being threatened with the danger of being excluded by reason of the literacy test.

Now, it has been fundamental in the international law of this country that when an alien came over to this country and declared his intention of becoming a citizen he separated himself from his native government and that we threw a protecting arm over that alien upon his declaring his intention to become What objection now can be raised to those who have been lawfully admitted on their return from a brief sojourn abroad to being relieved from this literacy test? I hope the gentlemen on the other side, even those of you who are in favor of this strict provision of providing a literacy test, will accept this provision so as to permit the hundreds of thousands of good, able-bodied American residents of this country who, perchance, can not in their old age qualify in the rigorous examination for American citizenship, and yet wish to be American citizens, to have the privilege to go to their foreign homes and visit there for at least a period of six months without being threatened with exclusion by the literacy test.

In the last Congress it was the unanimous vote of this House that the Jews of this country, when they had passports, should have those passports recognized by Russia. We issue a limited passport under a law passed some six or eight years ago to any person who had declared his intention to become a citizen, which is recognized in any country except the country of nativity. I am only asking you to carry out the American idea

and give these foreigners who have domiciles and residences here the privilege of going abroad and of returning without being subjected to a literacy test whereby they may fail to read some word or words or give an acceptable definition or explanation of them, and thereby be excluded from returning to the country of their adoption. I hope this amendment will to the country of their adoption. I hope this amendment w have the unanimous support of this committee. [Applause.]

Mr. BURNETT. Mr. Chairman, I move that all debate on

the paragraph and amendments thereto be now closed.

The CHAIRMAN. The gentleman from Alabama [Mr. Bur-NETT] moves that all debate on the paragraph and all amendments thereto now close

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. BURNETT. Mr. Chairman, I demand a division.

The committee divided; and there were—ayes 67, noes 86.
Mr. BURNETT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the gentleman from Alabama [Mr. BURNETT] and the gentleman from Pennsylvania [Mr. Moore] took their place as tellers.

The committee again divided; and the tellers reported-ayes 82, noes 104,

So the motion was rejected. The CHAIRMAN. The Chair recognizes the gentleman from

Kentucky [Mr. Langley].
Mr. Langley. Mr. Chairman, I rise for the purpose of opposing the pending amendment. I am in favor of the paragraph as it stands. I voted against closing debate a few moments ago, however, although the motion was made by the gentleman in charge of the bill. I did this because I regard this particular paragraph as embodying one of the most vital questions that has been considered in this Congress, and I am in favor of giving gentlemen on the other side of it full opportunity to be heard. It is a two-sided question, gentlemen, and we must concede that there is force in some of the arguments that are being presented against it. There is one thing that I am glad of, and that is that it is being treated as a nonpartisan measure, and I beg to suggest that perhaps the country might have been better off if such a rule of procedure had been adopted earlier in this Con-[Applause.]

Mr. Chairman, I am as firm a believer as ever in the soundness of the fundamental tenets of the Republican Party, but I have never contended that it is free from error; and I question the eligibility to membership in this House of any gentleman who believes that his party is so constituted. If I were asked to point out what I regard as an error that my party committed while it was in power, I should reply that it was its failure when erecting a tariff wall to restrict the coming in of the products of foreign labor to also erect an immigration wall to restrict the coming in of the man on the job, as the gentleman from Wa hington [Mr. Johnson] would express it.

Mr. Chairman, the jewels of oratory have been quite abundant in this debate, but the jewels of consistency have been rare [Applause.] Some of the extreme protectionists have indeed. been the most vehement in their opposition to this bill. They want the products of foreign labor excluded, but they want the foreigners themselves brought in. On the other hand, some of the most vigorous enemies of protection who want competition with foreign products are just as vigorously opposed to competition with the foreign laborers themselves.

Mr. PLATT. Mr. Chairman, will the gentleman yield? Mr. LANGLEY. No; I can not ; ield. I have no enough, even if I do not permit an interruption, to say all that would like to say.

Mr. PLATT. Just one question. Mr. LANGLEY. Well, I will yield to my friend from New York for a short question.

Mr. PLATT. Does the gentleman think it inconsistent for Democrats to want us to buy goods abroad and compel people to stay abroad and make them?

Mr. LANGLEY. Well, as to that, Mr. Chairman, the gentleman knows that we do not often find Democrats consistent, anyway, but I will say that I do not think that we should admit either the goods made abroad or the men, women, and children who come here from abroad in greater quantities than we can assimilate with advantage to our own people. should be remembered that most of them who come here cut wages to get a chance to make the goods here; so that the opportunities of our own people for employment are reduced whether the foreigners come here or stay on the other side and send the products of their labor over here. Consistency requires that if we give protection to the man who pays the wages we should also give protection to the man who pays the wages, which means, of course, restriction of imports as well as of immigration. If the one proposition is sound economically, the other is also. I could give many illustrations of the inconsistency of gentlemen on both sides of the House on these two propositions. For example, the gentleman from Missouri [Bartholdt] is an ardent Republican and an orthodox protectionist. He never misses an opportunity to oppose competition with the products of cheap foreign labor, and yet he wants the cheap foreign laborer himself brought in.

Mr. BARTHOLDT. That is perfectly consistent— Mr. LANGLEY. I think it is the height of inconsistency and that the gentleman is one of the brightest jewels in this crown of inconsistency

Mr. BARTHOLDT (continuing). Because I want to make

the newcomer a consumer in this country.

Mr. LANGLEY. Ah, but he becomes a competitive producer as well, and our experience has been that he produces more than he consumes, or, rather, that he takes more employment away from our own people than he furnishes employment to them by reason of what he consumes, and, besides, he must work to get wages to pay for what he consumes; so that we get the worst of it on that score, even if all the immigrants became desirable and ideal citizens of our country. But, Mr. Chairman,

I must decline to yield further.

Mr. CANTOR. Mr. Chalrman, will the gentleman yield?

The CHAIRMAN. The gentleman declines to yield.

Mr. LANGLEY. On the other hand, there is my friend and colleague, Mr. Barkley, the ardency of whose Democracy can not be questioned and who, although a new Member, has already impressed his strong mentality upon this House. He pitched his advocacy of this bill upon his desire to protect the opportunities of his own people against the competition of the foreigner, and yet he is opposed to the doctrine of protection and supported the Underwood tariff bill, which, by increasing imports, has already thrown thousands of our people out of employment and will do the same thing to thousands more.

Mr. BARKLEY. Will my colleague yield to me for a ques-

Mr. LANGLEY. Certainly, since I have referred to him. Mr. BARKLEY. Does not the gentleman know that imports have not increased since the Underwood tariff bill went into operation, and therefore that no one has been thrown out of employment on account of increased imports under that law?

Mr. LANGLEY. I have not the figures before me, and indeed I do not think enough of them are available yet upon which a comparable statement for any considerable period can be based. It is true that the revenues derived from imports since the bill went into effect are less than they were before, because the duties were lowered, but it is my understanding that the value of our imports since the bill became effective is greater than before for the same period. I have not seen the figures, but I have been told that taking the imports and exports for the months of December, 1912, and December, 1913, the balance of trade in our favor for the latter month was forty-five or fifty millions less than it was for the same month in 1912. In other words, we bought more and sold less abroad in last December under your Democratic tariff than we did during the preceding December under a Republican tariff, and that must mean diminishing employment and decreasing prosperity for our own people. But my friend and I will have an opportunity to discuss that more fully and more accurately at a later date.

Mr. Chairman, these inconsistencies to which I have been referring constitute, to my mind, a political paradox that I am

unable to fathom. [Laughter.]

It was once the boasted shibboleth of a great party that "the gates of Castle Garden swing inward." Then it was pointed to as an evidence of prosperity, but the gates have swung so far inward and so wide as to create a national menace that calls Instead of proving national prosperity for a drastic remedy. as it did then, it now threatens denationalization. mous increase of immigration in recent years has already been fully discussed in this debate, and I would not go over the ground again even if my time permitted. A friend of mine who recently visited New York City, and who has made some investigation of this question, tells me that there appear to be more Jews there than there ever were in Jerusalem, aye, even in Palestine, in the days when that God-favored people were at the zenith of their ancient glory, and more Italians than there were in Rome when the Roman legions were conquerors of the earth. I do not mean to leave the inference that they are not all good citizens, but I mention this as an evidence of how liberal our Government has been upon this question of immigration and of the growing importance of it to our people.

It has been repeatedly charged in this debate that the gentieman from Alabama [Mr. BURNETT] and his followers are actuated by motives that are anything but patriotic and that they are seeking to force this measure through by appeals to

prejudice. Mr. Chairman, I can not persuade myself into the belief that a monopoly of patriotism and pure, impartial motives is enjoyed by gentlemen whose districts include immigration ports or large cities or other territory where the foreign vote predominates or is potent, or who for other manifest reasons share the sentiments of that class of voters. Why not let us be perfectly frank and fair with one another and concede that, primarily, each of us is endeavoring to carry out the wishes and promote the interests of his constituents?

The CHAIRMAN. The time of the gentleman from Kentucky

has expired.

Mr. LANGLEY. Mr. Chairman, I hope the committee will permit me to proceed for two or three minutes longer. I ask unanimous consent, Mr. Chairman, that I may do so.

The CHAIRMAN. The gentleman from Kentucky [Mr. Lang-

LEY] asks unanimous consent to proceed for three minutes. Is

There was no objection.

Mr. LANGLEY. Mr. Chairman, I freely admit that I want these restrictions because a large majority of the people of my district want them and because I believe it will be to their interest to have them, and I concede the same high purpose to those who oppose the bill.

I hope I do not underestimate the weight of the arguments I was greatly impressed with the eloquent on the other side. appeal of the gentleman from New York [Mr. Goldfogle] and the fervent words of the gentleman from Illinois [Mr. MANN], and I have listened with interest and profit to the arguments of many other gentlemen on that side of the question, but I remain unconvinced, for I still believe that, everything considered, the literacy test is the wisest and most effective method of dealing with the serious situation that confronts us.

Many gentlemen opposed to this bill have contended that there is no demand for such legislation, but none of them have undertaken to explain why, if that be true, that there is such an overwhelming majority of this great body, fresh from the people, in favor of it. My observation has uniformly been that when such a situation exists it is responsive to the demands of the

people who sent them here.

has again expired.

That this literacy test will work hardships in individual cases, and will sometimes exclude those who would make desirable citizens, must be admitted; but we must also remember that oftentimes in the administration of the affairs of government such considerations must give way to the higher one of national expediency.

Of course, I had rather admit an illiterate patriot than an educated anarchist or disturber, and I wish it were practicable

to segregate them on that basis, but it is not.

I would not in the least disparage the good influences that have been wrought by, nor minimize the deeds of valor and of patriotism that are recorded in the history of, the achievements of many of our foreign-born citizens. Many of them have written their names high upon the Nation's honor roll. All honor to these and thrice welcome to those yet to come whose histories in their native lands give promise of such achievements here.

These are not the ones we seek to exclude, but rather those who come not here to stay, who have no sympathy with our institutions, who do not cherish and can not learn to cherish the sacred traditions of the Republic, who do not love and honor its flag, and who can not feel or comprehend the emotions in the bosom of the poet, when he wrote:

Breathes there the man with soul so dead Who never to himself hath said, This is my own, my native land!

[Applause.] The CHAIRMAN. The time of the gentleman from Kentucky

Mr. UNDERWOOD. Mr. Chairman, I desire to say a few words in reference to the literacy test in this bill. that there is not a Member of this House who is willing to pull down the bars and to say that every man born in a country outside of our own shall be permitted to come into the United States. I think every gentleman on this floor, whether he is opposed or not to this particular bill, is in favor of keeping up the bars to some extent. Therefore the argument does not go that we should open our arms and receive people from all over the world regardless of their condition. I suppose there is not a gentleman on this floor who would repeal the law that to-day excludes criminals from admission into our country, or who would repeal the law that excludes insane persons. In other words, when you are willing to exclude insane persons and criminals you admit that a line should be drawn somewhere to protect our own people against dangerous immigration.

This literacy test is not directed against any nation or any race of people. The people of any country, condition, or nativity may come into this country if they can measure up to the test, and it is not a severe test. It does not say that they must read our language, but that they must read some language, of their own country or some other country. Now, why should the literacy test be a protection to American standards? And that is what we want. We want to maintain the standard of American living, American life, and American homes. Is there a man on the floor of this House who is willing to pull down the American standard of life, living, and home? Not one. I am willing to answer the question for you all.

Then, does this literacy test help you in that respect? It certainly does. In your States to-day you are spending millions upon millions of dollars to educate the children of this land to hold up American standards of life and living. Only a few weeks ago this Congress passed a bill carrying a number of millions of dollars to promote education among our farming classes. Then, if you admit that education is one of the standards that must be maintained, why should you welcome immigrants who are not up to your standard of education and your standard of life in that respect any more than you would welcome the criminal or insane who are not up to the standards of our mental and moral life?

The statistics can not be denied. I saw in one of these reports a statement that has not been contradicted, made by Mr. Frederick A. Pope, the prosecuting attorney for Somerset County, N. J. And this is only one of many statements that I have read on the subject. He says that of 54 crimes by foreigners that involved violence, 46 of them were committed by illiterates

Mr. DONOVAN. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. I can not yield now.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANAHAN. I ask unanimous consent that the gentleman's time be extended for five minutes, so that he can answer

Mr. UNDERWOOD. Mr. Chairman, I thank the gentleman very kindly, but I do not care to answer the gentleman's questions.

Mr. ADAIR. I object, Mr. Chairman. Mr. MOORE. Mr. Chairman, I welcome the distinguished gentleman from Alabama [Mr. UNDERWOOD] into the ranks of those who want to maintain the American standard of living. He is the distinguished author of the existing tariff law, which some of us believe has brought the American standard into jeopardy during the past year, if it has not turned thousands of honest American workingmen out of their jobs. I welcome him as an advocate of a higher wage standard here, even though he opposes the admission of foreign labor into the United States; but, great student of economics that he is, he falls into the error that some others have fallen into during this debate, of being unable to distinguish the difference between the foreign flesh and blood that comes into the United States to work at an American wage and the foreign goods, made in foreign lands at a foreign wage, that come into the United States to compete with the goods made by the men here who work for an American wage. [Applause on the Republican side.]
Mr. HOWARD. Will the gentleman yield for a question?

Mr. MOORE. I am sorry to say I can not.

Mr. GARDNER. Will the gentleman yield to a point of

I yield to a point of order. I will have to. Mr. GARDNER. I make the point of order that the debate on this amendment is exhausted, there having been five minutes in favor and five minutes against the amendment.

Mr. FITZGERALD. I suggest that the point of order comes

too late.

The CHAIRMAN. The Chair will have to hold that debate on the pending amendment is exhausted. I move to strike out the last two words. Mr. MOORE.

Mr. GARDNER. That is an amendment in the third degree. The CHAIRMAN. The Chair does not think so. The gentleman from Wisconsin offered an amendment to the text of the bill, and the gentleman from Pennsylvania [Mr. Moore] offers an amendment to the amendment. The Chair thinks that is in

Mr. MOORE. Mr. Chairman, this is the crux of the situa-tion: When the foreign laborer, who has been working abroad on foreign standards at the foreign wage, enters the United States to work under American conditions at the American wage he is advancing to a higher standard of living without lowering the American standard. We are thus aiding him without injuring ourselves. An evidence of this may be had from the hearings, and the testimony of one so well posted as

the secretary of the American Federation of Labor, Mr. Morrison, who refers to it on page 302 of the hearings.

I had been asking Mr. Morrison about the wages paid the 200,000 organized garment workers, who are mostly of foreign birth, and the 400,000 organized mine workers, mostly of foreign birth, when this colloquy took place:

Mr. Moore. You concede that these men and women, when organized in the United States, do work for an American wage, the best that can be obtained in this country.

Mr. Morrison. The best that can be obtained in this country.

Mr. Moore. And they do not work for the low foreign wage, such as is paid in Great Britain, Germany, Belgium, or Italy?

Mr. Morrison. There is no question about that. We not only concede that, but we admit it.

There is the testimony of your best witness, the secretary of the American Federation of Labor, who tells you that he is as much of a protectionist as I am when he admits that those who come from foreign shores, although he now seeks to keep them out, come to the United States, work at an American wage, the best that is to be obtained in this country, and that they do not work at one-third or one-half the American wage, as they would if they remained abroad. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsyl-

vania has expired.

Mr. MOORE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Pennsylvania. Mr. Chairman, in the last and final analysis the question of immigration is the question of citizenship. It is a question of perpetuating American ideals and of the perpetuity of free government. That this is so is evidenced by the fact that we are all practically in agreement in regard to these provisions of the bill which seek to exclude immigrants clearly objectionable in character. When we get beyond these clauses, more or less clearly defined, we find a disagreement or difference of opinion. Does anyone believe that these provisions relating to so-called undesirables will keep from our shores all of those whose presence accentuate and increase our problems? I believe no one will claim that they will, and yet when we offer a literacy test gentlemen insist that while it is true that the clauses that exclude so-called undesirables are not sufficient, this test we propose is not a wise one. We admit that it is not a perfect test, but no better test has been proposed by anyone. I regret it may exclude some well-meaning and well-intentioned people, and that under it the educated rascal may still come into our country, but it will at least exclude a large number of those who, by reason of a lack of education, are unable to acquire that knowledge which the immigrant ought to have, which he must have, to understand our institutions and to realize his responsibility as an American citizen.

I have such a high appreciation of the efficacy of the institutions and the air of freedom in molding the character of men that even with the large illiterate immigration we are now receiving, largely from regions where the people have never had any training in a free government, we could still assimilate this large immigration if the immigrants were being generally spread out and diffused among the body of our people. But the fact is that many of these unprepared immigrants are concentrated in certain districts, themselves not yet fully assimilated, thus cutting them off from the opportunities which contact with American citizens would give them to learn of the character of our institutions and their responsibilities under our form of gov-

Year after year a larger proportion of these new immigrants are remaining in localities now largely non-American. There is little opportunity given them to learn from the printed page the character of our Government or their duties to it. The fact of their illiteracy prevents them from getting out among our people and thus acquiring by precept and example knowledge of these things. These illiterate people, no matter how well-meaning they may be, are by reason of their lack of education the easy prey of knaves, native and foreign. We do now, as we always have, desire to afford an asylum and opportunity for all honest industrious white people who want to come, but until we can get a better test than the literacy test I am in favor of that as the best yet offered.

Mr. WALLIN. Mr. Chairman, I offer the following amend-

ment, which I send to the desk.

Mr. BURNETT. Mr. Chairman, I make the point of order that all debate is exhausted.

The CHAIRMAN. The gentleman from New York, Mr. Wallin, offers an amendment, which the Clerk will report.

The Clerk read as follows:

After the word "act," in line 14, page 7, add the following:
"Provided, That all allens seeking admission to the United States
under the restrictions herein set forth shall furnish to the immigration
authorities of the United States a certificate duly verified by a judicial
or police authority in the city, province, or country from which they
may come or where they resided that they have never been convicted of
any crime; also a certificate duly verified from a health officer or other
properly constituted authority that they or any member of their immediate families have never been afflicted with insanity in any form."

Mr. WALLIN. Mr. Chairman, in offering this amendment I am not in a critical or hypercritical frame of mind. I believe with the committee and the evident majority in this House that restriction of immigration is necessary and should be enacted. However, I do not believe that the restrictions called for in this bill and in the committee amendments, which to my mind strengthen it to some extent, are just the restrictions we seek and which the people at large believe they will secure through the enactment of this measure.

The principal restrictions which are new are those of the literacy test and a perfunctory examination of intending immigrants at their point of sailing by physicians appointed for that purpose, who, if they suspect anything wrong with any person, may examine him and will be obliged to take his word for family history and personal fitness, provided that at the moment of examination, no matter how carefully made, it re-

yeals no physical or mental trouble.

Then, too, the literacy test is no test at all, except that it develops the fact that the immigrant can read a little and write a little; whether he can think or reason or has an idea of the general qualifications of a citizen seems to have no bearing in this bill. What his previous history is as to honesty and right living is left for himself to tell, and he is sent on his journey if he can write 20 or 30 words in any language he desires from a card on which his copy is set and sign his name thereto. All persons who are supposed, by their professions, to be educated are admitted without restriction, and the man who can meet the requirements of the proposed card system can also enter, all qualifications being met. Is it not true that the greatest criminals, the most undesirable people, are better prepared to meet this test, because their avocation has taught them the necessity for educational equipment? The bar is up against an honest, sober, industrious workman who seeks the broad and open fields of this country, but the undesirable who can put his name and 20 or 30 words on paper is allowed to land because he possesses the supposed advantage of "literacy."

However, the purpose of this amendment is not to remedy a defect which I see in this bill, but to insure to the United States, as far as possible, that no criminally or physically or mentally unfit person comes to our shores except that we have exhausted every reasonable precaution to prevent it, which this bill in its present form does not do. It will be no great hardship on the intending immigrant to secure the certificates of character and sanity called for by this amendment. It will do away with the personal element which enters into these examinations, where the provocation is to deny what can not be shown on the spot, and it will tend to lighten the expense of the State and the Nation, who are forced to care for thousands of these unfortunates, allowed to enter because of the fact that at the moment of their landing an examination did not reveal the tendency or the disease which afterwards developed itself along criminal or physical or mental lines.

Much of the report of this honorable committee which places this bill in our hands is devoted to the report of the commission which has studied this question and which, the committee believes, is an indorsement for this measure. But is it as the bill is drawn? The report also includes an article from the New York Times of March 28, 1912, which seems to me to be a most important argument in favor of the amendment which I offer.

Among other things, it says:

Among other things, it says:

The Times is informed by Secretary McGarr, of the State commission in lunacy, that of the 31,432 insane patients under treatment in the 14 State hospitals on February 10 last 13,163, or 41.9 per cent, were aliens. Foreign-born patients have increased since the Federal census of December 31, 1903, by 1,552, or 13.4 per cent. In the 2 State hospitals for the criminal insane there were 1,230 patients on February 10, of whom nearly 44.4 per cent were of alien birth. The Federal census of 1910 showed a percentage of aliens to total population in this State of 29.9 per cent.

The prevalence of insanity among immigrants is evidently much greater than among the native born. Of the 5,700 patients admitted to the civil hospitals for the year ending September 30, 1911, 2,737, or 48 per cent, were aliens, and 1,481, or 26 per cent, were of native stock. Of the whole number the nativity of but 218, which is 3.8 per cent, was not ascertainable. Insanity among the foreign people of this city occurs in a still larger percentage of cases. Of the first admissions to the hospitals 2,006 out of 3,221 residents of the city were of freign birth; that is, 64.1 per cent, although the foreign-born population is but 40.4 per cent of the whole.

It will be argued by the defenders of this bill that the cause

It will be argued by the defenders of this bill that the cause of this situation, which has already cost the State of New York

\$4,000,000 to care for the alien insane, is the result of negligence in the examination of intending immigrants by the steamship companies. There is no question that this argument is based on fact, but I believe that even an examination by the Government's own physicians, either at the port of sailing or at the port of debarkation, will not reveal the hidden or hereditary disease in all cases, nor will it reveal the criminal tendency of the immigrant, if he has one, if the story of his past life is to be based upon his own account, without verification from those in official position who know the facts.

That this is a necessary precaution is attested by the fact that on January 1, 1910, there were 20,970 foreign-born prisoners out of the 136,472 persons incarcerated in the penal tions of the country, and during that year out of 493,434 committals to those institutions 98,532 were foreign born. large class of criminals, hereditary or otherwise, evaded both the steamship and the Government inspectors and landed on the soil of this country principally, I believe, because the law and the practice enabled them to conceal, willfully in most cases,

the fact that they were not desirables.

These are the conditions which will be lessened, if not cured. by the amendment which I offer, and for this reason I ask that

Mr. O'SHAUNESSY. Mr. Chairman, I ask unanimous consent that the gentleman from New York may be permitted to proceed for five minutes more, because I think there are some gentlemen in the Chamber who would like to ask him a question or two about his amendment.

The CHAIRMAN. The gentleman from Rhode Island asks

unanimous consent that the gentleman from New York be granted five minutes. Is there objection?

Mr. BURNETT. Mr. Chairman, I object.
Mr. BELL of California. Mr. Chairman, I am very much in favor of this bill as it stands. [Applause.] I have listened with a great deal of interest to the speeches made by the gentlemen on both sides of this question, and I have been impressed with the earnestness which has characterized their remarks.

While the arguments have been directed to the literacy test, my impression is that the efforts of those opposed to the passage of this bill have been directed not so much against this qualification as they have been in favor of unrestricted immigration.

The people of the State of California and the entire Pacific coast are vitally interested in this question. The gentleman from Alabama [Mr. Burnerr] has warned us of the influx of the peons from Mexico, and we have with us at the present time the very disturbing Asiatic question, and these immigration problems will be accentuated by the opening of the Panama

We are now reliably informed that the steamship companies are selling 500,000 tickets on the installment plan, and southern California will be a mecca for thousands of these people from the Mediterranean who are unable to pay for a steerage passage in any other way. Our State has realized the seriousness of this situation, and our last legislature enacted a law creating a commission to try to meet this unusual and trying condition which will confront us upon the opening of the Panama Canal. The people of my State are asking that we shall have a little less in quantity and a little more in quality, and we have endeavored in this manner to meet the immigrants that may come to our State and try to serve them and train them in the American spirit.

The literacy test provided in this bill will tend not only to restrict immigration, but will give us better material upon which to work.

So, Mr. Chairman, I am heartily in favor of this bill, and would be in favor of even more stringent restrictions than this

measure provides. [Applause.]
Mr. GRAY. Mr. Chairman, human rights do not rest upon education or the advantages of opportunity, but upon the broad

principle of the equality of all mankind.

I am in full accord with the objects of this bill, but I am opposed to its principle of exclusion. I believe the time has come for restriction of immigration, but I am opposed to a test in violation of the fundamental principles of free institutions. [Applause.] I am opposed to a recognition of human rights upon any basis of title, station, or advantage of opportunity. I want a test of natural merit upon the principles of human equality, without regard to title, station, or opportunity in life. I am in favor of the test of honesty; I am in favor of a test of character; I am in favor of a test of morality; I am in favor of a test of mental vigor; I am in favor of a test of brawn and sinew; I am in favor of a test of a sound mind and a healthy body; I am in favor of a test of honest motives and a laudible ambition; I am in favor of a test of industry, enterprise, and thrift; I am in favor of a test of bona fide citizenship; I am in favor of a test of devotion to home and wife and children; I am in favor of a test of patriotism and loyalty to our institutions. I stand for a test that will exclude immigrants for want of these and not for the want of an equal opportunity in

life. [Applause.]
Mr. Chairman, while this bill adopts the educational test, it provides, at line 7, page 9, for its suspension for the admission of contract labor to take the place of the man who dares to ask for better working conditions and a living wage. If the educational test is a true test, a true test of merit and manhood, a true test of honesty, a true test of character, a true test of morality, a true test of honest motives and good intentions, a true test of patriotism and loyalty to our institutions, then you are sacrificing all of these upon the altar of commercialism, then you are surrendering all the merits of men for profit, then you are prostituting all the graces of manhood and womanhood for private gain, then you are yielding for money what you deny on conscience, principle, and right. I will go further than the provisions here in the exclusion of immigrants for degeneracy, moral turpitude, and crime, but I refuse to yield inalienable human rights or the principle of equality before the law. [Ap-

Mr. SISSON. Mr. Chairman and gentlemen of the committee, I had not intended to say anything on this bill, because as a matter of fact there is only one provision of this bill that is not now the existing law, and that is the so-called literacy test. The law has been brought forward practically in the bill as it is written with this one addition. This law has passed this House twice, has passed the Senate twice, but something has happened between the House and the Senate or at the White House to prevent it becoming a law. Now, gentlemen of the committee, I think it resolves itself absolutely into one question, and but one. It is absolutely a commercial question, and the people who labor and toil in this country realize fully that it is a question of wages and a question of competition in the life of the wage earner, because when men are competing for the same job you get cheaper labor, but when men who want men to work for them are competing for that labor you can maintain the standard of American wage and you can not do it unless you The men who are the great employers of labor want cheap labor and much immigration. I understand one, a railroad president, in a meeting of business men who were interested in the employment of labor, offered a resolution about 12 months ago in which he proposed that you shall receive from China and Japan and from India the coolie and Hindu labor for the purpose of putting them in various lines of industry on the railroads.

Those men in this country who employ men for a low wage are those men who, when they get a certain unit of work done for a smaller amount of pay than they would otherwise get, are the people who profit by this horde of alien labor which comes to this country, and that is why it was that a short time ago in a labor organization meeting there was passed almost without opposition by the representatives of the American wage earners' organizations a resolution favoring this literacy test. It is a question fairly and simply whether or not the American who lives in this country shall be able to maintain his wage or shall compete with those people who come here from year to year, as the monopolists say, to supply much-needed labor. And, gentlemen of the committee, when you analyze the situation in America you find the men who are behind this movement, controlling the public press, appealing to Congress to prevent legislation of this kind, are the men who are employing labor. They maintain press bureaus for the purpose of denouncing Members of Congress who shall vote for measures for protection of the

American wage earner. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. Mr. Chairman, the gentleman from Illinois [Mr. Mann] last Saturday evening very tersely, forcibly, and ably gave his reasons for opposing this bill, and I feel called upon at this time to give very briefly, indeed, my reason for changing my vote that was given when this bill was up for consideration before, and why I favor it at this time. [Ap-plause.] Mr. Chairman, vice and crime are weeds that grow in any soil, but they flourish best in the morasses of ignorance. If I am mistaken in this, then every writer who has studied sociology is also mistaken. It has been the experience of ages that hand in hand with progress, with morality, with good government, has gone advance in education. The single individual who comes here, however illiterate he may be, presents no dangers to us, and I would not vote for his exclusion simply on that account, for he may become an excellent and worthy citizen.

But coming here by the thousands and tens of thousands collectively, concentrated into particular districts, these illiterates

become, as I think, a menace to our Government and our instibecome, as I think, a menace to our Government and our insti-tutions. And so reluctantly, and very reluctantly, indeed, I have come to the conclusion that I must vote in favor of this bill. I say reluctantly, because I would extend the helping hand to all the oppressed. I believe that we ought to take up the bur-den of civilization so far as the world is concerned, but only so far as we are able. But there are limitations to our ability, Mr. Chairman, and the burden is already becoming, as I believe, greater than we can bear. It must, in justice to ourselves and our children, be reduced, if possible. We have already excluded the criminal, the pauper, and the diseased. We ask simply to carry this sifting process a little further. How many it will exclude, I know not, but I think not too many. We are asking but little. The standard we fix is not high but low; and those who will not in this day and age, this year of progress, come up to this standard, we must in justice to ourselves exclude. [Applause. 1

Mr. UNDERWOOD. Mr. Chairman, I would like to ask the gentleman from Alabama [Mr. Bunnerr] in charge of the bill whether or not we can not close debate on this paragraph? I

think there has been reasonable debate. Mr. MANAHAN. I think there ought to be as much debate

as there is a desire of gentlemen in Congress to debate the question. Mr. ANTHONY.

Mr. ANTHONY. I hope the gentleman from Alabama will not press that until the gentlemen who have amendments to offer in good faith can offer them.

Mr. UNDERWOOD. That does not cut off amendments. cuts off debate. I was going to suggest to the gentleman from Alabama [Mr. Burnerr] that he ask unanimous consent to close general debate on the section in 15 minutes.

Mr. MANAHAN. I will object if that request is made.

Mr. UNDERWOOD. The gentleman states that he will

object?

Mr. MANAHAN. No request has been made. I would object if it were made.

Mr. Chairman, I move that debate on the Mr. BURNETT. section and amendments thereto close in 15 minutes.

Mr. CANTOR. A point of order, Mr. Chairman. The CHAIRMAN. The gentleman from New The gentleman from New York will

Mr. CANTOR. The gentleman from Minnesota [Mr. Mana-

HAN] has been recognized by the Chair.

The CHAIRMAN. That is true, but before the gentleman began to speak the chairman of the committee sought recognition, and the Chair thinks the chairman of the committee ought to be entitled to it.

Mr. CANTOR. The chairman of the committee had already.

asked recognition on his motion and was defeated.

The CHAIRMAN. The Chair will recognize the gentleman from Alabama [Mr. Burnert] to put his motion.

Mr. O'SHAUNESSY. Mr. Chairman, I offer an amendment to the motion, making the time 45 minutes.

The CHAIRMAN. The gentleman from Alabama [Mr. Burnert] moves to close debate on the paragraph and all amendments. ments thereto in 15 minutes.

Mr. BURNETT. I will make it 20 minutes, Mr. Chairman,

Mr. MOORE. May I not be heard on that motion?
The CHAIRMAN. The gentleman knows that is not debatable.

Mr. RAKER. Mr. Chairman-

The CHAIRMAN. For what purpose does the gentleman from California rise?

Mr. RAKER. I would like, before the motion is put, to say to the gentleman from Alabama [Mr. Burnerr] that there are many important amendments to this paragraph, and I hope that he will not dispose of it without regard to many other amendments that are desired to be made to it.

Mr. BURNETT. It does not prevent amendments; it pre-

vents debate on the amendments.

Mr. HAYES. If the gentleman will only confine his request to the paragraph, I do not think there will be any objection. Mr. BURNETT. What does the gentleman call the para-

graph?

Mr. HAYES. This literacy test.

Mr. DONOVAN. Mr. Chairman, a parliamentary question, By what sort of parliamentary practice can the floor be taken

from a Member without the point of no quorum being raised?

The CHAIRMAN. The Chair has already ruled on that, and if the gentleman is not satisfied he can appeal from the decision of the Chair.

Mr. DONOVAN. I think I am entitled to an answer as to how a Member can lose the floor except by the point of no quorum.

The CHAIRMAN. The Chair thinks the gentleman got the floor in time to make his motion to close debate, and therefore the Chair must decline to argue with the gentleman any further. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE. Will it be in order to move to amend the mo-

tion of the gentleman from Alabama?

The CHAIRMAN. The gentleman from Rhode Island [Mr. O'SHAUNESSY] has offered an amendment, and the Chair was about to put the motion when he was interrupted.

Mr. MOORE. I desire to put before the Chair and the com-

The CHAIRMAN. The gentleman can offer a substitute.

Mr. MOORE. Then I move as a substitute, Mr. Chairman, that the time be extended until all those who have made requests of the Chair to discuss this literacy test under the fiveminute rule shall have been heard.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] moves as a substitute that the time on this section and

all amendments thereto-

Mr. MOORE. Oh, no, Mr. Chairman; not on the section; on the paragraph.

The CHAIRMAN. On the paragraph.

Mr. BURNETT. I make the point of order, Mr. Chairman, that that is indefinite.

The CHAIRMAN. That is true.

Mr. MOORE. Then I move to make it an hour. That will

fix it definitely

The CHAIRMAN. The gentleman from Pennsylvania moves, as a substitute to the motion of the gentleman from Alabama Mr. BURNETT] and to the amendment of the gentleman from Rhode Island [Mr. O'SHAUNESSY], that all debate on this paragraph and amendments thereto be closed in one hour.

Mr. GARDNER. Mr. Chairman, a parliamentary inquiry.
The CHAIRMAN. The gentleman will state it.
Mr. GARDNER. What is the meaning of the words "this paragraph" as used by the chairman?

Mr. MOORE. The paragraph affecting the illiteracy test. The CHAIRMAN. The paragraph is in section 3, beginning on page 7, line 19.

Mr. GARDNER. Line 15, is it not? The CHAIRMAN. Line 15; yes.

Mr. GARDNER. And ending on line 24 of page 8?
The CHAIRMAN. No. The paragraph ends on line 15 of page 11. That is the end of the paragraph.

Mr. MOORE. It begins on line 19, Mr. Chairman, on page 7. Mr. GARDNER. If the Chair will permit, the educational test, so called, begins at line 15, on page 7, and ends with the first word in line 24 of page 8.

The CHAIRMAN. That is not the paragraph: that is in

the middle of it.

Mr. MOORE. It is the paragraph affecting the literacy test.

The CHAIRMAN. It is not a paragraph of the bill. It may
be a paragraph of the section. The gentleman from Pennsylvania [Mr. Moore] moves that all debate on the literacy test and all amendments thereto close in one hour as a substitute for the motion of the gentleman from Alabama [Mr. Burnett] and that of the gentleman from Rhode Island [Mr. O'SHAU-NESSY]. The question is on agreeing to the motion of the gentleman from Pennsylvania.

The question was taken, and the Chairman announced that

the noes seemed to have it.

Mr. MOORE. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded. All in favor of the motion of the gentleman from Pennsylvania will rise and stand until they are counted. [After counting.] One hundred and eleven gentlemen have arisen in the affirmative. The ayes will be seated, and the noes will rise. [After counting.] hundred and nine gentlemen have arisen in the negative. ayes have it, and the substitute is agreed to. The gentleman from Minnesota [Mr. Manahan] is recognized.

Mr. MANAHAN. Mr. Chairman, I am not surprised at what has taken place here just now regarding the attempt to close debate in 15 minutes upon this literacy test. I was not surprised when the distinguished gentleman from Alabama [Mr. UNDERWOOD] refused to take five minutes' additional time, which I asked for him, that he might answer questions which I desired to put to him; nor was I surprised, Mr. Chairman, when the gentleman from Indiana [Mr. Adair], also an ardent advocate of this intolerant test, objected to the gentleman from Alabama [Mr. UNDERWOOD] being given five minutes' more time to defend this

the gentleman from Alabama to answer questions-regarding this law indicates that he dare not now take the floor and answer on the very points he attempted to make in this debate.

I commend the shrewdness of the gentleman from Indiana [Mr. ADAIR] in objecting to the leader of the Democracy being forced to answer questions upon this literacy test, and I admire also the shrewdness, if not the patriotism, evinced by the chairman in charge of this bill [Mr. Burnert] when he insists on limiting debate to 15 minutes. He would have had no debate at all upon this section if he had had his way. He wanted to shut off general debate on the whole measure after four hours.

shut off general debate on the whole measure after four hours. It is a very obvious thing that they dare not have a full and free discussion of this question of illiteracy. It is an embarrassing subject. Why, the gentleman from Alabama has been in Congress eight years, and still the illiteracy of the State of Alabama is over one-third. As shown by the census of 1900, 14.8 per cent of the native whites of the State of Alabama could not read or write. Even to-day 25 per cent, substantially, of all the people in his State are illiterate.

Why, the arguments that he advanced tempt me to abandon my opposition to this test, because if the illiteracy of a State is

opposition to this test, because if the illiteracy of a State is responsible for such a lack of logic and for the narrowness of view which he expressed in the last figures that he gave, then it is an argument that illiteracy is a grave menace to legislative

intelligence.

What did he do? He offered figures here from Somerset, N. J., or Pennsylvania, or somewhere else, one isolated community, with no statement as to the make-up of its inhabitants, and he quotes the statistics showing the illiteracy of the men convicted of crime in this town, an unfair way to proceed on a question of this kind and meaning nothing. You can pick out counties in any State in the Union that would show that every crime committed was either, one way or another, by men who could read or could not read, by natives or by foreigners, as the case might be, depending entirely on the population of that particular place.

In my State, where the illiteracy of native whites is only onehalf of 1 per cent, and of all our people only 3 per cent, you could not find any county where any measurable proportion of crime is committed by illiterates. We have not enough illiterates in Minnesota to commit crime. [Laughter.] The gentleman from Alabama [Mr. Underwood] submits these figures from Somerset County, N. J., figures which are misleading and mean nothing to a logician, and he expects this House to give credence to those figures because of the exalted position he holds as leader of the majority. So I say that the narrowness of such a point of view, the intolerance shown in shutting off debate, the refusal to answer fair questions, and the lack argument shown all along the line by those who advocate this literacy test almost persuades me that, after all, illiteracy is a rather serious handicap to a legislative constituency. [Applause.]

Of course, Mr. Chairman, there can be no difference of opinion regarding the importance of universal education in a self-governing republic. A healthy national development demands it. My opposition to this law, which lets in all sorts of foreigners who can read a little, but shuts out poor peasants, who never had a chance to learn, does not mean that I deprecate education in social economy. I love our country school system. From the little country school on my father's farm, through the State normal to our great university at Minneapolis, all of my education was in the public schools. To my mind our state-craft and our schools must have interlocking directories. The social welfare and the school system of any State stand side by side, on a high plane or a low plane, as the case may be. Therefore I favor compulsory education and rigid naturalization laws. No foreigner should be naturalized until he has lived with us as a good citizen for five years and can read and understand what he reads. But it is not fair to deny a man a chance to learn how to read, as this law does, by turning him back into the darkness of despotism and despair. Our exclusion laws are We exclude the Asiatic, the anarchist, the rigid enough now. insane and the idiot, the paralytic and the pauper; men who are sick or sore or silly are stopped at our shores. the Commissioner of Immigration shows that during the past year there were excluded on account in sanity, 198; idiocy and imbecility, 72; feeble-minded, 483; diseased (including tubercular), 2,564; defective, 4,208; criminal, 808; immoral 620; contract laborers, 1,624; likely to become a public charge, 7,956.

Only the healthy and the honest men and women who come knocking at our doors are permitted to cross our threshold. The objection of the gentleman from Alabama to answer questions—I will not call it "objection"; I will call it the fear of industrial giants, all concerned will be mutually benefited, and more and more, as the years go by, our roads will be built and our resources developed, our fields tilled and our hungry fed.

The propaganda for this bad bill has not and can not meet the objections we have urged against its un-American spirit, its unsoundness from an economic standpoint, its historic ignorance, heartless and un-Christian selfishness, its shameless inhumanity.

Nothing but fear of subjecting this law to full and fair discussion will explain the unseemly haste with which its nauseating mixture of rotten economics and selfish prejudice has been crammed down the throat of a more or less intimidated Con-They even try to hold our respectable nose as we gulp

Not even so-called business reasons can be urged for this re-What would the so-called wealth of this country be worth if there were no people here? Do not the gentlemen realize that men are the real assets of any nation? We have in our day lost many good men to Canada—about a million people have crossed our northern line since 1896—and our Nation suffered a great loss in their going. But we have gained good men also from Canada and from Europe—some of them almost priceless in value from an economic as well as a moral standpoint. I do not refer to the empire builders and statesmen with whose story all are familiar. Our greatness rests on humbler men, the un-heralded ones, the simpler folk of the lonely places. My State is sturdy and strong in manhood—immigrant manhood, if you

I know an old farmer in the Red River Valley who came over in the steerage from Sweden. He was very poor, but with strong hands and fine courage he subdued wide acres of stubborn soil, built a home, and educated a family of children, winning the confidence and respect of all who knew him. Was this immigrant's value, as an asset of this Nation, measured by the value of his farms or by his money in bank? What was his coprage and patriotism worth? He learned that the great express monopoly of the country was extorting millions from the people, most of whom were poor. Like his Viking ancestors, this old Swede braved an ocean of power when he hired a lawyer to fight all of the express companies in this country. took from his savings a thousand dollars and said to his lawyer, Will it cover the expenses?" His name is in the records of the Nation-Bengt E. Sundberg against The Express Companies. The decision of the commission in this case reducing the rates all over the United States goes into effect on this very day. It will save consumers approximately twenty-five millions a year in carrying charges.

What was this immigrant's courage and patriotism worth to this Nation? You gentlemen of narrow view would have shut the door in the face of this man when he came had you the

And telling this man's story reminds me of his friend and inspiration during that big fight, a man by the name of Loftus. His father was an immigrant from Ireland, his mother from England-and I was about to say he was himself a Scandinavian from Minneapolis. For over 10 years now this selfmade man, George S. Loftus, has led the fight of the reformers of the Northwest against the discriminations and extortions of the railroads, the gambling and price control of the grain combine, and, generally speaking, against the tyranny of the strong over the weak. He fought the Pullman Co. and forced a reduction of its rates in the well-known case of Loftus against Pullman Co. On every public question he has done a man's work. And remember that his immigrant parents were so poor that he had no chance to go to school except a few months as a small child. And yet so informing is the hustling life of every homogeneous community, so enlightening is contact with men of different races with divergent points of view, so stimulating to the mind is the busy mart where races mingle, that this man has attained an address and capacity, an ability to think, and a facility of expression equaled by very few men upon this

When I think of men like Loftus and Sundberg, I confess that I lose patience with the spirit of exclusion which would have denied our country their services as citizens. Surely we have room for more like them in every State in the Union—room and need—so keep down your timid, selfish bars and let them come. "America for men" spells nobility in national conception. "America for Americans" sounds solemn, if selfish, but smells like an ancient corpse.

Several learned gentlemen have boasted of colonial ancestors and hinted that it conferred proprietary rights to this country, but I am not convinced that their title is good. I have not forgotten that many learned and respectable men during those heroic days were Tories, and when I hear men of this generation speak with sneers of our immigrants, as I have in this Chamber, I suspect that during that awful winter while Wash- | directly, the subject of immigration. So that the subject of im-

ington and his soldiery of common men were freezing at Valley Forge, the boasted ancestors, the great grandmothers of my accomplished friends, were waltzing with the British officers in

the ballrooms of Philadelphia.

And I wish to remind these "America for Americans" gentlemen that the records in this capital disclose the fact that more than one-half of the men who fought in the American Revolution were men of Irish blood or descent; that the names of nine Irishmen are signed to the Declaration of Independence; that French, German, Polish, and Hungarian officers were the inspiration and guidance of the American forces. Europe is the mother country of America, and the men of Europe have sacred and blood-sealed rights upon our continent.

Mr. GORMAN. Mr. Chairman, aside from the merits of the propositions involved in this bill, I want to take occasion at this time to criticize the political judgment of the gentlemen who have seen fit to foist this bill upon the consideration of Congress and the country at this time. [Applause.] This Democratic administration, the first in 16 years, came into power on a platform pledging the party to remedy certain economic conditions existing in this country, and the platform was absolutely

silent on the subject of immigration.

In conformity with our platform pledges we have enacted legislation on the subject of the tariff and the currency; we are about to enact legislation looking to trust regulation; and the great question of railways in Alaska is actively engaging the attention of this Congress and the country now. I respectfully submit to my Democratic friends that if we are interested in the success of the present administration we will confine ourselves in our legislative activity to those subjects upon which our party went before the country on its platform, and we will carry out the pledges we then made to the people, and if, after having done this, any time be left during the present session of Congress, we might then take up measures that were not referred to in the platform of the party. I believe that if we inject the subject of restriction of immigration, particularly by means of an illiteracy test, into our legislative program at this time, the manner in which the country will receive the legislation already enacted on the tariff and the currency, and the manner in which it will receive the legislation about to be enacted on the trusts, and having reference to railways in Alaska, will in large measure be confounded with our immigration problem. I believe that this administration, and the policles upon which it has embarked should be judged by the country fairly and impartially, and that it is unfair to the administration and its policies to inject the subject of immigration into its program at this time.

The foreign-born voter will in all probability regard this emigration bill as an affront to the people of his country, and when he goes to the polls next November he will register his vote as a protest against the immigration policy which we are about to adopt, and the effect, whether beneficial or otherwise, of the legislation we have already enacted and are about to enact on economic subjects will be lost sight of. So I appeal to my Democratic associates to let us proceed to the enactment of legislation looking to the carrying out of our party platform pledges, so that the country can judge of our policies in that regard uninfluenced and unhampered by any extraneous matters.

[Applause.]

I respectfully submit that, however important this matter of restriction of immigration may be, this administration is entitled to be judged by what it has promised the people to do and what it has already done, and that the question of restriction of immigration, in view of our platform pledges and the attitude of the administration upon that subject, is not now before the country and should not now be before this House.

[Applause.]

During the course of the debate on this bill, I have heard some men intimate, or at least try to convey the impression, that they were in the confidence of the administration and that they know what the President will do if this bill should pass. Some have intimated that the President will approve the measure; some have intimated that he will veto it if it passes in its present form. I think, however, that we can safely say, without reference to whether these intimations are correct or incorrect, that the attitude of this administration has been made clear to the Members of the House. On three distinct occasions since the present administration came into power President Wilson appeared in person before joint sessions of the House and Senate, and in plain, well-chosen, and unequivocal terms he conveyed to Congress his views with regard to the subjects upon which he thought it would be wise for the Congress to act, and were of pressing importance to the country. But on none of these occasions did he mention, directly cr indirectly, the subject of impigration. So that the subject of impigration. migration is not only not a part of our legislative program, according to our platform promises to the people, but consideration of that subject was not even invited by the President.

As far as the merits of the bill are concerned, I am heartily in sympathy with the view that immigration ought to be restricted, but I am not prepared to adopt the view that because a man can not read or write, therefore he should not be admitted to this country. The warmest advocates of the restriction of immigration by means of the illiteracy test come from States where illiteracy prevails, unfortunately, to a very great extent, and when this charge was made by Members of the House who come from districts where illiteracy is not so common, I admired the spirit with which Members who represent Southern States responded that the illiteracy which obtains in those sections was due not to unwillingness on the part of the people to secure education but was very largely due, if not entirely, to the disastrous effects of the War between the States. I can very readily understand how the disastrous effects of war have had much to do with depriving men and women of an opportunity to acquire education, and if these conditions obtain for a period of 50 years after a disastrous war, how much more true must these conditions be among peoples who are frequently at war. Europe has been afflicted with several wars since our unfortunate conflict of 50 years ago.

France and Germany have had their strife; Greece and Turkey have had their conflict; England destroyed the South African republics after an exhaustive and devastating war; France and Italy have had their African troubles; our own Nation was obliged to humble the pride of Spain; Japan and Russia waged a very disastrous war upon each other; and the Balkan States are now prostrate and their fields are drenched with the blood of a very recent conflict. And while war was not actually going on in Europe or between Europe and other powers, all the Governments of Europe were wasting the substance of their people in the levying of war taxes, that the Government might be kept in a constant state of military and naval preparedness for war. This almost continuous conflict, and the exactions of European Governments to maintain their state of preparedness for war, has resulted in a great many of the toiling masses of European countries being deprived of an opportunity to secure an education. If we intend to maintain our country as the founders intended it should be maintained, as an asylum for the oppressed, and if European governmental op-pression results in preventing the European of any nationality from an opportunity to secure an education, we ought to determine the fitness of those who seek an asylum on our shores by a standard other than that of an illiteracy test.

In this connection, too, it is well to note the fact that in

those portions of our country to which immigration is common, wealth and industry abound; and in those sections of the country to which immigration has not gone, and from which the protest against immigration is loudest, industry and wealth have lagged behind. This outcry against the immigrant has been going on for years. It has been asserted that immigration has a tendency to lower the standard of American wages; to lower the standard of American living; and militates against the progress of American institutions; and theoretically this seems sound, but this theory can not stand in the face of the indisputable fact that our country to-day is richer, more powerful, and more influential among the nations than it ever was before. The standard of American living is higher to-day than it has ever been in the history of the country, and the statistics issued by the Department of Labor show that the tendency of wages is upward and not downward, notwithstanding the fact that immigration has been increasing rapidly in recent years.

In listening to the claim asserted during this debate that immigration is disastrous to the country, I could not avoid re-flecting on the fact that the great State of New York, which ranks first in population, is also first in wealth, and its immigrant population is larger than that of any other State. Pennsylvania ranks second in population, second in wealth, and second in the number of its immigrant population; Illinois ranks third in population, third in wealth, and third in the number of its immigrant population; Ohio comes fourth in population. fourth in wealth, and it has a large foreign population. And so it is all down the row of States; wealth, population, and immigration seem to go hand in hand. When we come to the great State of Alabama we find it is eighteenth in population. its immigrant population is less than 1 per cent of its total, and it ranks twenty-seventh in the score of wealth. We should not be influenced against the immigrant by a prejudice or a fear. The honest, intelligent, and industrious immigrant is a producer of wealth and is by no means a danger to our institu-tions; and, while he may be illiterate, our experience in the past has demonstrated that the children of immigrants cheer-

fully take advantage of our free educational institutions and have developed into the brightest, most capable, influential, and

patriotic citizens of the Republic.

Mr. AUSTIN. Mr. Chairman, in answer to the speech made by the gentleman from Ohio [Mr. Gordon], I wish to speak during the time at my disposal. The gentleman from Ohio reproaches the Members from the South because they have not thoroughly and fully considered this proposed legislation. Seven years ago Congress created a commission of nine Members, seven of whom were from the northern and western sections of the country-Senator Lodge, of Massachusetts; Senator Dilling-HAM, of Vermont; and Senator Percy, of Mississippi; Representative Howell, of New Jersey; Representative Bennet, of New York; and Representative John L. Burnett, of Alabama. They added to that commission a professor from Cornell University, Prof. Jenks; the United States Commissioner of Labor, Mr. Neill, of Illinois; and a leading and representative citizen from California, William R. Wheeler. Seven of the nine members of that commission were located north of the Ohio River, coming from States which have enjoyed foreign immigration. After four years of study, travel, and investigation in Europe and in America every member of that commission, except Mr. Bennet, of New York, recommended to the American Congress that it pass this literacy test. They said further that it was the best and most practical way, under existing conditions in Europe and under their laws, by which we could reduce the immense volume of immigration pouring into this country.

Now, gentlemen, I want to say that the chairman of the committee reporting this bill [Mr. BURNETT] has devoted more time, more energy, more work, more thought to this measure than any man on that commission, or any man in Congress. For that work of such great and far-reaching value to the American people, their welfare and their future, Alabama, the South, and the Nation owe John L. Burnett a debt that can

never be fully paid. [Applause.]

I have been a Member of this House and have served with him for five years on one of our standing committees and have had every opportunity to observe his conduct and work, and a more faithful, untiring, conscientious, incorruptible public servant does not live than the gentleman from Alabama [Mr.

BURNETT] who reported this bill. [Applause.]

Now, the gentleman from Ohio [Mr. Gordon], in an unkind, uncalled-for, and contemptible manner, referred to the people of the South. Coming, as it does, from the Member from Ohio, of the south. Coming, as it does, from the Member From One, it needs no answer; but I wish to say to him that that great section of the country gave to the Continental Army, which achieved and established freedom and liberty on this continent, George Washington from Virginia. The South gave Thomas Jefferson, who wrote the immortal Declaration of Independence. The South gave Andrew Jackson, Abraham Lincoln, Admiral Farragut, Robert E. Lee, and other illustrious men to the Nation, and I submit that it does not lie within the power of the Member from Ohio to question or challenge the courage and patriotism or the intelligence of the South or the southern people. [Applause.]

Mr. LOGUE. Mr. Chairman, I trusted that all reference in the matter now under discussion to any sectionalism or party, association would disappear. I am one who believes that we should have the best as American citizens. I am one who believes that the privilege of being an American citizen is of the highest consideration and importance. I admire and welcome almost all provisions in this bill, even if it should only be styled to be a codification of existing law. We provide against the derelict who would seek our land, we provide against the mentally weak, we provide against the criminal and the physically unsound. We demand that none shall seek our shores, or seek to embrace American citizenship, unless perfect mentally, unless perfect morally, and unless perfect physically. I feel that the additional qualification is needless and unnecessary and meaningless. The lack of education or opportunity to acquire education is, perchance, one of the accidents of life, and it is not dependent on the lack of moral character, the lack of application, but is rather the lack of opportunity.

We know well in reading the history of the world how education has been denied in years gone by by reason of religious or other prejudices. We have extended our ideals and set ourselves up as a model to the nations of the world. We have enunciated the doctrine of equality of man before the law. have added to it the great work of the Maker in the creation of men equal. Should we now say that the rule of chance shall deny the opportunity to embrace in the citizenship of this country one morally good, one physically strong, one abandoning the hearthstone in his mother country, one who seeks this land for the exercise of his God-given right of freedom of speech, freedom of thought, and freedom of religious and civil

liberty, who comes here to give us the best that is in him for the uplift of his own people as well as those whom he joins? It means little, to me, the amount of restriction under the educational clause. I would have the man who seeks our shores compelled in a short period to qualify himself by an educational test for citizenship, or go out never to return I would not permit a man to come here and merely take the cash, go away and deposit it on other shores. I am not unmindful of the history of our land and of the many men who occupy seats on the floor of this House. I am not unmindful of the fact that they came from an ancestry that has nothing to boast of but their honesty, morality, application, and determination; who left their mother's side and father's side to seek this land in the hope of the uplift of their children and to be given an opportunity to work out their salvation both temporal and eternal. [Loud applause.]

If we must restrict, let us do so in an actual and practical way. Let us restrict on a numerical basis the immigrants coming into the country. If it is feared that there will be an influx of those whose number will interfere with American industry, American progress, and American return for energy and application, or who will compete unduly with us, let us restrict the number; but when we do not undertake to bar immigration in toto from this land of ours, let us not be guilty of adopting a means which strikes at that which is perhaps no fault of those seeking refuge here and may be the outcome of religious or

political oppression.

We are properly legislating to exclude from our shores the morally unfit, the mentally incapacitated, the physically unclean, the dependent upon American charity, and those whose thoughts and beliefs are counter to government or the maintenance of law and order. Why should we add to this a makeshift, and where the mentally strong and physically perfect, the man of pure heart and good intentions—the object, perchance, of persecution that denied to him an opportunity for education—seeks our land to give the best that is in him to our institutions, strong physical manhood and a pure heart, deny him the opportunity and continue the work directed against him in his native land?

Make positive and immediate enforcement of the law against the alien who has had permission to enter the country and inveighs against our institutions and our principles should be our motto. Very frequently he is the educated man who could

meet the requirement of this bill.

I believe the best is not too good for American citizenship, but do not let us by indirection do something that we should not do, and if immigration is to be restricted, if there are too many coming here, let us restrict upon a mathematical calculation and based upon a sound foundation.

Mr. KENT. We in this country have a choice of two things. We can either act as a lighthouse or as a dumping ground. We can either work out the problem of democracy amongst the fit or we can say that we are willing to be flooded by the world and take our chances in the great world struggle. can not digest all population that may come to this country under a policy of unrestricted immigration. We can not accept the dogma of the orthodox socialist, that every man has a right to go anywhere on the face of the earth that he chooses and there settle. We who are here owe our democracy to selected races. We owe our democracy to races that have long struggled for constitutional liberty and who know what it means. Therefore I say that, in my opinion at least, it is necessary that we carefully select our citizenship. It is, more than that, necessary for democracy that all of the people who are in our country, whatever their avocations may be, should be a part of the We do not want a man who does not vote to dig sewers and lay track, to black shoes, or to perform any other service, high or low. Our duty to-day is to see to it that the work that is called dirty work is made sufficiently dignified work for our children to perform.

We know perfectly well that the resources of the world are not inexhaustible. There was a time not long ago when our people believed that the timber resources of this country were inexhaustible, and so we slaughtered and murdered our timber,

and we are now coming to the end of that resource.

It is just idle to say that the land of this country is inexhaustible. We know perfectly well that the best land has already been taken up. We know perfectly well that if we become as thickly populated as some of the old countries we will have misery at our doors and lack of food and will be struggling for existence. Until we go ahead and by scientific investigation find out better means of intensive agriculture, find out better means of supplying food to our people, find out better means of distribution among our people, find out where they can work more profitably, where they can work under better circumstances, we had better cut off this immigration in every

way in our power. I for my part would like immigration stopped until we can settle our own struggles amongst ourselves and create better conditions for all the people now within That not being feasible, we must look to some means of restriction, and in this literacy test I can see a means which, although not perfect, it is easy to argue against on sentimental grounds, yet at the same time has much to commend it. The people in our country who are most exploited, who are most abused, who furnish the most horrible example of what democracy ought not to be, are the people who from lack of education are most easily subject to oppression, and therefore, pending other and better measures, pending a bill that might be all wise, I stand for this literacy test, knowing that it is not complete, knowing all the arguments that can be made against it, having great sympathy with those who stand against it. the same time, in the interest of all our people, I believe that this is about as good a test as has been suggested, and I believe that it is one that at the present time we would do well to adopt. [Applause.]

[Mr. DECKER addressed the committee. See Appendix.]

Mr. SLOAN. Mr. Chairman, I shall oppose this bill in its present form; not because it restricts immigration but because the report filed with it shows that after five years' investigation of the great subject, ability to read 40 words is the sole important additional test which would admit or bar a seeker of an American home or citizenship. I do not think that requirement should be given the dignity of an epochal advance in legislation.

I am not convinced that ability to read, however desirable an accomplishment, is sufficiently important to determine whether a citizen is a desirable or an undesirable. The time is coming when this great Government, seeking to place its stamp of approval or disapproval upon not only him who would come but him who would be permitted to stay, will apply the test of loyalty and character—the most important evidences of which will not be reading and writing. [Applause.]

will not be reading and writing. [Applause.]

Throughout our country the different communities are not so solicitous as to ability to read. I was in one of the States of the Union, whose Representatives are here pressing this measure, a short time after their primary was held. A couple of partisans were talking about a successful aspirant for a local office. One said, "He ain't fitten for it. He can not read writing." "Cose not," said the other. "Eph can not read reading, but he won at the primary, and that settles us." [Applause.]

Reading is an excellent accomplishment. I wish all had it,

Reading is an excellent accomplishment. I wish all had it, but it is an accomplishment which aids in crime as well as in culture and refinement. A smattering of education abroad does not necessarily prepare an immigrant to enter into the spirit and genius of our institutions, to obey our laws as to life, liberty, property, and family, or imbue him with a devoted and militant love of our flag.

Mr. GARDNER. Will the gentleman yield? Mr. SLOAN. I have not the time.

I want to further say that we need not fear the foreign immigrant who would be excluded by this test on account of crime. Schrank, the miscreant who shot ex-President Roosevelt, would receive a welcome at our ports under this law, because he was born in foreign lands and there learned to read. More than this, the three great consummated tragedies of our Nation were committed by men all of whom, if knocking at our doors, could have met this new insufficient test. The great but gentle McKinley fell at the hands of Czolgosz, a man of some reading as well as education. The mighty Garfield went down from the bullet of Guiteau, a man learned in the law and of oratorical pretensions. And Lincoln came to his martyrdom by the assassin Booth, who was educated, refined, gifted, and dramatic.

In my district there are numerous Germans, Scandinavians, Irish, Scotch, English, Bohemians, and Poles. They are tillers of the soil, thrifty business men, good citizens, supporters of education, and a discriminating electorate. They do not allow themselves to become fixed factors in annual elections, but discriminate year by year as to men, measures, and parties, and in that way show the highest grade of useful citizenship. We think of them as possessors of these qualities rather than of the mere ability to read and write, which of course nearly all of them can do. However, some of the older ones of each nationality came to this country and were then and are even now unable to read and write. But they have succeeded, and with a credit to their several communities and races, notwith-standing that defect. From all these classes, as I gather from the pension rolls, many did not hesitate when our country's call was made, and those who met them on the field of battle found, that while many could not write their names, every one could make his mark. [Applause.]

I especially oppose this bill, because in the report which the committee filed it complains of the large number of immigrants coming from Austria-Hungary. Many thousands of these have come from the mountain-girt Province of Bohemia to my State and district. They came to toil, to learn, to advance and become worthy citizens of the Nation. They brought their genius for farming as well as their thrift. Our rich soils pay no higher tribute to husbandry's efforts than to our Bohemian farmers. They support our schools, their youths attend our universities, their sons serve in our Armies. They establish and maintain good homes and adorn our professions.

After all, gentlemen, the trick of reading neither makes nor unmakes a good American citizen. What we want from the other shores for our growth and development are healthy minds and clean bodies, transmitted without taint from a healthy ancestry and from willing hands, honest purposes, and loyal hearts. For of these are our best citizens made, whether Amer-

ican or foreign born. [Applause.]

Mr. HOWARD. Mr. Chairman and gentlemen of the committee, within a short period of about eight months in this House, I have seen a remarkable conversion of some gentlemen, particularly the gentleman from Pennsylvania [Mr. Moore]. I heard his eloquent voice here during the tariff debate, loud and vociferous, appealing to this House to keep up the tariff wall to the prohibitive stage, not because he wanted to benefit the manufacturers of the country, but his soul was possessed of one thing only, and that was the protection of the American laborer. Oh, protect the American laborer by keeping the tariff wall so high that nothing that is made by foreigners can come into this country! I will just suggest to the gentleman that within six months, up to January 1 of this year, nearly 735,000 foreigners have landed on the American shores to compete with the very men he was so solicitous about eight months ago.

Now, they want to let down the immigration walls and allow them all to come in. So I do not believe he was sincere when he said eight months ago that he wanted to protect the American laborer. I believe he did not want to protect anybody but the American manufacturer, and I think the American laboring class will put a proper tag on the gentleman from Pennsylvania.

I regret that my genial friend from Minnesota [Mr. Mana-HAN] has been so harsh in his statements about the South. I regret that that subject has been injected into this debate, although we have got to have some yardstick by which to measure a foreigner landing on these shores, either educational or otherwise. Has the gentleman from Minnesota forgotten that 50 years ago Sherman left one broad streak of charcoal from Charlotte, N. C., to Savannah, Ga.? Does he forget that the invading armies of the North destroyed our homes, confiscated our cattle, destroyed every vestige of property that we had, and that after all that was over we were left with 4,000,000 helpless former slaves to care for and to feed? From that day to this those men who were then slaves have multiplied until we have 9,000,000 of them in the Southern States, and to-day in the State of Georgia and the State of Alabama, and in practically every other Southern State, the people who freed them 50 years ago contribute 90 per cent of the taxes to educate them. To-day 300,000 of them in the State of Georgia are going to our public schools almost entirely at the expense of our white population.

The white men who are illiterate in the South to-day are the men who were deprived of the privileges of an education because of the fact that when the war was over they were called to the plow handles and were called to every other vocation in life to make a living, and they were forced to put their little children in the devastated fields to help in the almost insurmountable task of rehabilitation of our desolate land.

Mr. MANAHAN. Will the gentleman yield to a question?

Mr. HOWARD. Certainly.

Mr. MANAHAN. Would not the same character of men now in Bohemia have also prized an education and have made the same good citizens if they had had it?

Mr. HOWARD. In reply to the gentleman I will say that 10 years ago 31.6 per cent of the people of Georgia were illiterate, and in 1910 we reduced that percentage of illiteracy to 22.6 per cent. We want the people of the South and of Georgia to be literate and we want them educated, and we will educate them; but we have had enough burdens to bear from the negro, without having turned in on us with a steady stream your dear Bohemians and southern Italians not only for us to educate but to compete with the free-born American citizen, through whose veins courses the purest Anglo-Saxon blood in the world. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Pennsylvania [Mr. Bailey] is recognized.

Mr. BAILEY. Mr. Chairman, about 35 per cent of the population of my home county is made up of people of alien birth. About 10 per cent of the population in another county in my district is composed of foreign-born people. The third county in that district has less than 5 per cent of foreign-born population.

My own county is one of the most thriving and progressive in the whole State. It has been growing rapidly in population and in industry, the percentage of increase being almost if not quite the largest in Pennsylvania. The great steel plants and the mines alike depend in an increasing measure on the men of foreign birth for their labor supply. Last year the Cambria Steel Co., employing as high as 21,500 men, was hampered in its operations by a lack of help. It needed at one time 2,000 men, which it could not secure. Its total output of wealth was therefore less than it would have been had it been able

anywhere to find the labor so greatly needed.

Mr. Chairman, it has been complained of on this floor that the foreigners lower the standard of American living, and that they likewise lower the moral standards of our society. I do not believe this to be true. The foreigners in my town are numbered by the thousands. They have at least half a dozen large churches and a number of flourishing schools. Of course, they are not fully Americanized. They do not at once take on American habits and observe American conventions. They quite naturally cling to the habits and conventions of the old home, just as we would do were we to go into a strange country among a strange people. But on the whole they are law-abiding; they are industrious; they are thrifty; they are ambitious; they are anxious to learn our ways; they love the freedom which they find under our flag; they are proud of the liberties which our free institutions offer them; they lose no time in becoming citizens, so that they may participate in that self-government which so mightily appeals to those to whom self-government was denied in the old home; they send their children into the public school to learn the language and to equip themselves for better things than the parents hope to attain; and they are driving stakes deep into the soil of the adopted land by buying homes and establishing themselves for a more hopeful future.

Among my constituents are many Italians, many Poles, many Hungarians, many Slavs, and many of other nationalities. All alike seem to be industrious, frugal, and anxious to get ahead. The notion that they are willing to accept any sort of wages is false. They know the market value of labor, and they are as insistent as any native on getting the highest wage prevailing.

It is true that some of them live in a hard way, crowding into tenements unwholesomely, faring poorly, possessing few of the comforts of life, in some cases the conditions being such as to breed disease and perhaps engender immorality. But may not as much be said of some of our native population? Do we find only people of foreign birth herded in tenements amid filth and squalor under conditions which forbid all the refinements of life, and which make inevitably for a lowering of the moral standard as affecting the sexes? As a matter of fact, overcrowding amid unwholesome surroundings is not peculiar to any particular race or nativity. Its victims are simply the victims of poverty, and this scourge of our twentieth century civilization does not stop to inquire whether those it blights were born under the Stars and Stripes or under some alien flag.

The immigrants who make up so large a part of the population of my county, and who in smaller numbers contribute to the population of the other two counties in my district, are sharing in full measure in the gainful work which is going on in mill and mine. We have in Johnstown one of the greatest steel plants in America. Thousands of men of foreign birth are employed in its various departments. They, in fact, constitute the bone and sinew of that vast industry, the product of which goes into every State and into almost every conceivable manufacture of which steel is a component part or a raw material. Italian and Slav, Russian and Pole, Magyar and Croat, Lithuanian and Serb, all alike swarm about in these roaring hives of labor, and all alike contribute to the stream of wealth which flows thence to enrich the land and to increase the sum of human comfort. To asperse these people and to charge them with presenting a menace to our institutions is to betray ignorance of the truth and to do an unwarranted injustice to people who have paid us the high tribute of leaving their native land to cast in their lot with us in working out the destinies of the Republic.

But it is said that they send money back to the old country, Yes; they do. Perhaps a hundred millions a year; possibly

Yet what of that? Of course they do not send money at all. What they do send is a draft on the labor they have done or on the product of that labor, and that labor or its results surely belongs to them. It can not belong to anyone else, and no one is being robbed of anything which belongs to him when a Slav or an Italian or a Magyar in Johnstown transfers to his old mother across the wide waters or to his sister or to his wife a part of what he has produced by his toil. It is his to do with as he wills so long as he does not employ it to the injury of his neighbor. With equal propriety and jus-tice we might make war on the thousands of Americans who every year rush across the Atlantic to spend hundreds of millions of dollars in sight-seeing and in fast living. But who thinks of challenging the right of Americans thus to spend what is theirs? Who thinks of attributing the country's woes in any part to this drain or supposed drain upon its resources? Certainly not the author of this bill.

Mr. Chairman, it has been said on this floor many times during the debate on this measure that what is proposed is in the interest of labor. The old notion that capital employs labor has run through many, if not most, of the speeches to which I have listened. It is assumed that there is just so much money to be paid in wages and that the share of each in the whole is determined by the number of laborers competing for employ-ment. A falser idea never found acceptance in the world. Capital never at any time or in any place employed labor. Labor always employs and always must employ capital. It were as true to say that the wheelbarrow runs the man at the handles as that capital in any other form employs the labor which acts upon or through it. Capital is a mere instrument in the hands of labor. It is inert within itself. It produces nothing. But for labor it would be as dead as the stones that pave the streets or as the mammoth whose bones we view in the museum. Capital does not employ labor. It is just the other way around. Labor employs capital, and labor creates its own capital as it goes along. All that labor needs is opportunity. It asks only for access to the storehouse which God has provided for all mankind. Denied this, it is helpless, indeed. there be a dearth of employment, it is not because there is no capital to furnish it; it is because labor is shut out from forest and mine, from the field and the vineyard, from the rich resources which lie all about untouched, yet forestalled against him who would enter in and work the miracle which labor always achieves when it finds access to the bounties of nature.

It has been a matter of amazement to me, Mr. Chairman, that throughout this discussion it has been taken for granted that labor is being ground down because there are too many If this were so, then the sooner we take seriously to race suicide the better. We might, indeed, adopt the suggestion of Dean Swift and advise the poor to eat their children rather than try to raise and educate them. But it is not true. Every man who is born comes into the world with two hands. And to say that when he comes it is only to cumber the earth and to crowd out some one who got here earlier is to blaspheme the Creator and to ascribe to the Maker of the universe a blunder so monstrous as to be inconceivable. The trouble is not that there are too many people. It is that there are too few opportunities. And this happens not because of any actual dearth of opportunities, but only because these have been seized upon, forestalled, locked up against the need of later comers, fenced in with paper titles from those who could and would use them if permission were not denied.

Here, Mr. Chairman, is the crux of the whole matter. shall not cure the troubles besetting our civilization by such restrictions as are here contemplated; they will persist in spite of such plasters and poultices and ligatures. Opportunities will be no freer to labor to-morrow, after we have shut our ports, than they are to-day. They will still be fenced off, locked up, forestalled. Labor will still have to pay royal tribute for access thereto. It will still have to go hat in hand to the master for bare leave to toll accepting such terms as he may master for bare leave to toll, accepting such terms as he may choose to make. It will still be pressed down by that iron law of wages which decrees that labor shall be allowed to retain only such part of its product as will enable it to live and reproduce.

If the argument holds good as to the foreigner who seeks our shores, it must hold equally good as to the baby born to-day in the American home. If our land be crowded, it will be the more crowded for the coming of this little one which a mother is pressing to her breast and over which a proud father is dreaming dreams. If restriction is the cure for low wages, then let us go the limit of the argument. Let us restrict the birth rate. Let us forbid marriage. Let us kill off by pestilence or war or famine enough of those already here to leave elbow room for

the rest. But which of you will offer himself for this glorious sacrifice? Which of you will slay the babe now nestling in the mother's arms? Which of you will dedicate yourselves to celibacy and to race suicide? Not you, nor you, nor you. No. There is not one of you that will accept the logic of the position you have assumed. Your instincts rebel against anything so monstrous. Yet you accept the logic when it applies to your neighbor or to the stranger within the gate. You deny it only when it comes home to grip you in its deadly coils. You rebel against it only when it rises to challenge your right to live your life and to work out your destinies. But the logic itself remains, no matter what you say when it knocks at your own door. If restriction is the cure for our economic ills, or if it be even a palliative, then restriction will work in one direction as well as in another, as surely and as efficaciously in cutting down the birth rate or in decimating the population through pestilence or war as by closing the ports against the labor that would come in from abroad. [Applause.]

The CHAIRMAN. The time of the gentleman from Penn-

sylvania has expired.

Mr. BAILEY. I ask unanimous consent, Mr. Chairman, to

extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. BAILEY] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. METZ rose.

The CHAIRMAN. The gentleman from New York IMr.

Metz] is recognized.

Mr. Metz. Mr. Chairman, I did not intend to say anything on this subject, but I feel rather surprised to find that the gentlemen of the South are the very ones who are opposed to the amendment to take away this test.

I am interested in the South, and I think that if any section of this country needs labor it is the South. [Applause.] mean by that the kind of labor that uses brains, the kind of labor that of necessity needs to read or write, but has some common sense, such as we have in the East, and particularly in New York. We are not afraid there of the man who can not read and We are afraid of the man who is possessed not only of the ability to read and write, but who is possessed also of things we do not want here. He is the man we are afraid of. [Laughter.]

I can take you to my district, Mr. Chairman, and show you a night school there where there are a thousand women who can not speak a word of any language except Yiddish. with them their children, 4 and 5 and 6 years old, and have them beside them while they try to learn the language of this Many of them can not read or write in any language. Those children go to the public schools, and they graduate from school at the age of 11 or 12 years. They grow up and take the civil-service examinations, and their names are at the top of every civil-service list in New York, and you can not keep them off. Do you not suppose their fathers and mothers would have done equally well if they had had the same chance? I do not say they make the best citizens, but their parents are as good as many of those born in this country, and in some instances better.

We had one school on the island of Manhattan, in the old city of New York, where the children spoke 29 different languages, and the only foreign tongue spoken in that school was English. [Laughter.] That is a fact. Where would those children have been if their parents could not have come in simply because they could not read or write? Now, what will become of them if we let them get away from us and become socialists and anarchists, and all that? If they do, it is our own fault? Let us bring them in. There is no bar against them, as far as we are concerned in New York, and I am surprised to see that the people of the South are in favor of keeping them out. The people of the South need them, if anybody does

You tried to get them down there, but you could not keep You tried in the cotton mills down there to get Italians, them. but they would not stay with you. Why? Because they wanted a glass of wine or a glass of beer, and you would not let them have it. That is why they would not stay with you. [Laughter.] It was your own fault. You would not give them the things that they want, things to which they were accustomed in their own country. You get all you want in your clubs. I am invited, when I go there, to the clubs in Charlotte and Atlanta, where my business is located, and when I go there I can get drunk 24 hours a day if I want to. [Laughter.] Yet those people can not get what they want down there to save their lives. So, I say, you are to blame when you can not keep

them there. I am glad to have the chance to tell you gentlemen that that is the fact. [Applause and laughter.]

Mr. HARDY rose.

The CHAIRMAN. The gentleman from Texas [Mr. HARDY] is recognized.

Mr. HARDY, Mr. Chairman, I am glad to make a short statement showing the position I occupy. I will take but a few

The other day the gentleman from Massachusetts [Mr. Gard-NER] made the bald, bold, fearless, and frank statement that, in his opinion, we had reached a period in our national life where we favored restriction for restriction's sake, and that that was the real purpose of this bill. I heard the gentleman from Missouri [Mr. Decker] in an eloquent speech a moment ago say that he was for this bill because its purpose was restriction for restriction's sake. That sounds to me like the old cry of years ago, of "America for Americans." It sounds to me as though it were a resurrection voice from the grave of know-nothing-

m. [Applause.] The ghost walks!
Then I listened to the gentleman from Oklahoma [Mr. Mus-RAY] the other day when he advocated his amendment to the religious freedom section of this bill. He said that this country, so long as his sentiments prevailed, would be a country where all men could find religious freedom, where he who fled from persecution for religion's sake abroad might find a refuge and a safe harbor. Are we, in this day and time crying, "America for Americans," "Restriction for restriction's sake," to say that we will furnish a harbor and a haven of refuge for those who seek religious freedom and flee from religious persecution, but that we have no harbor of safety, no haven of rest for the

man who flies from industrial slavery? [Applause.]

The gentleman from Oklahoma [Mr. Murray] was half right—the man who fears God ought to find a place to worship in freedom here. No less ought the honest and true man to find a place here to work in freedom. These gentlemen in substance say an immigrant may be a good man and true, but we avail ourselves of the excuse of illiteracy and exclude him because we are for restriction for restriction's sake. I think I understand the old doctrine and teaching of the Democratic Party when they fought know-nothingism; and I believe that the time has come when know-nothingism, under a little different guise, is stalking abroad to-day. [Applause.] The time may come when our overcrowded population will make us say, "We have no more help, no more space to give to the deserving poor and the oppressed of other lands," but, thank God, that time has not come yet. When that time comes, when population is thick in our borders and we can furnish no more sustenance, no more opportunity to those who come here, then it will be time enough to turn them back; but to the honest, God-fearing man, though he may not be able to read, the man under whose shirt beats a heart as humane and devoted and patriotic as mine, to that man I am not ready to deny industrial opportunity or to shut the door of hope. It seems to me that is the gist of the whole matter. [Applause.]

It seems to me that is the truth of the whole matter. told that we have only 16 per cent of the lands of Texas yet under cultivation, and I know some Italians down on the Brazos. I inquired what kind of citizens they were making and I was told that the constable came around one Sunday when one of them was working and told him to stop. The Italian said, "If you will not let me work on Sunday, I can work by moonlight," and he did, and that is the only violation of law I have heard that they have been guilty of. [Applause and laughter.] I do not know a great deal about them, but I know they do work, and when they go into a country and go to farming they make it bloom like a garden. [Applause.] I know, furthermore, that more than 30 years ago I traveled through one section of my State and got off the right road and for two hours I could not find the way because nobody I met could speak English, and I could speak only English. They were Germans and Bohemians in that section that I was then traveling through. They are good law-abiding citizens to-day and theirs is a prosperous portion of our State.

For my part I am willing to let every honest, industrious

white man who is sound in body and mind and not likely to become a charge on our people, who is not a criminal, against whose record nothing can be brought, whatever may be his geographical habitat, come to our land and go into this "melting pot" of ours and help make in the future, as a product of the whole, the greatest and grandest people the sun ever shone on.

[Applause.]

Gentlemen, our boat is not yet so full that while we are riding safely the waves of the industrial sea we are forced to beat off the clinging hands stretched out to catch our bark, or with our oars beat down beneath the waves the man whose eyer

look up to us and plead for help. When our ship is at sea, loaded down to its deck, freighted with all it will bear with our own near and dear and loved ones, then only will our people strike the strugglers in the water. When that time comes strike, but strike with a prayer for mercy for ourselves; strike with despair for our own, for when we strike we shall not reach the other shore. Until then let us still proclaim, as we always have, "This is the land where freedom dwells, where the down-trodden and oppressed may come and freely worship God, and labor and live and prosper." [Applause.]

Mr. BURNETT. Mr. Chairman, the gentleman from Texas

[Mr. Hardy], who has just preceded me, has referred to the need for these aliens on the farms in Texas and other places. Yet the report of the retiring Commissioner General of Immigration

Notwithstanding the small percentage of rejections, there are those who constantly criticize the Immigration Service on every conceivable ground, even to the extent of asserting that the law is being so enforced as to reduce the labor supply at a time when there is a great demand for labor, especially in connection with agricultural pursuits. Much of this criticism is not honest. Such as is honest is usually based upon ignorance of the law and conditions. Thus those who say the farm-labor supply is being interfered with seem to assume that immigrants from southern and eastern Europe go on the farms, whereas practically none of them do, although they may have been farm laborers in their native countries. As a matter of fact, over 80 per cent of the immigrants of to-day come from southern and western Europe or western Asia, and very few of these have any intention of performing or could be induced to perform farm work in the United States, and in the main dependence must be had upon the 18 or 20 per cent from northern or western Europe for the farmers' labor supply, so far as it can be expected to come from overseas.

So far as my section of the country is concerned we neither

So far as my section of the country is concerned we neither get nor do we desire that class of farm labor that comes from southern Italy or that this bill excludes.

Gentlemen have made prophecies here in regard to the direful effects of this bill upon the Democratic Party. Yet I want to read to you some language that sounds like the words of a philosopher, a patriot, and a statesman:

philosopher, a patriot, and a statesman:

The census of 1890 showed the population of the country increased to 62.622,250, an addition of 12.466,467 within the decade. Immigrants poured steadily in as before, but with an alteration of stock, which students of affairs marked with uneasiness. Throughout the century men of the sturdy stocks of the north of Europe had made up the main force of the country or else men of the Latin-Gallic stocks of France and northern Italy; but now there came multitudes of men of the lowest class of Italy and men of the meaner sort out of where there was neither skill nor energy nor any initiative of quick intelligence, and they came in numbers which increased from year to year as if the countries of the south of Europe were disburdening themselves of the more sordid and hapless elements of their population, the men whose standards of life and of work were such as American workmen had never dreamed of hitherto. The people of the Pacific coast had clamored these many years against the admission of immigrants out of China, and in May, 1892, got at last what they wanted—a Federal statute which practically excluded from the United States all Chinese who had not already acquired the right of residence; and yet the Chinese were more to be desired as workmen, if not as citizens, than most of the coarse crew that came crowding in every year at the eastern ports. They had, no doubt, many an unsavory habit, bred unwholesome squalor in the crowded quarters where they most abounded in the western seaports, and seemed separated by their very nature from the people among whom they had come to live; but it was their skill, their intelligence, their hardy power of labor, their knack at succeeding and driving duller rivals out, rather than their alien habits that made them feared and hated and led to their exclusion at the prayer of the men they were likely to displace should they multiply. The unlikely fellows who came in at the eastern ports were tolerated because they usurped no place but the ver

That is the language of the President of these United States, Woodrow Wilson. [Applause.] And the ones of whom he speaks, Mr. Chairman, are the very people that this bill will keep out. It is not expected to be a manhood test entirely, although, as a matter of fact, many of those that come from that country are not only illiterate, but many of them are criminals. Here is a statement from one of the indees of New inals. Here is a statement from one of the judges of New York, the city from which these gentlemen hail who are making such protests against this bill.

Mr. GOLDFOGLE. What judge is that?

Mr. BURNETT. Judge Edward Swann, in which he says:

Mr. BURNETT. Judge Edward Swann, in which he says:

The longest period of time that any of the above criminals, Antonio Lencki, Sadie Gross, and Michele Miele, has been in this country is nine months, and how many felonies they have committed before they were caught and convicted no one is able to say. * * * Scarcely a day passes in the court of general sessions that we do not have newly arrived immigrants who have committed felonies here and who show symptoms of confirmed criminal instincts.

Yesterday I had the case of Giovanni Gine, who has been in this country about three months, and when he was arrested for having acted suspiciously at about 2 o'clock in the morning he was found to be a walking arsenal, having on his person two guns, one stilletto, one razor, and a blackjack, and from an investigation of the man it was found that under no circumstances would he make a desirable citizen.

Mr. METZ. Will the continuous violed?

Mr. METZ. Will the gentleman yield?

Mr. BURNETT. No; I can not be interrupted. I saw a ship being loaded in Naples with these kind of fellows, and there was a basket of knives and daggers on the deck. I asked how they came there, and the ship's officers said they took them away

from the Italians, because, they said, if they had not taken these weapons from them there would not be a sound man among them when they got to America. These are the people that you, who carry the laborer's card in your pocket and are supporting this amendment of Judge Goldfogle to strike out the illiteracy test, are trying to admit. I trust that the amendment will not

In regard to the criminal tendencies of the illiterates among the aliens, I will here insert a statement from Mr. Frederick A. Pope, prosecutor of pleas of Somerset County, N. J.:

My duties as prosecuting attorney of Somerset County, N. J., have given me an excellent opportunity to check up in one important particular the investigations and conclusions of the Immigration Commission with reference to the illiteracy test. During the last two years I have kept a careful record of the last 114 criminal cases that I have prosecuted against aliens, with the following interesting results:

	Illiterate.	Literate.
Homicide Atrocious assault and battery Simple assault and battery Larceny Sexual crime Perjury Excise Marriage Frands Missellaneous	34 9 14 7 2 11 3 2 6	
. Total	91	2

The following conclusions are deducible from the above:

(1) Of the 114 crimes committed by allens 54 were acts of personal violence; and of these 54, 46 were committed by illiterates, while only 8 were chargeable to those able to read and write.

(2) Of the 46 committed by illiterates, 3 were homicides, 34 were atrocious assaults (by maiming and wounding with a deadly weapon), and only 9 were simple assaults, showing conclusively that the illiterate alien 37 times out of 46 makes use of a deadly weapon in order to avenge his wrongs, fancied or real.

(3) Out of 16 cases of larceny (stealing of all kinds), 14 defendants were illiterate.

(4) Out of 8 sexual crimes, 7 were committed by illiterates, 3 of these being carnal abuse of infants under 10 years of age.

(5) Out of 3 perjury cases, 2 were against illiterates; that is, of those brought to justice.

(6) Out of 16 cases for violation of excise laws, 11 were illiterates, showing an utter disregard for laws.

(7) Of the 4 crimes against the institution of marriage, 3 were illiterates.

(8) Only in cases of fraud did the literate exceed the illiterate.

1 am, Mr. President, sincerely yours,

Prosecutor of Pleas, Somerset County, N. J.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. FITZGERALD having taken the chair as Speaker pro tempore, sundry messages in writing from the President of the United States were communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House that the President had

approved and signed bill of the following title: H. R. 3638. An act providing for the issuance of patent to Joe

Joubert.

RESTRICTION OF IMMIGRATION.

The committee resumed its session.

By unanimous consent leave to extend remarks in the RECORD was granted to the following: Mr. SABATH, Mr. MANA-HAN, Mr. SLOAN, Mr. JOHNSON of Kentucky, Mr. SMITH of New York, Mr. Howard, Mr. Metz, Mr. Burke of Wisconsin, Mr. GOLDFOGLE, Mr. BARKLEY, Mr. SAMUEL W. SMITH, Mr. DECKER, Mr. BRUMBAUGH, Mr. WEAVER, and Mr. SUTHERLAND. Mr. STAFFORD. Mr. Chairman, I offer the following amend-

ment which I send to the desk.

The CHAIRMAN. Debate is exhausted, and the question is on the amendment offered by the gentleman from Wisconsin.

Mr. GOLDFOGLE. Pending that, Mr. Chairman, I ask unanimous consent to have read from the Clerk's desk an editorial

from this morning's World on this subject.

Mr. BURNETT. I object.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Wisconsin [Mr. Stafford].

The Clerk read as follows:

Insert after the semicolon, line 20, page 8, the following:
"All aliens who have been lawfully admitted to the United States and who have resided therein continuously for five years, and who have, in accordance with the law, declared their intention of becoming citizens of the United States, and who return to the United States within six months from the date of their departure therefrom."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were 107 ayes and 111 noes.

Mr. STAFFORD demanded tellers.

Tellers were ordered.

The Chair appointed as tellers Mr. Stafford and Mr. Bur-

The committee again divided; and the tellers reported that there were 132 ayes and 130 noes.

So the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Goldfogle].

Mr. MOORE. Mr. Chairman, may we not have the amendment reported?

The CHAIRMAN. The Chair overlooked the fact that the gentleman from New York [Mr. Wallin] has offered an amendment, which the Clerk will report.

The Clerk read as follows:

The Clerk read as follows:

After the word "act," line 14, page 7, add the following:

"Provided, That all aliens seeking admission to the United States under the restrictions herein set forth shall furnish to the immigration authorities of the United States a certificate, duly verified by the chief of police in the city, Province, or country from which they may come, or where they reside, that they have never been convicted of any crime; also a certificate, duly verified, from the health officer or other properly constituted authority, that they or no member of their immediate family have ever been afflicted with insanity in any form."

Mr. GOLDFOGLE: A parliamentary inquiry Mr. Chairman.

Mr. GOLDFOGLE. A parliamentary inquiry, Mr. Chairman.

Mr. GARDNER. I wish to have a point of order pending. The CHAIRMAN. The gentleman from New York will state his parliamentary inquiry.

Mr. GOLDFOGLE. Who offered that amendment?

The CHAIRMAN. The gentleman from New York, Mr.

Mr. GARDNER. Mr. Chairman, I make the point of order that the amendment has no connection with the paragraph upon which debate is closed.

The CHAIRMAN. The Chair thinks the point of order is well taken, and that the amendment is not germane to the paragraph. The question is on the amendment offered by the gentleman from New York [Mr. Goldfogle], which, without objection, the Clerk will again report.

There was no objection, and the Clerk again reported the amendment of Mr. Goldfogle, as follows:

Strike out all words that appear on page 7 from line 15 to 25, inclusive, and all that appear on page 8 from line 1 to 23, inclusive, and also the word "Terri'ory," in line 24, the same composing the so-called literacy or educational test.

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. GOLDFOGLE) there were—ayes 101, noes 160.

Mr. GOLDFOGLE. Mr. Chairman, I demand tellers. Tellers were ordered, and the gentleman from Alabama [Mr. BURNETT] and the gentleman from New York [Mr. GOLDFOGLE] were appointed to act as tellers.

The committee again divided; and the tellers reported-ayes 120, noes 173.

So the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from New York [Mr. WALLIN]

Mr. GARDNER. Mr. Chairman, I desire to be heard in opposition, although I admit that there is a good deal to be said in favor of the amendment offered by the gentleman from New York [Mr. Wallin]. His amendment proposes to do two things. First, it proposes that every alien immigrant shall exhibit a certificate to show that he is not a criminal. Second, it proposes that he shall exhibit a certificate to the effect that he has never had insanity in his blood. I have not given much thought to the second proposal, but we have had some experience to guide us with reference to the first.

Last year in the immigration bill we included a clause which required every alien to show his penal certificate, provided that he came from a country which issued such certificates. There was a vigorous contest over that clause. The gentleman from Alabama [Mr. Burnett] and I supported it and the House finally voted with us. Meanwhile the gentleman from Wisconsin [Mr. Lengoot] brought to our attention the fact that many well-informed persons were convinced that Russia would arbitrarily withhold such certificates from those whom she desired to retain within her borders. In the Senate Senator LA For-LETTE opposed the penal-certificate clause on substantially the same ground. The result was that the bill was sent back to the conference committee. Somewhat ruefully the conferees voted to expunge the objectionable provision. At heart I admit that I thought the danger imaginary, and I still believe that our immigration officers ought to be required to inspect all the official papers of each alien. For instance, every Italian has in his possession his penal sheet. If he has never been convicted of any offense the sheet is clean. If, on the other hand, he has been found guilty of a transgression, an entry of the facts is made on the culprit's papers. I think it would be a

good thing if our inspectors could require the production of those papers. Congress thought otherwise last year. In the interest of the speedy passage of this bill, but for no other reason, I oppose that part of the gentleman's amendment which deals with criminal certificates.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York, which, without objection, the Clerk will again report.

There being no objection, the Clerk again reported the amend-

The question was taken; and on a division (demanded by Mr. WALLIN) there were-ayes 42, noes 141.

So the amendment was rejected.

Mr. HAYES. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 6, line 22, after the word "prescribed," strike out all down to and including the word "into," in line 26, page 6, and insert in lieu thereof the following: "Hindoos and all persons of the Mongolian or yellow race, the Malay or brown race, and the African or black race.

Mr. HAYES. Mr. Chairman, the provision that will be stricken from the bill by this amendment, if it prevails, is as

Persons who can not become eligible, under existing law, to become citizens of the United States by naturalization, unless otherwise provided for by existing agreements as to passports, or by treaties, conventions, or agreements that may be eafter be entered into.

Mr. Chairman, I do not desire to object to that provision, except that I think it is too weak. The purpose is, in the main, the same as is sought to be accomplished by the amendment which I have offered to the bill, but it does not cover the ground thoroughly. I wish it to be understood that I cm not a hater of any race. I believe that I have no race prejudice whatever, but I do believe in racial purity [applause], and I know that no republic can long continue unless it is made up of a homogeneous people, and the people of no country can be homogeneous that has within its borders a very large percentage of a race which is entirely different from the dominant race. The history of the world shows that two races can not live together in the same environment except they amalgamate or one race becomes subject to the other; and I believe that ever, American who has thought on the subject will agree that both these things are evils which we ought by legislation in every way possible to prevent.

I believe that all scientific authorities, with Herbert Spencer at their head, are agreed that the crossing or intermingling of two races wholly unlike, as the Asiatic and Caucasian or the Asiatic and the Malay or the Asiatic and the African, produces a race which can be described by no other word as well as the word "mongrel." In all the history of the world where there has been an amalgamation of these totally different races it has been demonstrated that the worst characteristics of both races generally appear in the progeny. It is on record that among the races of the northern part of South America and of Central America, which are composed sometimes of the African, the Asiatic, and the Caucasian, all three mixed up together, although they are a small percentage of the population, they sometimes supply almost the entire criminal population of those countries. We do not need to go beyond our own country to see the desirability of maintaining our Caucasian race in its purity. We upon the Pacific coast have this problem before us all the time. Many of our brethren in the South have this same race problem before them, and, as I said before, I am offering this amendment not because I have any racial prejudice, but because I recognize that the Caucasian, the African, the Mongolian, and the Malay races are so totally dissimilar that it is desirable from every racial standpoint that they should be kept separate. [Applause.]

Mr. CANTOR. I would like to ask the gentleman whether

this matter is not now under investigation by the State Depart-

I am not aware that it is, but the State De-Mr. HAYES. partment is not the legislative department of this Government.

The Congress of the United States is charged with the responsibility of legislation, and I think that now is the time, when we are considering the immigration laws and amending and perfeeting them, to put into this law something that will give the world notice that it is our intention to maintain this country as a residence for the members of the Caucasian race [applause] and for them only.

Mr MOORE. Will the gentleman permit a question?

Mr. MOORE. Has this matter been considered by the Committee on Immigration and Naturalization?

Mr. HAYES. It has not.

Mr. MOORE. There is no recommendation from that committee-

Mr. RAKER. Will my colleague yield for a question? Mr. HAYES. I will yield for a question.

The gentleman did not answer my question. I did answer the question; I said "no." Mr. MOORE. Mr. HAYES.

Mr. MOORE. It has not been before the committee?

Mr. HAYES. It has been before the committee, but we have not reported anything.

Mr. RAKER. I will ask my colleage if it is not a fact that House bill 102, which has for its purpose the exclusion of all Asiatic laborers, by unanimous vote of the Committee on Immigration, of which my colleague is a member, has been set for hearings two weeks, and that committee has used two special days for that purpose, and next Thursday is the day set for that hearing, and that there is a favorable report upon my bill from the Department of Labor?

Mr. HAYES. I will say that the Committee on Immigration has not yet considered House bill 102 at all.

Mr. RAKER. Are not considering it? Mr. HAYES. No. And I will further say to the gentleman that this amendment I propose is very much broader than his bill, covering the same principle, but more thoroughly. As I said before, I have offered this in the interest of racial purity.

The CHAIRMAN. The time of the gentleman has expired.
Mr. BURNETT. Mr. Chairman, I would like to have the amendment again reported, and then I would like to be heard on it.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the amendment was again reported.

Mr. BURNETT. Mr. Chairman, I am in hearty accord with the purpose of the gentleman from California [Mr. HAYES], and yet there is a bill pending before our committee now that I think covers every phase of the Asiatic question except the exclusion of the African, and I certainly am in favor of that. That bill can be easily amended if it is desired to do so when it comes up for consideration; but, Mr. Chairman, this question involves some grave questions of treaty rights and obligations.

Last year there were efforts made to put something of the kind in this bill. I am in sympathy with the gentlemen from the Pacific coast entirely on this question; but, gentlemen, if we want to pass this bill the friends of it ought not to put the Hayes amendment in it. I am surprised that the gentleman, Mr. HAYES, who, without having intimated to me he intended to do it, should undertake to load this bill down now and perhaps bring about its defeat in the Senate or possibly its veto by the President, and, not because they antagonize the principle involved in the bill H. R. 102 offered by the distinguished gentleman from California, Mr. RAKER, I hope gentlemen will vote down the amendment of the gentleman from California, Mr. HAYES.

The committee has had two meetings to consider the Raker bill H. R. 102. That bill is being considered and will be acted upon. Something will be done, in my judgment, to remedy to a great extent the conditions on the Pacific slope.

Mr. HAYES. Will my colleague yield? I want to ask the gentleman if it is not true that we have had no consideration

of that bill?

Mr. BURNETT. Now, we are considering it every Thursday, Mr. Chairman, at our meetings. We have had no hearings. We have been reading parts of the bill and discussing certain features of it.

Mr. HAYES. I want to ask my colleague another question. Mr. BURNETT. If I may have a minute or two of time in addition-

Mr. HAYES. What I wish to ask my colleague is this: If the President will veto this bill if this provision is in it which I propose, will he not veto the bill of the gentleman from California [Mr. RAKEB]?

Mr. BURNETT. I think the bill proposed by the gentleman from California [Mr. RAKER] can be so amended as to meet questions of favored nations and as to meet questions involving treaty rights.

Mr. KEATING. Will the gentleman yield?
Mr. BURNETT. I will.
Mr. KEATING. Do you favor the exclusion of Asiatics?
Mr. BURNETT. I do, absolutely.
Mr. KEATING. So do I. Let us exclude them now. [Applause.]

Mr. BURNETT. Whenever it comes up, Mr. Chairman, and is acted upon in the proper bill. Gentlemen ought not to be playing for political advantage, Mr. Chairman, when the questions in this bill are involved, and I hope they will not do it.

The distinguished gentleman from California [Mr. RAKER] has stated patriotically and magnanimously that his bill was being considered, and that out of deference to the wishes of those of us who did not want to embarrass this bill by putting something of that kind on it, he would withhold his amendment at this time. And now will gentlemen vote to give political advantage to those who, it seems to me, are seeking political advantage against my colleague, who has more ardently, earnestly, and industriously than any man in this House pressed for legislation to exclude Asiatics?

Mr. RAKER and Mr. J. R. KNOWLAND rose.

The CHAIRMAN. The gentleman from California [Mr. J. R.

KNOWLAND] is recognized.

Mr. J. R. KNOWLAND. Mr. Chairman, I support the amendment of my colleague from California [Mr. Hayes], because I believe that this will be the only opportunity during this session of Congress for the House to vote upon an Asiatic exclusion [Applause.] measure.

I hold in my hand a letter from the head of one department of this Government declaring that an amendment of this character is not in contravention of any treaty obligation. This

letter is signed by the Secretary of Labor, and says:

The inherent and constitutional right of the Congress to pass laws of the kind contemplated by these bills, even when the provisions affect nations or subjects of countries with which the United States has treaties containing the "most favored nation" clause, has, of course, been settled beyond peradventure of doubt.

Supreme Court decisions are then quoted to uphold the declaration of the Secretary

Mr. SHERWOOD. What is the date of that letter?

Mr. J. R. KNOWLAND. The date of that letter is Janu-

ary 20, 1914.

I understand that another department of this great Government sent a letter to the committee on the same day taking an opposite position and holding up the bill. It would appear as if an attempt was being made to play both ends against the middle. [Applause.] There presides over one of these departments at infrequent occasions a gentleman who frequently ran upon a national ticket and upon platforms which have declared for an amendment of this character. I shall refer first to the platform of 1900, when William Jennings Bryan was a candidate for President. He was a candidate several times, as some here may recall, but upon all occasions when he was the standard bearer of the Democratic Party the platform contained an Asiatic exclusion plank. This plank of 1900 reads:

We favor the continuance and strict enforcement of the Chinese exclusion law and its application to the same classes of all Asiatic

In 1908 the Democratic platform declared:

But we are opposed to the admission of Asiatic immigrants who can not be amalgamated with our population or whose presence among us would raise a race issue and involve us in diplomatic controversies with oriental powers.

Now is the time to adopt an amendment of this character. And I again predict that if the Members do not vote upon this occasion for an exclusion amendment that during this session of Congress they will not again have an opportunity. No bill will get out of the committee and upon the floor. Now is your oportunity, [Applause.]
The CHAIRMAN. The gentleman from California [Mr. opportunity.

RAKER] is recognized.

Mr. RAKER. Mr. Chairman and gentlemen of the committee, want the provisions of House bill 102 enacted into law. All Asiatic laborers should be excluded, and I shall vote to exclude them at any and all times, but I propose now to state the facts in regard to this matter, so that there can be no possible misunderstanding.

Oh, there will be no laughing when it is over with. I want to state that I am surprised at my colleague from California in presenting the matter as he has done. In the Sixty-second Congress the bill H. R. 13500 was introduced—

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. RAKER. No; I will not yield. The CHAIRMAN. The gentleman declines to yield.

Mr. RAKER. In the Sixty-second Congress the bill H. R. 13500 was presented to the Committee on Immigration. I appeared before that committee, and at every meeting they had, until they went into executive session, when they said they did not want me there any longer. [Laughter.] My colleague then appealed to the chairman of that committee, saying that he had a bill before that committee the same as mine, and upon investigation it was found that there was not a bill before that

Mr. MANAHAN. Mr. Chairman, I rise to a point of order. The CHAIRMAN. The gentleman will state it.

Mr. MANAHAN. I make the point that it is out of order for the gentleman to discuss personal differences between himself and his colleague, and, in addition, it has nothing to do with the merits of the bill.

Mr. RAKER. I shall get to the merits of the bill presently. The CHAIRMAN. If the gentleman is talking of what took

place in the last Congress, he is in order.

Mr. HAYES. The gentleman has no right to state what took place in executive sessions of committees of this House. Mr. RAKER. I will state that I tried to get into the executive session, and they would not let me. [Laughter.]
The CHAIRMAN. The gentleman must not state what oc-

The CHAIRMAN. The gentleman curred in committee in this Congress.

Mr. RAKER. I have not gotten to this Congress yet, Mr. Chairman. All the California Representatives in Congress for many years have given a written pledge to their people that they would work and vote for the exclusion of Asiatic labor. Those declarations I have in my office. I did not bring them with me, because I did not think this question would come up to-day.

My colleague secured himself to be appointed chairman of a subcommittee to consider my bill, No. 13500, in a Democratic committee. Mr. HAYES, Mr. BROWN, and Mr. REILLY of Connecticut represented that subcommittee; and I want to say to this House that it took me two months to get a hearing on that bill. They gave me then a short time to be heard, and then refused to act on or report the bill to the full committee. The proceedings were not published, and when I appealed to my colleague repeatedly and repeatedly to report that bill out to the full committee he told me there would be no report on the matter to the full committee, as he had it in charge, and added that he did not intend to report it to the full committee.

Now, when this matter came before the Sixty-third Congress after the introduction of House bill No. 102, the outgoing commissioner, Mr. Keefe, and the Secretary of Labor reported favorably upon that bill for the exclusion of the Asiatic labor; and, not to be satisfied with that, the chairman sent down under the new régime and the present commissioner, Mr. Caminetti, and Secretary Wilson made a report on the bill, which is a House document filed on this bill, House Document No. 652

and House Document No. 56.

I am advised not to say what occurred before the committee, but I think I can say that the committee unanimously agreed, after my urging, that this legislation should be had in connection with the Burnett bill. They were ractically all in favor of Asiatic exclusion, and the committee determined that they would take up and consider House bill No. 102 upon the question of the exclusion of Asiatic laborers and upon the question of registration.

I believe that these men in the committee were fair. I know they were fair. I know they meant what they said in regard to the question of the exclusion of Asiatics. They know the necessity of it. They know that the Democratic platform declared in 1908 in favor of it. They know that our President in his campaign, or those in charge of the campaign, sent out millions of slips showing that the President was in favor of the exclusion of Asiatics, and that in their judgment that class of people should not become a part of this country, inasmuch as they could not assimilate. The majority of this committee and the Republican members of the committee acquiesced in the opinion that that bill should come up as a separate bill on the ground that it was better to bring it up in that way. They were in favor of it, and inasmuch as this Burnett bill was of such importance—a bill relating to European immigration and the other relating to Asiatic immigration—they contended that the two should not be combined.

One related to immigration and the other related to the exclusion of those who come from Asia; and it was the determination of the committee to keep the two separate, and so that the House could have an early vote upon the Burnett bill, and so that the House might have an early and full vote upon the Asiatic exclusion bill, no amendment was offered to include this on the Burnett bill. And I want to say at this time that my colleagues from California, who have been in Congress for 12 years, never asked the committee for a hearing on their bill.

They have never asked the House to consider it.

The CHAIRMAN. The time of the gentleman has expired. Mr. RAKER. I ask unanimous consent that I may proceed for five minutes more.

The CHAIRMAN. The gentleman from California asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. RAKER. When they were in control, with an over-whelming majority in this House and in the Senate, and had control of the Presidency, they made no appeal to the committee to report the bill for the exclusion of Asiatics. And even

when the Democratic Party was in power last year they never asked for a hearing, and this legislation was throttled. I want to say that it is poor politics for them now, after we have practically gone over this subject, to seek here to inject this question into the consideration of this bill at this time. Notwithstanding what the committee might have done or what the previous committee might have done, they know that we will vote for an amendment of this kind irrespective of where it comes from or how it comes; but I am as confident as I am standing here that this amendment is not offered with the hope that it will be passed. It is offered to place the Democratic Party in a false light. It is offered to have the Democratic Party go back upon its platform of 1908. It is offered here for the purpose of embarrassing the President. There is no question that the Democrats carried that State because of the declarations of President Wilson upon that subject, because on one side of these slips that were sent out was the statement of where Mr. Wilson stood, in favor of exclusion, and upon the other side of the slip was the statement of where the candidate on the Bull Moose ticket stood, for the admission of Japanese to become citizens of the United States. Those statements were put upon lantern slides and exhibited at all our public meetings in the State of California.

The same question came up in Colorado, Arizona, Oregon, Washington, and the other States. Those States went Democratic, and now these gentlemen want simply to bring this

Mr. MADDEN. I should like to ask the gentleman a question.

Mr. RAKER. I yield. Mr. MADDEN. What authority has the gentleman from California for stating that Mr. Roosevelt was in favor of the admission of the Japanese?

Mr. RAKER. When Theodore Roosevelt was President of

the United States he sent a message to Congress saying that he was in favor of naturalizing the Japanese.

Mr. MADDEN. Has the gentleman got that record? Mr. RAKER. I have it among my documents and I can get

it. I do not have it before me at this moment.

Mr. MADDEN. Will the gentleman get it?
Mr. RAKER. It is a fact, all right; and I will get it and read it into the RECORD.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. In this connection I ask to have the bill

H. R. 13500 printed in the Record, also H. R. 102 and two reports from the Department of Labor, House Documents Nos.

56 and 652, Sixty-third Congress.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the Record, as indicated. Is there objec-

Mr. COOPER. I object.
Mr. SLAYDEN. Mr. Chairman, as a member of the Committee on Immigration, thoroughly indorsing the bill reported by that committee for the regulation of immigration, I think that my position with reference to the proposition of keeping out any class of undesirable immigrants is very thoroughly and clearly indicated; but I do not believe it is wise or patriotic to inject this particular question into the consideration of the bill which we have before us at this time. Every gentleman in this House knows that it is dealing with an international situation which is now being considered by those authorities of the Government who are charged in the Constitution with the duty of negotiating treaties.

Mr. JOHNSON of Washington. Will the gentleman yield? Mr. SLAYDEN. I have only about three minutes left, and I

have not time, or I should be glad to do so.

Mr. Chairman, in handling international affairs of this nature, particularly when it comes to the consideration of an amendment which would be in direct and flagrant contradiction of a solemn treaty regularly entered into, I conceive it to be the duty of every Member of the House, regardless of politics, to stand by the administration, whatever its political complexion may be, while it is engaged in negotiations for the purpose of settling in a regular, orderly, and decent way these problems growing out of the immigration of alien races. And I especially consider it the duty of the Democratic Members of this House, whose administration is now negotiating a treaty for the settlement of these delicate questions, to wait until the Secretary of State and the President of the United States have reported their inability to come to an agreement. Then there will be plenty of time for us to take the truculent attitude which some gentlemen want us to assume. Then, Mr. Chairman, when other methods of a proper, legal, and customary nature have been made, we can if it should appear necessary, assert ourselves, if it please the majority of the House, in a way

which will not be misunderstood on the other side of any ocean. Until that time comes it is the duty of every Member of the House, regardless, of politics, as I said before, to stand by the administration which is dealing with a question not political,

in a partisan sense.

The gentleman from California [Mr. Hayes] knows that he strikes a responsive chord in my bosom and in that of every. man on the floor of the House when he advocates the purity of the race. God Almighty Himself hates the hybrid. He indicates that by denying the power of reproduction to hybrids. The effort of nature is to keep pure the race. I agree with him that it is essential, if we are to maintain a free Republic, that we should have a homogeneous people, and for that reason, among others, Mr. Chairman, I am giving my cordial support to the bill which has been brought in here by the chairman of

the Committee on Immigration, [Applause.]
I am for the restriction of immigration or I would not be supporting this bill. I do not want our people forced into an always increasing competition from Europe, Asia, or Africa. But, as a matter of fact, the Asiatic immigration is not an acute or serious matter. It has gone off until it is almost negligible. Although the treaty would permit it, the Emperor of Japan agreed with the President to use his influence to keep his people from coming, and he has kept his word. Now, let us be patient and leave the negotiation of this delicate bit of international business to Secretary Bryan and the ambassador from Japan. I hope the bill we have in hand will not be put in peril by an amendment like this of the gentleman from California [Mr. HAYES].

Mr. JOHNSON of Washington. Mr. Chairman, as a member of the Committee on Immigration I submitted a separate report in order that I might express a wish in that report that this Asiatic problem should be considered at this time. The remarks that were made on the floor a few moments ago by my colleague, Mr. RAKER, indicates that this problem has been the football of politics for many years past. Men of every party, have run up and down the Pacific coast with illuminated banners saying what this President did or did not say on the Asiatic question. I remember well in the last campaign the display of President Wilson's words as written down in one of his great books—something to the effect that the Chinese were better than the Italians and the Poles. I remember it well as displayed on the transparencies on our coast.

Mr. RAKER. Will the gentleman yield?

Mr. JOHNSON of Washington. With pleasure.
Mr. RAKER. Did not the gentleman agree that the question
of Asiatic immigration should be handled in a separate bill, and not on the Burnett bill?

Mr. JOHNSON of Washington. I confess my inexperience, Mr. Chairman, in some matters of this kind. I reserved the right to express my views on the matter. I desire to say that my colleague on the Committee on Immigration, Mr. HAYES, Las had a bill before that committee for years past, and also that my colleague from my State, Mr. HUMPHREY, has a bill now before the committee directly dealing with the matter of Asiatic exclusion. I think that if this problem, which has been buffeted about so long, is not settled soon it will be many, many, years before we of the Pacific coast get out from under gentlemen's agreements and private conventions. Why, Mr. Chairman, we have had within the month a meeting in Tacoma where the good citizens made a private agreement with a steamship company of the coast that the latter would not for the present bring into the country any more Hindus. sad thing that citizens of a State are forced to such steps. And it is only by the practice of eternal vigilance on the part of all the people of the Pacific Coast States, regardless of politics, that the oriental influx has been kept down at all. [Applause.]

Mr. LENROOT. Mr. Chairman, I offer the following amendment to the amendment.

The CHAIRMAN. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Amend the amendment so as to read:
"Strike out all down to and including the word 'naturalization,"
in line 24, and insert 'Hindus and all persons of the Mongolian or yellow race, the Maiay or brown race, and the African or black race."

Mr. LENROOT. Mr. Chairman, I am not especially interested in the charges and countercharges as to politics being at the bottom of this proposition. I believe that the gentleman from California [Mr. Raker] is just about as desirous of making political capital out of it as is the gentleman from California [Mr. HAYES]. I am impressed, Mr. Chairman, that this House ought not to adopt this amendment in its present form, at least, and the object of my amendment to the amendment of the gentleman from California is to perfect it, so that if it shall be

adopted it will not cause any serious trouble. If the gentleman's amendment is adopted, it strikes from the bill this language:

Unless otherwise provided for by existing agreements as to passports, by treaties, conventions, or agreements that may hereafter be entered

If my amendment is adopted, this language will remain in the bill, and it is very clear to me that it ought to remain in the bill. The gentleman from California [Mr. J. R. KNOWLAND] a few minutes ago undertook to show that if this amendment of the gentleman from California was adopted it would not conflict with any existing treaty. If that is so, the friends of the amendment ought to be willing to say so in the bill itself, and they

ought not to object to this proviso remaining in it.

Mr. SISSON. Will the gentleman yield?

Mr. LENROOT. Certainly.

Mr. SISSON. If that language remains in the bill, could not the Senate or the President make a treaty, even if the exclusion should be in the bill?
Mr. LENROOT. They could.

Mr. SISSON. Does the gentleman think that we, by law,

ought to take away from them the right to do that?

Mr. LENROOT. I was just coming to that—that if this matter is to be dealt with in this general immigration bill at this time, and under these circumstances, we ought not to deal with the broad question of invalidating existing treaties or forbidding the making of new ones that might affect this question. This question is important enough, and the importance of it I am sure is readily seen by every Member of the House, to be considered by itself in a separate bill, and if it is to be considered in this bill the least that we can do is to see to it that it shall not affect either existing treaties or prevent the

Mr. HAYES. Mr. Chairman, I desire to express my surprise at the attitude of my colleague from California [Mr. RAKER]. I have no personal controversy with him, and he can not draw me into one. I want also to disavow any purpose of making politics out of this great question. I have since I have been a Member of this House, in season and out of season, at every session, practically since I have been here, for the last nine years, advocated the exclusion of all the Asiatic races; and I have had a bill for that purpose before this House ever since I have been here. To be sure, it has not been referred to the Committee on Immigration, although I have tried to have it referred to that committee. The authorities of the House have referred to that committee. The authorities of the House have insisted that it belonged before the Committee on Foreign Affairs, and in former Congresses I have been before the Committee on Foreign Affairs and urged them to report it to this House.

Mr. RAKER. Mr. Chairman, will the gentleman yield?
Mr. HAYES. I can not yield. As I say, this is not a question of politics with me at all. I am surprised at the statement of the chairman of the Committee on Immigration that he was surprised at my offering this amendment. He has evidently forgotten a conversation I had with him last week, because I know that the chairman would not intentionally put me in a false position. I have told many men on this floor that I should offer this amendment, men who I thought would be interested in the matter. I have also shown them the amendment and I have done nothing surreptitiously or as a matter of surprise, nor have I sought to put anyone on the floor in a false position or to put them in a place where they will have to vote for something that they do not want to vote on. I am in favor of the exclusion of the laborers of all races except the Caucasian race, and while I am a Member of this House I shall use every right and power that I have as such Member to embody exclusion of these in the legislation of this country. am sure my colleague from California [Mr. RAKER] will bear me out when I say that since this bill has been before the committee during this Congress I have upon every occasion, when the matter has come up, incidentally or directly before that committee seconded his efforts with all the strength and force at my command to secure consideration and favorable report of his bill and the incorporation of its provisions in the bill now before the House, and notwithstanding his personal attitude toward me I shall continue to do so until I am satisfied that there is no opportunity to accomplish anything of the kind.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. HAYES. Yes.

Mr. BORLAND. Does the gentleman mean to say that his efforts were uniformly unsuccessful with his own party?

Mr. HAYES. They have been with all parties. I have done the best I could to secure such action, but not in a partisan way. Mr. RAKER. Mr. Chairman, will the gentleman yield? Mr. HAYES. I will for a question.

Mr. RAKER. Is it not a fact that my colleague in the committee deprecated the placing of the provision of the bill H. R.

Mr. JOHNSON of Washington, Mr. Chairman, I make the point of order that the gentleman from California [Mr. RAKER]

is not in order.

Mr. HAYES. If it is in order, I will be very glad to answer the gentleman's question, and I will say that I have never made any such statement. I tried with the gentleman to secure its incorporation in this bill.

The CHAIRMAN. The gentleman from Washington makes the point of order that the gentleman from California [Mr. RAKER] is out of order. The Chair sustains the point or order.

The time of the gentleman has expired.

Mr. FESS. Mr. Chairman, I ask that the gentleman be allowed to continue for half a minute in order that I may ask a question

Would the gentleman's amendment exclude Japanese and

Chinese students?

Mr. HAYES. Mr. Chairman, in reply to the gentleman from Ohio, I would say that my amendment would not exclude

The CHAIRMAN. The time of the gentleman has expired. Mr. HAYES. I thought I was given half a minute more?
The CHAIRMAN. No; the gentleman was not.
Mr. HAYES. But the gentleman from Ohio asked that I

might continue for half a minute.

The CHAIRMAN. The Chair did not recognize the gentleman

from Ohio for any such purpose.

Mr. HAYES. Then I ask unanimous consent that I be permitted to proceed for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.
Mr. HAYES. I will say to the gentleman from Ohio that my amendment will not exclude students of the Chinese, Japanese, or of any colored race; nor will it exclude business men, travelers, or any of the excepted class mentioned in the bill. The language excepting them is left in the bill by the amendment; it only excludes laborers. That is all the amendment is intended to exclude. And, if I may say, the amendment of the gentleman from Wisconsin will weaken the amendment which I have offered, but if it is necessary to secure the enactment of this legislation I would have no objection-I will not say that I would have no objection, but I would be willing to yield that point and consent that the language "unless otherwise provided for by existing agreements as to passports, or by treaties, conventions, or agreements that may hereafter be entered into,"

may remain in the bill, although I prefer it without it.

The CHAIRMAN. The time of the gentleman has expired. Mr. RAKER. Mr. Chairman, if I may be permitted, I was challenged to present a record, and I would like to call the at-

tention of the House now to this—
The CHAIRMAN. The Chair has recognized the gentleman from Massachusetts [Mr. GARDNER].

Mr. RAKER. Very well.
Mr. GARDNER. Mr. Chairman, I hope in the interest of this pending immigration bill that the amendment offered by the gentleman from California will be voted down. All of us in the Committee on Immigration know that the gentleman from California, Mr. RAKER, and the gentleman from California, Mr. HAYES, are most anxious to do the very best they can to secure legislation to stop Mongolian immigration into this country. Almost every man on that committee—perhaps every man on that committee—is in favor of putting an end to Mon-golian immigration into this country. In my opinion the ma-jority of the committee is in favor of reporting at this session a bill to accomplish that very purpose. I personally have not as yet committed myself with regard to reporting such a bill, because I am in doubt whether, as a matter of fact, there is any appreciable Mongolian immigration. I am against the immigration of Mongolians, but if there is in reality practically no such immigration I doubt the wisdom of stirring up an international hornet's nest merely for the purpose of emphasizing my views. The figures given by the Immigration Bureau indicate a negligible immigration of Asiatics. Our committee has been told that the figures are incorrect, because Asiatics are smuggled in against our present laws. If that is the fact, it is a greater appropriation for enforcement, not more laws, which we need.

At all events, let us not lose this bill in some Senate pigeonhole by overloading it with an international complication. Let us look at the matter as the committee looked at it. The committee said, "We want to get this immigration bill through. What has been the trouble with getting immigration bills through in the past? Delay, procrastination, suffocation in

committee, obstruction in the House and the Senate. What is going to happen if we adopt this amendment offered by the gentleman from California [Mr. HAYES]?" When this bill goes to the Senate the State Department will enter a protest and a request for adequate time to take up the question with foreign Governments. Quite properly so, by the way. It is an open secret that the State Department has already in some sort of a way protested against the precipitation of this question. State Department protests, coupled with the efforts of the forces opposing the restriction of immigration, will surely result in a holdup of the bill in the Senate. If past experience is a guide, a Senate holdup will result in the postponement of this whole question to the next Congress. Everyone here realizes that it is exactly that result which is aimed at by the leaders of the opposition to the educational test. Every man on the Committee on Immigration, with the possible exception of Mr. Johnson of Washington, feared that such might be the result. The committee was good enough to follow the advice of those Members who were sincerely anxious to get this immigration bill through, those Members whose experience for years has shown the difficulty of getting this question before the House and the Senate. The committee was persuaded to consider in a separate measure the proposals of the gentleman from California, Mr. Raker, and the proposals of the gentleman from California, Mr. HAYES.

The CHAIRMAN. The time of the gentleman has expired.
Mr. J. I. NOLAN. Mr. Chairman—
Mr. SAUNDERS. Mr. Chairman, I make the point of order that debate is exhausted on this amendment.

The CHAIRMAN. The point of order is sustained. Mr. J. I. NOLAN. Mr. Chairman, I move to strike out the last word.

Mr. SAUNDERS. I make the point of order this is an amendment to an amendment.

The CHAIRMAN. The point of order is sustained. Mr. J. I. NOLAN. Mr. Chairman, I make an am Mr. Chairman, I make an amendment to the amendment to strike out the last word.

The CHAIRMAN. The gentleman can not make an amendment in the third degree.

Mr. J. I. NOLAN. Mr. Chairman, this is the first time I have taken the floor on this bill, and I would like to ask unanimous consent to be heard.

The CHAIRMAN .. Does the gentleman from Virginia insist

on his point of order?

Mr. SAUNDERS. The gentleman can ask unanimous consent. I shall not object to that.

Mr. J. I. NOLAN. Mr. Chairman, I ask unanimous consent for five minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. J. I. NOLAN. Mr. Chairman, it is very unfortunate at this time that partisanship has been injected into this discussion. It is unfortunate that it has been injected in here by one of the Representatives of California, a man who is the author of a bill looking toward Asiatic exclusion. It is unfortunate that it is offered at this time and the charge made against another Representative from California, who has had a bill in Congress for a number of years for Asiatic exclusion.

A great deal of stress has been laid by the chairman of the committee and the distinguished gentleman from California [Mr. RAKER] as to how the committee has proceeded. Now, let us see what the facts are. The Committee on Immigration, at the solicitation of the gentleman from California [Mr. RAKER] and many other people interested in Asiatic exclusion, set, believe, the 22d of January for a public hearing on the bill H. R. 102 and on the bill introduced by my colleague from Cali-

fornia [Mr. HAYES].

I want to call the attention of the committee particularly to this fact: In California in 1907, 1909, and 1911, at the time when anti-Asiatic measures were pending before our legislature, the Japanese Government, through its representatives in this country, followed out a very wise course in the matter of publicity. About the time that some measure would appear before the California Legislature and become a live issue the papers would be full of the fact that somebody in Japan, the minister of foreign affairs through the Japanese ambassador. was corresponding with the United States Government and calling attention to the fact that their treaty rights were liable to be violated. They succeeded in 1907, 1909, and 1911, through pressure from Washington, in stopping the California Legislature from enacting antialien land laws or other legislation affecting Asiatics by a carefully planned campaign. What has been our experience here? On the morning of January 22 there appeared in all of the Washington papers and in every other

paper throughout this country, given to the press by the Japanese ambassador, a speech made in the Japanese Parliament by

the minister of foreign affairs.

This speech was in relation to the controversy brought about by the protest of Japan against the passage of the alien-land law by the California Legislature, and was a plain statement that the Japanese Government was not satisfied with the way that the State Department and the administration at Washington had proceeded in this matter, and served notice that the Japanese Government was not through, and that in the future in matters of this kind they would try some other way. Reading between the lines, and taking past performances by the Japanese nation, especially in the controversies with China and Russia, into consideration, we are free to draw our own conclusions as to what was meant by "another way." It is a remarkable coincidence that the Japanese Government could allow months to elapse before making public in a spectacular way their position in regard to the California legislation. This legislation was enacted in the early part of 1913, and it remained for the representatives of the Japanese Government to wait until the morning of the day upon which a hearing was to be held on two bills providing for the exclusion of all Asiatics to publish, through the speech of the minister of foreign affairs, their answer to the State Department. Giving this matter the serious consideration which it deserves, one conclusion only can be arrived at, and that is that this move, coming at the time when the Committee on Immigration of the House of Representatives was about to take up these two measurer, was made for a certain definite purpose, and that it was published with the object in view of having those in charge of diplomatic affairs call a halt as far as any particular activity by the committee in furtherance of this legislation.

What was the reason for that? Their object was to influence this case, and it did influence it to this effect, that when those of us who wanted to be heard on the bill H. R. 102 and on the bill introduced by Representative Hayes, which is before the Committee on Immigration, we found that committee behind closed doors, and they have been conducting their consideration of Asiatic-exclusion legislation behind closed doors since that time and have not conducted any public hearings to date.

Now, I believe with my colleague from California, Mr. J. R. KNOWLAND, that if we do not get a chance to vote on this proposition as an amendment to the Burnett immigration act we will not get a chance at this session of Congress to vote on Asiatic exclusion. I venture that prophecy, Mr. Chairman, and I am sincere in it. I voted with this administration on practically every one of their big measures, and I expect to vote with this administration on every measure which is progressive and in the interests of the people of this country, but I do not want to see this opportunity, that California and the Pacific coast have been waiting for for a great many years, lost. I do not question the sincerity of the gentleman from California [Mr. RAKER], but I doubt his judgment in letting this matter go the way it has. And unless we get action this time the people of the West, the people who want protection from the Asiatics, will have had their last chance for a number of years.

It seems strange that any movement, either by one of our sovereign States or by the House of Representatives or by the United States Senate, which has for its object the protection of our people from Asiatic invasion immediately stirs up a storm of protest on behalf of the Japanese Government, they contending that their national honor is being assailed. It is also strange that a number of the British possessions from time to time have had serious disturbances involving Japanese subjects, especially in the Province of British Columbia, without any talk of war being declared by Japan against England; and also the fact that another one of the British Coloniestralia-has a rigid Japanese-exclusion act in force without bringing about any serious international complications. whenever our people even intimate that remedial legislation is desired the newspapers carry big scare heads announcing impending war. It occurs to me, Mr. Chairman, that the national honor of our own people should be our first consideration, and whenever we find a menace to our public institutions, whether it be black, brown, or yellow, we should take a firm position and enact legislation that will protect our people, whether it be laborer, mechanic, farmer, or business man, and make us what we ought to be—a homogeneous people. The Japanese Government itself in entering into what is generally known as a "gentleman's agreement," whereby they agreed whereby they agreed nown as a genteman's agreement, whereby they agreed not to issue passports to laborers for the purpose of emigrating to the United States, concede the principle involved in the Raker and the Hayes bills, which is exclusion.

If their national honor is to be offended through an act of

this kind, then they themselves are responsible, as they con-

ceded our right to exclude the laborers coming from Japan when they entered into this private compact with the officers of our Department of State in 1907; and they should not complain if the people of this country, speaking through their National Legislature, see fit to enact into law what they agreed to was right by private agreement. It is strange that we can have our diplomatic differences with the nations of the earth, such as we have with England over free canal tolls for our coastwise shipping, with Colombia over the Canal Zone, with other nations on a variety of subjects, but when it comes to diplomatic differences with Japan this country is immediately threatened with being plunged into war. So, I say again, that sooner or later we must awaken to the fact that we also have our national honor at stake, which we must always be on guard to preserve, and not at the mere mention of some slight difficulty with the Japanese Nation be immediately plunged into a panic.

Mr. Chairman, I am heartily in favor of the amendment

offered by my colleague from California [Mr. Haves] to the pending immigration bill, as I believe this is the time to enact Asiatic exclusion laws, and I trust this amendment will be adopted by the committee and enacted into law by this session

of Congres

Mr. RAKER. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, which I shall not do at the end, what is the understanding, if I

may ascertain, in reference to how long we will run.

Mr. BURNETT. I have canvassed the matter with the leader of the minority and the gentleman having charge of the minority side of this bill, and we have agreed, if the committee will concur with us, that when the committee rises it will rise at 6.30 p. m., and that then we will have an agreement in the House that we meet to-morrow at 11 o'clock a. m., and we would like to understand now, so no gentleman will raise any question in the House, if there is objection to that.

Mr. MANN. I will say to the gentleman I undertook to canvass this side of the House, and there were not many Mem-

bers here then, and there was no objection.

Mr. SABATH. Mr. Chairman, having seen several Members on this side who are interested, I am inclined to believe that no one will raise any objection to the agreement that we should rise at 6.30 p. m., and commence to-morrow at 11 o'clock a. m.

Mr. MOORE. Mr. Chairman-

The CHAIRMAN. The gentleman from California [Mr. RAKER] asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE. Mr. Chairman-The CHAIRMAN. For what purpose does the gentleman

from Pennsylvania rise?

Mr. MOORE. I wanted to offer ar amendment and have it pending; that is all.

The CHAIRMAN. There are already two amendments pending. The gentleman from California [Mr. RAKER] is recog-

nized for five minutes.

Mr. RAKER. Mr. Chairman, the gentleman raised a question as to my statement as to what was said in the President's message. I call the attention of the House to the message that was presented on December 4, 1906, to the Senate, to be found on page 31 of the Congressional Record, volume 41, part 1, which reads as follows:

I recommend to the Congress that an act be passed specifically providing for the naturalization of Japanese who come here intending to become American citizens.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question there?

The CHAIRMAN. Does the gentleman yield?
Mr. RAKER. This is Theodore Roosevelt's message to the Senate and to the House.

Mr. MADDEN. Will the gentleman yield?
The CHAIRMAN. Does the gentleman yield?
Mr. RAKER. I will yield for a question.
Mr. MADDEN. Will the gentleman tell the House how, in the face of that statement of fact, with the knowledge on the part of the citizens of California that Mr. Roosevelt, as President of the United States, had recommended the enfranchise-ment of the Japanese and Chinese, the people of California yet voted for him for President, and he got the electoral vote of that State?

Mr. RAKER. Of course they did not. They voted for a governor who was a native son and the candidate for Vice President, and even he did not carry the State. There were three Democratic electors who were elected, and the rest were counted out. They were entitled to the entire California vote. [Laughter, and cries of "Oh, no!"] There is no question about that, gentlemen; and the record

shows it. [Renewed laughter.]

Now, Mr. Chairman, it was not my purpose to raise any feeling between my colleague and myself, but the facts ought to be presented to the House. There was no bill introduced by my colleague upon this question at the time this matter was brought before the Committee on Immigration. There was no bill referred to the Department of Labor for a report; and I say to the House to-day that had it not been for the distinct understanding of all the members of the committee, practically unanimous, that they all believed it was better for the Burnett bill not to have the question of Asiatic exclusion on it, but to bring in the question of Asiatic exclusion separate and distinct, that would have been placed, I believe, upon the Burnett bill.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield right there?

The CHAIRMAN. Does the gentleman yield?

Mr. RAKER. Yes.

Mr. JOHNSON of Washington. When the gentleman says "all members of the committee," does he include the gentleman from Washington?

Mr. RAKER. Practically all. I stood with the gentleman from Washington, who claimed to be in favor of exclusion of Asiatic laborers at all times and under all circumstances, and if he says now that he is not in favor of that exclusion, it is an utter surprise to me, considering my understanding at that

Mr. JOHNSON of Washington. Of course, I am for Asiatic exclusion. Mr. Chairman, will the gentleman yield for a ques-

The CHAIRMAN. Does the gentleman yield?

Mr. RAKER. I yield for another question. Mr. JOHNSON of Washington. I desire to make it clear in the RECORD. I do not want it misunderstood. I do not want to bring committee matters here, but I desire to have it appear in the RECORD that I distinctly made an individual report, which made it clear that I was in favor of handling Asiatic exclusion

Mr. RAKER. But the gentleman knows, and every member of that committee knows, that by virtue of a prior understanding, that House bill 102 would be considered, the committee never voted whether we would put the bill H. R. 102 upon this bill. Every man upon that committee knows that that is the fact, and that those are the conditions. After a man has thus voted, and after a matter has been thus considered, I say it is too late to bring in a report and say now, "I was in favor of it, but I have changed the other way." [Applause and cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on agreeing to the amend-

The question is on agreeing to the amendment to the amendment offered by the gentleman from Wis-

consin [Mr. LENROOT].

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. LENROOT. Mr. Chairman, I demand a division. The committee divided; and there were-ayes 79, noes 101.

Mr. LENROOT. Tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. Bur-NETT and Mr. LENBOOT.

The committee again divided; and the tellers reported-ayes 111. noes 90.

Accordingly the amendment was agreed to.

Mr. BURNETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House bill 6060, the immigration bill, and had come to no resolution thereon.

LEAVE TO WITHDRAW PAPERS.

Mr. HAWLEY, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of H. R. 27289, Sixty-first Congress, no adverse report having been made thereon.

HOUR OF MEETING TO-MORROW.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock

to-morrow morning.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection? Mr. DONOVAN. I object, Mr. Speaker.

Mr. SABATH. Mr. Speaker, I hope that the gentleman from Connecticut will not object, because I have endeavored to see as many Members as I could, and have agreed with the gentleman from Alabama [Mr. BURNETT] that we should meet at 11

Mr. DONOVAN. I withdraw the objection, Mr. Speaker. The SPEAKER. Is there objection? There was no objection.

ADJOURNMENT.

Mr. BURNETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 30 minutes p. m.) the House adjourned until Tuesday, February 3, 1914, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were

taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of Labor, transmitting comments, data, and suggestions on H. R. 6060, a bill to regulate the immigration of aliens to and the residence of aliens in the United States (H. Doc. No. 689); to the Committee on Immigration and Naturalization and ordered to be printed.

2. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusions in the case of B. B. Hampton, administrator of George Boone, deceased, v. The United States (H. Doc. No. 690); to the Committee on War Claims and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of Senate bill No. 3342, Sixty-third Congress, first session, providing for disposition of the façade of the assayoffice building, New York, etc. (H. Doc. 691); to the Committee on Appropriations and ordered to be printed.

4. A letter from the vice president of the Washington & Old Dominion Railway, transmitting annual report for the year ended December 31, 1913 (S. Doc. No. 398); to the Committee on the District of Columbia and ordered to be printed.

5. A letter from the Acting Secretary of the Treasury, mitting an estimate of appropriation for new sidewalks and curbs, including necessary grading, surrounding and adjacent to the site of the new building for the Bureau of Engraving and Printing (H. Doc. No. 692); to the Committee on Appropriations and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Commissioner of the Board of Mediation and Conciliation, submitting an estimate for the deficiency appropriation for necessary and proper expenses (H. Doc. No. 693); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting a supplemental estimate of appropriation for the service of the fiscal year ended June 30, 1913 (H. Doc. No. 694); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the chairman of the Commission on Industrial Relations, submitting an estimate of urgent deficiency in the appropriation for the expenses of the commission for the fiscal year ending June 30, 1914 (H. Doc. No. 695); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Commissioner of Patents, transmitting report of the business of the Patent Office for the year ended December 31, 1913 (H. Doc. No. 696); to the Committee on Patents and ordered to be printed.

10. A letter from the president of the Capital Traction Co., transmitting report for the year ended December 31, 1913 (H. Doc. No. 682); to the Committee on the District of Columbia and ordered to be printed.

11. A letter from the vice president of the Washington Gas Light Co., transmitting detailed statement of the business of said company, with a list of its stockholders, for the year ended December 31, 1913 (H. Doc. No. 683); to the Committee on the District of Columbia and ordered to be printed.

12. A letter from the president of the Potomac Electric Power Co., transmitting report of said company for the year ended December 31, 1913 (H. Doc. No. 684); to the Committee on the District of Columbia and ordered to be printed.

13. A letter from the president of the Georgetown & Tennallytown Rallway Co., transmitting the report of said company for the year ended December 31, 1913 (H. Doc. No. 685); to the Committee on the District of Columbia and ordered to be printed.

14. A letter from the president of the City & Suburban Railway of Washington, transmitting report of said company for the year ended December 31, 1913 (H. Doc. No. 686); to the Committee on the District of Columbia and ordered to be

15. A letter from the president of the Washington Railway & Electric Co., transmitting report of said company for year ended December 31, 1913 (H. Doc. No. 687); to the Committee on the District of Columbia and ordered to be printed.

16. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Choctawhatchee River, Florida and Alabama, up to Geneva, Ala. (H. Doc. No. 688); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CARAWAY, from the subcommittee on the District of Columbia, appointed and authorized under House resolution 320 to make an investigation of certain alleged violations of the excise law in the District of Columbia, submitted a report (No. 206), which said report was referred to the House Calendar.

Mr. STEPHENS of Nebraska, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12117) to authorize the Government of Porto Rico to construct two bridges across the Arecibo River near the city of Arecibo, P. R., reported the same with amendment, accompanied by a report (No. 208), which said bill and report were

referred to the House Calendar.

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 8683) to authorize and direct the Secretary of the Treasury to relinquish the rights of the United States in and to a part of a certain alley in the city of Marshalltown, Iowa, reported the same without amendment, accompanied by a report (No. 207), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:

By Mr. RUSSELL: A bill (H. R. 12795) providing for the survey of Current River, in Missouri; to the Committee on Rivers and Harbors

By Mr. SLAYDEN: A bill (H. R. 12796) to provide for the removal of the Botanic Garden to Rock Creek Park and for its transfer to the control of the Department of Agriculture; to the Committee on the Library

By Mr. KALANIANAOLE: A bill (H. R. 12797) for the con-

struction of a breakwater at Kahului Harbor, island of Maul, Territory of Hawaii; to the Committee on Rivers and Harbors.

By Mr. GUDGER: A bill (H. R. 12798) to establish a fish-hatching and fish-cultural station within the tenth congressional district, State of North Carolina, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. BROUSSARD: A bill (H. R. 12799) to amend section 7 of the act of Congress approved July 2, 1890 (26 Stat. L., ch. 647, p. 209), known as the Sherman Antitrust Act; to the Committee on the Judiciary.

By Mr. HARRISON: A bill (H. R. 12800) to provide for the survey of the Jordan River, Miss., and its navigable tributaries; to the Committee on Rivers and Harbors.

By Mr. CLARK of Florida: A bill (H. R. 12801) to provide for the erection, furnishing, and equipping of a building in the city of Washington, D. C., for the Department of Justice; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Kentucky: A bill (H. R. 12802) to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and further to accept an assignment or transfer of an endowment fund of \$50,000 in relation thereto; to the Committee on the Library.

By Mr. BELL of Georgia: A bill (H. R. 12803) to construct

a suitable building for the use of the United States post office and assay office at Dahlonega, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. CHURCH: A bill (H. R. 12804) for the erection of a public building at Visalia, Cal.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Maryland: A bill (H. R. 12805) to enlarge the capacity of the powder plant at Indianhead, Charles

County, Md.; to the Committee on Naval Affairs.

By Mr. LINTHICUM: A bill (H. R. 12806) authorizing the Secretary of War to grant the use of the Fort McHenry Military Reservation, in the State of Maryland, to the mayor and city council of Baltimore, making certain provisions in connection therewith, providing access to and from the site of the new immigration station heretofore set aside, and appropriating certain money: to the Committee on Military Affairs.

By Mr. BRYAN: A bill (H. R. 12807) relating to the maintenance of actions for death or injuries on the high seas; to

the Committee on the Judiciary.

By Mr. TAYLOR of New York: A bill (H. R. 12808) authorizing the Secretary of War to donate or loan to the White Plains Chapter of the Daughters of the American Revolution one condemned cannon and three pyramids of shell; to the Committee

on Military Affairs.

By Mr. CALLAWAY: A bill (H. R. 12864) to provide for investigations of tuberculosis and the prevention of the disease by care of consumptives in hospitals and providing for the use of abandoned military, naval, and other reservations or other Government property as tuberculosis hospitals and providing for the maintenance of such institutions; to the Committee on Interstate and Foreign Commerce.

By Mr. HOUSTON: A resolution (H. Res. 397) to provide that when the consideration of H. R. 1739 is again reached it shall be in order to call up S. 48 in lieu thereof; to the

Committee on Rules.

By Mr. LINTHICUM: Joint resolution (H. J. Res. 209) authorizing the President to extend invitations to foreign Governments to participate, through their accredited diplomatic agents to the United States, in the National Star Spangled Banner Centennial Celebration; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions

were introduced and severally referred as follows:

By Mr. BORLAND: A bill (H. R. 12809) granting an increase of pension to John D. Moriarty; to the Committee on Invalid Pensions.

By Mr. BOWDLE: A bill (H. R. 12810) granting a pension

to Charles W. Friend; to the Committee on Pensions.

Also, a bill (H. R. 12811) granting an increase of pension to James M. Stewart; to the Committee on Invalid Pensions.
Also, a bill (H. R. 12812) granting a pension to Eliza J. Con-

over; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12813) granting an increase of pension to Caroline Sieber; to the Committee on Invalid Pensions. By Mr. BROUSSARD: A bill (H. R. 12814) granting a pen-

sion to Thomas H. Sloane; to the Committee on Pensions.

By Mr. CARLIN: A bill (H. R. 12815) granting an increase of pension to Moses M. Whitney; to the Committee on Pen-

By Mr. DONOHOE: A bill (H. R. 12816) granting a pension to Anastatia Nugent; to the Committee on Invalid Pensions.

By Mr. FRANCIS: A bill (H. R. 12817) granting a pension

to Emma Field Devault; to the Committee on Invalid Pensions. Also, a bill (H. R. 12818) granting an increase of pension to Joseph Smith; to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 12819) granting a pension

to Mary T. Houston; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 12820) to remove the charge of desertion from the record of John C. Berry; to

the Committee on Military Affairs.

By Mr. GUDGER: A bill (H. R. 12821) granting a pension

to Urban A. Woodbury; to the Committee on Pensions.

Also, a bill (H. R. 12822) to complete the military record of

M. P. Sneed; to the Committee on Military Affairs. Also, a bill (H. R. 12823) granting a pension to Julius Schence; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12824) for payment of claim of W. T. Shel-

ton; to the Committee on Claims.

By Mr. GUERNSEY: A bill (H. R. 12825) granting an increase of pension to Dennis W. Palmer; to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 12826) to reinstate Francis Graves Bonham as a cadet at the United States Military Academy; to the Committee on Military Affairs.

By Mr. HAUGEN: A bill (H. R. 12827) granting an increase of pension to Andrew W. Baldwin; to the Committee on Invalid Pensions.

By Mr. HELVERING: A bill (H. R. 12828) granting an increase of pension to Henry Bottger; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 12829) granting a pension to Sarah Francis; to the Committee on Invalid Pensions.

By Mr. KEISTER: A bill (H. R. 12830) granting a pension to Simeon D. Morrison; to the Committee on Invalid Pensions. Also, a bill (H. R. 12831) granting an increase of pension to Agnes Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12832) granting an increase of pension to Robert R. Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12833) granting an increase of pension to Henry A. Walters; to the Committee on Invalid Pensions.

By Mr. LA FOLLETTE: A bill (H. R. 12834) permitting Charles M. Hickerson to include a portion of allotment No. 36 to Se-cum-ka-nullax, of Chief Moses's Band, in his homestead entry, and providing for allotment to Se-cum-ka-nullax in lieu thereof on the Colville Indian Reservation; to the Committee on Indian Affairs

By Mr. MOON: A bill (H. R. 12835) granting an increase of pension to Theodore Metcalf; to the Committee on Invalid

By Mr. MOSS of Indiana: A bill (H. R. 12836) for the relief

of John W. Baker; to the Committee on Military Affairs.

By Mr. MOSS of West Virginia: A bill (H. R. 12837) granting an increase of pension to Angeline Battin; to the Committee on Invalid Pensions.

By Mr. MURRAY of Massachusetts: A bill (H. R. 12838) to remove the charge of desertion from the record of John P. Wilson; to the Committee on Military Affairs.

By Mr. J. I. NOLAN: A bill (H. R. 12839) for the relief of Patrick Savage; to the Committee on Naval Affairs.

Also, a bill (H. R. 12840) for the relief of George F. Stedman; to the Committee on Naval Affairs.

By Mr. OGLESBY: A bill (H. R. 12841) granting a pension to Blanche Wood; to the Committee on Pensions.

By Mr. O'HAIR: A bill (H. R. 12842) granting a pension to Mrs. George E. Heilman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12843) granting a pension to Amy A. Hull;
to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 12844) for the relief of Spencer Roberts, a member of the Metropolitan police force of the District of Columbia; to the Committee on the District of Columbia.

By Mr. PADGETT: A bill (H. R. 12845) granting an increase of pension to Fountain P. Kephart; to the Committee on Invalid

By Mr. RAUCH: A bill (H. R. 12846) granting an increase of pension to Samuel W. Turner; to the Committee on Invalid

Also, a bill (H. R. 12847) granting an increase of pension to Jacob Birkfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12848) granting an increase of pension to Daniel O. C. Marine; to the Committee on Invalid Pensions. By Mr. RUSSELL: A bill (H. R. 12849) granting a pension

to R. D. Fleming; to the Committee on Invalid Pensions. By Mr. SMITH of Maryland: A bill (H. R. 12850) granting a pension to Agnes M. Frazier; to the Committee on Pensions.

By Mr. STEPHENS of Nebraska: A bill (H. R. 12851) for the relief of Joseph Kopac; to the Committee on Claims. Also, a bill (H. R. 12852) granting an increase of pension to

W. Pate; to the Committee on Invalid Pensions By Mr. SMITH of New York: A bill (H. R. 12853) for the relief of Franz Strauss; to the Committee on Military Affairs.

By Mr. SAMUEL W. SMITH: A bill (H. R. 12854) granting an increase of pension to Jacob Winter; to the Committee on

Also, a bill (H. R. 12855) granting an increase of pension to Charles W. Morrow; to the Committee on Pensions.

By Mr. THOMAS: A bill (H. R. 12856) granting a pension to

Mary A. James; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12857) granting a pension to Edward A. Poag; to the Committee on Pensions.

Also, a bill (H. R. 12858) granting an increase of pension to Thomas J. Clack; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12859) for the relief of Feilding M. Chelf:

Also, a bill (H. R. 12860) to remove the charge of desertion from the military record of T. J. Caskey; to the Committee on Military Affairs.

By Mr. TREADWAY: A bill (H. R. 12861) granting an increase of pension to Robert F. McCurdy; to the Committee on Invalid Pensions.

By Mr. WHITACRE: A bill (H. R. 12862) granting an increase of pension to Joseph B. Couch; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 12863) granting a pension to Tony Jud; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of the Mutual Co-operative Aid Co., of Geneva, N. Y.; the Polish National Alli-ance; Workmen's Circles Nos. 103 and 328; and Jewish citizens of Buffalo, N. Y., against literacy test; to the Committee on Immigration and Naturalization.

Also (by request), petitions of the Robert Fulton Social and Literary Society of New York; the Commodore Thomas Mac-Donough Branch of American Continental League of Philadelphia, Pa.; and the Commodore Perry Branch of American Con-tinental League of Philadelphia, Pa., against "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

Also (by request), petition of Prof. Irving Fisher, of New Haven, Conn., favoring "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

By Mr. ALLEN: Petition of Hirsch Hoffert Lodke, No. 367, Independent Order of B'rith Abraham, Cincinnati, Ohio, against immigration bill; to the Committee on Immigration and Naturalization.

By Mr. ASHBROOK: Petition of citizens of Newark, Ohlo, against House joint resolution 168; to the Committee on the Judiciary.

Also, petition of the International Molders Union, Local 205. Newark, Ohio, favoring House bill 1873; to the Committee on

Mr. BELL of California: Memorial of the Associated Chambers of Commerce of the Pacific Coast, favoring an appropriation for Alaska's participation in Panama Exposition; to the Committee on Appropriations.

By Mr. BOWDLE: Petition of the Andrew Jackson Branch of the American Continental League, of Cincinnati, Ohio, protesting against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

By Mr. BRUCKNER: Petition of the Polish National Alliance. of Chicago, Ill., protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. BURKE of Wisconsin: Petition of citizens of Shebovgan County, Wis., against House joint resolution 168; to the Committee on Immigration and Naturalization.

By Mr. CALDER: Petition of sundry citizens of the United States, favoring the passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the New York State Fruit Growers' Association, at Penn Yan, N. Y., protesting against the passage of the McKellar cold-storage bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Order of Railway Conductors and Brotherhood of Locomotive Firemen and Enginemen, protesting against Federal workmen's compensation law; to the Committee on

Also, petitions of William Iselin & Co., of New York City, and the Utica Association of Credit Men, of Utica, N. Y., favoring the passage of the Ransdell-Humphreys bill for flood control; to the Committee on Rivers and Harbors.

Also, petition of the National League of Commission Mer-nants, favoring 1-cent letter postage; to the Committee on the

Post Office and Post Roads.

By Mr. CURRY: Petition of the Associated Chamber of Commerce of the Pacific Coast, favoring appropriation for Alaska for showing at the Panama Exposition; to the Committee on Appropriations

By Mr. DYER: Petition of C. L. Bowman, of Washington, D. C., favoring a bill giving parties to suits in equity the right of trial by jury; to the Committee on the Judiciary.

Also, petitions of the Hamilton-Brown Shoe Co., W. S. Bull Medicine Co., and Rice-Stix Dry Goods Co., all of St. Louis. Mo., favoring the passage of the Ransdell-Humphreys bill for flood control; to the Committee on Rivers and Harbors.

Also, petition of Banner Lodge, No. 93, Independent Order of B'rith Abraham, of St. Louis, Mo., against immigration bill;

to the Committee on Immigration and Naturalization.

Also, petition of the Koken Barbers' Supply Co., of St. Louis,
Mo., against House bill 1873; to the Committee on the Judiciary.

Also, petition of George A. Bayle, of St. Louis, Mo., protesting against the passage of the Bartlett-Bacon anti-injunction bills; to the Committee on the Judiciary.

Also, petition of the Hissouri legislative committee. Order of Railway Conductors, favoring House bill 6060; to the Commit-

tee on Immigration and Naturalization.

Also, petition of the Equitable Surety Co., of St. Louis, Mo., against House bills 12 and 473; to the Committee on the Post Office and Post Roads.

Also, petition of Banner Lodge, No. 93, Independent Order of B'rith Abraham, of St. Louis, Mo., against immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the St. Louis (Mo.) Dairy Co., against House bill 1873; to the Committee on the Judiciary.

Also, petition of the Barnes-Crosby Co., of St. Louis, Mo., favoring Randell-Humphreys bill; to the Committee on Rivers and Harbors. Also, petition of the Central Trades and Labor Union of St.

Louis, Mo., favoring bill relative to rights of way for railroad approach in Illinois; to the Committee on Interstate and Foreign Commerce.

Also, petition of R. B. Smith, of Cincinnati, Ohio, protesting against bills providing for the appointment of clerks of the United States courts by the President: to the Committee on the Judiciary.

By Mr. ESCH: Petitions of the Commercial Club of the city of Superior, Wis., relative to greatly enlarged interior basin, and the Milwaukee Association of Credit Men, favoring the passage of bills for flood control; to the Committee on Rivers and Harbors

By Mr. GALLAGHER: Petition of Hart, Schaffner & Marx, Wilson Bros., and Edwards & Deutsch Lithographing Co., of Chicago, Ill., favoring the Ransdell-Humphreys bill; to the Committee on Rivers and Harbors.

By Mr. HAWLEY: Petitions of sundry citizens of the State of Oregon, protesting against Federal prohibition; to the Committee on the Judiciary.

By Mr. HELVERING: Memorial of members of the Farmers' Educational and Cooperative Union of America, favoring House bill 10076; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Memorial of the Workingmen's Independent Political Club of Providence, R. I., protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, memorial of Italian citizens and organizations of Providence, R. I., against immigration bill; to the Committee on

Immigration and Naturalization.

Also, memorial of the Commodore Oliver Hazzard Perry Branch of the American Continental League, of Valley Falls, R. I., protesting against the "One hundred years of peace celebration": to the Committee on Foreign Affairs.

Also, memorial of the Local Council of Women of Rhode Island, favoring the passage of House bill 29, relative to eight hours of work for women in the District of Columbia; to the

Committee on Labor.

Also, petition of the Polish National Alliance of the United States, protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturalization. By Mr. GOULDEN: Papers to accompany bill for the relief

of Mary T. Houston; to the Committee on Pensions.

By Mr. LEE of Pennsylvania: Petition of Palestina Lodge, No. 273, Independent Order of B'rith Abraham, of Philadelphia, Pa., and the Polish National Alliance, against immigration bill; to the Committee on Immigration and Naturalization.

By Mr. LINDQUIST: Petition of citizens of Alma, Greenville, and Stanton, Mich., favoring the passage of the Lindquist pure fabric and leather bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Socialist Party of Greenville, of Greenville, Mich., favoring an investigation of the strike in Michigan; to the Committee on Rules.

Mr. LONERGAN: Petition of members of Lady Unity Council, No. 51, Daughters of Liberty, of Southington, Conn., favoring the passage of the bill restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Amalgamated Association of Street and Electric Railway Employees, Hartford Division, No. 425, of Hartford, Conn., favoring the passage of the Bartlett-Bacon anti-injunction bills; to the Committee on the Judiciary.

By Mr. McCOY: Petitions of the United Hatters of North America, Local Unions Nos. 4 and 17, of Orange, N. J., favoring the passage of the Bartlett-Bacon anti-injunction bills; to the

Committee on the Judiciary.

By Mr. MacDONALD: Petitions of citizens of Ishpeming and of C. O. Anderson and others of Ironwood, Mich., favoring the passage of bills restricting immigration; to the Committee on

Immigration and Naturalization.

By Mr. MERRITT: Petitions of members of the Canton, Waddington Scotch, Lisbon, and Oswegatchie second auxiliaries of St. Lawrence Presbyterial Society of Home and Foreign Missions, favoring the antipolygamy amendment to the National Constitution; to the Committee on the Judiciary.

By Mr. MOON: Papers to accompany bill (H. R. 12835) for the relief of Theodore Metcalf; to the Committee on Invalid

By Mr. MOORE: Memorial of the General Richard Montgomery Chapter of the American Continental League, of Philadelphia, Pa., protesting against the "One hundred years of celebration; to the Committee on Foreign Affairs. peace"

By Mr. PALMER: Memorial of Northampton Branch of German-American Alliance, of South Bethlehem, Pa., protesting against Federal prohibition; to the Committee on the Judi-

By Mr. RAKER: Petition of the Rivers Bros. Co., protesting against the passage of the McKellar cold-storage bill; to the Committee on Interstate and Foreign Commerce.

By Mr. SCULLY: Petition of the New Jersey Retail Monument Dealers' Association, favoring House bill 4322; to the Committee on the Post Office and Post Roads.

Also, petitions of the Singing Society, Arbeiter Männerchor, of Perth Amboy, N. J., and Quartette Club, Sayreville, N. J., favoring House joint resolution 168; to the Committee on the

Also, petitions of the Polish National Alliance and Branch No. 438, Workmen's Circle, Red Bank, N. J., against House bill

6060; to the Committee on Immigration and Naturalization.

By Mr. SELDOMRIDGE: Petition of the Federated Trades Council of Colorado Springs, Colo., favoring the passage of the Bartlett-Bacon anti-injunction bills; to the Committee on the Judiciary

By Mr. STEPHENS of California: Petition of the directors of Hollywood (Cal.) Board of Trade, favoring House bill 5139;

to the Committee on Reform in the Civil Service.

Also, petitions of citizens of the State of California, favoring the passage of the Hamill bill for pensions for aged civil-service employees; to the Committee on Pensions.

Also, petition of citizens and organizations of California, favoring free press and free speech; to the Committee on

Also, petition of the International Union of Steam and Operating Engineers, the San Francisco Labor Council, the Tailors' Industrial Union of Los Angeles, Cal., and the United Garment Workers of America, Union No. 125, favoring seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, memorials of the Socialist Party of Los Angeles, of Los Angeles, Cal., and No. 911, International Association of Machinists, Los Angeles, Cal., favoring investigation of strike condi-

tions in Michigan; to the Committee on Rules.

Also, petition of the Watsonville (Cal.) Apple Annual Association, and Rivers Bros., Los Angeles, Cal., against House bills 9266, 9530, and 9987; to the Committee on Interstate and Foreign Commerce.

Also, petition of Mrs. C. M. Beck, favoring increased pensions for Army nurses in Civil War; to the Committee on Invalid

Also, memorial of Junior Order of United American Mechanics, of San Francisco and Oakland, Cal., favoring House bill 6060; to the Committee on Immigration and Naturalization.

Also, petition of the Bardsdale (Cal.) Methodist Episcopal Church, favoring a naval holiday; to the Committee on Naval

By Mr. TUTTLE: Petition of the Emil Zucker Lodge, No. 371, of Elizabeth, N. J., protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. WILLIS: Papers to accompany House bill 11930; to

the Committee on Pensions.

By Mr. WILSON of New York: Memorial of the District of Columbia Association Opposed to Woman Suffrage, protesting against woman suffrage; to the Committee on the Judiciary.

Also, petition of citizens of Cincinnati, Ohio, protesting against the passage of bills restricting immigraton; to the Com-

mittee on Immigration and Naturalization.

Also, memorial of National Wholesale Grocers' Association of the United States, relative to fixing resale price on their goods by manufacturers; to the Committee on Interstate and Foreign

Also, petition of the Merchants' Association of New York, protesting against the passage of the Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

SENATE.

Tuesday, February 3, 1914.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the

following prayer:

Almighty God, Thou art God of all the nations, the Lord of Out of one blood Thou hast made all men that the whole earth. dwell upon all the face of the earth. Thou hast fixed the bounds of their habitation and hast said: "Thus far shalt thou go and no further." Thou hast given to us peculiar advantages and benefits of Thy providence and care. Thou hast unlocked for us the treasures of earth. Thou hast revealed to us the infinite glories of Thy name. Thou hast called us to be an evangel among the nations of the earth and to make known Thy name.

We pray that out of our reverence for Thee, our love for Thy kingdom, and our adoration before Thy name we may be enabled to work into all the system of our organized life the great principles of the eternal kingdom. For Jesus' sake. Amen.

The Journal of yesterday's proceedings was read and approved.

ANNUAL REPORT OF COMMISSIONER OF PATENTS (H. DOC. NO. 696).

The VICE PRESIDENT laid before the Senate the annual report of the Commissioner of Patents for the year ended December 31, 1913, which was referred to the Committee on Patents and ordered to be printed.

FRENCH SPOLIATION CLAIM (H. DOC. NO. 698).

The VICE PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the amended findings of fact and conclusions of law filed by the court under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the vessel brig Little John Butler, James Smith, jr., master, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

REPORT OF THE GEORGETOWN GAS LIGHT CO. (H. DOC. NO. 697).

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown Gas Light Co., of the District of Columbia, for the year ended December 31, 1913, which was referred to the Committee on the District of Columbia and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 5487. An act to authorize an additional appropriation for the erection of the United States appraisers' stores building at Milwaukee, Wis.;

H. R. 5884. An act granting to the people of the State of California the right of way upon and across the United States fish

reservation at Baird, Shasta County, Cal.;
H. R. 9574. An act to authorize the Missouri, Kansas & Texas
Railway Co. to construct a bridge across the Mississippi River

near the city of Hannibal, in the State of Missouri; H. R. 9897. An act to amend section 12 of the act entitled "An act to amend and consolidate the acts respecting copyright," ap-

proved March 4, 1909; H. R. 10084. An act to authorize the changing of the names of

the steamships Buckman and Watson;

H. R. 10258. An act authorizing the Secretary of the Interior to sell to the city of Lawton, Okla., a tract of land to be used for watershed and water-supply purposes;

H. R. 11283. An act to authorize the construction of a bridge

across the navigable waters of St. Andrews Bay; and

H. R. 11325. An act to authorize the reconstruction of the existing toll bridge across the Hudson River, at Troy, in the State of New York, and the maintenance of the bridge sc reconstructed.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented the memorial of Frank Weninger, of Brooklyn, N. Y., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented memorials of Commodore Perry Branch, American Continental League; the Kosciusko Branch, American Continental League; the Pulaski Branch, American Continental League; the Gen. Robert Howe Branch, American Continental League; the John Quincy Adams Branch, American Continental League; and of the Ninety-eight Club, all in the city of Philadelphia, in the State of Pennsylvania; of Gen.

Warren Branch, American Continental League, of Warren, R. I.; and of Gen. Anthony Wayne Branch, American Continental League, of Brockton, Mass., remonstrating against an appropriation being made for the celebration of the so-called One hundred years of peace among English-speaking peoples, which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the Board of Trustees of Crescent City, Cal., and resolutions adopted by the Board of Supervisors of Del Norte County, Cal., favoring an appropriation for the improvement of the harbor at Crescent City, which were referred to the Committee on Commerce.

He also presented the memorial of John H. Benson, of Brooklyn, N. Y., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a memorial of Makarover Lodge, No. 649, Independent Order of B'rith Abraham, of New York City, N. Y., remonstrating against the enactment of legislation to provide an educational test for immigrants to this country, which was referred to the Committee on Immigration.

Mr. BURTON presented a petition of the Ministerial Association of Zanesville, Ohio, praying for the enactment of legislation to provide for the retirement of civil-service employees, which was referred to the Committee on Civil Service and

Retrenchment.

Mr. FLETCHER presented a petition of Seminole Lodge, No. 280, International Association of Machinists, of Sanford, Fla., praying that an appropriation be made for the construction annually of two new battleships, which was referred to the Committee on Naval Affairs.

Mr. OLIVER presented a petition of the Pennsylvania State Board of Agriculture, praying for the enactment of legislation providing Government aid to States in the construction of roads, which was referred to the Committee on Appropriations.

Mr. BRANDEGEE presented a petition of sundry citizens of Meriden, Conn., praying that an appropriation be made for the construction annually of two new battleships, which was referred to the Committee on Naval Affairs.

Mr. NORRIS presented memorials of sundry citizens of Lancaster County and Lincoln County, Nebr., remonstrating against the enactment of legislation compelling the observance of Sun-day as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. WORKS presented a memorial of sundry citizens of Los Angeles, Cal., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. McLEAN presented a memorial of Court Spinoza, No. 102, Foresters of America, of New Britain, Conn., and a memorial of Knights of Israel, New Haven, Conn., remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which were referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Meriden, Conn., praying that an appropriation be made for the construction annually of two new battleships, which was referred to the

Committee on Naval Affairs.

Mr. TOWNSEND presented a memorial of sundry citizens of Dimondale, Mich., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. SHIVELY presented the memorial of Henry Debald and 33 other citizens of Michigan City, Ind., remonstrating against the enactment of legislation to provide an educational test for immigrants to this country, which was referred to the Committee on Immigration.

Mr. PERKINS presented a memorial of the Concordia Turnverein, of San Diego, Cal., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, was referred to the Committee on the Judiciary.

He also presented a petition of the California Federation of Labor, praying for an investigation of the land grants of the Oregon & California Railway, which was referred to the Com-

mittee on Public Lands.

He also presented a petition of the Board of Trade of Hollywood, Cal., praying for the enactment of legislation to provide for the retirement of civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of the congregation of the Congregational Church of Long Beach, Cal., and a petition of the congregation of the Baptist Church of Ducor, Cal., praying for

the suspension for one year of the naval programs of the great powers, which were referred to the Committee on Naval Affairs.

Mr. LODGE presented the memorial of Martin Moeckel and 14 other citizens of Malden, Mass., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a memorial of Lazarus Davis Lodge, Independent Order of B'rith Abraham, Boston, Mass., remonstrating against the enactment of legislation to provide an educational test for immigrants to this country, which was referred to the

Committee on Immigration.

Mr. ROOT presented a petition of the board of governors of the Lake Champlain Association, of New York City, N. praying that an appropriation be made for the erection of a stone light keeper's dwelling in harmony with the monumental lighthouse at Crown Point, on Lake Ticonderoga, N. Y., which was referred to the Committee on Commerce.

Mr. BRANDEGEE presented a memorial of Capital City Lodge, No. 119, Independent Order of B'rith Abraham, of Hartford, Conn., remonstrating against the enactment of legislation to provide an educational test for immigrants to this country, which was referred to the Committee on Immigration.

He also presented a memorial of the German-American Alliance, of Seymour, Conn., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which

was referred to the Committee on the Judiciary.

Mr. HUGHES presented memorials of Samuel Berkowitz Lodge, No. 104, Independent Order B'rith Sholom, of Atlantic Lodge, No. 104, Independent Order Birth Sholom, of Adamster City; of Emil Zucker Lodge, No. 371, Independent Order Birth Abraham, of Elizabeth; of Bayonne Lodge, No. 284, Independent Order Birth Abraham, of Bayonne City; of Joseph Rabinowitz Lodge, No. 169, Independent Order Birth Abraham, of Woodbine; of the Italo-American Democratic Club, of Hoboken; and of International Lodge No. 626, Independent Order B'rith Abraham, of Passaic, all in the State of New Jersey, and of sundry citizens of Cincinnati, Ohio, remonstrating against the enactment of legislation to provide an educational test for immigrants to this country, which were referred to the Committee on Immigration.

He also presented petitions of Barbara Frietchie Council, No. 214, Daughters of Liberty, of Lodi; of sundry citizens of Trenton; of Pride of Trenton Council, No. 4, Daughters of Liberty, of Trenton; of Passaic Council, No. 127, Daughters of Liberty, of Passaic; of the Federation of Patriotic Fraternities of Mercer County; of National Council, Daughters of Liberty, of New Jersey; of the Federation of Patriotic Fraternities of Hunterdon County; and of Pride of Bergen Council, No. 132, Daughters of Liberty, Hackensack, all in the State of New Jersey, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented a petition signed by sundry members and exmembers of the Central Branch, National Military Homes for Disabled Volunteer Soldiers, praying that the management of the Homes for Disabled Volunteer Soldiers be placed under the control of the Government, which was referred to the Committee on Military Affairs.

Mr. COLT. I present resolutions adopted by the Legislature of the State of Rhode Island, which I ask may be printed in the RECORD and referred to the Committee on Public Buildings

and Grounds.

There being no objection, the resolutions were referred to the Committee on Public Buildings and Grounds and ordered to be printed in the RECORD, as follows:

[State of Rhode Island, etc., in general assembly, January session, A. D. 1914.]

Resolution relative to the old Federal building.

Resolution relative to the old Federal building.

Whereas there is now standing in the city of Providence in one of the most flourishing business sections of said city a building owned and controlled by the United States Government and now called the "Old Post-Office Building,"; and
Whereas said building, because of its dilapidated condition and somber and deserted appearance, is now and for many months has been a menace of this business section; and
Whereas at divers times and in various ways the Representatives of this State have called the attention of Congress to the urgent necessity of disposing or making some use of this building, either of which would tend to relieve the present deplorable situation and loss of business to the immediate vicinity: Therefore be it

Business to the immediate vicinity: Therefore be it

Resolved, That the present General Assembly does hereby declare
itself as in favor of the project now before Congress to use said building
as a parcel-post terminal: And be it also

Resolved, That a copy of these resolutions signed by the honorable
speaker of the house and the honorable president of the senate be at
ouce forwarded to our Representatives in Washington, D. C.

[Signed.]

Speaker of the House of Representatives.

Roswell B. Burchard,

President of the Senate.

STATE OF RHODE ISLAND, OFFICE OF THE SECRETARY OF STATE, Providence, January 23, 1914.

I hereby certify the foregoing resolutions, duly signed by the honorable speaker of the house of representatives and the honorable president of the senate, to be a true copy of the original resolution approved by his excellency, the governor, on the 21st day of January, A. D. 1914.

In testimony whereof I have hereunto set my hand and affixed the seal of the State aforesaid the date first above written.

[SEAL.]

J. FRED PARKER Secretary of State.

Mr. COLT presented a petition of 36 loom fixers engaged in the mills in Providence, R. I., praying for the enactment of legislation to make lawful certain agreements between employees and laborers and persons engaged in agriculture and horticulture and to limit the issuing of injunctions in certain cases, and for other purposes, which was referred to the Committee on the Judiciary.

He also presented memorials of Pride of Rhode Island Lodge, No. 510, Independent Order of B'rith Abraham, of Providence; of New England Lodge, No. 292, Independent Order of B'rith Abraham, of Woonsocket; of the Rhode Island State Lodge, No. 130, Independent Order of B'rith Abraham, of Providence of the Society of Guiseppe Garibaldi, of Providence; of the St. Paul Society, of Providence; and of the Ninth Ward Italo-American Democratic Club, of Providence, all in the State of Rhode Island, remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which were referred to the Committee on Immigration.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MYERS:

A bill (S. 4320) for the relief of certain homestead entrymen for lands within the limits of the Glacier National Park; to the Committee on Public Lands.

A bill (S. 4321) to increase the limit of cost of public building at Great Falls, Mont.; to the Committee on Public Buildings and Grounds.

By Mr. CUMMINS:

A bill (8. 4322) to amend an act entitled "An act to amend an act entitled 'An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved June 29, 1906; to the Committee on Interstate Commerce.

By Mr. THOMPSON:
A bill (S. 4323) granting a pension to Mabel Bell (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 4324) granting an increase of pension to George W. Berry (with accompanying papers); to the Committee on Pensions.

A bill (S. 4325) for the relief of the heirs or estate of Julius Alexander Ward, deceased (with accompanying papers); to the Committee on Claims.

By Mr. FLETCHER:

A bill (8, 4326) granting an increase of pension to Annie Olga Carney; to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 4327) granting an increase of pension to Charles Overman; to the Committee on Pensions. By Mr. OVERMAN:

A bill (S. 4328) granting a pension to Katie Brown (with

accompanying papers); and
A bill (S. 4329) granting a pension to W. R. Faulkner (with accompanying papers); to the Committee on Pensions.
A bill (S. 4330) to credit and pay to the several States all moneys collected under the internal-revenue tax on raw cotton levied by the act of Congress approved July 1, 1862; to the Committee on Claims.

By Mr. KERN:

A bill (S. 4331) to consolidate the veterinary service, United States Army, and to increase its efficiency;

A bill (S. 4332) to award the medal of honor to Dr. Edmond

T. Spottswood (with accompanying papers)

A bill (S. 4333) for the relief of William Allen (with ac-

A bill (S. 4334) for the relief of William Alten (with accompanying papers); and
A bill (S. 4334) for the relief of Cyrus L. Knapp (with accompanying papers); to the Committee on Military Affairs.
A bill (S. 4335) for the relief of William E. Murray (with accompanying papers); to the Committee on Claims.
A bill (S. 4336) granting an increase of pension to Francis M.

Hay (with accompanying papers);

A bill (S. 4337) granting an increase of pension to Harrison

Wilkins (with accompanying papers);
A bill (S. 4338) granting an increase of pension to Elbridge G.

Black (with accompanying papers);
A bill (S. 4339) granting a pension to Mary McGown (with

accompanying papers); A bill (S. 4340) granting an increase of pension to Mary E.

Boarman (with accompanying papers); A bill (S. 4341) granting an increase of pension to Jesse

Monticue (with accompanying papers); A bill (S. 4342) granting a pension to James L. Anderson

(with accompanying papers); A bill (S. 4343) granting an increase of pension to Hart

Thompson (with accompanying papers) A bill (S. 4344) granting a pension to Sarah Ferguson (with

accompanying papers);
A bill (S. 4345) granting an increase of pension to Anna Cox

(with accompanying papers); A bill (S. 4346) granting a pension to John Nighswander

(with accompanying papers) A bill (S. 4347) granting an increase of pension to Stewart

Barnes (with accompanying papers) A bill (S. 4348) granting a pension to Amanda E. Kelley

(with accompanying papers); and

(With accompanying papers); and
A bill (S. 4349) granting a pension to Edward West (with accompanying papers); to the Committee on Pensions.
By Mr. O'GORMAN:
A bill (S. 4350) for the relief of Mary A. Molloy, sole heir of Thomas N. Molloy, deceased, late United States consul at St. John's, Newfoundland; to the Committee on Claims.

By Mr. COLT: A bill (S. 4351) granting an increase of pension to Mary L. Tarbox (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON:

A joint resolution (3. J. Res. 108) authorizing printing and binding for the use of the Joint Commission to Investigate Indian Affairs; to the Committee on Printing.

TRIALS BY MILITARY COMMISSION.

Mr. BORAH. I offer a resolution and ask that it may be read and lie on the table.

The resolution (S. Res. 259) was read, as follows:

Resolved. That the right of trial by jury for persons charged with criminal offenses, as that right is guaranteed by the National Constitution and by every State constitution of the Union, is an essential element and fundamental right of citizenship and a vital principle of free institutions and a republican form of government; that any tendency to supplant it with a trial by military commission under the plea of necessity is at variance with the basic principles of our whole system and theory of government, indefensible, and intolerable.

The VICE PRESIDENT. The resolution will lie on the table and be printed.

NEW YORK, NEW HAVEN & HARTFORD RAILROAD.

Mr. NORRIS. I submit a resolution and ask that it be read. The Secretary read the resolution (S. Res. 260), as follows:

The Secretary read the resolution (S. Res. 260), as follows:

Resolved, That the Interstate Commerce Commission be requested to reopen its examination of the affairs of the New York, New Haven & Hartford Railroad Co. and to make a further investigation of the financial transactions of said company, with a view of ascertaining:

First. What became of the funds of said company wrongfully invested at fictitious values in the various enterprises and corporations mentioned in the opinion of the Interstate Commerce Commission, No. 2384, case No. 4845, entitled "The New England investigation in the matter of rates, classifications, regulations, and practices of carriers," submitted May 20, 1913, and decided June 20, 1913.

Second. Whether the person or persons authorizing such investment of the funds of said company and the person or persons receiving the benefit thereof are liable to punishment under existing laws.

Third Whether under existing law such funds so invested can be recovered on behalf of the stockholders of said company.

Fourth. What legislation, if any, is necessary to prevent the recurrence of similar transactions.

Mr. NORRIS. I had intended to ask manimous consent for

Mr. NORRIS. I had intended to ask unanimous consent for the immediate consideration of the resolution, but I notice the junior Senator from Massachusetts [Mr. Weeks] is not in the Chamber, and he requested me not to take it up in his absence.

I ask that the resolution may lie over until to-morrow.

The VICE PRESIDENT. The resolution will lie over and be printed.

THE CANAL ZONE.

Mr. CUMMINS submitted the following resolution (S. Res. 258), which was read, considered by unanimous consent, and

Resolved, That the President of the United States be, and he is hereby, requested to furnish to the Senate, if not incompatible with the public interest, a copy of the report (with appendices) of the joint commission provided for in our treaty with the Republic of Panama to make awards for damages for property taken by the United States in the Canal Zone, said report having been made in September, 1913, by Dr. L. S. Rowe and Roland P. Falkner, members of said commission for the United States.

THE SOUTH-CENTRAL TEXAS FLOOD.

Mr. SHEPPARD. I submit the report of S. I. Kimball, general superintendent of the Life-Saving Service, as to the services performed by the Galveston, San Luis, and Velasco life-saving crews, coast of Texas, and persons associated with them, in rescuing and succoring the victims of flood in south-central Texas in December, 1913. I ask that the report be referred to the Committee on Printing with a view to having it examined as to whether it should be printed as a public document.

The VICE PRESIDENT. That action will be taken.

SUFFRAGE IN THE DISTRICT OF COLUMBIA.

Mr. SHEPPARD. I submit an article on the suffrage question in the District of Columbia by George H. Shibley, and ask that it be referred to the Committee on Printing to be considered with a view to its publication as a public document. I know nothing about the merit of the article. I submit it merely for reference to the Committee on Printing.

The VICE PRESIDENT. That action will be taken.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had on this

day approved and signed the following act:

S. 541. An act granting to the Emigration Canon Railroad Co., a corporation of the State of Utah, permission, in so far as the United States is concerned, to occupy, for a right of way for its railroad track, a certain piece of land now included in the Mount Olivet Cemetery, Salt Lake County, Utah.

SENATOR FROM ALABAMA.

The VICE PRESIDENT. The morning business is closed. Mr. KERN. I desire to call up Senate resolution 249, relating to the Alabama election case.

The VICE PRESIDENT. The Chair lays the resolution be-

fore the Senate.

The Senate proceeded to consider Senate resolution 249, reported by Mr. Walsh, from the Committee on Privileges and Elections, January 21, 1914, which was read, as follows:

Resolved, That FRANK P. GLASS is not entitled to a seat in the Senate of the United States as a Senator from the State of Alabama.

Mr. KERN. Mr. President, I suggest the absence of a

The PRESIDING OFFICER (Mr. POMERENE in the chair). The absence of a quorum having been suggested, the Secretary will call the roll,

The Secretary called the roll, and the following Senators an swered to their names:

Hughes
James
Jones
Kenyon
Kern
Lane
Lippitt
McCumber
McLean
Martine, N Smith, Ga. Smith, S. C. Smoot Stephenson Sterling Sutherland Swanson Thompson Bankhead Perkins Borah Bradley Brady Brandegee Bristow Bryan Burleigh Pittman Poindexter Pomerene Ransdell Reed Robinson Root Saulsbury Burton Chamberlain Clark, Wyo. Colt Cummins McLean Martine, N. J. Myers Norris O'Gorman Overman Page Thornton Townsend Vardaman Walsh Williams Works Shafroth Sheppard Shields Shively Dillingham Simmons

Fletcher Smith, Ariz. Mr. SMITH of Georgia. I desire to state that the senior Senator from Georgia [Mr. Bacon] is still detained in his room

Mr. SHEPPARD. I wish to announce the necessary absence of the senior Senator from Texas [Mr. Culberson] and to state that he is paired with the Senator from Delaware [Mr. DU PONT]. This announcement may stand for the day.

Mr. TOWNSEND. I desire to announce that the senior Senator from Michigan [Mr. SMITH] is absent from the Senate on business. He is paired, I understand, with the junior Senator

from Missouri [Mr. Reed]. I make this announcement now in order that it may stand for all roll calls to-day.

Mr. MYERS. I am authorized to announce that the Senator from Missouri [Mr. Stone] is unable to be present on account of sickness. He is confined to his bed. I wish that this arnouncement may stand for the day.

nouncement may stand for the day.

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. Thomas] and to state that he is paired with the senior Senator from New York [Mr. Root].

Mr. CLARK of Wyoming. I wish to announce the unavoidable absence of my colleague [Mr. Warren] because of illness.

Mr. REED. I desire to add to the announcement made by

the Senator from Montana [Mr. Myers] with reference to the absence of my colleague [Mr. Stone], that in his absence he is paired with the Senator from Wyoming [Mr. CLARK], and that

his absence to-day and for the past two or three days has been on account of his physical condition. He is ill.

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the resolution reported by the Committee on Privileges and Elections.

Mr. WALSH. Mr. President, I had determined, although charged by the committee with the duty of presenting its views on the rights of Mr. GLASS to a seat in the Senate, to say nothing in addition to the formal report submitted. I have been moved to depart from this resolution, however, by reason of information which comes to me that a disposition is exhibited among Members on this side of the Chamber, arising from a commendable desire to see every State fully represented here, to disregard the report concurred in by every Democratic member of the Committee on Privileges and Elections, except possibly one who asked to be excused from voting. I can not feel that my duty to my associates has been met under the circumstances did I not make a plain statement of the case as it stands at the present time, that Senators may understand fully the meaning and consequences of a vote seating Mr. Glass.

It was contended in his behalf, as the basic proposition upon which his right rests, that a vacancy arising from any cause in the seat of any Senator elected prior to May 31, 1913, is to be filled as provided by the old Constitution-by election by the legislature or temporarily by appointment by the governor. The Senate disposed of that contention forever in the case of Mr. Ler. It held that the amendment governs in the filling of all vacancies; that the old system is gone, relegated to the scrap heap, where it ought to have found oblivion long ago. Mr. LEE has no right here save upon that theory of the Constitution, arrived at by those Members who voted for him under a solemn sense of their obligation under their respective oaths of

There remain two contentions upon which it is claimed that Mr. Glass may be seated without repudiation of the doctrine settled in the case of Mr. Lee. One is that the governor may settled in the case of Mr. Lee. One is that the governor may appoint under a law of the State of Alabama authorizing him to fill vacancies in State offices when there is no way provided specifically for the filling of such—a law which came into existence before the constitutional amendment became valid by ratification, the Federal authority being conferred by the second clause of the amendment, which is in the following words:

When vacancies happen in the representation of any State in the Senate the executive authority of such States shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancy by election as the legislature may direct.

In the report submitted it is believed that two propositions are indisputably established leading necessarily to the rejection of this contention. One is that a United States Senator is not a State officer. The other is that the amendment contemplates, indubitably, future affirmative action by the State before the governor can exercise the power of appointment. I do not desire to review or repeal the argument advanced in the report in support of these views. They have never been answered by anyone. There remains but one ground upon which we can seat both the Senator elected from Maryland and the Senator appointed from Alabama. I desire that every Senator shall have, so far as I can help him to secure it, a full appreciation of what the pursuit of that course means. I shall try to state the proposition relied upon accurately, referring to the report for such refutation as may be needed or appropriate. It is argued that the amendment is not self-executing, that though it provides for the election of Senators in the future by the people, no election by the people can take place until legislation, either State or Federal, is enacted for the holding of such election, and that until such legislation is in force the method provided by the old Constitution is to be observed in the election or appointment of Senators.

We know that no Federal legislation has been enacted—the effort in that direction having been interrupted and prevented thus far-and we are told that Alabama has no law which will permit the holding of an election for Senator. It is argued, accordingly, that the old system remains in vogue in Alabama. If you seat Mr. Glass, you affirm that doctrine. You find that condition of the law of Alabama prevails. If there is no law to hold a senatorial election now, there will be no law to hold a senatorial election next fall unless the legislature is convened in extra session meanwhile and it concludes to pass an appropriate law. On the death of Senator Johnston, as is well known, the advice of some of the ablest lawyers in this body was sought as to the proper course to be pursued. The council they gave was to the effect that the legislature ought to be convened to take appropriate action or that an election be

For reasons not fully disclosed this course was not called pursued. It was asserted that an extraordinary number of vacancies existed in the membership of the legislative assembly, and that special elections to fill such vacancies would have to be held before an extra session could be called. I find no warrant in either the constitution or the statutes of Alabama to believe that the legislature can not be legally assembled until vacancies in its membership are filled. Anyway, the difficulty, if any existed, will be no less during the ensuing eight months than it has been during the past eight months. If the claim is true that the legislature can not be assembled because of the vacancies referred to, or, if what seems more likely, it seemed impolitic to assemble it meanwhile, Alabama will be as wanting in a law under which an election can be held next fall as it is now and as it has been since the seventeenth amendment was adopted. This Senate can not seat Mr. Glass now upon the theory that Alabama has no law under which an election can be held and then oust him next fall in favor of a man who is elected under the same state of the law, unless it is prepared to proceed upon the easy philosophy of the statesman who asked, "What is the Constitution among friends?" that he will sit only until an election is held, but the very basis of the argument upon which his right is asserted is that there is no law under which an election can be held. I assert that Alabama has a perfectly adequate law; there never has been any legal reason why an election might not have been held promptly upon the death of the late Senator Johnston without convening the legislature at all.

Reference is made to the statutes in the report of the committee, but I want you to assume that there is no machinery provided by its laws for the conduct of an election. How is one to be conducted next fall? But follow the argument. Until Congress legislates, it is contended, or the State enacts an appropriate law, the old system remains in vogue. The passage of a law by Congress regulating senatorial elections in all the States is by no means certain. The antagonism on this side of the Chamber toward legislation of that character is pronounced. A dread of touching the subject at all, a wholesome dread born of stormy political past, of sectional differences now happily dead, may wholly defeat any bill that embodies or applies effectively the principle of Federal regulation. The doctrine of the seventeenth amendment has not been overwhelmingly popular in the State of Alabama, if that be the inference to be drawn from the fact that she omitted to give it her sanction through appropriate resolution of her legislature. The inference may be unwarranted—it may be unjust to the good people of that State. One of the reasons for adopting the amendment was that State legislatures often fall under the control of forces powerful enough to prevent the sentiment of the States so situated from finding expression in legislative acts. If the State of Alabama continues to maintain the attitude she has observed in the past, either voluntarily or under compulsion as to her legislature, and she should not enact any appropriate laws for holding a senatorial election, she may, under the theory of the Constitution to which you are now asked to give your sanction, continue to elect Members of this body under the old system for a century to come.

Mr. O'GORMAN. Mr. President—
The VICE PRESIDENT. Does the Senator from Montana

yield to the Senator from New York?

Mr. WALSH. I do.
Mr. O'GORMAN. Does not the Senator from Montana recognize the fact that the existing laws of the State of Alabama permit the election of United States Senators without any further legislation by the State of Alabama?

Mr. WALSH. I have so stated. Mr. O'GORMAN. I beg pardon. I did not know it had been ated. I only heard the Senator's last statement.

Mr. WALSH. There never has been any reason why they should not have held a senatorial election there.

Mr. ROBINSON. Mr. President-

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Arkansas?

Mr. WALSH. I do.

Mr. ROBINSON. The Senator from Montana has just stated that the seventeenth amendment is not popular in Alabama, as is disclosed by the fact that the legislature of that State has not ratified the seventeenth amendment. Does not the Senator from Montana know that the legislature of Alabama has not been in session since the year 1911, and that it has not, therefore, had an opportunity of even considering the question of ratifying or declining to ratify the seventeenth amendment?

Mr. WALSH. The sentiment in favor of the amendment was so strong in my State that, if we were confronted with that con-

dition, our legislature would have been convened in extra ses-

sion for the purpose of ratifying it.

Mr. ROBINSON. Then the Senator did know when he made that statement that the Legislature of Alabama had not been in session since 1911?

Mr. WALSH. No; the Senator did not know that.
Mr. ROBINSON. Does he know it now?
Mr. WALSH. The Senator did not know that the Legislature of Alabama had not been in session since the time the amendment was submitted for ratification.

Mr. ROBINSON. Mr. President, if I may be permitted to do so by the Senator from Montana, I would state that it is a fact that the sessions of the Alabama Legislature are quadrennial, and that body has not been in session since the year 1911, approximately two years prior to the announcement by the Secretary of State of the ratification of the seventeenth amendment.

Mr. WALSH. That the condition existed, Mr. President, not-withstanding, is exhibited by the fact that the legislature was not convened in extra session for the purpose of ratifying this important amendment.

Mr. POINDEXTER. Mr. President-

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Washington?

Mr. WALSH, I do. Mr. POINDEXTER. Mr. POINDEXTER. I have been following the Senator's argument with very much interest. If it will not divert him, I should like very much to have the Senator cite the Alabama statute under which an election might have been held.

Mr. WALSH. The statutes are referred to in the report of the committee. I shall be very glad to read them. I read from article 19 of the Code of Alabama, 1907, section

439, in relation to special elections:

439, in relation to special elections:

Special elections—when and for what offices held: Special elections are to be held in the following cases:

1. When a vacancy occurs in the office of senator or representative in the legislature, when the legislature will be in session prior to the next general election for that office.

2. When a vacancy occurs in the office of Representative in the Congress of the United States, by which the State may be deprived of its full representation at any time Congress will be in session prior to the next general election for that office.

3. Whenever any general or special election for members of the legislature or for Representatives in Congress is not held.

4. When any vacancies occur in any State or county offices filled by the election of the people not otherwise provided for by the constitution or laws of this State.

None of those subdivisions as a matter of course cover the

None of those subdivisions, as a matter of course, cover the case of a special election to elect a United States Senator. The legislature, however, was cautious enough to put in this omnibus clause:

5. In such other cases as are or may be provided for by law.

The Constitution provides that the governor shall issue writs of election to fill a vacancy in case one occurs. The power might as well have been expressed in these words:

Whenever a vacancy occurs in the representation from any State the executive authority thereof shall call a special election for the purpose of filling the vacancy.

Accordingly the case is provided for by law, and by the su-preme law of the land, the Constitution of the United States.

When a special election is called, the statute goes on to make provision for taking care of it. Section 440 provides the time:

provision for taking care of it. Section 440 provides the time;

440. Day for holding special elections: All special elections shall be held on such day as the governor may direct.

441. Special elections ordered by governor: All special elections provided for by this article are to be ordered by the governor, who must issue writs of election directed to the sheriffs of the counties in which such election is required to be held; and must specify therein the districts or counties in which, and the day on which, such election is to be held; the cause and object of the same; the name of the person in whose office the vacancy has occurred; and in all cases in which a special election is directed in a district composed of more than one county, such election must be directed to be held on the same day in each county.

445. How conducted and certificates given: Special elections are to be held and conducted, the returns thereof made and certificates given, and, unless otherwise expressly provided, regulated in all respects by the provisions in relation to general elections.

Mr. BRADLEY. Mr. President—

Mr. BRADLEY. Mr. President-

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Kentucky?

Mr. WALSH. I should like to conclude reading the statutes. Mr. BRADLEY. I ask the Senator to yield simply for a question.

Mr. WALSH. Certainly.

Mr. BRADLEY. I desire to ask the Senator whether or not all he has read in regard to special elections was not passed in 1875?

Mr. WALSH. I find it in the compilation of 1907.
Mr. BRADLEY. I understand that. The Senator finds in that compilation all the statutes which were passed from the beginning.

Mr. WALSH. The Senator is right. It is as old as 1875. Mr. BRADLEY. Now, I desire to ask the Senator whether or not in 1909, three years before the adoption of the constitutional amendment, the Legislature of Alabama did not repeal the omnibus clause of that section by passing a bill not only making it the duty of the governor but absolutely requiring that in all cases where vacancies should occur not provided for by law to be filled by election the governor should appoint, and whether or not the law of 1909 does not repeal the omnibus

clause of 1875?

Mr. WALSH. I should say not by any possible construction that could be given to the act of 1909. I have the act here, and I shall be very glad to read it for the information of the Senate.

The act to which the Senator from Kentucky refers, I dare say, is as follows, being found on page 13 of the report of the committee:

An act to provide for the filling of any vacant office of the State, or any county, or any municipality, when there is no provision of law for filling such vacancy.

Be it enacted by the Legislature of Alabama:

1. That when any office of the State, of any county, or municipality thereof, is vacant from death, resignation, removal from the municipality, county, or State, or because the former incumbent absconds, or because an incumbent has been removed for ineligibility, or when the office is vacant from any other cause, and there is no way provided by law for the filling of such vacant office, the governor is hereby empowered and required to appoint a qualified person to fill the unexpired term of such office.

My contention is that this statute does not meet the case at all, because this is not a case where there is no law for filling the vacancy. The law—that is, the Constitution—provides that the vacancy shall be filled by election by the people, the governor being commanded by the supreme law of the land to call an election in order that it may be filled.

Now let me read further from section 331 of the general law

providing for elections:

State and county officers who are elected by the people: The following officers in this State shall be elected by the qualified electors thereof: Governor, lieutenant governor, attorney general, State auditor, secretary of state, State treasurer, superintendent of education, commissioner of agriculture and industries—

Then it goes on to enumerate a whole lot of officers. Then, recognizing that laws would be passed in the future providing for the election by the people of other officers than those therein enumerated, the section concludes

and such other officers as may be required by law to be elected by the

Then section 332:

General election—for whom held: General elections throughout the State shall be held for governor, lieutenant governor, attorney general, State auditor, secretary of state, State treasurer, superintendent of education, commissioner of agriculture and industries, three railroad commissioners, no two of whom shall be elected from the same congressional district; State game and fish commissioner, chief justice and associate justices of the supreme court, supernumerary judge, and electors for President and Vice President of the United States, and such other officers as may be required by law to be elected by the voters of the entire State.

So the whole machinery seems to be provided by these laws

Mr. McCUMBER. Mr. President-

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from North Dakota?

Mr. WALSH. I do.

Mr. McCUMBER. If the Senator construes the basket clause of 1875 as reaching ahead and including the Senatorship, why would not the same basket clause, reaching to the future, include every other possible office, so that there would be no other office to which the governor could make an appointment?

Mr. WALSH. Why, Mr. President, it seems to me the Senator could not have been attending to what I have been saying. If a law of the State of Alabama requires, with reference to any specific office, that if a vacancy therein shall occur it shall be filled by election by the people certainly the act of 1909 would not reach it, because the case has been already provided for. On the other hand, if an office were created, and no reference was made in any way to filling a vacancy in that office, it would be filled, under the provisions of the act of 1909, by appointment by the governor. Of course, however, the very fact that the legislature made a specific provision with reference to one particular office to the effect that a vacancy in it should be filled by the people is evidence that it did not desire that it should fall within the basket clause, so to speak, of the act of 1909. So when the people of the United States in the seventeenth amendment provided that vacancies should be filled by election by the people the statute can not possibly cover the

I submit that if the theory of the Constitution to which you are now asked to give your adherence should be recognized by

the seating of Mr. Glass, and the proposed national legislation should not pass and the legislature of Alabama should not enact an appropriate law, there is no reason why the State of Alabama could not continue indefinitely to elect her representatives in this body under the system that we supposed had been superseded.

Should an election be held in Alabama during the current year without further legislation, upon what theory will you admit the candidate who comes as the choice of the people thus expressed, if you now seat Mr. GLASS? That State is not equipped to hold a senatorial election, and therefore the new plan contemplated by the amendment has not yet become effec-

tive therein.

I confess myself an uncompromising supporter of the seventeenth amendment. I shared in the general impatience arising from the extraordinary delay in its adoption, in spite of the unmistakable public sentiment by which it was demanded. About me are many of the men whose incessant labors eventually forced it from a resourceful and stubborn minority, skilled in all the arts by which necessary reforms are exasperatingly delayed and eventually defeated.

Why were not the people of Alabama given an opportunity to elect their Senator as was contemplated when the amendment finally, after many years of effort, became valid as a part of the Constitution? It was just such subterfuges, operating to defeat the will of the people or to prevent them from expressing their will, that gave strength to the public demand for a change of the method of electing Senators, until it acquired such force and volume as to sweep away all opposition like an on-rushing tide.

We did well to commend the people of Maryland for their patriotism in recognizing the seventeenth amendment as the law of the land, and we ought to say to Alabama: "Go thou and do likewise.

Mr. ROBINSON. Mr. President, the case of Mr. Glass, who claims a seat as United States Senator from Alabama, is in many respects unusual. Senator Johnston, who was chosen for the term beginning March 4, 1909, and ending March 4, 1915, died August 8, 1913, a few months after the ratification of the seventeenth amendment had been formally announced. The governor of Alabama assumed to make a temporary appointment to fill the vacancy. The credentials of his appointee, Hon. Henry D. Clayton, were presented to the Senate and referred to the Committee on Privileges and Elections. Hearings were had by the committee and arguments submitted touching the power of the governor of Alabama to make the appointment. No report was made by the committee to the Senate. Mr. Clayton subsequently declined the appointment and the governor of Alabama then appointed Mr. Glass, whose credentials were likewise referred to the Committee on Privileges and Elections. The majority of that committee have submitted a report accompanied by a resolution to the effect that Mr. GLASS is not entitled to be seated. A minority report has been made recommending that Mr. Glass This resolution reported by the majority of the be seated. committee is based on the theory that the governor had no power to make the appointment, and that the only legal way in which the vacancy can be filled is by special election.

Believing that upon the whole case the report of the majority of the committee should not be agreed to and that Mr. Glass should be seated, I take the liberty of presenting some of the reasons which impel me to this conclusion.

APPOINTMENT MADE IN GOOD FAITH.

It has nowhere been claimed that Gov. O'Neal, in assuming to make this appointment, has acted otherwise than in good faith and from a sense of duty. All of the local authorities in Alabama—the attorney general of that State, the governor's official legal adviser, and many eminent lawyers, including the Hon. Hannis Taylor, a recognized authority on constitutional law, familiar with the statutes of Alabama and the constructions given to them by the highest court of that State—have advised Gov. O'Neal that he had the power to make the appointment and that it was his duty to do so. Nor does the case here involve any conflicting claim to the seat sought by Mr. Glass. No other person asserting a right to be seated as Senator from Alabama contests the title of Mr. Glass. If his credentials are rejected, Alabama will for at least some period be represented in the Senate by only one Member. The case involves no opposition to the seventeenth amendment, but rather the proper construction and application of its provisions. What is the duty of the Senate in the exercise of its exclusive power to determine the right of Mr. Glass to a seat in this body?

The majority report of the committee seems to rest its con-

clusion on three affirmative propositions:

1. That in no case can a vacancy of the Senate arising after the adoption of the seventeenth amendment be filled otherwise than by an

adoption of the seventeenth amendment be filled otherwise than by an election.

2. That the provision of the seventeenth amendment to the Constitution requiring the executive authority of a State to issue writs of election to fill vacancies in the Senate is self-executing.

3. That even if legislation is necessary to carry into effect the provision of the seventeenth amendment relating to the filling of vacancies in the Senate by special election, under the fifth subdivision of the Alabama Code providing for special elections "in such other cases as are or may be provided for by law," the governor should have called an election, and such election could have been held for the purpose of filling the vacancy involved in this case.

The Committee on Privileges and Elections includes some of the most eminent lawyers in this body. They have not agreed as to the principles of law applicable in the proper determinaas to the principles of law applicable in the proper determina-tion of the Glass case. Both sides of the contention are pre-sented to the Senate with great force. There is a conflict be-tween the position of the majority of the committee, as expressed by Mr. Walsh, and that of the minority, as set forth in its report and in the views of the Senator from Kentucky [Mr. Bradley]. From the nature of the issue no question of discourtesy to the Committee on Privileges and Elections can be implied from a failure of the Senate to concur in their report. The subject will be determined free from personal influence of members of the committee, whose character and reputation for impartiality and justice are so far above reproach or question that mere pride of opinion on their part can not become a factor in the solution of this case.

It is believed that the three propositions upon which the case in opposition to Mr. GLASS seems to rest are open to grave doubt and are by no means conclusive. To avoid repetition, which might otherwise be necessary, let us first consider the propo-

sition:

ARE THE PROVISIONS OF THE SEVENTEENTH AMENDMENT EXPRESSLY RELATING TO THE FILLING OF VACANCIES IN THE SENATE SELF-EXE-CUTING?

The language of the amendment germane to this inquiry is as follows:

When vacancies happen in the representation of any State in the Senate, the executive authority of such States shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive authority thereof to make temporary appointments until the people fill the vacancy by election as the legislature may direct.

The Senator from Kentucky [Mr. Bradley] contends that this provision applies only to the filling of vacancies where the original Senator in a given term has been chosen under the new amendment—that is, by elections of the people. The weight of the argument seems to me to support his position. But, conceding that the provision applies to the filling of all vacancies, it is clear that legislative action is contemplated. If the governor makes a temporary appointment, the legislature must "empower" the governor to make that appointment; if an election is held, the legislature must "direct" the manner of the election. The language is:

Until the people fill the vacancy by election as the legislature may

I am not now discussing the question as to whether, if existing legislation in any State authorizes the governor to make a temporary appointment or is sufficiently comprehensive to provide a means and manner of holding an election, such statutes may be availed of. That is reserved for the present. The express language of the Constitution contemplates legislative authority to fill vacancies in the Senate whether filled by appointment or by election. The language above quoted is clear. So it would seem that the framers of the amendment designed that the same should not be self-executing in the strict sense of that term. As to when a constitutional provision is self-executing no general rule applicable to all cases can be expressed. It is sufficient in this connection to say that the mere declaration that "the executive authority of a State shall issue writs of election" was not designed to be enforced and can not be enforced save in either one of two instances, namely, first, unless the legislature in contemplation of the amendment has provided by law the necessary means or machinery for holding the election before the amendment was adopted, or, second, provided the same after the amendment has been adopted.

Mr. REED. Mr. President-

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Missouri?

Mr. ROBINSON. I yield. Mr. REED. If it will not disturb the line of the Senator's thought, I wish to ask a question in regard to the self-executing feature or doctrine implied in the seventeenth amendment. Does the Senator hold that after the adoption of the seventeenth amendment the language I am about to read does not necessarily strike down any other method of election than that pro-

vided in the provision, namely:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for six years.

Now, does the Senator think that that requires any legislative act in order to make it effective and binding?

Mr. ROBINSON. I do not.

Mr. REED. Then that part is self-executing, because it does not require any legislative act. We then reach the conclusion that the only way a man can now obtain title to his seat is by an election, unless there is something else found in the provision which qualifies that right. I think the Senator will agree with

me in that.

Mr. ROBINSON. I shall be very glad to have the Senator

conclude his statement or ask his question.

Mr. REED. I was asking a question. Mr. ROBINSON. When the Senator has asked his question I will try to answer it. What is the question the Senator from

I will try to answer it. What is the question the Senator from Missouri propounds to me?

Mr. REED. The Senator states that the language of the seventeenth amendment, which provides that "the Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for six years," is self-executing. Now, that being admitted—

Mr. ROBINSON. Mr. President, I am discussing the clause of the seventeenth amendment relating to the filling of vacancies and if the Senator from Missouri will pardon me. I prefer

cies, and if the Senator from Missouri will pardon me, I prefer not to be diverted from the line of my discussion. I do not think the question which the Senator from Missouri has propounded to me is directly connected with the subject I am discussing.

Mr. President, I decline to yield further at this time. Mr. REED. Very well. I thought the Senator was willing to be interrupted.

Mr. ROBINSON. The language of the amendment precludes any contrary construction. Indeed, it seems literally to contemplate future legislation. The legislature may empower the governor to appoint-

* * * to fill a vacancy until the people fill it by election, as the legislature may direct.

In view of this language, how can it be established that the governor must call an election and, as incident to his power to do this, provide the time, the place, and manner of holding the election?

Giving to the cases referred to in the report of the majority of the committee very liberal effect, it can not be fairly claimed that the Congress intended that the governor of a State should exercise legislative powers, create election machinery, and dictate the places for holding elections and the manner of conducting the same. These must be provided by legislative authority. If that already exists, it may be availed of. If not, the legislature must act. The governor can not do it. So that thority. under the terms of the amendment itself the necessity for legislative authority, either existing before the adoption of the amendment and in contemplation of it, or enacted subsequent to the ratification of the amendment, is required.

IS THE FIFTH SUBDIVISION OF THE ALABAMA CODE, SECTION 430, PROVIDING FOR SPECIAL ELECTIONS "IN SUCH OTHER CASES AS MAY BE PROVIDED FOR BY LAW," APPLICABLE TO FILLING VACANCIES IN THE UNITED STATES SENATE?

This statute was passed by the Alabama Legislature March 3, 1875. At that time no amendment to the Federal Constitution changing the manner of electing Senators was pending, nor was such an amendment under discussion or, in fact, contemplated. In a Connecticut case it was held that an election statute providing the means and manner of giving effect to a constitutional amendment, passed after said amendment to the constitution hal been submitted, could fairly be said to have been enacted in contemplation of the amendment, even though the amendment had not been ratified when the act was passed. This is as far as the authorities seem to go. I have found no case which warrants the conclusion that the Alabama act of 1875 can be considered as having been passed in contemplation of the seventeenth amendment. It was enacted 40 years prior to the ratification of the seventeenth amendment, and there was then no discussion of such amendment.

Mr. WALSH. Mr. President-

Mr. ROBINSON. I yield to the Senator from Montana. Mr. WALSH. The Senator now argues that the Alabama code is not adequate for holding an election.

Mr. ROBINSON. No; I argued that the Alabama statute was not passed in contemplation of the seventeenth amendment. Mr. WALSH. And that it will not permit the holding of an

election

Mr. ROBINSON. That in all probability that is true,

Mr. WALSH. Then, of course, they can not hold an election until the legislature acts.

Mr. ROBINSON. That is a matter which can be determined

hereafter. That is for Alabama, of course. I shall discuss that

before I conclude, if the opportunity is presented.

If in legal effect it was in contemplation of the seventeenth amendment, then every legislative act may be said to have in contemplation all constitutional amendments relating to a kindred subject matter, however remote in time the same may be submitted and ratified.

If there were no legislation in Alabama touching the filling of vacancies subsequent to the act of 1875, it is doubtful, as I think I have shown, whether the same was intended to apply to the filling of a vacancy in the United States Senate. But this is not the case. The act of 1909, passed by the Legislature of Alabama while the agitation for a constitutional amendment providing for the popular election of Senators was nation wide, gives the governor the power to fill vacancies by appointment. Under the construction given these statutes of Alabama, the governor now fills all vacancies by appointments.

The language of the act of 1909—germane to this contro-

versy-is as follows:

When any office of the State * * is vacant from death, * * o r when the office is vacant from any other cause and there is no way provided by law for the filling of such vacant office, the governor is hereby empowered and required to appoint a qualified person to fill the unexpired term of such office.

It is respectfully submitted that this statute supersedes the act of 1875. If the latter statute can be held to have been adopted in contemplation of the seventeenth amendment, the same is much more clearly proved as to the act of 1909. If the act of 1875 contemplated an election to fill a vacancy from Alabama, certainly the act of 1909 authorizes and requires the governor to fill that vacancy by appointment, unless the office of United States Senator is not equally comprehended in the term "office of the State" as in the provision contained in the act of 1875, "in such other cases as are or may be provided for by law." Under the authority of Elliott v. Freeman (220 U. S., 178) and Brinckerhoff v. Bostwick (90 N. Y., 185) the words "provided by law" seem to mean "provided by statute," and do not mean by a writ of election.

While the Alabama statute purports to authorize the governor to make appointments to fill the unexpired term, if it conflicts with that provision in the seventeenth amendment which provides for appointments by the governor to hold "until the people fill the vacancies by election," under the authority of Neal v. Delaware (103 U. S., 370), the appointee of the governor of Alabama, Mr. Glass, would serve "until the people fill the vacancy by election"; that is, the constitutional provision would control. The constitution and laws of Delaware provided for elections by "white male citizens." The Neal case arose after the adoption of the fifteenth amendment to the Federal Constitution, providing that no person shall be denied the right to vote on account of race, color, or previous condition of servitude. The Supreme Court of the United States held that the provisions of the fifteenth amendment were self-executing, and superseded, or in effect amended, the constitution and laws of Delaware so as to read out of them the word "white."

The Supreme Court of the United States, in Burton's case, expressly held that a United States Senator is not a "civil officer under the United States." A Senator is chosen by the State which he represents, receives his commission from it, and resigns to it and not to any authority of the United States. course, a United States Senator is not a military officer of the United States, and since the Supreme Court has held that he is not a civil officer of the United States, the conclusion follows that he is an officer of the State which chooses and commissions

him and which he represents.

The local authorities in Alabama—the governor, the attorney general, and the governor's legal adviser-have thus construed the statutes of that State, and their construction of these statutes should have controlling consideration here. The Supreme Court of the United States recognizes this principle. accepts the construction of State statutes by State courts as conclusive. If this case is controlled by the Alabama statute, the local construction of them should govern. This doctrine is well established and almost universally recognized.

If statutes passed by Alabama 40 years before the adoption of the seventeenth amendment can be invoked in aid of this provision of the seventeenth amendment, certainly the statute of 1909, passed while the subject was being agitated, is equally if not more applicable. In any view Alabama authorities construe Alabama statutes and Federal authorities follow their construction. So that even if the provisions of the amendment referred to apply to the filling of all vacancies in the United States Senate, Mr. Glass is entitled to be seated. And herein

lies the radical and important distinction between this case and the Lee case.

Conceding, if you please, the position taken by the Senate Committee on Privileges and Elections in the case of Mr. LEE from Maryland, still under that decision and under that precedent, if it constitutes such, Mr. Glass is entitled to be seated, because under the Alabama construction of the Alabama statutes the governor of that State was authorized to make the appointment. There can be nothing inconsistent in giving it this construction. The seventeenth amendment itself expressly authorizes the legislature to empower the goveror of any State to make such an appointment. Under the doctrine asserted by the majority of the Committee on Privileges and Elections, if the Legislature of Alabama has already empowered the governor of Alabama to make the appointment, then there is no necessity for subsequent action. If they can invoke that principle as to the election, why can it not be invoked with equal propriety and force as to an appointment? The seventeenth amendment recognizes both manners of filling vacancies as to the term of Senators chosen after the amendment was adopted.

Even this does not conclude the case of Mr. Glass. We assert with confidence that the third clause of the seventeenth amendment expressly excepts such cases from its provisions; that the vacancy in Senator Johnston's term is properly temporarily filled by appointment of the governor. The language of this

clause is:

This amendment shall not be so construed as to affect the * * * erm of any Senator chosen before it becomes valid as part of the Constitution.

All that I have heretofore said in support of the claim of Mr. Glass to a seat in the Senate has been based upon the proposition that, even if the provisions of the second clause of the seventeenth amendment are applicable to the filling of all vacancies, Mr. Glass is entitled to be seated because that provision of the amendment authorizes the governor to appoint when empowered to do so by the legislature, and the Legislature of Alabama has empowered the governor of the State, by the statute of 1909, passed in contemplation of the seventeenth amendment, to make the appointment. Mr. Glass is thus entitled to be seated, even though his case does not come within the exceptions contained in the third clause of the seventeenth amendment. I shall now attempt to show that under the facts and circumstances of this case he should be seated, for the reason that the amendment itself, fairly construed, leaves the old provision of the Constitution in force as to his case. If any effect is to be given to this third clause of the seventeenth amendment, this conclusion seems unavoidable.

The exemption operates on the "election" and the "term." and not on the person. No one contends that Members sitting in the Senate when the amendment was ratified are required to be elected by popular vote. It is admitted that they may serve under the old provision of the Constitution until the end

of their terms,

The words "This amendment shall not be so construed as to affect the election * of any Senator chosen before the amendment becomes valid as part of the Constitution" makes clear the intention of the framers of the amendment and of the people in adopting it not to give the amendment a retroactive effect. What do the words "This amendment shall not be so construed as to affect the * * * term of any Senator chosen before it becomes valid as part of the Constitution" mean?

They must be given some meaning. It is a primary rule, applicable to the construction of statutes and constitutional provisions, that effect must be given to all the words employed; that words are presumed to have been used in their plain, natural, and ordinary meaning. This rule can not be lightly discarded. The framers of the amendment, in legal contemplation, had it in mind when the amendment was prepared. If the third clause, above quoted, was intended only to relieve sitting Members from the necessity of becoming candidates during their term, there was no necessity for porating it in the amendment. The amendment would not have had a retroactive effect if the third clause had been omitted. Its insertion means something. Every word must be given a meaning. Not only is the "election" of Senators chosen before the amendment became valid excepted, but also their "terms." What is the "term" of a Senator? Practically—

Mr. WALSH. Mr. President—
Mr. ROBINSON. I yield to the Senator from Montana.
Mr. WALSH. That part of the argument can not endure, of course, consistently with the seating of Mr. Lee. Is the Senator

mow arguing that Mr. Lee had no right here because—
Mr. ROBINSON. Oh, Mr. President, I am not making any
such argument. I decline to yield further to the Senator to
make a statement of that kind in the remarks that I am making.

I stated when the Lee case was under consideration by the Senate of the United States that I thought, under all the circumstances of the case, Mr. Lee ought to be seated, because a conflict as to the proper construction of the amendment which the Congress had submitted to the people had arisen, and the people of Maryland had expressed their choice, and that I was unwilling, on a technical construction of an amendment which had been made ambiguous by my own stupidity, to deny any State the right of representation in the Senate of the United States. I am arguing now that, first, under the principles of the Lee case, Mr. Glass is entitled to be seated, if you give full force and effect to the local construction of the Alabama statutes which the Supreme Court and other Federal authorities are inclined to follow. Then I am arguing, in addition to that, that the Senator from Montana [Mr. Walsh], if you please, was wrong when he reached the conclusion, and asserted with very great force, that the seventeenth amendment contemplates an election to fill a vacancy in the term of a Senator chosen before the amendment became valid.

Mr. WALSH. I do not like to bother the Senator from Arkansas, but I should simply like to inquire whether, in the opinion of the Senator, the Senate can adopt that part of his

argument consistently with the seating of Mr. Lee?

Mr. ROBINSON. I do not undertake, Mr. President, to pass upon a question of consistency or inconsistency; that is always for Senators themselves. The Senate is the sole judge of this question, and it can decide it as it thinks right under all the circumstances of the case.

Practically all the cases hold that it is the definite and fixed period of six years for which United States Senators are chosen. The President of the United States is chosen for a term of four years; Representatives in Congress for a term of two years; and Members of the Senate for a term of six years. In law and in fact, the "terms" of these officers are distinct from the incumbents of the office. If President Wilson should resign, his term as President would continue until the 4th of March, 1917. If a Member of the House of Representatives should die or resign, there would arise a vacancy in his term, but the "term" would continue to exist until the end of the two-year period for which he was chosen. So with Senators. Senator Johnston's term began March 4, 1909. It will not expire until March 4, 1915. If Mr. Glass is seated he will serve a part of this term. theory is supported by practically all the authorities.

The word "term," when used in reference to the tenure of

The word "term," when used in reference to the tenure of office, means a fixed and definite time. (People v. Le Fevre, 40 Pac., 882; Jameson v. Hudson, 82 Va., 281; Crovatt v. Mason, 28 S. E., 894; State v. Breidenthal, 40 Pac., 652; State v. Tallman, 24 Wash., 426; State v. Twitchell, 38 Pac., 134; Field v. Malster, 41 Atl., 1088; People v. Tierney, 52 N. Y. Supp., 872; Ida County Savings Bank v. Seidensticker, 92 N. W., 866; Somers v. State, 58 N. W., 806; Ellis v. Lennon, 49 N. W., 311.)

Mr. POMERENE. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Ohio?

Mr. BOBINSON. I yield to the Senator from Ohio.

Mr. ROBINSON. I yield to the Senator from Ohio.
Mr. POMERENE. If I understand the Senator's argument, it is this: That the term of the late Senator Johnston continues, irrespective of the fact that he has departed from us?

Mr. ROBINSON. Certainly. Mr. POMERENE. The Senator from Colorado [Mr. Thomas] was elected to fill and is now serving for the unexpired term of the late Senator from Colorado, Mr. Hughes, who died before the seventeenth amendment was adopted. Under the construction which the Senator from Arkansas is giving to the third clause of the seventeenth amendment, then the Senator from Colorado is serving without a term?

Mr. ROBINSON. Certainly, he is serving in the term of Senator Hughes; and if the Senator from Ohio has not gone into the question, I will say that, if he will examine it, he will find that there is absolutely no conflict among the authorities as to this proposition. The term takes its name, I will say to the Senator from Ohio, from the initial Senator who served in the term, and it is in that term, the term of the late Senator Hughes of Colorado or the term of the late Senator Johnston of Alabama, accordingly as they were the first Senators chosen in the terms

Mr. POMERENE. Mr. President, I have gone very thoroughly into that proposition, and I very much regret that I am

not able to agree with the Senator's construction.

Mr. ROBINSON. Mr. President, it is a very rare thing when the Senator from Ohio and I do not agree, and it is a matter of regret to me that he has reached a conclusion as to that feature of this matter which is not at all, in my judgment, justified by the authorities which are applicable to the propo-

Mr. POMERENE. Mr. President, if the Senator from Arkansas will permit me, I will say that I can not conceive of any human being occupying a seat on the floor of the Senate without his serving a term.

Mr. SMITH of Arizona. Whose term?

Mr. POMERENE. His own term.

Mr. ROBINSON. A great many Senators serve in this body who do not serve a term. There may be, in the theory of the law, any number of Senators serving in a given term. illustrate. My predecessor in the Senate—Senator Davis, of Arkansas—died about January 2, 1913. The governor of the State of Arkansas appointed Mr. Heiskell, who served about one week; and, the legislature then having convened in regular session, Mr. W. M. Kavanaugh was elected; and so we had three Senators in one term; but, in contemplation of law, it was the term of Senator Davis, the term which began at a fixed time and the term which ended at a fixed time-March 4, 1913.

Mr. POMERENE. Mr. President—
Mr. ROBINSON. I yield to the Senator from Ohio.
Mr. POMERENE. Then, I take it, from the construction which the Senator from Arkansas has placed upon the third clause of the seventeenth amendment, that the Senator from Colorado [Mr. Thomas] would not have any protection what-ever under the seventeenth amendment in his title to his office?

Mr. ROBINSON. As suggested to me by the Senator from Mississippi [Mr. Williams], he would have protection outside of it. But, Mr. President, I must decline hereafter to be diverted to the discussion of hypothetical cases. I am now discussing the case before the Senate of the United States, the case of Mr. Frank P. Glass, who comes to this body with the certificate of the governor of a sovereign State, and requests to be admitted as a representative of that State. The State has construed the amendment to the Constitution of the United States, and construed it in good faith; and, surely, it must be admitted that there is an ambiguity in the amendment, because lawyers in this body have differed widely as to the proper construction of the amendment. I want to go back, now, to the proposition that I was discussing before I was interrupted by the Senator from Ohio [Mr. POMERENE].

Mr. SHAFROTH. Will the Senator permit me to make a

suggestion?

Mr. ROBINSON. I yield with pleasure to the Senator from Colorado.

Mr. SHAFROTH. I want to say that, in the determination of the courts with relation to changes in the compensation of officers, the universal decisions, as I recall them, have been to the effect that when a change of compensation has been made it takes effect at the end of the term and not because the office

may be filled by a new officer.

Mr. ROBINSON. The Senator from Colorado has reenforced my argument. There are almost numberless cases to that effect. Constitutional provisions that the compensation of an officer shall neither be increased nor diminished during the term for which he has been elected have been almost universally, I believe, with a single exception, construed to mean the fixed period of law for which he was chosen. He may die or resign and any number of incumbents may serve during the period, still, until the end of the period for which he was chosen, the compensation must remain the same as that fixed for the first incumbent.

I am going to put into the RECORD a number of authorities which, I think, support this doctrine. It is merely one feature of this case. No lawyer in presenting a case to a court or a jury rests his case, as a rule, upon any single proposition. I say that this feature of the case is worthy of consideration, even though such eminent lawyers and authorities as the Senator from Montana [Mr. Walsh] and others who agree with him in his construction of it differ from the construction that is now being placed on it by your humble speaker.

The authorities are overwhelming and conclusive that the ordinary meaning of the word "term" when applied to the tenure of office means the fixed and definite period for which an officer is chosen. The conclusion is therefore irresistible that under the third clause of the seventeenth amendment that amendment does not "affect" the term for which Senator

Johnston was chosen.

Mr. SIMMONS. Mr. President— Mr. ROBINSON. I yield to the Senator from North Carolina. Mr. SIMMONS. I want to ask the Senator if his argument leads him to the conclusion that until the end of the term for which Senator Johnston was elected the seventeenth amendment does not take effect, and that the vacancy during that period would have to be of necessity filled in the old way-that is, by the legislature-instead of by an election by the people?

Mr. ROBINSON. Mr. President, the amendment takes effect in its exception. The exception is as much a part of the amendment as any other feature of it. It is a conclusion of the argument which I am now presenting that until the end of Senator Johnston's term, namely, March 4, 1915, any Senator chosen to represent Alabama should be chosen after the old method prescribed by the Constitution.

Mr. SIMMONS. So that if a term began last March and the incumbent should die, for the next six years, under the Senator's argument, there could be no election to fill that term by the people; it would have to be filled by the legislature at any

time within six years?

Mr. ROBINSON. If the legislature had provided for it, there could probably be an election in case of a vacancy unless the initial Senator in the term was chosen before the amendment became valid.

Mr. SIMMONS. But I understood the Senator's argument to be that the amendment had no effect upon a term which had been begun before the ratification of the amendment?

Mr. ROBINSON. No; that is not the gist of my argument. The "beginning" of the term does not govern.

Mr. SIMMONS. I am asking the Senator if his argument

leads him to that conclusion?

Mr. ROBINSON. Not at all; my argument leads to this conclusion: Where a Senator is chosen before the amendment became effective, vacancies in his term shall be filled according to the old Constitution under the third clause of the seventeenth amendment. If you give it any effect at all, it is difficult to see how you can escape that conclusion.

What is the correct meaning of the word "affect"? In most of the cases it means "act upon, or concern." If the seven-teenth amendment does not "act upon" the "term" of Senator Johnston, it becomes clear that vacancies in that term are to be filled without regard to it-filled under the old provision of the Constitution.

It has been suggested that the word "affect" as used in this connection merely means that it shall not lengthen or shorten. When it is remembered that this is a restricted meaning of the term, and that the seventeenth amendment expressly preserves the six-year senatorial term in clause 1 by the following lan-

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for the term of six years.

The force of this suggestion is weakened or destroyed. There are a great many ways of "affecting" a term besides shortening or lengthening it. A change in the manner of filling a vacancy in a term is one of them. If the ordinary rules of construction are observed, full effect will be given to all the provisions of the amendment. No phrase or word will be discarded. Every word can be given its ordinary meaning. Every public interest will thus be conserved, inconvenience and confusion will be avoided, no interference or interruption in the course of public business will occur, and the new system of electing Senators by popular vote will be harmoniously substituted for the old method. The practical as well as the legal view of this case prompts the admission of Mr. Glass to a seat in this body.

The Washington Post, in an editorial published February 2, 1914, strongly supports the right of Mr. Glass to be seated.

It is as follows:

ALABAMA'S SENATORSHIP.

When the Senate votes to-day on the question whether or not Frank P. Glass should be seated as Senator from Alabama it is to be hoped that common sense will triumph over technicalities. When the amendment permitting the direct election of Senators was adopted it was not intended that any State should be robbed of representation in the Senate while the new law was getting under way.

The Senate itself did not foresee that more than one construction might be placed upon the amendment. The obvious intent was to provide an easy and understandable method for direct elections by the people. Pending such elections, however, it was intended that each State should continue to be represented by two Senators.

Alabama, under a technical construction of the amendment, is being deprived of one of its two votes in the Senate. Viewing the matter practically, Senator Bankhead is being compelled to do the work of two men simply because of a technicality which might be brushed aside without creating any dangerous precedent for the future, since this situation can never arise again.

Why should the Senate hesitate to get down beneath the confused verbiage and find out what was intended by the amendment? This is the method pursued invariably by the courts, and it is the only way to make sure that justice will be done. There can be no error in this case, because the Senate debated the proposition when the amendment was under consideration, and need only to ask itself what was intended. Whatever may be said on behalf of placing the letter over the spirit of the act, the Senate should keep in mind that if it decides against Mr. Glass the result will be that Alabama will have but one Senator from now until next November, when the senatorial contest in the State will be decided. Mr. Glass holds the commission from the governor of his State. There is no question with regard to his char-

acter. There is no protest of any kind from his own State. He should be seated.

Surely those who have some doubt as to the proper construction of the seventeenth amendment, those inclined to adopt the views of the majority of the Committee on Privileges and Elections, will give consideration to the fact that Alabama is entitled to two Senators; that the seventeenth amendment was not intended and should not be construed to deprive a sovereign State of the right to equal representation in the Senate. If we have prepared and submitted an amendment as to the meaning of which we ourselves do not agree; if, in drafting the amendment, we were so lacking either in caution or in intelligence as to fail to clearly express our own purpose and intention, would it not be absurd to deny the State of Alabama, whose authorities have merely given force and effect to local construction of the statutes of that State, the privelege of having two Senators by merely technical construction, when we are forbidden to do this by an express provision of the Constitution?

Every consideration of public policy, just regard for the rights of Alabama, and recognition of the spirit of the Constitution as a whole, prompts us to resolve any doubt that may arise as to the legal meaning of the amendment in favor of the

Mr. President, I offer a substitute for the resolution reported by the committee.

Mr. WILLIAMS. Mr. President-

The PRESIDING OFFICER (Mr. CHILTON in the chair). Does the Senator from Arkansas yield to the Senator from Mississippi?

Mr. ROBINSON. I yield to the Senator from Mississippi.
Mr. WILLIAMS. I was not attempting to interrupt the Senator from Arkansas. I was about to follow him up.

Mr. SMITH of Arizona. Mr. President, I wish to ask the

Senator from Arkansas a question if I may.

Mr. WILLIAMS. I want to be recognized in my own right.

The PRESIDING OFFICER. Will the Senator allow the proposed substitute to be first stated?

Mr. WILLIAMS. Certainly. The PRESIDING OFFICER. The Secretary will read the substitute proposed by the Senator from Arkansas [Mr. Robinson] for the resolution reported by the committee.

The Secretary. In lieu of the resolution reported by the majority of the committee it is proposed to substitute the follow-

Resolved, That Frank P. Glass is entitled to a seat in the Senate of the United States as a Senator from the State of Alabama.

Mr. SMITH of Arizona. Mr. President, I should like to ask the Senator from Arkansas a question. The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Arizona?

Mr. ROBINSON. I have yielded the floor. Mr. SMITH of Arizona. I wish to propound a question to

the Senator from Arkansas. Mr. ROBINSON. I shall be glad to answer it if I can. Mr. SMITH of Arizona. I find no answer in my mind to the

argument the Senator has made.

Mr. ROBINSON. I thank the Senator from Arizona.

Mr. SMITH of Arizona. I can not resist the conclusion he has drawn, and, as a suggestion, I will inquire what is there in any word of the seventeenth amendment to the Constitution that would have led this body to believe at the time it acted upon the amendment that without the clause providing that the term should not be affected a term could be shortened or could be lengthened?

Mr. ROBINSON. Absolutely nothing. There is no lawyer living who could make such a contention.

Mr. SMITH of Arizona. If you are going to give the word "affect" the sense of shortening or lengthening a term, there was no use of inserting it, for there is nothing in the amendment that they might fear from that at all.

Mr. ROBINSON. That is true.

Mr. SMITH of Arizona. Therefore something was meant when the language was used, "This amendment shall not be so construed as to affect the election or term of any Senator"; but it did not mean either lengthening or shortening the term, and, as the Senator has said, it must have meant something else.

Mr. ROBINSON. That is certainly true, in my judgment. Mr. WILLIAMS. Mr. President, this case is to be decided by the language of the seventeenth amendment. It is to be decided by the language of the seventeenth amendment, in so far as that changed the forum in which a Senator is elected, and it is to be decided by the language of the seventeenth amendment in so far as that amendment makes exceptions to the general rule which the amendment itself lays down.

The amendment itself is not a very long one. I can read it to you in the five minutes I intend to take:

The Senate of the United States shall be composed of two Senators from each State

That is the old Constitution-

elected by the people thereof, for six years-

That is the new Constitution, under the seventeenth amendment-

and each Senator shall have one vote.

That is the old Constitution.

The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

That is the old Constitution, repeated.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies.

That is the new Constitution.

Provided, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election, as the legislature may direct.

That is the old and new Constitution. Then there follows this language:

This amendment-

All of the amendment; not a part of it, but all of itshall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

If the framers of the seventeenth amendment had meant only to affect the manner of election of Senators, they would have stopped at the langer ege, "This amendment shall not be so construed as to affect the election of any Senator chosen," but they did not stop there. They said, "The election, or term, of any Senator chosen."

The term is a definite thing in this particular body. It may be the term of Williams, of Mississippi, or of Poindexter, of Washington, or of Brandegee, of Connecticut. It may be whatever it may be; but the seventeenth amendment itself provides that nothing in any part of the amendment shall affect either the election or the term of the Senator-elect.

The Senator from Montana [Mr. WALSH] a moment ago thought he had discovered a matter of inconsistency between this and the decision of the Senate in the Blair Lee case. I find none, so far as I am concerned. If the governor of Maryland had appointed Mr. BLAIR LEE a Senator in this body, I should have recognized his right to take a seat here; but the governor of Maryland chose rather to leave his appointment in abeyance, subject to a popular election, which he had a perfect right to do.

I remember that several times when I was a Member of the House, with the right to designate postmasters, I said: "I will designate as postmaster at X, Y, or Z the man who shall be elected by the patrons of the office." That was not denying at all my right to appoint. That was merely holding in abeyance my right, subject to a condition which I myself fixed.

Here is a definite senatorial term of six years. I want to call your attention to the common sense of the proposition-not its

mere legalities nor its technicalities.

The tail end of a term is just as much part of the term as the beginning of the term. The tail end of a term in which a vacancy is created by resignation, death, or anything else leading to a vacancy, whenever it is created, is a part of the term, and it does not make any difference whether it is the beginning of the term or the end of it. The seventeenth amendment provides that "the term" shall not be affected, and it no more provides that the beginning of the term, the initial point at which the man was chosen by the legislature, shall not be affected than it provides that the tail end of the term, in which a vacancy is created by the happening of death or resignation, shall not be affected. It provides that neither shall be "affected."

It seems to me that when you leave mere law aside you can come to but one conclusion about this matter. I am a lawyer. My father was one. His father and his grandfather were lawyers, and my grandfather's grandfather was one, and as far back as I know they were all lawyers; so I have no feeling at all against "the tribe." It is my tribe, in a way, although for some 16 or 18 years I have left the tribe. I have no prejudice against them, except that as a rule a lawyer's intellect is narrow. It shakes aside common sense, it shakes aside phil-osophy and ethics, and proceeds to decide things upon technicali-

ties of one description or another.

What is the real thing here? It is primarily and above all the right of a State to be represented in this body. That is the main thing. How it is to be represented is a minor thing.

Then the law undertakes to provide, first in the old Constitution and secondly in the seventeenth amendment, which is part of the new Constitution, as to how the State shall be represented !

here. In undertaking to provide for that, it says that it shall be represented by two Senators, each entitled to one vote, holding their offices for six years, and that they shall be elected, under the new Constitution, instead of being chosen by the legislature, under the old Constitution.

Then it comes to the question of vacancies. First it operates upon the new terms taking effect after its adoption and then the old terms not affected by the amendment. All of those must take effect under the seventeenth amendment, to be elected, subject to what?

Subject even there to a certain provision, that-

When vacancies happen in the representation of any State in the Senate the executive authority of such State shall issue writs of election to fill such vacancies.

So much for the new terms beginning under the new Constituition-under the seventeenth amendment. They must be filled by writs of election issued by the governor, as a part of this amendment:

Provided further, That the legislature of any State may empower the executive thereof to make temporary appointment.

That refers to what shall take place after the new Constitution—the seventeenth amendment—becomes self-operative. You may reply, "But the entire amendment is self-operative." In a certain sense that is true. The entire amendment executes itself; but it executes itself according to its own terms, not according to my terms or your terms, nor my phraseology nor yours, but according to its phraseology; and in executing itself this language occurs:

This amendment shall not be so construed as to affect the election r term of any Senator chosen before it becomes valid as part of the

Senator Johnston's term in Alabama was a term for which he was chosen before the seventeenth amendment "became valid as part of the Constitution." Whatever the lawyers may say, splitting hairs between the north and northwest side, as is their habit, the plain common sense of the proposition is this:

First, Alabama has a right to representation in this body. Secondly, the term of Senator Johnston, which was a term outside of the purview of this amendment, taking its legal effect before the amendment became valid as a part of the Constitution, is not affected by the terms of the seventeenth amendment.

Not being affected by the terms of the seventeenth amendment, the vacancy in the term created by death-the tail end of the term being just as valid as the initial end of it-is subject to the laws of the State of Alabama, they being subject in their terms to the Constitution of the United States at the time they were passed.

Mr. WALSH. Mr. President—
The PRESIDING OFFICER. The Chair desires to state that prior to the recognition of the Senator from Mississippi the junior Senator from Kansas [Mr. Thompson] addressed the Chair and in the confusion that followed the Chair overlooked The Chair thinks the Senator from Kansas is enthe fact. titled to the floor.

Mr. WILLIAMS. That being the case, I wish to add my apology to the explanation of the Chair. I did not know it.

The PRESIDING OFFICER. No blame attaches to the Sen-

ator from Mississippi.

Mr. WALSH. I ask the Senator from Kansas to yield until I can address a question to the Senator from Mississippi,

Mr. THOMPSON. Certainly.

Mr. WALSH. I am very sure this subject has been approached by the Senator from Mississippi in the statesmanlike way in which all these questions are considered by him. He has not, however, been quite so clear as usually he is in the discussion of these public questions, or at least if he has been, I have been dull, because I have been unable to gather from what the Senator has said whether his opinion is that by virtue of the last clause of the amendment vacancies are to be filled in the manner prescribed by the old Constitution or in the manner prescribed by the amendment.
Mr. WILLIAMS. Vacancies in terms?

Mr. WILLIAMS. Vacancies in terms created before the new Constitution took effect-or the seventeenth amendment to the Constitution, thereby creating a new Constitution-are, in my opinion, to be filled under the terms of the old Constitution.

Mr. WALSH. Then, I should like to ask the Senator how we can permit Senator Lee of Maryland to sit here, who never was chosen as provided by the old Constitution, either by election

or by appointment?
Mr. WILLIAMS. Because Senator Lee came here by virtue of a law of the State of Maryland, enacted in accord with the old Constitution, which provided for filling a vacancy in the term that was created for Senator Rayner. I find no inconsistency at all.

Mr. THOMPSON. Mr. President, as a member of the Committee on Privileges and Elections I have taken great interest in the several election cases which have come before it recently for consideration and have given much study to the legal questions involved. I have carefully examined the authorities cited on both sides of the controversies. There is no great difference in the fundamental principles involved in the three cases of CLAYTON, GLASS, and LEE which have been presented to the committee.

The first case to be presented was that of Hon. Henry D. Clayton, appointed by the governor of Alabama to fill the vacancy caused by the death of Senator Joseph F. Johnston. Senator Johnston's full term would not have expired until March 4, 1915. Before Mr. CLAYTON's credentials were acted upon by the committee they were withdrawn by him; and subsequently, on the 7th day of November, 1913, the governor of Alabama appointed Hon. Frank P. Glass to fill such vacancy occasioned by the death of Senator Johnston.

After a very able presentation of the legal questions involved by the attorneys and friends of both candidates and after a most thorough consideration of the cases by the committee the committee arrived at the conclusion that the governor of Alabama had no authority under the Constitution of the United States to make an appointment, and that therefore Mr. Glass is

not entitled to a seat in the Senate.

The Senator from Montana [Mr. Walsh], who had written a most exhaustive and able opinion expressing his views in the Clayton case, and who on many occasions has demonstrated his great ability as a lawyer, upon request made the report for the committee and filed with it his written opinion, with which I fully concur in all its essential features and conclu-The opinion, from a legal standpoint, as I view the matter, is conclusive on this question and is unanswerable.

After all, in all the cases the principal question to be considered is whether or not the seventeenth amendment to the Con-stitution, providing for the election of United States Senators by direct vote of the people, became in full force and effect and in full operation throughout the United States when it was proclaimed as a part of the Constitution on the 31st day of May, 1913. The seventeenth amendment reads as follows:

May, 1913. The seventeenth amendment reads as follows:
The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for the electors of the most numerous branch of the State legislatures.
When vacancles happen in the representation of any State in the Senate the executive authority of such States shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancy by election as the legislature may direct.

direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as a part of

or term of any the Constitution,

In the construction of the Constitution or statutes we have right to take into consideration all the surrounding facts and circumstances leading up to their adoption, and also the result to which any particular construction leads or may lead. For more than 20 years we discussed throughout the country the question of the election of United States Senators by direct vote of the people. For the last few years it was one of the most vital things uppermost in the minds of the American people. It was brought about by the frauds and scandals which had characterized some of the elections by the State legislatures, and the fact that in some States it became almost impossible to even elect a Senator by the old process. No sooner was a State legislature elected until the various candidates for the Senate began all sorts of schemes to secure votes of the members of the legislature. It became so disgusting that the people finally concluded to do away with the old method entirely and place these elections within their own hands, where they rightly belonged.

The subject became a crystallized movement throughout the country, and the two-thirds vote of Congress was finally given, and the ratification of the necessary three-fourths of the States easily obtained to secure the amendment. In many States they became impatient and could not wait for the amendment and adopted makeshifts, commonly known as the "Oregon plan," in order to require an election of Senators by the people pending the amendment. In my own State of Kansas we had just adopted the "Oregon plan," under which I was elected just before the constitutional amendment was finally adopted. In my case, according to the old system, an attempt was even made by a few political traitors to overturn the vote of the people and to secure an election under the old plan; but the more this was advocated the stronger my candidacy grew, so that finally I received practically the unanimous election by the legislature,

legislature disregard the will of the people as expressed at the polls could now hope to be elected to any office, high or low, although I understand some of the parties even now aspire to the Senate. All of which goes to show that this sentiment is a settled conviction among the voters of the country, and that even without the constitutional amendment the people consider the popular will should prevail.

So if there is any one thing settled in this country it is the question that Senators shall hereafter be elected by the people. The people so understand the seventeenth amendment. It would be a great surprise and sad disappointment to them after the amendment has been ratified by the necessary number of States of the Union, and proclaimed to be the law of the land, that now through some technicality it is not in full operation in some of

the States.

For my part, I believe that the amendment means exactly what it says. It is perfectly plain and unambiguous. It simply means from this time forward every Senator of the United States must be elected by the people, unless the legislature of a State by express terms empowers the executive to make temporary appointments to fill vacancies.

The Legislature of the State of Alabama has not given such

power to the executive. The statutes of Alabama do, however, give ample authority for calling an election. The amendment

provides that:

When vacancies happen in the representation of any State in the Senate the executive authority of such States shall issue writs of election to fill such vacancies.

Article 19 of chapter 15 of the Code of Alabama, 1907, treats of the subject of special elections, and the fifth subdivision of section 430 expressly provides for the present contingency. After providing for the filling of vacancies for various offices expressly named, it then makes the broad general provision as follows:

5. In such other cases as are or may be provided for by law.

From the reading of section 332 of the Alabama Code it would seem that this State is one of those which must have anticipated the necessity for conducting an election by the people for

United States Senator. It provides as follows:

General election; for whom held; General elections throughout the State shall be held for governor; lieutenant governor; attorney general; State shall be held for governor; lieutenant governor; attorney general; State auditor; secretary of state; State treasurer; superintendent of education; commissioner of agriculture and industries; three railroad commissioners, no two of whom shall be elected from the same congressional district; State game and fish commissioner; chief justice and associate justices of the supreme court; supernumerary judge; and electors for President and Vice President of the United States; and such other officers as may be required by law to be elected by the voters of the entire State.

A reference to chapter 15 of the Code of Alabama will demonstrate to anyone that all of the necessary machinery for the conducting of an election to fill a vacancy in the Senate is fully

provided for by the Alabama statutes.

Complaint is made that the great State of Alabama is being denied equal representation in this body and that we are there-fore violating another provision in the Constitution by reason thereof. If this is true, no one is to blame except the gov-ernor of Alabama. The Congress of the United States has provided a way in this very amendment for the filling of the vacancies by an election, and the people of the State of Alabama have provided a way for the election to be held under their laws. It is simply up to the governor of Alabama to call an election under the plain provisions of the seventeenth amendment and the statutes of the State of Alabama. Had he done so when the vacancy occurred, Alabama would have had her equal representation with the other States long ago. Or had he called the legislature together and secured the necessary authority from the legislature under the plain and express provisions of the amendment, the place could have been filled by appointment long ago.

The governor of Maryland, with no greater authority, called an election, and Senator Lee, with his commission from the people, was duly and rightfully seated. When the governor of Alabama takes a similar course there will be no question of the seating of a Senator coming here from that State with credentials from the people. To take any different action now would be inconsistent with our action already taken in the Lee case, and a direct violation of the express terms of the Constitution of the United States. All the governor of Alabama has to do is to follow the plain letter of the Constitution.

The argument advanced that the seventeenth amendment is not in effect until the States take some affirmative action is untenable. If this were true it would lie within the power of any State, if congressional action failed, to absolutely defeat a sacred and binding constitutional amendment. I do not believe received practically the unanimous election by the legislature, the people of the country are ready to accept any such doctrine regardless of politics. Not a single man who advocated that the and constructions offered on the part of those desiring to seat Mr. Glass would result in the greatest confusion, and might cause serious trouble in many of the States which are to elect Senators to fill one-third of the seats in this body this year. It would leave the matter of filling vacancies an open question for many years. To let the country know now that none need apply for admission to the Senate except those with credentials from the people will save any further difficulty, and every State will clearly understand what it must do in order to secure representation in this body pursuant to the amendment of the Constitution which has already become effective alike in all the States. It is for the States to conform to the requirements of the constitutional amendment now, just the same as they were required to conform to the Constitution when it was originally written.

The amendment simply changes the manner of electing Senators from the legislatures to the people of the States, and I feel certain that the election laws of every State in the Union are sufficiently broad, or can easily be made sufficient, to enable the people of every State to conform to this amendment. The purpose of the amendment is to compel the election of Senators by the people. This being the express wording of the amendment and the clear intention of the people when they adopted the amendment, I can not conscientiously vote to seat Mr. Glass, as much as I would like to increase the Democratic majority in the Senate. I shall vote to sustain the action of the committee, which I believe to be the correct view of the law, and above all else to be absolutely right and what the people of Alabama desire and what the Constitution of the United States demands.

During the delivery of Mr. Thompson's speech,

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate

the unfinished business, which will be stated.

The Secretary. A bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

Mr. SIMMONS. I observe that the Senator from Georgia [Mr. SMITH], who has charge of the bill, is absent from the Chamber. I am sure that if he were present he would ask to lay it temporarily aside, and I myself take the liberty of making that request. I ask that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. Without objection, the unfinished business will be temporarily laid aside. The Senator

from Kansas will proceed.

After the conclusion of Mr. Thompson's speech,

Mr. BRADLEY obtained the floor.

Mr. BANKHEAD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

O'Gorman Oliver Overman Page Perkins Smith, Ariz. Smith, Md. Smith, S. C. Smoot Stephenson Hughes Bankhead Johnson Jones Kenyon Kern Borah Bradley Brady Brandegee Kern
Lane
Lee, Md.
Lippitt
McCumber
McLean
Martine, N. J.
Myers
Nelson
Norris Poindexter Pomerene Robinson Root Saulsbury Sterling
Sutherland
Swanson
Thompson
Tillman Bristow Bryan Burton Chamberlain Chilton Shafroth Sheppard Sherman Shields Simmons Clapp Clark, Wyo. Cummins Townsend Works Fletcher Norris Gronna

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. There is a quorum present. The Sena-

tor from Kentucky will proceed.

Mr. BRADLEY. Mr. President, something has been said about the inconsistency of those who may have voted for the seating of Senator Lee in now voting for the admission of Mr. Glass. From the standpoint of those Senators who voted for Senator Lee I do not think there is any inconsistency. If they had voted for Senator Lee in utter disregard of the provisions of the seventeenth amendment and the old Constitution, there might have been such inconsistency, but there were many Senators who voted for the admission of Senator Lee who are in favor of the admission of Senator Lee who are in favor of the admission of Senator Glass, as I understand, because there was a statute in Maryland which they believed authorized the election; because an election had been ordered under that statute by the governor on the advice of the attorney general; because the Supreme Court of the State of Maryland

had construed that statute as in effect authorizing the calling of the election by the governor; because the people of the State had voted by a large majority for the election of Senator IAE; because that election was held on regular election day submitted to by all parties without objection; because no contest had been filed; and because there was no fraud claimed. Hence it was believed by them that it was their duty to give respect to the construction which had been adopted by the State officers, the court, and the people of Maryland, rather than to give a construction strictly under the Constitution and the amendment.

In other words, they adopted the rule of the Federal courts that they are bound by the decision of the court of last resort concerning the construction of the constitution of the statutes or constitution of the State. I differ with them, believing that the Senate is the sole judge of the election and qualifications of its Members, and that we should decide the case as the sole judges under the Constitution of the United States and the amendment. But whether they were right or I am right, the two cases rest upon a different foundation. In the Alabama case no election was called or held; in that case the Supreme Court of Alabama did not pass upon the amendment to the Constitution or the right to call an election. In these respects the two cases are entirely different. But in other respects the two cases are similar. The governor of Alabama, under the advice of the attorney general, made the Therefore we have the ruling of the constituted authority of Alabama, and no human being has ever appeared here from that State to object, much less to contest, the right of Mr. Glass to his seat. If we are to give effect to the acts of the law officers and people of the State of Maryland, why not give effect to the acts of law officers and the silent approval of the people of the State of Alabama?

The statute which underlies this case, and which is relied upon as establishing the right of the governor to call an election, is entirely different from the statute of Maryland. It is admitted that the statute of Alabama authorizing special elections does not specifically name a United States Senator, but it is contended with very great seriousness that the basket clause of that statute, which provides that elections may be held "in such other cases as are or may be provided by law," authorizes an election because the amendment requires that the governor shall issue a writ of election, and that the amendment, taken in connection with the statute, confers ample authority. I call your attention to the fact that the article governing all elections contained in the code of Alabama is specifically described in its caption—and that caption is as much a part of the statute as any section of the statute is a part of it—as governing "elections of State and county officers who are elected by the people," "State and county officers who are elected by the people," is the subject matter of the entire statute. If a United States Senator is not a State officer, as contended by the Senator from Montana [Mr. Walsh] and those who follow his lead, it is impossible that he can be embraced in the statute. When that caption speaks of "such cases as are or may be provided by law," it has reference exclusively to the statute of Alabama governing the election of State and county officers. The words "such other cases" refers to the character of offices enumerated, to wit, State and county offices, and can not be construed to refer to any other. See Endlich on the Interpretation of States, 460.

But unfortunately for the contention of Senator Walsh, this statute on which he hinges the right to hold the election was repealed four years before the seventeenth amendment became part of the Constitution and was not in existence when the amendment became valid. The omnibus section was passed in 1875 and, as stated, applied only to the offices Lamed and others

of like character.

Mr. SIMMONS. Mr. President-

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from North Carolina?

Mr. BRADLEY. With pleasure.

Mr. SIMMONS. I am greatly interested in the argument of the Senator, but I should like to know whether he contends that a United States Senator is a State officer or a Federal officer? I ask the question because both the statute providing for special elections to which he has referred and the statute authorizing the governor to appoint to fill vacancies apply to State officers.

Mr. BRADLEY. My opinion is that a United States Senator is a State officer under the decision of the Supreme Court of the United States in Burton's case, which holds that "while the Senate, as a branch of the legislative department, owes its existence to the Constitution and participates in passing laws that concern the entire country, its Members are chosen by State legislatures, and can not properly be said to hold their places under the Government of the United States."

Mr. SIMMONS. I want to say to the Senator that I entirely agree with him. I merely thought his argument might

seem rather involved unless that was made clear.

Mr. BRADLEY. I was simply proceeding upon the theory of the Senator from Montana, who contends that a Senator is not a State officer, and I say if he is not this statute can not be tortured into an application to him. If a Senator is a State officer, I propose to show that this statute has been repealed and therefore can not have any application. The statute was passed in 1875. In 1909, long before the constitutional amendment was adopted, the State of Alabama passed a law not only giving the governor the power but requiring him to appoint to fill any va-cancy in any case where the election was not provided by law. So the clause under this omnibus section, "in such other cases as are or may be provided by law," was repealed by the legislature, and the right to hold special elections "in such cases as are or may be provided by law" ceased to exist. The power was conferred on the governor to appoint in such cases four years before the seventeenth amendment went into effect. Hence the amendment could not come to the aid of a statute not in exist-

But it is argued that the authority under the law of 1909 to the governor to appoint for the residue of the term conflicts with both the old Constitution and the amendment, because in the first instance the governor can not appoint beyond the action of the next legislature, and in the last he can only appoint until the people elect, and the law is therefore unconstitutional. It is conceded that the governor can not legally appoint for the residue of the term, but this does not render the appointment nugatory. It only limits it to such time as is allowed by the Constitution, and is inoperative in so far as it extends beyond that time. The right to appoint is not interfered with, and only the time for which the appointment is to be made is affected. Such has uniformly been the decisions of the courts, so much so as to

render citation of authority unnecessary. But if the seventeenth amendment came to the support of the omnibus clause, had it not been repealed, it is equally true that it comes to the support of the statute conferring the power of appointment on the governor, which has taken the place of the omnibus clause, because the seventeenth amendment provides that the governor may appoint when empowered by the legislature so to do. If the amendment could give effect to a statute authorizing an election, there can be no reason why it can not give effect to a statute authorizing an appointment. said that a United States Senator is a State officer, as held in Burton's case. Not only so, he is a State officer because he is elected by the legislature of the State or by the people of his State, as the case may be. He is not elected by the people of the United States. He comes here with a commission signed by the governor of his State, and that commission authorizes him to be admitted as a Senator. Without that commission he can not be admitted.

Nor is this all. If a Senator concludes to resign, he sends his resignation to the governor of his State, not to the Presiding Officer of the Senate or the President of the United States, because he derives all his power and all his authority from his State and holds his title under the State.

But I contend, Mr. President, as I contended the other day in the argument in the Lee case, that the seventeenth amendment has no sort of control over the election of Senators or any part of their term who were chosen prior to its becoming valid part of the Constitution.

Mr. SIMMONS. Mr. President—
The PRESIDING OFFICER (Mr. VARDAMAN in the chair). Does the Senator from Kentucky yield to the Senator from North Carolina?

Mr. BRADLEY. With pleasure.

Before the Senator goes into a discourse of Mr. SIMMONS. the second branch of his subject, I wish to ask him a question about the first branch. I am very much more interested in the first than I am in the second, because I think I am more nearly agreeing with the Senator as to his position in the first part of his argument than I am likely to agree with him as to the part of his argument.

The Senator says that the act of 1909 repeals the act of 1875 which provided for special elections. I understand that the Senator from Montana disputes that proposition, He contends that the latter act does not repeal the former act, and that there is not necessarily any conflict between them. As I understand the Senator from Montana, and it is about that I want the suggestion of the Senator, his contention is that the act of 1909 authorizing the governor to fill vacancies has no application whatever to a case covered by the act of 1875. But if the act of 1875 does not cover a particular case, does not provide a method for filling a vacancy in a particular office, then, under

the authority of the act of 1909, the governor may fill the vacancy. The Senator contends that the act of 1875 does provide for an election to fill a vacancy in the United States Senate, and as it provides a method for filling a vacancy in the United States Senate, therefore the act of 1909 can have no application, because by its express terms it limits the power of the governor to appoint to fill a vacancy where there is no other legal method of filling that office. I am not saying that I agree with that contention; but I am simply inviting the Senator to discuss that phase of the subject.

Mr. BRADLEY. So far as the difference in contention is concerned between the Senator from Montana [Mr. Walsh] and myself, it will probably never be settled by our agreement. The reason I make the contention is this: Here is an act providing for special elections in the State of Alabama. It mentions various offices, but it does not mention that of United States Senator. In its basket clause it provides for elections in such other cases as are or may be provided for by law." The Senator from Montana says that a United States Senator is not a State officer. If he is not, that seems to me to be the end of it; and if he is, it is the end of it, because the basket clause is repealed by the act which confers the power of appointment on the governor in such cases. Hence, this section of the law can not be taken in connection with the seventeenth amendment and the two together construed to confer the power on the governor to call the election. The statute in regard to special elections names elections for all of the offices that occurred to the legislature making the statute-all the offices as to which special elections were to be held. It did not name United States Senators, but added "in such other cases as are or may be provided for by law." While special elections were originally allowed in cases of that description, the right of election was destroyed by the act of 1909. In that year the State of Alabama adopted this law:

That when any office of the State, of any county or municipality

And those were all State offices that were alluded to in that statute, and they are so headed in the beginning of the statuteis vacant, from death, resignation, removal from the municipality, county, or State, or because the former incumbent absconds, or because an incumbent has been removed for ineligibility, or when the office is vacant from any other cause, and there is no way provided by law for the filling of such vacant office—

The very language of this act of 1875-

the governor is hereby empowered and required to appoint a qualified person to fill the unexpired term of such office.

The position I take is that before that law passed, in regard to cases where the office has not been named, special elections might be held if the officers were to be elected by the people, but in 1909 the right to call special elections in that law was superseded by making it the duty of the governor to appoint in such cases. The old basket clause is a dead letter, and there is no authority now to hold any special election either in conjunction with the seventeenth amendment or otherwise; but all uch vacancies must be filled by the governor.

Mr. President, I dislike to repeat what I may have heretofore said in the argument of the Lee case, but possibly it is necessary, as there are some Senators present to-day who were not present then. I contend that the seventeenth amendment to the Constitution, so far as vacancies are concerned, has reference entirely to vacancies in the office of Senators chosen by the people. That amendment has been read a great number of times during the argument of this case. It seems, in the language of the distinguished Senator from Mississippi [Mr. Williams], that it is so perfectly plain without any argument that its provisions need no elucidation. It is said the people expected an election in all cases where vacancies should occur. If this be true, why did they not say so in the seventeenth amendment? Why did not the framers of the seventeenth amendment and those who voted to ratify it say so?

We can only consider the amendment through which the people have spoken, and which was proposed and ratified at their instance upon its face, to determine what it means. All the discussion that took place before and after it was framed in this Senate and up to the time of its ratification had reference entirely to the election of United States Senators in the future, No human being ever contended that the amendment should in any way affect the terms of Senators who had been elected prior to its becoming valid. Nothing of that sort was heard in the United States. The only proposition discussed was that in the future in the regular election of Senators they should be elected by the people. The amendment first provides that each State is entitled to two Senators, to be elected by the people, referring, of course, to regular election of Senators, because they are required to be elected for six years. The amendment then proceeds:

When vacancies happen in the representation of any State in the Senate

And so forth.

What vacancies are referred to? Evidently vacancies in the offices mentioned in the preceding part of the amendment. You can not destroy the continuity of purpose and the continuity of meaning between those two parts of the amendment. It evidently refers to vacancies which may occur in the office of Senators who are elected by the people. Continuing, the amendment provides:

When vacancies happen in the representation of any State in the Senate the executive authority of such State shall issue writs of election to fill such vacancies until—

And so forth.

Provided, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

The amendment is not self-executing. The governor can not appoint unless empowered to do so by legislative enactment; he can issue a writ of election only "provided" the election is

directed by the legislature.

As to whether the amendment was wisely constructed amounts to nothing in this discussion. We can only deal with it as we find it. If not wisely constructed, Alabama is not responsible, because it did not ratify it, no session of its legislature having met after its proposal. Alabama was the first State to declare in favor of the election of Senators by the people, and doubtless would have ratified it if its legislature had convened.

Evidently it was not the purpose of the framers of this amendment to create a clash between the old Constitution and the amendment, but was clearly their intention to allow vacancies in the office of Senators who were elected under the old Constitution to be supplied under the provisions of that instrument and to provide that vacancies in places of Senators elected under the amendment should be filled in an entirely different manner. They determined that the Congress should not fill a vacancy either temporarily or by election.

Mr. CLAPP. Mr. President

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Minnesota?

Mr. BRADLEY. Certainly.

Mr. CLAPP. Is it not the correct construction that it provided both means; that is, the executive could call an election, but the legislature could authorize the executive to fill the vacancy by appointment until the election?

Mr. BRADLEY. There is no doubt about that construction

of the amendment.

Mr. CLAPP. That is what I thought, but that is not what

I inferred from the Senator's argument.

Mr. BRADLEY. While the executive could issue a writ of election or temporarily fill a vacancy, his right to do so depended entirely on legislation.

If there were any doubt that the vacancies referred to in the amendment have no application to vacancies occurring in the terms of Senators elected before the amendment became valid, it is easily dispelled by the saving clause, which provides:

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

Here is a plain and positive declaration that can not be misconstrued if any meaning attaches to language. The object of the framers was to harmonize the amendment with the old Constitution. Under the new amendment the people elect the Senator; under that amendment the people supply a vacancy in his office by like election. Under the old Constitution the legislature elects the Senator, and under that Constitution the legislature, in case of vacancy, elects his successor. both systems the governor may appoint temporarily. These two methods were intended to operate, each in its particular sphere, independently of the other, so that there would be no clash or confusion which might result in a hiatus in the representation

Mr. NORRIS. Mr. President-

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Does the Senator from Kentucky yield to the Senator from Nebraska?

Mr. BRADLEY. Certainly.

Mr. NORRIS. If the Senator's contention is correct, I should like to ask him whether the Senate was not in error when, for instance, it admitted the Senator from Georgia [Mr. Bacon], who I understand-

That case does not touch this case at all. Mr. BRADLEY. That case does not touch this case at all. Mr. NORRIS. My understanding is that the Senator's contention is that a term that had commenced before the amendment was adopted is one as to which the amendment will not have any application until the expiration of the six years?

Mr. BRADLEY. That is correct as to an election for a term. Mr. NORRIS. Well, the term of the Senator from Georgia. as I understand, expired on the 4th of March. He was then appointed by the governor to fill the vacancy. The legislature, I think, met some time in June. In the meantime the seventeenth amendment, on the 31st day of May, became effective. If the Senator's contention is right, when that legislature met, instead of providing by law for an election at which the Senator from Georgia might be elected, they ought themselves to have elected a Senator.

Mr. BRADLEY. I do not remember anything about the facts in that case, but I do remember that the Senator from Georgia [Mr. Bacon] came upon this floor, as I have since heard, without any right in the world, if anybody had contested it, to a seat, but nobody contested it, and he was admitted by unanimous consent. No ques ion was raised; there was no controversy about it. Indeed, the Senate did not know the conditions existing. The action in his case has no application in the world to this. The Senator from Georgia was finally elected by the people, after his full original term had expired, and he holds here to-day under the commission of the people by virtue of the amendment.

Answering your question, if the Senator's regular term to which he was elected prior to the amendment becoming valid had expired, the governor had no right to appoint, and his place could have been legally filled only by an election, because only the election or term of a Senator chosen before the amendment became valid as part of the Constitution is protected.

Mr. NORRIS. But the term for which the people elected him was the filling out of a term that had commenced to run

before the seventeenth amendment became effective.

Mr. BRADLEY. I do not so understand it.

Mr. NORRIS. I think there is no dispute about that.

Mr. BRADLEY. Whether that be true or not, it has no influence on this case, because in that case there was never any question raised; there was never any adjudication by the Senate. It was passed over without notice on the part of anybody.

If the Senate made a mistake in that case simply because its attention was not called to the facts, it can not have any influ-

ence on the question here.

If the framers had only intended that a Senator should be protected who was elected, they would have said that the adoption of the seventeenth amendment should not interfere with the election of any Senator; but they added the words "or term' after the word "election."

Why use the word "term"? Why use any word except the word "election"? Or if they did not intend to protect the entire period of six years, why did they not use the word "tenure" instead of the word "term"? A "term" is a whole period; it is a unit; it is not susceptible of partition. Parts of a term may be served out by different men, but the whole time is a "term" nevertheless. It is the filling of the term of Senator Johnston that we are to-day discussing.

Mr. SMITH of Arizona. Mr. President, if the Senator will

permit me right there-

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Arizona?

Mr. BRADLEY. Certainly.
Mr. SMITH of Arizona. Is not that suggestion reenforced
by the fact that the Senate itself is divided into three classes of terms? The terms of Senators here are divided into three classes—the first, second, and third classes. The idea strikes me that those are the terms to which the States are entitled under the provision that no State shall ever be unrepresented on this

Mr. BRADLEY. I was coming to that. I thank the Senator for his suggestion. At the bottom of this whole amendment lies the foundation of the basis of senatorial representation as protected by the fifth article of the Constitution. When our fore-fathers met for the purpose of framing a constitution there was great bitterness and much discussion as to the basis of representation to be given the States. It was contended that a small State, like Rhode Island, should not have two Senators when a great State, like New York, had only two, and that senatorial representation should be in proportion to population. The trouble then was to induce the States to agree on a constitution. That debate continued for some time, until finally it was decided that each State should have the same representation; and, even then, before the small States would vote for the Constitution they demanded that there should be placed in it a provision that no State should ever be deprived of its equal suffrage in the Senate without its consent. Accordingly that provision was placed in the Constitution, and to-day it is the only part of the Constitution that is not subject to change or amendment. That provision does not mean that no State shall be permanently, deprived of equal representation, but that it shall not be so de-

prived for any length of time.

Of course, when we undertook to frame the seventeenth amendment we necessarily took into consideration the basic principle of senatorial representation, that no State should be deprived of its equal suffrage in the Senate without its consent. If the construction is to be given the amendment which is contended for by the Senator from Montana, then States may be deprived of their representation in the Senate for a considerable length of time; and if this be true, the amendment is itself unconstitutional. Why may they be deprived?

Since August the great State of Alabama has had only one Senator. In the intervening time we have had before this body more important legislation than we ever had in any corresponding period of time in the past, and yet Alabama has had but one vote, or has had but one-half a voice. the purpose of the framers of the seventeenth amendment that such a state of case as that should exist. It was their purpose to protect the Senators chosen under the provisions of the old Constitution and their terms, and to prevent any hiatus. the new Senators came in, there was provided a specific way for filling their vacancies, but it was never intended that the Congress of the United States should control as to the filling of a vacancy in the term of a Senator who was elected by the people. Why? Because the amendment not only omits the authority in the old Constitution given to Congress, the right to act the same as the States in fixing the time and manner of holding senatorial elections, but provides specifically that the old rule, which gave the governor the right to appoint, shall no longer exist as to the newly elected Senators; that the old rule which gave the legislature the right to elect shall not exist any longer, so far as the new Senators are concerned. They having been elected by the people, the State, in the first place, through its legislature, can authorize the governor to appoint until the people hold an election, and that election must be held as directed by the legislature of the State, not as directed by the Congress of the United States.

The Congress can not say how a vacancy in the term of a Senator elected by the people can be filled by appointment; neither can Congress say how it can be filled by election, for that right has been reserved to each of the States. A specific agency having been selected excludes every other agency.

The language of the amendment is plain; it is so clearly expressed that there should be no controversy about it, and there is really no necessity for resorting to legal rules in order to construe the amendment, because there is nothing in it that requires the employment of legal rules. It is perfectly plain in every word that is written, so plain that the layman can understand it as well as the lawyer. The surrounding circumstances fully justified the action of the framers. Every Senator on this floor knew when the amendment was proposed that the people should have the right to elect Senators that this proposal would be discussed for some time, and there was such a discussion extending, as I remember, through two sessions before the proposal was enacted. They knew not only that much time would be consumed in obtaining a twothirds majority for the proposal of the amendment, but that when the amendment was proposed to the States as the State legislatures met annually, biennially, triennially, or quadrennially, that it would necessarily take a very considerable time to enable three-fourths of the States to pass upon the ratification or nonratification of the proposed amendment, and even then it was not absolutely certain that it would be ratified. They knew, too, that after the States ratified it it would require considerable time to put it in force; and, consequently, they provided in the amendment such protection as would prevent any hiatus, any vacancy; such protection as would prevent any clash under the Constitution as to the old and the new Senators. Are we to presume that it was their intention that elections were to be held immediately upon its ratification? Here again the fact presented itself of annual, biennial, triennial, and quadrennial sessions. Consequently, while the legislatures were acting, reasonably presuming that vacancies would occur in the places of the old Senators, it can not be supposed for a moment that they intended any State should be only partially represented. The 48 governors of the States fortify this construction, or they would have called special sessions of the legislatures to enforce the amendment. Not a single governor has taken this

But we are told that the reason that the saving clause was incorporated was to prevent the construction that the old Senators were legislated out of office. Such a construction would lead to a total extinction of the Senate, and no sane man would indulge it.

Mr. WALSH. Mr. President-

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Montana?

Mr. BRADLEY. Certainly.

Mr. WALSH. For the purpose of clarifying the argument the Senator is making, I desire to inquire, if I may, if he takes the view expressed by the Senator from Arkansas [Mr. Robinson], that former Senator Johnston's term is still subsisting?

Mr. BRADLEY. I do.

Mr. WALSH. And likewise that former Senator Rayner's term is still subsisting?

Mr. BRADLEY. I do.

Mr. WALSH. And likewise that the term of former Senator Hughes, of Colorado, is still subsisting?

Mr. BRADLEY. I do.

Mr. WALSH. And, of course, that the Senator from Colorado [Mr. Thomas] has no term?

Mr. BRADLEY. That is right. He is simply serving out

the term of Mr. Hughes.

Mr. WALSH. Very good. Now, the last clause of the seventeenth amendment protects the election and term of Senators. Senator Jackson was not elected, and he had no term. Is it the view of the Senator that the last clause gave no protection whatever to Senator Jackson?

Mr. BRADLEY. I have expressed myself heretofore on that question, Mr. President, and I will express myself again. These gentlemen are entitled to the protection which their predecessors had during their terms. They stepped into their shoes. Not only so, sir, but the last clause of the amendment, after saying that it shall not interfere with the election or term of any Senator, uses the word "chosen"—"shall not be so construed as to affect the election or term of any Senator chosen." Why use the word "chosen?" One who is elected and one who is appointed do not occupy the same position; in other words, one who is appointed is not elected. Therefore the word "chosen" was used, which embraced not only the appointment but also the election. But, as I have said, that is immaterial, because the Senators who stepped into the shoes of Senators elected under the old Constitution are protected under the Constitution, even if the word "chosen" had not been used.

It was the purpose to protect the States against any interregnum in their representation; it was the purpose to make a new rule which was to apply to the cases embraced in that rule, but not to apply it in the cases embraced in the old rule. If not, what was the meaning of the saving clause? Why was a saving clause necessary? Why not leave it just as it stood, if that was the purpose? Everybody knew that it was not the purpose of the framers of the amendment to put the United States Senate out of existence, even if the seventeenth amendment had been adopted without the saving clause; everybody knew that the amendment would not have a retrospective effect, but that all constitutions and statutes are to be construed prospectively, unless it is impossible to so construe them from their plain wording.

The word "affect," as defined by lexicographers, synonomists,

The word "affect," as defined by lexicographers, synonomists, and the courts, has been held to mean, as used in the amendment, that the election or term of a Senator chosen before the amendment became valid as part of the Constitution "should not be acted upon, effected, concerned, enlarged, changed, prejudiced, or injuriously affected, impaired, worked upon, varied, aimed at, influenced, or operated upon."

Having specifically enumerated these authorities in my discussion in the Lee case, time will not now be consumed by

repeating them.

If we are to go into the realm of liberality, as was done in the case of the Senator from Maryland [Mr. Lee], if we are to respect the State authorities in Maryland upon the theory that the United States Supreme Court has ruled that the decision of a State court construing a State statute shall control, why not be equally liberal with the State of Alabama? Her officers have construed the State statute; her officers have construed this amendment; her governor has appointed; he has appointed under the advice of his attorney general, just as the governor of Maryland held his election under the advice of his attorney general.

Let us be equally fair with both States. If we are going to act in a liberal spirit in order to respect the State authorities, let us give to Alabama the same consideration that was given to Maryland.

Mr. BANKHEAD. Mr. President, I shall be very brief in

what I have to say on this question before the Senate.

The wisest man I ever knew, and one of the best lawyers Alabama has ever produced, was former Senator Pettus, who died while filling a term from the State of Alabama, and Senator Johnston was chosen as his successor. Senator Pettus was very fond of young men, especially young lawyers. It was universely

sally known everywhere in Alabama that a young, struggling lawyer could go to Senator Pettus and get perhaps better advice than he could from any other source in the State. When a young man approached him for advice he invariably said, "Young man, when you are in doubt make a bee line for justice, common sense, and reason, and nine times in ten you will be right."

Mr. President, I am not a lawyer. I wish I were; but if I were regarded in my State as one of the ablest lawyers in that Commonwealth I should be perhaps in no better condition to judge of this question than I am now, because the ablest lawyers in this body and the ablest lawyers in the State of Alabama can not construct this amendment.

The Congress of the United States for years discussed this amendment. They were endeavoring to frame an amendment to the Constitution that would meet as nearly as possible the public demand of the country that Senators be elected by a popular vote of the people. At last they submitted the seventeenth amendment to the Constitution, and in due course of time a sufficient number of the States ratified the amendment and it became a part of the Constitution.

I do not believe there is a Senator on this floor who would have voted to submit the seventeenth amendment to the States for ratification if he had believed that when it was ratified and became a part of the fundamental law, if a vacancy occurred in the Senate, before that vacancy could be filled the legislature of the State must be called in extraordinary session, at great expense and inconvenience, and must authorize the governor of the State to make a temporary appointment until a Senator could be elected under the laws made and provided for that purpose. Moreover, I do not believe there is a single State in the Union whose legislature would have ratified the amendment if its people had been told and had believed that when ratified and when it had become a part of the Constitution it would be necessary for their State to have their legislature convened in extraordinary session for the purpose of providing some means by which the amendment could be put into operation.

It must be borne in mind that when this amendment was sub-

It must be borne in mind that when this amendment was submitted to the people for ratification there was not a State in the Union that had provided any laws for the election of a Senator by the people. It must have been known to the Senate that the legislatures of the different States in this Union met annually, biennially, triennially, and quadrennially. None of them had prepared for it. Does anybody suppose that when this amendment was submitted the Congress of the United States intended that an election should be held on the 1st day of June, the next day after its adoption, if a vacancy should occur? Impossible! Impossible, Mr. President!

What is the common sense of this matter? What was the purpose of the Congress when it submitted the amendment to the States for ratification? That Senators should be elected by a vote of the people? Yes. When? When was the election to be held? As soon as the States could provide for an election, or as soon as the Congress of the United States, by an act of Congress, put the amendment into effect generally. It could not have been considered for a moment that when the amendment was submitted the Congress of the United States contemplated any other course.

Mr. President, the funeral train that bore Senator Johnston's body to Alabama had a fearful wreck on the way, and Senators who were on that train told me that it was God's mercy that they were not all killed in the wreck. Suppose God's mercy had not protected them; what would have happened, and what would have been the situation in the Senate?

There were four Democratic Senators on that train. Suppose—and it is not impossible that it might have happened; wrecks occur and kill a great many people; collisions at sea kill a great many people, and other accidents occur that destroy lives—suppose those four Democratic Senators had been killed in the wreck; what would have happened, and what would have been the condition in the Senate? The majority in the Senate would have been instantly transferred to the other side of the aisle; the Democratic Party would have lost control of the Senate; the people of this country would have been denied by an accident of that sort the privileges and benefits of the great victory they won in the election of 1912, and no remedy would have been in sight.

What would the Senate have done under those circumstances? There would have been no way of filling the vacancies for months and months. There was no State then prepared for an election. What would have been the situation in the Senate? As I have said, the Democratic majority, chosen by the people in the preceding election, chosen for a purpose, chosen with the view that certain great Democratic principles and policies might be written into the statute books, would have absolutely disap-

peared, and no remedy would have been in sight. Having had the majority transferred to the other side, our friends on that side would have had absolute control of the Senate. We could not have adjourned from day to day or taken a recess from day to day waiting for others to come and take the places of those who had lost their lives in that wreck in order to restore our majority in the Senate.

Does anybody believe the Congress of the United States contemplated anything like that in the adoption of this amendment?

It is inconceivable, Mr. President.

I am not going to discuss in this presence the effect of the seventeenth amendment. It has been elaborately discussed by the great lawyers on both sides of the question, and they have been unable to agree; and of course I could not shed any light on a subject about which eminent lawyers are unable to agree. There is, however, a phase of the question that I desire to present to the Senate. I do not question the power of the governor to make this appointment under the terms and provisions of the seventeenth amendment, but for the purposes of this argument I am going to dismiss that and direct my remarks to the authority given the governor of Alabama under the statutes of Alabama to make an appointment to fill this vacancy.

There is no necessary conflict between the Alabama case and the Maryland case. I voted to seat the Senator from Maryland. There is no necessary conflict between the two. In Maryland the attorney general and the legal advisers of the governor told him that he had the authority to order an election to fill the vacancy, and he ordered the election. It was held; nobody questioned its honesty, and the Senator has been seated. The statutes in Alabama are broader. They have been enacted more recently than the Maryland statute. They not only give the governor authority to appoint but they require him to appoint to fill a vacancy in any State office.

to fill a vacancy in any State office.

The distinguished Senator from Montana [Mr. Walsh] this morning unhesitatingly declared that in his belief a United States Senator was not a State officer, but he did not tell us what kind of an officer he was. He is not an Army officer; he is not a naval officer; he is not a judicial officer. He is an officer of the State of Alabama, appointed under the laws of Alabama. If he resigns his place in the Senate, he sends his resignation, not to the President of the Senate but to the governor of Alabama. Our courts have held that he is a State officer, and our legal authorities have held that under the statutes authorizing the governor to appoint persons to fill all vacancies the governor

had ample authority to appoint Mr. Glass to fill this vacancy.

Mr. SIMMONS. Mr. President, does the Senator know of any case in our law where a State official, governor or otherwise, is permitted to appoint any except a State officer, or an officer of a county of a State?

Mr. BANKHEAD. I do not. I do not think anybody would

Mr. BANKHEAD. I do not. I do not think anybody would assert that. I do not think anybody would say that under any construction of this statute the governor could appoint an Army officer and commission him for service in the Army, or an officer of the Navy, or an officer to engage in any other service than that of the State of Alabama.

I have just said that the distinguished Senator from Montana this morning unhesitatingly asserted that a United States Senator was not a State officer, but he did not tell what kind of an officer he was. The Constitution of the United States decides that question. We do not have to go to the Burton case; we do not have to go to the decision of any of the courts; but the Constitution of our country in express terms declares that a Senator can not be an officer of the United States of any sort.

Mr. POMERENE. Mr. President——
The PRESIDING OFFICER (Mr. POINDEXTER in the chair).
Does the Senator from Alabama yield to the Senator from Ohio?

Mr. BANKHEAD. Certainly.

Mr. POMERENE. In view of the question which was asked of the Senator from Alabama by the Senator from North Carolina, permit me to ask a question. Does the Senator know of any other State official who receives his pay from the Federal Government and whose sole power and authority is exercised under the Federal Constitution and the statutes which are passed in pursuance thereof? The United States Senate, one of the Houses of the American Congress, is the judge of his election and his qualifications, and alone can remove him from office. Those being the facts, would it not be better to describe him as a Federal officer, owing his credentials simply to the State?

Mr. BANKHEAD. Mr. President, while it is true that the Senate is the judge of the election and qualifications of its Members, if it expels a Member for any cause it can not appoint one in his place. That must be done by the State in some form or other. Do I understand that the Senator from Ohio contends that a State senator is not a State officer under the

proper construction of the decisions of the courts and the provisions of the Constitution itself?

Mr. POMERENE. Mr. President, I expressed no opinion at

all as to that.

Mr. BANKHEAD. I thought the Senator did.

Mr. President, I said that under the circumstances, the other phase of this question having been so elaborately discussed, I preferred to confine myself mainly to the authority of the governor to appoint under the statutes of Alabama. I know it has been said: "Yes; the governor may have the power to appoint, but he has exceeded his authority in attempting to appoint for the mexpired term. Therefore your statute is in conflict with the seventeenth amendment, and therefore the action of the governor in making the appointment is illegal."

If there is a conflict between the statute of Alabama and the Federal Constitution, it does not concern the power of the governor to appoint. Nobody questions that. Our courts and the legal advisers to the State administration have declared Senators to be State officers. The governor, acting upon that advice, made this appointment under the statute not only authorizing

him but requiring him to fill the vacancy.

Suppose there is a conflict between the statute and the constitutional amendment as to the filling of the vacancy; what happens, and what must necessarily happen? The appointment by the governor holds good until the point is reached where the statute comes in conflict with the seventeenth amendment. does not conflict in the matter of appointment. If there is a conflict, it is necessarily in the statute authorizing the governor to fill the vacancy for the unexpired term.

Mr. CLAPP. Mr. President, will the Senator pardon an inter-

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Minnesota?

Mr. BANKHEAD. Certainly.

Mr. CLAPP. To strengthen the suggestion, suppose that after the constitutional amendment had been adopted the Legislature of Alabama not previously authorizing, but subsequently authorizing, the governor in the very language of the amendment to make temporary appointments until the people filled the vacancy by election, the governor, exceeding that authority, had undertaken to make an appointment for a longer term. Would anyone contend for a moment that it would not have been valid within the authority of the amendment?

Mr. BANKHEAD. I think not.

Mr. CLAPP. No.

Mr. CLARK of Wyoming. Mr. President, will the Senator allow a question?

low a question?

Mr. BANKHEAD. Certainly.

Mr. BANKHEAD. Certainly.

St. ARK of Wyoming. I should be glad if the Senator Mr. CLARK of Wyoming. I should be glad if the Senator would give his views as to whether the power of the governor to appoint in any case is or is not derived directly from the Constitution of the United States—the part which refers to the election of Senators and the apportionment of Senators?

Mr. BANKHEAD. I think perhaps there is no question about

the power being originally granted there.

Mr. CLARK of Wyoming. Then I will ask the Senator whether there can be two provisions, one from the State and one from the other, which are concurrent? Does not the authority flow either from the Constitution of the United States or from the State itself?

Mr. BANKHEAD. In a certain sense, yes; but there is, no necessary conflict that I can see in this case in that respect.

Mr. POMERENE. Mr. President— The PRESIDING OFFICER. Does the Senator from Alabama further yield to the Senator from Ohio? Mr. BANKHEAD. Certainly.

Mr. POMERENE. In view of the fact that the Federal Constitution gave to the governor the authority to appoint a Senator to hold the office until the legislature should again convene, it was for that reason not necessary that the Legislature of Alabama should have such appointments in mind at the time it passed the statute to which the Senator refers.

Mr. BANKHEAD. Mr. President, in answer to that, I should

like to ask the Senator from Ohio if this statute, passed before the adoption of this constitutional amendment, is not just as legal a statute from his standpoint as the statute of Maryland,

which authorized an election?

Mr. POMERENE. I assume that they were both legal; but my position is that the Alabama statute is not broad enough to authorize the appointment.

Mr. BANKHEAD. Well, I do not know; it says so in so

many words in the statute.

Mr. POMERENE. I should like to have my attention called to that particular language, if it be true.

Mr. BANKHEAD. Does not the statute say that the governor is authorized and required to fill all vacancies that may occur? Mr. POMERENE. Not all vacancies. I have the language here, and I will read it:

That when any office of the State, of any county, or municipality thereof, is vacant from death, resignation, removal from the municipality, county, or State, or because the former incumbent absconds, or because an incumbent has been removed for ineligibility, or when the office is vacant from any other cause, and there is no way provided by law for the filling of such vacant office, the governor is hereby empowered and required to appoint a qualified person to fill the unexpired term of such office.

Mr. BANKHEAD. Exactly. Mr. POMERENE. It is not contended, and it can not be contended, that if a law was passed especially for that purpose by the Alabama Legislature the governor would have the authority to appoint a Senator for the "unexpired term," because the Federal Constitution only authorizes appointments by the governor until the legislature convenes.

Mr. BANKHEAD. I am coming to that, Mr. President. Mr. POMERENE. Very well.

Mr. BANKHEAD. I was saying that if there was a conflict at all it was not as to the question of appointment, but it was as to the question of the governor's power to appoint to fill the unexpired term.

Mr. President, suppose there is a conflict between the statute and the amendment with respect to the filling of an unexpired term, what necessarily happens? The very moment the statute under which the governor acts reaches the point where it comes in conflict with the Constitution the statute must necessarily give way to the provision of the Constitution.

The Constitution of the United States is supreme in all the States of the Union, as I understand it, and being appointed as he is for the unexpired term, when an election is held to elect Senator under the provisions of the amendment and that Senator is elected and comes here with the certificate of the governor of the State of Alabama, the term of the Senator sitting from Alabama, Mr. Glass in this case, would expire and the new man would at once take his seat in the Senate. is no question about that, I think, and therefore I say there is no necessary conflict in that respect.

I was pleased the other day to hear the distinguished Senator from Wisconsin say that he thought the rule of construction should be that where the legal authorities of a State, the attorney general and their courts, had construed a statute or a provision of their constitution the Senate could not go wrong if they observed those decisions by the legal authorities of the State, the attorney general and the supreme court. They have construed these statutes, and I was again surprised at the Senator from Montana [Mr. Walsh]-and I should like to have his

Mr. WALSH. I am following the Senator.

Mr. BANKHEAD. When he declared on the floor of the Senate that he had searched the constitution and statutes of Alabama and was unable to find any requirement or provision which required that vacancies in the legislature should be filled before an extra session could be convened. The constitution is plain. The statute made in pursuance of that constitutional provision is plain. I have it here before me. This is another instance of assuming, of guessing at what statutes are or ought to be in a State of the Union.

My contention that there is no necessary conflict between the statute of Alabama authorizing the governor to appoint and the seventeenth amendment is borne out by decisions of the court on cases directly in point. I beg to call the attention of the Senate to the decision of the Supreme Court of Nebraska in a case directly in point with the contention I am making with reference to the constitutional amendment and the statute of Alabama. The decision says:

The legislature has clearly here expressed its will-

The Alabama Legislature clearly expressed its will in this statute. It was that the governor was authorized and required to fill vacancies.

It has in an unmistakable manner signified its purpose not only to authorize the commitment to the reform school of certain children under 16 years of age, but also children beyond that age, who, although guiltless of crime, have evinced a criminal tendency and are without proper parental restraint. The legislature having declared its will, and its command to the court being in part valid and in part void—

Mark the language of the court: "Valid in part and in part

The decisive question is, Shall section 5 he given effect so far as it is in accord and agreement with the paramount law?

Shall the statute of Alabama be given full force and effect so far as it is in accord with the provisions of the Constitution which permits and directs the governor to appoint?

It seems that both good sense and judicial authority require that the question should receive an affirmative answer.

That is, the less is included in the greater. That is practically the gist of the decision.

Here is another decision in One hundred and fourth Kentucky, page 260. I will read only a few words from the decision:

The language employed shows that the general assembly was willing that one of the commissioners should hold his office for six years—two years longer than the constitution will permit.

This is a question where the statute of Kentucky undertook to extend the term of certain officers beyond the point provided in the constitution. It is exactly a parallel case with this:

As the general assembly expressed a willingness that one of the commissioners should hold for two years longer than the constitution permits, it is certainly reasonable to conclude that it was the will of that body that the commissioners should hold for four years, as this term is necessarily included in the longer one which is fixed. To hold the act void in so far as it makes the term six years instead of four, still the balance of the act is complete and enforceable.

That is to say, up to the point where the statute comes in conflict with the constitutional provision it was enforceable, and the court enforced it. When the act of the legislature undertook to go beyond the limit prescribed in the constitution the court held, and held properly, that it was void.

The purpose and intent of the general assembly that the commissioners should manage and control the penitentiaries can be effectuated by eliminating from the act that part which attempted to make terms six instead of four years.

Mr. President, if Mr. Glass is seated by the Senate, as soon as an election is held in Alabama as contemplated by the seventeenth amendment the person elected at that election will be entitled to come to Washington and take his seat in the Senate and Mr. Glass necessarily goes out of the Senate.

Take an election case in the House of Representatives. What happens there? A man comes to the House with a prima facie He has the certificate of the governor that he has been elected, and he is at once seated. No question is ever raised about seating him. If anyone wants to contest that election, if persons want to charge fraud, or if they claim that the election was illegal in any respect, they have their remedy; they can file a contest, and the House will hear it and pass upon its merits and its demerits, and either retain the sitting Member or seat the contestant.

That ought to be the rule in the Senate. Mr. President, I have no doubt on earth but that the framers of the Constitution intended that that should be the rule. When a man comes to the Senate with a certificate of the governor of his State, knocks at the door of the Senate and presents his credentials, with no one to contest his election or appointment, when the people of Alabama, so far as we know, are absolutely in favor of the Senate seating the representative they have sent here, as they have believed, in accordance with the provisions of the law, it is the duty of the Senate to seat him. I believe it has always been the practice in the Senate until recently that the appointee, or a man coming with a certificate of election, is entitled to his seat then and there.

Mr. WALSH. Mr. President-

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Montana?

Mr. BANKHEAD. I yield. Mr. WALSH. In view of the reference made by the distinguished Senator from Alabama to the practice and the precedents of the House, I ask his indulgence while I read from the first volume of Hinds' Precedents to show what is apparently the practice in the House.

Mr. BANKHEAD. I have read it, but I will be glad to have the Senator read it to the Senate.

Mr. WALSH. I read from page 644:

On May 13, 1858, Mr. Henry M. Phillips, of Pennsylvania, announced the presence of Representatives from the recently admitted State of innesota, and moved that they be sworn in, at the same time presenting the following credentials.

Mr. BANKHEAD. If the Senator will permit me, I realize and recognize that there is one exception to the general rule in the House, and it is the only one. That is the one to which the

Senator wishes to refer, I suppose.

Mr. WALSH. The Senator admits, I understand, that that was not the precedent followed in that case, and of course there is no use in reading it.

That is a very different case from the one Mr. BANKHEAD. Very different reasons were presented from those before us. given in this case.

Mr. WALSH. I am not controverting that question, but the Senator was referring to the precedent in the House. not followed in that case, and I think I can find another one.

Mr. BANKHEAD. I recalled the circumstances under which the contest against Mr. Roberts was presented. It was a sentimental question, and not one of law or reason or justice. It

was a question of moral law. I presume every Senator here recalls that case.

Mr. WILLIAMS. If the Senator will pardon me, I wish to say that I was a Member of the House at that time and that the case stood on no legal footing of any description. A few men who were accounted as being very wild reactionaries voted according to the law in the case. That case went off upon the principle of antagonism to polygamy in Utah. I do not suppose there was a Member of the House who ever quoted that case as legal authority. It was purely a sentimental charge, and has been from that day down to the present.

Mr. BANKHEAD. I was then a Member of the House, and I

remember about it.

Mr. WALSH. I should like to be permitted to state that I was about to refer to the seating of Representatives from Minnesota, a State which, my information is, is free from polygamy.

Mr. WILLIAMS. I do not remember that case, but I do remember very distinctly the Roberts case, in which the House of Representatives simply unseated Roberts because he was charged with polygamy. The House believed that he was guilty of it, and that was all there was to it.

BANKHEAD. Mr. President, I have said about all I care to say. If I have satisfied the Senate that a Senator from Alabama is a State officer, then I think I have established my full contention. I believe I have established that fact beyond a reasonable doubt. I do not believe there is a Senator on the floor who will rise in his place and question that a United States Senator is an officer of the State. If that contention has been established, as I have established the further fact, according to my contention, supported by the opinion of the legal advisers of the governor of Alabama, by the decisions of courts, that there is no necessary conflict that can not be reconciled between the State authorizing the governor to appoint and the Constitution as it relates to the seventeenth amendment, then I should like to ask my brethren of the Senate what excuse will you offer the country and to Alabama for keeping the doors of the Senate closed against her representative who comes here with all the legal requirements as we see it and as our governor has been What excuse is there for saying that Alabama shall advised? not have her full and just representation in the United States Senate?

It will not do, sir, to say that the fault is Alabama's. It is not her fault, as we have shown conclusively, I think. Within three days after the death of the lamented Johnston the governor of Alabama exercised his constitutional power as he was advised, and sent a successor to the Senate to fill the place made vacant by Senator Johnston. That appointee, Mr. President, has been knocking at the door of the Senate ever since. Alabama does not consent, Alabama has never consented, to be deprived of her just and equal representation in the Senate of the United We deny it.

What is the excuse, Mr. President? Why should this appointee of the governor, this representative of Alabama, be longer kept out of the Senate? Why should that sovereign State be longer denied her right to representation on the floor of the Senate?

Oh, we are told the requirement of the constitutional amendment has not been met. What is the constitutional amendment? Who of you can tell the others what it means and get an agreement? Great lawyers here have not been able to analyze it and tell what it means. Some of the greatest say that it means one thing and others say it means another thing.

Mr. President, the thing for the Senate to do is just what Senator Pettus said:

When you are in doubt, make a bee line for justice, for truth, and apply the rule of reason to your conclusion.

This, Mr. President, is all I care to say with reference to this matter. I want to repeat, however, that in my judgment those who voted to seat the Senator from Maryland [Mr. Lee] can with equal consistency vote to seat the Senator appointed There is no conflict except in the imagination from Alabama. of men who desire a different result,

I voted to seat Senator Lee. The committee told us that the authorities of the State of Maryland had been advised—and they had acted upon the advice-that the statute was sufficiently broad, although passed 50 years ago. It does not make any difference if the statutes cover the case when they were passed. It will not do to say that the Legislature of Maryland did not have in its mind all contingencies. They were providing for every emergency as wise legislators, just as we did in Alabama. It is said we base our decision in the case mainly upon the fact that the attorney general, the legal adviser of the governor, advised that the governor had authority to order an election under the statute, and that the court sustains that opinion, and therefore we conclude that it was proper that an election should

be held under the so-called authority or the real authority supposed to be vested in the governor. In no other way could that contention be sustained.

I ask the Senators on the committee who want to be fair, Why not take the word of the attorney general of Alabama, a great lawyer? Why not take the word of the special election adviser of the governor employed under the statute because of the immense amount of railroad litigation in Alabama, the very ablest man he could find? Why not take the word of the chief justice of the supreme court of appeals? When they tell the governor that he has no authority of law to order an election until the legislature gives it to him, but he has authority under the law to make an appointment to fill this vacancy, why not take that view of the Alabama case as well? Why not apply these things generally? Why make an exception? Why make fish of one and fowl of another?

As to the case which was before us from the State of Maryland, I voted for it; it was right; but why say that the case of the State of Maryland shall be controlled, as we are controlled by the opinion of the attorney general and the courts, but in Alabama we shall not be controlled by the same law officers and we shall not give them the same credit for capacity and honesty that we do the same officers in the State of Maryland? Is that the authority upon which the Senate is to proceed? I can not believe it, Mr. President.

I contend in conclusion that Mr. Glass, the appointee of the governor, is entitled to be seated; I am dismissing the governor's right to appoint under the constitutional amendment. Although I insist equally with those who have discussed it that he had the right, I am confining myself to his right under the statute of the State of Alabama. I am confining my argument to the knowledge—I believe it knowledge—that a United States Senator is a State officer. I am contending that an officer of the United States under the provisions of the Constitution can not be a United States Senator; that he vacates the office immediately upon accepting a United States commission.

For these reasons I appeal to the Senate not to undertake to pass upon this question from a sentimental standpoint. Let us not undertake to pass upon this question upon the idea that the State of Alabama has not literally and strictly complied with the provisions of the seventeenth amendment as we construe it. Is there a doubt in the minds of Senators on this question? Do Senators have a doubt as to the purpose and intent of the seventeenth amendment? Certainly they do, because they can not agree. Then, if you have a doubt, and you must have a doubt, why not resolve that doubt in favor of the State of Alabama? If there is a doubt as to the authority of the governor under the statute that I have referred to, and the decisions of the court made in reference thereto, is it not a doubt about the power of the governor? If that is the case, is it not fair and just and right that the Senate should resolve that doubt in favor of the State?

The State of Alabama has very poor representation on the floor of the Senate. It has one poor Senator, who is not a lawyer, but who has been compelled, Mr. President, under the circumstances to resort to common sense. He has been compelled to ask the Senate to apply common sense and justice and reason to this case, instead of going out and insisting upon a literal construction as to what the seventeenth amendment really means.

I thank the Senate very much, Mr. President, for its attention. Mr. REED. Mr. President, nothing could be more painful to me than to stand on the floor of the Senate and try to keep a good man and a good Democrat from occupying a position that would increase my party's vote by one every time the roll is called on a party question. Entertaining the highest regard for Mr. Glass, knowing that he possesses the qualifications to fill with eminence the high position to which he aspires, and understanding well that he finds a most earnest and eloquent advocate in his colleague, for whom I feel the highest possible regard and respect; believing also that the State of Alabama is entitled to a full representation upon the floor of the Senate—holding to all these views, I yet can not give my consent to the seating of this man simply and only because I have a greater respect and higher regard for constitutional and legal government than I have for party considerations or for the personal esteem and regard I bear any individual.

This, Mr. President, is a government of the people by law. Any government that is not a government by law is not a government by the people. The people can only speak through the laws they enact. In a government by the people whoever acts contrary to the laws enacted by the people denies them the right of self-government. Such a one proposes to substitute,

and does substitute, arbitrary power for the public will expressed in the constitution and laws enacted by the people. Arbitrary power in a republic is usurped power. Whoever wittingly tramples upon the fundamentals of the constitution, whoever wittingly violates the principles of the law, violates the rights of the people.

It is all well enough to say that the State of Alabama is entitled to representation by two Senators upon this floor. The State of Alabama is of course entitled to be so represented; but when the Constitution declares that a State is entitled to two representatives in the Senate, it does not mean merely that two men shall sit here claiming to represent a State, but that they shall actually represent the State. They must come clothed with the legal authority to represent the State or they can not represent it in any other sense than as mere usurpers. the people of Alabama have conferred upon the governor the power to speak for them he has no greater right to represent them than any citizen of the State. If you substitute an ap-pointment by the governor of Alabama which he is not authorized to make for an election to be held by the people, you have placed in office a man without right, without title, without authority, who will sit here a usurper of the powers of the people of the sovereign State of Alabama. You have perpetrated upon that State a great wrong, and upon the laws of your country and the Constitution of the land a great outrage.

Let us reason for & moment over this argument of sentiment that "the State is entitled to be represented; that no one is here specially contesting," and that therefore Mr. Glass should be seated, whether he have good title or no title at all. What does that argument mean, Mr. President, except that the Senate of the United States can be composed in whole or in part of men who hold their seats not by warrant of law, not by warrant of the Constitution, but by virtue of some certificate written by a man who had no authority to sign the certificate or to issue it? I am assuming now that it is true that the governor does not have such authority, and I am replying for this moment to the specious argument which has been advanced, that Alabama is entitled to representation, and that therefore Mr. Glass should be seated, even if he have no title. Why, Mr. President, of course Alabama is entitled to be represented; but is Alabama represented when some gentleman of splendld manner and of fine character comes and takes his seat in this Chamber, not by virtue of the authority of the people, or by authority of law, but by virtue of a certificate issued by a man without authority or power to issue it? That is not representation of the State of Alabama; that is not representation according to law; that is not representation under the Constitution; that, sir, is usurpation, and not representation. I do not mean to apply the term unpleasantly.

The Senator from Alabama [Mr. Bankhead] knows, I believe, that when Judge Clayton came here months ago with a certificate exactly like that now presented by Mr. Glass, I diligently sought to find legal grounds justifying the recognition of the judge's credentials. My instincts and desires and prejudices were all that way. I recognized in Judge Clayton a man who would adorn this forum. I was unable then, as I am unable now, to find any principle of law or logic justifying the seating of Judge Clayton. The majority of the committee were of like opinion. Judge Clayton thereupon withdrew from the field. Now comes Mr. Glass with identical credentials, and we are asked to seat him, although at least the majority of the committee found against Judge Clayton. The question is not as to the fitness of these men as individuals, but as to the authority back of them.

One vote may change the most important legislation. If that vote be cast by an unauthorized man, then the ballot is falsified and the result is a false one. There are outside of the Senate Chamber hundreds and thousands of men as patriotic as any here, as able as any here, as just as any here; but do we admit them to vote here? We deny them that right because they speak only as individuals and not as the legal representatives of the people.

If we seat men in this Chamber who are not the legal representatives of the people, then we deny to the people the right to be represented. If the credentials of Mr. Glass are not well grounded in law, if they are issued without authority, and he is given a seat, then the people of Alabama have been twice denied the right—their constitutional right—to representation. I say twice denied, because it has been denied to them in the first instance by the refusal of the governor to take the necessary steps to give them an opportunity to be heard and to express their choice, and because in the second instance a man has been actually inducted into the seat that the people ought to be permitted to fill.

Mr. President, it has been argued here that a United States Senator is a State officer, and therefore it would seem that the corollary sought to be attached is that the Senate has but little to say and that the National Government has but little to say with regard to the right of a man to fill the position of a United States Senator and assist in enacting laws for the government of all the people of the Nation. I utterly deny that proposition. I assert that as the Senate of the United States was created under the Constitution, each individual who sits here must come in conformity with the supreme law of the land. I assert that Senator is not a mere State officer; he is an officer of the United States, a part of the legislative department of the United States, holding his office under the Constitution of the United States, removable by the other Senators who sit here as a part, each of them, of the legislative authority of the United States.

There have been many assertions made that "it is well settled that a Senator is merely a State officer," but I have heard no man refer to a decision sustaining the assertions. I know of no well-considered decision of any court that a United States Senator is merely an officer of the State. The case often citedand the only one I have heard seriously urged-is the Burton case. I maintain that that case sets up no such doctrine; that it does not decide the point at all; and that, in so far as a deduction is to be drawn from the case, it is to the contrary of the contention made. I read from the case of the United States v. Burton, reported in Tw. hundred and second United States Reports, local citation, 369:

Allusion has been made to that part of the judgment declaring that the accused, by his conviction, "is rendered forever hereafter incapable of holding any office of honor, trust, or profit under the Government of the United States." That judgment, it is argued, is inconsistent with the constitutional right of a Senator to hold his place for the full term for which he was elected, and operates of its own force to exclude a convicted Senator from the Senate, although that body alone has the power to expel its Members.

That is the argument.

Says the court:

Says the court:

We answer that the above words in the concluding part of the judgment of conviction do nothing more than declare or recite what, in the opinion of the trial court, is the legal effect attending or following a conviction under the statute. They might well have been omitted from the judgment. By its own force, without the aid of such words in the judgment, the statute makes one convicted under it incapable forever thereafter of holding any office of honor, trust, or profit under the Government of the United States. But the final judgment of conviction did not operate, ipso facto, to vacate the seat of the convicted Senator nor compel the Senate to expel him or to regard him as expelled by force alone of the judgment. The seat into which he was originally inducted as a Senator from Kansas could only become vacant by his death or by expiration of his term of office or by some direct action on the part of the Senate in the exercise of its constitutional powers. This must be so for the further reason that the declaration in section 1782, that any office of honor, trust, or profit "under the Government of the United States" refers only to officers created by or existing under the direct authority of the National Government as organized under the Constitution, and not to offices the appointments to which are made by the States, acting separately, albeit proceeding in respect of such appointments under the sanction of that instrument. While the Senate, as a branch of the legislative department, owes its existence to the Constitution and participates in passing laws that concern the entire country, its Members are chosen by State legislatures and can not properly be said to hold their places "under the Government of the United States."

We are of opinion that section 1782 does not by its necessary operation implinge upon the authority or powers of the Senate of the United States nor interfere with the legitimate functions, privileges, or rights of Senators.

Mr. MYERS. Mr. President, may I ask the Senator a question?

Mr. REED. Yes.
Mr. MYERS. Laying aside the Senator's contention that United States Senators are Federal officers, excluding United States Senators, can the Senator name any Federal official who owes his title and tenure of office to the people of one State, who owes his office to State authority instead of to Federal authority?

Mr. REED. Yes. Mr. MYERS. W

Who is he?

Mr. REED. A Member of the House of Representatives. Mr. MYERS. I put them in the same class as Senators; we

are all Members of Congress.

Mr. WALSH. Mr. President, in view of this discussion, I invite the attention of Senators to the fact that the Supreme Court of the State of Kentucky has held that Members of the House of Representatives are not State officers. I refer Senators to the following cases: Neeley v. McCollum (53 S. W. Rep., 37); Eversole v. Brown (53 S. W. Rep., 527); Donelan v. Bird (118 S. W. Rep., 178). If Members of the House of Representatives are not State officers, I should like to understand the argument by which the conclusion is reached that Senators are State officers.

Mr. BANKHEAD. Mr. President, will the Senator from

Missouri yield to me for a question?

Mr. REED. Certainly,

Mr. BANKHEAD. I should like to ask the Senator from Missouri to construe the provision of the Constitution which I am about to read:

And no person holding any office under the United States shall be a Member of either House during his continuance in office.

Mr. REED. Well, Mr. President, I do not think that is very difficult to construe; but the Senator has some particular point in mind?

Mr. BANKHEAD. I presume it would not be difficult for the Senator from Missouri to construe it.

Mr. REED. What I mean to say is that there is no difficulty in construing the section in its ordinary application; but the Senator evidently has in mind some particular point upon which he desires my views. I wish he would make his point plain.

Mr. BANKHEAD. The Senator from Missouri is arguing that a Senator from a State is not a State officer. The point I am trying to make is this: If he is a United States officer—and that is the contention of the Senator from Missouri—how could be be a Member of the Senate under this plain provision of the Constitution, which reads:

And no person holding any office under the United States shall be a Member of either House during his continuance in office.

That is, a member either of the House of Representatives or of the Senate.

Mr. REED. Mr. President, the plain construction is as though it read "no person holding any other office shall be at the same time a Member of either House."

Mr. BANKHEAD. But it does not read in that way. I want the Senator from Missouri to construe the language as it is in the Constitution.

Mr. REED. Mr. President, if the Senator will permit me, the plain intention of the provision read by the Senator is this, and only this: That no man could hold an ordinary office under the Government and at the same time hold a seat in Congress; and it does not, even by implication, lead to the conclusion that Member of Congress is not an officer of the Government of the United States. But, coming back to this decision

Mr. MYERS. Mr. President, I did not quite finish my ques-The Senator certainly can not name any Federal official, other than a Member of Congress, who owes his title and tenure

of office to the people of some one State.

Mr. REED. No; but I can also reply to the Senator that neither he nor anyone else can name any other officer, who they claim is a State officer, who sits here in Congress, because we only have one class of officers of that kind. There is a Senate and a House of Representatives. The Members of the House of Representatives are elected by the people of the various districts. The Senators have heretofore been elected by the legislatures of the States. Now, when the Senator states to me that I can name no other officers of the Federal Government than Representatives and Senators who are elected by the people of some one State, of course, I can not. They are the only ones selected in that way; but, on the other hand, could he name any State officer having the authority to legislate nationally except these? And, hence, I might as well argue that because he can not name others, there being no others, therefore they are necessarily national officers. The argument does not get us anywhere.

Mr. MYERS. I would ask one more question, then, in view of the Senator's reference to Representatives in Congress. It is a well-known fact, is it not, that in the inception of this Government the Representatives were supposed to represent the people of a certain segment of country, while Senators were supposed to represent an entire State in its sovereign capacity and not the people of the State?

Mr. REED. Certainly; that is correct.

Mr. MYERS. That differentiates, then, between Representatives and Senators, even if we consider them Federal officials.

Mr. REED. While it differentiates, it is a differentiation

that gets us nowhere, that argues nothing, that proves nothing; it is a distinction, but it does not go to the merits of the contention, as I see it. I have great respect for my friend's opinion, but I observe that the people of a district are authorized to do what? To select a man; and after that man has been selected in that way and he appears in the Halls of Congress and takes his oath of office, the question then is, In what way does he sit here? Does he sit here as an officer of the State or does he sit here as a part of the Government of the United States? That ought to be the test.

Coming back to this decision-and I am spending much more time on this matter than I had intended—as I read the decision in the Burton case, it means nothing more than this, that a Senator of the United States is not an officer of the United States in the sense employed by the statute in the phrase "rendered hereafter forever incapable of holding any

office of honor, trust, or profit under the Government of the United States.

It seems to me that a proper test is not difficult. It is true that the people of a district elect their Representative; it is true that heretofore the legislatures of the States have elected, and now the people must elect, Senators, but when the Representative or the Senator comes here and takes his oath of office he becomes a part of the legislative authority of the United States. No State has the power to pass a law for his recall. The State of Montana, from which my friend who interrogated me a moment ago comes, can pass a law, if it sees fit to do so, recalling its State officers; it can pass a law, if it sees fit to do so, under which it can impeach its State officers; it can take away the authority which it confers; but the State of Montana can not pass a law to recall a Representative in Congress, because once he has been seated he holds under the authority of the Federal Government: it can not pass a law to recall a Senator of the United States, because he holds here under the Federal Constitution and law. His tenure of office is fixed and his right to a seat is to be determined by this body, and not by the people of that State, once they have sent him here.

You might as well argue that the President of the United States, because he is elected by the people of the States, is not an officer of the Federal Government; yet he represents the executive branch of the Government. You might also as well argue that the judges of the Supreme Court are not officers under the Federal Government because they are merely appointed by the President, who is elected by the electors, who in turn are elected by the people.

As I understand the meaning of the Constitution upon these propositions, it is simply this: That there are three branches of the Government, and there are four separate sources for their The three branches of the Government together constitute the Government, but there is a separate authority and a separate method of selecting each branch. The President is selected, technically speaking, by the votes of the electors, not by the votes of the people. He holds his authority by warrant of that vote. The judiciary hold their offices by virtue of a commission issued to them by the President, which has been approved by the Senate of the United States. The Senators hold their warrant from another source; before the adoption of the seventeenth amendment, by virtue of an election by the State legislatures, and since then by virtue of an election by the people. The Members of the House of Representatives hold their office by virtue of an election by the people of a district. Thus we have four separate sources of selection of the three coordinate branches of the Government. When the individuals thus elected are assembled here in Washington and have taken the oath of office, they, all together, constitute the Government of the United States and are its officers and ministers, possessing powers conferred by the Constitution and statutes of the United States, liable to the pains and penalties prescribed by the Constitution and statutes of the United States. They can be impeached for dereliction of duty, and, in some instances, tried and punished for violating the obligations laid upon them by the laws of the United States. But they are not subject to the regulations of the State, to the laws of the State, to the consti-They occupy their offices under authority of tution of the State. the Federal Constitution and Federal statutes, and are answerable alone to that Constitution and those statutes. If they were State officers, surely the State might pass laws governing and regulating the conduct of its own officers. But no man has ever been so ignorant as to suppose that a State can regulate the conduct of a Representative in Congress or of a United States Senator, of the President, or of the justices of the Supreme

To my mind there is no question about that being a correct construction; but it is not crucial or vital to this case.

If we are to construe a law properly, the first great question we ought to ask is, What was the intent and purpose of the law? What was the road along which we were attempting to travel when we wrote the law? What was the objective point? What was in the mind of those who drew and enacted the law? That What is the guideboard by which our feet ought to be directed.

Mr. BANKHEAD. Mr. President-

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Alabama?

Mr. REED. I do.

Mr. BANKHEAD. On this point I should like to ask the Senator from Missouri a question. If he had believed, when he was considering this amendment to the Constitution, that if it was adopted, and a vacancy should immediately occur in the State of Missouri, in order to fill it the governor must call a special session of the legislature and issue his writ of election

thereafter for an election by the people, would he have voted to

submit the amendment to the people for ratification?

Mr. REED. Oh, undoubtedly; undoubtedly. I will say to the Senator, however, that if I had foreseen all of the difficulties that have been conjured up—and I think a part of them without good reason-I should have ventured to suggest that we put into the Constitution itself the exact method to be followed until such time as the States had convened their legislatures

Coming back now to the proposition I advanced, that the controlling principle in the construction of any law or any clause of the Constitution is that the object and purpose of those who passed it is to be kept always in mind, and that that is to be the guiding star through all of the processes of construction and application, I ask, What was the purpose of the people of the United States in adopting the seventeenth amendment?

Why, for 100 years and more contention had been going on over the method of selecting Senators. The advocates of direct elections by the people were active a quarter of a century ago. Nearly 20 years ago, if my memory serves me right, a resolution was introduced and, I think, passed in the House of Representatives to substitute for elections by legislative bodies elections by a direct vote of the people. Those who contended for the direct vote of the people insisted upon it on the ground that men selected by legislative bodies did not always represent the sentiment of the country. They insisted that They insisted that there could be no real popular government when between the vote of the people and the election of the officer there intervened an independent body. They contended that it was essential to progress that there should be a direct vote of the people substituted for a vote by a legislative body.

When the Senate came to pass upon this amendment it had

that one dominant and controlling principle in mind. It was the only subject that was debated except the clause which it was feared might lead to an interference by Congress with the rights of the States to hold their own elections in their own

Bearing in mind that what we started out to do was to sub-stitute elections by the people for elections or selections by State legislators, that we had nothing in view but the one proposition-to take from legislative bodies the power they possessed and to take from governors the powers they possessed and to confer these powers upon the people directly, to be exercised without let and without hindrance—let us see just what we did. We provided:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for six years.

I repeat:

The Senate of the United States shall-

Not "may," but "shall "-

composed of two Senators from each State, elected by the people thereof for six years.

The Senator from Arkansas [Mr. Robinson], who so adroitly argued the question here this morning upon the other side, declares that that clause is self-enforcing. Why, Mr. President, every clause of the Constitution of the United States is, and of necessity must be, self-enforcing. It is the supreme law of the land. It supplants all other laws. If it were not self-enforcing it might be rendered null and void by any Congress that saw fit to repeal a statute.

Mr. WILLIAMS. Mr. President—
The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. REED. Certainly.
Mr. WILLIAMS. As I understand the Senator from Missouri, he says that every clause of the Constitution of the United States is self-enforcing. Do I understand him correctly?

Mr. REED. The Senator does.

Mr. WILLIAMS. Then will the Senator please explain to the

Senate how the fourteenth amendment has ever managed to enforce itself?

Mr. REED. Mr. President, my very witty friend-for I think that is what he meant to be, witty-

Mr. WILLIAMS. Oh, no, no.

Mr. REED (continuing). Who asked a question and then proceeded toward the door, not because he was running away from me, but because he thought my answer was not worth staying to listen to-

Mr. WILLIAMS. No. Mr. President; if the Senator from Missouri will pardon me, I had just received a card asking me to go into the anteroom to see some people who wanted to That was the reason why I was going. I would not see me. have left because I thought the Senator's answer unworthy of I may have had the idea in my mind that it was impossible for him to answer the query satisfactorily. If I

had that idea in my mind, I had also in my mind the idea that it was impossible for any Senator to answer it, because I knew the Senator from Missouri was the equal of any Senator in this body in legal ingenuity and in statesmanship. I merely ask him now-and to that question I ask a response, and beg him to believe that I will remain until he answers it-how the fourteenth amendment ever enforced itself?

Mr. REED. The Senator evidently is confusing in his mind the doctrine that a constitutional provision is a vital and a living thing without the aid of a statute and the practical enforcement of the constitutional provision in the affairs of men. Of course the Senator must know the sense in which I have been using this term. For that matter, a statute against horse stealing will not go out and enforce itself without sheriffs; but

it is a vital, living statute.

I am drawing the line between a proposition in a constitution that lies dormant, dead and inactive until a statute is passed which makes it an effective thing, and a provision in a constitution which is vital without the aid of any statute. am not drawing a line between a vital, living principle in a constitution and the actual enforcement of it. It is one thing to say in a constitution that all men shall be entitled to a trial in a court, and it is quite another thing to enforce that right; but when you write that kind of a proposition into a constitution any man can enforce it and can stand upon it and have its protection without the aid of a statutory enactment.

Mr. WILLIAMS. Mr President, if I understand the Senator from Missouri, he has now taken the position that a statute against horse stealing can not be enforced unless there are a

sheriff and officers to enforce it.

Mr. REED. The Senator did not say what he meant. The Senator said a statute against horse stealing could not be enforced unless there was a statute.

Yes. Mr. WILLIAMS.

Mr. REED. Oh, well, the Senator did not think I said anything of that kind, did he? Of course, if the Senator simply

Mr. WILLIAMS. Mr. President, perhaps I am mistaken about that. Perhaps I am foolish. Perhaps I have misunderstood the Senator from Missouri. Perhaps I have mismeasured what he meant; but I understood him to say that a statute against horse stealing could not be enforced unless there were administrative officers charged with the administration of the law. Is that right?

Mr. REED. If the Senator is going to treat what I have said in that light and frivolous way, I simply decline to yield further

and will proceed with my remarks.

Mr. WILLIAMS. I decline to be-

Mr. REED. I decline to yield further, Mr. President. Mr. WILLIAMS. Mr. President, I rather decline to be convicted solely by the Senator's own judgment of treating him frivolously or lightly. I understood the Senator to say, and I still understand him to have said, that a statute against horse stealing could not be administered unless the sheriffs and the other people did their duty.

Mr. REED. No, Mr. President; I did not say that. The

record will show what I said, and I do not intend to pause in my remarks to pick up pins or anything of the kind. I want to go on. To-morrow, when the Record is printed, the Senator can have all the amusement he desires out of anything I have

Mr. WILLIAMS. I desire no amusement; I desire enlightenment, if the Senator can give it to me.

Mr. REED. I can not by any possibility enlighten the Senator

if he so misunderstood what I said.

Mr. WILLIAMS. Of course, I admit that I am perfectly stupid; still, I thought the Senator from Missouri was so wise

Mr. REED. No; the Senator is not perfectly stupid, but he is perfectly persistent, and sometimes he is absolutely inclined to be a bit stubborn; but he is of such a genial and kindly nature that I will not take any possible exception.

Mr. WILLIAMS. And the Senator will yield now?

Mr. REED. Yes.

Mr. WILLIAMS. Now, then, the Senator from Missouri having yielded, I want to ask him what there is in the fourteenth amendment and what there is in the fifteenth amendment that is self-executory?

The Senator has just made the statement that every amendment to the Constitution executed itself. I say that neither the fifteenth amendment nor the fourteenth amendment ever executed itself. That is all I say, and that is serious. That is That is serious. not funny.

Mr. REED. I can not convey to the Senator's understanding, because of my inability to express myself properly and not must go with the trunk.

because of any lack of mental power on his part, the difference between a constitutional provision which is said under the law to be self-executing-to wit, a living, vital principle, and selfexecuting in that sense-and the enforcement of the provisions of that constitution. There is a great difference between a thing being self-executing and self-enforcing. It requires men and machinery of government to enforce a law, to enforce any principle of the Constitution, or to enforce any statute; but that is not the sense in which I used the terms "self-enforcing" and "self-executing." I used the terms in the sense that the provision does not require statutory enactment in order to breathe vitality into it. If I have not made it plain to the Senator now, I can not do it, and I shall go on.

Mr. WILLIAMS. Mr. President, does the Senator decline to yield any further? If he does, of course—
Mr. REED. If the Senator is really serious, and does not

comprehend what I say—— Mr. WILLIAMS. The Senator knows that I am always

serious. Mr. REED. Mr. President, I think the Senator from Mississippi is never quite so serious as when he is attempting to

be humorous, and I never have seen him more serious than at this moment. Mr. WILLIAMS. Then, requesting the Senator to submit to

an interruption upon the ground that I am humorously serious, will the Senator yield?

Mr. REED. No, Mr. President; I will yield no further, because the Senator is simply indulging in badinage.

Mr. WILLIAMS. All right. In that statement the Senator is absolutely incorrect. I was trying to show, in a most serious way, that the position the Senator from Missouri had taken

was absolutely without foundation.

Mr. REED. Mr. President, I am glad the incident is over, and that the Senator is at last serious; but I do not intend to take any more time in quibbling about matters of that sort. I have been interrupted, and I think without very good reason. I could not take offense at anything my friend from Mississippi

might do, and therefore I pass on.

The provision in the Constitution that the Senate shall be composed of two Senators elected by the people is said by the Senator from Arkansas [Mr. Robinson] to be self-enforcing. I will add that of course he is correct in that statement, because, that section having been enacted, if it had stopped at that point it is perfectly plain that no man ever could have taken his seat in the Senate of the United States unless he came here with a certificate of election by the people. No statute of Congress was necessary and no statute of any State was necessary if we had stopped at that point. If that provision of the Constitution is self-enforcing, if the Members of the Senate must be elected by the people, then every other provision must be equally selfenforcing.

The following language-

The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures—

is also self-enforcing. The only way you can get into the United States Senate under this provision, as far as I have just read, is by an election by the people. The Constitution prescribes what the qualifications of the electors shall be, and no State or Federal statute is necessary to breath vitality into

that provision of the Constitution.

We have now arrived at a point, if I am correct, where the only way by which you can get warrant of authority to sit in the United States Senate is by an election by the people; and that is a vital, living principle of the Constitution of the United States. It applies not only in Arkansas, Alabama, and Mississippi, but, like every other provision of the Constitution of the United States, it is universal in its application. It touches every State of the Union at the same time and in exactly the same way. There never yet has been a provision in the Constitution that proceeded to become a vital thing in one State and a dead thing in another State. The Constitution must be universal in its application; the rule by which Senators are to come to this body under the Constitution must be the same for Kansas as for Mississippi, and the right must be based upon a vote of the people with the single exception that is provided in the Constitution.

Of course it is admitted that Mr. Glass does not come here with the vote of the people. If he comes here at all, then he must come within the language of the exception, the provision that is made in the Constitution. If the main branch of this section is self-enforcing and is vital, then the qualifying clause must go with the main branch. You can not say that the main clause is vital and self-enforcing and in the next breath say that the qualifying clause is not equally vital, because the limb

Now, what is the exception? What is the other way that is provided?

Mr. WILLIAMS. Mr. President-

The VICE PRESIDENT. Does the Senator from Missouri further yield to the Senator from Mississippi?

Mr. REED. Yes; if the Senator wishes to ask me a question. Mr. WILLIAMS. Yes; I desire to ask the Senator a ques-

The seventeenth amendment provides that Senators shall hold their offices for six years, and that each one of them shall have one vote, and that they shall be chosen by an election of the people in the respective States. Suppose the governor and the legislature of a given State were not to provide for an election at all: Would the Senator contend that that State had no right to representation in this body?

Mr. REED. I should contend that the people of that State, having been foolish enough to elect a governor of that kind and a legislature of that sort, would have to proceed to get them out of office and elect somebody that would permit the people of the State to be represented. I certainly should contend that a governor who stood there denying the people the chance to vote, violating their very fundamental rights, would not have au-thority by virtue of that violation to name a man to come down here and sit in the Senate.

Mr. WILLIAMS. Now, Mr. President, again-

Mr. REED. Mr. President, I always dislike to refuse to be interrupted, but the Senator is really breaking in on the thread of what I am trying to say. If he will permit me to get through with that, I shall be glad then to answer any questions he may wish to ask me.

Mr. WILLIAMS. I always try to break in on the thread of

what is being said.

Mr. REED. Very well. I thought that was the Senator's

Mr. WILLIAMS. If the Senator does not wish me to break in on the thread, I shall not do it. The Senator has just said that if there was a governor so traitorous and a legislature so disloyal as not to pass a law in accordance with the seventeenth amendment, he thinks, as I understand him, that that State ought to be deprived of its representation as long as that condition in the State lasted. I should like to ask him what he makes out of the main constitutional provision, which is that each State shall have two Senators, each entitled to one vote? That is in the old Constitution.

Mr. REED. Why, Mr. President, when you say that each State shall have two Senators elected by a vote of the people, you have conferred upon the people of that State the right to be represented, if they want to be represented, and want to be represented in the right way. If there is a wicked governor or a stubborn governor or a foolish governor who refuses to set in motion the machinery by which the people can elect, you do not at all meet that difficulty by saying, in substance, "This governor refuses to allow the people to elect, and therefore we will permit him to consummate that wrong by allowing him, without authority, to appoint a man himself."

That does not reach the difficulty. If the law provides that a man shall sit here by virtue of a vote of the people, and a man sits here by virtue of something else than the vote of the people, no matter how good a man he is, the people are without representation; the Constitution has been ravished; the people have been deprived of their rights not only by omission but by commission in such a case. It is as much a denial to the people of Alabama of the right to be represented here, if that is done wrongfully by the action of the governor, as it would be if in the Constitution we had provided that Alabama should not be

represented.

All the Constitution can do, and all the Government here can do, is to give to each State an equal chance to be represented. Then if a State should refuse for any reason to avail itself of this equal opportunity, that is the fault of the State, and not the fault of the Constitution nor of the Federal Government.

Mr. WILLIAMS. Mr. President, if the Senator from Missouri will pardon me just a little bit further, the Senator, according to my construction of what he said-possibly not according to his construction of it-has confessed that this amendment is not self-executing; that there must be a law within the State in order to execute it. I wish to call the attention of the Senator to the amendment itself. Even if it were self-executing, if it executed itself without further legislation, it would execute itself in all the verbiage of the amendment, and not in a part of it alone. The Senator seems to think the only part of the amendment which is law is-

Mr. REED. I should like to inquire if this is a question that the Senator is asking?
Mr. WILLIAMS. Yes; it is a question.

Mr. REED. I wish, then, the Senator would put it in an interrogatory form, just for the sake of the parliamentary situ-

Mr. WILLIAMS. Then, Mr. President, I will search my intellectual acumen in order to see that it goes into an interroga-

ory form.

If it be true, as the Senator admits, that this amendment is interrognot self-executing, as I understand him now-that is interrogatory form, I think; then I wish to ask the Senator whether or not all the parts of this amendment are not equally self-executing, or equally self-nonexecuting, whichever they may be? That is interrogatory, too. Then, when I have done that, I will ask the Senator whether this language is not a part of the amend-

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

Still pursuing the interrogatory form, which seems to be demanded by the Senator, I would ask him as to whether this amendment does not contemplate these three things: First, that the Senator shall be elected by the people instead of by the legislature as under the old Constitution; secondly, that when a vacancy happens in the representation of any State in the Senate the executive authority of the State is not permitted to issue writs of election to fill such vacancy; and as to whether there is not a proviso to the clause to this effect:

That the legislature of any State may empower

"May empower"; not must empower, but "may empower"; not self-executing, but voluntary-

may empower the executive thereof to make temporary appointments until-

And I ask the Senator to mark the word "until "-

the people fill the vacancies by election, as the legislature may direct.

Now, in this Alabama case the legislature Mr. REED. Is that a part of the question, Mr. President? The VICE PRESIDENT. The Chair is

In doubt.

The VICE PRESIDENT. Not going to decide that question. Mr. WILLIAMS. In this Alabama case the legislature has not directed any way for the governor to fill the vacancy, and therefore this proviso is that the executive may make temporary appointment until the legislature provides for filling the vacancy. Then, there follows this language:

This amendment shall not be so construed as to affect the election term of any Senator chosen before it becomes valid as part of the Constitution.

Then, still in the interrogatory form, I ask the Senator whether Senator Johnston was not chosen before this amendment became valid as a part of the Constitution?

Mr. REED. Mr. President, it was not intended that I should answer. I think it was only intended that I should be treated with considerable disrespect. I decline to answer that sort of question-

Mr. WILLIAMS. Mr. President-

Mr. REED. And I decline to be further interrupted by any Senator until I have concluded.

Mr. WILLIAMS. Then I shall not seek further to interrupt the Senator, but I do wish to say that I meant no disrespect at all to him.

The VICE PRESIDENT. The Senator from Missouri has the floor and declines to be further interrupted.

Mr. REED. I was discussing the proposition that the first provision we are met with is that there shall be an election by the people, and I had come to the further proposition that there was an exception to that method. What is it?

When vacancies happen in the representation of any State in the Senate the executive authority of such State shall issue writs of election to fill such vacancies.

I ought to say again that at this point and up to this point it is purely and absolutely an election by the people. Every original election must be by the people. Every election to fill a va-cancy must be by the people. The express command is laid upon the governor of a State to issue his writ of election and to call the people together and give them the opportunity which we sought to give them.

There is but one way to avoid that method of selecting a Senator, to comply with the provision contained in the Constitution. Until you have complied with the qualifying provision there is no man who can sit in this body unless he holds his warrant by virtue of an election by the sovereign people of a State. That one way is-

That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancles by election as the legislature may direct.

Now, note that language. The legislature empowers the executive to make temporary appointment until when? Until the next general election? No. Until the legislature shall assemble? No. For a period of three months or six months or a year? No. Until the term of office of the man who receives the temporary appointment shall have expired? No. It is until the people shall elect as the legislature may direct.

Now, what does that mean? As plainly to my mind as anything can be indicated by words, it means that before a governor shall appoint power shall have been conferred upon him to appoint. Until that power has been conferred upon him to appoint the power rests in the people to elect. It is a question of power, and unless power has been conferred upon him to do that which otherwise the people alone have power to do, then he is as much without authority as though he were not the

governor of the State.

Besides that, to my mind it was plainly contemplated in the constitutional provision that when the legislature conferred the power upon the governor to appoint, it should in the act giving that power fix the period when an election should be held. constitutional provision implied two things-first, that the legislature must convene and must give the governor power to appoint, and second, that they must in the act creating the power fix a time when the people will come into their own and have the chance to elect a successor.

If the legislature were to meet and confer the authority upon a governor to appoint, and stop at that point, I do not believe he could make a valid appointment. I believe that in order that the governor might have authority to make a valid appointment under a legislative act the legislature must give him the direct power to appoint and at the same time must provide that the people of that State shall have a chance to elect, and that the appointment must cease when that hour or day of election has

It was not intended, Senators, when we adopted this provision of the Constitution, that it would be given away, or that it could be rendered nugatory, or that it could be stricken dead by the stubbornness of disposition of any man not to accept its terms and provisions. It was not intended that the governor of a State could say: "I will deprive the people of the State of a chance to elect a Senator by arbitrarily exercising the power to do it myself." It was not contemplated that the governor of Kansas might say: "I prefer to appoint, and therefore, I will not assemble the legislature; I will retain in my own hands this power, that after a hundred years of battle was conferred upon the people. I will retain it by denying the legislature the opportunity to convene and fix a date of election. I will deny it by refusing to call the election. I will take over to myself the power of appointment and the power to nullify the old provisions of the Constitution and the power to defy the will of the people and deprive them of their right to vote by arbitrarily sitting here and deprive them of their right to vote by arbitrarily sitting here and saying, 'I will give no such right; and, therefore, I will absorb it to myself.'" Deny it as you may, quibble as you may, twist and squirm mentally as Senators may seek to do, the cold, plain, bald fact confronting the Senate is that if we seat the Senator appointed from Alabama we shall establish the proposition that every State gov-ernor in this Nation can nullify this provision of the Constitution and set it at naught until we arrive at the day when the terms of Senators shall have expired.

Not even then, for yet it might be argued as to any man coming here by the appointment of a governor that there is no law that calls for an election of a Senator; there has been no machinery provided if the governor refuses to call the legislature together; there has been no law enacted, and therefore we will continue to hold in the hands of governors the power to appoint and the power to keep men in office indefinitely, whereas under the old Constitution the most they could do was

to appoint until the next meeting of the legislature.

Why, what a condition of chaos you would have here. that is necessary is for a governor to refuse to act and thereby he acquires and takes over to himself a power that the Consti-Whenever tution of the United States placed in the people. the Senate seats a man under those circumstances it has certified to the country that the constitutional provision that was fought for for a hundred years is, after all, a mere thing on paper, which can be nullified in its effect by the governors of the several States if they simply refuse to convene the legislatures or to have them enact any law for the election of a Senator. Is anybody here prepared to take that position?

I pass to another question. A constitution must be universal in its application. This was intended to be universal and to give to the citizens of this country a universal right to have a voice in the election of a Senator. It is the constitutional right of the humblest citizen of Alabama; it is the sacred right

of the humblest citizen in Alabama, to be permitted to cast his vote for a United States Senator from the State of Alabama. It is as much his right to cast his vote for a Senator from the State of Alabama as it is to cast his vote for the President of the United States or for the governor of his own State. Whether the man is working in his overalls and covered with mire and dirt from the street or whether he is the wealthiest man in the community, no man can lawfully deprive him of that sovereign right to cast his vote for a United States Senator.

Mr. President, this battle is too long to be thrown away at the end of the struggle. Some of my friends upon the other side who are paying me the compliment of their attention were valiant soldiers battling in this great contest for the right of the people to cast their votes direct for United States Senators. Upon this side we have been a solid phalanx. We have said it was essential to the very welfare of the American Republic that the people should have the right to vote direct. We have said that men should no longer sit here holding their warrant of office from a legislature. We have said that the people were by right entitled to this great privilege and prerogative. conferred it upon them, but the governor of Alabama refuses to permit them to act.
Mr. BANKHEAD. Mr. President-

Mr. REED. He refuses in this way— The VICE PRESIDENT. Does the Senator from Missouri

yield to the Senator from Alabama?

Mr. REED. In a moment. I am making no attack upon the governor. He refuses to issue his writ of election, and if there be not law to warrant that he declines to assemble the legislature and allow a law to be passed either conferring upon him the authority to appoint and fixing a time when the people shall vote or enacting a statute under which a special election can be held; and because he refuses to do that, although the way is open and the path is clear, he assumes that it is our duty then to seat a man here who, when he takes his seat, though he shall occupy it with the highest honor as a man, will nevertheless be sitting in a place that was not filled by the people of Alabama, that was not filled under the laws of Alabama, that was not filled under the laws and Constitution of the United States, but was filled by the demand of the very man who refuses the people an opportunity to vote as we intended they should vote under this provision of the Constitution.

I now yield to the Senator from Alabama.

Mr. BANKHEAD. Mr. President, I should like to ask the
Senator from Missouri if the Missouri Legislature has been in regular session or in extra session since the adoption of the seventeenth amendment?

Mr. REED. It has not.
Mr. BANKHEAD. Then I should like to ask the Senator from Missouri if there is a statute in Missouri under which he believes an election could be held to conform to the provisions of the seventeenth amendment?

Mr. REED. There is some question in my mind as to that. And if it does not exist, unless the act is passed here which has been advanced by the Senator from Montana [Mr. WALSH], I shall insist that the legislature shall be assembled for that

Mr. BANKHEAD. Mr. President, the fact remains that this amendment has been in effect according to the contention of the Senator from Missouri for eight months or about that time. It may have been that during that time there might have been a vacancy in the Senate from Missouri. Now, as I understand, the Senator from Missouri has taken no step, given no advice, so far as I know; he has not urged on the governor of Missouri the importance or necessity for calling an extra session of the legislature in order that this amendment might be put in force. The fact remains, and is known to all men, that one of the Senators from Missouri has been critically ill for the last few weeks. Why has not the Senator been active and had the legislature convene in order to provide that the constitutional amendment should be made effective?

Mr. REED. Mr. President, I suppose that a question of law under the Constitution and the right of a man to a seat in this body ought not to be settled by whether I have done something that I ought or ought not to have done outside of the Senate Chamber. That is the kind of argument we have had here since this whole discussion began. It has not been an argument of what are the legal rights, but what are the conveniences of the occasion; it has not been a question of whether a man has come here backed by proper authority and with a legal badge and warrant of office in his hand, but whether it would have distressed somebody or disturbed somebody or inconvenienced somebody to have let the people exercise their right under the Constitution. If we had passed this constitutional amend-ment with such provisions that every State legislature would necessarily have been convened before we could have filled a single vacancy, still that inconvenience would not have warranted us in seating a man here who had no right here, nor would it have afforded reason for allowing usurpers of the

rights of the people to sit here.

But what is the inconvenience? The governor of Alabama has the right to assemble the legislature. The legislature, when as-sembled, has the right to authorize the governor to appoint, provided they also specify that the appointment shall be until there is an election, and shall provide for the election. Because it has not been deemed necessary by the governor, or because the governor did not want for some reason to assemble his legislature, because he failed to do his plain duty, we are asked to violate our duty. Because it would be inconvenient for the governor of Alabama to assemble his legislature in order to proceed in a legal way to send us a representative and to carry out the spirit of this constitutional amendment, we are asked to violate our oath of office and to seat somebody as a matter of convenience but not as a matter of law,
Mr. SMITH of Arizona, Will the Senator from Missouri

permit merely a suggestion at that point?

Mr. REED. Of course I do not mean that a Senator who votes differently from me will have violated his oath of office, if that be his conscience.

Mr. SMITH of Arizona. I know that the Senator would never mean that; there is no Senator in the Chamber who would make that kind of an assertion, and neither late nor early

would the Senator from Missouri make it.

The point, however, with me is simply this: Inasmuch as the Senator disagrees with some of the real talent of this body as lawyers, and also disagrees with other Senators, and there is no contest, in the light of that provision of the Constitution which says that no State without its consent shall be deprived of its representation in this body, is it not possible for us to compromise the matter on this ground? I am not entirely satisfied with the decision in the Maryland case, but I unhesitatingly voted to sent Mr. Lee because the authorities of the State of Maryland interpreted the Constitution in the way they did; and I voted with great pleasure to carry out the will of those people. In the case of the State of Alabama the same thing occurred, except through a different process. Those people believed, as I believed, that the appointment of a Senator by the governor of Alabama was perfectly valid. Now, the question comes before us as Senators, without saying anything about violating our oaths or taking any such extreme ground as that, to decide in our consciences in this new presentation of the case as to two States, both wanting to do the fair thing. One State takes one course-and I agree with its authorities in their interpretation-and the other State takes another course and proceeds in a way where there is no possibility of any serious harm resulting hereafter as a mere matter of precedent. The Senator from Missouri, with his legal ability, which we all appreciate, disagreeing with other lawyers of almost equal distinction on the floor, is it not possible for us to arrive at a common understanding?

Then it comes to the question as to the other provision of the Constitution that each State is entifled to its representation here. Shall we quibble as to technicalities on the part of the Constitution in order to violate another provision of the Constitution which demands that this body shall contain two Senators from each State? In other words, each State has proceeded in the best manner it could. There is no objection to the applicant, so far as we know, and no contest. I confess-and I do not want to detain the Senator from Missouri longer-that if there were opposition here from the State of Alabama, if the people of the State of Alabama were crying out against this action by the governor, I would search very deeply the question as to the constitutionality of admitting Mr. Glass, but I would not hunt for quibbles, so far as I am concerned, as to whether or not, under a strict construction of the Constitution, the State of Alabama should have but one Senator in this body simply because the authorities of the State from which the Senator comes have misinterpreted the meaning of the constitutional amendment, according to the view that the Senator

from Missouri or I happen to have of it.

Mr. REED. Mr. President, it is a little hard just to answer my friend, as he did not ask me a question, but made a very

Mr. SMITH of Arizona. It was merely a suggestion.
Mr. REED. A pleasant and, I must say, a somewhat convincing presentation. If I could only agree with the Senator as to his fundamentals, if I could only agree with him that this is a question of nonessentials, I would readily agree with him to vote to seat Mr. Glass, for I should like to seat Mr. GLASS. I like the man, from what I have seen of him; I like

that vote on this side of the Chamber; but, Mr. President, we are not discussing nonessentials. Suppose the best man in the world were to come to that door at this moment and ask to be seated as a representative of a State and said. "I will come in here and sit down and vote honestly and I will represent a State;" would the State be represented? Manifestly, unless the State sent him here to represent it he would be a mere in-

The question, therefore, which we must answer by our votes and upon our consciences is, Does Mr. Glass represent the State of Alabama, and is he entitled as a representative of the State of Alabama to sit here in this Chamber? Unless he comes with credentials granted to him under the law as the representative of the people of that State, he has no more authority to sit here than the stranger to whom I referred in my illustration

a moment ago.

Mr. SMITH of Arizona. Mr. President-

Mr. REED. Just a moment, and then I will yield. That being true, we owe it, not only to the Senate of the United States, but we owe it to the people of Alabama, and we owe it to the people of every other State, diligently to inquire, Does Mr. GLASS represent the State of Alabama? It is true that the State of Alabama is entitled to equal representation with the other States. It is true that the State of Alabama has the right to have two Senators upon this floor; but if the State of Alabama has sent one Senator, and a man who happens to be governor, and who is without authority to act, has sent another gentleman here, the State is not represented merely because there are two men sitting here; it is only when they come from the State under the law that they represent the State or the people thereof.

Mr. SMITH of Arizona. Mr. President, if the Senator will permit me, that merely accentuates the difference I was trying to make clear a while ago, but probably I did not succeed as well as I should like to have done. I would not vote to seat a man in the Senate of the United States unless I thought he came here under the sanction of the law in the case. firmly convinced, so far as I am concerned, that Mr. Glass has an absolutely clear title. Under my construction of the seventeenth amendment I do not believe that technically the people of the State in that case had the right to elect at all. The Senator from Missouri takes the extreme opposite view. In the case of the Senator from Maryland [Mr. Lee], this body acted in accordance with the expressed will of the State under their interpretation of the constitutional amendment as to the meaning of which the Senator from Missouri and I disagree. In the pending case there is no contest from the State of Alabama as to the seating of Mr. Glass, as there was none, so far as I know, in the Maryland case. In acting in this particular instance and in construing the constitutional amendment as it has construed it, the State of Alabama has done the best it could. It sends its undisputed, unquestioned representative here; and I say, having that view of the case, and believing also that Mr. Glass has a perfectly legal title to the seat, it does not follow that because I want to seat him it is a question of whether or not our consciences are clear in the matter.

Mr. REED. The trouble with the Senator's statement is

that he assumes the case. He says that the State has sent a man here who is unquestionably its representative. Well, if he is unquestionably its representative, he ought to be seated: but the question is whether he is the representative of the State

Mr. SMITH of Arizona. That depends upon whether or not

he was legally appointed.

Mr. REED. That depends upon whether, under the law, he was legally appointed.

Mr. SMITH of Arizona. That is our difference; that is all. Mr. REED. When we come to that question, I have a word or two to say upon it. I will say at this point that I would have been through with my remarks in 20 minutes from the time I began if I had not been interrupted, because I had but a few observations that I wanted to make.

I stated a good while ago, before these interruptions, that the first thing we did under this constitutional provision was to authorize the people to elect. Then we provided that the legislature of the State might empower the governor to appoint until the people filled the vacancy by election, as the legislature may direct. If the legislature had met, and only if the legislature had met and given that authority to the governor, would he have authority to appoint.

If there were upon the statute books of Alabama a general statute authorizing the governor to appoint, and if there were also some time fixed in some way for an election to be held by the people, if the governor were to seek to appoint until that the man, from all I have heard of him; and I should like to have election could be held as provided by law, I would be perfectly,

willing to waive all technicalities and to vote to seat a man coming here under those circumstances, because there would be at least some color of right vested in the governor to make the appointment, and there would be secured to the people in the statutes of the State the certainty of an opportunity to elect; but, Mr. President, that is not the case. No such statute exists; no statute that can be construed or tortured into conferring that kind of right is yet upon the statute books of the State of Alabama. Here is the statute which has been cited to us. Follow its language:

That when any office of the State, of any county, or municipality thereof, is vacant from death, resignation, removal from the municipality, county, or State, or because the former incumbent absconds, or because an incumbent has been removed for ineligibility, or when the office is vacant from any other cause, and there is no way provided by law for the filling of such vacant office, the governor is hereby empowered and required to appoint a qualified person to fill the unexpired term of such office.

What says the Constitution, if you undertake to apply that to the seventeenth amendment:

Provided, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

That is to say, the legislature may meet; they may authorize the governor to make a temporary appointment until the day of election rolls around, which they are to fix in the very law by which they give him this authority; and the appointment is until the election can be held, and no longer. But, says the statute of Alabama, even if we grant that it applies, or can be made to apply, to this case, the governor shall appoint to fill the unexpired term of that office. The Constitution declares that he shall not have authority to appoint to fill an unexpired term; he shall only have authority to fill the office until the people elect, when it is expressly conferred. Elect whom? Elect a man whose office will begin at the end of the term? No: the governor shall merely make a temporary appointment to be held until the people shall elect somebody to take the place of the man he temporarily appointed; whereas, under the statute of Alabama, if it gives him any authority at all, if it can be made to apply to this case by the loosest of construction, his authority is to appoint, not until the people elect, but clear to the end of the term of office; and that clause of the Constitution which provides for the right of the people to elect is nullified and stricken down during the entire term.

Now, Senators, there is not any escape from that. We seated the Senator from Maryland [Mr. Lee] upon the express ground that this provision of the Constitution had reposed in the people the power to elect; that it superseded the old method; that at the same time it conferred upon the people the power to elect it had taken away from the legislatures the power to choose; that at the same moment it conferred upon the people the power to elect it had taken away from the governor the power to appoint; that those old powers were dead and gone into the limbo of the past; that in lieu of them we had set up the living proposition that the people should elect, and that no governor could appoint until the legislature had expressly authorized him to appoint, and then only for such time as should intervene between the date of the appointment and an election to be held in accordance with the provisions of the very law that confers upon the governor the power of appointment.

Mr. SHEPPARD. Mr. President, may I ask the Senator a question?

Mr. REED. Certainly.

Mr. SHEPPARD. Suppose this were a proposition to seat Mr. Glass to serve until his successor should be elected by the people of Alabama. What would the Senator say?

Mr. REED. I should say that could not be done, but I should say there would be more doubt about it. If our friends from Alabama had brought up a statute saying "the governor of the State shall have full power and authority to appoint to fill any vacancy until such time as the people shall elect a successor, and the successor shall be elected at an election to be whether it is the next regular election or a special one, in that case there would have been very great doubt; but no such statute exists. The statute here is in the very teeth of the Constitution. The Constitution says that the governor can not appoint unless the legislature has given him authority to appoint, and then he can appoint only until such time as the people shall elect in accordance with the provisions of the statute; whereas the statute of Alabama provides, if you make it apply at all, that the appointment shall be for the rest of the term.

To use a concrete illustration, the statute contemplated that upon the death of Senator Johnston if the legislature had been in session it could have enacted a statute authorizing the governor to appoint a successor and stipulating that he should hold until an election was held; not for his term of office, for it

could not have done that. In the case before us, however, we do not even have that sort of an attempt. The statute under which the governor of Alabama is trying to act does not permit the appointment of a temporary holder of this office, but compels the governor, if he appoints at all, to appoint for the entire term. If we should act under this statute, the people never could have a chance to elect a successor to the late lamented Senator Johnston.

Mr. BANKHEAD. Mr. President-

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Alabama?

Mr. REED. Certainly; I yield. I am about to yield the floor. Mr. BANKHEAD. I should like to interrupt just for one moment, to ask a question.

Mr. REED. Certainly.

Mr. BANKHEAD. If the Senator from Missouri has read the opinion of the governor's legal advisers, he has seen that they state that under the statute the governor has the unquestioned right to appoint, but when he undertakes to appoint for the unexpired term he comes in conflict with the constitutional amendment; and in that case the appointee must give place to his successor when the successor is elected by the people of Alabama, which may be next week or next month or two months

Mr. SMITH of Arizona. If the Senator will permit me, just as in the present situation, when the legislature meets it does away with the appointment of the governor, and when the people elect it does away with the appointment of the governor. It is a question of the power of the governor to appoint, not what may happen to be the term for which he appoints.

Mr. BANKHEAD. It is perfectly understood by the governor and by his legal advisers and by the courts of Alabama that there is no question about his right to appoint under the statute and the constitutional amendment; but when he undertakes to appoint for the unexpired term he comes in conflict with the amendment, and there the statute gives way to the constitutional amendment. As soon as an election can be held, if there is any law in Alabama to authorize it—and I am authorized to say that it will be done very soon—and the person elected comes here with the certificate of the governor that he has been elected by the people of Alabama, he will take his seat in the Senate

and Mr. Glass will walk out.

Mr. REED. Mr. President, the Senator states that the legal advisers of the governor tell him now—

Mr. BANKHEAD. He understands that to be the law.

Mr. REED. That he can not appoint to fill the unexpired term; that the provision of the statute which states that he shall appoint to fill the unexpired term gives way to the constitutional provision; but what takes its place? It is void because it is in conflict with the Constitution, but it still remains for the Legislature of Alabama to comply with the Constitution and give the express power. You can not get away from that by saying that that clause of the statute is void, because even if it was void and the Constitution overrode it, the Constitution yet is not answered, for the Constitution declares that the people shall elect and that the legislature shall provide the time of That is the way I construe it. So you do not get election. out of your difficulty at all by saying that the Constitution takes the place of the statute, for the Constitution does not take its place. The Constitution says the Legislature of Alabama shall do something which yet remains undone.

Mr. President, I have talked longer than I have ever before talked on the floor of the Senate at any one time. I rose to talk not to exceed 10 or 15 minutes. Constant interruptions have forced me, in a way, to extend my remarks. I apologize to the Senate for taking so much time, for I do not believe in

very long speeches.

I wish to say, in conclusion, that if I could find any way to justify the seating of Mr. GLASS and at the same time preserve what I believe to be the plain intent and purpose of the Constitution, I should gladly vote to seat him. I should do the same thing if he were a Senator representing the other party, for this question rises above politics. This question is more far-reaching than one of the moment. The decision we render in this case will become a precedent in other cases. A bad law and bad decisions never yet have failed to produce bad results long after the decisions were rendered. I can take such a decision as is advocated by some of my brethren in this Chamber in this case and lay it beside the decision rendered by this body upon the Lee case a few days ago, and from the two I can deduce with perfect logic the conclusion that each State has a right to select its Senators in almost any way it chooses; and in the days to come we shall be plagued by precedents of that kind.

Then I have a final word. I can not give my consent to the

doctrine that permits a governor to refuse the sovereign people

of his State an opportunity to exercise their right under the Constitution of the United States, and, having refused that right to the people, then to assert that the right comes over to himself. I can not give my consent to the doctrine that all that is necessary to give to a governor the right to name a United States Senator is for that governor to refuse to the sovereign people of his State the right to select a Senator under the Constitution of the United States. In its last analysis that is this case.

The miserable doctrine we have heard here, that it costs some-

thing to call a legislature together, and the still more miserable doctrine, that a State is entitled to be represented by two men, and therefore it can be represented by one man selected according to law and by another man put in in defiance of law, and that that answers the Constitution or gives a man warrant of title in this office, are as abominable to me as the doctrine to which I first adverted. The shifting doctrine that the State is entitled to somebody, and therefore we ought to let in anybody. is another doctrine to which I will not subscribe.

The governor of Alabama will assemble his legislature, as he has the right to do. If he will gain from them the authority to send Mr. Glass here and fix a time when the people can exercise their right under the Constitution, then I shall be glad to be one of those to welcome Mr. Glass, not as the representative of a governor, not as a man who comes here with a spurious title to office, but as a representative of the splendid State of Alabama, speaking for her people upon the floor of this Chamber.

When I used the term "usurper" and these other terms I did not mean in any way to reflect upon the integrity or good faith of any man. I hope that is plainly understood.

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 4, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 3, 1914.

The House met at 11 o'clock a. m. The Chaplain, Rev. Henry N. Couden, D. D., offered the fol-

lowing prayer:

Father in heaven, lead us by the inner light to the higher altitudes of life that we may see with clearer vision, hear with keener ear, and walk with firmer step toward the goal for which we all long in our better moments, that we may do our work with greater facility and efficiency, leaving in our wake a path which those who shall come after us may tread with impunity. For thine is the kingdom and the power and the glory forever.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted as follows:

To Mr. Doremus, for one week, on account of the death of his

To Mr. Oglesby, for five days, on account of illness. QUESTION OF PERSONAL PRIVILEGE.

Mr. GORDON rose.

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. GORDON. A question of personal privilege. On the floor of the House yesterday the gentleman from Tennessee [Mr. AUSTIN] made this reference to me:

Now, the gentleman from Ohio [Mr. Gordon] in an unkind, uncalled for, and contemptible manner, referred to the people of the South.

Mr. Speaker, the only reference I made to the people of the South was confined to certain mountain districts of the South, similar to those represented by the gentleman from Tennessee. I think the use of the word "contemptible" is unparliamentary, and I think it ought to be stricken from the RECORD.

The SPEAKER. Does the gentleman from Ohio move to strike it out?

Mr. GORDON. I will move to strike it out, Mr. Speaker. Mr. FITZGERALD. Mr. Speaker, I make the point of order that that motion is not in order. If a Member uses unparlia-

mentary language the question must be raised at the time the language is used. The gentleman can not correct the Record by moving to strike out as unparliamentary a part of a Member's

The SPEAKER. The correct proceeding is, when the offensive language is used, to have it taken down and proceed to determine the question at the time.

Mr. MANN. I suggest that the gentleman from Ohio let it go over for the present; I think the matter can be arranged.

The SPEAKER. Is the gentleman from Ohio willing to have the matter go over?

Mr. GORDON. Yes; for the present, Mr. Speaker.

CALLING OF THE ROLL.

The SPEAKER. Under the rule the House will automatically resolve itself into Committee of the Whole House on the state of the Union.

Mr. BURNETT. Mr. Speaker, I make the point of order that

no quorum is present.

The SPEAKER. The gentleman from Alabama makes the point of order that no quorum is present. The Chair will count. [After counting.] One hundred and fifty-nine Members present; not a quorum.

Mr. FITZGERALD. Mr. Speaker, I move a call of the House. The SPEAKER. The gentleman from New York moves a

call of the House.

The motion was agreed to.
The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Riordan Roberts, Nev. Sells Sharp Sims Small Smith, Idaho Smith, Md. Stanley Stevens, Minn. Stevens, N. H. Taylor, Ala. Tribble Underwood Aiken Ainey Avis Barchfeld Beall, Tex, Blackmon Bremner Rurgess Doremus Lesher Lesher
Levys, Md.
Lewis, Pa.
Lloyd
Lobeck
McAndrews
Martin
Merritt
Muller
Montague
Murdock
Neeley, Kans.
Oglesby
Payne
Peters, Mass.
Prouty
Ragsdale
Richardson
Ired and fifty Eagle Falconer Falconer
Farr
Finley
Fowler
Gallagher
Godwin, N. C.
Goodwin, Ark.
Graham, Pa.
Griest
Helm
Hobson
Hoxworth Burgess Burke, Pa. Burke, S. Dak. Cary Clancy Clark, Fla. Connolly, Iowa Copley Crisp Curley Underwood Webb Whitacre Wingo Hoxworth Humphreys, Miss. Jones Kelley, Mich. Kinkead, N. J. Korbly Dale Dooling Woods

The SPEAKER. Three hundred and fifty-six Members have

answered to their names; a quorum.

Mr. FITZGERALD. Mr. Speaker, I move to suspend further proceedings under the call.

The motion was agreed to. The doors were opened.

STANDARD BOX FOR APPLES.

Mr. HARDWICK. Mr. Speaker, I ask unanimous consent that the bill H. R. 11178, establishing a standard box for apples, and for other purposes, and the bill H. R. 12666, establishing a standard box for apples, and for other purposes, which were improperly referred to the Committee on Interstate and Foreign Commerce, be referred to the Committee on Coinage, Weights, and Measures, that committee having jurisdiction thereof.

The SPEAKER. The gentleman from Georgia asks unanimous consent to change the reference of the bills H. R. 11178 and 12666, establishing a standard box for apples, from the Committee on Interstate and Foreign Commerce to the Committee on Coinage, Weights, and Measures. Is there objection?
There was no objection.

INTERNATIONAL DAIRY CONGRESS (S. DOC. NO. 400).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Senate and House of Representatives:

In view of the provision of law contained in the deficiency act approved March 4, 1913, that-

Hereafter the Executive shall not extend or accept any invitation to participate in any international congress, conference, or like event, without first having specific authority of law to do so—

I transmit herewith, for the consideration of Congress and for its determination whether it will authorize the acceptance of the invitation, a report from the Secretary of State, with accompanying papers, being an invitation from the Government of Switzerland to that of the United States to send delegates to the Sixth International Dairy Congress, to be held at Berne from the 8th to the 10th of June, 1914, and a letter from the Acting Secretary of Agriculture, showing the favor with which the Department of Agriculture views the proposed gathering.

It will be observed that the acceptance of the invitation will involve no special appropriation of money by the Government.

Woodrow Wilson.

THE WHITE House, February 2, 1914.

INTERNATIONAL CONGRESS OF OCCUPATIONAL DISEASES (S. DOC. NO. 401).

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Senate and the House of Representatives:

In view of the provision contained in the deficiency act approved March 4, 1913, that-

Hereafter the Executive shall not extend or accept any invitation to participate in any international congress, conference, or like event without first having specific authority of law to do so—

I transmit herewith, for the consideration of the Congress and for its determination whether it will authorize the acceptance of the invitation and the appropriation necessary to defray the expenses incident thereto, a report from the Secretary of State, with accompanying papers, being an invitation from the Government of Austria-Hungary to that of the United States to send delegates to the Third International Congress of Occupational Diseases, to be held at Vienna in September, 1914, and a letter from the Department of Labor, showing the favor with which that department views the proposed gathering, and recommending an appropriation of \$1,000 to defray the expenses of participation by the United States.

WOODROW WILSON.

THE WHITE HOUSE, February 2, 1314.

RESTRICTION OF IMMIGRATION.

The SPEAKER. Under the special order the House will automatically resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6060, the immigration bill.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6060, the immigration bill, with Mr. Hay in the chair.

Mr. RAKER. Mr. Chairman, I offer the following as a substitute for the amendment, as amended, offered by the gentleman from California [Mr. Haves], which I send to the desk and ask to have read.

The Clerk read as follows:

Mr. Raker offers the following as a substitute for the amendment of the gentleman from California as amended:

"Provided, That the term 'Asiatic laborer' for all purposes hereof shall be understood to mean a native of any country or district or island adjacent thereto, situate east of a line composed of the Red Sea, the Mediterranean Sea, the Egean Sea, the Sea of Marmora, the Black Sea, the Caucasus Mountains, the Caspian Sea, the Ural River, and the Ural Mountains, with the exception of Turkey in Asia; but the said term shall not be understood to include aliens the immigration of whom into the United States is regulated by existing agreements as to passports."

Mr. MANN. Mr. Chairman, I make the point of order that that is not a substitute.

Mr. RAKER. But the Clerk did not read it quite correctly. The first is "all Asiatic laborers."

Mr. GARDNER. But where does it come in? The amend-

Mr. GARDNER. But where does it come in? The amendment does not even say that.

Mr. RAKER. It is a substitute for the Hayes amendment.

Mr. GARDNER. But the committee does not know where the Hayes amendment is proposed to the bill.

The CHAIRMAN. Where does the gentleman from California desire the substitute he offers to be placed in the bill?

Mr. RAKER. It strikes out the following, on page 6, after the word "prescribed" in line 22:

the word "prescribed," in line 22:

persons who can not become eligible, under existing law, to become citizens of the United States by naturalization, unless otherwise provided for by existing agreements as to passports, or by treaties, conventions, or agreements that may hereafter be entered into.

The gentleman from California [Mr. HAYES] moved to strike that out and offered an amendment for it. Mr. LENROOT offered an amendment to the amendment offered by the gentleman from California [Mr. HAYES], which was adopted. is a substitute for the Hayes amendment as amended.

Mr. MANN. Mr. Chairman, it is not a substitute for the Hayes amendment as it was reported.

Mr. RAKER. Mr. Chairman, this covers the identical subject intended to be covered, which is Asiatic immigration.

Mr. MANN. If the gentleman will send up his amendment so it can be reported, very well, but as it was reported it is not a substitute,

The CHAIRMAN. The Clerk will again report the substi-

The Clerk read as follows:

of the Red Sea, the Mediterranean Sea, the Ægean Sea, the Sea of Marmora, the Black Sea, the Caucasus Mountains, the Caspian Sea, the Ural River, and the Ural Mountains, with the exception of Turkey in Asia; but the said term shall not be understood to include aliens the immigration of whom into the United States is regulated by existing agreements as to passports."

Mr. MANN. Mr. Chairman, I make the point of order that that is not a substitute as reported. No one knows where it

is proposed to put it in the bill.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that it be amended by saying where it comes in, on lines 22, 23, 24, 25, and 26, on page 6, of the bill H. R. 6060, now under consideration by the House.

Mr. MANN. Does the gentleman want all that put into his amendment?

Mr. RAKER. Strike out that language and insert mine.

[AN. The Chair thinks the substitute is in The CHAIRMAN. order. The bill provides what persons shall not become eligible, and the gentleman from California [Mr. Hayes] offered an amendment striking out certain words in the bill, to which the gentleman from Wisconsin [Mr. Lengoor] offered an amendment, the amendment to the amendment being agreed to, and now the gentleman from California [Mr. RAKER] offers a substitute for the amendment as amended.

Mr. MANN. Well, where will it come in the bill? It takes

the place of all the amendments.

The CHAIRMAN. The Chair does not think it necessary for a substitute for an amendment which has been agreed to. The substitute does not have to say where it comes in the bill, because the amendment for which the gentleman proposes to offer a substitute does say where it comes in.

Mr. MANN. Well, I think the amendment which was agreed to strikes out and inserts. Now the gentleman offers as a substitute a proposition, without indicating where it comes in the bill. It does not come in place of what was proposed to be stricken out.

The CHAIRMAN. The Chair thinks that is just what it does. The amendment proposes to strike out and then substitute for the amendment.

Mr. MANN. Can the Chair indicate from the propositions which are pending before the committee where it does come in the bill?

The CHAIRMAN. It comes in after the word "prescribed,"

line 22, page 6.
Mr. MANN. Does the gentleman from California want to have it inserted after the word "prescribed," without striking out anything there?

The CHAIRMAN. It strikes out those words and inserts as substitute.

The substitute must be complete in itself. Mr. MANN.

The CHAIRMAN. It is complete in itself.

Mr. MANN. No; as reported, it does not propose to strike out anything.

The CHAIRMAN. Well, the Chair thinks that is a technicality.

Mr. MANN. A technicality, but the House must remember when the engrossing clerk engrosses it he must know,

Mr. RAKER. I offered to strike out all after the word "pre-Mr. RAKER. I offered to strike out an after the word scribed," in line 22, page 6, down to and including the word "into," in line 28, page 6, the amendment of Mr. Hayes, as amended by Mr. Lenroot, and offer this as a substitute in place thereof, to be printed at this place commencing from the word "prescribed."

Mr. MANN. The engrossing clerk must know exactly where it comes in.

The CHAIRMAN. The Clerk will report the substitute as amended as the gentleman from California proposes.

The Clerk read as follows:

Amend by striking out all after the word "prescribed," in line 22, down to and including the word "into," in line 26, and—

Mr. MADDEN. What page? The Clerk read as follows:

Page 6, and insert the following:

"Provided, That the term 'Asiatic laborer' for all purposes hereof shall be understood to mean a native of any country or district or island adjacent thereto, situate east of a line composed of the Red Sea, the Mediterranean Sea, the Ægean Sea, the Sea of Marmora, the Black Sea, the Caucasus Mountains, the Caspian Sea, the Ural River, and the Ural Mountains, with the exception of Turkey in Asia, but the said term shall not be understood to include aliens the immigration of whom into the United States is regulated by existing agreements as to passports."

Mr. MOORE. Mr. Chairman, a parliamentary inquiry.
The CHAIRMAN. The gentleman will state it.
Mr. MOORE. The term "Asiatic laborer" is referred to in
this proposed substitute as if it had appeared previously in the Mr. RAKER offers the following as a substitute for the amendment of the gentleman from California as amended:

"All Asiatic laborers: Provided, That the term 'Asiatic laborer' for all purposes hereof shall be understood to mean a native of any country or district or island adjacent thereto situate east of a line composed bill. That language does not appear in the bill,

The CHAIRMAN. The Chair understands the words "all static laborers" are not included in the amendment. Asiatic laborers" are not included in the amendment.

Mr. MOORE. The term "Asiatic laborer" is referred to as

if it had previously appeared.

Mr. SHERLEY. The Clerk failed to read the amendment as offered by the gentleman from California. There are three words prior to the word "provided" that are in the substitute as offered which the Clerk did not read.

The CHAIRMAN. The Clerk will again report the amend-

The Clerk read as follows:

Strike out all of line 22 after the word "prescribed" down to and including the word "into," line 26, on page 6, and insert the following: "All Asiatic laborers"—

The CHAIRMAN. No; the gentleman from California does not wish to insert that as part of his amendment.

Mr. RAKER. Oh, yes. Mr. SHERLEY. With the proviso. Mr. RAKER. That is all marked in one quotation.

The Clerk read as follows:

All Asiatic laborers: Provided, That the term "Asiatic laborer" for all purposes hereof shall be understood to mean a native of any country or district, or island adjacent thereto, situate east of a line composed of the Red Sea, the Mediterranean Sea, the Egean Sea, the Sea of Marmora, the Black Sea, the Caucasus Mountains, the Caspian Sea, the Ural River, and the Ural Mountains, with the exception of Turkey in Asia, but the said term shall not be understood to include aliens the immigration of whom into the United States is regulated by existing agreements as to passports.

Mr. LENBOOT. Mr. Chairman, L. desire to make a point of

Mr. LENROOT. Mr. Chairman, I desire to make a point of order on the amendment.

The CHAIRMAN. The gentleman will state it.

Mr. LENROOT. As the amendment now stands that the gentleman seeks to substitute his amendment for, it strikes out lines 22, 23, and 24, down to the word "naturalization," and no more. The original amendment of the gentleman from California sought to strike out the same language that the gentleman now seeks to strike out, down to and including the word

The CHAIRMAN. The Chair thinks the gentleman can do

that, and overrules the point of order.

Mr. LENROOT. I just want to call the attention of the Chair to this proposition, that last night the committee voted to retain in the bill so far as this amendment was concerned, these lines, and I suggest to the Chair that the gentleman can not now under the guise of a substitute strike out from the bill lines which the committee has already voted to retain.

The CHAIRMAN. The Chair thinks the gentleman can in a

substitute include those lines if he desires to do so. There can not be any question about that. And the Chair overrules the point of order, and the gentleman from California [Mr. RAKER]

is recognized.

Mr. RAKER. Mr. Chairman and gentlemen of the committee, I stated yesterday the position I tried to occupy before the House in regard to the two bills—the Burnett bill, H. R. 6060, and House bill 102—which relates to exclusion entirely and the registration of all Asiatic laborers. There was an understanding in the committee that those should come on separate bills, which I believe should be done. The proposition of legislating on the Asiatic exclusion is now presented to the House. I want to say to the Democrats in this House that I would rather send my resignation to the Speaker and go home, than I would to go and explain to my constituents, whom I promised in writing that I would vote for the exclusion of all Asiatics, and whom I promised that I would not let such legislation lie in the pigeonhole 8 or 10 years, and pretend to do something. I promised them I would be on the job in season and out of season to obtain such legislation. All Asiatic laborers must be excluded.

In 1908 I had the pleasure of going to the Denver convention that nominated the present Secretary of State for President, and I appeared before the committee on platform and had inserted as one of the principles that we were in favor of excluding Asiatic laborers. I want to call your attention to a statement that I am going to have inserted in the RECORD. Upon one side of this card in large letters is "Wilson and the Japanese," and upon the other side is "Roosevelt and the Japanese." I am going to read to you what is on the side headed "Wilson and the Japanese" on May 3, 1912. This is quoted:

the Japanese" on May 3, 1912. This is quoted:

In the matter of Chinese and Japanese coolle immigration, I stand for the national policy of exclusion. The whole question is one of assimilation of diverse races. We can not make a homogeneous population out of a people who do not blend with the Caucasian race. Their lower standard of living as laborers will crowd out the white agriculturist and is in other fields a most serious industrial menace. The success of free Democratic institutions demands of our people education, intelligence, and patriotism, and the State should protect them against unjust and impossible competition. Remunerative labor is the basis of contentment. Democracy rests on the equality of the citizen, Oriental coolielsm will give us another race problem to solve, and surely we have had our lesson.

That is a statement that went by millions over the West, And when the question then comes up for action by my Democratic friends, I want to ask you if you are going to believe that that grand man in the White House to-day will sign or veto a bill containing Asiatic exclusion?

Mr. HARDY. Will the gentleman yield for just one question?

Mr. RAKER. If you will give me five minutes more, I will

yield.

Mr. HARDY. I want to ask just one simple question. Why is it you seek to amend the Hayes amendment by striking from it all the rest except the Asiatic? Why do you not let it stand for the purity of the white race just as it is? That excludes the black as well as the yellow.

Mr. NORTON. Will the gentleman yield?

Mr. RAKER. I can not. I have but a f

I have but a few moments. Secretary of Labor has gone over this bill-H. R. 102-and my substitute is the language which he adopts, and he says in House Report No. 652 that that ought to be enacted into leg-

The CHAIRMAN. The time of the gentleman from Califor-

nia has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that I may proceed for seven minutes. I have not taken up much of the time of the House.

Mr. MANN. Reserving the right to object, Mr. Chairman, I would like to know whether it is the intention of the gentleman from Alabama [Mr. BURNETT] to finish this bill to-day?

Mr. BURNETT. Yes; I hope so. Mr. MANN. Well, if that is the case, I do not think we ought to have any 10-minute speeches.

Mr. RAKER. Give me five minutes. I have not hitherto taken up much of the time of the House.

Mr. MANN. Well, the gentleman had 15 minutes on this proposition yesterday

The CHAIRMAN. The gentleman from Illinois [Mr. MANN]

objects.

Mr. RAKER. Mr. Chairman, I ask that I may proceed for four minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for four minutes. Is there objection.

Mr. SAUNDERS. I object, Mr. Chairman. Mr. MANN. I shall object to any extension if there is any intention to push the bill through to-day.

The CHAIRMAN. The gentleman objects.

Mr. RAKER. Then I ask unanimous consent, Mr. Chairman, that I may put this card in the RECORD, showing the statements side by side, on one side Mr. Roosevelt on the Japanese, and on

the other side Mr. Wilson on the Japanese.

Mr. BRYAN. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Washington objects.

Mr. RAKER. Then I ask unanimous consent to extend my remarks in the Record.

Mr. MADDEN. Mr. Chairman, reserving the right to object, if the gentleman will also put in the Record the vote cast by the people of California for Mr. Roosevelt and Mr. Wilson, respectively, for President, indicating that the people of California were not opposed to Asiatic immigration, I shall not object to the publication of the card in the RECORD.

Mr. RAKER. If the gentleman will put in the RECORD the vote of Los Angeles, showing that Mr. Roosevelt did not carry

California, I will do it.
The CHAIRMAN. Is there objection?

Mr. BRYAN. I reserve the right to object.
Mr. BURNETT. 'The regular order, Mr. Chairman. The CHAIRMAN. Does the gentleman from Washington ob-

Mr. BRYAN. I reserve the right to object.

The CHAIRMAN. The gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks in the Is there objection? RECORD.

Mr. BRYAN. I object to his extending his remarks along that line.

The CHAIRMAN. The gentleman from Washington objects. Mr. RAKER. Mr. Chairman, I rise to a question of personal privilege.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Mr. Chairman, I make the point of order that a question of personal privilege can not arise in the Committee of the Whole.

Mr. RAKER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will staté it.

Mr. RAKER. I simply want to ask the Chairman and the gentlemen of the House on that side and the gentlemen on this side whether or not, simply because I have a vital question to explain when I ask permission to extend my remarks in the RECORD, so that I can get into the RECORD what ought to go there, I am to be cut out and everybody else on that side allowed to extend their remarks in the RECORD?

Mr. MANN. The House has had more patience with the gentleman from California than with any other gentleman in the

The CHAIRMAN. The gentleman has not stated a parliamentary inquiry.

Mr. BURNETT rose.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. BURNETT. Mr. Chairman, I hope that this amendment excluding Asiatics will not be adopted. I think it is no breach of confidence for me to say that the Secretary of State, Mr. Bryan, feels that these matters can all be settled by treaty negotiation. If not, before this session closes I believe the Committee on Immigration will report legislation which I hope will meet all the conditions there.

When Mr. Morrison, the secretary of the American Federation of Labor, was before our committee this question was asked him in regard to amending the present bill so as to exclude Asiatics:

The CHAIRMAN. You spoke about the menace of the Asiatic immigration. This bill has been pending several years before Congress. Do you think it would be expedient to incorporate that into this bill or to urge it as a separate bill?

Mr. MORRISON. You mean in regard to the Asiatics?

The CHAIRMAN. Yes, sir.

Mr. MORRISON. Inasmuch as this bill has been through the House and the Senate and has been debated in both, I would like to see this bill go through just as it is, and I would like to see this other bill follow on its own merits. There does not seem to be much opposition to it.

Now, to show the activity of my friend from California, Judge RAKER, in contrast with that of some of the gentlemen who have been urging this amendment, I read here what the record says. This is what occurred in committee at the public hearing of Mr. Morrison, when he made the statements just quoted:

Mr. RAKER, I hope you will not commit yourself on that until you get in your mind the provisions of this bill.

Mr. Morrison proceeds:

Mr. Morrison Proceeds.

Mr. Morrison I will give you my reasons. I think this bill can go straight through and give us the relief that you will be anxious to give us in three or four months from now—very anxious, and sorry that you did not do it sconer. There is danger, in putting through the bill excluding the orientals, of diplomatic relations as between England and the United States.

That shows, Mr. Chairman, that the man fresh from Seattle, fresh from the meeting of the labor people of the country, himself concurred in our views to regard to that Asiatic question.

Mr. Chairman, I hope that none of my friends from the South will be swept off their feet by the provision in regard to excluding Africans. There were only 6,000 of them who came last year, and 1.600 of them came to the East Coast Railroad in Florida, and more than 800 went back. Most of the others went to the States of the North. Not a single one went to Louisiana, only two or three went to Mississippi; and when there is so much involved in this bill, when there is so much at stake, when the head of the State Department himself has expressed his desire that this question should be separated from the bill that is now under consideration, I hope that none of my friends from the Southern States will be swept away by reason of the fact that this amendment would exclude Africans, when scarcely any of them are coming to this country : all, except those that have come to the Panama Canal and those that came to the East Coast Railroad and have returned, and when none of them are coming to the South. I am reminded by my friend from Massachusetts [Mr. GARDNER] that most of those who do come go up into his part of the country.

Now, if the gentlemen who propose this amendment had been so earnestly desiring this legislation, why is it that when the Dillingham bill was pending in the Senate the Senators from California did not undertake to incorporate this amendment on that bill? Why is it that the gentleman from California [Mr. HAYES] for 12 years has never, when his own party was in power, got any such regulation as this put through, but now comes in with this amendment? [Applause on the Democratic side.] Gentlemen, it is unjust and unfair, and I appeal to my colleagues from the South not to be swept off their feet by such argument, when it does not affect our country at all. [Applause and cries of "Vote."]

Mr. HAYES. Mr. Chairman, I do not like to be drawn into a personal controversy on this great proposition, but I can not let such words as have been said on this floor this morning pass without denial.

Practically the only speeches that have been made on this floor until the last session or two in favor of the exclusion of all Asiatics from this country have been made by myself, and I have made a speech of that kind in almost every session that that when great hordes of negroes were being imported to the

I have been a Member of this House. [Applause on the Republican side.] I introduced a bill on the first day of this session along the same lines as the amendment which I proposed yesterday. Now, I have no pride of authorship, and, so far from playing politics in this matter, if I thought there was any opportunity for affirmative legislation of this kind in this Congress, I would be very glad to sink myself entirely in this matter and take any proposition from the other side of the House that might be offered that would accomplish the purpose which my people desire to have accomplished. But no such proposition looked probable to me.

The gentleman from California [Mr. RAKER] last night said things on this floor that were entirely out of order; but I think, since he has said them, it is in order for me to say that not a line of the Raker bill has ever been read before the Committee on Immigration and Naturalization, and nobody has made any proposition, so far as I know, to put that bill as an amendment onto this one. One provision in it was proposed as an amendment to the present bill, and I backed up the gentleman from California [Mr. RAKER] with as much force as I had to include that in this bill. Now, if this amendment which is now offered as a substitute was properly worded, and if it covered the men-ace that affects our people, I should have no serious opposition

to it; but it does not.

As it is worded it would exclude all natives of Asia and all natives of Australia, because Australia is east of the line which the amendment proposes to make. It would exclude all Australians, and I am not sure but all Europeans, whether they were white, black, or other color. It would exclude them as Asiatic laborers, if they were laborers. I am sure this House does not want to go on record for any such indefinite, foolish proposition as that; and I say to you now if the amendment is properly worded and then offered by the other side of the House I shall support it, notwithstanding what has been said by gentlemen on the other side of the House about myself playing politics. I shall support any reasonable exclusion provision always, because since I have been here I have been active and urgent and constantly desirous that legislation of this kind might be made a part of the law of this country. I still desire to see this legislation enacted, and when I saw that there was no probability that any legislation of this kind would be offered at this session of Congress-and I still think there is no probability of it-I made the only effort that could be made and the only effort that I have had the opportunity to make since I have been a Member of this House to get legislation of this kind before the House.

When practically this same bill was before the House in the last Congress there was no opportunity to make an amendment It would not have been in order. You remember that the bill passed the Senate first; it came to the House, was referred to the Committee on Immigration and Naturalization, and that committee substituted for it the illiteracy test, and only that, and only amendments affecting that test were in order before the House. When it came back from the Senate under the report of the conferees there was no opportunity of making such an amendment as I have offered. I say this in justice to myself.

I hope the House will vote down the imperfect provision embodied in the amendment proposed by the gentleman from California [Mr. RAKER] and will incorporate the amendment I have offered as amended by the gentleman from Wisconsin, which will accomplish what the people of the Pacific coast and, I believe, of the whole country are asking for—the exclusion of the laborers from all parts of Asia. Mr. HARRISON. Mr. Chairman, I have not injected my re-

marks into this discussion, not because of any lack of interest that I had in this particular piece of legislation, but because I have been so anxious that the bill should pass at the earliest

possible moment that I thought it was best to say nothing.

But in my opinion the crisis of this bill has now been reached. If either of these amendments is incorporated into this bill, this legislation that this committee have so ably and persistently fought for, and so many of us have tried to assist in passing, will fail to become a law. I have noticed since this proposition has been advanced that those who are most anxious to incorporate it in the bill are those who have opposed most strenuously this legislation from the beginning. And when the roll is called I predict that those gentlemen who have waged the fight against it will be found voting for the amendments.

I come from a State where nearly half a million more negroes reside than white people, but you can not get my vote for these amendments by offering any such sop as you put in this amendment. [Applause.] I do not say that you are insincere in offering to exclude negroes by your amendment, but I do say. South, when we needed your assistance, you did not then rise up and say you did not want them admitted, nor did you offer unto us any aid in solving the problem. You have inserted the negro in your amendment for no other purpose than that you think it will draw support from southern Members. If you really are interested in our welfare, if you want to help us, why do not you assist us to repeal the fifteenth and modify the fourteenth amendments, and pass some Jim Crow car laws and segregation laws for the District of Columbia? We do not have to worry about the number of negroes that are now being imported into the South. There are none. But the thing that interests us most now is how to deal with those we already have. I am in sympathy with the sentiments expressed in your amendments, and I would be as glad as any man on the floor of this House to see such a bill reported out of the committee and enacted into law, but I remember the admonition, "Beware of Greeks bringing gifts." This bill should not be embarrassed by these amendments.

Gentlemen, if you incorporate in this bill either of them you present a very acute situation in international affairs in this The great President of the United States and his most efficient Secretary, Mr. Bryan, are now doing everything in their power to adjust and settle the very delicate Japanese question, and in my opinion they will eventually succeed. But whenever you incorporate in this bill this amendment you not only fan the flames of discord, passion, and prejudice in the breasts of those people, but you wipe out and destroy any possible chance for an amicable solution of the question, and you Democrats will thereby only embarrass your own President and administration. But aside from this you do another thing, you present a bill to the Senate that it will not pass, and if it does pass such a bill the President will veto it.

I ask you, my colleagues from the South, who have fought so valiantly to restrict undesirable immigration—and I want to say that there is no more ardent Member for the restriction of undesirable immigration in the House than I am-I beg you not to vote for this amendment and so hamper the bill that it will never become a law. This is the best bill for the restriction of undesirable immigration that has ever been before this House. Let us stand by the committee; let us stand by the 'administration; let us pass this bill in its original form, unhampered by amendments that the opponents of the bill are trying so adroitly to load it down with. [Applause.] No good piece of legislation has ever been before this House that its opponents did not apparently try to help, yet designedly to destroy by loading it down with amendments, the weight of which would necessarily kill it. It was done when we tried to pass a bill destroying gambling in cotton futures; when we passed the currency bill, the tariff bill, and the Webb liquor bill. You can not fool the people back home. They know who are their friends, and they will know that their friends and the friends of this measure are not going to play politics with them by voting for these amendments and thereby destroy the them by voting for these amendments and thereby destroy the them by voting for these amendments and thereby destroy the now very excellent chance of passing this legislation.

Mr. MOORE. Mr. Chairman, the Japanese-American war is now being fought principally in the headlines of the California newspapers, and I regret to say even in this presence of 400 Representatives, presumably the greatest deliberative body in the world, that we have not the distinguished gentleman from Alabama, Capt. Hobson, to advise us. [Laughter.]

Mr. O'SHAUNESSY. Ought we not to postpone it?

Mr. MOORE. What transpired here yesterday in regard to these amendments is what has been transpiring in the Committee on Immigration and Naturalization for seven years. has not been wholly with the Republican administration nor wholly with the Democratic administration. There has been a desire on the part of conservative men to try this question conservatively, but the gentleman from California would not down, and since the gentleman from California [Mr. RAKER] has arrived in Congress the agitation has been worse than it ever was before, and the headlines in the California newspapers have been more startling than they were in the best old Republican

This illustrates just what a deliberative body will do when the newspapers get behind Members and press them forward to do something that is ill-considered and ill-advised. Your Secretary of State to-day is not in favor of passing an anti-Japanese law. Will you take that from me? [Cries of "No!" "No!"] Then you take it from him when he speaks, as he will, or has done already.

But your Secretary of State is not only opposed to the introduction into this immigration bill of this Asiatic question— I will go further and venture the prediction; I will even make

the assertion-that your Secretary of State is opposed to the Raker bill and does not want to have it passed by this House. Your Secretary of State has some regard for agreements made with foreign nations, and he wants to live up to those agreements or he wants to get away from those agreements in an honorable way [applause], and to his credit let it be said that for the present, despite the attacks made upon him, he does not want to declare this war at the instance of the newspapers in California, but he wants to have it reasoned out in Congress in a deliberative way.

Mr. HAYES. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Certainly.

Mr. HAYES. I want to ask the gentleman if he thinks the amendment as proposed by me and amended by the gentleman from Wisconsin [Mr. LENROOT] violates any treaty or agreement of this country?

Mr. MOORE. I think the gentleman's amendment would provoke a great deal of discussion and misunderstanding on the part of Japan and would embarrass the present Secretary of State in the negotiations that are now pending. [Ap-

Mr. HAYES. Does the gentleman think it violates any

Mr. MOORE. And the amendment of the gentleman from

California [Mr. Raker] is still worse.

Mr. GARDNER. Mr. Chairman, as a matter of fact, the Hayes amendment, as modified by the Learoot amendment, does not interfere with existing passport arrangements, but does interfere with existing treaties.

Mr. HAYES. Which one?

Mr. GARDNER. Any treaty, for instance, which contains the most-favored-nation clause as regards travel.

Mr. Chairman, will the gentleman yield? Mr. MANN.

Mr. GARDNER. Yes.

Mr. MANN. Does not the bill itself do that?
Mr. GARDNER. The bill itself does it as well. The bill itself contains language which was held up by the State Department last year and submitted to the representatives of foreign governments, and by them approved.

Mr. RAKER. Will the gentleman yield there? To what Gov-

ernment was it referred?

Mr. GARDNER. I understand that it was referred to the Japanese

Mr. RAKER. Are we to legislate what the Mikado tells us to do?

Mr. GARDNER. Oh, well, will the gentleman please let me go ahead? Mr. Chairman, suppose this amendment be adopted, or the amendment offered by the gentleman from California [Mr. RAKER], or even stronger amendments, or suppose we exclude every yellow man or brown man or black man that anybody suggests, let us see how much it would all amount to? There came into this country last year from India 179 Hindus. There came into this country 6,634 Africans, of whom 1,100 went to my State of Massachusetts. Twenty-five hundred went to New York, and scarcely any went to any southern State, except the State of Florida where some went to labor temporarily on the East Coast Railway.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield? Mr. GARDNER. Yes. Mr. BARTLETT. Not a one of those went to Georgia? Mr. GARDNER. Not a single one went to the gentleman's

Mr. MURRAY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. GARDNER. For a question.

Will the gentleman state Mr. MURRAY of Massachusetts. whether or not he believes the 1,100 Africans whom he mentions as having gone to the State of Massachusetts should have been permitted to come in or should have been entirely excluded?

Mr. GARDNER. Oh, I think they ought to have been permitted to come in if they could read and write. Mr. Chairman, 8,281 Japanese came to this country. Let us see where they went. Of that number 5,358 came to the American mainland, mostly as visitors, I fancy, for I see that 5,437 Japanese left the American mainland last year on their way home. Three thousand two hundred and thirty-one Japanese came to Hawaii, while 2,593 went back to Japan from Hawaii. Were many of them laborers? Very few. Four hundred and twenty-five farm laborers went from Japan to Hawaii and 185 of them went away. again. Two hundred and eighty-five ordinary laborers came to Hawaii and 1,325 ordinary laborers left Hawaii.

Mr. HARDY. Mr. Chairman, will the gentleman yield for a question for information?

Mr. GARDNER. Yes.

Mr. HARDY. Did the number of Africans include those colored races that came from the Barbados and British possessions?

Mr. GARDNER. Yes. Two-thirds of the African immigrants came from the West Indies. When we consider that the immigration into this country amounts to nearly a million and a half in one year, it is foolish to worry over the few thousand yellow men and brown men and black men whom you might

exclude by these amendments. Mr. MANN. Mr. Chairman, I can not quite appreciate the reasoning of my distinguished friend from Alabama in charge of the bill, who says that the adoption of this amendment is not necessary, because the committee will report a separate bill which may pass, and we ought not to adopt it on this bill because if it is, then this bill will be killed because of the amendment. [Applause.] It seems to me that is slightly illogical. Nor do I believe that the amendments have been offered here for the purpose of playing politics. The gentlemen who have offered the amendments are friends of the bill and have long

been friends of this proposition.

Mr. Chairman, I do not expect to vote for this bill [applause], and if the adopting of the amendments were sure to defeat the bill, then I should vote for the amendments with some compunctions of conscience. But, Mr. Chairman, I have been long enough in this House, I hope, to place the country above the party. I do not believe that any of these amendments should be agreed to at this time. [Applause.] Dealing with our for-eign relations is a matter of delicacy at the best. While I do not have the greatest pride in the present State Department, yet I feel that in conducting our relations with foreign countries I am bound to rely in the first instance at least upon the State Department. If they can not eradicate the difficulties of the situation through diplomatic negotiations, it is time enough then for the Congress to act by specific legislation. I am not prepared to invite war with Japan or any other country, though if war should come as a result of any legislation I would not shrink from it. I think now is the time for us to be cool and collected, not to be carried off our feet because we think perchance we can play politics at the advantage of the Democratic side of the House. We owe an allegiance to our country above our party. [Applause.]
Mr. HAYES. Mr. Chairman, will the gentleman yield for a

question?

Mr. MANN. I will.

Mr. HAYES. I trust the gentleman will acquit me of any desire to play politics in any part I take in this legislation.

Mr. MANN. Oh, the gentleman from California [Mr. HAYES] is a sincere advocate of this proposition, and I think perchance would be subject to criticism if he had not offered this amend-He, standing as he is an advocate on one side, is properly doing what he believes is right, and he is more or less prejudiced. We represent the entire country, and we ought to protect at this time even California against herself. [Applause, and cries of "Vote!"]

Mr. SAUNDERS. Mr. Chairman, I make the point of order

that debate is exhausted on this amendment.

The CHAIRMAN. The gentleman from Virginia makes the point of order that debate on this amendment is exhausted. The Chair sustains the point of order.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent to

speak for five minutes.

The CHAIRMAN. The gentleman from Kentucky [Mr. Sher-LEY] asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SABATH. Mr. Chairman, I ask the same privilege.

The CHAIRMAN. The Chair will recognize the gentleman

for that purpose when the gentleman from Kentucky has concluded.

Mr. CHURCH. Mr. Chairman, I ask to speak for three minutes.

The CHAIRMAN. Only one unanimous-consent request can

be recognized at a time.

Mr. SHERLEY. Mr. Chairman, much that I would wish to say has been well said by the leader of the minority, and in his speech he showed himself to be worthily the leader of a great party [applause], because there are times in the consideration of questions when partyism becomes subservient to patriotism. I am also opposed to this bill. I would do everything I properly could to prevent it becoming a law, but I am not willing to do anything to prevent it becoming a law that may be of direct injury and great moment to my country. the time comes in America when it is necessary for this House to speak in plain terms upon this question of Asiatic immigration, I have no doubt what will be the verdict of the House, and I clearly have no doubt as to what will be my own position, but I

a thing may be right and yet the time and the means of accomplishing it may be entirely wrong. There is no situation to-day confronting the people of America that warrants the adoption of the proposals offered by any of the gentlemen from California. There is no reason why we should deny our belief in the present administration and in the ability of the President of the United States through the proper channels to meet all the conditions

that now confront the people of America.

And to inject at this time and in this way this matter is of necessity to make more difficult his very serious duty, that he will ably and successfully perform if given the confidence of the people of the country and of their Representatives in Congress. And I can not believe that there is a Democrat on this floor who has so little faith in the wisdom of the Executive and his ability through the proper diplomatic channels to handle this situation, as to want to force an issue upon us by the adoption of these proposals. Let men differ as they please about the great fundamental question of immigration that we are considering in this bill, but let them not drag into it a matter that is now receiving the diplomatic attention of our own and of foreign countries.

I am not a man who is fearful of America's position and ability to maintain itself against the world. I am one of those who believe in my country and in her possibilities, but I am also one of those who would be the last to provoke a situation that might require a resort to force rather than to the peaceful solution of a question; and I can only repeat that in the consideration of this matter let us remember that we speak for America, not for any section of America, and that we speak not

for a party, but for all the people of America. [Applause,]
The CHAIRMAN. The gentleman from Illinois [Mr. Sabath] asks unanimous consent to proceed for five minutes. Is there

objection?

Mr. LANGLEY. Reserving the right to object, I would like to be heard for two minutes. [Cries of "Regular order!"]

The CHAIRMAN. Does the gentleman from Kentucky object?

Mr. LANGLEY. No; I do not object.
The CHAIRMAN. The gentleman from Illinois [Mr. Sabath]

is recognized for five minutes.

Mr. SABATH. Mr. Chairman, as you know, I always have been opposed to the section of this bill which provides for a literacy test, and I am of the firm opinion that the adoption of such a test would be a grievous mistake. Nothing can convince me that our party and the people of this country would approve of the enactment of a law which is so manifestly unjust. Some of my friends are under the impression that by adopt-

ing this amendment offered by my friend from California [Mr. HAYES] and amended by my friend and colleague on the committee [Mr. RAKER] there will be a better chance to defeat the final passage of the bill. They maintain that if this amendment is adopted the President of the United States will be compelled to veto the bill. My opinion, Mr. Chairman, is that the bill now contains enough obnoxious provisions—the most objectionable one, of course, being the one calling for a literacy testto justify him in vetoing it, and I for one do not believe that to gain a slight advantage we should inject into this bill any matter which might place our President or our country in an embarrassing position.

Furthermore, I feel that, even should we adopt this amendment, it would promptly be stricken out in the Senate, and I am sure the bill would never contain this provision when placed before the President, consequently I can see nothing to be

gained by its adoption.

I can readily understand why the gentleman from California [Mr. HAYES] and my colleague on the committee [Mr. RAKER] should seek to secure the passage of some measure which would restrict Asiatic immigration, for I am thoroughly in sympathy with their views on that question, but I believe it would be both unwise and unfair to load down the pending measure with a restrictive provision of this kind. Therefore I believe that the amendment, as well as the substitute offered by my colleague [Mr. RAKER], should be defeated.

Before I conclude I wish to say that for years both of these gentlemen from California have been doing everything within their power to bring about the restriction of Asiatic immigration, and I hope that none of the residents of their respective districts will charge them with not having done their utmost to bring about the legislation for which they are contending

to-day.

Mr. Chairman and gentlemen, in conclusion I wish to state that the gentleman from Mississippi [Mr. HARRISON] and the gentlemen from Alabama and Tennessee do our side an injustice when they state that all of us who are opposed to the bill are going to vote for these amendments. We are fighting an honest fight, and we do not propose to employ any unfair tactics in our effort to defeat the bill, nor do we propose to adopt an amendment without any thought of the consequences, and merely for the purpose of securing a slight advantage over those who favor the passage of this bill. We are fighting for what we believe is right and just, and we are as much entitled to voice the sentiments of the people whom we represent and in whom we have the utmost confidence as are the gentlemen from Mississippi or from Alabama to speak for those whose views they ex-

As for myself, I wish to assure these gentlemen that I shall continue to oppose this un-American and unjustifiable measure with all of the strength that I possess, but I am not willing to cast my vote for any proposition that may in the slightest degree endanger our peaceful relations with any country, no matter how desirous I am of defeating the bill. Although my sympathies go out to these thousands and thousands of unfortunates who, through no fault of theirs, will be barred from entering our country if this bill becomes a law, I am still more solicitous of the welfare of my country, for I place that above everything else.

rerything else. [Applause.]
The CHAIRMAN. The gentleman from California [Mr. CHURCH] asks unanimous consent to proceed for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CHURCH. Mr. Chairman—
Mr. BURNETT. Mr. Chairman, I give notice that after this

I shall object to any further time.

Mr. CHURCH. Mr. Chairman, is this being taken out of my

The gentleman from California [Mr. The CHAIRMAN.

CHURCH] is recognized.

Mr. CHURCH. Mr. Chairman, the gentleman from California, my colleague Mr. RAKER, was reading a certain card while he was speaking a few moments ago on which was quoted on one side the opinion of Mr. Wilson, the President of the United States, in regard to Asiatic exclusion, and on the other side what Mr. Roosevelt, a former President of the United States, said upon the same subject.

He read only what was on one side of the card. That is, his time did not permit him to read but one side of the card; therefore he read only what Mr. Wilson had said. I rise to read the other side of the card, so that we may know also what Mr. Roosevelt said upon this important subject. Here is the extract.

In his message to the Fifty-ninth Congress:

I recommend to the Congress that an act be passed specifically providing for the naturalization of Japanese who come here intending to become American citizens.

In the moment that I have left I desire to say, Mr. Chairman, I am heartily in favor of excluding the Asiatics. Coming from California, as I do, I could not, with the experience I have had, with the observation I have made, entertain any other opinion than what I do on this subject. I do not know for sure that it is proper to bring this amendment in at the present time and attach it to this bill. We should act wisely and carefully. I shall, however, vote for the amendment which my colleague, Mr. RAKER, has introduced.

The Asiatic and Japanese problem is one of profound importance to the United States, and especially so to the State of California, and without doubt something must be done and done soon to prevent the immigration of these people. As for the Japanese, he is only satisfied with the best, and has located upon and now owns much of the best land in the State of California. Probably the richest section in the State is located between Stockton and Antioch on the Sacramento River. At a point in this section of the country one can look for miles in every direction and see nothing but the gardens and farms operated and controlled by the Japs, and if immigration is not restricted in time my native State, California, will become a

Japanese colony.

We have another western plague—the Hindus—more threat-ening even than the Japs. These strange fellows are landing by the thousands upon the Pacific coast. Every dollar they get is sent back to their native land with which to pay the passage to this country of their uncles and cousins, and the worst feature of the situation is they seem to be all related, and millions of them are planning to come. They can never be assimilated in this country, and we are glad of it. They de-grade the very earth on which they walk. They are as tough as whalebone and can live as cheaply as a wild goose. Their clothing and food, as much as possible, come from their own Their country. They pride themselves on being odd. Twisted around and around their heads is a strip of calico 10 or 12 feet in length, which they call a turban. They are human scarecrows; can be seen on our public highways by hundreds every hour of the day and night, and are so peculiar in language and in dress that even the farmer's horse refuses to pass them on the public highways. highway.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. LANGLEY. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from Kentucky [Mr. Lang-LEY] asks unanimous consent to proceed for three minutes. Is there objection?

Mr. RAINEY. Mr. Chairman, reserving the right to object, would like to be recognized for three minutes after the gentleman from Kentucky has finished.

Mr. MANN. I suggest to the gentleman that he settle that with the gentleman from Alabama [Mr. BURNETT]. The gentleman should not object to this request.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Kentucky [Mr. Lang-

LEY] is recognized for three minutes.

Mr. LANGLEY. Mr. Chairman, I am opposed to the amendment offered by the gentleman from California [Mr. Hayes]that is, I am opposed to ingrafting it on this bill-for two In the first place, those who are in a position to know, and in whose judgment I have the utmost confidence, say that the adoption of such an amendment will probably defeat the bill, and being anxious to see it enacted into law, and as speedily as possible, I shall vote against the amendment, although I am in favor of the purpose which the gentleman is seeking to accomplish and I would heartly support it as a separate proposition. I shall vote against it for the further reason that those who are in the confidence of the administration say that the adoption of such an amendment would embarrass the efforts that it is making for an amicable and honorable settlement of a perplexing international question. I am in hearty accord with the sentiments just expressed by the distinguished leader of the minority.

It is true that I belong to a political party not in sympathy with the domestic policies of the present administration, but, as the distinguished Secretary of the Navy recently said, it is the duty of every American citizen, regardless of politics, to sustain the head of our own Nation in any controversy with a foreign power. This is not a political duty, but a patriotic Woodrow Wilson is a Democrat, but he is the President of all the people now, and William Jennings Bryan is the Secretary of State of all the people now, and we must assume that in dealing with this question they are actuated by the highest and most patriotic motives, and that they will handle it in a manner befitting the dignity, honor, and prestige of our Nation; and so long as they do, no partisan motive or advantage should be permitted to swerve us in the slightest from our duty to our

country. [Applause.]

At the same time, Mr. Chairman, I can not permit the opportunity to pass of saying that I for one am growing weary of side-stepping the Japanese question. I do not close my eyes to the ever darkening shadow of this Asiatic peril. I do not mean the shadow of grim-visaged war, for I think that phase of the situation is much exaggerated. I mean rather the menace of the industrial war which, unless we take steps to prevent it, is inevitable as a result of the industrial awakening among the teeming millions in the Orient who are responding with alarming rapidity to the touch of the spirit of this progressive age. I hope the promise given here to-day by the gentleman from Alabama [Mr. Burnerr] and others, that a separate measure dealing with this question will be brought before us at an early date, will be faithfully kept; and when it is, I hope to have the privilege of discussing it further. I do not know how other gentlemen may feel about it, but, speaking for myself alone, I do not think we have anything to fear about a war with Japan. Gentlemen who are alarmed on that question should remember that Japan is in no financial condition for such a conflict, and that we have a much more powerful Navy and many more people. Therefore they apply there are the coppe with my airlors upon Therefore they could not hope to cope with us either upon the sea or upon the land. I do not think there is the slightest danger of them sending an army of invasion into the United States; but if they should, and if the line of march should happen to extend through Kentucky, I think I can safely promise you that the army will never get any nearer to Washington, [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired. The gentleman from Illinois [Mr. Rainey] has asked unanimous consent to proceed for three minutes. Is

there objection?

There was no objection.

The CHAIRMAN. The gentleman from Illinois [Mr. RAINEY]

is recognized for three minutes.

Mr. RAINEY. Mr. Chairman, we occasionally reach a period in the history of the House of Representatives when all of us can stand upon the same platform. We reach a time when patriotism ought always to rise above questions of party expediency. I congratulate the minority in this House upon the patriotic position taken by the leader of the minority [Mr. Mann].

During the Taft administration the thing that attracted most commendation from Democrats and from Republicans alike was the successful efforts of Mr. Taft and his advisers to avoid complications with the island Empire across the seas. Those difficulties increased as his administration drew to a close, and we inherited those problems. Among the things the present administration is entitled to credit for and is receiving credit for are, first of all, the fact that so far we have avoided a war with Mexico and the fact that so far we have avoided a war with Japan.

I appeal to the Democrats on this side, if they prefer to follow a Republican leader upon this question, to follow the real leader upon the Republican side. The school question-the acute Japanese question-arose during the latter half of Mr. Taft's administration, and during that time the gentleman from California [Mr. Hayes] was a tower of strength for the Republican administration.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. RAINEY. He did not open his head in this House upon

any of those questions then.

Mr. BURNETT. Mr. Chairman, I want to give notice that the gentleman from Iowa [Mr. Good] wants three minutes, and another gentleman wants probably five minutes, and after that I shall object to the extension of this debate.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to pro-

ceed for five minutes.

The CHAIRMAN. The gentleman from Iowa [Mr. Good] asks unanimous consent to speak for five minutes. Is there objection?

Mr. O'SHAUNESSY. I object.

Mr. O'SHAUNESSI. I object.
Mr. MONDELL rose.
The CHAIRMAN. The gentleman from Rhode Island objects.
Mr. GOOD. Mr. Chairman, I move to strike out the last word of the substitute.
The CHAIRMAN. The gentleman from Iowa [Mr. Good] is recognized on the motion to strike out the last word.

Mr. CARDNER Mr. Chairman, I make the point of order

Mr. GARDNER. Mr. Chairman, I make the point of order that a motion to strike out the last word is an amendment in the third degree.

Mr. MANN. Not at all.

The CHAIRMAN. The gentleman has moved to strike out the last word of the substitute, which motion is in order.

Mr. GOOD. Mr. Chairman, I am in favor of this bill, but I am opposed to this substitute and the amendment. I am opposed to them because I believe their adoption will defeat The gentleman from California [Mr. RAKER] read what purported to be the statements of the President of the United States as favoring the exclusion of Asiatic immigration. There is another side to that story. In the History of the American People, by Woodrow Wilson, written when he was not a candidate for the Presidency, I find these most significant words:

Now, there came multitudes of men of the lowest class from the south of Italy and men of the meaner sort out of Hungary and Poland, men out of the ranks where there was neither skill nor energy nor any initiative of quick intelligence; and they came in numbers which increased from year to year, as if the countries of the south of Europe were disburdening themselves of the more sordid and hapless elements of their population, the men whose standards of life and of work were such as American workmen had never dreamed of hitherto. The people of the Pacific coast had clamored these many years against the admission of immigrants out of China, and in May, 1892, got at last what they wanted, a Federal statute which practically excluded from the United States all Chinese who had not already acquired the right of residence; and yet the Chinese were more to be desired, as workmen if not as citizens, than most of the coarse crew that came crowding in every year at the eastern ports. They had, no doubt, many an unsavory habit, bred unwholesome squalor in the crowded quarters where they most abounded in the western seaports, and seemed separated by their very nature from the people among whom they had come to live; but it was their skill, their intelligence, their hardy power of labor, their knack at succeeding and driving duller rivals out, rather than their alien habits, that made them feared and hated and led to their exclusion at the prayer of the men they were likely to displace should they multiply. The unlikely fellows who came in at the eastern ports were tolerated because they usurped no place but the very lowest in the scale of labor.

I might read more that would inform the gentleman from

I might read more that would inform the gentleman from California that if he ever hopes, while Woodrow Wilson is President of the United States, to secure an Asiatic exclusion law, it must be by passing the bill over the veto of the President of the United States. I am amazed at the gentleman from California [Mr. RAKER], who claims to be for this bill, and who is a member of the committee that reported the bill, that he should now inject into this debate an amendment which he knows, if

he has read the statement of President Wilson, would bring about the defeat of the bill by a veto from the President.

Mr. Chairman, it seems to me that we ought to rise above these considerations. We ought to look this situation squarely and fairly in the face. It is true it would embarrass the President and the State Department, but it would do more than that; its passage would defeat the very bill that the gentleman from California [Mr. Raker] favors. For these reasons I am opposed to the substitute and to the amendment.

Mr. MONDELL. Mr. Chairman-

The CHAIRMAN. Is the gentleman opposed to the amendment?

Mr. MONDELL. I am opposed to the amendment.

Mr. Chairman, I am afraid that in the midst of the oratory to which we have been listening in the last 30 minutes we have lost sight of just what is before the House. If gentlemen will turn to page 4 of the bill, at the beginning of section 3 they will find these words:

And the following classes of aliens shall be excluded from admission into the United States.

And then if they will turn to the part of the bill which it is proposed to amend they will find that the language which it is proposed to strike out is as follows:

Persons who can not become eligible under existing law to become citizens of the United States by naturalization.

Who are the people who can not under existing law become

citizens by naturalization? Malays, Chinese, Japanese Mr. RAKER. Will the gentleman yield right there?

Mr. MONDELL. I can not yield in the brief time I have.
Mr. RAKER. The courts—
The CHAIRMAN. The gentleman declines to yield.

Mr. MONDELL. At least that is what we understand to be the attitude of the courts with regard to the matter of naturalization. That is what the committee meant from Caliwrote that language into the bill. The gentleman from California [Mr. HAYES] now proposes to declare definitely what the bill proposes in questionable language. Is there any condition in the country which ought to prevent or persuade us from saying clearly what is a fair interpretation of the language of the bill? That is the question before the House. Are our foreign relations so acute and so liable to bring us into trouble with our foreign neighbors that we can not write into the bill in unmistakable language the courts' interpretation of the language of the bill as it stands? The gentleman from California [Mr. RAKER] proposes an amendment which is not at all to the point, because it would exclude men geographically and not racially. It would exclude a white man native of Australia or a white man from anywhere east of the line his amendment describes. What we desire is not to exclude men by reason of their geographical location, but to exclude certain races. I am for this bill. I hope to see it pass, and I shall vote for the amendment offered by the gentleman from California [Mr. HAYES], because I believe in making clear every proposition contained in a legislative enactment.

That is all that the amendment does. Gentlemen appeal to us in the name of patriotism and attempt to veil and make uncertain what, as a matter of fact, is the intent of the legislation. one am in favor of making the declaration clear and unmistakable. [Applause.] I have said that the amendment of the gentleman from California [Mr. Hayes], excluding specifically "Hindus and all persons of the Mongolian or yellow race, the Malay or brown race, and the African or black race," was but stating in clear and definite language what the provision now in the bill excluding persons ineligible for naturalization is intended to cover; that is an accurate statement, barring for some difference of opinion as to Hindus, except for the fact that the Hayes amendment will also exclude people of African blood, who are not excluded by the language in the bill, because they are eligible to citizenship. Further than making our meaning clear and unmistakable and not leaving it to court decisions to determine what we mean the Hayes amendment, except for some doubt as to Hindus, simply adds the African to the other excluded races. Are the gentlemen from the South willing to take the position that they want to exclude the Chinese and Japanese and do not want to exclude the African? Being in favor of the amendment offered by the gentleman from California, as I am in favor of the bill as a whole, I shall not be dissuaded from voting for it on the theory that if it remained in the bill the bill would be vetoed. That is the President's responsibility. My responsibility is here and now. Neither shall I be turned aside by the illogical suggestion that our relations with Japan will become strained and critical if we declare in plain language our purpose and intent. We do not desire Mongolian immigration from either China or Japan. No one can be offended if we say it plainly

rather than attempt to hide behind court decisions as to eligibil-

ity to citizenship. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. Mr. BURNETT. Mr. Chairman, I move that all debate on the paragraph and amendments thereto be closed.

The CHAIRMAN. The gentleman from Alabama moves that all debate on the paragraph and amendments thereto be closed.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The question is on the substitute offered by the gentleman from California [Mr. RAKER].

The question was taken; and on a division (demanded by Mr. RAKER) there were 6 ayes and 182 noes.

So the substitute was lost.
The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from California [Mr. HAYES] as amended by the gentleman from Wisconsin [Mr. Lenroot].

Mr. MOORE. Mr. Chairman, I have an amendment to offer. Mr. GARDNER. I make the point of order that it is not admissible; that it is an amendment in the third degree.

The CHAIRMAN. The Chair thinks the gentleman can offer an amendment. The Clerk will report the amendment.

The Clerk read as follows:

Strike out of the amendment as amended the words "the African or black race."

Mr. GARDNER. Mr. Chairman, I make the point of order that that is an amendment in the third degree.

The CHAIRMAN. The Chair sustains the point of order. The question now is on the amendment of the gentleman from California [Mr. Hayes] as amended by the gentleman from Wisconsin [Mr. Lenroot].

The question was taken; and on a division (demanded by Mr. Hayes, Mr. J. I. Nolan, and Mr. Raker) there were 54 ayes and 203 noes.

So the amendment was lost.

Mr. MOORE. Mr. Chairman, a parliamentary inquiry.
The CHAIRMAN. The gentleman will state it.
Mr. MOORE. Is the literacy-test paragraph still open to amendment?

The CHAIRMAN. The Chair thinks so.

Mr. MOORE. I desire to offer an amendment. I want to say that there are several amendments, of which this is one, which will be offered to perfect the bill, and I want to know if they are debatable under the rule?

The CHAIRMAN. It depends upon what part of the bill they

are offered to.

Mr. MOORE. This refers to the literacy paragraph.

The CHAIRMAN. No debate upon that is admissible, for debate has been closed. The Clerk will report the amendment. The Clerk read as follows:

Page 7, line 19, after the word "all," insert "male."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was lost. Mr. MOORE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 8, line 9, strike out the word "may" and insert the word must."

The question was taken, and the amendment was lost.

Mr. MOORE. Mr. Chairman, I offer the following amend-

The Clerk read as follows:

Page 9, lines 15, 16, and 17, strike out all after the word "case" down to and including the word "clapsed."

Mr. MOORE. Mr. Chairman, I believe that can be debated. Mr. GARDNER. Mr. Chairman, I would like to have a ruling of the Chair whether that is debatable or not.

The CHAIRMAN. The Chair thinks that is debatable.
Mr. SABATH. Mr. Chairman, before we proceed and debate
the amendment I desire to offer an amendment to the literacy-

Mr. MOORE. Then I will withdraw my amendment for the present.

Mr. SABATH. I offer the following amendment.

The Clerk read as follows:

Page 8, line 16, strike out all after the words "to wit" down to and including the word "persecution," in line 20, page 8, and insert the

following:

"All aliens who shall prove to the proper immigration officer or to
the Secretary of Labor that they are seeking admission to the United
States to avoid religious or political persecution, whether evidenced by
overt acts or by discriminatory or oppressive laws or regulations."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. SABATH) there were 47 ayes and 63 noes.

So the amendment was lost.

Mr. MOORE. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

On page 8, line 19, after the word "States," strike out the word

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was rejected. Mr. STAFFORD. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 9, line 15, after the semicolon after the word "case," strike out the remainder of the proviso.

Mr. STAFFORD. Mr. Chairman, the provise to which this amendment is proposed seeks to limit the introduction of skilled labor into this country. I raise no objection to that addition to existing law contained in lines 9 to 15, namely, that the question as to whether there is any skilled labor in this country of a particular kind, before such skilled labor can be admitted into this country, must be passed on by the Secretary of Labor, and that his determination of the question will be final, subject, however, to an appeal to which $\hat{\mathbf{I}}$ protest. Here is the provision contained in the latter part of the proviso that the amendment seeks to strike out, which seeks first to hold that decision in abeyance for 30 days, and further to publish that decision in three newspapers throughout the country and to allow any person who feels dissatisfied—that is the word used in the bill—to enter the United States district court and there-upon the decision is held up and nothing can be done in the matter as to the admission of the skilled labor, if the Secretary has decided there is no similar labor available, until the decision of the district court.

Mr. Chairman, during the time when I was out of Congress ' I had occasion to have this matter presented to me in a case directly in point, where there was no skilled labor in the country to perform a particular character of work. What will the manufacturers do who are about to inaugurate a new industry, and need skilled labor which is not available here, if this provision is carried as recommended by the committee? At the present time the Bethlehem Steel Co., at Bethlehem, Pa., as I am informed, is installing a Girod electric furnace of 10 tons capacity. There are no operatives in this country whatsoever who have the expert knowledge needed to operate that furnace. In the steel industry throughout this country we are very much behind European manufacturers so far as electrical furnaces are concerned. The Kjellin furnace, which is in operation in Sweden and other foreign countries, the Héroult, and the Rodenhauser furnaces are being introduced into this country, but they need skilled workmen to install and operate them. operation of this bill, what is going to be the effect?

The Bethlehem Steel Co. will go to the Secretary of Labor and present its case. He will undoubtedly grant the right of these skilled laborers to come into the country; but then if any workman, no matter whether he is skilled or not, any outsider, sees fit to go into the district court and object to the decision and ruling of the Secretary of Labor as to the admission of that skilled labor, the plant of the steel industry will have to lie idle until that decision is made. I am not surprised that the agrarians of the South, represented so ably by the distinguished chairman of the committee, and assisted so nobly by the gentle-man from Massachusetts [Mr. Gardner], are in favor of the restriction and oppression of our industries in this country from further growth and expansion where there is no skilled labor to inaugurate new processes of production or to establish new industries.

Anyone familiar with the development of industrial life in this country, with the development of the great textile industry in Philadelphia, and many other industries, will know that they had their rise because of the importation of skilled labor, which it was not possible to obtain at that time in this country. Only a few years ago we passed a provision in the tariff bill permitting the introduction of lace machinery, and 100 or more operatives came over here under the present existing law, without this arbitrary restrictive clause, and to-day the lace industry is an established industry in this country. I ask you, are you in favor of that restrictive policy? I am surprised that the gentleman from Massachusetts, coming here so recently from a swing around the circle in Massachusetts, would favor such a repressive policy to American industry or lend his influence to a provision that is against the expansion and development of American industry.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. The gentleman from Massachusetts [Mr. Gard-NERl is recognized.

Mr. GARNER. Mr. Chairman, I would like to ask the gen-

tleman a question.

Mr. STAFFORD. Then let the gentleman get me more time. Mr. GARNER. I ask unanimous consent that the gentleman

Mr. Chairman, I have been recognized, as Mr. GARDNER. I understand, and the gentleman can ask the question in my

me. I will yield the gentleman one minute.

Mr. GARNER. I am surprised at the gentleman saying that the steel industry in this country is not equal in efficiency to

any steel industry in the world. Mr. STAFFORD. It is not, so far as the electrical furnaces

are concerned.

Mr. GARNER. The hearings before the Ways and Means

Committee indicated that the steel industry was in as great a state of efficiency as any steel industry.

Mr. STAFFORD. If the gentleman will investigate this phase of steel production, he will find that we are still behind in the manufacture of steel by electric furnaces. The Bethle-hem Co. is at present installing a 10-ton Girod furnace, and it requires skilled operatives who are not to be found in this country. We have not any electrical furnaces in this country as compared with those in France, Germany, Austria, Sweden—
Mr. GARDNER. Mr. Chairman, I must decline to yield

further.

Mr. STAFFORD. But I supposed I had been yielded two minutes extra time.

The gentleman from Massachusetts had The CHAIRMAN.

yielded the gentleman one minute of his time.

Mr. GARDNER. Mr. Chairman, there is no need confusing the minds of members of this committee as to this question. Here is the whole sum and substance of it. If the amendment offered by the gentleman from Wisconsin [Mr. Stafford] is adopted, it will leave the bill, so far as this particular question is concerned, in exactly the state it was in when it went to conference last year. What the gentleman proposes to strike out is the La Follette amendment, prepared by the Senator from his own State and adopted last year in conference at the Senator's suggestion. Let me explain. At present, under the law, if you are a manufacturer and if in this country skilled labor of the kind you want can not be found, you have the right to import the requisite number of workmen without being guilty of violating the contract-labor law. Theoretically, at all events, that is the case, but, in practice, manufacturers are timid about availing themselves of the statute lest the immigration authorities should exclude the workmen on arrival, and lest they themselves should be punished on the ground that there was in fact no scarcity of the particular kind of skilled labor which they had imported. Two or three years ago the Department of Commerce and Labor suggested that the law should be changed so that the question as to the scarcity in this country of any particular kind of labor might be determined beforehand; that is to say, before any contract was made on the other side of the ocean. In the immigration bill which President Taft vetoed Mr. STAFFORD. And proposed to strike out—
Mr. GARDNER. When the bill was in conference the repre-

sentative of the American Federation of Labor raised some question as to whether or not this new provision was sufficiently safeguarded. Senator LA FOLLETTE thought it was not sufficiently safeguarded, and he proposed that any decision of the Secretary of Commerce and Labor as to the scarcity of any particular class of labor should be subject to an appeal to the

Mr. STAFFORD. Will the gentleman yield? Mr. GARDNER. First let me get through with my statement. Senator La Follette proposed that there should be a court review on the appeal of any party interested and the conferees accepted his amendment. It is this amendment which the gentleman proposes to strike out.

Mr. Chairman, I do not know whether or not we were wise to insert this clause. The Secretary of Labor has sent a com-munication to this House in which he suggests that the amendment be made which is proposed by the gentleman from Wis-consin [Mr. Stafford], but the Secretary's communication reached this House only yesterday. We have had no committee meeting to consider it. The language which this amendment seeks to strike out was adopted last year after consultation with the representatives of the American Federation of Labor and with Senator La Follette. If we made a mistake it can easily

be remedied in the Senate. I am unwilling to vote to strike out this language until we have had either a committee meeting or hearings, or a further opportunity to examine the question.

Mr. STAFFORD. You have the indorsement of the Secre-

tary of Labor.

Mr. GARDNER. You mean that he has suggested that the appeal paragraph be struck out. I explained that fact.

Mr. SABATH. Mr. Chairman, though I am in favor of liberal immigration, I am opposed to any contract labor being imported into this country, as well as being opposed to any and all stimulated immigration; but I am under the impression that the bill as drafted is unnecessarily harsh in its provisions, and that not only will it give to the Secretary of Labor the power that he desires, but it will confer upon him more power than he ever

dreamed of possessing. In other words—
Mr. GARDNER. Was not the gentleman one of those who in conference last year was in favor of putting in this very propo-

sition that is now being asked to be stricken out?

Mr. SABATH. I did favor an amendment somewhat similar in character, but I was not then and am not now in favor of any amendment that would give to anyone the authority to practically imprison an alien for 30 days until his case has been passed upon by the department. I think the section or paragraph should be so amended as to remove the possibility of these aliens being compelled to remain in custody and undergo the hardships which they would undoubtedly be subjected to in the event that an appeal was taken from the decision of the Secretary and they had to await the decision of the court.

Mr. GARDNER. Will the gentleman yield?

Mr. SABATH. I will.

Mr. GARDNER. He could not possibly be held in any way.

Lines 12 and 13 say:

Such application to be made before such importation.

They must be on the other side of the ocean.

Mr. SABATH. But such determination shall not become final until a period of 30 days has elapsed.

Mr. GARDNER. Exactly.
Mr. SABATH. Now, we will say the Secretary has ruled favorably on the application and the people have sailed. They arrive, say, at the port of New York or Boston. Meanwhile some one has filed an objection under the provision on page 9, line 22, which says:

At any time during said period of 30 days any person dissatisfied with the ruling may appeal to the district court of the United States of the district into which the labor is sought to be brought, which court or the judge thereof in vacation shall have jurisdiction to try de novo such question of necessity, and the decision in such court shall be final

Mr. GARDNER. Now will the gentleman yield? Mr. SABATH. I will.

Mr. GARDNER. Does the gentleman suppose that any employer, in view of the tremendous penalties for importing contract labor, will import those men on a temporary decision of the Secretary of Labor, and which he knows to be temporary when he is faced with the tremendous penalty which he would

incur if the reviewing court decided against him?

Mr. SABATH. I hope that they will not. But I am not willing to enact legislation whereby a man, who is not guilty of any offense, can be virtually imprisoned for 30 days. As I have stated before, I am in favor of stopping all importation of contract labor. Also, as I remarked a short while ago, I am opposed to any provision that will aid or assist such importation, but if you do permit the importation of skilled labor, as I believe you will, I am not willing to have these mechanics and skilled laborers subjected to such treatment as the bill row provides for. I shall vigorously oppose the enactment of legislation which will authorize the confinement of these men for a period of approximately 30 days after the Secretary of Labor has handed down an opinion, and which at the same time will authorize their confinement for an indefinite period while the courts are passing upon the decision of the Secretary, in the event that some one enters an objection to their admission.

It is, indeed, strange that you gentlemen should be so anxious for restriction, and yet apparently be so deeply interested in the importation of labor. How can you justify your actions? If you are so opposed to immigration, as you profess to be, why do you not oppose the importation of contract labor? Why do you

discriminate?

Mr. MOSS of West Virginia. Mr. Chairman, the aspect of the labor question covered by this amendment constitutes one of the reasons why I expect to vote for this bill. I am very glad indeed to see that the attempt that has been made to inject prejudice of one kind or another, religious or otherwise, into this question has not been successful. And I was much gratified to see, in particular, the patriotic American spirit in which both sides of the House have discountenanced an effort to attach to the bill an amendment involving a question now under diplo-

matic negotiation between two great Governments.

Mr. Chairman, in my vote on this question no prejudice will We all recognize the fact that the greatness of America is largely due to the successful amalgamation of the different races of the world, and that many of the eminent and illustrious citizens of this Nation were born in foreign lands. But, Mr. Chairman, there is desirable and there is undesirable immigration, and just as injurious bacteria can be assimilated by the human organisms up to a certain point, after which it can not be done without serious results; so it is that after we absorb a certain amount of undesirable immigration we come to the point where the welfare of the Nation demands that it be stopped. And on this point, Mr. Chairman, I desire to quote the latest, and I believe the best, authority on this question, from a book called The Immigrant Invasion, by Dr. Frank Julian Warne, an author, of high repute, of several books on industrial questions. He takes this matter up in a way which is not partisan, but which is philosophical. And on page 312, after a mature and thorough consideration of this question, he

after a mature and thorough consideration of this question, he states:

The statement that present immigration is affecting injuriously our democratic institutions is not the expression of a mere opinion; it is the recording of a well-considered conclusion, to which one is led as a result of numerous investigations of the problem extending now over a period of 13 years and more.

The late Francis A. Walker, who holds a distinguished place in the list of American economists, has this to say on the subject:

"For it is never to be forgotten that self-defense is the first law of nature and of nations. If that man who careth not for his own household is worse than an infidel, the nation which permits its institutions to be endangered by any cause which can fairly be removed is guilty, not less in Christian than in natural law. Charity begins at home, and while the people of the United States have gladly offered an asylum to millions upon millions of the distressed and unfortunate of other lands and climes, they have no right to carry their hospitality one step beyond the line where American institutions, the American rate of wages, the American standard of living are brought into serious peril. All the good the United States could do by offering indiscriminate hospitality to a few millions more of European peasants, whose places at home will within another generation be filled by others as miserable as themselves, would not compensate for any permanent injury done to our Republic."

"Our highest duty to charity and to humanity is to make this greates at the state of the laws and educated labor, the most triumphant success that can possibly be attained. In this way we shall do far more for Europe than by allowing its city slums and its vast stagnant reservoirs of degraded peasantry to be drained off upon our soil. "No nation in human history ever undertook to deal with such masses of alien population. That man must be a sentlmentalist and an optimist beyond all bounds of reason who believes that we can take such a l

Now, Mr. Chairman, the Committee on Immigration, after many months of consideration, has come to the conclusion that there is no other way, in view of the present unprecedented multitude of immigrants who are coming to this country, to decrease that number, except to apply this literacy test. And I wish to say, that being the case, at least until we need more men in this country—especially considering the fact that we must all admit there is here at least some depreciation in the labor market and depression in industrial lines—I say we all ought to agree that as long as that continues some effort should be made to curb this flood of immigration.

Mr. Chairman, I ask unanimous consent to extend my remarks. The CHAIRMAN. The gentleman from West Virginia asks unanimous consent to extend his remarks in the RECORD.

there objection?

There was no objection.

Mr. BURNETT. Mr. Chairman, the old law provided for the admission of skilled labor when labor of like kind could not be found, and it frequently occurred that men came over as skilled laborers, and after they had gotten here and had gone to the expense of paying their steamship fare and all of that trouble skilled labor of the same kind would be found here, and the immigrant would be sent back.

In order to prevent just such troubles as that we provided in the old bill that that question should first be presented before they ever came or started; presented to the Secretary of Commerce and Labor at that time, now the Secretary of Labor; and if he decided in favor of the application, then they should be admitted.

Now, as was said by the gentleman from Massachusetts [Mr. GARDNER], that was not altogether satisfactory to the gentlemen who represented the trades unions and the laboring people of the country. They thought there ought to be some provision which that question could be decided by appeal. it was provided that there should be permission given for an appeal during 30 days. That appeal is a part of the preliminary trial and preliminary hearing, and it is no hardship upon the men who want to come in, except for the fact that they are kept on the other side until this question is decided.

I think it is a wise provision, although it was not our provision. It was suggested, as has been stated by the gentleman from Massachusetts, by Senator La Follette. But I think on mature consideration that it is a wise provision, because it is better that these men should wait on the other side for a decision upon that question rather than come over here on an uncertainty and then, perhaps, be turned back after they get herc. I therefore hope that that question of appeal will not be stricken out, because if the Secretary of Labor has not decided as some think the question ought to be decided, that right of appeal ought to be given.

I move now, Mr. Chairman, that debate on this amendment close.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin [Mr. Stafford]. The question was taken, and the amendment was rejected.

Mr. MOORE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] offers an amendment, which the Clerk will report. The Clerk read as follows:

Page 10, line 5, after the word "supersedeas," strike out from and including the word "Provided" down to and including the word "servants" on line 11.

Mr. MOORE. Mr. Chairman, in order that this amendment may be understood I desire to read the proviso which it is proposed to strike out. I read:

Provided further, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

Now, Mr. Chairman, in view of the fact that a moment ago the committee refused to make an exception of the unfortunate women who can not read, and in view of the fact that the committee has refused to make exceptions of skilled labor that we might use in this country, I do not think we ought to except the professional classes or include in the professional classes those who come to be employed by Mrs. Astorbilt or some other

millionairess as valets or personal servants.

That is what this proviso does. The wealthy lady or the rich man, the one who reserves himself to himself in his great mansion and wants a retinue of servants and a valet to put on his coat in the morning and to put on his spats when he leaves the house, can make a contract with "James" of England or with "François" of Paris. He can bring any one of those servants into this country under contract and they will be the contract and they will not be excluded under this law. We make a special and distinct favorite of "James, the butler," who comes in to please the aristocrat who is not satisfied with the service that can be obtained in the United States.

A moment ago you refused to permit an exception in the case of the female coming into the United States to do domestic service. We need her all over this country to-day. We need her in the homes of the people where this kind of work is to be done. But she is to be barred. She is not to come in, but James the butler is to come in to please the ladies of Fifth The silk-stocking end of it is preferred in this meas-Avenue.

ure. [Laughter.]

I want at this time to introduce a few facts in regard to those who are to be barred from the United States in favor of James the butler. Last year, according to a recently completed report of the Department of Labor, the immigrants coming into this country brought in with them \$40,000,000—to be exact, \$40,890,197—enough money to build the railroads in Alaska that you are now contending about. These foreigners brought that amount of money into the country, but now under this bill, as you have written it, you will bar out 84,000 females, many whom would make excellent servants and bring positive relief to the American housewife. Yet you propose in this paragraph to admit "James" and a few chauffeurs and a few valets and a few other domestic and personal servants whom the rich of this country want to bring in from Paris and London and Berlin.

I do not think the Democratic Party will stand for this preference for the rich. I do not think the Democratic Party will crowd out the poor in this respect. I do not think the Democratic Party will vote James the butler in by this bill, and hence I have moved to strike out this paragraph. [Laugh-

Mr. BURNETT. Mr. Chairman, the gentleman not only wants to keep out James the butler but he also wants to exclude ministers of religious denominations. I never was apprised before of the fact that the gentleman went so far in his sympathies for the butler and the domestic servants that he did not want the light of the Gospel shed upon the people

of this country.

Mr. MOORE. Does not the gentleman think we have enough clergymen in the United States now to shed the light of the

Mr. BURNETT. I am afraid not, because I am reliably informed that the light of the Gospel has not been shed upon the gentleman in six months or more. [Laughter.]

Mr. MOORE. Does not the gentleman believe that the clergyman who comes in comes in to take money out, while the immigrant who comes in brings money, as I have just shown?

Mr. BURNETT. No. The preacher comes to stay with us,

and the lecturer comes in to diffuse knowledge.

Mr. MOORE. And to make money.

Mr. BURNETT. The main fact is that those who are admitted under these provisions do not compete with the man who toils with his hands in the mines of the country or who is engaged in other manual labor. That is the reason. Chairman, it is the law that the gentleman's party put in there seven years ago, and I did not hear the gentleman then raising any complaint about it. It has been the law for seven years,
The CHAIRMAN. The question is on the amendment offered

by the gentleman from Pennsylvania.

The amendment was rejected.

Mr. YOUNG of North Dakota. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from North Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 10, line 11, after the word "servants," insert "or farm laborers if employed in good faith by farmers."

Mr. YOUNG of North Dakota. Mr. Chairman, I think it stands to reason that if, as the gentleman from Pennsylvania [Mr. Moore] says, the rich are to be permitted by law to import butlers and domestics, and that class of servants, the same as in the past, the farmers, who now get only 2 out of every 100 immigrants who are admitted into the United States, ought to be permitted at least to employ farm laborers from other coun-

tries without regard to the alien-contract provision.

A few months ago one of our North Dakota farmers, a Mr. Lockin, in order to save his crops, drove in search of help to a neighboring town, which happened to be across on the Manitoba side. He picked up five men over there, brought them back, and they went to work on his farm. Soon after that an immigra-tion officer arrested these five men, who happened to be Austrians, and arrested these live men, who happened to be Austrians, and arrested the farmer, and put them all in jail, where they waited until their trial, in December. Our district judge, Judge Amidon, being a broad-minded man, with a rare sense of justice, and taking a broad view of the situation and of the immigration law, let the farmer off with a nominal fine of \$5 and released the five Austrians. But the immigration officer seemed to be somewhat outraged by that decision. He ordered the deportation of the aliens to Austria, not Canada, and he brought a civil action against the farmer for \$1,000 for each man he had so employed, making a total of \$5,000. That action is still pending against him, and if it is pressed and he has to pay, it will ruin him. The treatment of Mr. Lockin is monstrous. If he were so treated in a foreign land, we would be talking about admitting him to this supposed land of the free in order that he would escape the tyranny of an unenlightened govern-

There is another view of this matter. These farmers in North Dakota and other Northwestern States, and, in fact, in all the States, are now in open competition with the farmers of Canada. They must sell their products in the markets of the world and buy in a market confined to a large extent to the United States. The Government has listened to the call of the workers in large commercial centers for untaxed food, and now I think that at least to this partial extent labor ought to be liberated, so that the farmers may have an opportunity to employ labor on the same terms as their competitors across the border in Canada and in other countries. A Canadian farmer can write a letter to the Allan Steamship Co. and send them \$50 ask for a good, strong Scotchman to work a year for \$100 and board, and they will send him one back by the next steamer. And I want to tell you, gentlemen, that that Scotchman can kill admit that at certain seasons of the year there is a shortage of

any two ordinary itinerant farm laborers such as we employ in North Dakota.

Mr. GARDNER. Will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. GARDNER. Suppose a farmer were to import some of these contract laborers and they did not desire to stay with him, could he hold them to work for him against their will under the laws of your State?

Mr. YOUNG of North Dakota. Why, no; and I do not think our farmers would want to hold a man in any sort of bondage or anything of that kind. All they want is simply the opportunity to solicit farm laborers to come. The trouble is that if a farm laborer starts from the old country without a definite destina-tion in view he is apt to get caught in New York and never get to the farmer. If he has a letter from a farmer, he is apt to go on to his destination; and if this amendment is adopted, the farmers may perhaps get their fair share of this immigration which they are surely entitled to.

Mr. SABATH. Will the gentleman yield, in order to allow

me to ask the gentleman from Massachusetts [Mr. GARDNER]

a question?

Mr. GARDNER. I am going to take the floor in my own right after the gentleman from North Dakota has completed his remarks

Mr. YOUNG of North Dakota. I think the farmers certainly have a right to more than 2 per cent of the immigrants who come to this country, because the farmers constitute about onethird of the population of the United States.

Will the gentleman yield? Mr. YOUNG of North Dakota. Certainly. Mr. PLATT.

Were the five Austrians sent back to Austria? Mr. YOUNG of North Dakota. The newspapers took it up, and a young lawyer by the name of Seth Richardson volunteered to defend them without compensation, and after a hearing in court the same Judge Amidon said they were not to be deported back to Austria as had been decreed by the immigration officers, but they might be taken back to Manitoba.

Mr. Chairman, this proposal is fair from every standpoint,

political or social.

If the farmers are permitted to employ farm laborers from abroad they will be benefited and the farm laborers themselves will be benefited. They would have to work hard it is true, because farm work is hard, but they would not have to work harder than in the countries from which they come. Such alien labor would be a great blessing to our farmers, and it would bring no sting to the conscience, because such laborers would work under proper conditions and eventually become owners or operators of farms themselves. In contradistinction to this I want to give a picture drawn by Dr. Lewis Thurber Guild, for many years a brilliant preacher of the Methodist Church and now editor of the Fargo Courier-News. He says:

Church and now editor of the Fargo Courier-News. He says;

The case of the Austrian laborers before Judge Amidon, recently commented upon in these columns, has aroused much discussion throughout the State. If it should result in a demand for amendment of our laws on immigration it would be a good thing.

The fact is that our industrial institutions, the coal mines, and the steel mills do take fearful toll from the well-intentioned, hard-working men who are made almost beasts of burden.

It is well to remember this when one hears the periodical agitation in Congress about restriction of immigration. The right kind of restriction is one thing, but there is another kind which virtually says:

"We are in. You are out. You stay out!"

But there is still another side to immigration. It is the bitter, cruel, industrial side which uses the blood and brawn, the bodies, and the lives of the children of immigrants to further our so-called progress, to build our great works, to carry on our great undertakings. Gordon Thayer thus expresses it in exceptionally strong verses:

"Breed us more men, ye Daughters of Toll;

"Breed us more men, ye Daughters of Toil;
Ye alien mothers in far-off lands,
Sire them strongly, clean brawn and bone,
For we sift from the chaff the wheat alone,
When they come to die at our hands.

"Think on our greed in your travall-throes,"
Think of us when ye bare your breast,
Mine and smelter shall claim their toll,
Roads shall be broken and reach their goal,
Though ye smell their blood from the West.

"We build us strong on your woman's woe Pier of granite and iron span, Glare of furnace and caisson's gloom, Crane and derrick shall rear the tomb Of him whom ye gave us—a man.

Seas shall not bar your sons from harm; Steppe or forest or Alpine slope, Our arms are long to grasp what we need, The New World springs from your trampled seed; Ye drain the dregs of our draught of Hope."

[Applause.] The CHAIRMAN. The time of the gentleman has expired.

Mr. GARDNER. Mr. Chairman, I am perfectly willing to

farm labor, because farmers can not give steady jobs in the winter to as many men as they can give steady jobs to in the

The reason I interrupted the gentleman from North Dakota by asking him the question as to whether the farmer could retain these contract laborers against their will was because I had in mind an experiment tried by the State of South Carolina a number of years ago.

The commissioner of agriculture of that State, Mr. Watson, was much interested in securing certain legislation under which South Carolina-illegally, I think-imported from 700 to 800 immigrants in a vessel which she chartered. They were nominally brought to America to work on the farms. That was the theory ostensibly, anyway.

The immigrants no sooner got to the State of South Carolina than those who took service on the farm at all refused to stay there because they were offered higher wages in the cotton Within a year half of these contract farm laborers who had been imported by the State of South Carolina had left the State of South Carolina and had been merged into the general immigration of the United States or had returned to their own country. I am told that not one single one of those men imported as farm laborers by the State of South Carolina can be found within the confines of that Commonwealth to-day.

Mr. YOUNG of North Dakota. Will the gentleman yield? Mr. GARDNER. With pleasure.

Mr. YOUNG of North Dakota. I would like to ask the gen-tleman whether the case he has mentioned was not a large colonization scheme?

Mr. GARDNER. Seven hundred and odd.

Mr. YOUNG of North Dakota. I would like to ask the gentleman if these men had come in one by one each in response to a letter from a farmer and had come here in that way and sort of become members of the farmer's family, does not be think they would have become attached to the farm and the community and the soil?

Mr. GARDNER. I think that the contract-labor law creates a hardship in certain cases, but you can not draw a general

law without hurting some one.

Mr. SABATH. Mr. Chairman, it is true, as the gentleman from Massachusetts states, that some years ago South Carolina started to import farm laborers. Why this project was not successful is well known to the gentleman from Massachusetts. These men did not remain in South Carolina because after a short stay there they found conditions absolutely unbearable. The agents that were sent out to bring the Belgians over here made certain representations to them which were not lived up to. They promised them excellent homes, good wages, and they promised them that they would be properly treated. After these people arrived here they found conditions much different from what they had been represented to be, and they found that the promises that had been made to them were not to be fulfilled. Naturally, under the circumstances, they refused to remain, and at the first opportunity that presented itself many left that section of the country.

I wish to assure the gentleman from Massachusetts that the people who come without being promised double and treble wages, who come here on their own initiative, and who are not misled by false representations as to the possibilities here, do go to work on the farm, and they remain on the farm and make excellent laboring men and excellent farmers. [Applause.] It has been stated on the floor of this House time and time again that the immigrants do not go on the farms. That is a misstatement, for the statistics will show that a large percentage of the people residing in the rural districts of the northern, western, and northwestern sections of our country are of for-

eign birth or foreign parentage.

I have before me figures taken from a report of the Bureau of the Census which show that in 1910 in the States of New York, New Jersey, and Pennsylvania 31 per cent of the rural population was of foreign birth or of foreign parentage. In the States of Ohio, Indiana, Illinois, Michigan, and Wisconsin 32 per cent was of foreign birth or foreign parentage; in Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, and Kansas 40 per cent of the people residing in the rural districts were of foreign birth or foreign parentage; in the States of Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, and Nevada we find the percentage the same-40 per cent of the rural population is foreign born or of foreign parentage; and, lastly, in the States on the Pacific coast-Washington, Oregon, and California—we find that over 42 per cent of the people who are making their homes on the farms are of foreign birth or of foreign parentage.

Now, Mr. Chairman and gentlemen of this House, I ask you if this is not conclusive proof that the immigrant does go on the farm, that he does not remain in the larger cities, and that

he is one of the pioneers in the "back-to-the-land" movement?

For the edification of some of the gentlemen who are of the opinion that this influx of immigrants is harmful to our country, I wish to read some further statistics, taken from a report the Director of the Census, which show that in the States of Ohio, Indiana, Illinois, Michigan, and Wisconsin 75.4 per cent of the farm land is improved, whereas in Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida you will find but 46.7 per cent improved. In the States of Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, and Kansas you will find 70.6 per cent of the farm land improved, as contrasted with 53.9 per cent in Kentucky, Tennessee, Alabama, and Mississippi.

You will find that in those States where there is a large percentage of the farm land improved there is also a large percentage of the rural population composed of these same "unde-sirable" foreigners, as my friends from the South choose to call them, while in Southern States, with their large percentage of native-born whites, you will find a very small percentage of the

farm land improved.

This again emphasizes the fact that wherever you go you will find that the farmer of foreign birth or foreign parentage is thrifty, industrious, and a willing worker, and that he should be considered a national asset of inestimable value.

For years I have been closely in touch with immigrants and I am thoroughly familiar with their ambitions, their ideals, their aspirations, and I believe I am safe in saying that there is nothing closer to their hearts than their desire to get out in the country and settle on some land which they can some day call their own. Although they may go to the large centers when they first land, because they are not yet familiar with conditions here and do not know what sections of the country are the most desirable, at their first opportunity they leave the city behind them and hasten into the country, into the forests, and onto the prairies, which within a short space of time they turn into fertile fields and productive farms. [Applause.]

Mr. BURNETT. Mr. Chairman, the gentleman is arguing far afield from the proposition stated in the amendment, but I do not desire to reply at length. Here is the record of the commissioner general, who shows the sections of the country affected by the literacy test, and not 2 per cent that come from southern Europe turn out to be farm laborers or ever go on the

Mr. YOUNG of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. No. That was just simply a reply to the gentleman from Illinois [Mr. SABATH]. In reply to statements made here I will say that the danger of this amendment is perhaps not so much along the Canadian border, but along the Mexican border. If those people are permitted to come over under contracts for the purpose of helping to gather the cottonand that is my country and we do often need more labor than we have—the danger of admitting them in violation of the contract-labor law or any other law is that those people as soon as they get over here go out and circulate all over the country, and come in competition with the real laborers that stay here for the purpose of building up the material prosperity of the That is the objection that I have to making them an exception to the contract-labor law.

I move now, Mr. Chairman, that all debate on this section and amendments thereto be now closed. The CHAIRMAN. The question is on the motion of the gentleman from Alabama that all debate on the section and amendments thereto be now closed.

Mr. MOORE. Mr. Chairman, do I understand the motion to include the section?

The CHAIRMAN. The Chair understood that to be the motion of the gentleman from Alabama.

Mr. BURNETT. Yes; that is my motion.
Mr. MOORE. But there are at least two more amendments that are to be offered. Mr. BURNETT.

That does not preclude the offering of amendments

The CHAIRMAN. The question is on the motion of the gentleman from Alabama.

The motion was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from North Dakota.

The amendment was rejected.

Mr. PLATT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 11, line 15, after the word "States," add the following: "Provided further, That nothing in this act shall exclude anybody who can prove that his grandfather could read."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. GARDNER. Mr. Chairman, I desire to offer an amendment at the request of the chairman of the committee, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 4, line 15, strike out the words "and persons who have been insane within five years."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. GARDNER) there were—ayes 47, noes 0.

So the amendment was agreed to.

Mr. GARDNER. Mr. Chairman, on behalf of the chairman of the committee I wish to offer a further amendment striking out the words "women or girls," on page 5, line 17, and inserting the word "persons." All that this amendment does—

The CHAIRMAN. The amendment is not debatable.

Mr. GARDNER. Mr. Chairman, I ask unanimous consent

that I may proceed for half a minute in order that I may explain the sources of all these amendments.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for half a minute. Is there ob-

Mr. MADDEN. Mr. Chairman, I shall have to object. The committee has decided that it is not going to debate this matter further.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 5, line 17, strike out the words "wamen or girls" at the end of the line and insert in lieu thereof the word "persons."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.
Mr. GARDNER. Mr. Chairman, on behalf of the chairman of the committee I offer another amendment, coming from the Secretary of Labor; on page 6, line 19, after the word "by" insert the words "or not coming to."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 19, after the word "by," insert the words "or not coming to."

The CHAIRMAN. The question is on the amendment.

Mr. MOORE. Mr. Chairman, I think there is an error in that.

Mr. SABATH. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. SABATH. Can this be debated? The CHAIRMAN. It is not debatable.

Mr. GARDNER. Mr. Chairman, I ask unanimous consent to explain it for a moment.

The CHAIRMAN. But the committee has closed all debate, Mr. MOORE. Mr. Chairman, I will ask to have the amendment again reported.

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection, and the Clerk again reported the

Mr. SABATH. That is a dangerous amendment.

CHAIRMAN. The gentleman from Illinois will be in This is not debatable. The question is on the amend-The CHAIRMAN. order. ment.

Mr. GARDNER. Mr. Chairman, I ask unanimous consent to explain the amendment.

The CHAIRMAN. But the gentleman must understand that the committee has closed debate, on the motion of the chairman. Mr. GARDNER. But the committee can allow debate by

unanimous consent. The CHAIRMAN. Certainly. The gentleman from Massachusetts asks unanimous consent to proceed for one minute. Is there objection?

There was no objection, Mr. GARDNER. Mr. Chairman, this is recommended by the Secretary of Labor under these words:

Change the clause to read: "All children under 16 years of age unaccompanied by or not coming to one or both of their parents." Such a change would make the conditions of the law conform to the long-existing practice regarding the application of a similar provision in the act of 1907.

Mr. SABATH. Mr. Chairman, I ask for one minute.

The CHAIRMAN. The gentleman from Illinois asks to proceed for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. SABATH. Mr. Chairman, if this amendment be adopted it will preclude by any chance the father or mother who would be here and the child would remain with the grandparents abroad to be brought in here.

Mr. GARDNER. On the contrary, it broadens it and makes

it easier to bring them in.
Mr. SABATH. Not the way it is amended now.

The question was taken, and the amendment was agreed to. Mr. GARDNER. Mr. Chairman, I offer a further amendment. The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 10, line 22, after the word "in," insert the words "the contract-labor or reading-test provisions of this act."

The question was taken and the amendment was agreed to. Mr. GARDNER. Mr. Chairman, I offer another amendment. The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 11, line 1, after the word "such," insert the words "otherwise admissible."

The question was taken, and the amendment was agreed to. Mr. MOORE. Mr. Chairman, I offer an amendment. The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 10, lines 10 and 11, after the words "learned professions," strike out the words "or persons employed strictly as personal or domestic servants."

Mr. GARDNER. Mr. Chairman, I want to be heard in opposition to the amendment.

Mr. MOORE. Mr. Chairman, I ask unanimous consent that the gentleman have two minutes and that I have two minutes on this.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the gentleman from Massachusetts may have two minutes and he may have two minutes to debate this amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. GARDNER. Will the gentleman defend his amendment,

or shall I speak first?

Mr. MOORE. I shall be glad to speak first if the gentleman so desires

Mr. Chairman, I offer this amendment in view of the fact that an amendment was voted down a few moments ago which proposed to give the farmers along the Canadian border the right to have labor coming over the border to help them out in harvest time. That was rejected. Now, I insist, this House ought not to make a preference in favor of the wealthy people along Fifth Avenue or in the wealthy circles of any other city who are not content with such labor as they can contract for in the United States, but who insist upon going to Paris, London, and Berlin to contract for valets or personal servants. If they can not get such help in the United States, we ought not to give them a special privilege to avoid the contract-labor law to obtain valets, domestic servants, and so forth, abroad.

Mr. GARDNER. Mr. Chairman, this clause in the law has

nothing to do with James, the valet, or Alphonse, the chef. Those specialists come over here as first-class travelers. This clause has to do with Martha and Mary, girls who do not like to come to this country on speculation as to where they are going to bring up. Martha and Mary do not like to come here from New Brunswick or Nova Scotia unless they are sure of a situation awaiting them. We know mighty well, Mr. Chairman, how dangerous it is to permit young women to come as strangers into any country unless they have some definite place to go to and some assured opportunity of earning a living.

Mr. ROGERS. Mr. Chairman—
The CHAIRMAN. For what purpose does the gentleman rise?
Mr. ROGERS. To move to strike out the last word.

The CHAIRMAN. That would not help the gentleman, because that is no more debatable than anything else.

Mr. ROGERS. I ask for one minute in which I may make an

inquiry of the committee.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for one minute. Is there objections to the constant of the committee.

on? [After a pause.] The Chair hears none. Mr. ROGERS. I should like to ask some member of the committee, referring to the last two provisos of section 3, which are in lines 11 to 15, on page 11, whether some such restriction as has just been adopted by means of a committee amendment in case of exhibitors at fairs or expositions ought not to be inserted here in connection with the wives and minor children of citizens of the United States, and perhaps also in connection with the suites of the representatives of foreign governments.

Mr GARDNER Mr Chairman, I ask unanimous consent to

answer the gentleman.

The CHAIRMAN. Without objection, the Chair will recognize the gentleman for one minute.

There was no objection.

Mr. GARDNER. I will say to the gentleman that we think not. This right of free ingress for the suites of foreign ministers, ambassadors, and so forth, probably exists under international law anyway. For a long time they have been exempt from the operation of our immigration laws, and no question has been raised. It is presumable that no ambassador or minister would introduce into the United States any member of his suite suffering from a contagious disease. Probably international law presupposes that foreign nations shall be privileged to send whom they choose to represent them here.

Now, one word more as to this question of excluding under any circumstances the wife and minor children of a citizen of the United States. The provision prohibiting such exclusion was inserted, if I am not mistaken, without much discussion when the immigration bill was up in the Senate a year or two ago. I believe that the wife of a citizen of the United States, even if he is a naturalized citizen, ought to have exactly the same rights as your wife and my wife, but she will not always have them, and the children of a naturalized citizen will not always have the same rights as our children, unless we retain in this bill this provision exempting wives and children of American citizens from the operation of this law. The gentleman, of course, knows that children born prior to the naturalization of their parents have been held by the courts to be

Mr. ROGERS. Suppose the wife is a prostitute?

Mr. GARDNER. We must admit the prostitute wife of a naturalized American citizen just as readily as we admit the prostitute wife of a native-born American citizen.

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania [Mr. Moore].

The amendment was rejected. Mr. LEVY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 7, line 15, strike out the words "four months" and insert in lieu thereof the words "three years."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 6. That it shall be unlawful and be deemed a violation of section 5 of this act to induce, assist, encourage, or solicit any alien to come into the United States by promise of employment through advertisements printed, published, or distributed in any foreign country, whether such promise is true or faise, and either the civil or criminal penalty imposed by said section shall be applicable to such a case: Provided, That States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States may advertise, and by written or oral communication with prospective alien settlers make known, the inducements they offer for immigration thereto, respectively.

Mr. SABATH. Mr. Chairman, I move to strike out the proviso.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 14, strike out the proviso in lines 2 to 6, inclusive.

Mr. SABATH. Mr. Chairman, my motion is to strike out this proviso:

That States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States, may advertise, and by written or oral communication with prospective allen settlers make known, the inducements they offer for immigration thereto, respectively.

Only a few moments ago, Mr. Chairman, the gentleman from Massachusetts stated that some years ago South Carolina brought over a shipload of immigrants, and that these immigrants did not remain there very long. I am satisfied that not only South Carolina, but some other adjoining States, do not at this time seek immigration. I realize that were the people of these communities as familiar with the benefits to be derived from immigration as are we who come from sections where there are a great many immigrants, they would be anxious to have these immigrants come to their States and help them develop that country. It seems that they are prejudiced against immigration; yet if they would only stop to think, they would realize that the great development that has taken place throughout the northern and western sections of this country during the past 25 years has been in a great measure due to immigration. These immigrants have settled on lands which had lain dormant for years, and which, as a result of their efforts, are now yielding great harvests that tax the capacity of our granaries and help to feed hundreds of thousands of our people. Let these individuals who are opposed to immigration imagine, if they can, what would be the condition of these sections of our country. to-day had it not been for the immigrants. They have made a veritable garden out of what was once a wilderness.

These people from the communities where there is so much opposition to immigration have become prejudiced through articles that have appeared in the papers in these sections, and through communications which have been sent them by certain organizations. In view of that fact, I do not think it is fair that they should be permitted to advertise for immigration or seek to bring it to those sections where it is not wanted. and where the immigrants would not be made welcome,

I am of the opinion that, if they were permitted to stimulate immigration and contract for it, it would be unsatisfactory not only to them but to the immigrants as well, for these people do not desire to go to a section of the country where they are made to feel that they are outcasts and where their honest work is not appreciated. They come to this great Republic of ours not only to better their financial condition, but to make their homes where they can be free from tyranny and oppression, and they do not wish to be subjected to the same kind of treatment that was accorded those who were imported into South Carolina some years ago. I believe that this section of the bill should be eliminated, so that there may be no repetition of that unfortunate trial, and which has continuously been used against the present-day immigration with such telling effect that a great many people have been prejudiced by it.

Mr. Chairman, I feel confident that if the people of South

Carolina had understood the people whom they attempted to colonize in that State that by this time there would be a universal demand from that section of the country for immigration. Unfortunately for South Carolina, as well as for the adjoining States, this failure to comprehend the many intricate questions which were involved and to make due allowance for the difficulties under which these people were laboring resulted in conditions being made unbearable for them, and consequently the project was a failure.

People of every race and every nation have their peculiarities; their environments are different and conditions are such as to give them an outlook upon life which varies considerably from that of the people of other and strange countries. It is not fair to expect these people to conform to our customs and adopt our practices as though they had been familiar with them all of their life. Naturally it requires some little time for them to familiarize themselves with conditions which are entirely new to them.

Even though to-day we find the gentlemen from Alabama, Mississippi, and Tennessee objecting to immigration, I am of the firm belief that within a few years the people of South Carolina will realize the grave mistake they made and will welcome among them these people which they now class as "undesir-

These immigrants have fully demonstrated in the sections where they have settled that they are honest, industrious, lawabiding people; that they love the life on the farm; and that they make most desirable citizens. However, until their worth is recognized and they are appreciated at their true value, I do not believe that any community or any State or any section of the country should be permitted to offer inducements to these immigrants and seek to lure them within their confines.

Mr. SLAYDEN. Mr. Chairman, I shall not occupy as much as five minutes, but I do feel, as a Representative from one of the States that has apparently earned the contempt of the distinguished gentleman from Illinois [Mr. Sabath], that I ought

to say a word in reply to his suggestion.

Mr. SABATH. Mr. Chairman, will the gentleman yield for a question?

Mr. SLAYDEN. Yes. Mr. SABATH. I wish to state to the gentleman from Texas that I did not have that State in mind at all, because a great many of our people do go to Texas, and they are there properly treated, and they do make good citizens.

Mr. SLAYDEN. Mr. Chairman, I will correct my statement

and say that as a man who began his existence in one of the Southern States and who now has the good fortune to reside in

Texas, I protest against the gentleman's suggestion.

He says that if we in the South were as well advised on questions of political economy and political science, or words to that effect, as people are in the North, and presumably as they are in the city of Chicago, we would take a different position on this question.

Now, Mr. Chairman, it may be that some things in these sciences have been revealed to the gentleman which we have

not yet comprehended, but I have seen no evidence on the floor of this House to indicate the truth of his position in that respect. The people in the South are confronted, and have been for 50 years, by problems that he little comprehends, if he has ever undertaken to study them. The position of the people of the South on this question does not grow out of religious prejudice. Their position on this question has been forced on them by conditions so complex, so incomprehensible to him and other men who have not known it from personal contact, that it would be an utter waste of your time for me to undertake to discuss it here. But I do resent the suggestion that the people of the South, the people who helped to found this Government and who have developed great Commonwealths, honestly, economically, and wisely administered, are in need of his sympathies or his methods.

Mr. SABATH. Mr. Chairman, will the gentleman yield? Mr. SLAYDEN. I do. Mr. SABATH. I think the gentleman misunderstood me if he thinks I stated anything about religious questions. I did not intend to, and I know I did not.

Mr. GARDNER. Mr. Chairman, I move to strike out the last

The CHAIRMAN. The gentleman from Massachusetts [Mr.

GARDNER] moves to strike out the last word.

Mr. GARDNER. Mr. Chairman, this proviso that the gentleman from Illinois [Mr. Sabath] seeks to strike out is not the proviso under which South Carolina imported her immigrants. It was under a doubtful construction of the law of 1903 that she acted. The act of 1907 definitely prohibited such a course. This provision which it is proposed to strike out has been carried for a great many years in the immigration law. I have in my hand the immigration law of 1903. It carries this provision, and the immigration law of 1907 carries this provision. The only change which we make in the wording consists in the insertion of these words "and by written or oral communication with prospective alien settlers make known."

The reason for the insertion of those words, as stated in the report of the Commissioner General of Immigration for 1911, is

To the proviso allowing States and Territories to advertise their inducements to immigration is added a specification of exactly what they may do to make their advertisements effective. This is in the interest of clearness, and is only fair to those States that really desire and need a good class of immigration.

Now, Mr. Chairman, I can understand how restrictionists like myself should be opposed to permitting States to advertise their inducements in foreign newspapers, but I can not understand how anyone who takes the opposite point of view, like the gentleman from Illinois [Mr. SABATH], can seek to amend this bill in this particular.

Mr. SABATH. Will the gentleman yield?

Mr. GARDNER. Of course I yield.

Mr. SABATH. Does not the gentleman from Massachusetts know that I have been at all times opposed to contract labor and against stimulated immigration?

Mr. GARDNER. I think so.

Mr. AUSTIN. Mr. Chairman, if the gentleman from Illinois [Mr. Sabath] in his allusions to the Southern States referred to Tennessee, I wish to say to him that there is absolutely no foundation upon which to base his insinuations or statements. The laboring men in Tennessee have just as many advantages and opportunities and are just as kindly and generously treated as laboring men in New York or Chicago. I wish to say that there are fewer of them out of employment than there are in New York City or Chicago, for I hold in my hand a copy of to-day's New York Times to which I desire to call the gentleman's attention

"Three hundred and fifty thousand men now out of work here, and most of them have homes and families to support," says the Charity Association. One hundred and forty thousand laborers are idle.

The article states:

There are more than 325,000 men in New York City trying to find employment, according to a report that has just been completed by the bureau of employment of the Association for Improving the Condition of the Poor. Furthermore, the Association for Improving the Condition of the Poor significantly points out that these statistics represent for the most part men who have homes and families to support.

Mr. SABATH. Will the gentleman yield? Mr. AUSTIN. In a moment. [Reading:]

the least, unsound. We have come to the conclusion from our service that on any given day this winter there were at least 325,000 men out of work in this city.

There follows an alphabetical list, beginning with actors-Mr. SLAYDEN. Who are the "we" who are quoted who are quoted as making this statement?

Mr. AUSTIN. This charitable organization in New York ity. The figures given of the number unemployed are:

Actors, 300; building trades, 70,000; cloak and suit makers, 18,000; unskilled laborers, 140,000; longshoremen, 18,000; mechanics, 4,500; musicians, 400; engineers and firemen, 3,000; drivers, 3,000; clerks, bookkeepers, and accountants, 5,000; boatmen, bargemen, and sailors, 4,200; barbers, 3,800; bakers, 1,450; waiters, 6,000; tailors and pressers, 6,000; servants and butlers, 12,000; printers, 2,200; rubber factory operators, 1,200.

The complete list is as follows:

Actors	300
Agents	600
Bakers	1, 450
Barbers	3, 800
Bartenders	300
Rlacksmiths	600
Boatmen, bargemen, sailorsBookbinders	4, 200
Bookbinders	300
Boot and shoe makers	350
Rroward	100
Building trades	70, 000
Butchers	200
Cabinetmakers	400
Chauffeurs	3, 200
Cloak and suit makers	18, 000
Clerks, bookkeepers, accountants	5, 000
Confectio iers	1,500
Drivers	3, 000
Floatricians	800
Engineers and firemen Engineers—civil, mechanical, mining Engravers Foremen and overseers Harness and leather goods workers	3, 000
Engineers civil machanical mining	300
Engine vary	250
Englavel	350
Harnass and laather coads workers	500
Hucksters and peddlers	1, 200
Ironworkers	400
Laborers, unskilled	
Launderers.	500
Longshoremen	18, 000
Mechanics	4, 500
Musicalans	400
MusiciansPrinters, lithographers, pressmen	2, 200
Rubber factory operatives	1, 200
Releases	500
SalesmenSaw and planing mill	800
Servants and butlers	1, 200
Servants and butters	600
Silk, woolen, and textile operatives Tailors and pressers Tobacco and cigar makers	6, 000
Tallors and pressers	800
Tobacco and cigar makers	6, 500
Walters	0, 500
Miscellaneous, including teachers, saloon keepers, watchmen,	
tolophone constitute Schormen butter and choose makers	
Waiters. Miscellaneous, including teachers, saloon keepers, watchmen, hostlers, packers and shippers, merchants, telegraph and telephone operatives, fishermen, butter and cheese makers, millers, boiler makers, wheelwrights, wireworkers, bottlers.	
millers, boiler makers, wheelwrights, wireworkers, bottlers, photographers, broom makers, hat makers, brass workers,	
photographers, broom makers, hat makers, brass workers, etc	25, 000
etc	20,000
Total	331, 650

I commend to my distinguished friend from Illinois [Mr. Sabath] and to the gentleman from New York [Mr. Goldfogle], whom I see on his feet, whether they need any more allens landed in New York City, and can those gentlemen provide them with employment?

Mr. GOLDFOGLE. Will the gentleman pardon me?
Mr. AUSTIN. I shall be glad to hear the gentleman.

Mr. GOLDFOGLE. Does not the gentleman from Texas

Mr. AUSTIN. Pardon me, I have been charged with everything else, but do not charge me up to the State of Texas. They do not elect any Republicans in Texas, I am sorry to say

Mr. GOLDFOGLE. I beg the gentleman's pardon for saying

he is from Texas. Texas is a very good State, however.

Mr. AUSTIN. What is the gentleman's question?

Mr. GOLDFOGLE. Does not the gentleman know, first, that to the city of New York come daily many thousands of men from every State of the Union thinking that they can get employment

in that city, and these men—
Mr. AUSTIN. What is the gentleman's question?

Mr. AUSTIN. What is the gentleman's question?
Mr. GOLDFOGLE. And these men swell the large class of the so-called unemployed?
Mr. AUSTIN. What is the gentleman's question?
Mr. GOLDFOGLE. I want to know whether the gentleman

is aware of that fact?

The bureau of employment of the association has spent two months making a careful investigation of conditions here. In the course of that inquiry agents of the association personally gathered the data for their report from the representatives of various trade-unions, managers of large construction companies, and industrial corporations, as well as from employment agencies and charitable institutions.

We are confident that the timeworn platitude "anyone can find work if he really wants it" is not warranted by the facts, and it is, to say Mr. AUSTIN. I am aware of the fact that thousands of these

ralized American citizens with families who are walking the

streets of New York City begging and pleading for employment.

Mr. GOLDFOGLE. Mr. Chairman, the gentleman from Ten-NR. GOLLD' GOLLD. Mr. Charlman, the Settlements of New York, that great city composed of five large boroughs, that has within it myriads of commercial, industrial, and manufacturing establishments of every kind, business establishments of almost every conceivable variety—to this city come from every State in the Union hundreds of thousands of men throughout the year who are without employment during certain months of the year in the places where they come from or reside. They come in and go out, some remaining a week, some a month, some a day, but no one is able to keep track of them or to ascertain their When these itinerants, especially at times when trade happens temporarily to be slow, as at times it will be everywhere, some one undertakes to figure up how many unemployed there are in the city. These figures are matters of pure guess-work. They are by no means authentic. They come from unofficial sources. Many thousands of those who are unemployed and go to the charities for relief do not really belong to New York City. They come from anywhere and everywhere, and there is no telling or ascertainment from how many different States of the Union they really come from.

So the gentleman from Tennessee is most unfair to the city I have the honor in part to represent on this floor. The gentleman does not understand the conditions that prevail in my city.

Mr. AUSTIN. Will the gentleman yield?

Mr. GOLDFOGLE. Certainly.

Mr. AUSTIN. Does not this article state that practically all of these men are men of families residing in New York City?

Mr. GOLDFOGLE. I have not read the article.

Mr. AUSTIN. I read it to you.

Mr. GOLDFOGLE. There are thousands and thousands or men among the unemployed in New York City who have no habitation in that city.

Mr. CONRY. Will the gentleman yield?
Mr. GOLDFOGLE, Certainly.
Mr. CONRY. Is it not true that during the months or January, February, and March the building trades are practically at a standstill in New York City, and at other seasons of the year these workmen engaged in these particular lines receive remunerative salaries and are constantly employed, and that these sociological workers always apply themselves to taking a census during the months of January, February, and March, when these large numbers of men employed in the build-

ing trades are out of employment?

Mr. GOLDFOGLE. My colleague states the position accurately; that is exactly the state of affairs that prevails. The gentleman from Tennessee is in error in regard to the conditions

in New York City.

Mr. AUSTIN. The gentleman from Tennessee is not in error in reading a report of a city official of New York describing these conditions,

Mr. GOLDFOGLE. It is not a report of a city official at all. understand the gentleman wanted it understood that in my city there was such a tremendous number of resident aliens unemployed that there was no reason why we should permit further immigration.

Mr. AUSTIN. That is what the report says. You must not criticize what I say, but your own city officials.
Mr. GOLDFOGLE. I have neglected to ask my friend from

Tennessee how many unemployed there are in Tennessee.

Mr. AUSTIN. I stated that our people were practically all employed.

Mr. GOLDFOGLE. As just suggested to me by the gentleman

on my left, our people are practically all employed, too.

Mr. AUSTIN. Why does a letter like this go to the State of Maine offering to furnish labor for less wages than are paid in the State of Maine?

Mr. MANN. That is the result of the tariff.
Mr. GOLDFOGLE. No; it is not. Mr. Chairman, surely no man in this House can suppose that in a city like New York, with over 6,000,000 population, there will always be employment for everyone. There must of necessity always be a large number at different seasons of the year out of employment, while at other seasons of the year out of employment, while at other seasons of the year they receive remunerative employment. They ought to understand that people come to the metropolis from everywhere thinking that all they have to do is to come to us and get employment at once. They find themselves sometimes—yes, often—stranded. They remain a while, and, I presume, return to their own villages and towns and cities. It is to our city that these wandering bands and itinerant classes, who are unofficially numbered among the employed, come. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BURNETT. Mr. Chairman, I move that all debate on this section now close.

The CHAIRMAN. The gentleman from Alabama moves that all debate on this section close.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Illinois [Mr. Sabath].

The question was taken, and the amendment was lost. The Clerk read as follows:

The Clerk read as follows:

Sec. 7. That it shall be unlawful for any person, association, society, company; partnership, corporation, or others engaged in the business of transporting aliens to the United States, including owners, masters, officers, and agents of vessels, directly or indirectly, by writing, printing, or oral representation, to solicit, invite, or encourage any alien to come into the United States, and anyone violating any provision hereof shall be subject to either the civil or the criminal prosecution prescribed by section 5 of this act; or if it shall appear to the satisfaction of the Secretary of Labor that any owner, master, officer, or agent of a vessel has brought or caused to be brought to a port of the United States any alien so solicited, invited, or encouraged to come by such owner, master, officer, or agent shall pay to the collector of customs of the customs district in which the port of arrival is located, or in which any vessel of the line may be found, the sum of \$400 for each and every such violation; and no vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine, or while the fine imposed remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit with the collector of customs of a sum sufficient to cover such fine: *Provided purther*, That whenever it shall be shown to the satisfaction of the Secretary of Labor that the provisions of this section are persistently violated by or on behalf of any transportation company, it shall be the duty of said Secretary to deny to such company the privilege of landing alien immigrant passengers of any or all classes at United States ports for such a period as in his judgment may be necessary to insure an observance of such provisions: *Provided further*, That this section shall not be held to prevent transportation companies from issuing letters, circulars, or advertisemen

Mr. RAINEY. Mr. Chairman, I move to strike out the last word. This is the season of the year when throughout the land men are unemployed. Always at this time of the year there are a large number of unemployed in our great cities. At this season of the year usually in the past stories have appeared in the daily papers describing the length of the bread lines in the various cities of the country. We hear no stories of that kind now. Every month, every week, and every day the reports of the Department of Commerce show that our factories are manufacturing a larger output than they have in the past; we are exporting more than ever and we are importing more than we ever did, but the balance of trade is always in our favor. This is the season when men can not work out of doors, and men who do that kind of work are therefore necessarily unemployed.

Just a little while ago attention was called to the fact that in Canada they can import laborers for farms and that we can not do it here under our laws, and the inference from that sort of statement always is that the farmers of this country are about to be brought into competition with cheap labor up there in Canada, and with cereals raised upon the cheap farms of Canada. And now I want to put in the Record some evidence with reference to this fact, and, if possible, to end forever this argument made so frequently upon this floor and elsewhere that the farmers of this country are about to be brought into competition with cheap labor and with the product of cheaper lands in Canada, I want to show what they pay farm laborers in Canada. I do not agree with the statement made by the gentleman from North Dakota [Mr. Young] a while ago that a Scotchman imported from Scotland and put to work in the wheat fields of Canada can do as much work as two men who work in North Dakota.

If he had made that statement back in the great wheat section of North Dakota he would find thousands and thousands of farm laborers ready to combat the proposition. an official publication of the Dominion of Canada for the year 1910, the Canadian Yearbook. It is the last one that I am able to get hold of, although I think one has been published since that time. According to this publication, farm laborers in British Columbia, males, receive \$57.40 per month during the summer months. Females receive during the summer months \$38 per month. In Alberta, the great wheat section of Canada, farm laborers, males, get \$40 per month, and females working on farms \$27.50 per month. In Saskatchewan farm laborers, males, get \$40 per month, and females \$24.50 per month. In Quebec farm laborers get \$36.40 per month, males, and females get \$18.98 per month, and so on. These figures show that in the great agricultural sections of Canada, the wheat sections, they are paying farm laborers more per month than they are paid on our Dakota farms, and that is the cheap labor that we are to be brought into competition with when free cereals are brought over the border.

As to the value of farm lands in the wheat sections of Canada, I desire to call attention to a statement made also in this Canadian Yearbook. In British Columbia the average value of occupied farm land is \$74 per acre. How does that compare with the average value of farm lands in the Dakotas? In Alberta, the great wheat section of Canada, the average value of farm lands is \$24 per acre; in Saskatchewan it is \$22 per acre; and in Manitoba, \$28.67 per acre; while in Quebec it is \$40.50 per acre; and in Ontario, \$48 per acre. These are the official figures given in this publication for the Dominion of Canada.

Mr. MANAHAN. Mr. Chairman, will the gentleman yield?
Mr. RAINEY. Certainly.
Mr. MANAHAN. What is the value in Illinois?
Mr. RAINEY. Illinois is not a wheat-producing State. I do not know what the value is, but I presume it is about the same as in British Columbia—not much higher—that is, the average value of farm lands. We do not claim for Illinois that it is a wheat-producing State. Illinois is a corn State; and, while we produce wheat there, corn is our principal crop, and corn lands are always worth more than wheat lands. The various Canadian Provinces are not corn-producing lands. If ultimately, on account of the Underwood tariff bill, we are brought into competition with Canada in the matter of cereals, it is fairer to compare the value of farm lands in the border States of the Northwest with the value of farm lands in the Canadian Provinces. If there is any competition, there is where the competition will be.

In 1910 the average value of farm lands in Oregon amounted to \$35.23 per acre. In Minnesota in that year the average value of farm lands was \$36.82 per acre; in North Dakota, \$25.69 per acre-less than in most of the Canadian Provinces and about the same as the value of lands in Alberta, the great wheatproducing section of Canada. In South Dakota the value of farm lands was \$34 per acre in that year. For the entire United States the average value per acre of farm lands in 1910 was \$32.40—less per acre than the average value of occupied farm

lands in all of Canada.

I undertake to say that no State in the Union pays farm laborers as much as the Canadian Provinces pay. In Illinois the average amount of wages paid to a farm laborer is as large as in any other State—perhaps larger—and, according to the census we have just completed, the average annual wage of a farm laborer in Illinois is \$259. According to the Canadian Yearbook, which I have here, in Alberta the average wage per year of a farm laborer amounts to \$416. In Saskatchewan a farm laborer receives per annum an average wage of \$402.50. In Manitoba a farm laborer receives on an average \$400 per annum. I have given here the average wages paid males.

The average wage in these Canadian Provinces paid female help on a farm per year is much larger than the average wage paid the same kind of help in the United States. In Alberta they pay an average wage of \$300 per year for female help on a farm; in Saskatchewan, \$263.60; in Manitoba, \$282.

I therefore submit that the farmers of the United States, on

account of the recent tariff law, are not being brought into contact with cheap labor in Canada and with the product of cheap farming lands in that country, and they are not likely at any time in the future to be compelled to contend with the product of cheap lands and cheap labor across our northern boundary. During the greater portion of the year wheat commands a higher price in Winnipeg than in either Chicago or Minne-apolis. The result of the Underwood tariff bill will be that when there is a shortage of wheat in this country wheat will come in from Canada if the Canadian wheat crop is ample.

Whenever there is a shortage in the wheat crop in Canada our farmers will have the advantage of the Canadian market, and during a period of that kind wheat will be welcomed in Canada when it comes from the United States. On account of the difference in latitude and difference in climatic conditions it will often happen that when there is a shortage in the wheat crop of one country there will be an ample wheat crop in the other, and when this occurs wheat will move from that country which produces an abundant crop to the other country where the crop is not so large. The removal of the tariff on wheat and other cereals between the two countries, when it does come under the provisions of the Underwood bill, will operate in the interest of common humanity and to the advantage of the consumers of both countries and to the disadvantage of the producers in neither country.

Mr. BURNETT. Mr. Chairman, I move to close debate on

this section.

Mr. MANAHAN. Mr. Chairman, I have an amendment that I desire to offer.

Mr. STAFFORD. Mr. Chairman, I hope the gentleman from Alabama will not press that amendment.

The CHAIRMAN (Mr. SAUNDERS). The motion is not debatable.

Mr. BURNETT. Mr. Chairman, I move to close debate on this section.

Mr. MANAHAN. Mr. Chairman, a parliamentary inquiry.
The CHAIRMAN. The gentleman will state it.
Mr. MANAHAN. Mr. Chairman, as soon as this section was read, as a member of the committee I rose. The gentleman then presiding in the chair looked at me directly and then turned and looked in the direction of the gentleman from Illinois [Mr. RAINEY], who is not on the committee, and recognized him, and I ask if that is parliamentary?

The CHAIRMAN. Recognition goes by preference to the chairman of the committee. The gentleman from Alabama is

chairman of the committee.

Mr. MANAHAN. But, Mr. Chairman, my inquiry is not as to the present situation but to what occurred when I rose to offer an amendment which goes to the merits of this section.

The CHAIRMAN. The gentleman from Minnesota will be

The CHAIRMAN. The gentleman from Minnesota will be permitted to submit his amendment, but that is not interfered with by the motion of the gentleman from Alabama.

Mr. MANAHAN. Of course, if the gentleman desires to fore-

tlose in that way, well and good.

Mr. BURNETT. Mr. Chairman, I ask to have the amend-

ment read. The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 10, after the word "States," insert "or engaged in transportation in the United States by the payment of commissions or rebates to steamship companies or to foreign agents or employees or any such transportation or steamship company."

Mr. GARDNER. Mr. Chairman, I ask that that amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the amendment was again re-

ported. The CHAIRMAN. The gentleman from Alabama moves that all debate on this section and all amendments thereto be closed in 15 minutes.

The question was taken, and the motion was agreed to.

Mr. MANAHAN. Mr. Chairman, the point of this amendment is very obvious; it is to make the violation of the law not only include transportation companies at sea but also the railroad companies of the United States. It is a well-known fact that the railroad companies assist the steamship companies in the matter of soliciting immigration and pay money by way of rebates out of the fares they collect for carrying immigrants for that purpose. The reports before the Interstate Commerce Commission, or at least to congressional committees, will disclose the fact that the transportation companies have done that sort of thing in the past and it is, to my mind, very much more important that this encouraging of immigration should be stopped than to restrict and keep out men who of their own volition desire to come here to make homes for themselves in this country. I think the policy of this bill which concentrates its force against the coming in of immigrants themselves rather than concentrating its force against the corporations of this country who induce the immigration is all wrong.

I am as much opposed as any man could be to an unnatural, unhealthy immigration brought about by misleading advertise ments, by false words spoken by agents, and by promises held out by transportation companies, and by exploiting corporations, and I will go as far as any man to stop that evil practice; but this section, as it is now, does not touch one of the most flagrant violators of the law, and that is the railroad companies of the United States who pay back to the steamship companies delivering immigrants to them for transportation so much per head upon every immigrant they so delive: at the port of landing in this country. Now, then, why not, I ask the chairman of the committee, why not incorporate into this section-and if my language is not felicitous enough to do it properly let the committee itself put in an amendment, so as to include the railroad corporations and stop them also from promoting immigration. It is known that the railroad-transportation interests in this country really pay the salaries of the soliciting agents in the end. Therefore, Mr. Chairman, I respectfully urge the committee and the House to incorporate those words into this section, so as to make it a stronger section than it is now, and include within the inhibitions the transportation companies on land as well as the transportation companies on sea. [Applause.]

Mr. GARDNER. I would like to ask the gentleman from Minnesota if the same object would not be attained by inserting in line 9, page 14, the words "or in."

Mr. MANAHAN. Yes; I think it would attain the same

object and be better language.

Mr. GARDNER. Mr. Chairman, I can state for the chairman of the committee that if the gentleman will offer that amendment that it will be accepted so far as the chairman and myself are concerned.

Mr. MANAHAN. Mr. Chairman, I offer the amendment to include in line 9, after the word "to," the words "or in."

The CHAIRMAN. The gentleman from Minnesota asks

unanimous consent to withdraw his amendment heretofore sent to the desk. Is there objection? [After a pause.] The Now, the gentleman offers an amendment, Chair hears none. which the Clerk will report.

The Clerk read as follows:

Page 14, line 9, after the word "to," insert the words "or in," so that the line will read "engaged in the business of transporting aliens to or in the United States," etc.

Mr. TEMPLE. Mr. Chairman, I wish to call attention to the paragraph of this section which reads as follows:

Mr. GARDNER. Will the gentleman object to the question being put on the amendment of the gentleman from Minne-

Mr. TEMPLE. Not at all.

The question was taken, and the amendment was agreed to. Mr. TEMPLE, Mr. Chairman, I desire to call attention to the paragraph of this section which reads as follows:

Sec. 7. That it shall be unlawful for any person, association, society, company, partnership, corporation, or others engaged in the business of transporting aliens to the United States, including owners, masters, officers, and agents of vessels, directly or indirectly, by writing, printing, or oral representation, to solicit, invite, or encourage any alien to come into the United States, and anyone violating any provision hereof shall be subject to either the civil or the criminal prosecution prescribed by section 5 of this act.

If we turn to section 5, here referred to, we find that the criminal prosecution which it provides may result in a fine of \$1,000 or imprisonment of from six months to two years. Now, to apply this, an agent of a vessel to engage in oral representation and by word of mouth invite a foreigner to come to this country, must be where the alien is. If he is to use oral representation to a German he must be in Germany in order to do it. This, then, is an attempt to exercise jurisdiction over a German agent living in Germany for inviting a German subject to come to the United States, and the supposed offense against a law of the United States is committed in Germany. Does anyone suppose that the German Government would quietly submit to the attempt to exercise such jurisdiction?

Mr. GARDNER. Will the gentleman yield for a question? Mr. TEMPLE. Very willingly. Mr. GARDNER. The gentleman is trying to show that by this provision we claim extraterritorial jurisdiction?

Mr. TEMPLE. Precisely.

Mr. GARDNER. In criminal matters.

Mr. TEMPLE. Extraterritorial jurisdiction in criminal matters. And the United States Government has resented that claim on the part of other governments when they attempted to exercise it over those who had done certain acts in the United States that were contrary to the laws of foreign coun-United States that were contrary to the laws of foreign contries. I would like to ask the chairman of the committee if this language is not a part of the existing law?

Mr. BURNETT. Yes.

Mr. TEMPLE. I believed it was a part of the existing law,

and my purpose is not now to move any amendment, but to call attention to a crudity in the law that ought to be elimi-We have never yet nated. It has always been a dead letter. tried to exercise extraterritorial jurisdiction under this paragraph, but in a later part of the bill there is a section which is not in existing law, and in which we provide that American officers in uniform shall exercise the jurisdiction of the United States in ships of foreign countries, and foreign powers have already protested against that section.

Mr. GARDNER. Of course, we are not at that point yet, but I suggest for the gentleman's contemplation whether or not there is any criminal feature in our attempt at an extraterritorial furisdiction in the matter of putting surgeons on vessels.

Mr. TEMPLE. Not at all. Mr. GARDNER. There is a distinction.

Mr. TEMPLE. And a very wide distinction. I was going to make this use of what I was saying: This has been a dead letter. So far we have never attempted to exercise jurisdiction under the law as it stands, but we are going to attempt to exercise American jurisdiction in foreign ships, and that makes it pos-

sible that we shall attempt, even with this section, to do what we have never done before.

I should like to read from letters, let me say, of two Secretaries of State in correspondence with foreign powers in regard to this-from a letter of Mr. Calhoun written in 1844 and from a letter of Secretary Cass written in 1859. I shall read the last one first, for I fear I shall not have time to read them both. On February 23, 1859, Mr. Cass wrote to Mr. Dallas, then our minister to Great Britain, about a case in which Great Britain was attempting to exercise jurisdiction over certain men for an offense committed in the United States against the laws of Great Britain. Mr. Cass said:

By the law of nations every independent State possesses the exclusive right of police over all persons within its jurisdiction, whether upon its soil or in its vessels upon the ocean, and this national prerogative can only be interfered with in cases where acts of piracy are committed, which, by the public law of the world, are cognizable by any power seizing the vessel thus excluded from the common rights of the ocean.

All I wanted to do was to call attention to this crudity in the law that ought to be eliminated, and to the danger that it may become a live issue, since we are attempting to make alive a like claim in another section of the bill.

The CHAIRMAN. The time of the gentleman has expired.

All time has expired.

Mr. MANAHAN. Mr. Chairman, has all time expired?
The CHAIRMAN. All time has expired. Does the gentleman wish to offer an amendment?

Mr. MANAHAN. I did not understand that the gentleman

from Massachusetts consumed his five minutes.

The CHAIRMAN. The Chair is not sure whether he did or not, but would ask the gentleman if he wishes to offer an amendment?

Mr. MANAHAN. I do. The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 12, after the word "representation," insert the words "or by the payment of any rebates or commissions."

Mr. MANAHAN. Mr. Chairman, I would like to ask unanimous consent for two minutes on that.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANAHAN. Mr. Chairman, I inadvertently omitted this from my other amendment, and I desire now to incorporate it after the word "representation," in line 12. I think it will be very obvious that it is just as reprehensible for a steamship or transportation company to encourage alien immigration by payment of rebates and commissions as it is by oral representation.

In fact, the most efficient way to encourage immigration is for the railroad company to offer a rebate of \$1 or \$4 per head for every passenger they transport over their lines to the agent who procures the immigrant. It is a much more effective way to encourage immigration for a transportation company to give agents commissions and to give foreign concerns commissions and to give foreign representatives commissions than it is by simple writing or making verbal representations; and if gentlemen are really in favor of restrictive immigration by cutting off the evil of these transportation companies promoting immi-gration, I am sure they will agree with me that this is a proper amendment

Mr. GARDNER. Mr. Chairman, I am obliged to oppose that amendment.

The CHAIRMAN. Does the gentleman from Massachusetts ask for time by unanimous consent?

Mr. GARDNER. Yes. I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for two minutes. Is there ob-

There was no objection. Mr. GARDNER. Mr. Chairman, that sort of an amendment very difficult to understand without taking it in connection with the entire section. It may be all right; it may not. If it is all right, there will be no difficulty in getting it adopted in the Committee on Immigration of the Senate.

At first sight it occurs to me that to prohibit the transportation companies from paying commissions would be held to be such a prohibition as to make it impossible for the transportation companies to have an agent in Paris, for instance.

Now, as to just how this amendment is to be construed in connection with the words "solicit, invite, or encourage," my mind does not work quickly enough to determine.

Moreover, here is a section in the present law which we leave unchanged; at least, the part which the gentleman seeks to amend is word for word the section under which we have been

operating for years. No circumstance has been brought to our attention which would indicate the need for any such legislation as the gentleman proposes. I have here all suggestions made by the present Secretary of Labor. I have here all suggestions made by his predecessor, the Secretary of Commerce and Labor, and all the suggestions made by Mr. Commissioner Keefe. None of these authorities indicate a need for this legislation. We are reenacting this part of the law just as it has been for many a year. I, for one, am not willing to vote offhand for an amendment which I admit sounds plausible, but which on inspection may be found to be very much more far-reaching than

Mr. MANAHAN. Mr. Chairman, I ask unanimous consent that this section be passed over. I think if it is passed over I can show evidence to the "doubting Thomases" of the committee that will convince them that this is one of the most important changes that has been proposed to the present law. I have the evidence, and I ask unanimous consent that this

section be passed over without prejudice.

The CHAIRMAN. The gentleman from Minnesota [Mr. Man-AHAN) asks unanimous consent that this section be passed over without prejudice. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The Clerk will read.

The Clerk read as follows:

The Clerk read as follows:

SEC, 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, or shall conceal or harbor, or attempt to conceal or harbor, or assist or abet another to conceal or harbor in any place, including any building, vessel, railway car, conveyance, or vehicle, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter or to reside within the United States under the terms of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$1,000 or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment, for each and every alien so landed or brought in.

Mr. WILSON of Florida. Mr. Chairman, I move to estable out.

Mr. WILSON of Florida. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Florida [Mr. WIL-

son] moves to strike out the last word.

Mr. WILSON of Florida. I do so just to ask the chairman of the committee a question. In the criminal code in the act to codify and amend the penal laws of the United States, by section 335 it is provided that "all offenses which may be pun-ishable by death or imprisonment for a term exceeding one year shall be deemed felonies, and all others shall be deemed misdemeanors.'

In this act, in this section, and in several other sections you fix the penalty at not less than six months or more than two nx the penalty at not less than six months or more than two years, and you define the offense as a misdemeanor. That is in contravention of this former act. Why not strike out the word "misdemeanor," so that it would conform to the criminal code? Mr. BURNETT. What does the gentleman suggest?

Mr. WILSON of Florida. To describe the offense not as a misdemeanor, but simply fix the punishment.

Mr. BURNETT. After the word "shall" strike out the words "be deemed guilty of a misdemeanor," and also strike out the word "and," so that it will read, "shall, upon conviction thereof, be punished by a fine not exceeding \$1,000 or by imprisonment

Mr. WILSON of Florida. Precisely; because the criminal code fixes what is a felony and what is a misdemeanor.

Mr. GARDNER. The gentleman has the code there? Mr. WILSON of Florida. Yes; I have it in my hand.

Mr. GARDNER. Will the gentleman read the provision? Mr. WILSON of Florida. Yes. I read from section 335.

All offenses which may be punished by death or imprisonment for a term exceeding one year shall be deemed felonies, and all other offenses shall be deemed misdemeanors.

All offenses which may be punishable by death or imprisonment exceeding one year shall be deemed felonies. All others are misdemeaners.

Mr. BURNETT. I have no objection to the amendment. suggest, in view of what the gentleman from Florida has said, that after the word "shall," in line 8, we strike out all down to and including "and," in line 9, striking out the words "be deemed guilty of a misdemeanor and," on page 16.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, lines 4 and 5, after the word "act," in line 4, strike out the words "shall be deemed guilty of a misdemeanor and."

Mr. WILSON of Florida. Mr. Chairman, let me state that

this language in the bill simply makes a misdemeanor of something which may be a felony under the judicial code.

Mr. CANTOR. We have the perfect right in this bill to make

it a misdemeanor, notwithstanding the code.

Mr. WILSON of Florida. I do not disagree with the gentle-man. I am simply trying to state that this Congress has determined what shall be a felony and what shall be a misdemeanor, by the punishment prescribed, in the act revising the criminal Why change it here?

Mr. GARDNER. The gentleman realizes that he seeks to amend the clause which imposes punishment on a sailor who conceals a stowaway, for instance. Now, that is in reality a pretty moderate offense to be called a felony, even by implica-The section which the gentleman seeks to amend deals entirely with the question of smuggling in aliens.

Mr. WILSON of Florida. Mr. Chairman, I am not responsible for the punishment which is fixed by the bill. I simply say that when you call this a misdemeanor you call it something that the Criminal Code says may be a felony.

Mr. GARDNER. There is some deprivation of the rights of

citizenship which goes with a felony.

Mr. WILSON of Florida. Yes.
Mr. GARDNER. Does not the gentleman think it is rather an academic proposition to make this a felony when the section is designed to stop a sailor helping a stowaway on the one extreme and a steamship company from landing a boatload at some unauthorized port on the other?

Mr. WILSON of Florida. It may be academic, but I am simply calling attention to the fact that it is contrary to the provisions of the Criminal Code.

Mr. STAFFORD. I should like to ask the gentleman whether it is really academic, because if you strike out the language proposed to be stricken out, it will hardly make sense. If you object to the word "misdemeanor," why should you not substitute the word "offense," so that it will make sense?

Mr. GARDNER. It will read-

And on conviction thereof shall be punished-

And so forth.

Mr. WILSON of Florida. Under the Criminal Code it is a

Mr. GOLDFOGLE. Am I right in assuming that you wish to strike out the characterization of the offense as a misdemeanor, thus leaving it a felony under the provisions of the Criminal

Mr. WILSON of Florida. I wish to have it conform to the

Criminal Code.

Mr. GOLDFOGLE. Why not say "shall be guilty of an offense," and then provide the punishment as here prescribed? Mr. WILSON of Florida. Yes; that would meet the objection

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. Tulley, one of its clerks, announced that the Senate had passed Senate bill 4010, to authorize the Tug River and Kentucky Railroad Co. to construct a bridge across the Tug Fork of the Big Sandy River at or near the mouth of Blackberry Creek, in Pike County, Ky., in which the concurrence of the House of Representatives was requested.

RESTRICTION OF IMMIGRATION.

The committee resumed its session.

The CHAIRMAN. The question is on the amendment.

The question being taken, on division (demanded by Mr. WILson of Florida) there were-ayes 6, noes 27.

Accordingly the amendment was rejected.

Mr. FORDNEY. Mr. Chairman and gentlemen, I am opposed to the bill and I will oppose any amendment to the bill that does not make it a better bill. There are many good provisions of law contained in the bill, and if they could be separated from the objectionable sections I could support it, but I can not support the bill with certain provisions which it contains. I wish to refer to the statement made by the gentleman from Illinois, Mr. RAINEY, which directly affects this bill, because it relates to the coming into this country of foreigners to compete with our laborers. The gentleman read something about the high wages paid in Canada. I am not positive, but I am quite certain that he quoted the wages paid in Canada during harvest time, and for no other time of the year. I have in my possession at my office the railway statistics of Canada and in the United States, and he undoubtedly quotes from statistics of 1912 in showing the high wages paid in Canada. The railroad wages over there for 1912 were \$10.77 per week, as against \$14.45 for labor on the railroads of the United States. What is true about railway employment is true about employment on the farm both in Canada and in the United States.

Some gentlemen have said in this debate that no industry in this country has yet been injured or factory closed down on account of the new tariff law. I want to call attention to the importations for October and November, 1913, as compared with the importations during those two months of the previous year. They are complete for October and November. Your President and my President, President Wilson, said in a speech made by him that he would injure no legitimate industry. He has injured the agricultural industry of this country, perhaps uncon-

Let me call your attention to what he has done and what you have done. In 1912 there were imported during the months of October and November 4,200 bushels of oats. In 1913, October and November, there were imported 7,657,000 bushels. Let me make that a little more plain, so that a foreigner can understand A carload of oats is about 1,000 bushels. Therefore, in October and November, 1912, there were imported into this country from Canada, and no other country, four carloads of oats. In October and November, 1913, there were imported into the country 7,657 carloads, or a train 54 miles long. Do you believe that will have an effect on the price of oats raised on the farms of this country?

The other day corn dropped in the markets of Chicago 6 cents a bushel. Six cents a bushel on the corn in the hands of the people of this country on that day amounted to \$200,000,000.

Mr. WILLIAMS. Will the gentleman yield?

Mr. FORDNEY. I will.

Mr. WILLIAMS. What was the price of oats in October

and November, 1912, and what was the price in 1913?

Mr. FORDNEY. Oats were 14 cents per bushel lower in 1913 than they were in 1912, but there is every evidence, my friend, that if it were not for these large importations under your freetrade measure the farmer would have received a better price for his oats in 1913 than he did during October and November, 1912.

Mr. Chairman and gentlemen, I wish to call attention to the fact that the new tariff law has affected a legitimate industrythe agricultural industry. Statistics are available on imports and exports for the months of October and November, 1913, in detail, and comparing them with figures for the same months of 1912 reveal startling results. I also have the total imports and exports for the month of December, to which I will refer

During the months of October and November, 1912, 251,290 bushels of corn were imported, valued at \$136,363, whereas for the same months of 1913, under the Underwood free-trade bill, 2,105,902 bushels of corn were imported, valued at \$1,560,683; 71,454 head of cattle were imported during the months of October and November, 1912, valued at \$1,408,201, whereas during the months of October and November, 1913, under free trade, 253,757 head were imported, valued at \$6,704,990. striking illustration of the injury inflicted upon the farmer by the enactment of this free-trade measure is the increase in the importation of oats. In October and November, 1912, but 4,645 bushels, valued at \$2,238, were imported, while for the same months of the year 1913 7,657,101 bushels were imported, valued at \$2,608,783. Breadstuffs, which means wheat and flour, the value of imports for the months of October and November, 1912, amounted to \$2,398,405, whereas during the months of October and November, 1913, the value of bread-stuffs imported amounted to \$7,529,558.

It will undoubtedly be recalled that a short time ago the Secretary of the Department of Commerce made an announcement with much pride that our exports were increasing more rapidly than our imports. In other words, that our balance of trade was on the gain. We now wonder whether or not the same gentleman will point with pride to the latest available figures, the imports and exports for the month of December.

They are as follows:

Imports.	December, 1913.	December, 1912.
Free. Dutiable.	\$117, 339, 147 66, 395, 589	\$90,051,367 64,044,077
Total	183, 732, 736	154, 095, 444
Exports. Balance of trade.	233, 488, 512 49, 755, 776	250, 315, 807 96, 220, 363

Sixty-three and nine-tenths per cent of the imports for December, 1913, were duty free. The above table shows that our exports for December, 1913, as compared with December, 1912, have fallen off over \$17,000,000, and at the same time our imports have increased over \$29,000,000. Approximately half our balance of trade has been lost.

Our good President said that "We must whet our wits." This foreign competition may whet the wits of the voters. He also made a statement to the effect that he would hang higher than Haman anyone who would have the audacity to turn away their employees and close their doors and blame it on the

effect of the tariff. We have heard something of "the new freedom." It seems to me to be a new freedom from work, and I fear it will prove disastrous to the people of the United States. You may like it, but I do not.

Again, I have here a clipping from New York dated January I. The headline is "Tariff cuts butter cost." The article is

a short one, and I will read it:

The influx of foreign butter from all parts of the world, due to the reduction of the tariff from 5 to 2½ cents a pound, has caused a decline in the New York wholesale price of 10 cents a pound since the first of

in the New York wholesale price of 10 cents a point the year.

Butter has been coming to this city from as far off as Australia by way of San Francisco. Three hundred thousand pounds from that country have been laid down here within the last two or three weeks. Butter has also been shipped from Argentina, Denmark, and Siberia.

To-day the best-grade butter was sciling at 20½ to 27 cents a pound wholesale. The American demand for butter has caused a rise of 2 to 3 cents a pound in some of the foreign markets.

It is admitted that the price of butter in this country will be kept in the future at a lower average level than before.

the consumer has not yet received the benefit of this reduction of the price of butter and that the retail price in this city is practically the same as during the past couple of months, but the producer is the man who suffers by the reduction in price.

The New York Times of to-day, which I have here in my possession, on page 6, has the following startling headlines: "Three hundred and twenty-five thousand men unemployed in the city of New York"—the most of whom have families and homes in that city.

Do you gentlemen believe that these conditions can continue long before the entire country will keenly feel and know the result of the greatly increased importations from foreign countries employing cheap labor, cheaper by far than the labor employed here, which could not have resulted except through your freetrade tariff law?

You claim that your aim was to lower the cost of living in The first effect of this law is to displace employthis country. ment and furnish employment abroad in the production of articles offered to us for consumption. You have robbed the American laboring man of his income by taking away from him employment belonging to him, which you have given to foreigners in foreign countries. You must, sooner or later, admit the error of your ways. Nothing is cheap to a man who has no purchasing power. Nothing is dear when he can easily obtain the money with which to buy it. It is a true saying that-

Where there is employment there will be bread. It is a great blessing to the poor to have cheap food, but greater than that, prior to that, and of still greater value, is the blessing of being able to buy food by honest and respectable employment.

In your efforts to lower prices you have overlooked the fundamental and primary fact that the cost of living depends upon the employment given and the employee's power to exchange the sweat of his brow for the necessaries and comforts of life.

Mr. FREAR. Mr. Chairman, I am in sympathy with the patriotic sentiments expressed here during this discussion concerning the influence of European immigration upon this country. In fact, we are all of alien ancestry, and it is not for us to repudiate that ancestry or its part in our country's history. Far be it from me to question the statement expressed here that the Civil War was won by immigrants and their immediate ancestors. My own father and five uncles were in that war, two wounded at Gettysburg, and they were of a race that left Europe because of oppression.

We are all of the same race here—Americans—equally in-terested in our country's welfare, present and future; and any effort to raise standards of citizenship is for the benefit of that country, for the welfare of our children, and for those who

come to us from across the water.

I doubt not that every Member has received protests against the passage of this bill, instigated, as we are advised, by grasping steamship companies; but we should not be carried away by sentiment nor be clubbed into voting against a bill because of a provision requiring immigrants to read 40 words in their own or any other language they may select. It is not an unreasonable request that they be able to read 40 words in some language. The bill excepts from this literacy test certain members of families now living abroad who desire to join relatives here, and, generally speaking, it is fair in terms.

A brief analysis of the character of immigration which came our shores in 1913 is illuminating. The total reached 1,197,892, of which number 254,825 came from Austria-Hungary, 265,542 from Italy and adjacent islands, and 291,040 from Russia. These figures total 811,507 people, or more than twothirds, who came from the three countries named. three other countries which have good educational facilities and whose people have contributed to the development of my home State, we find that in 1913 Germany sent 34,329, or less than 3 per cent of the total; Norway, 8,527, or less than 1 per cent; and Sweden, 17,202, or slightly over 1 per cent; while Turkey, the land of Mohammed and ignorance, sent 38,083, or more than all Germany and about as many as Ireland, Scotland, and Wales combined. Switzerland, Belgium, Denmark, Holland, and France, all countries of good educational opportunities, have also placed their impress upon the citizenship of this country and upon my home State. Yet these five countries together in 1913 contributed only 34,562, or less than the Turks; whereas Italy, with its 265,542, gave us 8 immigrants for every arrival from the combined 5 northern countries last named.

Practically equalling all arrivals from Germany, Norway, Sweden, England, and Ireland combined, southern Italy sent 1,471,659 immigrants to us within the decade 1899–1910. Of these Italians only 46 per cent could read or write, over three-fourths of a million of illiterates from Italy alone. By contrast, only one Scandinavian arrival out of 240, or 0.4 per cent, could not read or write, a better average than is possessed by any State.

We also learn from the official reports that only 19,938 immigrants, or less than 2 per cent of those asking for admission in 1913 could legally be refused on the ground that they were criminals, insane, degenerates, or other objectionable characters prohibited from entering by present law; yet the New York insane hospitals' report for 1913 states that 41.9 per cent, or nearly one-half of all such inmates were aliens.

or nearly one-half, of all such inmates were aliens.

It is doubtful if this bill will materially reduce immigration to this country, because unconscionable steamship companies, represented by unscrupulous agents abroad, will continue to hold out deceptive inducements and will continue to dump thousands and hundreds of thousands of helpless, misinformed, and deluded mortals onto our shores. A word of warning against such immigration is sounded by the decrease of 25 per cent in our proportionate rural population within the last 30 years, materially reducing its proportionate agricultural production, while only 2 per cent of the enormous annual increase in our population through immigration ultimately reach the farm or become food producers. The remaining 98 per cent is thrown directly into competition with hundreds of thousands of men in factories, trades, and other walks of life; men who are now idle and whose numbers out of work in one single industry had passed the million mark on January 1, 1914.

Mr. Chairman, we compel our own children to go to school in order that they may become good citizens. We seek to raise the standard of literacy, of intelligence, and of citizenship through education by the State for the benefit of the State, and any reasonable bill which will require the illiterates of southern Europe to make some slight effort toward their own improvement as a condition of entrance to our country, in my judgment, ought to be passed.

Mr. KENNEDY of Rhode Island. Mr. Chairman, since the opening of this debate I have listened with very great attention to the discussion indulged in by the gentlemen who appear as the proponents of this measure in order to determine whether any plausible argument could be advanced in favor of that feature of section 3 of the bill, the offensive literacy test.

We read in the report of the committee that the plan of subjecting aliens to the reading test has been discussed by Congress and has been before the country for many years. In view of the time and thought and thorough investigation that have been given the subject, one would naturally expect at this late date to hear in the course of discussion some sound and sensible reasoning, if any could be offered, in confirmation of the attitude taken by those who seem to have consecrated their congressional careers to excluding immigrants from our shores.

So far, at least, the discussion has failed to produce conviction, and inevitably so, for you may argue the question from every conceivable standpoint, and in the final analysis you can not escape the conclusion that the one great factor that has produced the marvelous development of this country has been the brawn and sinew of the army of immigrants who have come to our shores to assist in the upbuilding of this mighty and majestic Republic.

The votaries of this proposition to apply a literacy test assert with animated emphasis that the ability to read English or some other language or dialect is a sound and healthy standard to apply to the admission of the alien.

Nothing could be more unjust, injudicious, or unreasonable. In the process of this country's development during the period of 100 years, thousands and tens of thousands of aliens unable to read any language have knocked for entry at our doors, and no one can gainsay the fact that these multitudes from across the seas and from contiguous territory on the north have contributed wonderfully to the growth and advancement of American ideals and American institutions.

Whenever the advantages that this country has received through the admission of the hosts of immigrants who have entered our ports in the last half century are recited, the advocates of this measure are accustomed to nod their heads in assent, but they draw a distinction, however, between the older and the newer immigration in the attempt to justify their position. Yet the very same aversion that is manifested toward the newcomers of the present was extended to the older immigrants more than half a century ago by the pessimistic prophets of that day and generation, who raised the woeful wail that our institutions—aye, our very fabric of government—were at the mercy of immigrant hordes and clans that were coming from the tyrannical Governments of Europe.

In view of the fact that American enterprise has been stimulated and American genius quickened by the uniform assistance of the stout and sturdy manhood from foreign shores, is it possible that we have reached the point where anyone will declare that a failure or refusal to adopt this literacy test must shake our faith in America's future? I think not. Our economic development has not yet come to an end; it has only begun, and it is beyond the power of anyone to conceive the tremendous possibilities that yet remain in store. The harvest obtainable from the cultivation of American soil has not yet been exhausted; neither has the earth beneath us yielded up all of the untold wealth that is stored in its bowels.

The purpose of this proposed law, we are told, is to offer a safeguard against the continuous influx of undesirables. The quality of our present-day immigration, as appears in the reports of the Immigration Commission, does not disclose any proof that the great majority of foreigners who are coming are undesirable. The commission states that—

undesirable. The commission states that—

The present movement is not recruited in the main from the lowest economic and social strata of European populations. In European countries, as in the United States, the poorest and the least desirable element in the population, from an economic as well as a social standpoint, is found in the larger cities, and as a rule such cities furnish comparatively few emigrants. Neither do the average or typical emigrants of to-day represent the lowest in the economic and social scale even among the classes from which they come, a circumstance attributable to both natural and artificial causes. In the first place, emigrating to a strange and distant country, although less of an undertaking than formerly, is still a scrious and relatively difficult matter, requiring a degree of courage and resourcefulness not possessed by weaklings of any class. This natural law in the main regulated the earlier European emigration, whether or not desirable as a whole, nevertheless represents the stronger and better element of the particular class from which it is drawn.

It goes without saying that we can not continue to advance industrially without the aid of human hands that are anxious and willing to work. The burden of all our upbuilding as a nation must be borne to a great extent by the newcomer to our shores, who seeks only an opportunity to earn his bread in the sweat of his brow.

Complaint is made that enormous sums of money are taken away from this country through repatriation, for the reports of the Immigration Commission state that—

At least one-third of all European immigrants who come to the United States eventually return to Europe.

Granted that there is a flow of money through this channel to the Old World. Every dollar of it represents money honestly earned, and for every dollar so taken an equivalent, and more than an equivalent in production was left behind from which this country is enriched and not impoverished. Apart from the advantages so rendered to American production, the possession of this wealth in the pockets of returning immigrants leads, in the language of the Immigration Commission, to the adoption of a higher standard of living at home:

tion of a higher standard of living at home:

The repatriates, as a rule, return with amounts of money which seem large in the surroundings from which they emigrated. Usually, also, their sojourn abroad has made them more enterprising and ambitious and created in them a desire for better things than those to which they were formerly accustomed. This desire usually leads to the adoption of a higher standard of living, improved methods of labor in agriculture and other pursuits. In several parts of Europe visited by members of the commission the dwellings of the returned emigrants are conspicuously better than those of their neighbors, and their economic status as a whole is higher. Their example, too, is often emulated by their neighbors, and in consequence the tone of whole communities is frequently elevated.

If this statement made in the reports of the Imprignation

If this statement made in the reports of the Immigration Commission is true, and no one will deny that it is, is it not to be concluded that the foreigner while remaining in America has bettered his moral and social condition? And if the moral standard of the repatriate has been heightened so as to elevate the tone of the community to which he has returned, how can it justly be maintained that those who remain here are incapable of assimilation?

Ability to read is not and can not be regarded as a test of capacity for labor. On the contrary, sturdy manhood is the only

test, a sound mind in a sound body, and a moral sense whose development must lift its possessor always to a higher plane

of living and doing.

Many of the immigrants who come to our shores are illiterate, but very soon after their arrival they realize the opportunities that this country affords in the matter of acquiring education. In spite of the great influx of immigrants arriving in the United States, Americanization can be effected, and is, in truth, effected to-day by the splendid educational opportunities that this country offers. The children of immigrants are in many cases the unconscious agents of this transformation, for the influence of the school and library upon them-which is often transmitted to the parents—drives out many racial tendencies that otherwise might retard assimilation. It has been well said by a prominent educator that-

Illiteracy is a mere accident that may affect a family in one generation but be conspicuously absent from succeeding generations. Thousands of our best people are descended from illiterate ancestors.

The present attempt is not the first that has been made to adopt a literacy test. President Cleveland vetoed a law of this character, and in expressing his views upon it, in 1897, de-

Clared—

The ability to read and write, as required in this bill, in and of itself affords, in my opinion, a misleading test of contented industry, and supplies unsatisfactory evidence of desirable citizenship or a proper apprehension of the benefits of our institutions. If any particular element of our illiterate immigration is to be feared for other causes than illiteracy, these causes should be dealt with directly instead of making illiteracy the pretext for exclusion to the detriment of other illiterate immigrants, against whom the real cause of complaint can not be alleged. It is safer to admit a hundred thousand immigrants who, though unable to read and write, seek among us a home and opportunity to work than to admit one of those unruly agitators who can not only read and write, but delights in arousing by inflammatory speech the illiterate and peacefully inclined to discontent.

Again, in the Sixty-second Congress a bill containing the literacy test was passed, but was given a crushing blow by the veto of President Taft, who denounced it as

A bill which in its chief provision violates a principle that ought to be upheld in dealing with our immigration.

No one who deals with the foreigner can fail to realize his common sense, a quality so essential to individual success, though not synonymous with education. Patiently and uncomplainingly he does the basic, ancillary work which the older immigrant refuses to do, a service which history shows has been done by one wave of immigration after another.

The Germans and the Irish, the French Canadians, and the Scandinavians, who constituted the older immigration, and who were pointed out in their day as unfit to measure up to American standards and ideals, have long since outlived this uncharitable imputation. They have proved their worth in the great task of upbuilding the structure of a Republic, and, be it said to their everlasting credit, this Nation would never have achieved the greatness it enjoys to-day were it not for the influence exerted

upon it by these sturdy races.

The later-day immigration has directed to our shores the afflicted peoples from Poland, Russia, and the Balkan Peninsula; and the sons of sunny Italy have also crossed the sea in search of new fields of endeavor. Many of these races have their abodes in the State in which I live, and, I am glad to say that they are honest, patriotic, and law-abiding citizens and that their arrival has been of benefit and not an injury. Though many of them may be wanting in education and, perhaps, in-different to ceremonial requirement, they are, nevertheless, patient, hardworking, generous, intelligent, and firm and constant in family affections.

Mr. Chairman, I am opposed to the passage of this bill, and accordingly I shall vote against it. I believe that a policy which opens the doors of this Nation to receive the patriotic, moral, brave, and enterprising sons and daughters of the downtrodden races of the Old World, with no educational test to hamper or prevent their admission, embodies a spirit of righteousness and accords with the ancient conviction that this country is the home of the free, where the child of every creed and every clime can breathe our free air and participate in our free institutions.

Mr. GARDNER. Mr. Chairman, I move to strike out the last word. Since there has been a good deal of further discus-sion of the literacy test, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

By unanimous consent the following Members were given leave to extend remarks in the Record: Mr. Austin, Mr. Har-RISON, and Mr. RAKER.

Mr. BURNETT. Mr. Chairman, I move that all debate on this section and amendments thereto be closed.

The CHAIRMAN. The question is on the motion of the gentleman from Alabama that all debate on this section and amendments thereto be closed forthwith.

The motion was agreed to. The Clerk read as follows:

The motion was agreed to.

The Clerk read as follows:

SEC. 9. That it shall be unlawful for any person, including any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel, to bring to the United States any alien afflicted with idlocy, insanity, imbecility, epilepsy, tuberculosis in any form, or a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation, and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time, such person or transportation company, or the master, agent, owner, or consignee of any such vessel, shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of \$200 for each and every violation of the provisions of this section. It shall also be unlawful for any such person to bring to any port of the United States any alien afflicted with any mental or physical defect of a nature which may affect his ability to earn a living, as contemplated in section 3 of this act, and if it shall appear to the satisfaction of the Secretary of Labor that any allen so brought to the United States was so afflicted at the time of foreign embarkation, and that the existence of such mental or physical defect might have been detected by means of a competent medical examination at such time, such person shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of \$25 for each and every violation of this provision. It shall also be unlawful for any such person to bring to any port of the United States by naturalization, as provided in section 3 of this act, and if it shall appear to the satisfaction of the Secretary of Labor that these disab

Mr. GARDNER. Mr. Chairman, I offer the following amend-

The Clerk read as follows .

Page 16, line 14, after the words "United States" insert the words "either from a foreign country or from the insular possessions of the United States."

Mr. GARDNER. Mr. Chairman, this is an amendment suggested by the Secretary of Labor for the purpose of extending the responsibility of steamship companies who bring diseased persons from foreign ports to the United States so that it will include steamship companies which bring diseased aliens from our insular possessions to the United States. It is pointed out by the Secretary that the coming of aliens coastwise from the insular possessions, particularly the Asiatic line from the Philippine Islands, was becoming a very grave matter.

Mr. TOWNER. Will the gentleman yield?
Mr. GARDNER. Certainly.
Mr. TOWNER. Would that include the transportation of soldiers who are sick and going back to their homes in this country?

Mr. GARDNER. Not unless they were aliens, and they would have to be afflicted with idlocy, insanity, epilepsy, or tuberculosis in any form, and that fact must also have been ascertainable before the diseased person left the foreign port.

Mr. MOORE. What bearing would this have upon immigrants coming in from the Canal Zone?

Mr. GARDNER. The whole law applies to them, anyway. Mr. MOORE. This amendment is not directed at them espe-

Mr. GARDNER. No. I want to ask unanimous consent later on to revert and make an amendment in that connection.

Mr. MADDEN. Does not the gentleman think that soldiers the United States Army ought to be excepted?

Mr. GARDNER. To tell the truth, Mr. Chairman, I have not thought of that, and I ask unanimous consent to withdraw my

amendment for the present.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last word. In the discussion with the gentleman from New York a w moments ago-

Mr. BURNETT. Mr. Chairman, I hope these discussions will be confined to the section, and that we will not go out into a discussion about somebody's city or country any more. I shall object to anything that is not germane to the section.

Mr. MOORE. Why does the gentleman not raise that objection on his own side?

Mr. BURNETT. We have had this back and forth on each

Mr. AUSTIN. Mr. Chairman, the gentleman from New York [Mr. Goldfogle] in a running debate with myself a few moments ago was explaining why there were so many unemployed people in New York City, saying that they gathered there from the various States in the Union. In this connection I wish to read the following letter:

EDWARD HORVATH LABOR AGENCY, 124 EAST THIRD STREET, New York City, October 4, 1913.

S. E. & H. L. SHEPERD CO.,

Rockport, Me.

GENTLEMEN: Foreign laborers are now available in this city for less wages than you can secure men for in your State.

Are you in need of any? If so, we can offer for immediate shipment any number of them of any desired nationality.

Trusting to hear from you, we are,

Very truly, yours,

M. Engel, Manager.

Mr. CANTOR. Oh, Mr. Chairman, that is not an authorized labor agency at all. We are familiar with that letter. This is an old chestnut, 2 years old.

Mr. AUSTIN. And that is the way you answer this letter

not 2 years old but written and sent out 4 months ago.

Mr. Chairman, the gentleman from Illinois [Mr. RAINEY] spoke about the number of people that are employed at this time, and I wish to read in that connection from the report of the president and secretary of the finance committee of the United Charities

Mr. BURNETT. Mr. Chairman, I object. This is not relative or germane to the discussion of this bill. We have gone far affeld in the discussion of the provisions of this bill.

Mr. AUSTIN. Mr. Chairman, I will notify the gentleman that I shall finish my speech or he will be compelled to keep a quorum here the rest of the evening. I do not propose to be shut off in this way after gentlemen on his side have had a chance to make speeches.

Mr. BURNETT. Men on both sides of the aisle have had a chance to talk, and I object; and if the gentleman will keep a quorum here the rest of the day I will be very much obliged

Mr. AUSTIN. I am the first victim of the gentleman's order,

after I have started my speech.

The CHAIRMAN. The gentleman from Tennessee will proceed in order.

Mr. AUSTIN. Mr. Chairman, I think I ought to be given an

opportunity to answer a speech on that side.

Mr. BURNETT. Mr. Chairman, the gentleman may finish his speech. I withdraw the objection for the present, but give notice that hereafter I shall jusist upon it.

Mr. SABATH. Mr. Chairman, I shall renew the objection unless I shall have the right to answer the gentleman. He may quote something pertaining to my city which I may believe requires an answer.

Mr. AUSTIN. But I want to call the attention of the gentleman from Illinois [Mr. Sabath] to the fact that he is the very man who provoked this discussion by an assault upon the South and an attack upon its industrial conditions.

Mr. SABATH. The gentleman from Tennessee, of course, never said anything about the North and never said anything about the South. Of course! He never did.

Mr. AUSTIN. But the gentleman referred to peonage in the

The CHAIRMAN. The time of the gentleman from Tennes-

see has expired. Mr. MOORE. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Page 17, line 17, after the word "act," strike out the words "because unable to read."

Mr. MOORE, Mr. Chairman, I offer this amendment, because it appears that in certain of the exempted classes provided for in section 3, this would work a hardship, as, for instance, in the case of a relative who is entitled to come over under the exemption provided for in a preceding paragraph. I submit this to the committee as a fair proposition, and believe the words ought to go out.

Mr. GARDNER. Mr. Chairman, the gentleman last year submitted exactly the same proposition, and so did the gentleman from Illinois [Mr. Sabath].

It is true that a year ago the immigration bill as it came from the first conference inadvertently penalized vessels which should bring over aliens unable to read, even though they belonged to the excepted classes. You yourself, if I recollect than a parent or a relative should bring them over here; is it rightly, and the gentleman from Illinois [Mr. Sabath] pointed not better that that person who brings them here, that takes

out our mistake. Therefore in our second conference with the Senate we amended the clause so as to penalize vessels for bringing over "any alien excluded by the provisions of section 3 of this act because unable to read." I think the amendment

3 of this act because unable to read." I think the amendment was suggested by the gentleman from Pennsylvania [Mr. Moore] or else by the gentleman from Illinois [Mr. Sabath].

Mr. MOORE. Mr. Chairman, I do not recall it, so I question whether it was at my request. My reason for offering this amendment is that in the case of a grandfather or a grandchild or a wife or a husband this might make a very

serious obstacle to their coming in.

Mr. GARDNER. By the wording it can not be, if the gen-

tleman will permit me— Mr. MOORE. There must be proof somewhere on the other side that there is an inability to read.

Mr. GARDNER. Yes. Mr. MOORE. And the test must apply in the case of one who would come under the exemption clause and desire to join relatives here

Mr. GARDNER. Those who are exempted under clause 3 are

not affected by the paragraph.

Mr. MOORE. But I submit they must prove on the other side, else they have no opportunity to come at all to join their relatives here. They must prove there their ability to read. To whom? You penalize the people who brought them and-

Mr. GARDNER. Precisely; we penalize the steamship com-

panies for bringing over defective aliens.

Mr. MOORE. The gentleman will admit that if one of these relatives came to the port of New York and there proved to the satisfaction of the immigration officer that he or she was entitled to admission into this country under the exemption clause that there would be an admission into the country and that there would be no penalty against anybody; but that opportunity so to prove the admission into this country must now be made somewhere, in "darkest Russia," or somewhere in some country in Europe, and the immigrant has no opportunity to come and join his relatives at all.

Mr. GARDNER. That is true in regard to other immigration-exclusion provisions. We penalize the steamship companies for bringing over diseased aliens if it could have been found out abroad that they were diseased. We penalize them for un-necessarily bringing over men and women who can not land here. We believe it is merciful to stop such people at the other end, and the only way we see to stop them is by penalizing the steamship companies that sell them tickets.

Now, take the case which the gentleman suggests, of an aged grandfather who wishes to accompany or join an alien grandson who knows how to read. He can furnish exactly the same evidence to the steamship company when he seeks to purchase his ticket as he can furnish the inspector in New York when he seeks the admission of the excepted alien.

Mr. MOORE. Does not that paragraph fine the grandson who undertakes to bring in his grandfather under those circum-

stances?

Mr. GARDNER. No.

Mr. MOORE. It imposes a penalty upon him as well as the

steamship company or any person who assists—
The CHAIRMAN. The time of the gentleman has expired.
Mr. BURNETT. Mr. Chairman, it strikes me that it would be exceedingly unjust to the immigrant to have it any other way. This merely imposes upon the steamship company the burden of ascertaining the admissibility of the immigrant before the immigrant is brought to this side and to save that immigrant, perhaps, from being deported after examination on this side. Now, is it not fair and just to the immigrant himself that the ship that brings him here should have the burden laid upon it to ascertain his admissibility before they bring the immigrant here who may then have to be deported?

Mr. MOORE. Will the gentleman yield for a question? The CHAIRMAN. Does the gentleman from Alabama [Mr.

BURNETT] yield to the gentleman from Pennsylvania?

Mr. BURNETT. Certainly.

Mr. MOORE. I have tried to call the attention of the gentleman from Massachusetts to the language here, which indicates that it is "any person." I am getting away from the steamship company, if the gentleman pleases, and I call his attention to the sentence beginning on line 7, page 14:

That it shall be unlawful for any such person to pring to any port of the United States.

That is the grandson trying to bring the grandfather in; that is the husband trying to bring the wife in. That is the

person who is penalized there, and not the company.

Mr. BURNETT. Suppose that some other individual other than a parent or a relative should bring them over here; is it

the responsibility of bringing them, should ascertain on the other side the admissibility, rather than to ascertain it after they get over here? And if that person fails to ascertain it there, that is the person who ought to be penalized for bringing the inadmissible alien. It seems to me, in taking either horn of the dilemma, it is a fair thing to the alien to make the person who brings him here, even if he is a relative, or the steamship or transportation company, take the burden. If they assume the responsibility of bringing an alien here, let them have the burden of proving he is an admissible alien, and, if not, let them be subjected to the penalty. The purpose of this provision is to prevent the violation of law.

Mr. MOORE. Does not the provision force the person in the United States to go to the steamship company over there to make the proof that is necessary? Who else is there on the

other side to go to?

Mr. BURNETT. Not necessarily. It imposes upon the steamship company the necessity of finding it out somehow, but it does not impose upon the relative the task of going over there and furnishing it, but the steamship company or the person responsible for bringing the alien here should find out if he is admissible, and it is justice to the alien that it should be done.

The CHAIRMAN. The question is on the amendment of the

gentleman from Pennsylvania [Mr. Moore].

The amendment was rejected,

Mr. SABATH. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 16, in line 11: After the word "company," in line 11, strike out "other than railway lines entering the United States from foreign contiguous territory."

Mr. SABATH. Mr. Chairman, I offer this amendment because I desire to keep out not only those that we prohibit the steamship companies from bringing in under this section, but also desire to keep out those that railways may bring in. This section 9 provides the following:

That it shall be unlawful for any person, including any transportation company (other than railway lines) entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel, to bring to the United States any alien afflicted with idiocy, insanity, imbecility, epilepsy, tuberculosis in any form, or a loathsome or dangerous contaglous disease—

By this exception, "other than railway lines," we permit railroads to bring into our country the very people that we properly prohibit steamship companies from bringing in. Now, I maintain that these people should be excluded, and we do exclude them from entering our ports, and I do not know of any reason why we should permit others to come in by rail. The chairman of this committee may enlighten me on that point, but I do not myself know of any reason why we should accept these people who thus desire to enter our border by rail when

we prohibit their coming by sail.

Mr. GARDNER. Mr. Chairman, the law for many years has stood as it stands now. I can not, without preparation, explain the matter as clearly as I should like. This section was devised solely for the protection of the immigrant. It was devised solely for the protection of the immigrant. It was found that many an immigrant was brought here by a steam-ship company on the chance that he might be admitted. Many an immigrant paid his fare, sold his household goods, and left his home in Europe, only to be turned back at New York. In order to discourage this recklessness on the part of steamship companies we penalized them for bringing inadmissible aliens over provided that the inadmissibility was of a pattern which over, provided that the inadmissibility was of a nature which could be discovered before the alien started. The result has been that steamship companies always subject immigrants to a rigid inspection before they sell them tickets.

Now, the gentleman proposes to apply this same principle to railroad lines from Canada and Mexico. In the first place, there is here no necessity to protect the immigrant from in-

The domicile which the Canadian is leaving is not in central Europe. It is probably not half a day's journey from the United States. No hardship results from his rejection. The railroad company has made no fat profit, after recklessly permitting some poor European to break up his home ties. injury has been done to the United States nor to any American citizen.

On the other hand, think of the vast impediment to travel if this amendment is adopted. The railroads would be obliged to retain an examining surgeon at every station of all interna-tional railroads, and each passenger must undergo an examination before he bought his ticket. An examination prior to the

sale of a ticket is easy enough in Liverpool, for instance, but it is a very different matter when passengers are boarding trains at an endless succession of stations.

Moreover, many of the medical examinations in Canada are performed by our own officials, and trans-Atlantic aliens are passed through from Montreal to Chicago just exactly as they would be passed through from New York to Chicago.

Mr. POWERS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kentucky [Mr. Pow-ers] moves to strike out the last word.

Mr. POWERS. Mr. Chairman, I have been busily engaged with other matters and up to this time I have taken no part in this discussion.

There is just one contention of the opponents of this bill which I want to try to answer. It is their contention that the provisions of this Burnett bill reverses the historic policy of this Government in the matter of immigration. They say that this country for all these years has been the one spot on earth where the oppressed of every clime and country could look with hope, and that we have until now held out open arms to receive them.

I want to say, Mr. Chairman, that this Government from the time of its earliest existence down to now has never passed but one law encouraging immigration, and that was the law passed in 1864 encouraging contract labor. With that one exception the Congress of the United States has never put upon the statute books of this country a single law that has encouraged immigration. It is true that up to 1819 this country took no notice of immigrants at all. They came here as a matter of course. Up to that time we had no policy. In 1819 was passed the first law.

Mr. BURNETT. Mr. Chairman, the speech of the gentleman is not made to the amendment. I stated a while ago that I would object.

Mr. MANN. The gentleman is a member of the committee, is he not?

Mr. BURNETT. No.

Mr. MANN. He was in the last Congress, then. I ask unanimous consent, Mr. Chairman, that the gentleman from Kentucky be permitted to consume his five minutes. This is an exceptional case. He is addressing himself to the bill.

Mr. POWERS. I want to state, Mr. Chairman, to the gentleman from Alabama [Mr. BURNETT] that I am discussing this measure, although not confining my remarks to the particular provision now pending. But heretofore I have not had an opportunity to discuss this bill at all. I have been looking after other matters in which my district is vitally concerned.

In 1819, as I said a moment ago, the first law was passed by Congress restricting immigration, and from that time down to now every law that we have had except one has been to restrict more and more the immigrants coming into this country.

This question was not agitated by the people of this country until 1835. From 1835 until 1860 there sprang up what is known as the Know-Nothing Party, and the question of foreign immigration was much before the country during that period. The great influx of immigrants coming here in 1849 and 1850 greatly accentuated this question, and the Know-Nothing Party had 43 Members of this House, 5 governors of the various States, and that many State legislatures. But it went out of existence without having accomplished anything so far as the restriction of immigration is concerned.

Mr. SABATH. Mr. Chairman, will the gentleman yield? Mr. POWERS. I yield with pleasure. Mr. SABATH. Why did that party go out of existence?

Can the gentleman explain?

Mr. POWERS. It went out of existence, I take it, because it did not have enough support to keep it alive. Another reason why it went out of existence was that the Civil War came on and the attention of the people was thereby diverted to other questions

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. BURNETT. Mr. Chairman, I move that all debate on this section and amendments thereto be now closed.

The CHAIRMAN. The gentleman from Alabama [Mr. Bur-NETT | moves that all debate on this section and amendments

thereto be now closed. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The Clerk will report the amendment at the desk.

The Clerk read as follows:

Page 16, line 11, after the word "company," in line 11, strike out the words "other than railway lines entering the United States from foreign contiguous territory."

The CHAIRMAN. The question is on agreeing to the amend-

The question was taken, and the amendment was rejected. The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 10. That it shall be the mandatory and unqualified duty of every person, including owners, officers, and agents of vessels or transportation lines, other than those lines which may enter into a contract as provided in section 23 of this act, bringing an alien to any seaport or land border port of the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and on conviction thereof shall be punished by a fine in each case of not less than \$100 nor more than \$1,000, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment; or, if in the opinion of the Secretary of Labor it is impracticable or inconvenient to prosecute the owner, master, officer, or agent of any such vessel, a pecuniary penalty of \$1,000 shall be a lien upon the vessel whose owner, master, officer, or agent violates the provisions of this section, and such vessel shall be libeled therefor in the appropriate United States court. SEC. 10. That it shall be the mandatory and unqualified duty of every

Mr. GARDNER, Mr. Chairman, I offer an amendment. The CHAIRMAN (Mr. Hay). The gentleman from Massachusetts [Mr. GARDNER] offers an amendment, which the Clerk

The Clerk read as follows:

Page 18, line 12, after the words "other than those lines," insert or international bridges or toll roads other than those railway lines."

Mr. GARDNER. Mr. Chairman, this is an amendment suggested by the Secretary of Labor. The purpose is to enable him to exercise a greater control over the entry of aliens by international bridges and toll roads.

Now, Mr. Chairman, I want to say just a word or two about these amendments which were submitted by the Secretary of Labor. We received them only yesterday. The Committee on Labor. We received them only yesterday. Immigration is not responsible for the fact that we have had no meeting in which to discuss these suggestions.

Mr. MURRAY of Massachusetts. Are you not accepting re-

sponsibility for these amendments by proposing them in this way?

Mr. GARDNER. Quite so.
Mr. MURRAY of Massachusetts. It is reasonable to expect you to accept responsibility for them?

Mr. GARDNER. A great many amendments that we were not sure enough about have not been presented.

Mr. STAFFORD. Whom does the gentleman include under " we"?

Mr. GARDNER. I did not yield, and I will ask both gentlemen to sit down. Mr. Chairman, the facts are these—I am not saying this as a criticism on anyone—the report of the Commissioner General of Immigration for the fiscal year ended June 30, 1913, seven months ago, is not yet printed. Now, he is no more dilatory in that respect than his predecessor. Last year we did not get the report of the Commissioner General of Immigration until very late, indeed. I do not believe that it was Mr. Keefe's fault last year, nor do I believe that it is Mr. Caminetti's fault this year, but the circumstance is very embarrassing, for all that.

Mr. SABATH, Will the gentleman yield? Mr. GARDNER, Yes.

Mr. SABATH. Has not the gentleman the printed report here before him?

Mr. GARDNER. I have the proofs of part of the report, and only part of the report. I was in the office of Mr. Caminetti the other day and with my own eyes saw him correcting a part of the report. If the gentleman has the proofs of the whole of the report, it is more than I have seen. I am not criticizing Mr. Caminetti. His report comes no later than did those of his predecessor. Probably Congress does not allow the bureau sufficient money for clerical expenses. I can remember that in days gone by, when the immigrant fund was separate, we used to get the advance sheets of the commissioners' report in September; at least I think that I can remember using the advance sheets of the report for 1905 early in the autumn.

The corrections suggested by the Department of Labor for our bill did not come to us until yesterday morning. Every amendment which I am offering was selected by the gentleman from Alabama [Mr. Burnert] and myself after a number of hours' work, as being an amendment which clearly ought to be accepted, and an amendment to which no one could reasonably

take exception.

Mr. MOORE. Will the gentleman yield?

Mr. GARDNER. Yes. Mr. MOORE. I do not want to interrupt the gentleman's argument, but I understand he is offering these as committee amendments.

Mr. GARDNER. As amendments that the gentleman from Alabama [Mr. Burnerr] and I have both examined and that we the Commissioner General of Immigration marked

believe to be indubitably wise suggestions on the part of the Secretary of Labor.

Mr. MOORE. I raise the question now, because a number of amendments have been offered here that have had the appearance of being committee amendments.
Mr. GARDNER. Yes.

Mr. MOORE. There having been no meeting of the committee, want to know if they are offered as committee amendments.

Mr. GARDNER. I have offered very few amendments, except those suggested by the Secretary of Labor at an hour so late that it was quite impossible for the chairman of the Immigration Committee to call us together.

Mr. MOORE. Are they offered in consequence of the receipt of a printed report from the Secretary or the commissioner?

Mr. GARDNER. No; these suggestions were contained in a letter addressed to the Speaker. I am told that the printing of the letter is held up so as to permit some changes in the

Mr. MOORE. I understand the gentleman has the sympathy of a majority of the Members on that side, but it would have been fair to let us know where these amendments came from and if we are at liberty on this side to use the information which the gentleman has.

Mr. GARDNER. The gentleman is absolutely at liberty to do so. In fact, I handed this carbon copy of the letter from the Secretary of Labor to the gentleman from Wisconsin [Mr. STAFFORD] in connection with some remarks he was making.

Mr. MOORE. I have not seen that letter, but I have seen a report marked "confidential," and I wanted to know whether I would be at liberty to refer to that report, as the gentleman

seems to be referring to a letter.

Mr. GARDNER. The letter is public. It was submitted to

the Speaker of the House yesterday.

Mr. BURNETT and Mr. MURRAY of Massachusetts rose. The CHAIRMAN. The Chair will recognize the gentleman from Alabama.

Mr. MURRAY of Massachusetts. The gentleman from Alabama is on the same side of this question as the gentleman from Massachusetts [Mr. GARDNER] who has just spoken. He is in favor of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from

Mr. MURRAY of Massachusetts. Mr. Chairman, in view of the fact that the gentleman from Alabama is in favor of the amendment, is it in order for the Chair to recognize him after there has been one speech already in favor of the amendment?

The CHAIRMAN. The Chair has the right of recognition, and the Chair exercises it by recognizing the gentleman from

Alabama

Mr. MURRAY of Massachusetts. Mr. Chairman, a parlia-

mentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MURRAY of Massachusetts. Is it the custom followed by the Chair to recognize a Member who is opposed to an amendment after there has been a speech in favor of the amendment?

The CHAIRMAN. The Chair can not tell whether a gentleman rising on the floor is for an amendment or against it.

Mr. MURRAY of Massachusetts. If the Chair can say that, I am content. I think the Chair can tell and that he knows.

The CHAIRMAN. It is the custom, generally, for the Chair to recognize the chairman of the committee who has charge of the bill.

Mr. BURNETT. Mr. Chairman, in addition to what the gentleman from Massachusetts [Mr. Gardner] said, I want to call attention to the fact that the transportation lines, the railroad companies, are required to bring the allens from such ports and land them as designated by the immigration officers. It seems to me that this is a wise amendment, because it is not only applicable to the railroad companies but to the bridge companies that allow them to come over. Then it provides that there may be arrangements made by which they may come and go. That is all that it is. The existing law requires the railroad companies to bring them from designated ports and land them at designated places, and this amendment requires the same thing of the bridge company.

Mr. MOORE. Will the gentleman yield?

Mr. BURNETT. Yes.

Mr. MOORE. I want to ask the chairman of the committee the same question that I asked the gentleman from Massachusetts. Does this suggestion come from the Secretary of Labor in such a letter as we may use it publicly?

Mr. BURNETT. Yes. Mr. MOORE. There has been laid before me a report of

dential," and I wanted to know if we were at liberty to refer to that report. The gentleman is offering amendments as the result of that report.

Mr. BURNETT. This is in response to a request made by me two or three months ago to the Secretary of Labor. We sent him our bill and asked him for comments. It is not a confidential report.

Mr. MOORE. Then it would be no breach of confidence if should make reference to the commissioner's report?

Mr. BURNETT. No. He said that Members of Congress might use it on the floor if they were disposed to do so, but it was not to be given out to the press.

Mr. GARDNER. The gentleman will understand that the document I have been reading from is a typewritten copy of a letter sent to the Speaker of the House yesterday by the Secretary of Labor,
Mr. MOORE. It is not the letter which the Secretary of

Labor sent in reference to the Asiatic question?

Mr. GARDNER. It was a communication under Rule XLI of the House, sent in response to the request for information made by the chairman of the committee of the House, and of course it must be transmitted to the Speaker. If it had not been that it was held up to make some change in the figures in the tables, it would have been already printed as a document.

Mr. MOORE. My question, and I would like to have it made a matter of record, applies to this situation. The members of the committee generally have not seen the letter, nor has the letter been before the committee, so the amendments that gen-tlemen are offering as the result of their reading the letter from the Secretary received by the Speaker yesterday is upon their own motion and without any concurrence on the part of the

Mr. GARDNER. No; we really thought it would be performing a service to pick out these amendments which the Secretary suggested that looked to us as clearly right beyond dispute, and try to get the bill in the best possible form before it went to the Senate, leaving as little as possible in the way of corrections to be made by the Senate.

Mr. MOORE. One further question. In view of the peculiar complexion of this Committee on Immigration, I want to ask the gentleman from Massachusetts, who speaks for the gentleman from Alabama, whether the gentleman from Illinois [Mr. Sabath] and the gentleman from New York [Mr. Goldfoole] have been conferred with upon this letter any more than I have?
Mr. GARDNER. Merely because there was not time.
Mr. GOLDFOGLE. Who does the gentleman mean by "we"?

Mr. GARDNER. The chairman and myself.
Mr. PAYNE. Mr. Chairman, will the gentleman yield?
Mr. GARDNER. Certainly.
Mr. PAYNE. I would like to ask the gentleman from Alabama a question, and that is if he proposes to get this bill through to-night?

Mr. BURNETT. I hope so.

Mr. PAYNE. Without wishing to be impertinent, for I am in favor of the gentleman's bill, let me suggest to the gentleman if it would not be well to trust the common sense of the House as to the effect of such an amendment as this if put upon the bill, without going into so much elaboration and questioning of its origin with the Secretary of Labor, and all that kind of thing? It seems to me the House is intelligent enough to understand the amendment without so much comment. It seems to give gentlemen who want to attack this bill an opportunity to raise questions about it. The gentleman from Pennsylvania [Mr. Moore], who is always very fertile in resources, was never more so than he has been within the last few minutes, when he was inquiring so particularly about that letter from the Department of Labor. Now, I am not criticizing the gentleman at all; I admire the fertility of his genius and his facility of expression; but I would like a chance to vote on this important amendment, and I think I understand it. [Applause.]

Mr. MOORE. Mr. Chairman, the gentleman from New York fails to note the welfare of 250,000 people who are affected by

the bill.

Mr. PAYNE. They are not involved in this amendment; both

the gentleman and I know that.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. In view of the fact that amendments are being offered on the other side, the result, apparently, of suggestions that have come from the Secretary of Labor during the last 24 hours, which have not been submitted to the Committee on Immigra-tion and Naturalization; and in view of the further fact that a confidential report of the Commissioner General of Immigration laid before the members of the committee, which they were sup-posed not to use, but which has been used by Members on the other side in the preparation of amendments which have been

offered on this floor, I desire now to read a brief extract from a report of Mr. Caminetti, the Commissioner General of Immigration of the United States and the right hand of the Secretary of Labor. In his report, dated July 1, 1913, in discussing the advisability of curtailing the immigration to the United States and of further regulating it, Commissioner General Caminetti says with regard to the literacy test:

We can not by law prevent our people from flocking to the cities, nor can we under the existing system, in order to overcome the same tendency in a large majority of immigrants, direct them after landing to certain localities where they may remain. We can, however, regulate their coming.

But how and in what way?

Some advocate the "illiteracy test," which, notwithstanding all that can be offered in its favor, has also, it must be conceded, its drawbacks.

So the Commissioner General of Immigration apparently is not in favor of the literacy test that we have voted into this bill. A little further on the Commissioner General amplifies this statement in this reference:

statement in this reference:

After all, manhood should be the test of admission and would constitute the ideal way of sifting immigration so as to admit none except altogether desirable allens with the requisite physical, mental, and moral qualifications.

As a rule the admitted aliens must, because of lack of knowledge of the English language and of existing conditions, earn their livelihood by manual labor. It is important, therefore, that they should be physically sound. In the bureau's judgment, the adoption of a physical test similar to that which recruits for the Army undergo would insure a suitable standard. The fact that more than 6,000 applicants during the past 12 months were rejected as physically unfit under the existing law, notwithstanding that the requirements thereof and the funds and facilities for its enforcement were wholly inadequate, indicates that the physical standard now prevailing is far below what it should be.

Irrespective of whether or not the illiteracy test is adopted, the standards of the law regarding physical and moral qualifications should be materially raised and the machinery for their enforcement extensively improved.

There is no educational test recommended in the report of the

There is no educational test recommended in the report of the Commissioner General of Immigration, sent here with the approval of the Secretary of Labor. There is no suggestion that men and women desiring to obtain a haven here and to work out their existence here should be barred by reason of an educational test, but there is a suggestion, which is humane after all and which shows that those in the administrative capacity in this Government are coming to their senses upon this question, that after all "manhood" shall be the test and that there shall be only a physical, mental, and moral qualification. Hence we have voted into this bill, as I suspected some time ago, a provision restricting immigration by an educational test, which flies directly in the teeth of the recommendation of the Commissioner of Immigration and which flies also in the teeth of the suggestion of the Secretary of Labor. You have voted the literacy test into this bill, and voted it into the bill very much as you were about to vote the Asiatic question into this bill, against the wishes of your Secretary of State, in defiance of the wishes of your Commissioner General of Immigration and your own Secretary of Labor.

Mr. BURNETT. Mr. Chairman, I desire to call the attention of the gentleman from Pennsylvania to the fact that he has misrepresented, no doubt unintentionally, the Secretary of Labor,

who says:

I am not opposed to the incorporation in the law of the illiteracy test, Mr. Chairman, I move that all debate on this section and amendments thereto be now closed.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

The Clerk read as follows:

The Clerk read as follows:

Sec. 11. That whenever he may deem such action necessary the Secretary of Labor may, at the expense of the appropriation for the enforcement of this act, detail immigrant inspectors and matrons of the United States Immigration Service for duty on vessels carrying immigrant or emigrant passengers, or passengers other than first and second cabin passengers, between ports of the United States and foreign ports. On such voyages said inspectors and matrons shall remain in that part of the vessel where immigrant passengers are carried. It shall be the duty of such inspectors and matrons to observe such passengers during the voyage and report to the immigration authorities in charge at the port of landing any information of value in determining the admissibility of such passengers under the laws regulating immigration of aliens into the United States. It shall further be the duty of such inspectors and matrons to observe violations of the provisions of such laws and the violation of such provisions of the provisions of such laws and the violation of such provisions of the "passenger act" of August 2, 1882, as amended, as relate to the care and treatment of immigrant passengers at sea, and report the same to the proper United States officials at ports of landing. Whenever the Secretary of Labor so directs a surgeon of the United States Public Health Service, detailed to the Immigration Service, not lower in rank than a passed assistant surgeon, shall be received and carried on any vessel transporting immigrant or emigrant passengers, or passengers other than first and second cabin passengers, between ports of the United States and foreign ports. Such surgeon shall be permitted to investigate and examine the condition of all immigrant and emigrant passengers in relation to any provisions of the laws regulating the immigration of allens into the United States and such provisions of the "passenger act" of August 2, 1882, as amended, as relate to the care and treat-

ment of immigrant passengers at sea, and shall immediately report any violation of said laws to the master or commanding officer of the vessel, and shall also report said violations to the Secretary of Labor within 24 hours after the arrival of the vessel at the port of entry in the United States. Such surgeon shall accompany the master or captain of the vessel in his visits to the sanitary officers of the ports of call during the voyage, and, should contagious or infectious diseases prevall at any port where passengers are received, he shall request all reasonable precautionary measures for the health of persons on board. Such surgeon, on arrival at ports of the United States, shall also, if requested by the examining board, furnish any information he may possess in regard to immigrants arriving on the vessel to which he has been detailed. While on duty such surgeons shall wear the prescribed uniform of their service and shall be provided with first-class accommodations on such vessel at the expense of the appropriation for the enforcement of this act. For every violation of this section any person, including any transportation company owning or operating the vessel in which such violation occurs, shall pay to the collector of customs of the customs district in which the next United States port of arrival is located the sum of \$1,000 for each and every day during which such violation continues, the term "violation" to include the refusal of any person having authority so to do to permit any such immigrant inspector, matron, or surgeon to be received on board such vessel, as provided in this section, and also the refusal of the master or commanding officer of any such vessel to permit the inspections and visits of any such surgeon, as provided in this section, and no vessel shall be granted clearance papers pending the determination of the question of the liability of such fine or while it remains unpaid, nor shall such fine be remitted or refunded: Provided, That clearance may be granted prior to the determina

Mr. BROWN of New York. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read. The Clerk rend as follows:

On page 20, line 1, strike out all after the word "landing," down and including the word "passengers" in line 5, and substitute the

to and including the word "passengers" in line 5, and substitute the following:

"The Secretary of Labor, by arrangement with the Secretary of the Treasury, shall assign a surgeon of the United States Public Health Service, not lower in rank than assistant surgeon, trained in psychiatry, who shall be received and carried on each vessel transporting immigrant passengers."

Mr. BROWN of New York. Mr. Chairman, in the past three days of rather acrimonious debate, it appears to me that there has been one undercurrent of unanimity, for it seemed to be the desire on the part of every Member in this body that if there should be an alien afflicted either mentally or physically, means should be provided to keep him out of the country. It is with that in view that I have offered this amendment, that there shall be assigned on every steamship a surgeon of the Public Health Service, trained in the psychiatry, and at the risk of wearying you a little I will repeat what I have said before: Since 1910, when the Immigration Commission reported to Congress, it has been proven that a great proportion of the evils in our society are the result of inherited mental defects, and that these evils are transmitted according to the lines of the Mendelian law. To correct that, I offer this amendment.

I have no means of knowing from what angle the committee will oppose this amendment. If they oppose it upon the ground of expense, I wish to suggest to the members of the committee that since 1909 the head tax has been made a revenue measure, and over \$1,000,000 a year has been covered into the Federal Treasury, which had far better been applied to the proper inspection of arriving immigrants. If they oppose it on the ground of impracticability that the amendment is too broad, I should be very glad to hear suggestions from the committee making it perhaps a little bit more reasonable. If they oppose the amendment on the ground of the legal aspects of it, I simply claim that when the Supreme Court of the United States held that the establishment of a head tax was a just and reasonable regula-tion under our maritime laws that there is no legal objection to our assigning these surgeons to the steamships; and if they object to it on the ground that the foreign ships do not want these surgeons on board, then, I say, let the foreign steamship companies take their vessels to some other country.

Mr. GARDNER. Mr. Chairman, I want to be heard in opposition to the amendment. Has the gentleman made any inquiries as to whether there are any surgeons of the Public Health Service of the rank of passed assistant surgeon who, as a matter of fact, are trained in psychiatry?

Mr. BROWN of New York. The gentleman will notice that the amendment I sent to the desk is a little different from the amendment as printed in the RECORD. I have made investigation, and for that reason I changed the amendment so it would include the grade of assistant surgeon instead of passed assistant surgeon.

Mr. GARDNER. Now, Mr. Chairman, this science of psychiatry is a sort of glorified insanity specialism. There is a good deal of exaggeration going the rounds about this whole business. As a matter of fact, this science of psychiatry is new to the surgeons of the United States Public Health Service. I humbly admit that I never heard of it until I read of it in the Record of January 30, 1914. The gentleman from New York publishes a splendid bibliography of this science.

I observe that the following light literature on the subject is available:

available:

A. Alzheimer: Ist die Einrichtung einer Psychiatrischen Abteilung im Reichsgesundheitsamt erstrebenswert? Zeitsch. f. d. ges. Neurol. u. Psych. Orig., 6, 242, 1911.

De Ameline: L'hérédité, et en particulier de l'hérédité similaire dans la paralysie générale. Annales Med.-Psychol., Mai u. Juni, 1900.

G. Anton: Alkoholismus und Erblichkeit. Psych. Wochenschr., Nr. 14, 1901.

E. Apert: Maladies Familiales et maladies congenitales. Paris, 364 S., 1907.

F. S. Arnand: Les Maladies mentales familiales. Revue de Psychiatrie, n. s., III, Paris, 1900.

Benedikt, Degenerationskrankheiten des Nervensystems. Deutsche med. Wochenschr., Nr. 35, 1906.

J. Berze: Die Hereditaren Beziehungen der dementia præcox. Leipzig-Wien, 1910. Die Manisch-depressive Familie H. Beitrag zur Hereditatslehre. Montasschr f. Psych., 26, 270, 1909.

These are a few of the simpler works on the subject. The

These are a few of the simpler works on the subject. The RECORD of January 30 contains three and a half columns of familiar household references like these.

Mr. KINDEL. What page is that?

Mr. GARDNER. Page 2620 of the Congressional Record. Unless the gentleman has referred this amendment to the Government authorities and has an official report on it, I do not believe that this House ought to consider it at this time. It was not brought before the Immigration Committee.

Mr. BROWN of New York. Will the gentleman yield?

Mr. GARDNER. With pleasure.

Mr. BROWN of New York. Mr. Chairman, I will state that just because the gentleman from Massachusetts never heard of this great science of psychiatry is no reason why the House should not be willing to consider it. I will further state for the gentleman's information that I talked with Surg. Gen. Blue, and he stated to me that he is very fortunate nowadays in that he has been able to get assistant surgeons in his service who have been trained in psychiatry in the great institutions of the State of New York and, I dare say, of the State of Massachusetts also.

The CHAIRMAN. The time of the gentleman has expired. Mr. O'SHAUNESSY. I would like to ask the gentleman from New York a question if his time has not expired.

The CHAIRMAN. The time of the gentleman has expired. Mr. O'SHAUNESSY. Did I understand the Chair to say his time had expired? I ask unanimous consent that the gentleman be given a minute or two in order to answer a question-a minute.

The CHAIRMAN. The gentleman from Rhode Island asks unanimous consent that the gentleman from New York be given minute in order to answer a question. Is there objection? [After a pause.] The Chair hears none.

Mr. O'SHAUNESSY. I would like to ask the gentleman from New York this question. This amendment would correct the evils and abuses of which the State of New York continuously complains?

Mr. BROWN of New York. I believe it is a most effective improvement and-

Mr. O'SHAUNESSY. I mean in regard to filling the insane asylums.

asylums.

Mr. BROWN of New York. We pay every year in taxes in the State of New York almost three and a half million dollars—the chairman of the committee was very kind enough to say nearly four million dollars in his report—for the care of the allen insane, many of whom would be excluded by the adoption

of the amendment which I have offered.

Mr. O'SHAUNESSY. If I am permitted, I want to say, in answer to the gentleman's remarks, that a large part of the report of the committee is taken up with the question of insane aliens and the number in the asylums in the State of New York, and that is the reason that is urged for the passage of this bill.

Mr. BURNETT. Mr. Chairman, I move that debate on the section and on the amendment thereto be now closed.

Mr. BROWN of New York. Mr. Chairman, I wish to offer a further amendment?

Mr. TOWNER. Mr. Chairman, I offer an amendment to the amendment of the gentleman from New York [Mr. Brown]. My amendment is to strike out the clause in the amendment-I do not know where it is-" not lower in rank than an assistant surgeon."

The CHAIRMAN. The Clerk will report the amendment. The Chair will state to the gentleman that the amendment of the gentleman from New York [Mr. Brown] provides that the rank of surgeon shall be that of assistant surgeon.

Mr. TOWNER. I did not quite understand.

The CHAIRMAN. The Clerk will report the amendment.

The amendment was again read.

Mr. GARDNER. Mr. Chairman, I ask that the words stricken out be read.

Mr. TOWNER. We can understand it better if it is all read. The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

On page 20, line 1, strike out all after the word "landing" to the word "passengers," in line 5, and substitute the following:

"The Secretary of Labor, by an arrangement with the Secertary of the Treasury, shall assign a surgeon of the United States Public Health Service, not lower in rank than assistant surgeon, trained in psychiatry, who shall be beceived and carried on each vessel transporting immigrant passengers."

Mr. TOWNER. My amendment is to strike out the words from the amendment offered by the gentleman from New York. namely. "not lower in rank than assistant surgeon."

Mr. GARDNER. I ask unanimous consent to oppose this

The CHAIRMAN. The gentleman from Massachusetts [Mr. GARDNER] asks unanimous consent to proceed, for how long?

Mr. TOWNER. Two minutes.
The CHAIRMAN. Is there objection?

Mr. TOWNER. Mr. Chairman, I desire to speak to my amendment.

The CHAIRMAN. For how long?

Mr. TOWNER. Five minutes.
Mr. BURNETT. I object to that length of time, I am willing that each gentleman shall have two minutes.

Mr. TOWNER. I wish to suggest—
The CHAIRMAN. The gentleman from Alabama [Mr. Bur-NETT] objected to the request.

Mr. BURNETT, I will not object to three minutes.

Mr. TOWNER. Mr. Chairman, I suggest to the gentleman from New York [Mr. Brown] that it is not necessary for those words to be in there for his purpose. If they are learned in psychiatry, they are qualified to pass upon the question that the gentleman desires. And in that connection, Mr. Chairman, I desire to say this, if it is not now understood, that this is an important matter. If it is not now understood that the gentleman is proposing really a serious and a perfectly legitimate and proper test for immigrants to come to this country, gentlemen in the future will understand. The gentleman from Massachusetts [Mr. GARDNER], I should think, with his learning and knowledge and his admiration for those things, should be the last one to throw any opprobrium or contempt upon this special branch of learning that is now receiving the respect of men all over the world who have considered this question. And certainly this question which is submitted and this proposition that has been urged upon the committee by the gentleman from New York [Mr. Brown] is one well worthy of the most serious consideration of the House. [Applause.]
Mr. GARDNER. Mr. Chairman, perhaps I ought not to have

taken the amendment in the vein in which I did. Here are the facts: This section we are considering now is the section against which various foreign nations are protesting, because, as they say, we propose to give a surgeon of the United States plenary power over the health of passengers, for whom the captains of foreign vessels are responsible. We realize that our plan is an innovation and a very great innovation, although Italy has adopted something similar. Last year, in spite of the protests from foreign Governments, we incorporated this provision in the bill, but we took care to insert the requirement that the surgeons who represent the United States and who must enter into

geons who represent the United States and who must enter into such difficult relations with captains of foreign steamships should be surgeons of high rank and ripe experience.

Mr. BROWN of New York. Will the gentleman yield?

Mr. GARDNER. Please excuse me, for I have only two minutes. We provided that no medical officer lower in rank than a passed assistant surgeon should be detailed for this service. Now you say, "Never mind the rank. Detail some young assistant." I hope that the House will not be carried away by an exaggerated view of this whole subject.

Mr. ROGERS. Mr. Chairman, I offer the following substi-

The CHAIRMAN. The gentleman from Massachusetts [Mr. Rogers] offers a substitute, which the Clerk will report.
Mr. ROGERS. And I should like to have three minutes in

which to discuss that.

Mr. BURNETT. I object, Mr. Chairman. I made the objection awhile ago.

Mr. ROGERS. It is an important paragraph, and there has been practically no discussion of it up to the present time.

Mr. SABATH. I hope the gentleman from Alabama BURNETT] will not object.

The CHAIRMAN. The Clerk will report the substitute of-

fered by the gentleman from Massachusetts [Mr. Rogers]. The Clerk read as follows:

Page 20, line 1, after the period, insert a new sentence, as follows: 'It shall further be the duty of such inspectors and matrons to report n writing to the Secretary of Labor any respects in which the vessel

to which they have been assigned may fail to cater to the reasonable comfort and well-being of its immigrant passengers. Upon such information, even though the failure reported may not be violative of law, the Secretary of Labor may direct such changes in such vessels as he may deem desirable. The Secretary of Labor may require any vessel to equip that part of its deck space assigned to immigrant passengers with seating accommodations for the free use of such passengers as he may deem to be desirable, and not to interfere unduly with other proper uses of such deck space."

Mr. ROGERS. Mr. Chairman, I ask unanimous consent for

three minutes for the discussion of that substitute.

The CHAIRMAN. The gentleman from Massachusetts [Mr. Rogers] asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. ROGERS. Now, Mr. Chairman, the purpose of that amendment is twofold. The earlier part of section 11 already contains a most admirable provision that inspectors and matrons shall be carried on these immigrant-bearing vessels; it provides further that these inspectors and matrons shall, during provides further that these inspectors and matrons shall, during the voyage, observe the immigrants and report concerning their admissibility when they get to a port of the United States, and also that they shall observe and report any violations of the "passenger act."

The amendment which I am offering seeks to make these officials still more useful, so that they may also be enabled to

examine into the general conditions prevailing upon the vessel to which they are assigned, and to make suggestions for the comfort and well-being of all immigrants who may thereafter travel on such vessel. It is not always necessary that a thing should be violative of law in order to be objectionable, and I am trying to make these officials useful in a wider sphere than the law now contemplates by allowing them to make suggestions as to what modification of existing conditions or what change of equipment will tend to the added comfort and well-being, physical and moral, of future immigrants coming to this coun-

Furthermore, and in the second place, I am advised by one of the most eminent penologists of Massachusetts that there is a good deal of immorality resulting from the overcrowded and underequipped condition of the decks of immigrant vessels. The immigrants of both sexes are herded together on deck in every sort of weather, forced either to stand or to lie down on the deck, with no place whatever where they may sit and rest. My amendment provides that deck seating accommodations may, in the discretion of the Secretary of Labor, be required of any vessel, so that these people may have that measure of comfort and of decency in connection with their ocean voyage.

It seems to me that in both these respects the amendment is a meritorious one, and I ask that the committee consider not in

a meritorious one, and I ask that the committee consider not in a cursory way, but carefully, whether there is not real worth in the proposition. [Applause.]

The CHAIRMAN. The question is on agreeing to the substitute offered by the gentleman from Massachusetts [Mr. ROGERS]. The question was taken, and the chairman announced that

the noes seemed to have it.

Mr. ROGERS. I demand a division, Mr. Chairman.

The committee divided; and there were—ayes 24, noes 41. Accordingly the substitute was rejected.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Iowa [Mr. Towner]. The amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from New York [Mr. Brown].

The amendment was rejected. The Clerk read as follows:

The Clerk read as follows:

SEC, 12. That upon the arrival of any alien by water at any point within the United States on the North American Continent from a foreign port or a port of the Philippine Islands, Guam, Porto Rico, or Hawaii, or at any port of the said insular possessions from any foreign port, from a port in the United States on the North American Continent, or from a port of another insular possession of the United States, it shall be the duty of the master or commanding officer, owners, or consignees of the steamer, sailing, or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, contain full and accurate information as to each alien as follows: Full name, age, and sex; whether married or single; calling or occupation; personal description (including height, complexion, color of hair and eyes, and marks of identification); whether able to read; nationality; country of birth; race; country of last permanent residence; name and address of the nearest relative in the country from which the alien came; seaport for landing in the United States; final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; by whom passage was paid; whether going to join a relative or friend, and if so, what relative or freind, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether a person who believes in or advocate the overthrow by force or violence of the Government of the United States or of all forms of law, or

who disbelieves in or is opposed to organized government, or who advocates the assassination of public officials, or is a member of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government because of his or their official character; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States; the alien's condition of health, mental and physical; whether deformed or crippled, and if so, for how long and from what cause; and such master or commanding officer, owners, or consignees shall also furnish information in relation to the sex, age, class of travel, and the foreign port of embarkation of arriving passengers who are United States citizens. That it shall further be the duty of the master or commanding officer of every vesset taking passengers from any port of the United States on the North American Continent to a foreign port or a port of the Phillippin Islands, Guam, Porto Rico, or Hawali, or from any port of the said insular possessions to any foreign port, to a port of the United States on the North American Continent, or to a port of another insular possession of the United States or insular possessions thereof; if a citizen of the United States or insular possessions thereof; if a citizen of the United States or insular possessions thereof; if a citizen of the United States or insular possessions thereof; if a citizen of the United States or insular possessions thereof, whether native born or naturalized intended future permanent residence; and t

Mr. RAINEY. Mr. Chairman, I move to strike out the last I do this simply for the purpose of asking permission to extend my remarks in the Record on the subject which was under discussion awhile ago, as to the relative value of farm

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. GARDNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers

an amendment, which the Clerk will report.

The Clerk read as follows:

Page 22, line 2, strike out the word "point" and insert the word

Mr. GARDNER. That is to correct a misprint that crept into the bill last year.

The amendment was agreed to.
Mr. GARDNER. Mr. Chairman, I offer another amendment.
The CHAIRMAN. The gentleman from Massachusetts offers another amendment, which the Clerk will report.

The Clerk read as follows:

On page 22, line 18, after the word "read" insert the words "or write."

Mr. GARDNER. Mr. Chairman, this is merely to put the law back into the shape in which it is to-day. The information is wanted entirely for statistical reasons.

Mr. MOORE. That is not a requirement, however.

Mr. GARDNER. It is a requirement in the law to-day, in the manifest

Mr. MOORE. It is not a prerequisite to admission into the

Mr. GARDNER. It has nothing to do with that.

The amendment was agreed to.

Mr. GARDNER. Mr. Chairman, the same correction ought to be made on page 24, line 15.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 24, line 15, insert, after the word "read," the words "or write."

The amendment was agreed to.

Mr. GARDNER. And the same on page 25, line 19.
The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 25, line 19, after the word "read," insert the words "or write."

The amendment was agreed to.

Mr. MOORE. Mr. Chairman, I offer the amendment which send to the Clerk's desk.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 23, line 9, after the word "officials," add "or who advocates teaches the unlawful destruction of property."

Mr. GARDNER. Clearly, that ought to be there. Mr. MOORE. That is to carry out the idea of the com-

Mr. GARDNER. Certainly.

The amendment was agreed to.

The Clerk read as follows:

The amendment was agreed to.

The Clerk read as follows:

Sec. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, the names of those coming from the same locality to be assembled so far as practicable, and no one list or manifest shall contain more than 30 names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, etc., are contained, and his number on said list, for convenience of identification on arrival. Each list or manifest shall be verified by the signature and the oath or affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said surgeon and from his own investigation he believes that no one of said aliens is of any of the classes excluded from admission into the United States by section 3 of this act, and that also, according to the best of his knowledge and bellef, the information in said lists or manifests oncerning each of said aliens named therein is correct and true in every respect. That the surgeon of said vessel sailing therewith shall also sign each of said aliens named therein and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens, the mental and phys

Mr. MOORE. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Pennsylvania offers

an amendment, which the Clerk will report.

The Clerk read as follows:

Page 27, lines 11 and 12, strike out the words "a United States consular officer" and insert the words "the officer duly empowered to administer an oath."

Mr. MOORE. Mr. Chairman, it is evident the United States consular officer would not be the person to administer the oath required in this paragraph, presuming the port of arrival to be in the United States, because there are no consular officers at United States ports.

Mr. GARDNER. I think the gentleman is mistaken. gentleman will read the whole section, I think he will find that that manifest has to be made out before the vessel sails.

Mr. MOORE. It subsequently refers to the port of arrival. I think if the gentleman reads it carefully he will find that these manifests are to be sworn to and the oath is to be taken at the port of arrival. There is where the inspection takes place.

Mr. GARDNER. The gentleman will observe that this section deals with inward manifests. These manifests are made out on shipboard and are handed to our immigration authorities immediately on arrival in order to forward at once the work of examining the immigrants. They must be sworn to by the cap-tain and the surgeon of the ship. They simply constitute prima facie evidence to our authorities as to the facts about the immigrants. But in many cases no surgeon sails on the vessel. Perhaps it is a small vessel from the Cape Verde Islands, for instance. Nevertheless, a statement of the facts must be ready on arriving or there will be intolerable congestion and delay. In cases of this sort we provide that the ship must employ a competent surgeon to examine the immigrants before they sail. We also provide that the results of these examinations must be sworn to by the surgeons who make them.

Clearly those affidavits must be made in foreign countries. That is why we provide that they shall be made before United States consular officers.

Mr. MOORE. Now, beginning with line 9, the bill says:

Each list or manifest shall be verified by the signature and the oath or affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival.

Mr. GARDNER. Yes.

Mr. MOORE. My amendment proposes to strike out "the United States consular officer" and substitute "one qualified to administer oaths," who must be an immigration officer or one

Mr. GARDNER. The gentleman does not understand. The captain must collect certain facts for his manifests. This section tells how he shall collect them. He must gather his medical facts from the surgeon who sails with him. We provide that both the captain and the ship's surgeon must take their oaths before an immigration officer at the port of arrival. We provide for those affidavits in line 13 and line 25 of page 26. But, if there is no ship's doctor, then the medical examinations must be made before sailing, and we provide, in line 11, page 27, that they must be verified under oath before a United States consular officer.

Mr. MOORE. I fear the gentleman will confuse his purpose by letting that stand. Now, in line 22, page 26, it says:

That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival.

Mr. GARDNER. Of course, because the vessel's surgeon is right on the spot and has his material all ready to present. The manifests are prepared on board the vessel, in order to facilitate the examination and admission of the aliens when they arrive. This section provides that if the preliminary medical examination is made by the ship's surgeon it shall be sworn to on arrival. If, however, it is made by a hired surgeon on shore, it must be sworn to before the vessel sails for

The CHAIRMAN. The time of the gentleman from Massa-

chusetts has expired.

Mr. MOORE. Mr. Chairman, I ask for two minutes more, in order that the gentleman may complete his statement. I would like to ask him another question. This seems to be an important matter in connection with the efficiency of the bill.

The CHAIRMAN. The gentleman asks unanimous consent for two minutes more. Is there objection?

There was no objection.

Mr. MOORE. If the gentleman's interpretation of the last sentence of the paragraph, line 24, is correct that this examination is to be made at a foreign port, it brings up the general question of the governmental right to make an examination

Mr. GARDNER. This foreign examination is provided for by the existing law. All we are doing here is to provide for its verification before a consul of the United States. All the medical facts about the immigrants must be ready on arrival. How are they to be arrived at? There are two ways. If a surgeon is aboard the vessel, they are arrived at aboard the vessel and are certified to by the ship's doctor on his arrival in the port of New York. If there is no ship's doctor aboard, then a surgeon must be hired to make the examination in a foreign port.

Mr. MOORE. That is the very thing which has given rise to objections heretofore. The gentleman presupposes examina-

tion in foreign ports.

Mr. GARDNER. We have a great many examinations at foreign ports not only by surgeons hired by vessel owners but also by officers of the United States. Every big steamship company, I am told, has examinations made in a foreign port as a matter of self-protection.

Mr. MOORE. How can the surgeon employed by a steamship company certify to a manifest after the vessel has sailed?

Mr. GARDNER. He does not swear to the manifest after the vessel has sailed. He swears to it before the vessel sails. Mr. MOORE. Then the steamship company is permitted to

make the examination before the steamer leaves the foreign port.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was lost.

The Clerk read as follows:

The Clerk read as follows:

SEC. 16. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Public Health Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine, and who shall certify, for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien; or, should medical officers of the United States Public Health Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner General of Immigration, under the direction or with the approval of the Secretary of Labor. Medical officers of the United States Public Health Service who have had especial training in the diagnosis of insanity and mental defect shall be detailed for duty or employed at all large ports of entry, and such medical officers shall be provided with suitable facilities for the detention and examination of

all arriving aliens in whom insanity or mental defect is suspected, and the services of interpreters shall be provided for such examination. That the inspection, other than the physical and mental examination, of aliens, including those seeking admission or readmission to or the privilege of passing through or residing in the United States, and the examination of aliens arrested within the United States under this act, shall be conducted by immigrant inspectors, except as hereinafter provided in regard to boards of special inquiry. Immigrant inspectors are hereby authorized and empowered to board and search for aliens any vessel, railway car, conveyance, or vehicle in which they believe aliens are being brought into the United States. Said inspectors shall have power to administer oaths and to take and consider evidence touching the right of any allen to enter, reenter, pass through, or reside in the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered, under the provisions of this act, who shall knowlingly or willfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any allen to admission, or readmission to, or to pass through, or to reside in the United States shall be deemed guilty of perjury and be punished as provided by section 125 of the act approved March 4, 1909, entitled "An act to codify, revise, and amend the penal laws of the United States," Any commissioner of immigration or inspector in charge shall also have power to require the attendance and testimony of witnesses before said inspectors and the production of books, papers, and documents touching the right of any allen to enter, reside in, or pass through the United States, and any district court within the jurisdiction of which investigations are being conducted by an immigrant inspector may, in the event of neglect or refusal to respond to a subpoxal ssued by any commissioner of immigr

Mr. O'SHAUNESSY. Mr. Chairman, I move to strike out the last word, for the purpose of asking what provision there is in this proposed law to do away with the filling of insane asylums in the State of New York primarily with alien insane, and if in the opinion of the committee a cursory examination at the point

of entry will correct that evil and abuse?

Mr. GARDNER. Mr. Chairman, we have made the best effort that we know how to make. We propose to exclude imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have had an attack of insanity at any time previously. Hitherto we have admitted any alien who has had a single attack of insanity unless it had occurred within five years. Moreover, we have provided for surgeons and matrons on shipboard, in the discretion of the Secretary of Labor, an entirely new provision of law. We have also made the captain of immigrant vessels responsible for the accurate determination as to whether or not any of his passengers are insane, and we penalize steamship companies for bringing over here persons whose insanity could be ascertained beforehand.

Mr. O'SHAUNESSY. Mr. Chairman, will the gentleman yield

further?

Mr. GARDNER. Yes.
Mr. O'SHAUNESSY. Are not the provisions to which the

Mr. O'SHAUNESSI. Are not the provisions to which the gentleman has just referred directory and not mandatory?

Mr. GARDNER. Oh, no, indeed. There is only one that is permissive, and that is the provision which permits the Secretary of Labor to use his judgment as to placing surgeons and matrons aboard ship.

Mr. O'SHAUNESSY. Let me ask this question: Is it not a fact now that the present method of examination is a cursory examination, and does the gentleman believe that any medical officer is qualified to take a great line of immigrants and to say upon a superficial examination that this man or that man is insane?

Mr. GARDNER. I do say that the examination is excellent that is made of those coming into Ellis Island to-day.

Mr. O'SHAUNESSY. Why, then, are the insane asylums of New York filled with alien insane?

Mr. GARDNER. Oh, they would be full of insane, no matter

how much inspection you provide.

Mr. O'SHAUNESSY. Mr. Chairman, I wish to say to the gentleman, in conclusion, that I consider the condition of the insane asylums in the State of New York as an indictment of the immigration law and of the immigration officials.

The CHAIRMAN. The time of the gentleman from Rhode Island has expired.

The Clerk read as follows:

Island has expired.

The Clerk read as follows:

SEC. 17. That boards of special inquiry shall be appointed by the commissioner of immigration or inspector in charge at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of the law. Each board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner General of Immigration, with the approval of the Secretary of Labor, shall from time to time designate as qualified to serve on such boards. When in the opinion of the Secretary of Labor the maintenance of a permanent board of special inquiry for service at any sea or land border port is not warranted, regularly constituted boards may be detailed from other stations for temporary service at such port, or, if that be impracticable, the Secretary of Labor shall authorize the creation of boards of special inquiry by the immigration officials in charge at such ports, and shall determine what Government officials or other persons shall be eligible for service on such boards. Such boards shall have authority to determine whether an allen who has been duly held shall be allowed to land or shall be deported. All hearings before such boards shall be separate and apart from the public. Such boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the allen or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the taking of such appeal shall operate to stay any action in regard to the final disposal of any allen whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival and function of the taking of such allension of a board of special inquiry. In every case where an allen is excluded from admission into the United St

Mr. SABATH. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 34, strike out all of line 4, and the words "from the public" in line 5.

Mr. SABATH. Mr. Chairman, if my amendment is adopted, it will strike out that provision in the bill which provides that all hearings before such boards of special inquiry shall be separate and apart from the public. For years and years we have heard complaints about the way these examinations are conducted at Ellis Island, and I am of the opinion that we should immediately abolish this practice, which is a relic of medieval times and which was discontinued years ago by even the most barbarous Governments, for surely no country that professes to be civilized should tolerate such inquisitorial methods.

At present no one is allowed to appear in behalf of the alien before these boards of special inquiry, which are conducting these hearings in seclusion and in rooms to which no one has admis-

sion, and this I believe is most unjust.

I do not think it is the intention of this House to sanction inquisition, and this is exactly what these present hearings before these boards amount to. I do not believe that we should permit the hearing of these cases without giving the public, or at least those who are interested in the case, the right and privilege of being present and seeing what is transpiring. I am of the opinion that the service would be greatly benefited and that the members of these boards of special inquiry would be more humane and would give more consideration to the statements made by these unfortunate immigrants if these star-

chamber proceedings were abolished.

Under the present practice an unfortunate immigrant, one who possibly has spent nearly his last dollar to reach our hospitable shores, may be marked by some inspector as "likely to become a public charge," and he is then sent to a board of special inquiry. At the hearing before this board the immigrant is not permitted to have anyone with him; there is no one to aid him; and frequently he does not fully understand one-half of the questions put to him. Unless the immigrant can answer all these questions to the entire satisfaction of this czarlike board, then he is ordered deported. Now, I ask you, gentlemen, is this fair, is this just, is it humane? I say that in all these cases where we do not give them the right or privilege of being represented by a friend or attorney we should at least see to that these hearings are conducted in public, so that the people interested may know the conditions under which they are being held and tried. I believe that the chairman of this committee, if he were thoroughly acquainted with the way these hearings are being conducted, would gladly accede to this amendment, and I hope that all of you gentlemen who wish

to see justice done and every man given a fair trial will vote

for this important amendment. [Applause.]
Mr. O'SHAUNESSY. Mr. Chairman, I desire to be recognized for five minutes. I believe the amendment offered by the gentleman from Illinois will effectuate the purpose intended by an amendment which I was about to offer. I congratulate the gentleman from Illinois [Mr. Sabath] on raising his voice in this Chamber in behalf of the oppressed. Not satisfied with dealing a blow to liberty and assailing free institutions by means of the literacy test which is now passed in this House, so far as this bill is concerned, I trust gentlemen in this Chamber will pay the attention that the question deserves to these starchamber proceedings that obtain at Ellis Island and at other ports of entry. Think of it, my American friends here, you who want to close the door so as to make it more difficult for these people to enter the United States, was there ever a time in the history of a man's life when he deserves sympathy and kindness and decency and justice as when he is fatigued, tired both mentally and bodily, after crossing the ocean under circumstances that you and I perhaps would not wish to endure, when he is haled before a board representing the land of the free and the home of the brave and grilled and cross-examined to death in private? Who here in this Chamber can justify such a proceeding; who here in this Chamber will say that it is the American way of doing things? Who in this Chamber will say that it is a decent way, a fair way, to treat an immigrant? He is afraid; he is nervous; he is on the threshold of a new land, seeking liberty, and he is met by a club in the hands of the officials of this Government. I am proud of an opportunity to denounce this practice, and I trust that the amendment offered by the gentleman from Illinois will prevail.

Mr. BURNETT. Mr. Chairman, this has been existing law for many years, and two years ago we heard the same kind of charges made against the commissioner of immigration at Ellis Island, and Mr. Sulzer, the man who was governor of New York up to some weeks ago, introduced a resolution in this House by which he asked an investigation of the conduct of Commissioner Williams, who was in charge at Ellis Island. lution was referred to the Committee on Rules. All these great stories that gentlemen have talked about to-day were investigated by them and rehashed, and when the commissioner and the inspectors who had made the examinations presented their side of the case the resolution actually broke down, and the man who introduced it himself admitted that the commissioner

there had not done wrong.

Mr. SABATH. Will the gentleman permit? Mr. BURNETT. I will. Mr. SABATH. That investigation was not to investigate the conduct of the special trial board. That investigation was as to the conditions at Ellis Island. The question we are raising was in regard to the trial board and their secret proceedings.

Mr. BURNETT. Mr. Chairman, the charges that were made were that the trials which were conducted by and under the control of the commissioner of immigration were fraudulent and unfair, just as the gentleman has to-day asserted they were,

and an investigation of the hearings will show it.

Now, Mr. Chairman, my judgment is that this is in the interests of the immigrant himself to a very great extent. have that immigrant subjected to a public examination, where the public is there all the time, and, in my opinion, he will be more embarrassed, more subjected to what might appear to break him down, and worry him, than if the examination be conducted privately. Then again, Mr. Chairman, it would simply be a matter of impossibility to get through with these investigations, a million a year—900,000 of them came to Ellis Island last year—and hundreds and hundreds of cases are all along being investigated by these boards of inquiry; and for that reason it would be simply interminable and impossible to get through with them if they had to be conducted in public in that kind of a way, because of the interruptions that would be made, because of the remarks that would be interlarded, and things of that kind. And it seems to me it is in the interest of not only of the immigrant, but in the interest of expediting the service that the examinations should be conducted as they have been for years and years.

Now, if an injustice is done, that immigrant has the right of appeal to the Secretary of Labor and has the right to be represented by counsel on that appeal. We believe we have guarded him sufficiently all the way through, and I hope this amend-

ment will not prevail.

Mr. MANAHAN. Mr. Chairman, I desire to be heard briefly. I wish to offer a few observations on this amendment, and I do so with a great deal of confidence that the amendment will be adopted. It is inconceivable to me, Mr. Chairman, that the

Members of Congress here present this afternoon can hesitate in agreeing to this amendment. It is manifestly unfair to conduct a star-chamber examination of a man seeking admission to our shores. It is unfair under the old law and infinitely more unfair under the literacy test of the new law. If immigrants are to be excluded because they can not read, and they are examined in secret, it places an autocratic power in the hands of the immigrant official who passes upon the applicant to reject every unfortunate exile who may happen to be of limited education, and such an examination by a hostile examiner behind closed doors will, of course, result in judgment against the applicant, final judgment beyond the right or power of appeal in most cases, because the immigrant will not know how to appeal. He does not know to whom he can appeal. He is not familiar with the law.

Mr. GARDNER. The padrone does. I ask the gentleman if, as a matter of fact, they are not informed of their power to

appeal?

Mr. MANAHAN. Why, no. Who informs them? Suppose that to-morrow there come from Hungary 500 immigrants who can not read, and they are landed in the old shack at Ellis Island; who has told any one of them that if the man who passes upon his right to enter here shall deny him that right, he has the lawful alternative of appeal and can hire lawyers, and so forth?

Mr. CAMPBELL. Will the gentleman yield? Mr. MANAHAN. No; I have not the time.

Mr. CAMPBELL. I want to answer your question.

Mr. MANAHAN. You can answer it after I have concluded. I say that the immigrant does not know his rights. He is helpless in a strange land, confronted by hostile strangers, compelled to undergo an examination in the absence of friends or of fellow countrymen, and without a chance for refutation if falsely accused of being barred by law. It is a star-chamber procedure.

Now, I read an article over the signature of the Assistant Secretary of Labor, a good Democrat, Mr. Louis F. Post, an editorial published in his own paper, where he says:

The examination is as simple as it is autocratic.

It is autocratic. Is that Democratic, I will ask my friends on the other side of the House? And it is not only autocratic in the mind of Mr. Post but-

The examination is summary and crude.

It is summary, crude, and autocratic, and now you have it behind closed doors, and then boast of our liberty under the Stars and Stripes and of our fairness to all mankind.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANAHAN. I ask unanimous consent, Mr. Chairman, to extend as a part of my remarks the editorial signed by Louis F. Post, Assistant Secretary of Labor, upon this subject.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The following is the editorial referred to:

OUR IMMIGRANT EXCLUSION LAWS.

WASHINGTON, D. C., September 21.

Washington, D. C., September 21.

"The inspiring struggle of an immigrant boy who became the greatest editor of his time." This announcement of S. S. McClure's autobiography, which begins in the October McClure's, caught my eye at a newsstand yesterday. I was interested, for I have known somewhat of S. S. McClure's editorial career since long before he started McClure's Magazine, back in those days of smaller things, in the early eighties, when he was pioneering in newspaper "syndicates," and I knew that his career, told as he can tell it, would make good reading.

There was nothing disappointing in the first installment. Beginning with his birth in Ireland 56 years ago and ending with his arrival in the United States at the age of 0 as a steerage immigrant, along with his mother and her three other children, all younger than himself, it, of course, does not touch upon the wide range of fascinating recollections of American life which may be expected of future installments. But it is fascinating simply as the story of an industrious and mildly prosperous peasant family in Ireland half a century ago, impoverished by the death of its breadwinner. What interests me most, however, in this installment of Mr. McClure's autobiography is the contrast it suggests to me of immigration when he was a boy and immigration now.

When he came here there were no immigrant officials to stop his widowed mother and her four little children at the national boundary line, no imprisonment at Eliis Island, no star-chamber investigations by immigrant boards of inquiry, no decisions directing their deportation. Landing at Quebec, the family went direct to Valparaiso, Ind., where they were met by one of the mother's brothers, and were taken to an Indiana farm where one of her married sisters lived. Those were the days when we welcomed the impoverished and oppressed of all nations, for, as we were then proud to sing, "Uncle Sam is rich enough to give us all a farm."

True, even in those days, there were native Americans who objected to th

that they have placed upon the Federal statute books a congeries of allen-exclusion laws which challenge the civilized world for drastic character and autocratic powers of execution. The monopolization by a few of our vast areas of what only half a century ago was common land is the principal—perhaps it is the sole—effective reason for these exclusion laws. When your lands are monopolized, work gets scarce; when work is scarce, competition for jobs grows keener; when competition for jobs is keen, immigration makes it keener still; and when immigration does this, immigration reclusion laws seem necessary. On the surface our exclusion laws are not all inspired by pressure upon opportunities for work. There are sanitary reasons and moral reasons and race reasons. But all necessity for restrictions for those reasons would probably disappear if the demand for workers constantly exceeded the supply.

probably disappear if the demand for workers constantly exceeded the supply.

As it is, however—unlike the time when S. S. McClure's widowed and impoverished mother brought her three young children to this country from Ireland—our immigrant-exclusion laws prohibit the admission of a great variety of aliens. Originally these restrictions applied only to "Immigrants," Therefore an alien who had acquired a permanent residence in this country could go back and forth at will, as freely as a citizen, even though he were not naturalized, and with no risk whatever of being stopped upon his return. But by substituting "alien" for "immigrant," in an amendment, Congress has authorized the stopping of any alien. He can be stopped though he has lived all his adult life in this country, though all his business and family interests are here, and though he has neither family nor business connections anywhere else, provided he is, upon his return from any foreign trip, adjudged by the immigrant inspectors at the port of his return to be within any of the excluded classes. —

The excluded classes comprise all aliens who are insane, feeble-minded.

of the excluded classes.

The excluded classes comprise all aliens who are insane, feeble-minded, or afflicted with tuberculosis or a loathsome contagious disease; who have any mental or physical defect that may interfere with their making a living; who come under labor contract; who are anarchists (whether of the peaceable or Quaker type or of the violent type who justify destructive methods in respect of life or property, as being a species of warfare); who have been convicted or admit the commission of any crime, however trivial, and whether it is political or not, if it be a crime involving moral turpitude; or who are for any reason likely to become public charges, either in prisons as convicts or in charitable institutions as paupers.

The legal machinery established for passing judgment on these and

warfare); who have been convicted or admit the commission of any crime, however trivial, and whether it is political or not, if it be a crime involving moral turpitude; or who are for any reason likely to be the control of the port allen passengers who may come within any of the excluded classes are held for examination, nominally on shipboard, but literally in buildings under Federal control, established for the purpose. Here they are individually examined. Most of them, perhaps 90 or 95 per cent, are individually examined. Most of them, perhaps 90 or 95 per cent, are special board and of the rest are held for special examination by a examination is summary and crude, but as a rule as fair as that kind of trial (apart from the public and without right of professional representation) can be. The verdict of this board is final in all cases, unless it is adverse to the allen and the allen appeals. It is final in most other cases, subject to a limited power vested in the discretion of the Secretary of Labor of a kind akin to the pardoning power of a governor. Intellet, Allens whom the board of special control of the case, the commissioner of minigration at the port makes an examination of his own and forwards his recommendation, with the whole record of the case, to the Commissioner General of Immigration at Washington, the head of the Bureau of Immigration, which is one of the bureaus that of the case, to the Commissioner General of Immigration at Washington, the head of the Bureau of Immigration, which is one of the bureaus that of the case, to the Commissioner General of Immigration at Washington, the head of the Bureau of Immigration, which is one of the bureaus that of the case, the commissioner of Immigration at Washington, the head of the Bureau of Immigration, which is one of the bureaus that of the

examination would have revealed at least one reason for detention in this case, namely, "I. c. p." (likely to become a public charge), owing to her scant supply of money, to the number and tender years of her children, and to the fact that her nearest relatives in this country were only brothers and sisters, and maybe not very well off, either. In due time—there is really no undue delay—the whole group would have found themselves in police-court-like quarters, and on trial by a board of three immigrant inspectors. The trial wouldn't have taken long, but the board would have waited until Mrs. McClure could get affidavits from her brothers and sisters in Indiana. They would then have decided her case, and their decision would almost certainly have been that she and her children were likely to become public charges, whereupon all would have been ordered to be deported to Ireland, the country whence they came. She would, however, have been advised of her right to appeal, which right she would doubtless have exercised. Then the commissioner would have examined this young widow with her four infant children, and probably have concluded that although she made a good appearance the board's decision was right. The record would have made his recommendations and turned them over with the record to the Secretary or the Acting Secretary for final decision.

The latter official would first have tried to grasp the case with economy of mental effort by reading the recommendations, which would have advised him somewhat to this effect: "Elizabeth McClure (widow) and several brothers, as well as her late husband's father, in Ireland; claims two unmarried brothers and two married sisters in Indiana; tickets to Valparaiso, but very little money; her own mother (widow) and several brothers as well as her late husband's father, in Ireland; alleged brothers and sisters in Indiana have filed affidavity on their part to do so if the aliens are not self-supporting. Alleged brothers and sisters offer bonds, but as the elder alien's mother

Mr. GARDNER. Mr. Chairman, if this amendment is adopted, the few contract laborers whom we catch now will escape in the I wish I could picture to you the manner in which the examination of arriving immigrants is carried on. They come up in long lines to the inspectors, after they have passed the surgeons. Groups of the same nationality stream along. Often it is thought that padrones are scattered throughout the groups.

This first examination is entirely public. It is seldom that ou would find anyone in such groups as these who was not thoroughly coached on all the answers which he ought to make to the questions of the inspector. Every good coach knows very

well the questions which are going to be asked.

Somewhere in the line you can often see a man stretching his head up to hear what questions are being asked, to find out what is going on. That is the first examination. That examination is made in public. Everyone can hear what is being said, and the padrone can tip the wink if incorrect answers are being What is the next procedure? If one of the inspectors thinks that some of the answers given are suspicious, the immigrant goes before a board of special inquiry, consisting of three men, who, I submit, are as likely to be humane as are the Mem-bers of this House. It is true that those three men under the law must conduct that second examination in private. They take the immigrant apart, where his padrone can not be on hand, where no one in the crowd can signal the answer to some awkward question.

That is the reason for the private inquiry. It is prescribed in order that on the second examination the immigrant shall be segregated from the people who have been coaching him to evade our laws.

Mr. SABATH. Mr. Chairman, will the gentleman yield?
Mr. GARDNER. After I am through I will yield.
Then what happens, Mr. Chairman? Remember that these three men constituting the board of special inquiry are picked from amongst the best men in the force by the Secretary of Labor. If any one of these three men is dissatisfied as to the result of the examination, even if the two other members of the board overrule him, he can take an appeal to the Secretary of Not only can a single inspector take an appeal, but the alien himself can take an appeal. When the case goes up to the Secretary, the alien is permitted to have his counsel or any one else whom he chooses to represent him.

Mr. SABATH. Mr. Chairman, will the gentleman yield? Mr. BURNETT. I move that all debate on this section and

amendments thereto be now closed.

The CHAIRMAN. The gentleman from Alabama [Mr. Bus-NETT] moves that all debate on this section and amendments thereto be closed.

Mr. SABATH. Mr. Chairman-

Mr. GARDNER. I am willing to answer any question I can.

Mr. SABATH. Pending that motion, Mr. Chairman, inasmuch as the gentleman from Massachusetts [Mr. GARDNER] has some

as the gentleman from Massachusetts [Mr. Garden] has some time left, I desire to ask him a question.

The CHAIRMAN. Does the gentleman from Alabama [Mr. BURNETT] withdraw his motion?

Mr. BURNETT. No.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Alabama.

The question was taken, and the Chairman announced that the aves seemed to have it.

Mr. SABATH. A division, Mr. Chairman. The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 78, noes 29.

So the motion was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. Sabath]. The question was taken, and the chairman announced that the noes seemed to have it.

Mr. SABATH. A division, Mr. Chairman.
The CHAIRMAN. A division is demanded.
The committee divided; and there were—ayes 36, noes 69.

Mr. SABATH. I demand tellers, Mr. Chairman. Tellers were ordered; and the chairman appointed Mr. Bur-

NETT and Mr. SABATH.

The committee again divided; and the tellers reported-ayes 45, noes 77.

So the amendment was rejected.

Mr. O'SHAUNESSY. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from Rhode Island [Mr. O'SHAUNESSY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 34, line 5, after the word "public," strike out the period, insert a comma, and add the following: "but the alien may be represented by counsel."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Rhode Island [Mr. O'SHAUNESSY].

Mr. O'SHAUNESSY. Mr. Chairman-

The CHAIRMAN. Debate on this section and all amendments thereto has been closed.

Mr. O'SHAUNESSY. I ask unanimous consent to be heard for three minutes.

Mr. SABATH. The Chair is mistaken. There was no such order; only on my motion, not on the amendments.

Mr. BURNETT. On the section and amendments thereto. Mr. O'SHAUNESSY. My amendment is pending.

Mr. O'SHAUNESSY. My amendment is pending. The CHAIRMAN. The gentleman from Alabama, as the Chair remembers, made a motion to close debate on the section and on the amendments thereto. Therefore the amendment of the gentleman from Rhode Island is not debatable.

Mr. MANN. The gentleman can ask unanimous consent. Mr. O'SHAUNESSY. I ask unanimous consent for three

Mr. BURNETT. I shall not object to that, and then I shall ask that the gentleman from Massachusetts [Mr. Gardner] have three minutes

The CHAIRMAN. Is there objection?

There was no objection.

Mr. O'SHAUNESSY. Mr. Chairman and gentlemen of the committee, the committee has just voted down a proposition to permit the immigrant to be heard in the open. You have voted to lock him up behind closed doors and administer to him a grilling and a cross-examination, which, in my opinion, is absolutely at variance with decency and justice and even common politeness. I am very sorry to see the temper of this House expressed in favor of conduct which can not be justified ac-

cording to the standards to which I give my devotion.

The amendment that I have just offered does not provide that the hearing shall be public, but it simply provides that the poor immigrant, if he desires it, may be represented by counsel; and I again appeal to the gentlemen in this Chamber and ask them if that is not a fair provision. Is it asking too much for a man who comes a stranger to a strange land to allow him to be represented by counsel, paid for out of his own pocket or out of the pockets of his friends? I think a body of Members who vote down such a proposition as that indict their own sense of decency and their own sense of justice, not to say their humanitarianism.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by having printed an article from the New York World of November 30, 1913, dealing with the abuses at Ellis

The CHAIRMAN. The gentleman from Rhode Island asks unanimous consent to extend his remarks in the RECORD.

Mr. GARDNER. Mr. Chairman, reserving the right to object think the gentleman ought not to print that article, because it is full of so many horrible misstatements that everybody knows are misstatements. Still I shall not object. The CHAIRMAN. Is there objection?

There was no objection.

The article referred to is as follows:

THE GREAT AMERICAN HOLD-UP AT ELLIS ISLAND—A SPOT IN NEW YORK BAY WHERE THE CONSTITUTION IS NOT IN FORCE.

[By Henry N. Hall.]

[By Henry N. Hall.]

"The portals of the temple we have raised to freedom shall then be thrown wide, as an asylum to mankind. America shall receive to her bosom and comfort and cheer the oppressed, the miserable, and the poor of every nation and of every clime. " " We shall learn to consider all men as our brethren, being equally children of the Universal Parent—that God of the heavens and of the earth, whose infinite majesty, for providential favor during the late Revolution, Almighty Power in our preservation from impending ruin, and gracious mercy in our redemption from the iron shackles of despotism, we can not cease with gratitude and with deep humility to praise, to reverence, and adore."—Observations on the American Revolution, published according to a resolution of Congress by their committee. Philadelphia, 1779.

adore. —Observations on the American Revolution, published according to a resolution of Congress by their committee. Philadelphia, 1779.

THE HEAD TAX.

When Gouverneur Morris penned the closing lines of the famous report which declared that the recognition of American independence must precede any negotiations for peace with Great Britain, he little dreamed that the day would come when the United States would levy a head tax upon every alien coming here and maintain a costly and important department of the Government to prevent the oppressed, the miserable, and the poor of other countries from entering this promised land.

And yet it is so. Every alien who enters this country, except those passing through in transit, pays \$4 for the privilege, and it matters not how long he stays or how often he comes back, the head tax is exacted over and over again every time he lands here. This money, together with all fines and rentals collected under the immigration laws, is paid into the Treasury of the United States to defray the cost of regulating the immigration of allens.

But if all the money received from immigrants is paid into the Treasury, nothing is paid out again, except as Congress is pleased to appropriate to defray the cost of the service. So there has accumulated a fund of millions of dollars—about eight millions—which is unexpended despite the fact that the quarters provided for the detention of immigrants are scandalously inadequate or altogether lacking, and that a larger number of inspectors and an increased medical staff are imperatively needed. tively needed.

THE ELLIS ISLAND GATEWAY.

In the last 10 years for which statistics are available—from 1903 to 1912—nine million three hundred and seventy-five thousand-odd immigrants have been admitted to the United States, and of this number more than 8,000,000 have arrived at the port of New York. That is why Ellis Island is the best place to study the immigration question, and to see just how the law is applied and in what manner it works. By permission of the authorities, I have had the access to every part of Ellis Island day and night for the past two weeks. Every question I have asked has been fully and frankly answered. I have talked freely with the immigrants, and I have been afforded the most ample opportunity to see everything, good and bad. To both the acting commissioner, Mr. Byron Uhl, and the superintendent, Mr. P. A. Baker, I am indebted for much generous assistance. They have done everything in their power to facilitate my inquiry in every way.

PERSONS TO BE EXCLUDED.

Section 2 of the immigration act provides that the following classes

Persons to be excluded.

Section 2 of the immigration act provides that the following classes of aliens shall be excluded from admission to the United States:

"All idlots, imbeclies, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previously.

"Persons who have had two or more attacks of insanity at any time previously.

"Paupers.

"Persons likely to become a public charge.

"Persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease.

"Persons not comprehended within any of the foregoing excluded classes who are found to be or certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living.

living.

"Persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude.

"Polygamists, or persons who admit their belief in the practice of

Polygamists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials.

"Prostitutes, or women or girls coming into the United States for

officials.

"Prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose.

"Persons coming to perform manual labor under contract or who have been, within one year from the date of application for admission to the United States, deported as contract laborers.

"Persons whose ticket or passage has been paid for by any corporation, association, society, municipality, or foreign government.

"All children under 16 unaccompanied by one or both of their parents, except in the discretion of the Secretary of Labor."

FIRST, MEDICAL EXAMINATION.

Thus every immigrant has to pass a medical examination and satisfy the immigration officials besides that he is "clearly and beyond a doubt" entitled to land. From the very first moment that an alien presents himself for admission the whole burden of proof is thrown upon him. The attitude of the department is that admission to the United States is a privilege, and that the person seeking admission must prove that he or she is entitled to it.

Every morning at 7 o'clock a revenue cutter leaves the Battery with a number of inspectors and doctors aboard. They proceed to quarantine, and as soon as a vessel has been granted pratique by the health officer of the port the Federal authorities board her. In most ports the doctors of the Federal Public Health Service conduct the medical examination of the immigrants and also do the quarantine work, but in New York Harbor every vessel is first visited by the port doctor, who

a State official, and then by the Federal doctors, who examine the

HELD UP BY SPITE,

Cabin passengers are taken first. One by one they pass in front of the doctor, who makes a rapid inspection, examining more closely those he may suspect of having any physical or mental disability that may come under the terms of the act. The passengers then pass before an inspector, who satisfies himself as to their identity and checks up the information which the law obliges the owners of vessels to furnish on a manifest showing the name, age, sex, nationality, residence in the United States, occupation, time of last arrival, amount of money carried, and destination of every alien. As a rule first and second cabin passengers are less liable to be ineligible than steerage passengers and the work proceeds apace. Each inspector, however, has beside him and compares with the manifest a little black book, in which are entered the names of hundreds of individuals against whose coming the immigration authorities have been warned. Some of these notices are bona fide, some are lodged through spite. Any such person is held for special inquiry, and if an alien has been denounced—even by a mere letter unsupported by proof of any kind—he is almost certain to have to spend a few days on Ellis Island.

TEMPORARILY DETAINED.

The second-cabin passengers are examined more closely than the first. They are almost invariably people who have to work for a living, and any noticeable physical or mental shortcoming results in their being held and sent to the island for further medical examination. The immigration inspectors also are much stricter in the second cabin than they are in the first. The little black books are again in evidence. Each immigrant is required to actually show the amount of money in his or her possession. Quite a number of those who arrive for the first time are denied the right to land freely. They are either temporarily detained, to be called for by relatives or friends, or, if they have railroad transportation to other cities, are turned over to representatives of the Travelers' Aid Society or other similar organizations.

ARBITRARY PATERNALISM.

There can be no doubt that a number of the neonle, especially women.

There can be no doubt that a number of the people, especially women, thus held on board the vessel are clearly entitled to land, and there is no legal warrant for their detention. It is arbitrary paternalism. Of course, the plea is made that these steps are taken in the interest and for the protection of the immigrant. This is very often true; indeed, I was impressed with the real solicitude for the immigrants' welfare manifested by the inspectors, but the fact remains that they detain many people who have a legal right to land.

When the work of examining the first and second class passengers is concluded, which by hard work is generally before the vessel reaches her dock, the boarding inspectors see to it that all those held for special inquiry or further medical examination are sent to Ellis Island along with the steerage aliens. The steamship company is responsible for their safe delivery, and they are put on board barges and taken to the immigration station in charge of one of the boarding inspectors, who brings with him the manifest.

ONE DAY'S ARRIVALS.

who brings with him the manitest.

ONE DAY'S ARRIVALS.

It is here at Ellis Island that one gets a clear insight into the class of immigrants that are coming into the United States; barge load after barge load of living freight is landed, and as the almost continuous stream of men, women, and children passes through the entrance that leads to the medical division one can see with one's own eyes what kind of people are seeking admission. In one day I saw 4,990 of them. They were not the scum of Europe—very far from it. They were mostly of a surprisingly high peasant type and came of stock which for generations has earned its bread by the sweat of its brow; people from the outlying rural districts of Europe, tillers of the soil who in times of peace have fed their more fortunate fellow men and who in times of war have furnished the Kings and Emperors of Europe with the backbone of their armies. That was my general impression.

Among them, of course, there was a sprinkling of "the miserable and the poor of every nation and of every clime," but if this country wants immigrants at all it will have great difficulty in getting a better class than I have lived among for the past fortnight. One most striking proof is this: Venereal disease is almost unknown among them. Taking all the immigrants, good and bad, the general average of those afficied is less than 2 per cent. In New York City it is probably as high as 20 per cent, and the allen falls a ready prey to it when his fresh, untainted blood is exposed to corruption in our midst, to such an extent that at least one European Government is studying the means it can take to prevent the healthy immigrants it sends to America coming back and contaminating its rural districts with diseases of the cities which have never yet penetrated there.

LIVE HUMAN FREIGHT.

One thing, however, struck me unfavorably. Unless the alien has been here before, or has relatives and friends in this country, his coming is very seldom spontaneous. It does not spring from his own desire or volition; it is the result of external suggestion or incitement. Hundreds come here who had never heard of the new world, who did not even know there was such a place as America, until their villages were visited by the agent of some steamship company who allured them by grossly exaggerated and lying statements to sell all their worldly goods and turn over the proceeds to him. In this manner whole ham ets almost have been uprooted to furnish the steamship company with the kind of freight that pays best—live human freight. These people are allured by promises of material prosperity; they do not realize what this country stands for or that it is "a temple raised to freedom." Indeed, there is nothing about Ellis Island that could suggest such a thing.

IN SINGLE FILE.

On entering the main building the immigrants pass in single file between two sets of railings. Each one is examined by two doctors, medical officers of the United States Public Health Service. The first doctor looks over the man for physical defects or disease; the second doctor pays more special attention to the immigrant's eyes, watches out for trachoma cases. Both men are on the alert to detect mental defects and cases of idiocy, feele-mindedness, etc. If the immigrant is passed by the doctors, he goes at once to the registry division for examination by the immigration inspectors. If anything is the matter with him, he is marked with blue chalk, with an "X" for mental or a "P" for physical. Other markings call for reexamination of the eyes or direct attention to special disabilities or suspected cases of contagious disease.

ELLIS ISLAND HOSPITALS.

The immigrants thus marked mass off into the medical division where

The immigrants thus marked pass off into the medical division, where they undergo a second and ofttimes a third examination, and if defects

are found three doctors certify to the fact and the certificate is attached to the ticket. If the doctors are of opinion that the physical or mental defect is not such as to affect the immigrant's ability to earn a living, his card is stamped to show that he has been reexamined medically. Any cases which need treatment are at once sent to the Ellis Island Hospital. The hospital buildings cover nearly two-thirds of the area of the island, and are well suited for their purpose.

DEVOTED DOCTORS

There is a special hospital on what is known as the third island, where all contagious diseases are sent, and, speaking generally, the appointments are all that can be desired for the treatment of the sick. The medical staff, including doctors, nurses, attendants, etc., numbers about 160. It is impossible to exaggerate the importance of the work done by the doctors at Ellis Island. I can not describe it in detail in the narrow limits of this article, but it filled me with the same sort of admiration that I have felt for the Army engineers who are building the Panama Canal; the admiration one naturally feels for a combination of sheer efficiency with unlimited devotion to duty. As an instance of the extreme liberality of Congress toward its national institutions—in striking contrast with the parsimony of its pork-barrel appropriations—it may be mentioned that the work of guarding the country from disease is done at Ellis Island for the sum of eight and a fraction cents per head for the examination of each alien.

THE RIGHT TO LAND.

THE RIGHT TO LAND.

The immigrant after passing before the surgeons goes before the officials of the registry division for inspection. The registry work is the same kind that is done by the boarding officers for the cabin passengers down the bay, but at Ellis Island the primary inspection is somewhat stricter. The Inspectors stand at desks at the end of each of the long lines on the registry floor and the immigrants, after showing their cards to a "grouper," are placed by him in the line at the end of which is the manifest sheet containing their names. The inspectors question each immigrant as to the information contained in the manifest, and any serious discrepancy results in the person being held for special inquiry. If the immigrant satisfies the inspector that he is "clearly and beyond a doubt entitled to land," he is forthwith given a pass and may take the next ferryboat to the Battery if his destination is New York, but if he is going to an inland point he is sent to the railroad division, where he is routed to his destination.

IN CASE OF DOUBT.

IN CASE OF DOUBT.

But if the inspectors entertain the slightest doubt as to the right of an immigrant to land they are under orders not to attempt to solve the doubt, but to hold the immigrant for special inquiry. Here also, as on board ship, a number of immigrants are temporarily detained "for their own good." These may be roughly divided into two classes: Those who have a right to land, and having railroad transportation, lack funds to support them on their way to destination, and those who are paternally held without any legal authority until their relatives come and fetch them. In the first case the friends or relatives to whom the immigrants are going are telegraphed to and the funds they provide are paid to the immigrant, who is sent forward. In this way the United States Government does a banking and money-order business of some \$600,000 a year on Ellis Island.

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THE SPECIAL INQUIRY.

The proportion of immigrants held for special inquiry varies greatly. Sometimes only 5 per cent of those on a given vessel will be so held, and at other times the number may rise to 30 per cent. The law is a complex one. It contains at least one "joker," which would enable and does enable the Government to deport without the right of appeal any alien who may be held to have any mental defect which may affect his ability to earn a living or render him likely to become a public charge.

There is room for the widest differences of opinion as to who is and who is not entitled to land, but the attitude of the department may, I think, fairly be gauged by the fact that impending motherhood is sufficient to cause an unmarried woman to be held for special inquiry, however "clearly and beyond a doubt" she may otherwise be entitled to land. Her morals must be inquired into.

A special effort is made to exclude the poor. Poverty is looked on askance at Ellis Island, and if an alien seeking admission is suspected of being a pauper he must satisfy the inspector as to his occupation, his proficiency in the same, his physical ability to pursue it, his mental aptitude therefor, the demand for labor or services of the kind he is able to render at the place to which he intends to go, the number of persons who may be dependent upon him either here or abroad, and the value of his property. If the inspector has any doubts, the alleged pauper is held for special inquiry. However, the department generously makes exceptions in favor of wives and minor children going to persons as to whom the examining inspector is satisfied that they are: First, able; second, willing; and third, legally bound to support them.

LOOKING UP RELATIVES.

The immigrants who are legally qualified to land but are temporarily detained for their own good, are sent to the information division. The cards of such immigrants are taken up as they are reached, and their names, with certain data, entered upon a sheet. Official post cards or telegrams are then sent to relatives and friends. A person calling at Ellis Island in response to such notification is subjected to almost the same kind of inquisition as the immigrant himself. He must satisfy the inspectors that he is a proper person to receive the immigrant for whom he calls and that the latter desires to go with him. Immigrants held in this division whose relatives or friends fail to call are discharged to responsible missionaries and immigrant ald societies, who ald qualified immigrants without relatives or friends here to secure employment. A few of these cases, however, are sent to the special inquiry division, which is the most extraordinary feature of the Immigration Service.

A REVOLTING PROCEEDING.

A newspaper man is not easily shocked. For nearly a quarter of a century I have followed my profession in many lands and seen many strange and pitiful things. I have heard drumhead courts-martial condemn brave men to die upon the scantiest of evidence, but I have never seen or heard anything so revolting to my sense of justice as the summary proceedings before the boards of special inquiry at Ellis Island. It is literally a star-chamber proceeding.

The immigrant is utterly helpless, is not even informed of the purposes or scope of the secret inquiry about to take place, is not allowed counsel or assistance of any kind. The immigrant is forced to testify against himself, and as no effort is made to follow the ordinary rules of evidence, is often trapped by leading questions into admissions that result in his exclusion.

A MARRIED WOMAN'S PLIGHT.

Thus I heard a married woman, who had lived in this country before and whose husband was seeking her exclusion, asked by an inspector whether since her marriage she had ever had relations with any other man, and the inspector afterwards assured me that it was his duty to put the question, because if the woman had answered it in the affirmative the board would have unanimously excluded her under section 2 of the act as a person who admitted having committed a misdemeanor involving moral turpitude, to wit, adultery. And this woman was thoroughly respectable, and was admitted on the evidence of her sister, who is living in New York, the actual fact being that her marriage to her husband had never been consummated.

SEVERAL BOARDS IN SESSION.

Every day, from morning to night, there are from five to eight boards in continuous session. Each consists of three inspectors, and has at its disposal an interpreter, a messenger, and a stenographer. The daily board minutes vary in length from 150 to 250 closely typewritten pages. It is due to the inspectors of the special inquiry division to say that they do not make the law; they only apply it and carry out its provisions. They are good, red-blooded Americans. Their sympathies are nearly always with the immigrant, but they live in an atmosphere of bureaucracy which obscures their native sense of fair play and, I may add, of humor.

NO CONSTITUTION HERE.

It is urged in defense of this star-chamber proceeding that the immigration law is not criminal in its nature; that it merely determines who may and who may not land. It is also urged that the provisions of the Constitution of the United States do not apply to aliens on Ellis Island and that their status there is exactly the same as if they were on board ship. Also that admission to the United States is a privilege and not a right, and that the burden of proof is upon the person seeking admission. These contentions have in a large measure been sustained by the Federal courts. The fact remains, however, that the whole proceeding is monstrously unfair; that it is conducted in secret, or, to use the wording of the law, "separate and apart from the public." The immigrant is deprived of his liberty, refused the benefit of counsel, and forced to testify against himself under oath, and, in the event of deportation, loses virtually everything he has in the world, his money having been taken to pay for his passage, the whole without what, to an impartial mind, can possibly be termed due process of law.

In Case of Appeals.

IN CASE OF APPEAL

IN CASE OF APPEAL.

Of course, in certain cases an appeal lies from the decisions of the board of special inquiry, and these appeals vary from 15 to 60 or 70 a day. These appeals are heard by the commissioner, who has before him the stenographic record of the hearing and the immigrant himself, and he is thus able to keep in touch with what the various boards are doing. The commissioner does not decide the appeals himself, but forwards them to the Secretary of Labor in Washington, together with his recommendation.

It is fair to say that when the boards of inquiry have decided to exclude an alien for causes which may under the law be appealed, the immigrant is informed of his rights and is allowed the assistance of missionary or benevolent societies in the preparation of his appeal and may even employ counsel for this purpose.

All immigrants who have once been heard by a board of inquiry without securing admission are placed in the custody of the deporting division, irrespective of whether they have been excluded or their case has been deferred, so that there are always on the island a large number of aliens either awaiting deportation, or whose cases have been deferred by the board for the production of further evidence, or whose appeals have not been decided, and these, added to immigrants temporarily detained and placed in charge of the information division and any immigrants whose primary inspection may not have been concluded, form a large floating population. There are at times 2,000 immigrants who must be cared for and fed by the department.

THE FOOD CONTRACT.

THE FOOD CONTRACT.

The immigrants are furnished three meals a day by a contractor, who also has the privilege of selling food to the immigrants who are waiting inspection or are admitted and about to proceed to their destinations. Most of this food is supplied in ready packed boxes, which retail for 50 cents and for \$1.

All meats used on the island are inspected daily by an inspector from the Department of Agriculture, and although there have been many allegations made reflecting on the food supply, I am convinced that it is, generally speaking, of excellent quality. I have found it impossible to purchase in New York the contents of the 50-cent and \$1 boxes for any such price.

QUANTITY, NOT QUALITY.

QUANTITY, NOT QUALITY.

However, the contractors should be obliged to provide 10-cent and 25-cent packages of food, and the food contract under which detained immigrants are fed at a cost of 6 cents for breakfast, 8 cents for dinner, and 8 cents for supper should undoubtedly specify not only the kind of foods to be supplied, but the actual weight in ounces of bread, meat, etc., to be furnished each immigrant.

It was the quantity of meat rather than its quality that seemed to me to be open to criticism.

ON THE BARE FLOOR.

ON THE BARE FLOOR.

The worst physical condition existing on Ellis Island is undoubtedly the sleeping accommodations. There are no beds; there are no mattresses, and hundreds of immigrants sleep every night on the bare floor. What sleeping bunks there are are of iron superimposed and placed back to back, with, in some cases, wire springs, but more often wide metal slats, over which a blanket is thrown in place of a mattress.

In one room I have seen more than 300 men in the deporting division herded together—old men, young men, boys, criminals, paupers, feeble-minded, and infirm—and left all night without supervision and with a total disregard of every consideration of hygiene, morality, or common decency.

The women's quarters are no better than the men's, and although the inspectors do make their best efforts to sort out the different classes of aliens detained and to alleviate in every way the conditions and the hardships of those in their charge, it is nevertheless a fact that the immigrants are herded together at night exactly like animals.

THE WORST OF ALL HOTELS.

Congress has been apprised of these conditions time and time again, but has always refused the necessary appropriations for bettering conditions. It was stated to me that, after all, many of the immigrants were better treated at Ellis Island than they had ever been in their lives. This is undoubtedly true as regards medical assistance, their

actual dealings with the inspectors, and in many cases as to the food. It is not true as to the sleeping accommodations. It is a fact that, with the exception of one small room with a tiny fron cot and a pail, there is no provision whatever for taking care of first or second cabin passengers detained on the island. It may be true that on Ellis Island Uncle Sam runs the biggest hotel in the world, but it unquestionably is the

worst.

But although some immigrants are detained on the island for four or five weeks before their cases are finally disposed of, the day comes when they must either be admitted to the United States or deported at the expense of the steamship company which brought them.

A SURE THING FOR STEAMSHIPS.

One of the grossest injustices is perpetrated at the expense of the deported immigrant in connection with the head tax he has paid for admission to the country. This head tax is always paid by the immigrant himself and it is collected from immigrants by the steamship company, which pays it to the Government. When the immigrant is ordered deported the \$4 is not returned to him, but is paid back to the steamship company, and more than defrays the cost of taking the immigrant back to Europe. So for every immigrant that a steamship company can induce to come it is certain of a profit even on the return voyage if the alien is rejected.

WHAT DEPORTATION IS LIKE,

The actual deportation of the immigrant would sadden the heart of any man. There you have grief, despair, the blighting of cherished hopes, the crushing out of all ambition. The only ones who do not seem to care so much are the warrant cases, generally women arrested for prostitution and about to be sent back to their native land. There is no time limit within which this may be done and much money and labor is spent in deporting such cases. But there are often heart-rending scenes when the immigrants are actually put on board the tug which is to take them from Ellis Island, and in some cases the inspectors have been assaulted by the half-frantic allens. One woman even threw her baby at the head of the inspector, and only last Tuesday another one made a frantic effort to jump overboard. Her baggage was lost and she was being deported with only the clothes on her back and without a single cent in her pocket.

THE BRIGHTER SIDE.

But in joyous contrast are the scenes one may witness when the immigrants are admitted, especially when those temporarily detained are joined to the friends and relatives that have come for them. I shall not soon forget a middle-aged Russian woman with a young child who was being held until her husband could call for her. He came, a typical Jew, with a long red beard, accompanied by an older daughter. They had been in this country some years and after a hard struggle had prospered sufficiently to bring over the rest of the family. The old man could hardly speak for excitement as he was trying to satisfy the inspectors that he was the immigrant's husband, and when they were at last placed in each other's presence his pent-up feelings gave way and great tears streamed down his face and glistened on his beard as he held in his arms the mother of his children. He was literally eating her with kisses, and she trembled so she could hardly stand. The elder daughter was on her knees clutching at her mother's dress, and it was impossible not to be affected by the sight. My heart then went out to those who had not even been given the chance to make good.

Mr. RURNETT. Now Mr. Chairman, I ask unanimous cons

Mr. BURNETT. Now, Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts [Mr. Gardner] be recognized for three minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the gentleman from Massachusetts be recognized for three minutes. Is there objection?

There was no objection.

Mr. GARDNER. Mr. Chairman, we have gone the extreme limit in trying to meet the views of gentlemen who are pleading that the immigrant does not get a fair show when he is examined. We have inserted in this bill two new provisions. We require that when an alien is rejected by a board of special inquiry he must be informed of his right of appeal to the Secre tary of Labor. We also require that on appeal the alien shall be permitted to employ counsel. Now gentlemen propose to allow him counsel at the very time when he ought not to have counsel, at the very time when he is being taken aside, to see

what his answers will be when he has no counsel at his elbow.

"Bigotry is at the bottom of this demand for the restriction of immigration," says some one. Bigotry, forsooth! Was it bigotry which impelled the legislatures of 17 States to petition for the literacy test? Was it bigotry which guided the foot-steps of Samuel Gompers to our committee room, when he came to plead for this law? Was it bigotry which caused the American Federation of Labor time and again to call upon Congress to enact this very same measure which we are now considering? Is there bigotry in the heart of Edward Dwyer, of Brooklyn, N. Y., secretary of the Irish-American Societies? Have you all forgotten his open letter to William Sulzer, praying for support for this same measure?

Call us all bigots if you so desire. Let our motives be as contemptible as you choose. Our motives, good or bad, can not add one jot to the argument against this legislation nor detract one tittle from the arguments in its favor.

The CHAIRMAN. The question is on the amendment of the gentleman from Rhode Island.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. O'SHAUNESSY and Mr. SABATH demanded a division. The committee divided; and there were-ayes 41, noes 81. Accordingly the amendment was rejected.

Mr. SABATH. Mr. Chairman, I desire to offer an amendment to strike out the word "solely" in line 16, on page 34.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 34, line 16, strike out the word "solely."

Mr. SABATH. Mr. Chairman, I ask unanimous consent for three minutes to explain this amendment.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. SABATH. A few moments ago the chairman of this committee [Mr. BURNETT] stated that these people who are rejected have the right to appeal. This is true; but this section provides that the Secretary of Labor can not take into consideration any evidence whatever on such appeal unless it was produced at the time of the trial. What do these unfortunate immigrants know of their rights in the premises? If any opportunity was given them to present the evidence which they have, in many cases this would be of sufficient merit to warrant their admission, but we first preclude them from producing evidence, and then we say to them that when the case is appealed to the secretary of Labor they can not produce any evidence that had not been produced at the hearing before the board of special inquiry. We are giving them certain remedies and making it impossible for them to avail themselves of these remedies, and therefore I hope that my amendment will prevail-that the word

solely" will be stricken out.

The CHAIRMAN. The question is on the amendment offered

by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. SABATH) there were 42 ayes and 67 noes.

So the amendment was lost.

The Clerk, proceeding with the reading of the bill, read section 18.

Mr. BURNETT. Mr. Chairman, I ask that we pass over section 19 without prejudice, as there are several Members who want to offer amendments.

Mr. MANN. Would not the gentleman take the suggestion that as it is almost 6 o'clock and there is some other business before the House, that the committee rise?

Mr. SABATH. Mr. Chairman, I object to passing section 19. Mr. MOORE. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Alabama if he intends to press this bill for passage to-night?

Mr. BURNETT. I do not think it possible.
Mr. MOORE. Then, would it not be well, inasmuch as gentlemen here have done all they could to assist in the progress of the bill, to move that the committee rise?

Mr. BURNETT, I would like to have section 19 read and have that pending, because there are some matters that are important in it.

Mr. GOLDFOGLE. Do I understand the gentleman from Alabama to ask that section 19 be passed?

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that section 19 be passed without prejudice, but the gentleman from Illinois [Mr. Sabath] objected.

Mr. MANN. Suppose we have some understanding about how far the gentleman wants to proceed if we pass over section 19.

Mr. BURNETT. I think 15 minutes longer, and especially if we can get an agreement here that Calendar Wednesday may be set aside for Thursday. I know how sacred Calendar Wednesday is, and we could not do away with it entirely, but I thought it might be possible to suspend Calendar Wednesday so as to conclude the bill to-morrow.

Mr. MADDEN. Mr. Chairman, ever since Calendar Wednesday was established I think that has been deemed to be a violation of the public trust to set it aside for any purpose, and I shall object to that.

Mr. MANN. There is no proposition to set it aside, but to substitute Thursday for it.

Mr. MOORE. It is only diverting it for one day.
Mr. BURNETT. Mr. Chairman, I desire to have the reading of section 19 for the present.

The CHAIRMAN. The gentleman from Alabama again asks unanimous consent to omit reading section 19 and pass it with-

out prejudice.

Mr. MADDEN. I object.

The Clerk proceeded, and read section 19 of the bill.

Mr. BURNETT. Mr. Chairman, it is not my purpose to ask the committee to go further to-night, except to adopt one amend-ment, and that is to insert a semicolon on page 38, line 10, after the word "law.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 38, line 10, by inserting a semicolon after the word "law." The question was taken, and the amendment was agreed to.

Mr. BURNETT. Mr. Chairman, I move that the committee do now rise, and I would like to know if we can, by unanimous consent, postpone Calendar Wednesday to Thursday

The CHAIRMAN. That is a matter which will have to be agreed to in the House.

Mr. BURNETT. I understand that; but I thought if we could get unanimous consent in the committee there would be no objection in the House.

Mr. SABATH. What binding effect would it have to agree to it in the committee?

Mr. BURNETT. Not any; only I think if it was agreed to in committee gentlemen would not object to it in the House.

The CHAIRMAN. The gentleman from Alabama moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Hay, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6060, the immigration bill, and had come to no resolution thereon.

CALENDAR WEDNESDAY.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that the order of business to-morrow, Calendar Wednesday, be transferred to Thursday.

The SPEAKER. The gentleman from Alabama [Mr. Bus-NETT] asks unanimous consent that the business in order on Calendar Wednesday, to-morrow, be transferred to Thursday.

Mr. MADDEN. Mr. Speaker, the gentleman from Alabama made that suggestion in committee, to which I made objection, but since that time the gentleman was kind enough to accommodate a number of Members of the House who were anxious to go home, by discontinuing the further consideration of the bill to-night, and I believe that if he wants the day to-morrow and have Calendar Wednesday transferred to Thursday I ought to withdraw my objection, and I do it.
The SPEAKER. Is there objection?

There was no objection, and it was so ordered.

RAILROADS IN ALASKA.

Mr. HENRY. Mr. Speaker, I submit the following privileged report from the Committee on Rules, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 397 (H. Rept. 215).

Resolved, That when the consideration of the bill H. R. 1739 is again reached it shall be in order for the chairman of the Committee on the Territories, in lieu of said House bill, to call up for consideration the bill S. 48, entitled "An act to authorize the President of the United States to locate, construct, and operate railways in the Territory of Alaska, and for other purposes," under the same limitation for general debate as now applies to said House bill, except that the time be extended three hours.

Mr. HENRY. Mr. Speaker, this is a unanimous report from the Committee on Rules. There is no objection to it, and it simply allows the House to consider the Senate bill in lieu of the House bill. There is one verbal change that I would like to suggest, however. At the end of the resolution I would like to have the language read in this way:

Except that the time be extended through the day for general debate.

That would perhaps give a little more than three hours, but it would give the full calendar day for general debate.
Mr. CAMPBELL. I have no objection to that.
The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend by striking out the last two words of the resolution and in-serting after the word "extended" the following: "through the next day for general debate." y for general Mr. LENROOT. Mr. LENROOT. Mr. Yes.

Mr. Speaker, will the gentleman yield?

Mr. LENROOT. I would like the gentleman to state whether or not that would not extend the day beyond the day the bill is called up?

Mr. HENRY. No; I think it would extend it just through

that day.

Mr. LENROOT. The language is the "next" day.

Mr. HENRY. I think that means the calendar day when we

take the bill up for consideration.

Mr. MANN. I suggest that the word "next" be stricken from the amendment, so that it will read "through the day."

Mr. HENRY. Very well; that is satisfactory. Mr. MANN. I offer that as an amendment. Mr. MANN.

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend the amendment by striking out the word "next."

The SPEAKER. The question is on the amendment of the gentleman from Illinois to the amendment of the gentleman from Texas.

The amendment to the amendment was agreed to.

The SPEAKER. The question now is on the amendment of the gentleman from Texas as amended by the gentleman from

The amendment was agreed to.

The SPEAKER. The question now is on agreeing to the amended resolution.

The resolution was agreed to.

CHANGE OF REFERENCE.

By unanimous consent, reference of the bill S. 2269, to fix the standard barrel for fruits, vegetables, and other commodi-ties, was changed from the Committee on Agriculture to the Committee on Coinage, Weights, and Measures.

RESIGNATION FROM A COMMITTEE.

The SPEAKER laid before the House the following communication:

FERRUARY 2, 1914.

Hon. CHAMP CLARK,
Speaker of the House, Washington, D. C.
DEAR MR. SPEAKER: I hereby resign from the Committee on Pensions, and request to be relieved from further service on said committee.
With assurances of the highest respect, I have the honor to be,
Sincerely, yours,

The SPEAKER. Without objection, the resignation is accepted.

EXTENSION OF REMARKS.

By unanimous consent, leave was granted to Mr. Sabath and Mr. Burnett to extend and revise their remarks in the Record.

ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same: H. R. 9317. An act to regulate the payment of postal money

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4094. An act authorizing the construction of a bridge and approaches thereto across the Columbia River at or near Vancouver, Wash.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3742. An act to authorize the Hudson River Connecting Railroad Corporation to construct a bridge across the Hudson River, in the State of New York; to the Committee on Interstate and Foreign Commerce.

S. 3625. An act to authorize the Missouri, Kansas & Texas Railway Co. to construct a bridge across the Mississippi River near the city of Hannibal in the State of Missouri; to the Committee on Interstate and Foreign Commerce.

S. 2563. An act for the relief of Rebecca C. Pepper; to the Committee on the Public Lands.

S. 474. An act to authorize the issuance of absolute and unqualified patents to public lands in certain cases; to the Committee on the Public Lands.

S. 4019. An act to authorize the Tug River & Kentucky Railroad Co. to construct a bridge across the Tug Fork of the Big Sandy River at or near the mouth of Blackberry Creek, in Pike County, Ky.; to the Committee on Interstate and Foreign Commerce.

S. 4145. An act to authorize the Government of Porto Rico to construct two bridges across the Arecibo River near the city of Arecibo, Porto Rico; to the Committee on Interstate and Foreign Commerce.

HOUR OF MEETING THURSDAY.

Mr. UNDERWOOD. Mr. Speaker, I understand the gentleman in charge of the Alaska bill desires a full day, and at his request I ask unanimous consent that on Thursday next the House meet at 11 o'clock.

The SPEAKER. The gentleman from Alabama asks unanimous consent that on Thursday next the House meet at 11 o'clock.

Mr. MANN. I understand the request is in order to accommodate gentlemen who desire to be heard in general debate.

Mr. UNDERWOOD. I understand there are 25 gentlemen who want to be heard, and it is in order to give them full opportunity.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 9 minutes p. m.) the House adjourned to meet to-morrow, Wednesday, February 4, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows

1. A letter from the president of the Georgetown Gas Light Co., transmitting report of said company for the year ending December 31, 1913 (H. Doc. No. 697); to the Committee on the District of Columbia and ordered to be printed.

2. A letter from the assistant clerk of the Court of Claims, transmitting the amended findings of fact and conclusions of law in the French spoliation claims relating to the brig Little John Butler in the cases of Louisa A. Starkweather and others v. The United States (H. Doc. No. 698); to the Committee on Claims and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Deep Creek, St. Johns County, Fla. (H. Doc. No. 699); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

4. A letter from the chairman of the Public Utilities Commission of the District of Columbia, transmitting balance sheets and other information required by the Public Utilities Commission of the various utilities under its jurisdiction; to the Committee on the District of Columbia.

5. A letter from the treasurer of the Washington-Virginia Rallway Co., transmitting report of said company for the year ending December 31, 1913 (H. Doc. No. 700); to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FLOOD of Virginia, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 109) authorizing the President to extend invitations to foreign Governments to participate in the International Congress of Americanists, reported the same with amendment, accompanied by a (No. 211), which said bill and report were referred to the House Calendar.

Mr. GOEKE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 11331) to repeal an act regulating the construction of bridges across the Muskingum River in Ohio, reported the same without amendment, accompanied by a report (No. 213), which said bill and report were referred to the House Calendar.

Mr. FOSTER, from the Committee on Mines and Mining, to which was referred the bill (H. R. 12741) to provide for and encourage the prospecting, mining, and treatment of radium-bearing ores in lands belonging to the United States, for the purpose of securing an adequate supply of radium for Government and other hospitals in the United States, and for other purposes, reported the same without amendment, accompanied by a report (No. 214), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MOTT, from the Committee on Claims, to which was referred the bill (H. R. 10232) for the relief of Col. Alfred C. Sharpe, reported the same without amendment, accompanied by a report (No. 209), which said bill and report were referred to the Private Calendar.

Mr. KEATING, from the Committee on Pensions, to which was referred the bill (H. R. 10594) granting a pension to the Forsyth Scouts and to widows of the deceased members of said organization, reported the same with amendment, accompanied and Grounds.

by a report (No. 210), which said bill and report were referred

to the Private Calendar.

Mr. FRENCH, from the Committee on the Public Lands, to which was referred the bill (H. R. 6052) for the relief of William P. Havenor, reported the same without amendment, accompanied by a report (No. 212), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 9794) granting a pension to Samuel D. Hess; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 9795) granting a pension to J. Caroline Fitzgerald; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

House Document No. 673, appropriation for collecting military records of the Revolutionary War; Committee on Military Affairs discharged, and referred to the Committee on Appropria-

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CONNELLY of Kansas: A bill (H. R. 12865) extending the time for aliens to file petitions for citizenship in the United States; to the Committee on Immigration and Naturali-

Also, a bill (H. R. 12866) relating to the naturalization of married women; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 12867) to repeal the bankruptcy act; to the Committee on the Judiciary.

By Mr. BORLAND: A'bill (H. R. 12868) to authorize the

construction of a bridge across the Missouri River near Kansas City, Mo.; to the Committee on Interstate and Foreign Com-

By Mr. VAUGHAN: A bill (H. R. 12869) to regulate the collection of special taxes now provided for by law against retail dealers in liquors and wholesale dealers in liquors, and the issuance of receipts and licenses to such dealers in such manner as to restrict the issuance of such receipts and licenses to persons proposing to engage in such business in localities in which, under the laws obtaining in said locality, such business is not

prohibited: to the Committee on Ways and Means.

By Mr. DERSHEM: A bill (H. R. 12870) to provide for site and public building at Waynesboro, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12871) to provide for site and public building at Lewisburg, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12872) to provide for the purchase of a site for a public building at Lewisburg, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. GEORGE: A bill (H. R. 12873) relating to the assessment for taxation of real estate in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. BUCHANAN of Texas: A bill (H. R. 12874) to appropriate \$200,000 for the purchase and distribution of seeds to the flood sufferers in Texas; to the Committee on Appropriations.

By Mr. PARK: A bill (H. R. 12875) providing for the acquisition of a site and the construction of a building thereon for post-office purposes at Pelham, in the State of Georgia; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12876) for the acquisition of the site and the construction of a building for post-office purposes at Cairo, in the State of Georgia; to the Committee on Public Buildings and Grounds

Also, a bill (H. R. 12877) for the acquisition of a site and the construction of a building for post-office purposes at Camilla, in the State of Georgia; to the Committee on Public Buildings and

Also, a bill (H. R. 12878) for the acquisition of the site and the construction of a building for post-office purposes at Blakely, in the State of Georgia; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12879) for the acquisition of the site and the construction of a building for post-office purposes at Sylvester, in the State of Georgia; to the Committee on Public Buildings

Also, a bill (H. R. 12880) for the acquisition of the site and the construction of a building for post-office purposes at Colquitt, in the State of Georgia; to the Committee on Public Buildings

By Mr. CLARK of Florida: A bill (H. R. 12881) to confirm certain selections of land made by the State of Florida; to the Com-

mittee on the Public Lands.

By Mr. COLLIER: A bill (H. R. 12882) for the repair of the national cemetery road at Vicksburg, in the State of Missis-

sippi; to the Committee on Military Affairs.

By Mr. FLOOD of Virginia: Joint resolution (H. J. Res. 211) authorizing the President to accept an invitation to participate in an International Commission of Phytopathology; to the Committee on Foreign Affairs.

By Mr. LEVER: Memorial of the General Assembly of South

Carolina, asking for the repeal of the fifteenth amendment to the Constitution of the United States; to the Committee on the

Judiciary.

By Mr. AIKEN: Memorial of the South Carolina Legislature, for repeal of the fifteenth amendment to the Constitution of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions

were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 12883) granting an increase of pension to Clara Troy; to the Committee on Invalid Pensions.

By Mr. BAILEY: A bill (H. R. 12884) granting a pension to William Boyd: to the Committee on Invalid Pensions.

By Mr. BYRNES of South Carolina: A bill (H. R. 12885) granting an increase of pension to R. A. Sisson; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 12886) granting a pension

to Frederick M. Miller; to the Committee on Pensions.

By Mr. CANTRILL: A bill (H. R. 12887) granting an increase of pension to Alonzo Jones; to the Committee on Invalid

By Mr. CLAYPOOL: A bill (H. R. 12888) granting an increase of pension to John Phillips; to the Committee on Invalid Pen-

Also, a bill (H. R. 12889) granting an increase of pension to Isaac Wyckoff; to the Committee on Invalid Pensions,

By Mr. COLLIER: A bill (H. R. 12890) for the relief of the heirs of John Wixon, deceased; to the Committee on War Claims, By Mr. DERSHEM: A bill (H. R. 12891) granting a pen-sion to John F. De Wire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12892) granting an increase of pension to Peter B. Gardner; to the Committee on Invalid Pensions.

By Mr. GARDNER: A bill (H. R. 12893) granting a pension to Frances M. Gooding; to the Committee on Invalid Pensions.

By Mr. GITTINS: A bill (H. R. 12894) granting an increase of pension to Charles B. Gaskill; to the Committee on Invalid

By Mr. GREEN of Iowa: A bill (H. R. 12895) granting an increase of pension to Albert J. Wilson; to the Committee on Invalid Pensions.

By Mr. GRIFFIN: A bill (H. R. 12896) to place Rev. John A. Ferry captain upon the unlimited retired list of the Army; to

the Committee on Military Affairs.

By Mr. HOWARD: A bill (H. R. 12897) granting an increase of pension to Hiram J. Mills; to the Committee on Invalid Pensions.

By Mr. KELLY of Pennsylvania: A bill (H. R. 12898) to place the name of James G. Cooper on the unlimited retired list of the Army of the United States, with rank and pay as a retired officer of the Regular Establishment; to the Committee on Military Affairs.

By Mr. KONOP: A bill (H. R. 12899) granting an increase of pension to Charles H. Hilfert; to the Committee on Invalid

Pensions.

By Mr. LONERGAN: A bill (H. R. 12900) granting a pension to Denis J. Morrison; to the Committee on Pensions.

Also, a bill (H. R. 12901) granting an increase of pension to Alice M. Atwater; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 12902) granting a pension to Sarah Dempster; to the Committee on Invalid Pensions, Also, a bill (H. R. 12903) granting a pension to William T. Morrison; to the Committee on Pensions.

By Mr. PATTON of Pennsylvania: A bill (H. R. 12904) granting an increase of pension to Philetus Harris; to the Com-

mittee on Invalid Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 12905) granting an increase of pension to John Fagan; to the Committee Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 12906) granting an increase of ension to Elizabeth T. Hardeman; to the Committee on Invalid

Pensions

By Mr. RUSSELL: A bill (H. R. 12907) granting an increase of pension to W. M. Hurst; to the Committee on Invalid Pen-

By Mr. SMITH of Idaho: A bill (H. R. 12908) granting an increase of pension to John G. Purrington; to the Committee on Invalid Pensions.

By.Mr. TALBOTT of Maryland: A bill (H. R. 12909) to correct the military record of James W. McGreevey; to the Commit-

tee on Military Affairs.

By Mr. TEN EYCK: A bill (H. R. 12910) granting a pension to Christopher Dahlen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12911) granting a pension to William H. Hart; to the Committee on Pensions.

Also, a bill (H. R. 12912) granting a pension to Edson P. Howes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12913) for the relief of Lawrence Collins and Edward J. Flanigan; to the Committee on Claims.

By Mr. DIFENDERFER: Joint resolution (H. J. Res. 210) authorizing the Secretary of the Treasury to pay out of any money in the Treasury a sum sufficient to cover exemption of soldiers from draft during the Civil War, to reimburse Christian B. Heebner; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of John Quincy Adams Branch of American Continental League and "98 Club, both of Philadelphia, Pa., protesting against the "One hundred years peace celebration"; to the Committee on Foreign Affairs.

Also (by request), petition of J. B. Moran, of San Lorenzo,

Cal., protesting against the passage of House bill 9832, relative to pure food and drugs; to the Committee on Interstate and Foreign Commerce.

Also (by request), petitions of Virginia Lodge, No. 171, Independent Order of Western Star, and Worcester Lodge, No. 212, B'rith Abraham, protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also (by request), petitions of General Sheridan, General Anthony Wayne, General Warren, and Generals Robert Howe and Pulaski, all branches of the American Continental League of Philadelphia, Pa., protesting against the "One hundred years peace celebration"; to the Committee on Foreign Affairs.

Also (by request), memorial of the board of trustees of the

city of Crescent City, relative to aid from the United States Government for construction upon the harbor site at Crescent City; to the Committee on Rivers and Harbors.

By Mr. ANTHONY: Petition of citizens of Hiawatha, Kans., favoring national prohibition amendment; to the Committee on the Judiciary

By Mr. ASHBROOK: Petition of Thomas Edwards and 45 others of Newark, Ohio, protesting against Federal prohibition; to the Committee on the Judiciary.

By Mr. BAILEY (by request): Petitions of the Cambria City Mannerchor, of Johnstown, Pa., and German-American Alliance of Pennsylvania, protesting against Federal prohibition; to the Committee on the Judiciary.

Also (by request), petition of citizens of Pennsylvania, against House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. BRUCKNER: Petitions of the Dunston Lithograph Co., of Dunkirk, and Ludwig & Co., of New York City, N. Y., favoring the passage of the Ransdell-Humphreys bill relative to flood control; to the Committee on Rivers and Harbors.

By Mr. CALDER: Petition of the Board of Trade and Transportation of New York City, favoring the passage of House bill 10310, relative to the protection of foreign exhibitors at the Panama Exposition; to the Committee on Patents.

Also, petition of the Tuch & Lang Manufacturing Co., of New York City, protesting against the passage of bill relative to public inspection of corporation books, etc.; to the Committee on the Judiciary

Also, petitions of Santa Margherita Belici, of Brooklyn, and the Workmen's Circle of New York City, protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, memorial of the Eighteenth Assembly District Socialist Club Local, Kings County, N. Y., favoring an investigation of the strike in the copper region of Michigan; to the Committee on

Also, petition of Division 22, Ancient Order of Hibernians, of Kings County, Brooklyn, N. Y., protesting against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

Also, petitions of Dominick & Haff and N. L. Carpenter & Co., of New York City, favoring the passage of the Ransdell-Humphrey bill for flood protection; to the Committee on Rivers and Harbors.

By Mr. CARY: Petition of the Superior Commercial Club, of Superior, Wis., relative to dredging in the harbor at Superior; to the Committee on Rivers and Harbors.

Also, petition of the Milwaukee Association of Credit Men, of Milwaukee, Wis., urging ways and means to prevent the destruction of life and property by floods; to the Committee on Rivers and Harbors.

Also, petition of the Clothing Cutters and Trimmers' Local No. 195, of Milwaukee, Wis., urging an investigation as to the conditions in the copper mines of Michigan; to the Committee

By Mr. DAVIS: Petition of Minnesota Butter, Egg, and Poultry Association, of Minneapolis, Minn., against House bill 9530; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Superior Commercial Club, Superior, Wis., relative to enlarging Duluth-Superior Harbor; to the Committee on Rivers and Harbors,

By Mr. EAGAN: Petition of Branch No. 3, and First Ward Branch, Socialist Party, Union Hill, N. J., favoring investigation of strike conditions in Michigan; to the Committee on Rules

Also, petition of Council No. 159, Knights of Columbus, of Hoboken, N. J., favoring increased compensation for letter carriers because of extension of parcel post; to the Committee on the Post Office and Post Roads.

By Mr. FARR: Petition of C. F. Crecilius and other citizens of Kentucky, favoring use of Kentucky stone in erection of the Lincoln Memorial at Washington; to the Committee on Public Buildings and Grounds.

By Mr. GALLAGHER: Petition of C. F. Schutz, of Chicago, against a prohibition amendment to the Constitution; to the Committee on the Judiciary.

By Mr. GARDNER: Petition of the Boston Fish Bureau, Boston Fish Market Corporation, and the New England Fish Co., against McKellar cold-storage bill; to the Committee on Interstate and Foreign Commerce.

By Mr. GARNER: Petition of the Southern States Association of Markets, relative to agriculture; to the Committee on Agriculture.

By Mr. GERRY: Petitions of Garibaldi Camp, No. 8776, Modern Woodmen of America; Working Men's Independent Modern Woodmen of America; Working Men's Independent Political Club; Isaac Moses; Marzano Appio Society; Principe di Piemonte Society; Court Venice Society of Foresters of America; Thirteenth Polish Society; Italian Citizens' Club; and Providence Progressive Lodge, No. 591, Independent Order B'rith Abraham, against restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petitions of United Society of Christian Endeavor, of Boston, Mass.; Lord's Day League of New England, of Boston, Mass.; Interchurch Federation of Philadelphia; and Right Rev. James De Wolf Perry, jr., of Providence, R. I., urging an increase of chaplains for the United States Navy; to the Committee on Naval Affairs.

Also, petition of Dr. Marcus F. Wheatland, of Newport, R. I., urging passage of Jones amendment to Smith-Lever bill; to the Committee on Agriculture.

Also, petitions of Commodore Oliver Hazard Perry Branch of American Continental League, of Valley Falls, R. I., and General Warren Branch of the American Continental League, of Warren. R. I., protesting against an appropriation for celebration of "One hundred years of peace among English-speaking peoples"; to the Committee on Foreign Affairs.

Also, petition of Woodrow Wilson Club, of South Kingston, R. I., urging completion of Point Judith Harbor of Refuge, R. I.; to the Committee on Rivers and Harbors.

Also, petition of Newport County Gun and Game Association. of Newport, R. I., urging amendment to Federal law relating to

migratory birds; to the Committee on Agriculture.

Also, petition of Local Council of Women of Rhode Island, urging passage of House bill 29; to the Committee on Labor.

By Mr. GILMORE: Petition of citizens of fourteenth district of Massachusetts, against House joint resolution 168; to the Committee on the Judiciary.

Also, petition of the Emmet Club Branch of American Continental League, of Boston, Mass., against "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

By Mr. HOWELL: Petition of citizens of St. George, Utah,

favoring free delivery of mail service for towns having population of 1,000 or more; to the Committee on the Post Office and Post Roads.

Also, petition of the National Association of Meat Inspectors, of Kansas City, Mo., favoring readjustment of salaries and promotions in the meat inspection service; to the Committee on

Also, petition of Roosevelt Local Socialist Party of Utah. favoring an investigation of labor troubles in Michigan; to the Committee on Rules.

Also, petitions of the National Association of Bureau of Animal Industry Employees, of New Orleans, La., favoring the passage of House bill 9292, relative to increased pay for employees of the Bureau of Animal Industry; to the Committee on Agriculture.

By Mr. HULINGS: Petition of citizens of Pennsylvania, favoring House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. IGOE: Petition of Nathan Frank Lodge, No. 87, Independent Order B'rith Abraham, against House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. JOHNSON of Washington: Petition of citizens of Stevenson, Wash., favoring a farm banking system; to the Committee on Banking and Currency.

By Mr. KEISTER: Petition of citizens of Westmoreland

County, Pa., against House joint resolution 168; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petition of Italian barbers of Providence, R. I., against immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of General Warren Branch of the American Continental League, of Warren, R. I., protesting against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

By Mr. LANGHAM: Petition of Pennsylvania State Board of Agriculture, favoring the passage of the Shackleford road bill; to the Committee on Roads.

By Mr. LEE of Pennsylvania: Petition of the German-Ameri-Alliance of Pennsylvania, protesting against Federal prohibition; to the Committee on the Judiciary.

By Mr. LEVY: Petitions of Samstag & Hilder Bros., the Gorham Co., the McCall Co., all of New York City, favoring the passage of the Ransdell-Humphrey bill for flood control; to the Committee on Rivers and Harbors.

Also, memorial of the Polish Committee of National Defense of the United States, relative to the Burnett bill restricting immigration; to the Committee on Immigration and Naturaliza-

By Mr. LIEB: Memorial of the Alliance of German Societies of Evansville, and of the State of Indiana, protesting against

of Evansyme, and of the State of Indiana, protesting against Federal prohibition; to the Committee on the Judiciary. By Mr. LONERGAN: Petition of Court Spinoza, No. 102, Foresters of America, New Britain, Conn., protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Branch No. 129, Union National Association of Post Office Clerks, New Britain, Conn., favoring the passage of House bill 10827, the Taylor bill; to the Committee on the Post Office and Post Roads.

Also, petition of International Seamen's Union of America, of Washington, D. C., favoring the passage of Senate bill 136. regarding merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. MARTIN: Petition of the South Dakota Legislative Committee, Order of Railway Conductors, favoring House bill 6060; to the Committee on Immigration and Naturalization.

Also, petition of Huron Lodge, No. 61, Brotherhood of Railway Trainmen, relative to hours of work on the Panama Canal; to the Committee on Labor.

By Mr. McGILLICUDDY: Petition of the Socialist Party of Lisbon, of Lisbon, Me., favoring investigation of strike conditions in Michigan; to the Committee on Rules.

By Mr. MOORE: Petition of the German-American Alliance

of Pennsylvania, protesting against the passage of House joint resolution 168, Federal prohibition; to the Committee on the

By Mr. O'SHAUNESSY: Petition of Marcus P. Wheatland, of Newport, R. I., favoring the Jones amendment to the Smith-Lever bill; to the Committee on Agriculture.

Also, petitions of citizens and organizations of Rhode Island, against the immigration bill; to the Committee on Immigra-

tion and Naturalization,

Also, petition of Gen. Warren Branch of the American Continental League, of Warren, R. I., against "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

Also, petition of the Local Council of Women of Rhode Island, favoring the passage of House bill 29, relative to eight hours of work for women in the District of Columbia; to the Committee on Labor.

Also, petition of Newport (R. I.) County Gun and Game Association, favoring amendment to the new Federal law relating

to migratory birds; to the Committee on Agriculture.

Also, petitions of the Socialist Party of Rhode Island; the Providence Progressive Lodge, No. 591, of Providence, R. I.; Polish National Alliance, of Chicago, Ill.; the Young Men's Hebrew Association of Newport, R. I., protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Commodore Oliver Hazard Perry Branch

of the American Continental League, of Valley Falls, R. I., protesting against the "One hundred years of peace celebra-

tion"; to the Committee on Foreign Affairs.

Also, petition of the Boston Fish Bureau, protesting against the passage of the McKellar cold-storage bill; to the Committee

on Interstate and Foreign Commerce.

Also, petition of the United National Association of Post Office Clerks, of Providence, R. I., favoring the passage of House bill 10827, relative to increase in pay of post-office clerks; to the Committée on the Post Office and Post Roads.

By Mr. REILLY of Connecticut: Petition of the Tripoli Italian Society, of New Haven, Conn., against immigration bill; to

the Committee on Immigration and Naturalization.

Also, petitions of the Workmen's Circle of New York City; Knights of Israel, of New Haven; delegates of 57 organizations of Hartford, Conn.; and citizens of Cincinnati, Ohio, protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. SCULLY: Petition of the Italian Journal, of New York City, protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturali-

Also, petitions of members of the German-American Alliance of Middlesex County, N. J., protesting against the passage of bills for Federal prohibition; to the Committee on the Judiciary. By Mr. J. M. C. SMITH: Papers to accompany a bill (H. R.

7868) for the relief of Rose G. Houchins; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: Petition of District of Columbia Association Opposed to Woman Suffrage, protesting against woman suffrage; to the Committee on the Judiciary.

Also, memorial of the General Assembly of the Commonwealth of Kentucky, relative to the use of Kentucky stone in the erection of the Lincoln memorial building at Washington, D. C.;

to the Committee on Public Buildings and Grounds. Also, memorial of the Order of Railway Conductors and Brotherhood of Locomotive Firemen and Enginemen, protesting against the passage of a Federal workman's compensation law; to the Committee on the Judiciary.

Also, petition of the Chicago Federation of Labor, favoring an investigation of the trouble in copper regions of Michigan; to

the Committee on Rules.

Also, petition of the Joint Board of the Skirt and Cloak Makers' Unions, and Berger Lodge, No. 388, Independent Order B'rith Abraham, protesting against the passage of bills restricting immigration; to the Committee on Immigration and Natu-

By Mr. WILLIS: Petition of the Machinists' Union of Bellefontaine, Ohio, in favor of Government construction and ownership of railroads in Alaska; to the Committee on the Territories.

Also, petition of C. B. Smith and other members of the Seventh-day Adventist Church, of Bellefontaine, Ohio, in favor of House joint resolution 168; to the Committee on the Judi-

Also, petition of Harry Mansfield and other citizens of Logan and Hardin Counties, Ohio, against House joint resolution 168; to the Committee on the Judiciary.

Also, petition of ex-Union soldiers of Ohio, protesting against House bill 6581, providing a pension of \$30 per month for all Confederate veterans; to the Committee on Invalid Pensions.

SENATE.

Wednesday, February 4, 1914.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D. The Journal of yesterday's proceedings was read and approved.

HOUSE BILLS REFERRED.

H. R. 5487. An act to authorize an additional appropriation for the erection of the United States appraisers' stores building at Milwaukee, Wis., was read twice by its title and referred to the Committee on Public Buildings and Grounds.

H. R. 5884. An act granting to the people of the State of California the right of way upon and across the United States fish reservation at Baird, Shasta County, Cal., was read twice by its title and referred to the Committee on Fisheries.

H. R. 9897. An act to amend section 12 of the act entitled "An act to amend and consolidate the acts respecting copyright, approved March 4, 1909, was read twice by its title and referred to the Committee on Patents.

H. R. 10258. An act authorizing the Secretary of the Interior to sell to the city of Lawton, Okla., a tract of land to be used for watershed and water-supply purposes was read twice by its title and referred to the Committee on Public Lands.

The following bills were severally read twice by their titles

and referred to the Committee on Commerce:

H. R. 9574. An act to authorize the Missouri, Kansas & Texas Railway Co. to construct a bridge across the Mississippi River near the city of Hannibal, in the State of Missouri;

H. R. 11283. An act to authorize the construction of a bridge

across the navigable waters of St. Andrews Bay; and H. R. 11325. An act to authorize the reconstruction of the existing toll bridge across the Hudson River at Troy, in the State of New York, and the maintenance of the bridge so reconstructed.

STEAMSHIPS "BUCKMAN" AND "WATSON."

The bill (H. R. 10084) to authorize the changing of the names of the steamships Buckman and Watson was read the first time by its title.

Mr. JONES. A bill similar has been reported to the Senate from the Committee on Commerce and is now on the calendar. It is a short bill and a matter of some little local importance. I ask unanimous consent for the present consideration of the House bill.

The bill was read the second time at length, as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed, upon the application of the owner, the Alaska Pacific Steamship Co., of Portiand, Me., to change the name of the steamship Buckman, official No. 3904, and to change the name of the steamship Watson, official No. 81788.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. JONES. The Senate bill on the calendar is the bill (S.

3583) to authorize the changing of the names of the steamships Buckman and Watson. I suppose the proper action would be its indefinite postponement, The VICE PRESIDENT.

Without objection, Senate bill 3583 is indefinitely postponed.

RENTAL OF BUILDINGS (H. DOC. NO. 704).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, certain data relative to rented properties under the control of the Treasury Department, which, with the ac-companying paper, was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 9317) to regulate the payment of postal orders, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented memorials of De Witt Clinton Branch, American Continental League, of New York City, N. Y.; of Knights of Equity Branch, American Continental League, of Cincinnati, Ohio; and of Nathan Hale Branch, American Continental League, of Riverpoint, Pa., remonstrating against an appropriation being made for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which were referred to the Com-

mittee on Foreign Relations.

He also presented a petition of sundry citizens of Rutherford, N. J., praying for the enactment of legislation to further re-strict immigration, which was referred to the Committee on Immigration.

Mr. BRISTOW presented a resolution adopted by the Council of Grain Exchanges in convention assembled at Chicago, Ill., favoring the appointment of a commission or committee to inquire into the workings of grain exchanges, etc., which was

referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Independence, Kans., and a memorial of sundry citizens of Hutchinson, Kans., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented a petition of certain employees of the Quartermaster Corps, Fort Riley, Kans., praying for the enactment of legislation granting to employees of the Quartermaster's Corps, United States Army, the same status as pay clerks in the Quartermaster's Corps, which was referred to the Com-

mittee on Military Affairs.

Mr. GRONNA. I present resolutions adopted by the Larimore Commercial Club, of Larimore, N. Dak., relative to the construction, improvement, and maintenance of good roads. lutions are short and I ask that they may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the resolutions were read and referred to the Committee on Agriculture and Forestry, as fol-

lows:

LARIMORE, N. DAK., January 29, 1914.

Hon. A. J. GRONNA, United States Senate, Washington, D. C.

My DEAR Sir: The following resolutions were adopted by the Larimore Commercial Club upon the evening of January 26, 1914, at our regular meeting, when there were in the neighborhood of 80 citizens present. As you are a member of the Joint Commission on Federal Aid in the Construction of Post Roads, no doubt you will be glad to have the opinion of so large a body of your constituents. The resolutions were unanimously adopted.

I want to say further that every one with whom I have talked upon the question, without exception, pronounce the plan to be the best that they have ever heard.

"Be it resolved by the members of the Lavimore Commercial Club.

"Be it resolved by the members of the Larimore Commercial Club, That we indorse without reservation the plan of Hon. Jonathan Bourne, jr., for intelligent and practical expenditure of \$3,000,000,000 during a period of 50 years by the State and Federal Governments in the construction, improvement, and maintenance of good roads; and be it

further "Resolved, That copies of these resolutions be forwarded to the United States Senators and Representatives from North Dakota and to Senator Bourne and Congressional Joint Commission on Federal Aid in the Construction of Post Roads."

Yours, very respectfully,

LARIMORE COMMERCIAL CLUB, By J. DEXTER PEIRCE.

Mr. GRONNA presented resolutions adopted by the Commercial Club of Larimore, N. Dak., favoring the enactment of legislation providing that trade-marked goods be sold on a single-price basis, which were referred to the Committee on Manufactures.

He also presented a petition of sundry citizens of Lisbon, N. Dak., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the

Committee on the Judiciary.

Mr. BRANDEGEE presented a memorial of sundry citizens of New Haven, Conn., remonstrating against the enactment of legislation to prohibit the circulation through the mails of the publication known as "The Menace," and praying for an investigation by Congress as to such action, which was referred to

the Committee on Post Offices and Post Roads.

He also presented a memorial of Local Union No. 40, Metal Polishers and Buffers, of Bridgeport, Conn., remonstrating against an appropriation being made for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which was referred to the Committee on Foreign Re-

Mr. McCUMBER presented a petition of the Commercial Club of Larimore, N. Dak., praying for the enactment of legislation providing that trade-marked goods be sold on a single-price basis, which was referred to the Committee on Manufactures.

He also presented a petition of the Commercial Club of Larimore, N. Dak., praying that an appropriation be made for the construction, maintenance, and improvement of good roads, which was referred to the Committee on Agriculture.

Mr. WEEKS presented a memorial of Lazarus Davis Lodge, No. 548, Independent Order of B'rith Abraham, of Roxbury, Mass., remonstrating against the enactment of legislation to

provide an educational test for immigrants to this country, which was referred to the Committee on Immigration.

Mr. PERKINS presented a petition of the congregation of the Methodist Church of San Bruno, Cal., and a petition of the congregation of the First Friends Church of Long Beach, Cal., praying for the suspension for one year of the naval programs of the great powers, which were referred to the Committee on Naval Affairs.

He also presented a memorial of sundry citizens of Los Angeles, Cal., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee

on the District of Columbia.

He also presented a memorial of the Pacific Coast Commercial Travelers' Association, remonstrating against the proposed separation of the Central and Southern Pacific Railroads, which was referred to the Committee on Interstate Commerce.

Mr. BURTON presented a memorial of the German-American Alliance, of Columbus, Ohio, remonstrating against the enactment of legislation to provide an educational test for immigrants to this country, which was referred to the Committee on Immigration.

He also presented a petition of the president and sundry students of the College of Agriculture, Ohio State University, praying that an appropriation be made for the eradication of hog cholera, which was referred to the Committee on Appro-

priations.

Mr. COLT presented a memorial of Local Union No. 94, Cigar Makers' International Union, of Pawtucket, R. I., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee

on the Judiciary.

He also presented memorials of the Benevolenza Society, of Providence; the Society of Isola D. Ischias, of Providence; the Polish Republican Club of Central Falls; of Garibaldi Camp, No. 8776, Modern Woodmen of America, of Providence; of the Workingmen's Political Club, of Providence; of the Society of Marzaro Appio, of Providence; of the Italian Citizens' Club of the Fourteenth District, of Providence; of the Society of M. S. I. Del Bosco, of Providence; of the Society Italiana Untuo Soccorso Roma, No. 3, of Providence, all in the State of Rhode Island, remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which were referred to the Committee on Immigration.

Mr. HUGHES presented a petition of the officers of Company G, Second Regiment New Jersey Division, United Boys' Brigades of America, praying for the adoption of an amendment to Senate bill 3777, providing for the wearing of uniforms similar to the United States Army by members of that organization, which was referred to the Committee on Military

Mr. SHIVELY presented a memorial of sundry citizens of Muncie, Ind., remonstrating against the enactment of legislation to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 213) accompanied by a bill (S. 4352) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 42. William Heywood.

S. 179. Levi Hoskins.

S. 219. Susan C. Perrin. S. 266. Joanna Kramer.

S. 273. George F. Brechtel.

S. 304. Lucy A. Bradley.

S. 339. Mary J. Mackin.

S. 351. John Robinson.

S. 383. George E. Smith.

S. 429. Mary E. Carpenter.

S. 454. Mary R. Robbins.

S. 465. Henry M. Adams.

S. 615. Mary M. Hancock. S. 633. Marsena De Witt McKane.

S. 694. Jerome Chidister.

S. 707. Laban Pitzer. S. 713. James F. Rankin,

S. 1092. Louise Amy.

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S. 1193. Wilson Wells.
   S. 1199. John Smith.
   S. 1200. Philip T. Simmonds.
   S. 1284. Jacob A. Shrode.
   S. 1332. Ferdinand Litz.
   S. 1390. Phebe J. Burrows.
   S. 1593. Lucretia M. Hodge.
   S. 1596. Elizabeth A. Forknall,
   S. 1658. Lurenna J. Terrell.
S. 1681. Edward R. Dudley.
   S. 1684. Martha A. Medbery.
   S. 1697. George S. Kendall.
S. 1710. Boaz D. Blose.
  8. 1792. Mary A. Wainsborough,
8. 1794. Emily E. McCrillis,
8. 1818. George W. Ross,
8. 1843. James R. Davis.
   S. 1848. Reuben B. Taylor.
   S. 1871. Lucy Wells.
  S. 1871. Lucy Weils.
S. 1912. James Williams.
S. 2032. Mary A. Solter.
S. 2047. David S. Fairchild.
S. 2092. George W. Smith.
   S. 2098. Andrew K. Spencer.
S. 2126. Samuel W. Ake.
  S. 2120. Saliuci W. Akc.
S. 2395. John R. Jones.
S. 2464. Calvin W. Birg, alias Calvin W. Burton.
S. 2485. Henry P. Wilcox.
S. 2498. Helena A. Edie.
S. 2506. Julia A. Bachus.
S. 2523. William W. Campfield.
   S. 2570. Malinda Skinner.
   S. 2618. Elizabeth Hartleben.
   S. 2624. George Lindsay.
   S. 2625. John Haines.
   S. 2626. George C. Willis.
S. 2632. Jonathan R. Thomas.
   S. 2648. Jesse Merical.
   S. 2649. Joseph Thornburg, jr. (alias Jesse Thornburg).
   S. 2669. George W. Harris.
   S. 2670. William L. Benson.
   S. 2673. Catherine Prosser,
   S. 2753. David Rosebraugh.
   S. 2768. John M. Hazlett.
   S. 2793. Eliza Hummon.
   S. 2888. Sarah Frances Barriger.
   S. 3013. Abbie Brann.
   S. 3021. Christina Nicholes.
   S. 3030. Lewis Walker.
  8. 3066. Larkin J. Vanhook.
8. 3086. Sarah A. Stockman.
8. 3348. John W. Husted.
8. 3395. Alice M. David.
   S. 3408. Charles C. Marshall,
   S. 3427. Joseph P. Phillips.
   S. 3428. Carrie M. Chase
   S. 3465. Edward H. Mileisen,
   S. 3548. Samuel E. Haight.
   S. 3601. Eunice M. Boynton.
   S. 3621. Hattie S. Russell.
   S. 3644. John Koehler.
  S. 3671. Sarah B. Beardsley.
S. 3697. James W. Plummer.
S. 3705. John P. Baker.
S. 3784. Daniel Cressman.
  S. 3785. Jacob A. Carter (alias Jacob A. Shirkey).
  S. 3816. Alexander Ledessimer.
S. 3855. John H. Thorn.
S. 3884. William G. Brown.
S. 3918. Sarah E. Chatfield.
   S. 3953. John C. Miller.
S. 3954. Eliza A. Clark.
   S. 4030. Edward Irwin.
S. 4105. Francis Mahon.
  S. 4109. George W. Cook.
S. 4116. Maria A. Holmes.
S. 4124. Charles J. F. Reimer,
S. 4178. Christina Mitchell.
   S. 4191. Marina A. de Lucero,
   S. 4192. Norris H. Herbert.
   S. 4231. Celina Gregory.
   S. 4242. Sarah E. Duffield,
Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 214), accompanied by a bill (S. 4353) granting
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pensions and increase of pensions to certain soldiers and sailors

Mr. FLETCHER. From the Committee on Printing I report back a communication from the Attorney General, together with a report on the receipts and disbursements of all moneys received by the auditor of the Supreme Court of the District of Columbia since his incumbency in office, and I am directed by the Committee on Printing to request that the matter be printed as a public document.

The VICE PRESIDENT. That action will be taken. THE PANAMA BAILROAD CO. Mr. FLETCHER. On January 29 the Senator from Nebraska

[Mr. Norris] requested to have printed as a public document the sixty-fourth annual report of the board of directors of the Panama Railroad Co., with illustrations, and it was referred to the Committee on Printing for action. I report back from that committee a resolution, for which I ask immediate consideration. The resolution (S. Res. 261) was read, considered by unan-

of the Regular Army and Navy, and of other wars than the

Civil War, and certain widows and dependent relatives of such

soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

Mr. SHIVELY, from the Committee on Pensions, to which was referred the bill (H. R. 10138) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 215) thereon.

Mr. GRONNA, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 120) to provide for the

inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes, reported it with an amendment and submitted a report (No. 216) thereon. Mr. WORKS, from the Committee on Fisheries, to which was referred the bill (S. 797) to stablish a fish-cultural station in

the State of Minnesota, reported it with amendments and sub-

Mr. FLETCHER, from the Committee on Fisheries, to which was referred the bill (S. 2811) to establish a fish-cultural sta-

tion on Long Island, in the State of New York, reported it with an amendment and submitted a report (No. 218) thereon.

ACCOUNTS OF AUDITOR OF DISTRICT SUPREME COURT (S. DOC. NO. 404).

S. 265. Mary E. Lock. S. 456. William H. Ryley

S. 868. Commodore P. White. S. 1849. Alexander Cowan.

S. 1949. Alexander Cowan. S. 1996. Catherine Healey. S. 2489. Arthur W. S. Maw. S. 2490. Walter F. Davidson. S. 2507. Harriet N. Lair.

mitted a report (No. 217) thereon.

S. 3424. Ira W. Arnold. S. 3487. Gertrude Smith. S. 3614. Emil Ginther. S. 3885. Malinda Ann Miller.

imous consent, and agreed to, as follows:

Resolved, That Senate Document No. 362, Sixty-third Congress, a message from the President of the United States transmitting to Congress the sixty-fourth annual report of the board of directors of the Panama Railroad Co. for the year ended June 30, 1913, be reprinted with the accompanying report and illustrations.

PRAYERS OF CHAPLAIN OF THE HOUSE,

Mr. FLETCHER. From the Committee on Printing I report back favorably, without amendment, House concurrent resolu-tion No. 8, providing for the printing of House Document No. 1458 of the Sixty-second Congress, and I submit a report (No. 220) thereon. I ask unanimous consent for the present consideration of the resolution.

There being no objection, the concurrent resolution was considered by unanimous consent and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the House of Representatives, to be distributed through the folding room, 50,000 copies of House Document No. 1458, Sixty-second Congress, same being "Prayers offered at the opening of the sessions of the Sixty-second Congress of the United States."

THE WORKSHOP OF THE NATION (S. DOC. NO. 403).

Mr. FLETCHER. On December 22, 1913, the Senator from New Hampshire [Mr. Gallinger] submitted an article by Henry E. Davis on the relations between the Government and the District of Columbia entitled "The Workshop of the Nation," and it was referred to the Committee on Printing for consideration. I am directed by that committee to report it back with the request that it be printed as a public document.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESS BY HON. DANIEL C. ROPER (S. DOC. NO. 402).

Mr. FLETCHER. From the Committee on Printing I report back a copy of an address by Hon. Daniel C. Roper, delivered before the seventh annual convention of the New Jersey State Association of Presidential Postmasters, September 13, 1913, submitted by the Senator from New Jersey [Mr. MARTINE], with the request that it be printed as a public document.

The VICE PRESIDENT. Without objection, that action will

DOCUMENTARY HISTORY OF THE CONSTITUTION.

Mr. FLETCHER. From the Committee on Printing I report back the joint resolution (S. J. Res. 104) for printing as a public document the publication of the State Department known as the Documentary History of the Constitution of the United States, with a recommendation that it do not pass. The committee submits a report, which I will ask to have read.

The report (No. 219) was read, as follows:

The report (No. 219) was read, as follows:

The Committee on Printing, to which was referred the joint resolution (S. J. Res. 104) providing for the publication of the Documentary History of the Constitution of the United States as compiled by the State Department as a public document, report the same back with the recommendation that it do not pass.

Volumes I. II, and III of the Documentary History of the Constitution were printed as a public document (H. Dec. No. 529, 56th Cong., 2d sess.) in accordance with a concurrent resolution passed February 9, 1901. This resolution provided 2,000 sets for the use of the Senate, 4,000 for the use of the House of Representatives, and 1,000 for the use of the State Department. The printing and binding of these 7,000 sets cost \$24,592. Subsequently, in 1905, the State Department issued two additional volumes of the Documentary History of the Constitution. These additional volumes (IV and V) did not receive any congressional distribution.

The superintendent of documents at the Government Printing Office still has on hand for sale 300 copies each of Volumes I, II, and III, and he has authority to reprint Volumes IV and V whenever there is a sufficient demand for the same. A very reasonable price (based upon the cost of reprinting) is charged for this history and it seems that anyone interested in the document ought to be willing to pay the small sum at which it is offered for sale by the superintendent of documents. Owing to the large expense involved the committee does not believe there should be any further free distribution of the publication.

Mr. FLETCHER. I ask that the report be agreed to and

Mr. FLETCHER. I ask that the report be agreed to and that the joint resolution be indefinitely postponed.

Mr. BRISTOW. I should like to have the joint resolution

go over for the present.

Mr. FLETCHER. I have no objection to its taking that

course.

The VICE PRESIDENT. The joint resolution will go to the calendar with the adverse report of the committee.

PUBLIC UTILITIES COMMISSION.

I ask for a change of reference of the bill HUGHES. (S. 3212) amending paragraph SI of the act creating a public utilities commission. The bill was referred to the Committee utilities commission. on Interstate Commerce. The chairman of that committee agrees that it should be referred to the Committee on the District of Columbia, and I ask that the change of reference may

The VICE PRESIDENT. Without objection, the Committee on Interstate Commerce will be discharged from the further consideration of the bill, and it will be referred to the Commit-

tee on the District of Columbia.

CHANGE OF DATE OF INAUGURATION.

Mr. SHIELDS. A few days ago an adverse report was made from the Committee on the Judiciary on the joint resolution (S. J. Res. 10) proposing an amendment to the Constitution of the United States, fixing the time for the convening of Congress and commencement of the terms of the President, Vice President, Senators, and Representatives, and leave was granted to file the views of the minority. I now present the views of the minority and ask that they be printed, and also that they may appear in the RECORD.

There being no objection, the views of the minority were ordered to be printed, and also to be printed in the RECORD, as

[Senate Report No. 212, part 2, Sixty-third Congress, second session.] CHANGE IN TIME FOR CONVENING OF CONGRESS AND COMMENCEMENT OF TERMS OF PRESIDENT, VICE PRESIDENT, SENATORS, AND REPRESENTA-TIVES.

Mr. Shields (for himself, Messis. Ashurst, Nelson, Cummins, Chilton, and Fletcher), from the Committee on the Judiciary, submitted the following views, to accompany Senate joint resolution 10. The minority recommends that the resolution, omitting formal parts, be amended so as to read as follows:

"ARTICLE XVIII.

"Section 1. The terms of the President and Vice President of the United States shall commence on the third Monday in January following the election of presidential and vice presidential electors.

"Sec. 2. The presidential and vice presidential electors, composing the Electoral College, shall assemble in the States by which they are appointed and cast their votes for President and Vice President on the second Monday in December following their appointment, and the vote so cast, duly certified, shall be filed with the President of the Senate

before the first Monday in January next thereafter, and the Congress shall meet in joint session on the second Monday in January following and open and count the same: Provided, That Congress may alter all the dates fixed in this section, in its discretion.

"Sec. 3. The terms of Senators and Representatives shall commence on the first Monday in January following their election.

"Sec. 4. There shall be held two regular sessions of Congress, convening on the first Monday of January each year.

"Sec. 5. The terms of said officers who may be in office at the time of the adoption of this amendment are hereby changed to conform herewith."

The amendments of the resolution recommended are the substitution in the first section, of the "third" Monday instead of the "second" Monday in January for the commencement of the terms of the President and Vice President; the substitution of the "second" Monday for the "first" Monday in December for the meeting of electors for President and Vice President; and provisions that the vote shall be filed with the President of the Senate before the first Monday in January, and that Congress shall meet on the second Monday thereafter and open and count the vote, and authorizing Congress to change these dates; and the addition of section 4, providing for a change in the terms of the President and Vice President and Senators and Representatives in office when the constitutional amendment is adopted and becomes effective, so that they will expire with the commencement of the terms of their successors, under the proposed amendment to the Constitution.

The Constitution, Article II, section 1, ordains that the President

Constitution.

The Constitution, Article II, section 1, ordains that the President and Vice President shall hold office for the term of four years, but does not provide when the terms shall commence. The only recognition of the 4th of March succeeding the day of a presidential election as the day of the commencement of the terms of the President and Vice President is the provision in the twelfth amendment to the Constitution, effective September 25, 1804, that—

"If the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the 4th day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President."

ever the right of choice shall devolve upon them, before the 4th day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President."

This would probably be construed to be a provision that the term of the President expired on the 4th of March after a presidential election—that a vacancy then exists—in which event the then Vice President succeeded to the office.

The time when the presidential electors should be elected and the date on which they shall meet and give their vote is, by Article II, section I, of the Constitution, left to the discretion of Congress, with the restriction that the day of voting shall be the same throughout the United States. An act was passed February 3, 1887, requiring them to meet and give their vote on the second Monday in January next after their appointment, in such place in each State as the legislature thereof shall direct; which vote, duly certified, to be delivered to the President of the Senate before the first Wednesday in February and be canvassed by Congress, in joint session, on the second Wednesday in February thereafter.

The Constitution, while providing that Representatives shall hold their offices for two years (Art. I, sec. 2) and Senators for six years (Art. I, sec. 3), does not provide when the terms shall commence.

The commencement of the terms of the first President and Vice President, and of the Senators and Representatives composing the First Congress, was fixed by a resolution of Congress adopted September 13, 1788, providing "that the first Wednesday in March next (which happened to be the 4th day of March) be the time for commencing proceedings under the Constitution."

Congress has provided (act of Mar. 1, 1792, Rev. Stat., sec. 152) that the terms of Senators and Representatives composing the electors have been given, but there seems to be no statute enacted since the adoption of the Constitution fixing the commencement of the electors have been given, but there

acted since the adoption of the Constitution fixing the commencement of the terms of Senators and Representatives.

The Constitution is proposed to be amended by the resolution as follows:

1. The terms of the President and Vice President, by the first section, are made to commence on the third Monday in January instead of the 4th day of March succeeding the election of electors.

2. The electors are required, by the second section, to meet and cast their vote on the second Monday in December succeeding their appointment; the vote to be filed with the President of the Senate before the first Monday in January thereafter, and the Congress to meet, in joint session, to open and count the same on the second Monday in January succeeding. The Congress, however, is authorized to change these dates.

The provisions of this section are entirely new, the present Constitution having left these matters entirely to the discretion of Congress, and are for the purpose of preventing confusion in putting the first section into effect.

3. The terms of Senators and Representatives are, by the third section, made to commence on the first Monday in January following their election.

This provision is new, and although there is no provision in the present Constitution fixing when the terms of Senators and Representatives shall commence, yet those providing that their terms shall be six and two years entitle those now in office and hereafter to be elected to hold for two years after the 4th of March succeeding their election, the day when the first Senators and Representatives were qualified under the Constitution, and their terms can not be changed without a constitutional provision.

4. The fourth section merely changes the second paragraph of section 4 of Article I of the Constitution, in effect, so as to provide that Congress shall meet each year, commencing on the first Monday of January instead of the first Monday in December.

5. The provisions of section 5 are temporary, and for the purpose merely of putting into effect the

adoption of the seventeenth amendment to the Constitution, by which Senators are to be elected by the people, probably at the November election, it becomes very opportune for Congress to convene in January following. The convening of Congress on the first Monday of December, as at present, is very inopportune, as adjournment for the Christmas holidays is always taken and many Members go to their homes, returning late, which precludes any real work until January.

The reasons for the adoption of the proposed amendment are these:
First. Congress should at the earliest practicable time enact the principles of the majority of the people, as expressed in the election of each Congress. That is why the Constitution requires the election of anew Congress every two years. If it is not to reflect the sentiment of the people these frequent elections have no meaning or purpose. Any evasion of this is subversive of the fundamental principle of our Government, that the majority shall rule. No other nation in the world has its legislative body convene so long after the expression of the people upon governmental questions.

During the campaign preceding a congressional election the great questions that divide the political parties are thoroughly discussed for the purpose of determining the policy of the Government and of having the sentiments of the majority crystallized into legislation. It seems trifling with the rights of the people when their mandates can not be obeyed within a reasonable time. It is unfair to an administration that the legislation which it thinks so essential to the prosperity of the country should be so long deferred. It is true an extraordinary session may be called early, but such sessions are limited generally to one or two subjects, which of necessity make enormous waste of the time of each House, waiting for the other to consider and pass the measures.

to one or two subjects, which of necessity make enormous waste of the time of each House, waiting for the other to consider and pass the measures.

Second As the law is at the present time the second regular session does not convene until after the election of the succeeding Congress. As an election often changes the political complexion of a Congress, under the present law many times we have the injustice of a Congress that has been disapproved by the people enacting laws for the people opposed to their last expression. Such a condition does violence to the rights of the majority. A Member of the House of Representatives can barely get started in his work until the time arrives for the nominating convention of his district. He has accomplished nothing, and hence has made no record upon which to go before his party or his people. This is an injustice both to the Members and to the people. The record of a Representative should be completed before he asks an indorsement of his course.

Third. Under the present system a contest over a seat in the House of Representatives is seldom ever decided until more than half the term, and in many instances until a period of 22 months of the term, and in many instances until a period of 22 months of the term, has expired. For all that time the occupant of the seat draws the salary, and when his opponent is seated he also draws the salary for the full term; thus the Government pays for the representation from that district twice. But that is not the worst feature of the situation; during all of that time the district is being misrepresented, at least politically, in Congress.

By Congress meeting the first Monday in January succeeding the first six months of the Congress.

Fourth. The President and Vice President should enter upon the performance of their duties as soon as the new Congress can count the elections, contested-election cases can be disposed of at least during the first six months of the Congress.

Fourth. The President and Vice President should enter upon the per

the will of the people, and if it is ever exercised it will likely produce a revolution.

It is true that January weather would likely be inclement for an inaugural parade, but that is a reason too insignificant to constitute an argument against a constitutional amendment which promises so much for good government. Nearly all the governors of the States are inaugurated in January. The pomp and ceremony which usually attend the coronation of monarchs are at least not necessary to a republic.

For these reasons we favor the adoption of the resolution, amended as bearing suggested.

herein suggested.

JNO. K. SHIELDS. HENRY F. ASHURST. KNUTE NELSON. ALBERT B. CUMMINS. W. E. CHILTON. DUNCAN U, FLETCHER.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCUMBER:

(By request) a bill (S. 4354) providing for the payment of certain sums found due by the auditor of the Supreme Court of the District of Columbia under the provisions of the act approved March 4, 1909, chapter 306; to the Committee on the District of Columbia.

A bill (S. 4355) granting an increase of pension to Minnie C. Fealy; to the Committee on Pensions.

By Mr. MARTINE of New Jersey:
A bill (S. 4356) granting an increase of pension to James
McMahon; to the Committee on Pensions.
By Mr. BRISTOW:

A bill (S. 4357) granting an increase of pension to John V. Price; to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 4358) to repeal section 457 of the Postal Laws and Regulations of 1913, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. STERLING (for Mr. CRAWFORD) :

A bill (S. 4359) granting a pension to David Crandell (with accompanying papers); to the Committee on Pensions.

By Mr. GOFF:

bill (S. 4360) authorizing the President to appoint and place William H. Crook on the retired list of the Army with the rank of major; to the Committee on Military Affairs

A bill (S. 4361) granting an increase of pension to John W.

Black: to the Committee on Pensions.

By Mr. MYERS:
A bill (8, 4362) for the sale of certain real estate in the District of Columbia by the Commissioners of the Commissioners of the District of Columbia by the Commissioners of the Commissioners of the District of Columbia by the Commissioners of the Commissioners of the Columbia by th bia (with accompanying papers); to the Committee on the District of Columbia.

By Mr. SIMMONS: A bill (S. 4363) granting an increase of pension to Richard

C. Freeman; and A bill (S. 4364) granting an increase of pension to Rebecca Ramsey (with accompanying papers); to the Committee on Pen-

sions. By Mr. SHERMAN:

A bill (S. 4365) granting an increase of pension to Joseph Workman;

A bill (S. 4366) granting a pension to Hector C. Fairfowl; and A bill (S. 4367) granting a pension to Jennie M. Heath; to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 4368) to remove the charge of desertion from the record of Marion Lee Miller, United States Marine Corps; to the Committee on Naval Affairs.

A bill (S. 4369) for the relief of John Murray Hong; to the Committee on Military Affairs.

By Mr. POINDEXTER:

bill (S. 4371) granting an increase of pension to Ellen M. O'Connor; to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 4372) for the relief of Joseph Heaton (with accompanying paper); to the Committee on Claims.

PREVENTION OF TUBERCULOSIS.

Mr. SHAFROTH. I introduce a bill and ask that it be re-

ferred to the appropriate committee.

The bill (S. 4370) to provide for investigations of tuberculosis and the prevention of the disease by care of consumptives in hospitals and providing for the use of abandoned military, naval, and other reservations or other Government property as tuberculosis hospitals and providing for the maintenance of such institutions was read twice by its title.

The VICE PRESIDENT. To what committee does the Sen-

ator from Colorado desire the bill to be referred?

Mr. SHAFROTH. I think, Mr. President, that it should go to the Committee on Military Affairs, because it deals more with abandoned military reservations than with any other property of the United States.

The VICE PRESIDENT. The bill could properly be referred

to any one of several committees.

Mr. CLARK of Wyoming. What is the nature of the bill? Mr. SMOOT. Let the title of the bill be again read.

The VICE PRESIDENT. The Secretary will again read the bill by title.

The Secretary again read the title of the bill. Mr. SMOOT. Mr. President, I think the bill should first be referred to the Committee on Public Health and National Quarantine; then, should an investigation be decided upon, it should afterwards be referred to the Committee in Military Affairs for further consideration.

Mr. SHAFROTH. There is no particular committee to which I desire the bill to be referred. I only desire that it shall be

referred to the appropriate committee.

The VICE PRESIDENT. The bill will be referred in the first instance to the Committee on Public Health and National Quarantine.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PAGE (for Mr. CLAPP) submitted an amendment proposing to appropriate \$20,000 to be used by the Commissioner of Indian Affairs for the relief of the Medawakanton and Wahpakoota bands of Sioux Indians residing in the State of Minnesota, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. MARTINE of New Jersey submitted an amendment proposing to appropriate \$200,000 to enable the Postmaster Gen-

eral to contract for the construction of and to purchase steel full railway post-office cars and storage mail cars, etc., intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post

Roads and ordered to be printed.

He also submitted an amendment authorizing the Postmaster General to use so much of the appropriation for regulation screen or other wagon service as may be necessary for the purchase and maintenance of wagons or automobiles and for the operation of an experimental combined screen wagon for city collection and delivery service, intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads, and ordered to be

He also submitted an amendment relative to the leasing of premises for the use of post offices of the first, second, and third classes, etc., intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

Mr. WEEKS submitted an amendment proposing to increase the salaries of the 15 division superintendents of the Railway Mail Service from \$3,000 each per annum to \$3,500 each per annum, etc., intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. GOFF submitted an amendment intended to be proposed by him to the omnibus claims bill, which was referred to the

Committee on Claims and ordered to be printed.

Mr. SHIELDS submitted an amendment intended to be proposed by him to the omnibus claims bill, which was ordered to be printed and, with the accompanying paper, referred to the Committee on Claims.

PROHIBITION OF DIVORCES.

Mr. RANSDELL. I send to the desk a joint resolution proposing an amendment to the Constitution of the United States, which I ask to have read.

The joint resolution (S. J. Res. 109) proposing an amendment to the Constitution of the United States was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States, as provided by the Constitution:

"ARTICLE -

"Section 1. Absolute divorce with the right to remarry shall not be permitted in the United States, or in any place within their jurisdiction.

"Uniform laws in regard to marriage, and to separation from bed and board without permission to remarry, shall be enacted for the United States and all places subject to them.

"Sec. 2. Congress shall have power to enforce this article by appropriate legislation."

Mr. RANSDELL. Mr. President, I desire to be heard very briefly in support of the amendment.

As appears from its reading, the purpose of this amendment is to prevent the dissolution of a valid marriage for any cause, though separation from bed and board, without permission to remarry, may be granted in proper cases.

At this time I deem it necessary to make only a brief observation on the great evil of divorce. The remedy by constitutional prohibition is drastic, but the malady is so fatal that nothing short of it will prove efficacious.

Practically everyone who has given the subject the slightest study admits that divorce is one of the most serious problems confronting our Republic. In the United States divorce is spreading with alarming rapidity. It has permeated every walk of life and is prevalent among every class of people. The total number of divorces granted in 1867 was 9,937, or 27 per 100,000 population. Forty years later, in 1906, there were 72,062 divorces, or 86 per 100,000; thus, in actual numbers, there were more than seven times as many divorces granted in 1906 as in 1867, or, allowing for the increased population, divorce had increased 319 per cent. To put it in another way, in 1867 there was 1 divorce for every 3,666 people, while in 1906 there was 1 for every 1,162.

If divorces multiply at the same rate in the future as in the past-and there is every indication that they will increase faster—then, before the middle of this century, we will have annually in the United States 275 divorces per 100,000 popula-tion, or 1 divorce for every 5 marriages. In 1887 there was 1 divorce for every 17 marriages; in 1906, 1 for every 12 marriages,

and at the same rate we will have in 1946 the appalling figure of 1 divorce for every 5 marriages.

Our closest competitors in Europe are Switzerland, with 41 divorces annually per 100,000 population, Hungary with 35, and France with 33, according to the statistics for 1910 and 1911, while Japan has 215 divorces to our 86.

To make a most striking comparison, during 1901 the total number of divorces granted in the United States was more than twice as great as in all the rest of Christendom combined; yes, actually more than two times as many divorces among 75,-000,000 Americans that year as among the 400,000,000 souls of Europe and other Christian countries.

England stands in bold contrast with this country. In 1911 she granted a total of only 655 divorces, or 1½ per 100,000; while in 1906 the United States allowed 72,062 divorces, or 86 per 100,000. During the 20 years ending with 1906 Ireland had only 19 divorces, or an average of less than one absolute divorce per year for her entire population of 4,500,000.

If the United States were to write in the Constitution an amendment prohibiting absolute divorce it would not be taking such a radical step as might at first be thought, but would be

following a beaten path.

The State of South Carolina-all honor to her-forbids divorce. It is absolutely prohibited in Italy, Spain, and to twothirds of the population of Austria-Hungary, while the Latin-American countries of Mexico, Argentine Republic, Brazil, Peru, Chile, and others have similar laws. A legal separation, how-ever, without the right to remarry, is recognized in all of these jurisdictions. In Canada the important Provinces of Quebec, Ontario, Newfoundland, and the Northwest Territories have no divorce laws, though divorce may be obtained in exceptional cases by special act of the Canadian Parliament. From 1867 to 1909-a period of 42 years-these Provinces had only 140 absolute divorces.

It can not be gainsaid that divorce destroys the home, and the home is the base and foundation of the State; hence we must stop divorce or ruin the State, which can not continue

to exist if its base is allowed to crumble and fall.

While many excellent people are divorced, and some of them make new homes, the inevitable trend of divorce is to break up many more homes than it builds up, and to materially, reduce the number of children. When marriage is dissolved the true home ceases to exist, the parents and children are separated, and the sweet ties that bind father and mother to their offspring and to each other are broken forever.

As long as the Romans of old looked upon marriage as sacred and held the sanctity of the home inviolate, their arms were invulnerable, and Rome became mistress of the world. with the accumulation of colossal wealth came great laxity of morals, marriage became a jest, and childbearing a useless burden. The luxurious Romans lost all respect for female chastity, the heroic virtues of their early years were forgotten, and the Empire fell, the victim of luxury and disregard for the binding effects of marriage. Shall not the United States

take warning from Rome's example?

I appeal to all patriotic citizens-good men of every creed and of no creed-to unite in urging the adoption of my amendment, which has for its object the preservation of the home, aye, sir, the preservation of the Republic; home, which gave us our earliest and best lessons in morality; home, where we were taught to love, honor, and obey our parents, and all lawful superiors; home, where we received our first idea of government, a little state in which our fond parents were the rulers and we, their children, were willing subjects; home, the greatest protection from anarchy, the strongest defense against socialism, and the chief bulwark of society; home, the maker of good citizens and the model on which every wise government is

The VICE PRESIDENT. The joint resolution will be referred to the Committee on the Judiclary.

COMPILATION OF NAVAL LAWS.

Mr. TILLMAN. I submit a resolution and ask that it be read and referred to the Committee on Naval Affairs.

The resolution (S. Res. 262) was read and referred to the

Committee on Naval Affairs, as follows:

Resolved, That the Secretary of the Navy be requested to prepare and submit to the Senate at its next regular session, or as soon thereafter as practicable, a compilation of existing laws relating to the Navy, Navy Department, and Marine Corps, with annotations showing how such laws have been construed and applied by the Navy Department, the Comptroller of the Treasury, the Attorney General, or the courts, the cost of said compilation to be covered by appropriations to be reported by the Committee on Appropriations.

Mr. TILLMAN. In connection with the resolution I present a letter from the Secretary of the Navy urging the need of an annotated compilation of naval laws, which I ask may be printed to accompany the resolution, and that it be referred to the Committee on Naval Affairs.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENT OF THE RULES.

Mr. SHEPPARD. I desire to give notice that during the next legislative day I shall offer the following amendment to Rule XXV of the standing rules of the Senate:

Amend Rule XXV of the standing rules of the Senate by adding after the clause "A Committee on Expenditures in the War Department to consist of five Senators" the following:

"The above-named committees on expenditures in the several departments shall have within their jurisdiction the following subjects: The examination of the accounts and expenditures of the several departments of the Government and the manner of keeping the same; the economy, justness, and correctness of such expenditures; their conformity with appropriation laws; the proper application of public moneys; the security of the Government against unjust and extravagant demands; retrenchment; the enforcement of the payment of moneys due to the United States; the economy and accountability of public officers; the abolishment of useless offices; the reduction or increase of the pay of officers."

The VICE PRESIDENT. The notice will be entered.

COLON FIRE CLAIMS (S. DOC. NO. 405).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate:

In response to Senate resolution of October 27, 1913, I transmit herewith a communication from the Secretary of State with accompanying papers, being "copies of all the correspondence between the Department of State and the Government of Panama in regard to the settlement of the Colon fire claims, by arbitration or otherwise," and "copies of all correspondence between the Department of State and the claimants, or their attorneys, since the publication of Senate Document No. 264, parts 1 and 2, Fifty-seventh Congress, first session, and Senate Document No. 199, Fifty-eighth Congress, second session, on the same subject.

WOODROW WILSON.

THE WHITE HOUSE, February 3, 1914.

NEW YORK, NEW HAVEN & HARTFORD RAILROAD.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be

The Secretary read Senate resolution 260, submitted yesterday by Mr. Norris, as follows:

day by Mr. Norris, as follows:

Resolved, That the Interstate Commerce Commission be requested to reopen its examination of the affairs of the New York, New Haven & Hartford Railroad Co. and to make a further investigation of the financial transactions of said company, with a view of ascertaining:

First. What became of the funds of said company wrongfully invested at fictitious values in the various enterprises and corporations mentioned in the opinion of the Interstate Commerce Commission, No. 2384, case No. 4845, entitled "The New England investigation in the matter of rates, classifications, regulations, and practices of carriers," submitted May 20, 1913, and decided June 20, 1913.

Second. Whether the person or persons authorizing such investigation of the funds of said company and the person or persons receiving the benefit thereof are liable to punishment under existing laws.

Third. Whether under existing law such funds so invested can be recovered on behalf of the stockholders of said company.

Fourth, What legislation, if any, is necessary to prevent the recurrence of similar transactions.

Mr. KERN. Mr. President, I ask that Senate resolution 249

Mr. KERN. Mr. President, I ask that Senate resolution 249 be laid before the Senate. It is a matter of the highest privilege.

Mr. NEWLANDS. Mr. President-

The VICE PRESIDENT. The Chair lays before the Senate the resolution referred to, being Senate resolution 249.

Mr. NEWLANDS. May I ask the Senator from Indiana, with

his permission, just to say a word regarding the other matter?

Mr. NORRIS. Mr. President, I am unable to hear what Senators are saying.

Mr. KERN. I have no objection to the request of the Senator from Nevada, if it will not interfere with the consideration of the privileged resolution.

The VICE PRESIDENT. The Chair will be compelled to rule that the resolution coming over from a previous day is before the Senate, unless the matter of highest privilege is to be The Senator from Nebraska has the right to that. taken up.

Mr. KERN. I am insisting that Senate resolution No. 249, involving the right of Frank P. Glass, of Alabama, to a seat in this body be considered.

Mr. NORRIS. I am unable to hear the Senator, but I will gay to him that the Senator from Nevada [Mr. NEV/LANDS] and also the junior Senator from Massachusetts [Mr. Weeks], I think, desire my resolution to go over, and I was not going to object to that at this time. It will only take a minute to tempo-

rarily dispose of it, if we can get unanimous consent that it shall go over without losing its place. The Senator from Nevada desires the resolution to go over until Friday, he has told me, and if it can go over, without losing its place, I have no objection.

Mr. SMOOT. Mr. President, I suggest to the Senator from Nebraska that he ask unanimous consent that the resolution go

over without prejudice until Friday.

Mr. NORRIS. I intend to do so, after the Senator from

Nevada makes the statement he desires to make.

Mr. NEWLANDS. Mr. President, I wish to state that the Committee on Interstate Commerce meets on Friday, and that I should like to bring this resolution to the attention of that committee before coming to any conclusion regarding it. I will be greatly obliged to the Senator from Nebraska if he will permit the matter to go over until Friday, and then I will be able to obtain the views of the committee as to any amendment they may desire to suggest.

Mr. NORBIS Mr. Provident I because I have been supported by the provident I because I have been supported by the provident I have bee

Mr. NORRIS. Mr. President, I have no objection to that course; and I ask unanimous consent that the resolution may go over until Friday without prejudice, so that it will retain its place, to be taken up as a resolution coming over from a

previous day

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES. Mr. President, is it not necessary to have a roll call, under the rule, with reference to a proposition of that character?

Mr. NORRIS. It is not a It is not a request for a vote.

The VICE PRESIDENT. The Chair hears no objection to the request of the Senator from Nebraska, and the order is

SENATOR FROM ALABAMA.

The VICE PRESIDENT. The Chair lays before the Senate the resolution referred to by the Senator from Indiana [Mr. KERN 1.

The Senate resumed the consideration of Senate resolution 249, reported by Mr. Walsh, from the Committee on Privileges and Elections, January 21, 1914, which was read, as follows:

Resolved, That FRANK P. GLASS is not entitled to a seat in the Senate of the United States as a Senator from the State of Alabama.

The VICE PRESIDENT. The question is on the amendment

proposed by the Senator from Arkansas [Mr. Robinson].
Mr. SUTHERLAND. Mr. President, I had not intended to discuss this resolution, but the vigor and earnestness of those who spoke yesterday in opposition to it have impelled me at least briefly to state the grounds upon which I intend to support it.

It has been argued here that the provisions of the seventeenth amendment are such that they do not go into operation, so far as the election of Senators by the people is concerned, until the expiration of the term of office for which each of the sitting Members of the Senate was elected. It seems to me that even if we accept the view of those who take that position as to the construction of the word "affect" and the word "term" in the seventeenth amendment the conclusion to which they come does not by any means follow.

The seventeenth amendment provides as follows:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years.

If we were to stop there, the language would be sufficiently broad to cover the cases of all Members who are now sitting or who were sitting at the time the amendment was adopted. The language is very comprehensive. Let me repeat it:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years.

The moment the seventeenth amendment went into operation that provision of it became controlling, namely, that the Senate shall be composed of two Senators from each State, elected by the people. Obviously, however, if that were carried out, according to the broad language in which it is stated, it would result in a great deal of confusion. In order to obviate the broad construction that might have been given to that language if it had been allowed to stand alone, this further provision was

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

I think the object of that provision of the seventeenth amendment was simply to prevent the general provision with reference to the election of Senators by the people from being so con-struct as to legislate out of office any Member who then occu-pled a seat in the Senate. That has been the view of the provision, as I understand, ever since it was first introduced. Sub-

stantially the same amendment was before the House of Representatives in 1802. The provision I have last read, that the amendment should not be so construed as to affect the election or term of any Senator chosen before it became valid as part of the Constitution, was contained in the resolution reported to the House in 1892 in precisely the same language.

The report of the committee of the House which had this matter under consideration and which reported the resolution, with reference to this provision, states as follows—and I read from Report No. 368 of the Fifty-second Congress, first session,

House of Representatives:

That the title of no Senator may be affected who, at the time of the adoption of the amendment, holds his seat at the hands of the legislature of his State as now provided by the Constitution, the last provision is inserted out of abundant caution.

So, clearly, it was the view of that committee that this provision had the effect I have stated, namely, to prevent any sitting Member being legislated out of his seat, and it was not intended

to have any further effect than that.

That report was considered by the House. It has been before the various other committees that have considered the same resolution, or resolutions substantially like it, from time to time since, and I never heard it questioned until after the seventeenth amendment was adopted that that was the intention of this saving clause and that that was all that was in-

tended by it.

If the other construction should prevail-that is, the construction contended for by the proponents of the right of Mr. Glass to his seat—we should be in the rather curious situation that although the amendment provides that the Senate shall consist of two Members from each State, elected by the people, the amendment after its adoption would go into operation by piecemeal. With reference to those Senators whose terms expire in the year 1915 it would go into operation upon March 4, 1915. With reference to those Senators whose terms expire in 1917, its operation would be delayed for two years, and it would not go into operation until the later date. With reference to those whose terms expire in 1919 it would be delayed With referfor four years, and would not go into operation until 1919. Indeed, in the case of a Senator who was elected from the State of Louisiana by the legislature prior to the adoption of this amendment, but who has not yet taken his seat, the amendment would not go into operation until 1921. Thus we should have Senators coming along here, part of them elected by the legislatures of some of the States and part of them elected by the people of some of the other States.

Certainly no such result as that could have been within the contemplation of either those who framed the amendment or those who adopted it. I venture to say that when this resolu-tion was under consideration in either House, if it had been suggested that that would be the construction of it, it would have been amended so as to make it clear that no such con-

struction could have been possible.

Mr. GOFF. Mr. President-

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from West Virginia?

Mr. SUTHERLAND. I do. Mr. GOFF. I should like to call the attention of the Senator to this amendment as it was proposed to the Congress. I read the original joint resolution:

Joint resolution proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

That in lieu of the first paragraph of section 3 of Article I of the Constitution of the United States, and in lieu of so much of paragraph 2 of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States.

Was not that a clear expression of the Congress of the United States that eo instanti on the ratification of this amendment the provisions of the old Constitution relating to the filling of vacancies were absoluely eliminated? That is an expression of the Senate and an expression of the House, and that is the particular language that was submitted to the States. As I understand, "in lieu of " means "in place of." Therefore on the ratification of the seventeenth amendment did not the provisions here stand in place of the old Constitution, and are they not absolutely eliminated from our consideration?

Mr. SUTHERLAND. Yes, Mr. President, I quite agree with the statement made by the Senator from West Virginia. He suggests a very strong point, and one that has been overlooked, because we have not carried into the amendment as it has been printed the introductory provision to which the Senator calls

attention.

Mr. GOFF.

Mr. GOFF. It seems to me it should have been done. Mr. SUTHERLAND. Perhaps it should have been, because it helps in the interpretation of the language itself. As the

Senator from West Virginia very well says, this amendment was proposed in lieu of the provision of the Constitution which provides for electing Senators by the legislatures. When it was adopted, it not only affirmatively provided for a new method of electing Senators—namely, by the people—but it negatively eliminated and put an end to that provision of the Constitution which provided that Senators should be elected by the legislatures

But, Mr. President, I do not intend to take up further time in discussing that phase of the case, because it has been so well covered by the Senator from Montana [Mr. Walsh], with whose views I entirely agree, that it is wholly unnecessary for me to go over the same ground. If, however, the view which is announced by the Senator from Kentucky [Mr. Bradley] and those who agree with him as to the construction of this saving clause is to be followed, I do not see how it helps their case.

It is argued that the word "term" is to be construed im-

personally; that it does not mean the tenure of the sitting Member; that it means the term of office of the sitting Member; and that when the clause says that nothing in the amendment is to be construed so as to affect the term of a Senator it means that it is not to be construed to affect that term considered in an entirely impersonal way. Definitions are read of the word "term," that it means a period of time, and is to be considered, as I have said, purely impersonally, dissociated from the in-dividual who for the time being may fill the term.

Let us consider it in that way-that the word "term" is to be interpreted to mean a period of time, and that nothing in the amendment is to be construed so as to affect that period of time. How can you affect a period of time? You can affect it only by making it longer or by making it shorter. How is the period of time affected by changing from electing the Senator by a vote of the legislature to electing him by a vote of the people? You have simply thereby changed the method of filling the period of You have affected the method of filling the period of time, but you have not affected the period of time itself.

So it seems to me that even if we accept that view of the construction, the provision that the people shall elect has not affected the term—the period of time; it has simply affected the

manner in which the term shall be filled.

It seems to me that if the Senate is capable of establishing precedents the vote of the Senate upon the Lee case has established that this saving clause is not to be given the construction which is now contended for, because if it is to be given that con-struction, then the governor of Maryland should have appointed Mr. Lee or somebody else instead of calling an election. If that construction is to be followed, this provision of the seventeenth amendment with reference to an election by the people did not go into effect until the end of Senator Rayner's term, and that would not occur until the year 1917. So by voting to seat Mr. Lee we have effectually declared against the construction which I have been discussing of the seventeenth amendment, which is contended for by those who are in favor of seating Mr. Glass.

That brings me for a very brief discussion to the Alabama statute which has been referred to. It is urged, passing the point I have just discussed, that there is statutory authority in Alabama for an appointment by the governor under the proviso

to the seventeenth amendment, which I will read:

Provided, That the legislature of any State may empower the executive thereof to nake temporary appointment until the people fill the vacancies by election as the legislature may direct.

I do not doubt that if the Legislature of Alabama, in anticipation of the adoption of this amendment, had recited that whereas this amendment was pending, and whereas it contained a provision that the legislature might authorize temporary appointments to be made, therefore be it enacted that in the event of the adoption of the seventeenth amendment the governor be authorized to make temporary appointments pending an election by the people, that legislation would have been valid and should have been upheld.

But that is not what was done. Here is a piece of legislation which evidently was not passed in anticipation of the adoption of the seventeenth amendment. It was passed in 1909, before the seventeenth amendment had been submitted to the people. That amendment was not under consideration; it was not thought of by the Legislature of Alabama. The statute provides

generally-

That when any office of the State, of any county, or municipality therof, is vacant from death, resignation, removal from the municipality, county, or State, or because the former incumbent absconds, or because an incumbent has been removed for ineligibility, or when the office is vacant from any other cause, and there is no way provided by law for the filling of such vacant office, the governor is hereby empowered and required to appoint a qualified person to fill the unexpired term of such office.

There are two reasons which seem to me conclusive that this statute can not authorize the governor to make this appointment: First, because it is limited in its terms to officers of the State or of the county or municipality, and a United States Senator is neither; second, because it provides that an appointment shall be made for the unexpired term of such office when the constitutional provision limits the authority of the legislature to empower the executive to make temporary appointments until the people fill the vacancy by election as the legislature may direct.

It has been argued here strenuously that a United States Senator is an officer of the State. No authority has been cited which expressly holds that. The case of Burton against The United States is referred to as sustaining that doctrine; but, as I shall attempt to show in a moment, it not only does not hold that, but all the implications to be drawn from the case are to the contrary.

How are we to determine whether an officer holds an office under the State or under the United States? There is one fundamental test to determine when an individual holds an office as distinguished from an employment, for example. An officer exercises a part of the sovereign power, either the sovereign power which has been vested in the legislative department, or the executive department, or the judicial department, or it may be in some instances more or less a combination of two or of all three; but the fundamental test of what constitutes an officer is that he exercises a part of the sovereign power.

Let me call attention to one or two decisions upon that subject. The case of The State against Hocker, reported in Sixty-third American State Reports, page 174, was a case decided by the Supreme Court of Florida. The portion of it which I read is a quotation from the advisory opinion of the Judges of the Supreme Court of Maine to the governor of that State:

of the Supreme Court of Maine to the governor of that State:

We apprehend that the term "office" implies a delegation of a possible of the sovereign power to and possession of it by the person filing the office; and the exercise of such power within legal limits constitutes the correct discharge of the duties of such office. The power thus delegated and possessed may be a portion belonging sometimes to one of the three great departments and sometimes to another; still it is a legal power which may be rightfully exercised, and in its effects it will bind the rights of others and be subject to revision and correction only according to the standing laws of the State.

Mr. SMITH of Arizona. If it does not delay the Senator, will he state what were the facts in the Maine case? Has the Senator looked into the facts?

Mr. SUTHERLAND. No; I have not the Maine case before

me. What I have is simply this quotation.

Mr. SMITH of Arizona. Merely a quotation, without knowing the facts, can not be very essential.

Mr. SUTHERLAND. Most of these cases arose over the question as to whether the person whose rights were involved was holding an office or an employment. That was the question. I will point the application of what I am saying, however, to this case in a moment.

Again, in the same case, quoting from Nineteenth American and English Encyclopedia of Law, the general statement is made:

The term "office" implies a delegation of a portion of the sovereign power to and possession of it by the person filling the office, a public office being an agency for the State, and the person whose duty it is to perform the agency being a public officer.

In a note to that case, which I presume was prepared by the editor of the series—Mr. Freeman, a very able lawyer and a very careful editor—this general statement is made, and there are a very large number of cases cited in support of it, at page 183:

The primary, necessary, and fundamental test of an office is that it should involve the exercise of some portion of the sovereign power of the State.

And again:

An office is a public position to which a portion of the sovereignty of the country, either legislative, executive, or judicial, attaches for the time being, and which is exercised for the benefit of the public.

If we accept that definition, which seems to be concurred in by all the authorities, that the primary and fundamental thing which must always exist in order to constitute an office is that the person filling it shall exercise a portion of the sovereign power, then we come to the question as to whether or not a United States Senator in that sense is an officer. Clearly he is, because he exercises a portion of the sovereign power. Having determined that he is an officer because he exercises such power, the inquiry next suggests itself: Of what sovereignty is he an officer? Does he exercise the sovereignty of the State? Clearly not. He discharges no State function. He owes no enforceable duty to his State. His State can not call him to account. The sovereign powers of the State from which he is accredited are vested in the legislative, executive, and judicial departments. Clearly he exercises no legislative power of the

State, no judicial power of the State, and no executive power of the State. But he exercises sovereignty, and that is the sovereignty of the United States. He owes his office to the Constitution of the United States. His duties are to be performed here. Exercising the sovereignty of the United States, clearly, as it seems to me, he must be regarded as an officer of the United States.

Mr. President, reference has been made to the Burton case, to the point that a Senator of the United States is not an officer of the United States. I do not think that case maintains any such doctrine. I read from page 369, volume 202, of the Supreme Court Reports:

Allusion has been made to that part of the judgment declaring that the accused, by his conviction, "is rendered forever hereafter incapable of holding any office of honor, trust, or profit"—

Now mark-

"under the Government of the United States."

Not from holding an office of the United States but from holding any office under the Government of the United States. The court proceeds:

court proceeds:

That judgment, it is argued, is inconsistent with the constitutional right of a Senator to hold his place for the full term for which he was elected, and operates of its own force to exclude a convicted Senator from the Senate, although that body alone has the power to expel its Members. We answer that the above words, in the concluding part of the judgment of conviction, do nothing more than declare or recite what, in the opinion of the trial court, is the legal effect attending or following a conviction under the statute. They might well have been omitted from the judgment. By its own force, without the aid of such words in the judgment, the statute makes one convicted under it incapable forever thereafter of holding any office of honor, trust, or profit under the Government of the United States. But the final judgment of conviction did not operate, ipso facto, to vacate the seat of the convicted Senator nor compel the Senate to expel him or to regard him as expelled by force alone of the judgment. The seat into which he was originally inducted as a Senator from Kansas could only become vacant by his death or by expiration of his term of office or by some direct action on the part of the Senate in the exercise of its constitutional powers. This must be so for the further reason that the declaration in section 1782, that anyone convicted under its provisions shall be incapable of holding any office of honor, trust, or profit "under the Government of the United States," refers only to offices created by or existing under the direct authority of the National Government as organized under the Constitution, and not to offices the appointments to which are made by the States, acting separately, albeit proceeding, in respect of such appointments, under the sanction of that instrument.

In other words, the court does not hold, and from nothing

In other words, the court does not hold, and from nothing which it says can it be implied, that the court understood that a United States Senator was an officer of the State or was not an officer of the United States, but only that this section of the statute applies to that class of offices which are created by or exist under the direct authority of the National Government as organized under the Constitution. In other words, the statute was never intended to apply to the case of a United States Senator, since he is an officer of the United States who owes his office to the provisions of the Constitution and not to the direct authority of the National Government as organized under the Constitution.

While the Senate, as a branch of the legislative department, owes its existence to the Constitution and participates in passing laws that concern the entire country, its Members are chosen by State legislatures, and can not properly be said to hold their places "under the Government of the United States."

That is very far from holding that a United States Senator is not an officer of the United States. The court simply holds that a United States Senator was not such an officer as to come within the terms of section 1782 of the Revised Statutes.

Mr. ROBINSON. Will the Senator from Utah yield for a question?

The PRESIDING OFFICER (Mr. Ashurst in the chair). Does the Senator from Utah yield to the Senator from Arkansas?

Mr. SUTHERLAND. I do.

Mr. ROBINSON. Does not the Senator from Utah think that the implied conclusion of the court there is that a United States Senator is rather an officer of the State than an officer of the United States? Does the Senator think, that the court distinguished there between an "officer of the United States" and an "officer under the Government of the United States"? Does not the Senator from Utah think, from the language which he has last read, that the implied conclusion of the court is that a United States Senator is a State officer?

Mr. SUTHERLAND. I have been, in my feeble way, trying to urge the exact opposite of that. I do not think the court

undertook to hold anything of the sort.

Mr. ROBINSON. But the court points out the fact that a United States Senator draws his authority from the State, that he represents the State, that he resigns to the State; and for these reasons I ask, does it not seem to the Senator that the conclusion may at least be reasonably implied that the court

intended to say that a United States Senator is rather a State

officer than a United States officer?

Mr. SUTHERLAND. No, Mr. President, the court very clearly was undertaking to distinguish between that class of officers of the United States whose office could be said to be created by or exist under the direct authority of the United States Government and that class of officers of the United States who owed their office directly to the Constitution or to the acts of the State government under the Constitution.

Mr. ROBINSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah

yield further to the Senator from Arkansas?

Mr. SUTHERLAND. I yield.

Mr. ROBINSON. One further question. Does not the Senator think that both in fact and in law every officer of the United States must be an officer under the Government of the United

Mr. SUTHERLAND. Not in the sense of that statute, as the Supreme Court very clearly says. The court very clearly and very pointedly says that that provision of the statute, section

Refers only to the officers created by or existing under the direct-I emphasize the word "direct"; the court does notunder the direct authority of the National Government as organized-

And so on. Then the court says:

And not to offices

Still speaking of officers of the United States-

And not to offices the appointments to which are made by the States, acting separately, albeit proceeding, in respect of such appointments, under the sanction of that instrument—

Namely, the Constitution. Very clearly, it seems to me, recognizing these two classes of United States officers, one of which was included within section 1782 and the other not, because the language of the statute is "under the Government of the United States.

Mr. President, the only remaining question which I desire to discuss, and that very briefly, is that the statute, even if it should be held to apply to a United States Senator, does not authorize the governor to make this appointment, because the statute provides that the governor is not only empowered but is required to appoint a qualified person to fill the unexpired term of such officer. Under the provisions of the seventeenth amendment clearly no governor can be authorized by the act of the legislature to appoint any person to fill the unexpired term; or the legislature, rather, can only authorize him to appoint under the authority of the seventeenth amendment, which reads:

That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

The constitutional provision contemplates that the appointment shall be made only until at some convenient time before the expiration of the term the people can act; and the legislature is not permitted by the terms of the constitutional provision to authorize the governor to appoint for any longer period. The Legislature of Alabama in passing the statute which I have read evidently intended to provide for the appointment of a person to fill out the unexpired term, in order to avoid calling an election. Instead of carrying out the purpose of the Federal Constitution, which is that it is only a temporary appointment that is to be authorized, and that the primary thing to be always borne in mind is that the term shall be filled by the people, exactly the opposite was in the mind of the Legislature of Alabama, namely, to compel the governor, because it not only empowers him but it requires him to appoint a person to fill out the unexpired term in order that the calling of an election by the people, which is contemplated by the seventeenth amendment, should be entirely obviated.

Mr. ROBINSON. Will the Senator from Utah yield to me

for a question?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Arkansas?

Mr. SUTHERLAND. Yes.
Mr. ROBINSON. Does the Senator from Utah think that that affects the power of appointment? Does he not rather think, if the Alabama statute conflicts with the Constitution as to the duration of the service of the appointee, that the Alabama statute would yield, and that the effect would be to conform the time of service to the constitutional provision?

Mr. SUTHERLAND. That is, the Senator means the Ala-

bama statute, although it requires the governor to appoint a person to fill the unexpired term, should be construed to limit is power to the making of a temporary appointment?
Mr. ROBINSON. Yes; by the provision of the Constitu-

tion-

Mr. SUTHERLAND. I was just about to come to that. Mr. ROBINSON. The seventeenth amendment of the Consti-tution of the United States so narrowing and limiting the Ala-

bama act, and being paramount to the statute of Alabama.

Mr. SUTHERLAND. No; the seventeenth amendment con-templates that the legislature shall legislate in accordance with its terms and provide for a temporary appointment. the legislature has not legislated in accordance with the terms of the seventeenth amendment; it has gone entirely beyond them. I recognize the principle which the Senator from Arkansas evidently has in mind, that a statute containing a number of provisions, some of them void and some of them valid, may be separated so as to permit the valid parts to go into operation and the void parts to be ignored; but that is only justified where the void parts to be ignored; but that is only justined where the statute is capable of separation. Here is a single, distinct provision, namely, that the governor shall appoint to fill the unexpired term. How can you separate that provision into any elements? It is a complete thing, incapable of separation. It is exactly the case which the Supreme Court had before it under the first employer's liability law which we passed. That was a law which was drawn in such comprehensive terms that it included both interstate commerce and intrastate commerce. The Supreme Court said that that was an indivisible thing: that that was a single proposition, and that it was incapable of separation. Let me read to the Senator from Arkansas what the Supreme Court said in that case.

Mr. ROBINSON. Will the Senator from Utah yield to me for

just a moment?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Arkansas?

Mr. SUTHERLAND. Yes.

Mr. ROBINSON. I am familiar with the decision to which the Senator refers, and I think he has stated with entire correctness the proper conclusion to be arrived at from that decision. I make no issue with him on that whatever. I reassert the proposition, however, with the permission of the Senator from Utah. that under the case of Neal against Delaware, reported, I think, in One hundred and third United States, and other cases, if a conflict arises between the statute of Alabama and the constitutional provision with reference to the duration of the service of an appointee, conceding in the beginning that the governor has the power to appoint, the only effect of the constitutional provision would be to narrow and restrict the term of service. It would not deprive the governor of the State of the power of distinguishing-and I know that the Senator from Utah would so distinguish in a case that appealed to him-between the power to appoint and the length of service of the appointee after he had been appointed. In the case of Neal against Delaware

Mr. SUTHERLAND. Mr. President

Mr. ROBINSON. Just one moment, and I will not interrupt

the Senator again.

If I remember correctly, that case involved the construction of the fifteenth amendment, providing that no person shall be deprived of the right to vote on account of race, color, or previous condition of servitude. The State of Delaware, by its statutes, and I believe by a constitutional provision also, had limited the right to vote to all male white persons over a certain age. In construing the fifteenth amendment, the Delaware statute, and the constitutional provision to which I have referred, the Supreme Court of the United States, in Neal's case, stated that the effect of the fifteenth amendment to the Constitution was simply to read out of the Delaware statute and constitu-tion the word "white." The people of Delaware then went tion the word "white." The people of Delaware then went ahead and held an election, and all persons comprehended within the provisions of the fifteenth amendment were permitted to vote at that election. I think that the principle announced in the Neal case governs the question which the Senator from Utah is now presenting.

Mr. SUTHERLAND. Mr. President, I do not think so or I

would not have been contending as I have been. I think this case is governed by the principle which was laid down by the court in the Employers' Liability case, and the court itself, as is plainly stated in the case, followed a long line of cases.

court said :

The principles of construction invoked are undoubted, but are inapplicable. Of course, if it can be lawfully done, our duty is to construe the statute so as to render it constitutional. But this does not imply, if the text of an act is unambiguous, that it may be rewritten to accomplish that purpose. Equally clear is it, generally speaking, that where a statute contains provisions which are constitutional and others which are not effect may be given to the legal provisions by separating them from the illegal. But this applies only to a case where the provisions are separable and not dependent one upon the other, and does not support the contention that that which is indivisible may be divided.

Mr. ROBINSON rose.

Mr. SUTHERLAND. I hope the Senator will let me proceed. The court continues:

Moreover, even in a case where legal provisions may be severed from those which are illegal, in order to save, the rule applies only where it is plain that Congress would have enacted the legislation with the unconstitutional provisions eliminated. All these principles are so clearly settled as not to be open to controversy. They were all, after a full review of the authorities, restated and reapplied in a recent case. (Illinois Central Railroad v. McKendree, 203 U. S., 514, and authorities there cited.)

In the first place, this provision of the Alabama statute is incapable of subdivision; it is a complete and a single proposition; it can not be divided. If we apply the other test, we arrive at the same result.

Mr. ROBINSON. May I call the Senator's attention—Mr. SUTHERLAND. In just a moment. The court said:

Even in a case where legal provisions may be severed from those which are fliegal, in order to save, the rule applies only where it is plain that Congress would have enacted the legislation with the unconstitutional provisions eliminated.

In other words, it is always a question of legislative intendment. These provisions being separable, if the court can plainly see from all the surrounding circumstances that the legislature intended to enact the statute in its constitutional aspect, then it will uphold it in that aspect; but here the very reasons which impelled the Alabama Legislature to provide that the governor shall appoint for the unexpired term-for the very purpose of cutting out the interposition of a special election—that very situation precludes our concluding that the Alabama Legislature

would have passed it in any other form.

Mr. ROBINSON. Now, may I interrupt the Senator once

The PRESIDING OFFICER. Does the Senator from Utah

yield to the Senator from Arkansas?
Mr. SUTHERLAND. If the Senator wishes to ask me a ques-

tion, I will yield; but I should like to get through.

Mr. ROBINSON. I should like to ask the Senator if he has

considered in this connection the case of Scott against Flowers, reported in Sixty-first Nebraska, at page 624, and the case of the Sinking Fund Commissioners against George, reported in One hundred and fourth Kentucky, at page 260?

Mr. SUTHERLAND. No; I have not read those cases.

Mr. SUTHERLAND. No; I have not read those cases. Mr. ROBINSON. If the Senator will pardon me for two or

three minutes, I think

Mr. SUTHERLAND. If the Senator will permit me for just a moment, I am nearly through, and I will then yield the floor. Mr. ROBINSON. Just let me complete this sentence-

Mr. SUTHERLAND. Very well.

Mr. ROBINSON. If the Senator from Utah will permit me to call his attention to these two cases, I wish to say that I think they are exactly in point and sustain the position which I have taken. I thought it proper, having first interrupted the Senator concerning the subject, to call his attention to those If, however, the Senator desires to conclude his two cases. remarks without further interruption, I shall not trespass

Mr. SUTHERLAND. Of course I do not object to the Senator interrupting me and calling my attention to those cases, but from a brief statement of them, not being familiar with the cases, I would not undertake to at once reply to him. I should want to look at the cases and to examine them with more care before I should feel warranted in undertaking to discuss or analyze them. What I am saying about this case I am basing upon the authorities with which I am familiar, and not upon cases that I know nothing about. There are a multitude of decisions with reference to this particular question and there are many shades of view with reference to it; but the Supreme Court of the United States has followed the line of decisions which I think is most consonant with reason, and I am undertaking in my argument to follow that court and not the State Courts that may have decided otherwise upon the question.

So. Mr. President, it seems to me that in any view this

statute does not warrant an appointment by the governor of the State, first, because a United States Senator clearly is not a State officer, and second, because the statute as drawn is clearly opposed to the provisions of the seventeenth amendment.

I have just another word to say, and that is with reference to the argument that, if the seventeenth amendment be given the construction which is contended for by those who are supporting this resolution, the States will be denied their equal representation in the Senate. The provision that no State shall be denied its equal representation in the Senate is found in the clause of the Constitution dealing with the subject of amendments. That clause provides that amendments to the Constitution may be made in a certain way, but it provides that "no State"—meaning of course by an amendment—"without its consent, shall be deprived of its equal suffrage in the Senate."

When we come to consider the history leading up to and the circumstances surrounding the adoption of that provision in the Federal Constitution, it becomes perfectly clear what was intended. There was a jealousy between the large States and the small States; the smaller States were fearful that, if representation was based upon population, sooner or later they would be submerged by the vast numbers of the larger States; and this provision was a compromise. Members of the House of Repreentatives being elected in proportion to population and the Members of the Senate being elected by States, each State was to have two Members in the Senate; and in order that that equality of representation from each State might never be departed from without the consent of every State, this provision in the amendment clause of the Constitution was inserted. That clause would only be violated if we should provide by an amendment, either in express terms or by necessary implication, that one State should have three Senators and another State only two, or one State five Senators and another State only one. It was not put in there as a guaranty that each State should always have here upon the floor of the Senate each of its two Members, but it was simply to prohibit an amendment to the Constitution which would deny one State the same representation which was accorded to other States. The seventeenth amendment, interpreted as I think it should be interpreted, does not affect the equal representation in the Senate.

Mr. WORKS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from California?

Mr. SUTHERLAND. I yield to the Senator. Mr. WORKS. I take it that that clause in the Constitution simply provides that a State shall not be deprived of its representation here by law.

Mr. SUTHERLAND.

Mr. WORKS. It has nothing to do with the question of admitting or refusing to admit a Member upon the floor where the question arises as to whether or not he is legally entitled to be admitted here.

Mr. SUTHERLAND. Obviously not. The amendment clause is drawn broadly, so as to permit the Constitution to be amended in any imaginable way, save that one way, namely, that no amendment shall be adopted which shall deprive a State, without its consent, of its equal representation in the Senate. We have had cases under the old provisions of the Constitution where for nearly two years a State has had upon this floor only one Senator; indeed, there was one case where a State had no Senator upon the floor for a period, I think, of over a year. That was the State of Delaware. There is nothing in the Constitution which guarantees that each State shall have two Senators here all the time. If there was not full representation, it was the fault of the State itself; it was the fault of the agents of the State. The governor has been given the power to appoint in certain contingencies, and if he neglects to appoint the State has not its equal representation upon the floor. It has not, however, been deprived of its equal representation by any amendment to the Constitution, but by its own act. So that the fact that the seventeenth amendment to the Constitution requires legal machinery in order to put it into full operation does not deprive a State of its representation. Every State is upon an equality, and every State can have its representatives here by complying with the conditions of the seventeenth amendment and passing legislation. So it seems to me, Mr. President, that upon any of the grounds which have been urged the position taken by the majority of the committee is unassailable.

Mr. SHERMAN obtained the floor.

Mr. ROBINSON. Mr. President-

Mr. SHERMAN. Mr. President, do I understand that the Senator from Arkansas wishes to refer to his authorities, so as to follow the Senator from Utah in consecutive order? If so, I have no objection to yielding for that purpose.

Mr. ROBINSON. If the Senator from Illinois will yield for

just a few moments, I shall be obliged to him.

Mr. SHERMAN. It will be more readable and accessible in the RECORD if it is done in that way.

Mr. ROBINSON. Mr. President, referring to the last feature of the discussion by the Senator from Utah [Mr. SUTHERLAND], there are two State cases cited by Mr. Evins, legal adviser to the governor of Alabama, which, in my judgment, are almost exactly in point. The constitution of the State of Nebraska authorized the commitment to the Reform School of Nebraska of children under the age of 16 years. The Legislature of Nebraska passed a statute providing for the commitment of children under the age of 18 years. Upon a consideration by the Supreme Court of Nebraska of the constitutionality of that statute, the court used this language, which, I think, is exactly in point upon the question which the Senator from Utah was discussing when I last interrupted him:

when I last interrupted him:

The legislature has clearly here expressed its will, but it has gone too far; it has transcended the limits of its authority. It has, in an unmistakable manner, signified its purpose not only to authorize the commitment to the reform school of certain children under 16 years of age, but also children beyond that age, who, although guiltless of crime, have evinced a criminal tendency and are without proper parental restraint. The legislature having declared its will, and its command to the courts being in part valid and in part void, the decisive question is, Shall section 5 be given effect so far as it is in accord and agreement with the paramount law? It seems that both good sense and judicial authority require that the question should receive an affirmative answer. (Scott v. Flowers, 61 Nebr., 620, 624.)

The other case to which I referred is the case of Sinking

The other case to which I referred is the case of Sinking Fund Commissioners v. George (104 Ky., 260), and I quote from the brief of Mr. Evins in that case:

The act construed created a board of penitentiary commissioners, and provided that, of the first board, one should hold for two years, one for four years, and one for six years, and that their successors should be elected for six years. The constitution forbade the creation of officers with a longer term than four years. The act was held to create a four-year term and to be valid as so modified.

In discussing that act the Supreme Court of Kentucky said:

The language employed shows that the general assembly was willing that one of the commissioners should hold his office for six years—two years longer than the constitution will permit. As the general assembly expressed a willingness that one of the commissioners should hold for two years longer than the constitution permits, it is certainly reasonable to conclude that it was the will of that body that the commissioners should hold for four years, as this term is necessarily included in the longer one which is fixed. To hold the act void in so far as it makes the term six years instead of four, still the balance of the act is complete and enforceable. The purpose and intent of the general assembly that the commissioners should manage and control the penitentiaries can be effectuated by eliminating from the act that part which attempted to make terms six instead of four years.

Paraphrasing the language of the court in that case, it is certainly clear that the legislature intended and designed that the appointee of the governor should hold as long as the provision of the seventeenth amendment permits him to hold. Indeed, the objection that is raised is that under the Alabama statute he is permitted to hold longer than the seventeenth amendment to the Constitution authorizes him to hold.

So the doctrine of this Kentucky case and the doctrine of the Nebraska case are in accord with the principles I asserted when

I interrupted the Senator from Utah.

Mr. SHERMAN. Mr. President, I have no desire to examine judicial decisions. This is a court of original, exclusive, and final jurisdiction on this subject. The Supreme Court of the United States, which sits at convenient intervals not many hundred feet from this Chamber, can, within its proper jurisdiction, decide by final adjudication any matters committed to its care. We are required in this Chamber to do the same thing. From the decision made by this body there is no appeal. There is nothing which will set aside the judgment entered in the individual case of the person seeking admission into this Chamber. There is an appeal, however, to the only supreme court I know of in American politics, and that is the voters of the

States that are concerned in this precedent.

This precedent, once made, will be a guideboard for any future controversies of like kind that may arise for some five years. There are in this body 94 sitting Senators elected under the old or original Constitution. These 94 Senators all furnish potential grounds for contests of this kind. In the event of death, resignation, or removal there would be a like question presented, provided the governors of some 46 or 47 States should take the same view of their powers and their duties that

the governor of the State of Alabama has taken.

Because of that precedent, I do not care for the effect of judicial decisions. Within the province of their appointed power I yield the most implicit respect and obedience to the courts of last resort. In this case I give them no binding force whatever. Except by the innate force of their reasoning they have nothing to do with the decisions of this Chamber. If there is any good sense, any sound principle that attaches to the reasoning of these opinions, they are of value here. Further than that they furnish no information to guide a Senator to a just conclusion.

Because of the character of this precedent, governing all the potential contests that may arise hereafter, I voted some days ago contrary to what would be a matter of personal choice, if that were to settle the question. I voted contrary to my political belief, if that were to settle the question; I voted contrary to my desire to accommodate a most estimable gentleman, if that were to settle the question; but none of them does. In making a precedent I know of but one guide for a Senator. It is to make one that will stand the test of time, one on which he can justify himself, not only by the force of reasoning but by the results of that reasoning when applied to governmental operation,

I know, as other Senators here know—some of them much better than I do—the purposes of the seventeenth amendment. It was essentially remedial in character. It was designed to change vitally the method of selecting Members of this body. It did change the methods that had been in vogue for the 127 years of our national existence under the original Constitution.

I am of the opinion, Mr. President, and I believe it is borne out by text-writers—not alone judicial decisions, but text-writers—and by those who have given thought to the subject in legislative bodies—tribunals like the Senate—that in matters of constitutional revision or amendment, like the seventeenth amendment, there can be but offe conclusion. When an amendment covering the entire subject, or when an entirely revised constitution is substituted for a former provision or for a former constitution, the former constitution or former provision ipso facto ceases to exist.

For 127 years Senators had been elected by the legislatures of the several States. For some time the amendment was agitated. I shall not go at length into the merits or demerits of that controversy. It is settled. It serves no useful purpose here, save as it may shed light upon the motives, first, of those who drew the amendment and afterwards those who adopted it.

Let me premise here with the statement that I do not agree with some of the Senators who say that it is material if it were the intention of those who drew this amendment that these vacancies should be filled by the governor; that it was the purpose of those who wrote it or are responsible for its draft that like action should be had to that taken by the governor of Alabama. I do not think that makes any difference. I do not care what was the purpose of the man who drew the amendment. If every Senator here who drew it or had anything to do with it, if every Member of the House of Representatives who finally voted for its submission, agreed with the contention of those who support the admission of Mr. Glass, it would not control in this case.

I do not care what the intention of the Senate was. It is immaterial what the intention of the House of Representatives was. They did not make the amendment. It possessed no vitality when it left the Senate. It had in it no breath of life when it left the House of Representatives as a joint resolution. It was afterwards submitted—to what? To the Senators? To the Representatives? No! All they did was to exercise a discretion about how and when it should be submitted, to control its language. After they so controlled its language by writing it in a given form, it went out to the 48 States for ratification or rejection in that exact form.

It is immaterial what Congress had in mind. What I am trying to discover is, What did the people of, or the legislatures of, 36 States have in mind when they ratified the seventeenth amendment? What they had in mind is of some consequence. It sheds some light upon what construction we

should put on the amendment in this case.

If I were to refer to the popular understanding in States where I have some acquaintance with it, I should be entirely justified in saying that the people who ratified this amendment, through the agency of the several members of the legislatures of the States they represented in their several districts, supposed this was an amendment to permit the election of Senators by direct vote of the people in those States. They did not think it meant that in the event of vacancies occurring nearly or quite five years from the 4th day of March, 1914, by reason of death, resignation, or removal, Senators for a term of five years should be subject to the provisions of the original Constitution if they became candidates to fill the vacancies.

That is what this proposed precedent does. It does not simply admit Mr. Glass, but it is a virtual declaration that in these potential vacancies, some 32 of them, running for nearly six-year periods, five years from the 4th of next March, the precedent thus made ought to be adhered to. We can not vote to admit Mr. Glass and then at some future time, say, the 1st day of April next, vote to establish some other precedent in the case of some other applicant.

Suppose a Senator from some State like Rhode Island or North Dakota resigns or dies and the governor of that State does as the governor of Alabama has done. If the governor of that State be a Republican instead of a Democrat, it makes no

difference.

The reason of the rule still persists. Therefore, in the States supposed, if the governor, having no express affirmative act of the legislature to direct or to limit his power, under some implied authority of a former statute of the State, neglecting to call a session of the legislature to legislate on filling the vacancy, exercises the power himself, the same question is presented. The precedent is made. We can not well, in the light of reason, or paying attention to the force of public opinion, if

that be of any consequence whatever, or to the sense of consistency, if that amounts to anything at all, vote to change this precedent once made. Therefore it becomes a guiding decision, not only in this case but in 32 other cases, in some of which it may run from to-day more than five years in the event of a vacancy; in others it may run four years; in others it may run practically a year and a half or two years.

So this precedent, once made, becomes a construction of the seventeenth amendment, and that construction is in flat derogation of the understanding of the seventeenth amendment when ratified by the 36 States, as I understand it.

I think this is of some importance, not necessarily as guiding

the vote of a Senator but in reasoning out the purpose of the seventeenth amendment.

I have an idea that the seventeenth amendment, as construed by this precedent, was never intended to prolong the original Constitution as to the election of United States Senators. I have an idea that it was intended to be remedial; that it was intended to be a complete and a sufficient instrument for the change. Here is something that I know is a rule of government, and I know it is a rule of political action too: Public statutes or constitutional amendments made for the purpose of removing a mischief, remedial in their character, are in every instance to be given a liberal construction. For what purpose? To advance the remedy and to remove the old evil.

If that be so, the seventeenth amendment ought to be construed in such a way as to advance the popular election of Senators. It ought to be construed so that the election of Senators, whether for the full terms of six years, or for vacancies made in terms a part of which have already been served by some Senator, shall be filled by popular election rather than by the method of the original Constitution.

If, in the public opinion, the method of selecting Senators by State legislatures had failed and a remedy was provided by a popular election, a construction ought to be given in the Senate that would advance this remedy rather than one that would retard it. Looking at the amendment in question, which amends section 3 of Article I of the original Constitution, to me it seems apparent that one thing was intended, and it specifically declares that thing. It says that the Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, and that when vacancies shall happen in the office of Senator the governor of the State in which the vacancy occurs shall issue writs of election to fill such vacancies.

That is all, if we stop there; but what is that, up to that A complete change in the method of election; a mandatory direction that Senators shall be elected by the people instead of by the legislatures of the several States. Thus far it makes no provision for a vacancy save to fill it by an election to be called by the governor. The following clause of that section provides for the temporary filling of vacancies. when vacancies shall occur the executive of the State shall issue writs of election. There is not anything doubtful about that. It is an explicit direction. It is a constitutional mandate to the governors of all the States. If the seventeenth amendment ended here, every vacancy could be filled only by an election pursuant to the writ issued by the governor. The interval between the event creating the vacancy and filling it by such election would leave the State without a Senator. To obviate this the governor may have the power conferred upon him by the State legislature to make a temporary appointment until the vacancy can be filled by an election at such time as the legislature may direct. The length of the governor's temporary appointment is determined by the legislature.

The seventeenth amendment being remedial in character, I think it ought to be liberally construed to advance the purposes intended by the amendment. It ought not to be construed in such a way as to postpone the application of that amendment to

the election of Senators by a direct vote.

It seems to me that when the seventeenth amendment was adopted section 3 of Article I ceased to exist. Without raising any question as to the time, we would all agree that it was on the 31st of May, 1913, at least that it became operative. It is possible that it was operative prior to that time, upon the instant that the legislature of the thirty-sixth State adopted it; but, at any rate, it was effective on and after the 31st of May, 1913. On and after that time the old provision of the original Constitution for the election of Senators ceased to exist. Thereafter and now there is but one provision in the Constitution for the election of Senators. No part of the original Constitution on that subject survived. That provision has been quoted here a great deal. I quote so much of it as relates to the filling of vacancies by the executive authority of the State. He is required to issue writs of election to fill such vacancies upon the happening thereof.

It stops with the power in the executive for a single thing. He has no discretion at that point. He must issue a writ of

There is a proviso attached to this clause. A proviso in no instance limits or impairs the body of the section in which it is found unless on the express subject contained in the proviso. The express power contained in the proviso here limits the mandatory order of this clause of the amendment only so far as enumerated. It limits it in a single thing and in none other. It provides:

That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

The only thing this does with the mandatory power in the body of the second clause of the amendment is to provide that the legislature of the State may suspend the mandatory direction to the governor in the body of the clause. That orders the executive to issue an immediate writ for an election. It provides that the legislature has that discretionary power to fix the time of an election, and pending that a governor may appoint to fill the vacancy if the legislature confers that power upon him. It provides that the legislature of a State may fix the time when an election shall be held by the people to fill a vacancy, and the time the governor may appoint is measured by the time when they authorize him to make the appointment and the time when they require an election to be held to fill that vacancy. That period between those two intervals of time constitutes the sole power of an executive to make a temporary appointment.

This is the only limitation upon the mandatory power of this clause. A governor of a State has but one power, and that is limited to the issuing of the writs of election. If he attempts to do anything beyond that without coming within the scope of

this provisó, he has no authority.

In the Maryland case the governor of that State kept within his constitutional power. I wish to observe here that the governor of Maryland in the writ that he issued purported to act and did act by virtue of the authority vested not by a State statute but by the Constitution as amended by the seventeenth amendment. Here is his language:

Therefore, I, Phillips Lee Goldsborough, governor of the State of Maryland, acting by and under the authority and direction contained in the seventeenth amendment to the Constitution of the United States, hereby issue, publish, and declare this my writ of election for a special election to be held throughout the State of Maryland on Tuesday, the 4th day of November, 1913.

And so forth.

The governor of Maryland, either on his own understanding or acting upon competent advice, read in the seventeenth amendment a mandatory direction to him, a plenary authority day they could by their choice select a Senator. They did so. day they could by their choice select a Senator. They did so. The same constitutional mandate that Gov. Goldsborough, of the State of Maryland, had Gov. O'Neal, of the State of Alabama, had. He had the same constitutional power. But he saw fit in the exercise of a political discretion, not a constitu-tional power, to do something else. The exigencies of politics are asked here to furnish the basis of a permanent precedent in the Senate that will go to governors of 48 States, that the mandatory provision of the Constitution in the seventeenth amendment does not apply when it says, "When vacancies happen, the executive of the State shall issue writs of election," unless a governor wills it.

The full term or a vacancy is to be filled but one way, and that is by a popular election, unless a State statute confers on a governor power to make a temporary appointment to fill a vacancy. No question arises except on vacancies. No question raises even on the vacancy if the body of the second clause of this amendment be considered, where it provides that writs shall be issued by the executive of the State. It is only upon the proviso on which the contention arises for a different construction. In the proviso it is said that the governor of the State may appoint, if he is given power by an act of the legislature, until such time as the legislature shall direct an election.

This is not a power contained in the Constitution that of itself vests in the governor the right to appoint. It is a power that is delegated to the legislature of a State. If they do not see fit to exercise the power, there remains under the body of this clause only the mandatory direction to the governor to issue writs of election. It depends on the State legislature whether this suspensory power to fill vacancies by the governor shall be exercised or not.

What is the governor's power under the present Constitution The old power of a governor to appoint during a recess of the legislature was solely a constitutional power. Under the original Constitution the governor always appointed by virtue of constitutional authority. Under the seventeenth amendment, if a governor appoints at all, it is by virtue of a statutory authority. It comes from the legislature of the State to the governor in every instance. It does not exist in the seventeenth amendment. It must flow from an enabling act of the legislature conferring it on the governor. It might be that the governor's power to appoint is a constitutional one, but it is

dormant until aroused by the legislature.

That brings me to another question that I think is of some consequence in illuminating what the seventeenth amendment means. Being remedial in character and to be liberally construed, it being, too, a complete substitute for the original Constitution as written on this subject, it seems to me when that complete substitute is adopted the old method of election is dead, and no Senator shall hold except under the seventeenth amendment; there is but one thing to do in applying its provisions—to construe it so as to require an election of Senators by the people. That was the spirit of the amendment when it was adopted, whatever may have been the spirit when it was written.

This constitutional power is limited only by the act of the legislature. Therefore, in construing what it means, an old statute of a State, I do not think, possesses any efficiency in vesting in the governor appointing power. If the act of 1875 of the State of Alabama required the governor to call an election to fill vacancies, it is said it was repealed by the act of 1909. The act of 1909, it is claimed, vested in the governor power to appoint certain officers. This could not include United States Senators. The legislature could not be reasonably presumed to have had it in contemplation when they passed the act of 1909, if the act of 1909 be relied upon as an authority here, because the Legislature of Alabama had no intention of covering the appointment of United States Senators at that time, because that was provided for by the original Constitution as then in force.

If that be true, then when the seventeenth amendment was adopted only such powers could be implied and only such statutory construction could be made of existing statutes or those enacted prior to the 31st day of May, 1913, as will be in aid of and execute the purposes of this amendment, and not to hinder, delay, obstruct, or entirely prevent the execution of the

remedy designed.

Therefore all the old statutes enforced prior to the 31st day of May, 1913, in any of the 48 States of the Union are wholly powerless to impede or prevent the application of the remedy contained in this seventeenth amendment. If, however, on the other hand, there be statutes that can be invoked to execute the purposes of the seventeenth amendment, they can properly be used because they advance the remedy instead of hindering it.

I think that is not only a sound rule of law, but it is consonant enough with common sense to appeal to the average man, because I know of no rule of law that is not based upon common sense. I know of no rule that distinguishes between common sense and law outside of the technical art of pleading, and that has nothing to do with the abstract justice of any

cause submitted for decision.

Let me restate this case, because it is going to the people of 48 States. I do not so much care what the Senate of the United States thinks about it. I am not talking exclusively to the Senators; I am talking to the people who adopted this amendment. Vote as you please; that is what I am going to do, on an enduring precedent, even if I must vote against a Republican, as I did the other day on a great remedial amendment designed to remove evils that were nation-wide. Scandal followed upon scandal, deadlocked legislature after deadlocked ones, unrepresented States here in this Chamber stretching into weeks, months, and years, investigations that followed from the capitals of many States until they culminated here in the Senate in nation-wide controversies, had occurred. One State was mentioned here—Delaware—by the Senator from Utah [Mr. Sutherland] that was represented by two vacancies for nearly a year. Whose fault was it? Was it the duty of the paternal United States Government to interfere and compel Delaware to send two Senators? The State that I temporarily represent for some 23 months only on my present tenure was represented in this body for 22 days by two vacant seats. Nobody in that State had the hardihood to say that the United States Government was interfering with the sovereign powers of a State. I have a very great respect for the power of the State. The greater part of my active public life has been devoted, so far as I have been able, to the administration, may I hope beneficially, of the sovereign powers of a State.

hope beneficially, of the sovereign powers of a State.

After all these evils, after many years of effort, an amendment was adopted. Whether it will prove an efficient remedy

only time will tell. I have not been as sanguine as some who have supported the measure, although I supported it earnestly for some 10 years before it became a part of the Constitution. I have been disposed to think it will improve the State legislatures as much as, possibly more than, this Senate. But whether it will produce the beneficial results hoped for or not, it is here. Any statute that any one of the 48 States had enough the time it became the constitutional law governing us governing. time it became the constitutional law governing us, governing the electors in the choice of their two Senators, can be used to advance it. That is natural. That is in the order of things. That is following the established rules of construction. It is applying Government operations as they have been applied in many years past. We can use those statutes to facilitate the execution of the seventeenth amendment. No existing statute on the 31st day of May, 1913, can be used to destroy, to obstruct, to delay the remedy that is intended in the seventeenth amend-If anything is to be done to make the proviso in the second clause of the amendment operative, it must be by affirmative subsequent legislation. After the 31st day of May if any one or more of the several legislatures enacted affirmative legis lation vesting in the governor of the State the power to appoint until the people of the State might elect to fill the remainder of the vacancy in such manner as the legislature should direct, that act passed after the 31st day of May, 1913, would be valid and it would be strictly within the scope of the seventeenth amend-

Where does the power come from to make valid or to breathe any life into a statute that existed on the 31st of May, 1913? Nowhere. That only provided what the States might do thereafter. It does not say in accordance with any existing legislation, but it requires evidently affirmative action by the legislatures after the 31st day of May, 1913, in order to avail the State of the power to suspend for a time the provisions that are mandatory in the body of the section; and if the State does not do it, whose fault is it? Nobody can compel a State to elect Federal officers. Suppose a State were to voluntarily decline to elect from its several districts a solitary Member of the House of Representatives, suppose they abstain from electing any Senators, could the State complain? Could it properly come with petition or by other agencies to the seat of power and say that the Federal Government had deprived it of its rights?

You can not compel a State to represent itself; you can only give it the permissive power, and thereafter it depends upon the quickening force of public spirit in that State whether they have representatives or not either in the other House or in the Senate. It is therefore a question for the State to decide. If it does not decide, that is its own fault. So it seems to me that the position that a State is denied its representation here, and that that is in contravention of the provision of the Constitution that no State shall, without its consent, be deprived of its representation here, is not well taken. It is not that a State shall be deprived of representation by its own default; it is that this provision of the Constitution governing amendments is itself unamendable, so that any State may be deprived of equal representation without its consent; in other words, that portion of the Constitution on amendments is not unamendable; a proper amendment can be submitted and ratified by the requisite number of States by which there shall be only 48 Senators in this body, and it would be binding on the other 12 States as well as on the 36 States which ratified the amendment. That would keep the representation equal. If they made the number 5 Senators from each State and increased the total membership to 240, it would be equally binding, because the provision says the State shall not be deprived of its equal suffrage in the Senate. It does not say how many Senators there shall be from each State. We began with two; we have adhered to that number, but there is nothing compelling us forever to keep to that as a sacred number.

The only unamendable provision is that the equal suffrage of the State in the Senate is not to be denied. That, however, is for the benefit of the State; it is permissive. It may enable the State to send here its representatives, but it was never intended that a State should take advantage of its own sluggishness, of its own misconstruction of or opposition to the law, or of its own inability to send its representatives here.

ness, of its own misconstruction of or opposition to the law, or of its own inability to send its representatives here.

There is an entirely good reason why the governor of Alabama does not issue a writ of election. I will be plain about it and say it is not, in my judgment, violating the rules of the Senate when I state what I think is the reason. It is purely political. The governor of Alabama desires to keep in his executive hands the naming of a Senator from Alabama. Our esteemed colleague, the late Senator Johnston of Alabama, whom we all loved, died last May, as I remember. In the intervening time many months have elapsed; in that time the governor of Maryland has issued a writ and there has been

held an election; in that time the governor of Alabama could equally, if he had been so inclined, have issued a writ under the mandatory provision of the Constitution, and there could have been held an election in the State of Alabama. A Senator could have been elected; such Senator could have been knocking at our doors here qualified with credentials, not from a governor, not from one who is attempting to usurp power which belongs to the executive of no State, but with credentials in the name of the qualified voters of the State of Alabama. Then this case would be on a parity with the claims of the Senator from Maryland [Mr. Lee], who was admitted on such credentials.

It is strange to me why Senators here who were so solicitous in arguments about the rights of the people of Maryland not many days ago, 200,000 men having gone to the polls in Maryland and voted, one candidate having received a decided majority, by virtue of that came here and asked admission, now take a different view. I was in entire sympathy with the gentleman asking admission. He is not of my party; but I was unable to escape the inevitable conclusion that the constitutional duty imposed upon the governor of Maryland was properly discharged and that he had nothing to do under that provision of the seventeenth amendment except to issue a writ of election. He had performed his constitutional duty, an election had been held, and the electors of Maryland had sent their Senator

I saw no escape from the logic of the situation, save to vote for the admission of Senator Lee.

To-day there is another situation presented. Those who were so clamorous for the rights of the people, those who a few short days ago were beating high heaven about popular rights, are to-day talking about the rights of the governor of Alabama, about the rights of a sovereign State, about denying representation to a sovereign State, which, either through the inactivity of those in authority or by the usurpation of the governor, who is more than the entire voting body of Alabama, declines to act. We have heard about everybody but the people of Alabama. The governor undertakes now to thwart the intent of the seventeenth amendment and the will of the voter by one fell act of appointment. I am unable to understandand I have no shade of partisan politics in this—why there was such a lusty zeal for the Senator from Maryland, who came here backed with 200,000 votes cast, and why the same reasoning does not apply in the State of Alabama. A great many who were in principle opposed to the direct election of Senators see presented in this opportunity a chance of delaying the application of that undesirable constitutional amendment for some five years. From that, if this precedent is made, there is no appeal save to those who are the constituents of those Senators.

I do not know the fact, but my recollection is that the State of Alabama never ratified the amendment. I shall bear correction with great equanimity if I am wrong; but I think that that State never did ratify the constitutional amendment. Senators to whom I have referred are entirely consistent; but a consistent man is not always right, though he may be consistent in his error. They were opposed to the amendment, and they are now opposed to the election by the people of the State of Alabama of a Senator.

Mr. BANKHEAD. Mr. President—
The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Alabama?

Mr. SHERMAN. I yield.

Mr. BANKHEAD. For the information of the Senator from Illinois, I will say that the Alabama Legislature has not been in session since the seventeenth amendment to the Constitution was ratified.

Mr. SHERMAN. Why, may I inquire?

Mr. BANKHEAD. Because the legislature meets every four years

Mr. SHERMAN. All right.

BANKHEAD. Then I should like to ask the Senator from Illinois, while I am on my feet, if the Illinois Legislature has ever passed a statute under which Illinois can hold an election in accordance with the provisions of the amendment? Has the Senator's State provided for that?

Mr. SHERMAN. Yes, sir. Mr. BANKHEAD. When? Mr. SHERMAN. Such an act was passed on the 25th day of June, 1913.

Mr. BANKHEAD. That was a regular session of the legisla-

Mr. SHERMAN. It was a regular session of the legislature. I will tell the Senator another thing that might be material along that line. In March, 1912, there were two very distinguished candidates for President in this country. They did not

agree. One wanted to adhere to the old way of selecting delegates, the other wanted a direct election by the voters. They came out to our State and asked for a presidential preferential primary. The governor of our State, while it cost a little money, called the legislature in special session, and such a law enacted. Its application cost in the neighborhood of \$130,000, but it was worth the money for the candidate who won; the other candidate likely did not think it was. have regarded it as a horrible waste of public funds.

Let me read something from the constitution of Alabama. constitution provides for quadrennial sessions of the legislature, and that constitution was made by the people of Alabama, who, in making their organic act, regulated it to suit themselves. So every four years there is a 60-day session of the legislature.

Sometimes in the excessive zeal for reform the reformer goes to the opposite pole. Long sessions of legislatures have become sometimes a menace in many States, especially the larger States or the States containing the larger cities, where questions of "great pith and moment" come up, in which there is a radical difference of opinion, so that sessions have been long drawn out in many States. I know of sessions that have continued for nearly six months in my own State, and in other States they are continued, where no limitation has been placed upon them; but in Alabama not only are there quadrennial sessions of the legislature—that is some protection in itself; the people ought to be able to recover their breath in four years and become entirely sane, after being outraged and ravaged by a legislature— but in order to "make assurance doubly sure," the constitution of Alabama provides that the legislature shall be in regular session not to exceed 60 days. Still, in that State they want to select Senators by the legislature; they are opposed to the present order of things under the seventeenth amendment of the Constitution. A 60-day session suffices to elect a United States Senator, to say nothing of passing supply bills for the State and taking care of general legislation. So out of the fear of one evil they have flown to the opposite extreme—quadrennial sessions to last but 60 days. Why, in some of our States, as in New York, in Illinois, in Pennsylvania, a man could hardly get to the pay roll in 60 days. [Laughter.]

Special sessions or extraordinary sessions are not such public calamities as many people think. Some good has come out of them. Section 122 of article 5 of the constitution of Alabama

The governor may, by proclamation, on extraordinary occasions, convene the legislature at the seat of government, or at a different place, if, since their last adjournment, causes shall appear; and he shall state specifically in such proclamation each matter concerning which the action of that body is deemed necessary.

What is the matter with the governor? Has he no power? Has paralysis suddenly fallen upon him? Have the ' the mighty" smitten him with some strange misunderstanding? Why does he not issue a proclamation? What kinds of causes? Trivial ones, that are frivolous and of no moment? No. Whenever he thinks the causes are such as to be "deemed necessary." Is the election of a United States Senator in Alabama necessary? You say it is. Then, why do you not elect him? governor has the power to call your legislature in extraordinary session to provide for it. Why does he not do it? Have the members of the legislature all resigned? Are they dead? Are they fugitives from justice? Are they disabled? Are they unable to agree? Could they not legislate to elect a Senator if convened, and, if they could not, where is the power to come from?

Suppose there is a deadlocked legislature; suppose they could not legislate. That has happened every once in a while. I have known legislatures to fail repeatedly in the enactment of legislation because they could not agree, and they have been hung up for many days, and adjournments have come and no action had. The governor could call an election under his constitutional power.

It must be that the governor of Alabama does not deem it necessary to call a special session of the legislature. If he called a special session of the legislature, it could, by an enabling act, vest in him under the proviso in the second clause of the seventeenth amendment the power to appoint. At the same time the legislature could provide that the governor could issue a writ for a special election to fill the vacancy, if he believes he has no such constitutional power

That leads me to consider this point: What can a legislature do after they have convened? Suppose the governor of Alabama should convene it in extraordinary session under his constitutional prerogative—and it is a high prerogative to do so—what could it do? It is within the discretion of the Legislature of Alabama to vest in the governor the power to appoint—for how long? Until an election by the people in such manner as the legislature may direct. That does not, as argued,

of itself make a mandatory provision requiring some direction of the legislature; but I think that refers entirely not to the way in which the election shall be held. Most States now have ample election machinery for this purpose. All they need to do is to make it applicable to a United States Senator by a single amendment to an existing statute. The time of election, when it shall be held, and for how long the governor shall fill the temporary vacancy pending such election is statutory.

That authority to issue election writs is necessarily under the seventeenth amendment a constitutional authority. It may be suspended in part, and it is by the proviso; but when it is so suspended it must, by an affirmative subsequent legislative act, vest in the governor the power to make a temporary appointment until an election shall be called, and the governor issues a writ for that election at the time provided in the act. That is

what it means; that is what it says.

Legislative construction has something to do with it and is worth something. The legislatures, I think, of two States have already given an interpretation to this constitutional amendment. The Legislature of Illinois has enacted the following provision, approved in June, 1913, as an amendment of section 130 of the general election laws by adding:

130a. When a vacancy shall occur in the office of United States Senator from this State, the governor shall make temporary appointment to fill such vacancy until the next election of Representatives in Congress, at which time such vacancy shall be filled by election, and the Senator so elected shall take office as soon thereafter as he shall receive his certificate of election.

There is one other State in the Union-I thought I had a memorandum of it, but I have not; I saw a brief dispatch which I cut out and made no further note of it—which has enacted a like statute since the 31st of May, 1913.

The provision enacted by the Illinois Legislature is an enabling act passed subsequent to May 31, 1913, and is in execution of the proviso of the second clause of the seventeenth Further, it is to promote and advance the popular remedy of the direct election of Senators. Any statute that has been in force in Illinois or any other State that would be promotive of the remedy would be applicable. That is a reasonable conclusion, it seems to me, because when power is granted in any remedial statute or in any remedial amendment of an organic act all of the incidental means necessary to execute that power are implied in the granting of the power. There is nothing to be implied, however, imported into, or annexed to the provision or the language in which the power is conferred to obstruct, hinder, or destroy the remedy. All of the arguments here proceed on the idea that some construction shall be put upon the constitutional amendment which will delay its opera-tion for a potential five-year period as to 32 Senators.

The statute of Alabama, sought to be invoked here in order to give validity to the governor's appointment, is a preexisting statute, not one that has been enacted subsequent to the promulgation of the seventeenth amendment.

I know it does not do any good to do so, and I never read decisions in a political case; I quit that 20 years ago; I do read sometimes from texts, because in the settlement of original cases like this it is only by the exercise of such reasoning faculties as we possess that we are able to solve questions presented for the first time. I read from Cooley's Constitutional Limitations:

Narrow and technical reasoning is misplaced when it is brought to bear upon an instrument framed by the people themselves, for themselves, and designed as a chart upon which every man, learned and unlearned, may be able to trace the leading principles of government.

What did the men, learned and unlearned, understand this amendment to mean? Whether or not lawyers agree we need not stop to discuss, for lawyers seldom agree if there are two or more of them; but what did the average man understand the seventeenth amendment to mean? He understood it to mean that after proclamation by the Secretary of State on the 31st of May, 1913, that it had been ratified by the requisite number of States, all Senators of the United States were to be elected by the direct vote of the people of the several States.

Reading further from Cooley:

A reasonable construction is what such an instrument demands and should receive; and the real question is what the people meant and not how meaningless their words can be made by the application of arbitrary rules * *

Where a constitution is revised or amended, (a) the new provisions come into operation at the same moment that those they take the place of cease to be in force.

In another place, referring to the interpretation of constitutions, the same authority continues:

We are not to import difficulties into a constitution by a consideration of extrinsic facts when none appear upon its face. If, however, a difficulty really exists, which an examination of every part of the instrument does not enable us to remove, there are certain extrinsic aids which may be resorted to and which are more or less satisfactory in

the light they afford. Among these aids is a contemplation of the object to be accomplished or the mischief designed to be remedied or guarded against by the clause in which the ambiguity is met with. When we once know the reason which alone determined the will of the lawmakers we ought to interpret and apply the words used in a manner suitable and consonant to that reason and as will be best calculated to effectuate the intent.

The adverse construction of the seventeenth amendment projects the old method of electing Senators potentially five years into the future as to every Senator who held a seat here on the 31st of May, 1913, beginning March 4, 1913. It really makes the seventeenth amendment retrospective in its avowed purpose, and postpones the remedy instead of advancing it.

I wish to add here-I am hurrying along as much as I can, for I have occupied more time than I wished—that nobody has a vested right to an office. I have heard with astonishment for the first time in the Senate—and I have practiced in the courts for 30 years of my life—that a public officer has a vested right in a public office such as a man has in a quarter section of land out West; that you can not take an office away from him without trying the case and condemning the office for a public purpose, as it were, and paying its value under the eminent-domain process, applied in some mysterious way.

There is no such thing as a vested right in a public office. At any time, either by constitutional or statutory law, according to the source of that office, whether it be constitutionally or statutorily created—that is the test—the same authority that created the office can destroy it without any regard to the man holding that office. The only limitation in this instance is that if we destroy one of the Senators from one State we would have to destroy a Senator from every one of the 48 States of the Union, so as to keep equal the suffrage of the States in the Senate; but, there being no vested right in an office, how does the human being—I am not going to say now anything about a person—how does the human being occupy six years of a senatorial term? If he starts in with an even six years, he occupies the office by virtue of the Constitution for six years, if he does not resign or is not removed or is not translated to another sphere of action. If none of those contingencies happen he holds it for six years. What is a "term"? It is a time. What is "time"? A measured portion of duration. There is nothing under the heavens that could change that six-year term but a constitutional amendment altering it. No construction we could put upon it would change it. The six-year term can not be affected, as was cogently argued by the Senator from Utah [Mr. Sutherland]. That has occurred to me many times in my reflections on this subject. The six-year term can not be changed; you can not shorten it; you can not lengthen it; but as to the Senator who occupies that six-year place, holding a delegated power during that time, something may happen, some one of the contingencies to which I have referred may remove him, and then there is a vacancy. We call it a vacancy in the office; but in reality the term is there. You can not destroy it. Time is only a poor invention of mortals to describe something we do not understand. Nobody knows what it is. The nearest we can come to it is saying it is a measured portion of the enduring things or phenomena that we see around us. If the earth would quit revolving, we would have to get a new method of computing time. That is the only thing we are able to measure time by now.

As to this period of six years, when a man dies or one of the other contingencies happens and he ceases to hold his office there is a vacancy; nobody is in there; there is an official vacancy in that period. Consequently the human being who holds that office for the time being can be affected, but the term can not be affected. It never was supposed by the citizens who voted to ratify the seventeenth amendment or by the lawyers or Senators who framed it that we were affecting the six-year artificial thing which we call a "term." Whether it is 6 years or 6,000 years is immaterial; it is a fixed portion of duration and we measure it in that way. Nobody ever thought that could be affected by any language used in the seventeenth What they did think was that, there being no amendment. vested right in an office, possibly the seventeenth amendment when ratified and proclamation made would deprive sitting Senators of their seats. There is not a lawyer who does not know what I am about to state, assuming now that lawyers have a small measure of common sense—laymen sometimes think they have not, and I am not going to quarrel with thembut assuming that they have some small measure of it, what did they intend, with the knowledge that every practical lawyer has?

There is hardly a justice of the peace in the country who does not know that an office may be destroyed at any time by the authority that makes it. In order to defend against that destruction of the office, or interference with its being held by the

person then in it, necessitating another election and the expense incident to the State authorities calling an election to fill vacancies that might be thereby created, out of caution they added that provision that the election or term of any sitting Senator should not be affected, lengthened, shortened, or destroyed.

If this is the right view, I am unable to see why, first, the governor of Alabama can not convene his legislature in special session. If the legislature is convened in special session, it can do one of two things or both. It can authorize the governor to appoint until the election in November, 1914, for instance. That would be a convenient interval, and there would be no ex-That would be subsequent legislation. It would be in pense. aid of and to enforce this amendment rather than to take the old statute in existence prior to the 31st of May, 1913, in hindrance of it. Or it could require an immediate election.

Because of the final effect of the precedent to be made I have taken this half hour in order to set out at some length in the RECORD the reasons that prompt me to vote against the admission of Mr. Glass. I believe that in the promotion of this remedy the only view we can take is that it is indispensable in the execution of the amendment that the governor of the State, if he wishes the power to appoint, shall convene the legislature in special session, so that it may give him the power and may, if necessary, fix the time when the election shall be held. the absence of that the man knocks at the door here bearing purported credentials without any constitutional title to the

During the delivery of Mr. Sherman's speech, The PRESIDING OFFICER. The Senator from Illinois will kindly suspend. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the unfin-

ished business, which the Secretary will now state.

The Secretary. A bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

Mr. SMITH of Georgia. I ask unanimous consent that the bill be temporarily laid aside pending the consideration of the election case.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? There being no objection, it is so ordered.

Mr. BORAH. Mr. President, I gave notice several days ago that at the close of the morning hour to-day I would address the Senate upon a resolution which is on the table. I do not desire to interfere with this matter, which is, of course, as we all understand, a question of the highest privilege, but I was of the opinion possibly that if the request was made we might vote upon this election case at 3 o'clock; and if so, I could complete my remarks after 3 o'clock.

Mr. BANKHEAD. Mr. President-

The PRESIDING OFFICER. The Senator from Illinois has the floor. Does the Senator from Illinois yield?

Mr. SHERMAN. If there is any other order of business that the Senate prefers to take up, I will not interfere with it.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. To whom does the Senator from Illinois yield?

Mr. BANKHEAD. If the Senator will permit me, I do not

desire to make any extended remarks.

Mr. SHERMAN. I yield.

Mr. BANKHEAD. I simply wanted to submit a suggestion to the Senate that will not disturb the Senator at all.

Mr. President, I am not going to ask unanimous consent, because I understand that would necessitate the calling of the roll and it would consume time, but I ask if we can not agree that we will vote on the pending resolution to-day at 3 o'clock?

Mr. SMITH of Georgia. Not later than 3.

Mr. BANKHEAD. Not later than 3.
Mr. SHERMAN. I object.
Mr. BRANDEGEE. Mr. President, I should like to make a parliamentary inquiry. What would be the status of such an agreement?

Mr. BANKHEAD. It would be simply a gentlemen's agreement that the Senate shall vote at 3 o'clock.

Mr. BRANDEGEE. The rule provides for unanimous-consent

agreements.

Mr. BANKHEAD. I am not asking for unanimous consent. Mr. BRANDEGEE. I do not know what such an agreement would be.

Mr. SMITH of Georgia. It simply amounts to a request by the Senator from Alabama that Senators complete their speeches and get through by 3 o'clock.

Mr. BRANDEGEE. I supposed there might be some ulterior and latent construction put upon it.

Mr. BANKHEAD. I assure the Senator that I had not for a moment any such purpose.

Mr. BRANDEGEE. There may be very meritorious ulterior purposes, and I thought it might be of that character.

Mr. BANKHEAD. My only desire is to hasten the conclu-

sion of the pending resolution.

Mr. BRANDEGEE. I have no objection whatever, and I would not object to unanimous consent being granted if requested, but the agreement the Senator proposes is something that has no parliamentary status whatever. It would bind no one except Senators here, whereas a unanimous-consent agreement would bind everyone.

Mr. BORAH. Mr. President-

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. BORAH. Will the Senator from Illinois yield to me for a moment?

Mr. SHERMAN. Yes, sir. Mr. BORAH. Would not the Senator from Alabama prefer unanimous-consent agreement that we shall vote at 3 o'clock? Mr. BANKHEAD. I would; but under the rule, if I asked for a unanimous-consent agreement, we must have a roll call in order to secure a quorum.

Mr. KERN. I think the rule requires the roll to be called only in the case of a unanimous-consent agreement as to a joint

resolution or bill.

Mr. BRANDEGEE. Will the Senator from Alabama kindly let me suggest that the Senator from Illinois informs me he would object to a unanimous-consent agreement to vote at 3 o'clock. I simply make this statement that we may avoid the necessity of having the roll called to develop a quorum to con-It is known in advance that it will not be agreed to.

Mr. BANKHEAD. That was the reason why I did not suggest a unanimous-consent agreement. I thought we might have what is sometimes called a gentlemen's agreement and all would

be willing to abide by it.

Mr. BRANDEGEE. The trouble is it would not bind any Senators who are not here, and they are in a majority.

Mr. BANKHEAD. I understand it would not bind any except those present.

The PRESIDING OFFICER. The Senator from Illinois has the floor if he wishes to proceed. If not, the Chair will recognize some other Senator.

Mr. SMITH of Georgia. Mr. President—
The PRESIDING OFFICER. Does the Senater from Illinois yield to the Senator from Georgia?

Mr. SMITH of Georgia. For just one word.

Mr. SHERMAN. I yield.

Mr. SMITH of Georgia. I only want to say that I hope the Senator from Idaho will not understand that those of us who are interested in the agricultural-extension bill will be willing to lay it aside when the contested-election case is over, the morning hour having expired.

Mr. SHERMAN. If the Senator from Idaho prefers to proceed, I will be very glad to yield, that he may speak in pur-

suance to the notice that he has given,

Mr. BORAH. I would not take the Senator from Illinois off the floor. I am perfectly willing that the Senator shall conclude.

Mr. SHERMAN. That probably would leave this matter

pending for further discussion. What I want to have understood is that, so far as I have any right to the floor, without losing my right for a subsequent discussion of this question, I would be glad to yield to the Senator from Idaho.

Mr. BORAH. I do not desire to have the Senator yield. I prefer that he should conclude his remarks, and I then will see

if I can get the floor.

After the conclusion of Mr. Sherman's speech,

Mr. BORAH. Mr. President, as I suggested a few moments ago, I gave notice of my intention to speak to-day. however, great anxiety to dispose of this matter, and it should be disposed of, it being a matter of the highest privilege. The Senator from Georgia [Mr. SMITH] is also very anxious to conclude the consideration of the agricultural extension bill, because he desires to leave the city. Under those circumstances I withdraw the notice, and shall not undertake to occupy the floor to-day

Mr. CLAPP. Mr. President, I, for one, can see no conflict between this case and the Maryland case, provided authority is

found for the appointment.

After all that has been said about election by the peopleand there is no man who has championed that cause longer than I have, unless he is older-any provision for the election of United States Senators by the people necessarily would have to make some provision for temporary vacancies to be filled by

appointments by the governor.

I, for one, am very clear that if a State statute contained the requisite authority prior to the enactment of the seventeenth amendment, it would be sufficient, just as in the State of Alabama, under its statute which authorizes the governor to fill any vacancy in a State office by appointment, after the enactment of that law the legislature constitutionally authorized to do so might have created some office that was not known when the authority to make the appointment was enacted into law, and that authority, of course, would apply to the office thus created.

I am also very certain, and I do not think anyone has really planted himself upon firm ground to the contrary, that the office of United States Senator is a State office, as distinguished from a Federal or United States office. But, Mr. President, while I was of the opinion that Mr. Glass should be seated, and while I even authorized the Senator from Kentucky [Mr. Bradley] to sign my name to his report, I am satisfied now that a fair interpretation of the proviso in the second paragraph of the seventeenth amendment to the Constitution applies only to the temporary vacancy that exists where a law has been already enacted for the election of Senators under the amendment.

I do not think any man should stand upon the pride of his opinion. While it is very pleasant to insist upon the correctness of one's position, I think it goes without saying that when he is thoroughly convinced that that position is erroneous

it is his duty so to state. The proviso reads:

Provided, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

While the language relating to the election as directed by the legislature follows the authority to empower the executive to make the appointment, I am fully satisfied, upon a careful study of this provision, that the power to authorize the executive to make the appointment is dependent upon the existence of a legal situation where an election has been already provided for in some form.

Under the statutes of Alabama no provision exists at this time for the election of a United States Senator. In my own State there is such a provision. If such a provision existed in Alabama, although the authority to make the appointment antedated the transfer of the election from the legislature to the people, I should be very clearly of the opinion that it had application to the case of a United States Senator.

In construing this constitutional provision and this proviso, while the suggestion would not apply to Alabama, because I think Alabama is overwhelmingly in favor of the election of United States Senators by the people, yet the Congress has no power or means by which to enforce the amendment by affirmative legislation. Therefore there is a sufficient reason that the authorization under the seventeenth amendment for the appointment by the governor be conditioned upon the action of the legislature, and, where the action of the governor is essential in calling a special session, the action of the governor previously making provision for the election of a United States Senator. Otherwise, I can readily see how to quite an extent the purpose of the amendment might be defeated.

Having reached this conclusion, being satisfied that it is the correct one, and believing that a man ought not to hesitate because of any pride of opinion, when the vote is taken on the right of Mr. GLASS to a seat in the Senate I shall vote in the

negative.

The PRESIDING OFFICER (Mr. ASHURST in the chair) The question is on the amendment, in the nature of a substitute, proposed by the Senator from Arkansas [Mr. Robinson] to Senate resolution No. 249, which substitute the Secretary will now state

The Secretary. As a substitute for the resolution reported by the majority of the committee, the Senator from Arkansas [Mr. ROBINSON] proposes the following:

Resolved, That Frank P. Glass is entitled to a seat in the Senate of the United States as a Senator from the State of Alabama.

Mr. MARTINE of New Jersey. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER. The Senator from New Jersey suggests the absence of a quorum. The Secretary will call the

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Norris	Simmons
Bankhead	Gronna	O'Gorman	Smith, Ariz.
Borah	James	Overman	Smith, Ga.
Bradley	Johnson	Page	Smith, Md.
Brandegee	Jones	Perkins	Smith, S. C.
Bristow	Kenyon	Pittman	Smoot
Bryan	Kern	Poindexter	Stephenson
Chamberlain	Lane	Pomerene	Sterling
Chilton	Lee, Md.	Ransdell	Sutherland
Clapp	Lippitt	Robinson	Swanson
Clark, Wyo.	Lodge	Saulsbury	Thompson
Colt	McCumber	Shafroth	Tillman
Cummins	Martin, Va.	Sheppard	Townsend
Dillingham	Martine, N. J.	Sherman	Vardaman
du Pent	Myers	Shields	Walsh
Fall	Newlands	Shively	Williams
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Mr. SHEPPARD. I wish to announce the necessary absence of my colleague [Mr. Culberson] and to say that he has a general pair with the senior Senator from Delaware [Mr. DU PONT1

Mr. CLARK of Wyoming. I desire to announce that my colleague [Mr. Warren] is detained from the Chamber by illness.

Mr. MYERS. I announce the unavoidable absence, on account of sickness, of the senior Senator from Missouri STONE]; and I further announce the absence from the Senate Chamber, on account of illness, of the junior Senator from Missouri [Mr. Reed]. On the question under discussion the junior Senator from Missouri [Mr. Reed] is paired with the senior Senator from Michigan [Mr. SMITH].

Mr. SMITH of Georgia. I wish to state that my colleague

[Mr. Bacon] is still detained from the Senate by sickness.

Mr. RANSDELL. The senior Senator from Louisiana [Mr.

THORNTON] is absent on account of sickness.

The PRESIDING OFFICER. Sixty-four Senators having answered to their names, a quorum of the Senate is present. The question recurs on the adoption, as a substitute, of the amend-

ment proposed by the Senator from Arkansas [Mr. Robinson].

Mr. POMERENE. Mr. President, I very much regret that after a very careful examination of the law I am not able to vote to seat Mr. Glass. His high character and ability would make it a pleasure to vote to seat him; but, in my judgment, if he should be seated, it would be in violation of the seventeenth amendment.

I do not think the seventeenth amendment can be misunderstood. It is easier to understand it than to misunderstand it. At the time it was discussed on the floor of the Senate I dare say every Senator was of the opinion that after it was ratified by three-fourths of the States every Senator who thereafter obtained a seat in this Chamber would be here under the provisions of the seventeenth amendment.

At the time this amendment was being discussed by the Senator from Kansas [Mr. Bristow] he made, in part, this explanation on May 23, 1911:

The Constitution as it now reads, referring to vacancies in the

The Constitution as it now reads, referring to vacancies in the Senate, says:

"And if vacancies happen by resignation, or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies."

Instead of that, I provide the following:

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies."

Which is exactly the language used in providing for the filling of vacancies which occur in the House of Representatives, with the exception that the word "of" is used in the first line for the word "from," which, however, makes no material difference.

Then my substitute provides that—

"The legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct."

That is practically the same provision which now exists in the case of such a vacancy. The governor of the State may appoint a Senator to fill a vacancy until the election occurs, and he is directed by this amendment to "issue writs of election to fill such vacancies."

That is, I use exactly the same language in directing the governor to call special elections for the election of Senators to fill vacancies that is used in the Constitution in directing him to issue writs of election to fill vacancies in the House of Representatives.

So far as my knowledge goes, the construction which the

So far as my knowledge goes, the construction which the Senator from Kansas placed upon the language of this amendment as submitted by him was not challenged by any Senator on the floor of this Chamber. The language which was used by the Senator from Kansas was practically the same, and I believe the very same, as the language used in a similar joint resolution submitted by Mr. Tucker in 1892. On page 5 of the report which was submitted by Mr. Tucker to the House, this statement was made:

That the title of no Senator may be affected who, at the time of the adoption of the amendment, holds his seat at the hands of the

legislature of his State as now provided by the Constitution, the last provision is inserted out of abundant caution.

In other words, the purpose of this amendment as framed by Mr. Tucker, and as later adopted by the Senator from Kansas [Mr. Bristow], was to protect the title of every sitting Member.

There was a reason for that. It could not have been the purpose of the Senate nor of the House nor of the general assemblies of the several States to interfere in any way with the title of any sitting Member of this body. It seems to me that is the only construction which can be placed upon the language of the seventeenth amendment. No sound reason can be urged why the old system of election should continue after the new method was adopted.

The first paragraph of the amendment provides:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for six years; and each Senator shall have one vote.

That was the general, all-controlling constitutional rule which was ratified by the people. There was no exception to that rule, save and except as it is written in the seventeenth amendment. It was contemplated at that time that vacancies would occur by resignation, by death, and possibly by expulsion from the Senate. Knowing that vacancies could occur, out of abundance of caution the Congress provided in the joint resolution the only occasions when a departure could be made from the rule of election by the people, and that was done in the language of the second paragraph;

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies.

It is made the duty of the executive so to do. The only possible limitation placed upon the method of filling vacancies is in the proviso:

That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

Not "as the legislature has directed," but "as the legislature may direct."

It was not contemplated at that time that the States generally had adopted any rule whereby the executive could appoint. For what reason? Because the only power the governor had to fill a vacancy was derived from the Federal Constitution itself, and that was the condition when the Legislature of Alabama enacted the statute to which reference has been made.

The Federal Constitution had given to the governor the right under certain contingencies to fill vacancies until such time as the legislature should convene. The Legislature of Alabama must have had that in mind when they made the provision in their own code whereby vacancies in the State offices might be filled by the governor by appointment. There was no reason why they should attempt to cover the same ground that was covered by the Federal Constitution, and if they had had it in mind it would have served them no good purpose, because the legislature then was without any authority whatever to pass any law giving to the governor the power to fill a vacancy.

That being the situation, and I am not going to take the time to discuss that statute, suffice it to say, in my judgment, by every rule of reason, a United States Senator is not a State official, and if he were a State official the language of that statute is not broad enough to give authority to the governor to appoint. It seems to me that appears very clearly by a reference to the statute itself. It reads:

That when any office of the State, of any county or municipality thereof, is vacant from death, resignation, removal from the municipality, county, or State, or because the former incumbent absconds, or because an incumbent has been removed for ineligibility, or when the office is vacant from any other cause, and there is no way provided by law for the filling of such vacant office, the governor is hereby empowered and required to appoint a qualified person to fill the unexpired term of such office.

"The unexpired term of such office." Clearly that does not apply to the appointment of a United States Senator when he can not be appointed by the governor for the unexpired term, but only until the legislature convenes.

But let us examine for a few minutes the language of this third paragraph of the seventeenth amendment. The doubt that seems to be in the minds of some Senators is as to what construction shall be placed upon the words "term of any Senator." The language of the third paragraph is:

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

If any Senator had been asked after this amendment was ratified whether it would be constitutional for a Senator to be appointed by a governor of a State without being authorized by an act of the legislature at once he would have said, "No." If any Senator had been asked whether it would have been possible to fill any vacancy in the United States Senate except by

the method provided by the seventeenth amendment, he would have said, "No." But now, in order to justify the position taken by those Senators who favor the seating of Mr. Glass, they say that Senators are divided into three classes, one to serve for two years, one for four years, and one for six years, as if the term of office was applicable alone to the term which was originally adopted or to a succession of terms thereafter. In order to give it this interpretation, then, it is necessary that vacancies in Senators of the one class shall be filled under the old Constitution for the period of two years, to fill a vacancy in another class for the period of four years, and to fill a vacancy in the third class the old Constitution shall prevail for a period of six years.

But even that strained construction is not sufficient. They have to go the further length and say that every Senator who sits here by appointment by the State executive or for an unexpired term by the selection of a State legislature has no protection whatever under the seventeenth amendment as adopted. Clearly that is a forced construction to say the least

Clearly that is a forced construction, to say the least.

Then I am reminded that in the State of Louisiana, perhaps a year ago, the legislature of that State elected Mr. Broussand to the Senate. His term of office has not yet begun. It will be more than seven years before it expires. If anything were to happen to him, under the construction which is given to this statute by those who favor the seating of Mr. Glass, his successor would have to be named by the old system.

I do not believe that it was ever contemplated by anyone who had anything to do with the passing of the resolution embodying the new amendment or with its ratification that the old Constitution was to be in effect for two years with respect to one class, for four years with respect to another, and for six years with respect to the third. All language must be given its natural effect. This language taken of itself is clearly understood. In my judgment everyone who has looked into the proposition believes that from the time it was ratified Senators were thereafter to be elected by popular choice.

Mr. President, I do not feel that at this late hour I should

Mr. President, I do not feel that at this late hour I should occupy the time of the Senate further. I am thoroughly of the opinion that under the law Mr. Glass can not be seated. The State of Alabama can not complain. It is within her power to have her full representation in the Senate whenever she does it in the right way.

It is said that we ought not to so construe this language as to deprive Alabama of her full representation. We are not so construing. We are simply saying that Alabama, as well as every other State, has the right to full representation when she pursues the course which is laid down by the Federal Constitution.

I marveled somewhat yesterday at a position taken by a certain Senator when he said that in the State of Maryland they gave this amendment one construction and acted accordingly, and we felt bound by it, and that Alabama gave it another construction, and they acted in accordance with their construction, and we ought to be bound by it. By the same parity of reasoning, if there were 48 different constructions given to the seventeenth amendment by the 48 different sovereign States, we ought to be bound by them. In other words, the Senate of the United States is no longer to be the judge of the election and qualification of its Members, but we are to be the judges of the qualifications of its Members, provided, however, that we accept the ipse dixit of the governor of each State, together with the advice of his counselors, and determine this case in accordance with their views and not in accordance with our own convictions. We are sitting here in a judicial capacity, and we ought to determine this case from that standpoint and from that standpoint alone.

Mr. BRISTOW. Mr. President, just a word. During the three years this amendment was under consideration, I do not believe it ever occurred to the mind of a Senator on this floor that after its adoption an appointment could be made to the Senate by any governor, unless it were a temporary appointment pending an election. If every Senator had been individually asked for an expression of opinion at that time as to what this language meant, I do not believe there would have been a single Senator who would not have said that vacancies in the Senate would, after the adoption of the amendment, be filled exactly as vacancies in the House are filled, by an election, provided, of course, that in the meantime the legislature of a State had made provision whereby, pending that election, the governor could make an appointment to fill a vacancy, so that every State would have its quota.

There is no doubt but that the governor of Alabama could call the election in Alabama now. He could have called it months ago. The people of Alabama could have elected a Senator to represent them here as the people of Maryland have done,

and he could have come here with a certificate from the governor of the State stating that he was the choice of the people in an election duly and properly held, and he would have been

given his seat without a word.

If the gentleman who is here claiming an appointment from is entitled to the seat, then the Senator whom we seated from Maryland is not entitled to his seat. You can not say that the people of Maryland can obey the Constitution by electing a Senator and that the governor of Alabama can refuse to obey this mandate and appoint a Senator and we will seat them both. It would make the whole proceedings a farce and would bring down upon the Senate the just indignation of the American people, as it ought, if such an outrage were perpetrated here this afternoon.

If the Senate wants to deprive the people of Alabama of the right to elect their representative here on this floor, it can do it, but it does it openly and boldly, in defiance of the Constitution of the United States, and in defiance of the meaning of the Constitution as it has been declared by a great majority of the

Senators here.

I could not let the opportunity pass without expressing my views with what emphasis I can. I am amazed that it should be advocated here with the seriousness that it has been that Mr. Glass is entitled to his seat. If this proposition had been submitted on any day until to-day the majority against Mr. GLASS would have been two to one, or more, and the gentlemen who have seats on this floor know it. I have heard men declare their opinion without reserve that he had no right to the seat, and I am going to watch with some interest the roll call this

Mr. SMITH of Arizona. Mr. President, the words just spoken by the Senator from Kansas [Mr. Bristow] are to be expected every day from this censor of public morals, whose watchfulness over our conduct here, lest we violate the rules of decency and commit outrages on the people, is possibly pleasing to him, but it is becoming somewhat tiresome to some of us, who feel that we do not need his advice, deserve his censure, or fear his

The Senator says he will watch the roll call to see whether some Senators vote as they said in his presence they would vote.

I am not one of those who are everlastingly seeking to raise

himself in the estimation of people elsewhere by suggesting that his celleagues here have to be "watched." As far as I am concerned, I shall exercise my right to vote as I please, even in face of the ominous threat which has just been made against all here who dare disagree with the most honorable Senator from Kansas.

Mr. President, the Senate has long been, and should forever remain, a dignified body. It is supposed to be a body composed largely of learned, distinguished, experienced men of good man-I shall not emulate the Senator's example by indulging in censure. I have reason to remember with kindness some favors he has shown me. But I can not permit his threat to "watch how Senators vote" to pass me without challenging its propriety and protesting against the superior virtue and honesty assumed in such a statement. This is not all, for the honorable Senator goes even further in declaring that we who dare disagree with his conclusions or vote contrary to his will have perpetrated an "outrage" against the people. No Senator here desires to do that. No Senator on this floor is any less willing, I hope, than the Senator from Kansas to serve the people well. The trouble is that too many public men pretend to serve the people with clamorous voice, while the underlying purpose is to serve themselves. Let us see whether or not we who advocate the seating of the gentleman, bearing the uncontested credentials from the proper authorities of the State of Alabama, are "perpetrating an outrage," either on the people of the State of Alabama or on the people of any other State. The people should elect Senators. I am no recent convert to the cause. I hold, among a very few, my title to my seat here by the direct expression of the people's will. Years ago I advocated the principle of the seventeenth amendment on the floor of the other House of Congress. That amendment is before us for proper construction. I find it difficult to proceed in this argument without repeating what has already been said more forcefully by those who have preceded me.

What was the prime purpose, the only object, of the seventeenth amendment? It was, as we all know, simply and solely to change the mode of electing United States Senators. ing more, nothing less. That amendment accomplished its' design by saying that hereafter Senators shall be elected by direct vote of the people and not by the legislature of the State. such election by the people had occurred, then that amendment prescribed how any vacancy in the six-year term of a Senator

so elected should be filled. That is all the seventeenth amend ment does and all it ever intended to do. Senatorial terms are fixed by the Constitution. Nothing can lengthen or shorten that senatorial term, no matter how many vacancies may occur in it by death, resignation, or otherwise. The term belongs to the State. The State fills it by her choice of the person, and must, of course, do so in the mode prescribed by the Constitu-In my judgment the State of Alabama has done so in this case. Our lamented colleague, Senator Johnston, was duly chosen by the State of Alabama for a term in the Senate, to which the State of Alabama held an inalienable right. He entered upon the discharge of his duties at the beginning of that term, and until removed by death performed those duties with honor to himself, with credit to his State, and with great profit to our common country. A vacancy thus occurred in that term. That term was not affected by his death, however much the loss of his service is deplored. That term remained the same, and is now the same, unimpaired, unaffected by the misfortune meeting the man holding it. Though his voice is stilled, Alabama's voice in this Chamber must be fully heard or violence results to the most sacred clause in that great instrument.

Mr. CLARK of Wyoming. Will the Senator right there per-

mit a question for information?

Mr. SMITH of Arizona. I yield .-

Mr. CLARK of Wyoming. What is the Senator's view as to the procedure that will follow in case the governor's appointment is ratified by the Senate? Will the succeeding legislature elect or will the people elect, or will Mr. Glass serve to the end of the term for which Senator Johnston was elected?

Mr. SMITH of Arizona. I do not know when the next legislature will meet in Alabama, but we all know that under the Constitution no appointment to fill a vacancy can exceed the time of the adjournment of the first succeeding legislature.

Mr. CLARK of Wyoming. The Senator misses what I in-

tended by my question—
Mr. SMITH of Arizona. I did not catch the first part of the

Senator's question.

Mr. CLARK of Wyoming. What I wanted to get in my mind was whether the permanent seating of Mr. Glass following the governor's appointment would be determined by the legislature's election or by an election by the people. Suppose the legislature met before the next election?

Mr. SMITH of Arizona. There is no question as to what would happen under the old Constitution, and my contention is that the amendment does not change it as to existing terms.

Mr. CLARK of Wyoming. Then, as I understand the Senator, and I do not want to misunderstand him, if the governor makes an appointment to fill the unexpired term, or whatever you may call it, the legislature is the one to ratify that appointment or elect when it meets, and not the people acting under the seventeenth amendment.

Mr. SMITH of Arizona. There ought to be no difficulty in To me the question is very simple and understanding me. proper and not difficult to answer to my own satisfaction. There is no necessity of evasion. There is nothing to dodge. My construction of the seventeenth amendment coincides exactly with the construction of it so clearly and convincingly set forth by the able Senator from Kentucky [Mr. BRADLEY] in the luminous address to which we have listened. I go now, as I went from the first, to the full limit that Senator Bradley has To put my conclusions in a word, so that no Senator may misunderstand my opinion, I do not hesitate to say that seventeenth amendment has nothing to do with and never intended to have any change made in the manner of filling the vacancies that might happen in the terms of Senators sitting at the time the constitutional amendment was ratified. The mode of filling vacancies in these terms was unchanged by the amendment. Therefore the appointment by the governor of Alabama of one to fill the vacancy in the term of Senator Johnson until the next meeting of the legislature was not only proper but imperative, and gave Mr. Glass as clear a title to a seat here as is held by any Member on this floor. The State of Alabama is not trying to avoid the amendment. She is acting within her rights; nay, more, she is performing a duty she owes the Constitution in the only constitutional way open to her. In my judgment the governor of Alabama has no power to call an election of Senators. But if he had called one, and the people had elected a Senator, I would vote to seat him, as I voted in the Maryland case.

In this case you opponents invoke a narrow and strained construction of a new amendment, to destroy an essential part of the old charter which lovers of our Government revere, and no man wished or expected to affect by the adoption of the amendment. The amendment in plain language prevented such a catastrophe, by providing that the "term" should not be affected by the amendment; that the State should not be deprived of equal representation on this floor. And so careful was the amendment itself to secure and preserve such constant representation that it secured to all terms which were to begin under it an equally speedy manner of filling vacancies, and preserved the full status quo of all present terms, by declaring in effect that vacancies occurring in any present terms should not be affected by the amendment.

There is now, and was then, no possible way of "affecting the term" for which a senator was chosen, except by changing the mode or manner of filling vacancies. Recognizing this, the amendment provided the mode of filling all future vacancies occurring in terms which begin after its ratification, and to make its purpose clear and unmistakable, it declared that Senators heretofore chosen, and the terms for which they were chosen, shall not be affected by this amendment. It declares that we, the people, are prescribing the mode for the election of future Senators, not the present ones. We are not molesting you nor putting States to trouble and expense and waste of time by a new and expensive mode for filling vacancies that may occur by your death, nor force the States without present machinery available to remain for months or years unrepresented in the Senate, and thus nullify the constitutional guaranty of equal representation of each State in the Senate of the United

Mr. President, I am not one of those so reckless of the rights of the people in any State that I stand ready to disfranchise them here on trivial technicalities. I am not hunting flaws to defeat equal representation on this floor. Those Senators who are preventing-or, as I hope, vainly trying to prevent-such equal representations here may have more wisdom than I, but no more reverence for the Constitution. I am not hunting quibbles to use as excuse for robbing a State, for if I were, I would have voted against seating the honorable Senator from Maryland and have furnished fully as potent reasons for such vote as anyone here who is opposing the credentials handed us by the State authorities of Alabama. Who is complaining Has Alabama sent a word of protest? Has any citizen of Alabama raised a voice against the action of the governor or the propriety of the appointment or the qualifications of the man appointed? Who challenges this seat? Not those most interested in having this vacancy filled. I forbear to press the question further than to say your gratuitous guardianship of that State costs you nothing, your unwilling ward must pay the costs of administration and suffer the consequences of your superior knowledge of the law which we ourselves wrote and disagree on its meaning. Maryland put one construction on its meaning and we seated her choice. Alabama put another—and I think the proper construction—on the meaning of the words, and this Senate is dividing very evenly on whether that construction is right.

The man in whose legal judgment I have such confidence and who flatters me now with his attention, the Senator from Kentucky [Mr. Bradley], whose argument stamps him as a great lawyer, has maintained with signal force that Alabama is correct in the attitude assumed by her, and that Mr. Glass is entitled to his seat. On the other hand, I find my friend from Montana [Mr. Walsh], equally learned in that great profession, denying that contention and asserting with great force and earnestness that Mr. Glass is not entitled to his seat; that Maryland was right and Alabama wrong in their respective understanding of the amendment. In this disagreement of titanic minds, what are you and I to do, Senators, except, as suggested by Senator Bankhead, use our own common sense and judgment, ascertain therefrom what is right and just, and act on the conviction.

There is nothing here threatening the stability of our Government. There will, pray God, be so few recurrences of vacancies in terms of sitting Members that no precedent can be established by our vote here that can affect future cases, because before any other Senators are chosen every State will have provided the means of filling vacancies, under the seventeenth amendment, and all these disturbing wrangles will become, in political importance, a closed book.

But, for the sake of argument, let us concede that I am wrong in my construction. Let us admit that all vacancies occurring in all terms, present and future, must be filled in the mode prescribed by the amendment, and you opponents of the right of Mr. Glass to his seat still meet an unsurmountable difficulty. The amendment prescribes that—

When vacancies happen in the representation of any State in the Senate the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancy by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as a part of the Constitution.

No one questions that if empowered by the legislature the governor, under this language, could name a person to fill the vacancy in a senatorial term. If the governor at the time the vacancy occurred had the power to fill the vacancy under an existing law of the State, then it would be not only useless but criminal and silly for him to call, at great expense to the people of his State, an extraordinary session of the legislature to confer on him power that he already held by act of the legislature.

The Alabama statute has been so often read in this debate that I need only say that it confers on the governor the power to fill all vacancies in all State offices not otherwise provided for in the act. The words that "he shall appoint to fill the unexpired term" do not affect his power to appoint to fill the existing vacancy. If a constitutional mandate or any superior law or subsequent enactment shall intervene to simply shorten the tenure of the person so appointed "to fill the unexpired term," that fact does not affect the original power to make the appointment nor stay the right of the appointee to assume the office and exercise its functions for the time being. But in order to save your contention you are forced to the monstrous assertion that a Member of the United States Senate is not a State officer. Away with such a doctrine. We bear our commissions from our respective States. If you resign, you send your resignation not to any Federal authority but to your State. No Federal power can fill a vacancy in the Senate. Show me a case in all the books that holds even by implication that a United States Senator is a Federal officer as distinguished from a State officer.

Every case cited here that can be tortured to such a conclusion will be found to turn on and to decide the question whether a certain position held by an individual in a State and receiving his pay from the State or some municipal subdivision of the State was an officer or an employee of the State or municipality. The language used by the courts in deciding such cases has been kidnaped and dragged here and put under duress and forced to proclaim political heresies as the solemn judgments of the have no doubt that you Senators are officers of your States; that a vacancy in your term is a vacancy in an office of your State which can and must be filled, under any construction you may place on the seventeenth amendment, through appointment by the governor, where he has been empowered by the legislature to fill vacancies occurring in all State offices. If this case is decided against Alabama by your votes, then I concede that it is the duty of the State at the next meeting of the legislature to declare by statute that the governor shall appoint to fill vacancies in senatorial terms, or, following the other prescribed mode, provide for an election to fill such vacancies. I see no self-executing power in the amendment. Therefore I can see no power either in the Alabama statute or in the amendment under which the governor can call an election to fill the vacancy. Yet I am free to say that if such call is concurred in by the people of the State, and by their votes one is sent here to fill this vacancy, I will as freely vote to seat him as I voted under like conditions to seat the Senator from Maryland. In this course I am not disregarding the Constitution, but adhering to one of its most important provisions, to wit, securing the full representation at all times of each State in the Senate of the

Mr. President, as I said before, there is nobody from Alabama disputing the right of Mr. GLASS to this seat. comes from the people most interested. No voice is heard in protest outside of this Chamber. If seated, the incumbent will only hold until the meeting of the next legislature. The State is trying to violate the Constitution or evade it. It has done neither. The governor showed his purpose to comply with the requirements of the Constitution by seeking and following the advice of the ablest lawyers in the State, including the attorney general and chief justice of the supreme court. In my judgment, they advised him wisely, and he wisely and patriotically followed their advice. The people of Alabama are satisfied. No governor ever lived who could suppress their protest if he acted against their will in a matter of such importance. Their silence is an assurance of their acquiescence. Who, then, should complain?

Mr. President, I have sworn here to protect and defend the Constitution. It needed no oath to insure my allegiance. In voting that the gentleman from Alabama shall be admitted here, I am protecting the Constitution. I am defending the fifth article against a false construction of the seventeenth amendment.

Mr. VARDAMAN. Mr. President, it is not my purpose to deliver a judicial decision in this case. The discussion to

which I have listened and the papers that I have read treating the subject matter involved are variant and conflicting. The able arguments delivered on either side have generated in my mind an element of doubt regarding the constitutional regu-larity in both the case of the Senator from Maryland [Mr. Lee | and that of the senatorial appointee from Alabama [Mr. GLASS]. But I do not think the irregularities are such as to nullify or to vitiate the commission or defeat the right of either of these gentlemen to a seat in the Senate. Mr. Lee has been sented; Mr. Glass, I trust, may be seated.

Now, I want to say that I yield to no man in my ardent ad-

vocacy of the election of Senators by the people. I favored the election of Senators by the people when some of the gentlemen who have grown red in the face in their vociferous denunciation of Mr. Glass's commission were statesmen "to fortune

and to fame unknown."

If the governor of Maryland was authorized by a law enacted prior to the adoption of the seventeenth amendment to order an election, and the election was held under that law, I can not see how Senators can maintain that the governor may not appoint to fill temporarily a vacancy, when authorized to do so by a law enacted prior to the adoption of the seventeenth amendment, which law is not at variance with the terms of the seventeenth amendment, but rather in harmony with its provisions. I prefer the method employed by the governor of Maryland to fill the senatorial vacancy. I prefer the election by the people to all offices; but the governor of Alabama, so far as I know, a man of very high character, learned in the law, patriotic and courageous in the performance of his official duties, who, acting by and under the advice of the highest legal authority of his State, the attorney general and the members of the supreme court, in appointing Mr. Glass employed what he believed to be and what I am not prepared to deny was the only method by which the vacancy in the United States Senate from Alabama could be filled at this time.

In view of all of these facts, Mr. President, considering the diversity of views, the conflicting opinions, the variety of conclusions by men learned in the law, I repeat, while a doubt as to the regularity exists in my mind, I am going to resolve that doubt in favor of the State of Alabama and permit her to enjoy the privilege, which is a right guaranteed by the Constitution, of having two representatives in the Senate of the United States; and for that reason I shall vote to seat Mr. GLASS.

Mr. BRANDEGEE. Mr. President, before making any comment on this question I ask leave to have printed in the Rec-ORD as a part of my remarks, so that it will be better understood to what portion of the documents I refer, first, the old provision of the Constitution, section 3 of Article I-

Mr. ROBINSON. Mr. President—
The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Arkansas?

cut yield to the Senator from Arkansas?

Mr. BRANDEGEE. Yes.

Mr. ROBINSON. We are unable to hear the Senator from Connecticut on this side of the Chamber.

Mr. BRANDEGEE. I shall endeavor to overcome the slight noise that pervades the Chamber and will repeat that I will ask to have printed as a part of my remarks section 3 of Article I of the Constitution as it existed before the adoption of this seventeenth amendment, providing of what the membership of the Senate shall consist, as indicated on pages 186 and 187 of the manual, down to the middle of page 187, where provision is made as to the Vice President, which has nothing to do with the Senate. to do with the Senate.

Then I want also to have printed the amendment to the Constitution which was passed in the Sixty-second Congress, first session, which was known as House joint resolution No. 39. It was passed by the Senate on June 12, 1911, and an enrolled copy deposited with the Secretary of State May 16, 1912, and now known as the seventeenth amendment. I also ask to have printed sections 14, 15, 16, 17, and 18 of the United States Statutes, revision of 1878, providing what the procedure of the State legislatures shall be in the election of Senators under the old Constitution.

The VICE PRESIDENT. Without objection, that will be

The matter referred to is as follows:

[From the Constitution before the seventeenth amendment.]

Sec. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof, for six years; and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the form the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if yacancies happen by resignation, or otherwise, during the recess of the

legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a Senator who shall not have attained to the age of 30 years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he chall be cheen. who shall not, whe

[Amendment of the Constitution.]

ARTICLE XVII.

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

[From the Revised Statutes, Revision of 1878.] ELECTION OF SENATORS.

ELECTION OF SENATORS.

Sec. 14. The legislature of each State which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress. Sec. 15. Such election shall be conducted in the following manner: Each house shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for, who receives a majority of the whole number of votes cast in each house, shall be entered on the journal of that house by the clerk or secretary thereof; or if either house fails to give such majority to any person on that day, the fact shall be entered on the journal. At 12 o'clock meridian of the day following that on which proceedings are required to take place as aforesaid, the members of the two houses shall convene in joint assembly, and the journal of each house shall then be read, and if the same person has received a majority of all the votes in each house he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each house, or if either house has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the joint assembly, a majority of all the embers elected to both house being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at 12 o'clock meridian of each succeeding day during the session of the legislature, and shall take at least one vote, until a Senator is elected.

Sec. 16. Whenever on the meeting of the legislature of any State a vacancy exists in the representation of such State in the Senate, the legislature shall proceed, on the second Tuesday after meeting a

term.

SEC. 17. Whenever during the session of the legislature of any State a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the legislature has organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the executive of the State from which any Senator has been chosen to certify his election, under the seal of the State, to the President of the Senate of the United States.

Mr. BRANDEGEE. Mr. President, I do not myself think that the distinction which several Senators, and, last of all, the Senator from Arizona [Mr. SMITH], have attempted to draw between the word "chosen" and the word "elected" has any force whatever in enabling us to interpret this constitutional provision. The old Constitution provided that:

The Senate of the United States shall be composed of two Senators from each State, "chosen" by the legislature thereof.

The very next paragraph provides that:

Immediately after they shall be assembled in consequence of the st "election" they shall be divided as equally as may be into three

A little further down it is provided that vacancies may be "filled" by the executive of the State "until the next meeting of the legislature, which shall then 'fill' such vacancies." Then it is provided that:

No person shall be a Senator who shall not have attained to the age of 30 years, and been nine years a citizen of the United States, and who shall not when "elected" be an inhabitant of that State for which he shall be "chosen."

It appears all the way through both the Constitution and the statutes that the use of the words "chosen" and "elected" is perfectly immaterial. Apparently no difference in meaning exists between them. The United States Revised Statutes provide, in section 14, that-

The legislature of each State which is chosen next preceding the expiration of the time for which any Senator was "elected" to represent such State in Congress shall—

And so forth. Section 15 provides that— Such "election" shall be conducted in the following manner,

Further down it is provided that-

He shall be declared duly "elected" Senator.

And further down it is provided that the legislature daily shall take at least one vote, until a Senator is 'elected.'

All that is provided under the language of the Constitution, which says that the legislature shall "choose" a Senator, and also the further language which says they shall "fill" a vacancy. I do not think there is any hope whatever in seeking to derive any inspiration from the use of the terms "chosen" and "elected." That interchangeability of the two terms "chosen" and "elected" pervades all the sections of the statutes which I have put into the RECORD.

I agree with the Senator from Ohio [Mr. POMERENE] and the Senator from Kansas [Mr. Bristow], that what Congress intended to do and what the people who ratified the seventeenth amendment intended to do was to provide that, after the amendment became a valid part of the Constitution, Senators should be elected by the people instead of by the legislatures of the States. Everybody knows that is what the intention was

The whole controversy existing at present, it seems to me. arises from what might be called the excessive prudential pre-caution which either the committee or somebody else was at pains to attach as, to some extent, an explanation, which has served to render a plain proposition somewhat confused, if not badly confounded, when they said:

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

In my opinion the sole meaning of this clause is that the Senators whose terms had not expired at the time when the amendment became operative as part of the Constitution should continue as Senators, although they had been elected by legislatures instead of by the people, as prescribed by the amendment.

Omitting the proviso that-This amendment shall not be so construed as to affect the election or rm of any Senator chosen before it becomes valid as part of the Con-

Omitting that as a work of supererogation, where does this case stand?

Mr. President, I will say in passing that it is my disposition to go to the utmost limit in trying to do the fair thing and the sensible thing in acting upon the credentials of those who have been chosen, even apparently, according to the law of the country. I never have—and trust I never shall—attempt to take advantage of any so-called technicality or slight irregularity if it is evident from the general result of an election that the people intended to seat a certain person. Therefore I started out in the consideration of this case with a disposition to give the appointee of the governor of Alabama who has presented his credentials here not only a fair show but I was predisposed, if possible, to vote to seat him. However, when the Constitution provides that a Senator must be elected by the people, that when a vacancy occurs the governor shall issue a writ of election and have an election to fill the vacancy, and that the legislature of the State "may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct," the legislature having that privilege to authorize the executive neglects entirely to do so or declines to do so, and the governor refuses to issue the writ for an election, I myself can not see that the gentleman presenting credentials from the governor, appointed in the old way under the old Constitution, which we intended to repeal and thought we had repealed, has any standing whatever in court.

Mr. CLARK of Wyoming. Mr. President, will the Senator

yield for a question?

Mr. BRANDEGEE. Certainly.

Mr. CLARK of Wyoming. Does not the Senator think that the power given by the seventeenth amendment to the governor to appoint in a certain contingency and for a certain purpose precludes his power to appoint in any other contingency or for any other purpose, the power of the governor to appoint flowing solely from the Constitution of the United States and not, thus

far, from the laws of any State?
Mr. BRANDEGEE. I think so beyond question. where a person has no power and power is attempted to be conferred the document which attempts to confer the power has to be strictly construed, and that it confers only what is specifically mentioned or necessarily implied therefrom, just as the Constitution of the United States confers upon Congress only such powers as are specially conferred or are necessarily incidental to those which are specially conferred. It is a grant of power and not a reservation.

Mr. President, in that view of it, the constitutional amendment providing that the Legislature of the State of Alabama might authorize the executive thereof to make a temporary appointment until the people could fill the vacancy by an election, and the legislature not having done so, the appointment by the governor is as void as any other illegal act, and the vacancy exists

as though the governor had never attempted to make an appointment

The governor had no right to make this appointment. Those who claim he had base their claim upon a State statute which provides how the governor of the State of Alabama may appoint regular officers of the State in case of a vacancy, to serve out unexpired terms, but that statute of the State of Alabama can not operate to give the governor of that State the power to appoint a United States Senator, who is an officer of the United States and not an officer of the State of Alabama at all, in the face of the constitutional amendment that has just been ratified by the people for the purpose of insuring the election of Senators by the people. So that I say that the passage by the Legislature of Alabama of an enabling act conferring upon the chief executive of that State authority to make this appointment until the people can elect is as necessary a part of the title of the appointee who applies to be seated as anything in the Constitution could be.

As I have stated, it is my disposition not to be overtechnical about these matters; still, when the Constitution prescribes what the title of a Senator shall be, what the conditions precedent and necessary shall be to his being a legal Senator, I can not see how any one of them can be ignored any more than any other; and I consider this to be an essential part of the title of the appointee of the governor of Alabama.

This view is no surprise to the State of Alabama nor to its executive nor to any of the voters of Alabama. This matter was brought to their attention, and they considered it thor-As soon as the vacancy occurred they had ample warning of the views of many Senators, both on the Judiciary Committee and on the Committee on Privileges and Elections, and the governor at any time could have called a special session of general assembly and recommended that they give him authority to appoint a Senator, but he would not or did not

Mr. WILLIAMS. Mr. President— Mr. BRANDEGEE. I yield to the Senator.

Mr. WILLIAMS. Right there I want to ask the Senator from Connecticut if there is not a clause in the constitution of the State of Alabama forbidding him to do so?

Mr. BRANDEGEE. Forbidding him to call a special session

of the legislature?

Yes; for that purpose. Mr. WILLIAMS.

Mr. BRANDEGEE. I can not say as to that; I do not know.

Mr. WILLIAMS. I understand there is.

Mr. BRANDEGEE. Very well, if that is so-

Mr. WILLIAMS. I understand there is a clause in the constitution of the State of Alabama forbidding the governor to call special sessions of the legislature, except to provide appro-

priations and matters of that kind.

Mr. BRANDEGEE. Then I withdraw that statement. Of course the question which the Senator from Mississippi has raised is a matter of fact, about which I have no knowledge; but I hear it stated by Senators sitting upon this side of the Chamber that the Senator from Mississippi is mistaken about that. But, however that may be, it does not go to the merits of this controversy at all. Whether or not the governor could have called the legislature in extra session, the legislature can at any time pass a statute authorizing the governor to fill this

vacancy until the people elect.

Mr. SUTHERLAND. Mr. President, if the Senator will al-

low me

Mr. BRANDEGEE. Certainly.

Mr. SUTHERLAND. The Senator from Illinois [Mr. SHER-MAN] this afternoon in his remarks read the provision of the constitution of Alabama which authorizes the governor to call special sessions of the legislature.

Mr. WILLIAMS. Mr. President—
Mr. BRANDEGEE. I yield to the Senator.
Mr. WILLIAMS. I find that I was mistaken a moment ago. I thought that the State of Alabama had in its constitution a similar clause to that in the constitution of the State of Mississippi; but I find it has not. The governor can designate anything as the subject of consideration of a special session in Alabama; and I therefore desire to withdraw the remark I made a few moments ago.

Mr. BRANDEGEE. Well, Mr. President, we have both with-drawn now; but, as I have said, I do not consider that at all a fundamental consideration in the discussion of this question.

I do not want at this late hour to occupy unduly the time of the Senate. I am aware that many Senators have gone into this natter exhaustively. I have not spoken with the idea of in-fluencing any other Senator in the matter. I think Senators have probably fairly made up their minds about this case; but my mind has not been made up about it until very recently,

because I wanted to hold it open to the last minute to see if I could get any light that would enable me to favor the appointee who comes here from Alabama and to favor his State. I should like to do so, and I would rather do so than not; but I can not do so, and inasmuch as I expect to vote against him I did not think I ought merely to cast a vote and not state my reasons therefor.

Mr. TOWNSEND. Mr. President, it is fortunate that the question of partisan politics as ordinarily understood can not be charged as entering into this discussion. It is a question which ought to be decided upon its merits. I speak of partisan politics in the sense that the representatives of the two opposing parties of the country are not arrayed against each other on this matter. I do not know what influence may have arisen lately, reaching, perhaps, into the future, with a view to affecting something that may occur hereafter. I do not know sufficiently to state it as a fact that a future election in Alabama may be at stake in this controversy. I can not tell what influence that idea has had upon this discussion or will have upon the votes. I think I am stating the truth, however, when I say that at the time when this vacancy occurred and up until very recently there was very little difference of opinion among Senators or among the people conversant with it as to the meaning of the seventeenth amendment to the Federal Constitution. It has been conceded by nearly everyone that the people were in favor of the direct election of United States Senators, and by the ratification of three-fourths of the States it was made the law of the land.

It is a fact, however, that Alabama did not ratify, and has not ratified, the constitutional amendment and has not made any provision for meeting the emergency of a vacancy. stated that Alabama has had no session of her legislature since the amendment was ratified. But that is no answer to the argument, or to the inference at least, that those in charge of affairs in that State may be opposed to the direct election of United States Senators. It is certain that when the governor appointed a gentleman to fill the vacancy soon after the death of the late Senator Johnston he knew that the Senate was opposed to that method of filling the vacancy. He had the power at that time, and had it for eight months thereafter to call a session of the legislature for the purpose of making provision for filling the vacancy, so that Alabama could be represented in this body by two Senators. He has not done so. Alabama is denied two Senators by her own consent, if we are to assume that her governor's conduct and action represent the sentiment of the State. I can not believe that it does, but the citizens of Alabama must look to their governor, and not to the Senate, as the cause of her lack of full representation here.

Mr. President, I deny that those who oppose the seating of Mr. Glass are basing their opposition upon technicalities. On the contrary, every argument in favor of seating this gentleman is based upon technicalities. We found our contention upon the letter and spirit of the Constitution as well as upon the will

of the people.

The clear meaning to the ordinary citizen of the seventeenth amendment is that it compels the election of United States Senators exactly as Representatives in Congress are electedby the people—and it as clearly provides that vacancies in the Senate are to be filled exactly as are vacancies in the House; and yet if we seat Mr. GLASS we do it as under the old Constitution, and our action will mean that the seventeenth amendment will not become operative in some possible cases until 1921. The Senator elect from Louisiana, who will not take his seat until March 4, 1915, will be a Senator elected under the old system, and a vacancy in his seat for any cause can not be filled except by the governor, if the proponents of this amendment prevail.

I do not believe that any such construction can be properly put upon the seventeenth amendment, or that any such construction should be put upon it. The ordinary layman understands the meaning of this amendment and that the ratification of the appointment of Mr. Glass by the Senate would be a violation of the people's registered will. We, as Senators, ought to be the very last to violate a law or constitutional pro-

vision which we helped to make.

We submitted this question to the people. We thought we were serving them and complying with their wishes. I think we were. If we seat Mr. Glass, we must do it regardless of the spirit of the recently amended Constitution, and I for one can not vote to do that.

There can be no partisan influence which induces me to take this position. It is not a question between seating a Democrat by the governor, but the people of Alabama have a right to elect their own Senator. If they want Mr. Glass, they will elect him. If the governor of that State refuses to comply with the fundamental law of the land by failing to issue a writ of election, the people of his State will understand the place to visit their condemnation. It is the governor of Alabama, and not the Senate of the United States, who is denying to Alabama her full representation in this body. It seems to me, however, to make much difference to the standing of the Senate before the country whether we shall obey the spirit of the amendment or whether we shall find an excuse for evading it.

So, Mr. President, without any malice, without any partisan feeling, but actuated solely by a desire to carry out the spirit of the amendment which I helped pass, I feel it is my duty

to vote not to seat Mr. GLASS.

Mr. CLARK of Wyoming. Mr. President, I desire the indulgence of the Senate for just a moment while I give my view in a plain, ordinary way, and seeking to go to the right of the matter as the Senator from Alabama did, without reference to the

technicalities of the case.

My understanding is that the seventeenth amendment was passed because, among other things, of the scandals that at times had been created in State legislatures by the senatorial question, and that we then intended to provide an absolutely new way of electing Members of this body. By that amendment we did two things. We took away from the legislatures the right to elect and we modified or restricted the right of the governor to appoint.

As I understand, the right of the governor or the executive of a State to make an appointment of a Senator flows directly from the Constitution, and from no other source. old law as it stood, in case of a vacancy happening by death or resignation, the governor could appoint until the next meeting of the legislature, which should then choose the successor of

the Senator removed by death or resignation.

Under the seventeenth amendment to the Constitution we, in effect, take away from the governor that right to appoint, but we confer upon the governor another right to appoint, to wit, the right to appoint temporarily, when the legislature shall so direct by specific law, until the people themselves shall have voted under the operation of this amendment. So it seems to me the right to appoint under the seventeenth amendment is a different thing from the right to appoint under the old Constitution.

It is urged on all sides that the governor of Alabama is appointing by virtue of his right under the old Constitution. In view of the evident intention of the Houses of Congress in proposing this amendment, and the evident intention of the people in agreeing to it through their several legislatures. I can not conceive how they could have had in view any right of appointment for the governor except the right to make temporary appointment until the people should elect. The amendment goes farther and says that before he shall have that right to appoint the legislature must sanction the same by laws properly passed for that purpose.

In that view of the case I can not conceive any theory upon which this appointment by the governor of Alabama can be

Mr. BANKHEAD. Before the Senator takes his seat, I quite agree with the Senator that the purpose of the seventeenth amendment was to secure the election of Senators by the people. I do not think there is any difference of opinion on that subject. I desire, however, to ask the Senator this question: When do the people elect a Senator under the provisions of that amendment in case of a vacancy such as we now have in

If the seventeenth amendment was intended to go into effect immediately after its adoption, no State in the Union was prepared to put it into effect. Alabama certainly was not, and could not put it into effect in 30, 60, or 90 days. What I wish to ask the Senator is, What becomes of that provision of the Constitution, which can not be changed by constitutional amendment or otherwise, which says that no State shall be deprived of its equal representation in the Senate without its consent?

Mr. CLARK of Wyoming. Of course the answer to that question is that by not complying with the provisions of the s teenth amendment the State of Alabama has waived its right to representation until such time as it accredits a Senator here under the provisions and conditions of the seventeenth amendment.

Mr. TOWNSEND. It has consented.
Mr. CLARK of Wyoming. We have had here in the Senate, time and time again, cases where the legislatures have failed to elect; we have had cases where legislatures have failed to and seating a Republican. It is conceded that the State of Alabama can and will elect a Democrat, and she probably could do no better than to elect the gentleman who has been appointed | elect and governors have appointed, where the Senate refused

the State equal representation in the Senate, simply because the State, having had the opportunity to act, had falled to take advantage of its opportunity.

Mr. BANKHEAD. Oh, yes; but I do not think those cases are at all parallel with this one. In those cases there was no

change at all effected in the Constitution.

I do not know whether I make myself understood or not; but the point I am trying to make is this: The Senator from Wyoming will concede that there was no machinery of any kind in Alabama, or in any other State in the Union, when this amendment was ratified, authorizing the governor to make a temporary appointment, and authorizing him to issue a writ of election to fill a vacancy by direct vote of the people. Do I make myself clear there? That being true, is it the fault of Alabama that she did not immediately fill this vacancy according to the supposed provisions of the Constitution? She could She had not had an opportunity to do it. Therefore, in that view of the case, it seems to me the Congress of the United States is to blame, and not Alabama.

Mr. CLARK of Wyoming. During the lapse of all these months it can hardly be urged that the Congress of the United States is to blame, when Alabama has had the opportunity, at

least by this time, to protect herself in that particular.

I simply rose, however, to give a reason for my vote. lieve the seventeenth amendment takes away from the governor of a State the right to appoint in any case except where the legislature has provided a method in which the appointing power shall be exercised, and that the governor of Alabama in assuming to make this appointment under the old provisions of the Constitution and not under the provisions of and in compliance with the requirements of the seventeenth amendment acted without constitutional authority, and hence such appointment void, and the appointee neither does nor can acquire any rights thereunder.

Mr. WALSH. Mr. President, I feel justified in trespassing upon the patience of the Senate for a few moments to conclude this debate, since apparently no one else desires to talk upon

I congratulate the Senate, and the country as well, that one ground urged before the committee in favor of seating Mr. GLASS has found the advocacy of no voice whatever upon this floor. I regard it as a subject for general congratulation. It was there urged, as I pointed out to you in opening this debate on yesterday morning, that the constitutional amendment would not be in force in any particular State until that State, in the absence of congressional legislation, should make adequate provision by law for the holding of a senatorial election, and that until that time arrived Members of the Senate from such a State not having so provided would be elected under the old

I say no one has been heard to advocate such a doctrine as that on this floor. That leaves but two grounds on which anyone can justify a vote in favor of the substitute resolution offered by the Senator from Arkansas [Mr. Robinson]. One is that a vacancy in the seat of any Senator sitting at the time the amendment was adopted is not to be filled under the provisions of the amendment, but is to be filled under the provisions of the old Constitution. The other is that the statute of Alabama authorizes the filling of this vacancy.

A man may be able to justify himself in voting in favor of the substitute resolution upon the ground last urged, namely, that the statute of Alabama authorizes it; but there is no man—and we might as well meet squarely the situation with which we are confronted—who can justify himself in the forum of his own conscience in voting to seat Mr. Lee and then voting to seat Mr. GLASS upon the ground that the vacancy is to be filled under the provisions of the old Constitution.

We have determined in the case of Mr. LEE, and it stands here as a precedent for all time, that a vacancy such as this is to be filled under the provisions of the amendment by an election or by an appointment under the authority of the amendment. We may vote to seat Mr. Glass, but let us not attempt to deceive ourselves into the belief that we can any longer justify our action upon the ground that the vacancy is to be filled under the provisions of the old Constitution. That

claim has been disposed of.

Although it has been disposed of, we have yet witnessed the spectacle here of men who voted to seat Mr. Lee advocating that doctrine. So I wish to trespass upon your patience for a moment simply to state what is contended by the committee in that behalf. It is that the third clause of the amendment to the Constitution was meant simply to preserve to the sitting Members, Members who were here at the time the amendment was adopted, the right to continue to sit in this body as Members thereof for whatever period they were entitled to termination I might make in a controversy of this character;

hold their places under their election or appointment; that it went that far and no farther; but that it was intended that after it became valid all vacancies should be filled under the provisions of the amendment. I think that is the way it was generally understood at all times before the question arose here in connection with these vacancies.

I do not desire to enter into a discussion of the merits of that question now, further than to answer a question that is asked by the Senator from Kentucky [Mr. Bradley]—and I ask particularly the attention of the Senator from Arizona [Mr. Smith], who reiterated it—" What then, was the use of putting in this provision at all, since, as a matter of course, the old Senators would hold for the period for which they had been

elected or appointed?"

Mr. President, a clause in a statute to the effect that nothing therein contained shall be construed in a certain way is not intended to change, and never does change, the meaning of what has gone before. It is simply intended to prevent what has gone before from being given a certain construction which it

was intended should not be given to it; that is all.

Why, some one might say, after the seventeenth amendment was adopted, "You, Senator Walsh, are not entitled to sit in this body. You were not elected by the people, and the Constitution provides that Senators shall be elected by a vote of the people." The validity of my election might otherwise be questioned upon that ground. It was intended that it should not be questioned. The election having taken place prior to the adoption of the amendment, it was intended that no one should be heard to say it was void.

Again, some one might say: "Although your election was valid, it was intended that you should serve only until the next general election, when the people should have an opportunity to express their choice at the polls. In other words, you can hold only until an election could be held." It might be argued that though my election could not be questioned, my term

would be cut short.

It was intended that no such contention should be made. It was intended not only that the election should be considered as valid, but that the sitting Members should be permitted to sit out the full period of their terms.

It is said that the word "term" means merely a period of time, six years. Suppose it does. Then it means that the period of time, six years, from the beginning to the end of Senator John-

ston's term shall not be affected by this amendment.
Undoubtedly the word "term" as it is used has as it is used has more than an impersonal significance. Senator Jackson was not elected. and according to the construction which you are urged to give to the word "term," Senator Jackson had no term; he was filling the unexpired term of the late Senator Rayner. Senator

THOMAS, they tell you, has no term.

Consider the case of Senator Jackson. The amendment says, "This amendment shall not be so construed as to affect the election or term," and so forth. Senator Jackson was not election of term, and so forth. Senator Jackson was not elected, and if he did not have any term Senator Jackson was in no way protected by the third clause of the amendment. You can not give it that construction. It was intended that Senator Jackson should sit here until his successor should be duly elected. The distinguished Senator from Kentucky [Mr. Bradley] was forced to admit, by making no direct response to my inquiry, that giving to the language the construction he assigns to it Senator Jackson was accorded no protection at all by the third clause of the amendment.

But what is the use of debating that matter now? We settled it the other day when we seated Senator Lee. We de-clared that the new amendment is in effect and force; and under its provisions we must determine whether or not a man is entitled to sit here, whether or not he does in fact repre-

sent the people whom he purports to represent.

So let us not deceive ourselves. There is absolutely nothing left in this case upon which any man can justify a vote here in favor of Mr. Glass unless he is prepared to accept the doctrine that the statute of the State of Alabama is effective to permit an appointment under the seventeenth amendment.

I wish to review that statute with you for a few moments. Bear in mind, my esteemed associates and colleagues, that we are making history here; that future generations will pore over the pages of this day's proceedings, and that we shall be judged by posterity for our acts here to-day. Yea, more, sir: Who is there that shall undertake to say under what strange combination of circumstances in the future, when the very life of the Nation may be at stake, some one may not appeal to the adjudication made in this eventful case?

Mr. President, I should despise myself if any consideration

but, sir, if it did, I assert as an indisputable proposition that has thus far guided my political action that the wise and politic thing to do under any and all circumstances is to do the right thing.

What is this statute? It provides:

That when any office of the State, of any county, or municipality thereof, is vacant from death, resignation, removal from the municipality, county, or State, or because the former incumbent absconds, or because an incumbent has been removed for ineligibility, or when the office is vacant from any other cause, and there is no way provided by law for the filling of such vacant office, the governor is hereby empowered and required to appoint a qualified person to fill the unexpired term of such office.

We are immediately confronted with the question whether a United States Senator is an officer of the State and whether his

office is an office of the State.

Reference has been made in this connection to various provisions of the Constitution of the United States, to various clauses therein indicating that within the purview and meaning of those particular clauses a United States Senator is not an officer of the United States. I shall undertake to show you in just a few minutes that even the Supreme Court of the United States found a great deal of difficulty in classifying this office and designating its character. Bear in mind that no decision of any court, no decision of any legislative body, no decision even of the governor of any State, outside of this particular instance, has been referred to in support of the view that a United States Senator is a State officer. It is said, however, that because within the purview of these provisions of the Constitution of the United States he is not a United States officer, it follows of necessity that he is a State officer.

The conclusion does not follow by any means. I fear what was said in the report of the committee upon this subject could not have received very earnest attention from some of the Senators who have presumed to discuss the matter. I trust I shall not be particularly disagreeable to you if I impose upon your

patience until I read briefly what was there said.

After referring to these provisions of the Constitution of the United States which exclude Members of Congress from the category of officers of the United States, we say:

But it does not by any means follow that because Senators and Representatives are not within the purview of particular provisions of the Constitution or of particular Federal statutes referring to officers of the United States they are necessarily officers of the States, respectively, from which they come.

It has been expressly held in Kentucky that Members of the House of Representatives are not "State officers" as that expression is used in the constitution of that State. A provision thereof required that certain vacancies should be filled by election "at the next succeeding annual election at which either city, town, county, district, or State officers are to be elected." It was held that the office could not be filled at a November election at which only Members of the House of Representatives were elected.

But it is said that there is some essential difference, with respect to the character of these officers, between Representatives and Senators. The very language of the Constitution with respect to each of them is the same.

Section 2 of Article I says:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States.

Section 3 of the same article says, in exactly the same lan-

The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof.

But this is a matter of no great significance. The Supreme Court of the State of Kentucky was considering a particular provision of the State constitution in the cases referred to, and it held that within the purview of that particular provision, considering the purpose that was to be subserved by it, and considering the conditions and circumstances which gave rise to it, the words "State officer," as therein used, did not include Members of the House of Representatives. Under some other circumstances they might have held differently; that is to say, the words "State officer" may be given one significance in one statute and may be given a broader or a narrower significance in another, depending upon what was in the mind of the legislature at the time the statute was enacted.

Of course, if the language is clearly broad enough, it does not make any difference what was actually intended, the interpretation must be in accordance with the language used, unless restricted in its sense by the context or other consideration. But the expression here is not comprehensive. The language is not apt to include United States Senators or Representatives.

Let me continue reading from the report:

Language found in the opinion of Mr. Justice Miller in Ex parte Yarborough (110 U. S., 657) clearly implies that in the opinion of that tribunal Members of Congress are not State officers. We read therein as follows:

"The day fixed for electing Members of Congress has been established by Congress without regard to the time set for election of State officers in each State."

If the Supreme Court of the United States had believed that Members of Congress are State officers, of course they would have said:

The day fixed for electing Members of Congress has been established by Congress without regard to the time set for election of other State officers in each State.

But they did not say so. We continue:

Indeed, that court apparently found some difficulty in classifying the position, for it said in the case referred to that "the office [Members of Congress], if it be properly called an office, is created by the Constitution and by that alone."

I continue reading from the report:

The Constitution not only creates the office of United States Senator, "if it be properly called an office," but it prescribes the duties thereof; it prescribes the qualifications and the disqualifications under which those chosen as such labor. A Senator participates in the work of the National Legislature of which he is an integral part and receives his compensation out of the National Treasury.

The pending tariff bill contains a provision to the effect—
"That in computing net income under this section there shall be excluded * * the compensation of all officers and employees of a State or any political subdivision thereof."

Is there any kind of an idea in the mind of any Member here that—I inquire of my distinguished friend the Senator from Alabama [Mr. BANKHEAD]—under this provision we, the Members of this body, shall be able to escape the income tax? It says "all officers and employees of a State."

says "all officers and employees of a State."

A similar provision was found in the income-tax feature of the act of 1894. In such exceptions is recognized the principle that the Federal Government can not tax the salaries of officers of the State governments. Yet it is the common understanding that the salaries of Members of Congress in both branches must be reported, and such seems to be the inevitable conclusion from the context. By statutory definition Senators and Representatives are not "State officers" in New York. (People v. Nixon, 158 N. Y., 221.)

The language of the Alabama statute is not apt to include United States Senators, and it is scarcely to be conceived that the filling of vacancies in the representation of the State in the Senate was contemplated by the legislature in passing the act in question. The concluding portion of the act reciting that the appointee is to serve for the unexpired portion of the term enforces this conclusion, for under the seventeenth amendment the governor's appointee does not, should the legislature see fit to invest him with the power to appoint, serve for the remainder of the unexpired term, but only until an election can be held as the legislature may direct.

Mr. President, it is suggested in this connection that if the

Mr. President, it is suggested in this connection that if the governor should appoint by virtue of the constitutional provision the term would in fact cease when his successor had been elected. That is entirely aside from the question. The question is, What did the Legislature of the State of Alabama have in mind when they enacted this statute? This language shows that they did not have in mind this provision of the Constitution, the second clause of the seventeenth amendment, because the language it used is entirely inapt to refer to a condition of that character. In other words, this clearly discloses that the Legislature of Alabama did not intend that it should apply to the case of filling a vacancy by the appointment of the governor under the provisions of the second clause of the seventeenth amendment.

But, Mr. President, there is a better reason than all these why this statute by no possible construction that any lawyer can give it, not to speak about any layman, can not embrace an appointment of this character. That is because it is made in the very teeth of the language of this statute. It provides that the governor of the State may fill a vacancy which occurs in an office when no provision is made by law for filling that vacancy.

Mr. President, the clause of the amendment invoked starts out by saying "when vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies." Suppose Suppose there were a statute of the State of Alabama providing that whenever a vacancy occurs in a particular office the governor of the State of Alabama shall forthwith issue a writ of election to fill that vacancy, would anyone be heard to contend that he might make an appointment under the provisions of this act? The case is provided for.

The amendment provides that the executive authority of the State may make temporary appointment, if authorized by the legislature, until an election can be held by the people.

Mr. President, what is the solemn duty of the governor of Alabama under the seventeenth amendment but forthwith upon its occurrence to issue his writ of election to fill this vacancy? He does not do it. He neglects the duty charged by the law upon him, and then he utilizes that condition of affairs which he has allowed to exist for the long period of eight months in order that he may exercise this doubtful power that may or may not be reposed in him by the sovereign people of the State, as they shall upon reflection determine a power to be employed only to tide over a little period of 30 to 90 days at the outside.

It was intended that as soon as the vacancy occurred the executive authority should issue the writ of election; that the election should be held within 30, 60, or 90 days, and that during that brief intervening period, until an election could be held, he could appoint if the legislature expressly clothed him with that authority. Eight months have gone by and no election has been held in accordance with the obligation cast upon the

governor of Alabama by the Constitution.

But, Mr. President, it is said that this provision is otherwise construed in the State of Alabama. It is said it is there construed to mean that the governor has this power. It is said that deference is to be paid to the construction given to this act by the State authorities in Alabama the same as was paid to the acts of the officers of the State of Maryland in the case of Mr. IÆE.

Mr. President, no lawyer will allow himself to be confused by any such suggestion as that. The governor of Alabama has no power in the premises at all until the people of his State solemnly, through the act of their authorized representatives, vest him with that power; and they have never done it. On the other hand, the power is reposed in the people of Maryland by the amendment to elect, and it is simply a question as to whether the procedure by which that power is to be exercised has been provided.

We may give to statutes a very liberal construction when it is a question of carrying out a power which has been conferred, but when it is the very power that is conferred a different principle altogether is applicable. It is idle and absurd to say that we should admit a man from Maryland because one course was pursued there and that we likewise should admit a man from Alabama, because on diametrically Alabama because a diametrically opposite and inconsistent

course was followed there.

Mr. President, I do not think that any man who is really reflective about this Alabama statute, who considers the circumstances which gave rise to it, can entertain the idea that it was intended to meet the case before us. I have not the slightest doubt in the world that the constitutional amendment contemplated the affirmative subsequent action of the legislature of the State before it could be claimed that the governor was invested

with the power of appointment.

The new system, Mr. President, was a radical change from the old, Primarily, under the old system, Senators were elected by the legislature. That system was found to be unsuited to our condition and in violation of the spirit of democracy, resulting naturally and necessarily in the evils which brought its downfall. The people wanted to substitute another system. They felt that they had unwisely confided power to elect Senators to the legislature; they desired to reinvest themselves with that power, and they believed they had

In that same amendment they said, however, that if in any particular State the people believed it would be wise or prudent to invest their governor with the power to make a temporary appointment, which at the outside would ordinarily last only for a period of 30 or 60 or 90 days, they were at liberty to do it; that each separate State is required to decide that question for itself. The people of Alabama have a right to be heard upon that question. They have never considered it. They have never been called upon to consider it. They may or may not be willing again to give up to their governor a part of the power they have recalled. It is enough for us to know that they never

Mr. President, this is a question which rises far above any consideration of political or party expediency. It is a question which rises far above personal relations or personal consider-

I protest, Mr. President, against the assertion and charge that anybody is endeavoring to prevent the seating of Mr. GLASS upon any technicality whatever or attempting to deny to Alabama equal representation here. I put the case, sir, upon the solid ground that the people of the State of Alabama are entitled to go to the polls and there declare whom they desire as their representative in this body; and upon that rock, which is far from an appeal to any technicality, I stand. shall be no party to any course, by whatever speciousness of reasoning it may be supported, that denies to them the right so to make their choice.

I warn most earnestly my associates and colaborers here that we shall be charged, and with a force we can not repel, from every husting in this country, from one ocean to the other, with denying to the people of the State of Alabama their solemn right to go to the polls and there express their choice for their representative if we shall do otherwise than support

the resolution here tendered on behalf of the committee.

Mr. LEE of Maryland. Mr. President, in the short time I have been about and in this honorable body I have been deeply im-Mr. LEE of Maryland. Mr. President, in the short time I have been about and in this honorable body I have been deeply impressed with respect for the chairman and the gentlemen who constitute the membership of the Committee on Privileges and

Elections, and it is with the greatest diffidence that I venture on this occasion, so early in my membership here, to address the Senate, differing from a committee which the other day placed me in this body and for whose opinion upon constitutional questions I have so profound a respect. But it does seem, Mr. President, that I would be really lacking in respect to this committee and to the Senator from Montana [Mr. Walsh] who has just addressed the Senate if I did not in some sense undertake to explain a difference of view upon this subject and upon this occasion.

The Senator from Montana mentioned a very pertinent fact just now. He said that only for a little while would the seating of Mr. Glass operate. In fact, it is literally true that it will be only for a little while.

In this connection it is proper for the Senate to consider what marked deference, by way of construction, this body has always heretofore paid to the great fundamental provision of the Constitution upon this whole subject of amendment. The provision of the Constitution under which alone it can be amended reserves to each sovereign State the broadest possible control over the question of its representation in this body. Article V, which gives the entire power to amend, ends with this clause:

No State without its consent shall be deprived of its equal suffrage in the Senate.

To what extreme length has this honorable body gone here-tofore in giving proper force to this portion of the Constitution of the country. We are all aware that on this subject of the appointment of temporary Senators to fill vacancies the old Con-We are all aware that on this subject of the stitution provided that the appointment should hold until the next meeting of the legislative body of the State. "The next meeting" are the words of the Constitution. Yet this body, in deference to the right of the State to be represented on this floor completely, by two Senators, has gone so far as to absolutely write into the Constitution that the Senators appointed shall hold not until the next meeting, but until the next legislature shall act or shall adjourn. They have extended the right or title to hold a seat, or whatever you may call it, of an appointed Senator one, two. three, four, or five months, as the case might be, absolutely in the teeth of the Constitution in this respect, by reason of deference to the great provision that no State could be deprived of its equal representation here without its consent.

Mr. President, the real point in the Alabama case, with all due respect to the learned debate that has proceeded here today and yesterday, it seems to me, is that the State of Alabama has not passed a general election without submitting this matter of the election of a Senator to the people of the State. The people of Alabama have never come together for the purpose of electing anybody since this vacancy occurred and since this constitutional amendment has been passed.

If that State, which has not ratified the seventeenth amendment, chooses to say it will not be fined, it will not be penalized, it will not be punished to the extent of \$100,000, or whatever sum it may cost to call a special election, it seems to be well within the province or the rights of that State to take that

position upon the subject.

Mr. President, briefly, in conclusion I wish to say that under all the circumstances of this case, in my best judgment, certainly Mr. Glass appears to have a color of right to a seat in this body and that the authorities of that State have not acted beyond their fair rights under the reservation of the Constitution.

Alabama did not ratify the seventeenth amendment. The people of Alabama have never gone to the polls themselves to ratify that amendment. So the State is within its right, in my humble judgment, and I believe it to be my duty here to-night to vote for the seating of Mr. Glass in this body.

In conclusion I will say only one word more, Mr. President, and that is this: That two Senators have come here elected or appointed in different ways. It would seem in this connection that there are two classes of Members here who should explain

their positions.

There were 24 Senators in this body who by votes or by pairs expressed their opinion against a Senator sent here by the people of one State, and now there are many of them ready to vote against a man sent here by appointment from another State. They would appear unwilling to grant the right to a seat to either man, no matter how he may come here or what his pretensions to a seat may be. It would seem that this class of Senators should be called upon for an explanation to-day, and I feel also that a similar obligation of an explana-

Mr. GRONNA. Mr. President, I shall not attempt to debate this question, but simply explain my vote. It is always an unpleasant task for me to cast my vote against any person of high character and splendid ability, such as I understand Mr. GLASS to be. Furthermore, it is unpleasant, because he belongs to a party to which I do not belong. This, however, is a fundamental question. We have only recently voted to seat another Member and admitted him to membership in this great body based upon an entirely different provision of law. Senator Lee was permitted to a seat in this body because he was elected by the people under the provisions of the seventeenth amendment to the Constitution of the United States.

Mr. President, I am not a lawyer, but in my humble way I helped to pass the constitutional amendment which provides that United States Senators shall be elected by the people and not chosen by the members of the legislature. To me it seems perfectly plain. Section 3 of Article I of the old Constitution provides:

SEC. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof, for six years, and each Senator shall have one vote.

Further on, with reference to vacancies, it provides:

And if vacancies happen by resignation or otherwise during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

The new provision of the Constitution is:

ARTICLE XVII.

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Now, with reference to vacancies, the old provision of the Constitution was changed, and now reads as follows:

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may

Mr. President, I understand that the Legislature of the State of Alabama-or, in other words, the people of Alabama-have not authorized or empowered the governor of Alabama to make this appointment. It is perfectly clear to me that under the old constitution the governor of the State of Alabama would be empowered to appoint a Senator to fill a vacancy; but it is just as clear to me that the governor of Alabama has no right, has no authority, and has not been empowered by the people of Alabama or by its legislature to make that appointment. In both the cases which have been before the Senate the men who have been selected to occupy seats in this body are Democrats. I voted to seat Mr. Lee from the State of Maryland because the people of Maryland elected him to take his seat in this body; but I shall be compelled to vote against the admission of Mr. Glass, because I believe that he is not entitled to a seat in this body.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas [Mr. Robinson].

Mr. KERN. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. KERN (when Mr. Bacon's name was called). The Senator from Georgia [Mr. Bacon] is absent on account of illness. I am authorized to state, however, that if he were present he would vote "nay" on this substitute resolution.

Mr. BRANDEGEE (when his name was called). I am paired with the senior Senator from Louisiana [Mr. Thornton]. should vote "nay" if I were at liberty to vote.

Mr. BRYAN (when his name was called). I have a pair with the junior Senator from West Virginia [Mr. Goff] and there-

fore withhold my vote.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. If he were present, he would vote "yea," and, inasmuch as I shall vote the same way, he has released me from my pair. I vote "yea."

Mr. CLAPP (when his name was called). I am paired with the junior Senator from Illinois [Mr. LEWIS]. If he were present and I were at liberty to vote, I should vote "nay."

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. Stone], who is absent because of illness. In the absence of that Senator I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. STERLING (when Mr. CRAWFORD's name was called). I announce the unavoidable absence of my colleague [Mr. Craw-FORD]. He has a general pair with the senior Senator from Tennessee [Mr. Lea]. If he were present and at liberty to vote, my colleague would vote "nay."

Mr. SMOOT (when Mr. DU PONT's name was called). I desire to announce that the senior Senator from Delaware [Mr. DU PONT] is unavoidably absent from the Chamber. He has a general pair with the senior Senator from Texas [Mr. Cul-

BERSON 1

Mr. HUGHES (when his name was called). I have a general pair with the Senator from New Mexico [Mr. Catron], and therefore withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. MARTINE of New Jersey (when the name of Mr. LEA of Tennessee was called). I desire to announce the pair existing between the Senator from Tennessee [Mr. Lea] and the

Senator from South Dakota [Mr. CRAWFORD].

Mr. NELSON (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. Bacon]. I was informed by him that if he were present he would vote against the senting of Mr. Glass. I therefore feel at liberty to vote, and vote "nay."

Mr. O'GORMAN (when his name was called). I have a general pair with the senior Senator from New Hampshire

[Mr. Gallinger]. In his absence, I withhold my vote.

Mr. OVERMAN (when his name was called). If at liberty to vote, I should vote "nay." I have a pair with the Senator from Wyoming [Mr. Warren]. Not knowing how he would vote if present, I withhold my vote.

Mr. MYERS (when the name of Mr. Reed was called).

am authorized to state that the junior Senator from Missouri [Mr. Repd] is necessarily detained from the Chamber. He is paired with the Senator from Michigan [Mr. Smith]. If the Senator from Missouri were present, he would vote "nay."

Mr. SAULSBURY (when his name was called). I have a vania [Mr. OLIVER]. If I were at liberty to vote, I should vote "nay." pair on this question with the junior Senator from Pennsyl-

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). The senior Senator from Michigan [Mr. SMITH] is absent from the Chamber on important business. paired with the junior Senator from Missouri [Mr. Reed]. the senior Senator from Michigan were present, he would vote "nay"; and it has been announced that the Senator from Missouri [Mr. Reed] would also vote "nay" if present.

Mr. STERLING (when his name was called). On this question I have a pair with the junior Senator from New Hampshire [Mr. Hollis]. If at liberty to vote, I should vote "nay,

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Arkansas [Mr. Clarke]. who is absent. I transfer that pair to the Senator from Maine [Mr. BURLEIGH] and vote. I vote "nay."

Mr. SHAFROTH (when the name of Mr. Thomas was called). I desire to announce the unavoidable absence of my colleague [Mr. THOMAS], and to state that he is paired with the senior Senator from New York [Mr. Root]. If my colleague were present and permitted to vote, he would vote "yea."

Mr. RANSDELL. I desire to announce the unavoidable absence of my colleague [Mr. Thornton] on account of sickness. If he were present and permitted to vote, he would vote "yea.

Mr. CLARK of Wyoming (when Mr. WARREN'S name was called). I desire to announce that my colleague [Mr. WARREN] is detained from the Chamber by illness. He is paired with the Senator from Florida [Mr. FLETCHEB], but I understand the pair has been transferred to the Senator from North Carolina [Mr. OVERMAN 1

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. Pen-ROSE]. I am informed that, if he were present, he would vote "yea"; and as I intend to vote the same way, I consider myself at liberty to vote; and, therefore, do vote "yea."

The roll call was concluded.

Mr. SMOOT. I desire to announce the unavoidable absence from the Chamber of the senior Senator from New Hampshire [Mr. GALLINGER] and the senior Senator from New York [Mr. Roor]. The senior Senator from New York is paired with the Senator from Colorado [Mr. Thomas], as has been announced, and the Senator from New Hampshire is paired with the junior Senator from New York [Mr. O'GORMAN].

Mr. WILLIAMS. I have furthermore been informed by the pair clerk of a fact which I did not know, that my pair with the Senator from Pennsylvania [Mr. Pennose] has been transferred to the Senator from Oklahoma [Mr. Gore]. I wish to make that

announcement also.

The result was announced-yeas 31, nays 32, as follows: YEAS-31.

	LI L	79-01	
Ashurst Bankhead Bradley Chamberlain Chilton Fall Fletcher James	Lee, Md. Martin, Va. Martine, N. J. Myers Newlands Owen Perkins Pittman	Ransdell Robinson Shafroth Sheppard Shields Simmons Smith, Ariz. Smith, Ga.	Smith, Md. Smith, S. C. Stephenson Swanson Tillman Vardaman Williams
	NA	YS-32.	
Borah Brady Bristow Burton Colt Cummins Dillingham Gronna	Hitchcock Johnson Jones Kenyon Kern Lane Lippitt Lodge	McCumber McLean Nelson Norris Page Poindexter Pomerene Sherman	Shively Smoot Sutherland Thompson Townsend Walsh Weeks Works

NOT VOTING-32.

La Follette Lea, Tenn. Lewis O'Gorman Crawford Culberson du Pont Gallinger Root Saulsbury Smith, Mich. Sterling Bacon Brandegee Brandegee Bryan Burleigh Catron Clapp Clark, Wyo. Clarke, Ark. Goff Gore Hollis Hughes Oliver Overman Penrose Reed Stone Thomas Thornton Warren

So Mr. Robinson's amendment was rejected.

The VICE PRESIDENT. The question recurs on the original resolution. [Putting the question.] By the sound the ayes seem to have it.

Mr. WILLIAMS. I ask for the yeas and nays.
Mr. ROBINSON. I ask for a recapitulation of the former
vote. I think there is a mistake in it of 1 vote.

The Secretary recapitulated the vote.

The VICE PRESIDENT. The question recurs on the adoption of the original resolution.

Mr. WILLIAMS. I ask for the yeas and nays upon the original resolution.

The yeas and nays were ordered, and the Secretary proceeded

to call the roll.

Mr. BRANDEGEE (when his name was called). I again announce my pair with the senior Senator from Louisiana [Mr.

THORNTON]. If I were at liberty to vote, I should vote "yea."

Mr. BRYAN (when his name was called). Again announcing
my pair with the junior Senator from West Virginia [Mr. Goff], I withhold my vote.

Mr. CHAMBERLAIN (when his name was called). Making the same announcement as on the preceding vote with respect

the same announcement as on the preceding vote with respect to my pair, I vote "nay."

Mr. WALSH. Mr. President, a parliamentary inquiry. The Senate, by the vote just taken, has decided against the resolution to the effect that-

Mr. JAMES. I make the point of order that a parliamentary inquiry is not in order during a roll call.

The VICE PRESIDENT. The roll call will proceed.

Mr. WALSH. I shall ask the attention of the Chair, then,

when the roll call is completed.

Mr. CLARK of Wyoming (when his name was called). announcing my pair with the senior Senator from Missouri [Mr. STONE], who is detained from the Chamber by illness, I withhold my vote. If he were present and I were at liberty to vote, I should vote "yea."

Mr. STERLING (when Mr. Crawford's name was called).

I again announce the unavoidable absence of my colleague [Mr. CRAWFORD] and the fact that he has a pair with the senior Senator from Tennessee [Mr. LEA]. If present and at liberty

Senator from Telmessee [aft. 1924]. If present and at morely to vote, my colleague would vote "yea."

Mr. HUGHES (when his name was called). I have a general pair with the junior Senator from New Mexico [Mr. Catron]. Therefore I withhold my vote.

Mr. MARTINE of New Jersey (when the name of Mr. Lea of Tennessee was called). I again announce the pair existing between the senior Senator from Tennessee [Mr. Lea] and the senior Senator from South Dakota [Mr. CRAWFORD].

Mr. O'GORMAN (when his name was called). I again announce my general pair with the senior Senator from New Hampshire [Mr. Gallinger]. In his absence I withhold my

vote.

Mr. OVERMAN (when his name was called). Mr. OVERMAN (when his name was called). I again announce my pair on this question with the junior Senator from Wyoming [Mr. Warren]. Not knowing how he would vote if present I withhold my vote. I will state that if I were permitted to vote, I should vote "yea."

Mr. SAULSBURY (when his name was called). I again announce my pair with the junior Senator from Pennsylvania [Mr. OLIVER], who, if present, would vote "nay." If I were at liberty to vote, I should vote "yea."

Mr. STERLING (when his name was called). I again announce my pair with the junior Senator from New Hampshire [Mr. Hollis]. If at liberty to vote, I should vote "yea."

Mr. SUTHERLAND (when his name was called). I again announce my pair with the senior Senator from Arkansas [Mr.

CLARKE]. I transfer that pair to the junior Senator from Maine [Mr. Burkeigh] and will vote. I vote "yea."

Mr. SHAFROTH (when his name was called). I wish to announce the unavoidable absence of my colleague [Mr. THOMAS]. He is paired with the senior Senator from New York [Mr. Root]. If my colleague were present and at liberty

Mr. Root. If my coneague were present and at inserty to vote, he would vote "nay."

Mr. WILLIAMS (when his name was called). Prefacing the statement with the same announcement I made upon the last roll call, I vote "nay."

The roll call was concluded.

Mr. CLARK of Wyoming. I desire to announce the unavoidable absence of my colleague [Mr. Warren]. I have just received word directly from him, however, that if he were present and at liberty to vote, he would vote "yea."

Mr. OVERMAN. With that statement, Mr. President, I vote

"yea.'

Borah

Mr. SMOOT. I desire to announce that the senior Senator from New Hampshire [Mr. Gallinger], the senior Senator from New York [Mr. Root], and the senior Senator from Delaware [Mr. DU PONT] are unavoidably detained from the Senate. They have general pairs as follows:

The senior Senator from New Hampshire [Mr. Gallinger] with the junior Senator from New York [Mr. O'Gorman].

The senior Senator from New York [Mr. Root] with the senior Senator from Colorado [Mr. Thomas].

The senior Senator from Delaware [Mr. DU PONT] with the senior Senator from Texas [Mr. Culberson].

The result was announced—yeas 34, nays 30, as follows:

YEAS-34.

McCumber

Smoot

Thomas Thornton Warren

Brady Bristow Burton Clapp Colt Cummins Dillingham Gronna	Johnson Jones Kenyon Kern La Follette Lane Lippitt Lodge	McLean Nelson Norris Overman Page Poindexter Pomerene Sherman	Sutherland Thompson Townsend Walsh Weeks Works
	NA	YS-30.	
Ashurst Bankhead Bradley Chamberlain Chilton Fall Fletcher James	Lee, Md. Martin, Va. Martine, N. J. Myers Newlands Perklus Pittman Ransdell	Robinson Shafroth Sheppard Shields Simmons Smith, Ariz. Smith, Ga. Smith, Md.	Smith, S. C. Stephenson Swanson Tillman Vardaman Williams
	NOT V	OTING-31.	
Bacon Brandegee Bryan Burleigh	Culberson du Pont Gallinger Goff	Lewis O'Gorman Oliver Owen	Shively Smith, Mich. Sterling Stone

Catron Clark, Wyo. Clarke, Ark. Crawford Gore Hollis Hughes Len, Tenn. Penrose Reed Root Saulsbury So the resolution was agreed to.

Hitchcock

EXECUTIVE SESSION.

Mr. KERN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Thursday, February 5, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 4, 1914. UNITED STATES DISTRICT JUDGE.

Thomas G. Haight, of Jersey City, N. J., to be United States district judge for the district of New Jersey, vice Joseph Cross, deceased.

COLLECTOR OF CUSTOMS.

Percy W. Maer, of Columbus, Miss., to be collector of customs for the district of Mobile, in place of Hugh G. Ashley, whose term of office expired by limitation January 31, 1914.

REGISTER OF THE LAND OFFICE.

J. M. Upton, of Marshfield, Oreg., to be register of the land office at Roseburg, Oreg., vice Benjamin F. Jones, term expired.

SUPERVISING INSPECTOR.

George M. Green, of Tennessee, to be supervising inspector, sixth district, Steamboat-Inspection Service, vice Eugene L. Dorsey, resigned.

APPOINTMENTS IN THE PUBLIC HEALTH SERVICE.

Charles Vivian Akin to be assistant surgeon in the Public Health Service, to take effect from date of oath.

Frank Marie Faget to be assistant surgeon in the Public Health Service, to take effect from date of oath.

Thomas Cyrus Galloway, jr., to be assistant surgeon in the Public Health Service, to take effect from date of oath.

John Henry Linson to be assistant surgeon in the Public Health Service, to take effect from date of oath.

Knox Emerson Miller to be assistant surgeon in the Public Health Service, to take effect from date of oath.

Don Carlos Sutton to be assistant surgeon in the Public Health Service, to take effect from date of oath.

Clifford Ellison Waller to be assistant surgeon in the Public Health Service, to take effect from date of oath.

Newton Edward Wayson to be assistant surgeon in the Public Health Service, to take effect from date of oath.

Joseph G. Wilson to be assistant surgeon in the Public Health Service, to take effect from date of oath.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 4, 1914. GOVERNOR OF PANAMA CANAL.

Col. George W. Goethals, governor of the Panama Canal. APPRAISER OF MERCHANDISE.

James A. Herring, jr., to be appraiser of merchandise at Tampa, in the district of Florida, Frank W. Morse, superseded. COLLECTOR OF CUSTOMS.

Christian A. Niemeyer to be collector of customs for the district of Iowa.

RECEIVER OF PUBLIC MONEYS.

John V. Killion to be receiver of public moneys at Dodge City, Kans.

REGISTER OF THE LAND OFFICE.

J. M. Upton to be register of the land office at Roseburg,

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

First Lieut. La Vergne L. Gregg to be captain. Second Lieut. Patrick J. Morrissey to be first lieutenant. COAST ARTILLERY CORPS.

Lieut. Col. Richmond P. Davis to be colonel. Maj. Clint C. Hearn to be lieutenant colonel. Capt. Malcolm Young to be major. First Lieut. Matthew A. Cross to be captain. Second Lleut. Christopher D. Peirce to be first lieutenant.

POSTMASTERS.

William H. Buggie, Cromwell. William B. Johnson, Elmwood. Ross B. Judd, Montowese.

ILLINOIS.

O. E. Boyer, Kansas. James M. Dace, Odin. Adam A. Funk, St. Joseph. William H. J. Hoeft, Geneseo. Barney A. Iaun, Olney. S. J. Jackson, Kankakee. James W. Patton, Springfield. Herman Richarz, Techny. Daniel W. Touhey, Hume, Glenn P. Wyatt, Wyanet.

KANSAS.

W. C. Dysart, Parker. Maude M. Parrish, Quenemo. W. P. Rettiger, Strong. George W. Sain, Nickerson. J. C. Simmons, Wellsville.

LOUISIANA.

Paul J. Gardere, Slidell. James H. Leggett, Oakdale. John B. Sewell, Baldwin. Cora Sharpless, De Ridder. William P. Willett, Pollock. John H. Womack, Kentwood.

MARYLAND.

Robert L. Runkles, Mount Airy. J. Howell Taylor, Medford. David O. Pound, Smithsburg.

MICHIGAN.

Richard W. Hankin, Freeland. Freeborn H. Healy, Durand. Arthur R. Martin, Croswell. Edwin F. Mathews, Pellston. Otto L. Mertz, Gladstone. Frank H. Pettibone, Corunna. Orlando Steele, Onaway. D. D. Stewart, Munising. Charles B. Wilmot, Gladwin. Levi S. Vaughan, Saranac.

Asher K. Anders, Doylestown, John R. Bucher, Columbia, John Dzurik, Glenlyon, Hugh McKenna, Hazleton,

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 4, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the fol-

lowing prayer

Infinite Spirit, Father of all souls, bestower of all gifts, we thank Thee for our homes, for our country, for our religion. May we realize that that home is the best home where love reigns supreme and which typifies our highest ideals of the heavenly home; that that government is the best government that furnishes the best opportunities for ideal citizenship; that that religion is the best religion which produces the highest type of manhood. Grant that we may hold these sacred and strive for the mastery in all their appointments. In the spirit of the Lord Christ. Amen.

The Journal of the proceedings of yesterday was read and ap-

INCOME-TAX LAW.

Mr. BURGESS asked and obtained unanimous consent to print in the RECORD an address of the Hon. Cordell Hull, delivered before the State Bar Association of New York State, on the

CHANGE OF REFERENCE.

Mr. BALTZ. Mr. Speaker, on December 18 I introduced a bill (H. R. 10942) providing for the furnishing of information as to the yield of grain in the United States and Territories, and for other purposes. This bill was referred to the Committee on Agriculture by mistake, and I now ask unanimous consent to have it referred to the Committee on the Census.

The SPEAKER. What is the subject of the bill?

Mr. BALTZ. Providing for the furnishing of information as to the yield of grain in the United States and Territories, and for other purposes.

The SPEAKER. The gentleman from Illinois [Mr. Baltz] asks unanimous consent that the Committee on Agriculture be discharged from the further consideration of the bill H. R. 10942, and that it be referred to the Committee on the Census.

Mr. MANN. Reserving the right to object, may I ask my colleague whether he has referred this matter to the chairman of the Committee on Agriculture, the gentleman from South Carolina [Mr. Lever]?

Mr. BALTZ. I want to say to the gentleman that I did, and

that it meets with his approval.

The SPEAKER. Is there objection?

There was no objection,

THE TARIFF.

Mr. HARDWICK. Mr. Speaker, I desire to ask unanimous consent to consume three minutes by making a short statement

The SPEAKER. The gentleman from Georgia [Mr. Hardwick] asks unanimous consent for three minutes in which to address the House. Is there objection?

There was no objection.

Mr. HARDWICK. Mr. Speaker, I want to call the attention of the House and the country to a letter which I received this morning in the mail from an ex-Republican in Connecticut. It

THOMAS W. HARDWICK, M. C. MIDDLETOWN, CONN., February 2, 1914.

DEAR SIR: As I was reading in our Connecticut papers a few weeks ago about one of your Members of Congress reading to Congress what

effect the tariff had on the piano industry in Deep River, Conn., I have a few clippings more to digest. I wish I had saved more for you. Over in Groversdale, Conn., they have advanced the wages as good as 25 per cent. Two thousand hands will reap a reward because of tariff bill. Up in Webster, Mass., 1,000 hands have had their wages increased, Here is one factory controlled by ex-Congressman Hill, one of the calamity howlers, working night and day. No more voting Republican ticket for me. I think this Democratic Congress has done more good for the people than any Congress in years. What a fine President Wilson is making. He is not running all over the country, but he is right on the job. I hear people talk in the factory. I know the way they talk they admire the Democratic administration. Please do not give out my name as I work in a high-protection factory.

Yours, respectfully,

Also, I will insert the following clipping: EAGLE LOCK CO. RUSHING.

TERRYVILLE, CONN., January 31.

Announcement is made that because of an increase in business the Eagle Lock Co. in this town has begun to operate three departments of its screw-making factory on a 13-hour basis six days in the week. About 200 of the 1,400 employees are affected. Former Congressman E. J. Hill, who has had much to say about the evils that might be expected under the new tariff and currency bills, is said to be a considerable stockholder in the company of which R. J. Pumb is president.

This gentleman signs his name and gives his street and number. Gentlemen, this is but a sample of how much real calamity there is in the country. [Applause on the Democratic side.]
Mr. MANN. Mr. Speaker, I ask for three minutes.
The SPEAKER. The gentleman from Illinois [Mr. MANN]

asks to address the House for three minutes.

Mr. DONOVAN. Mr. Speaker, reserving the right to object, I wish to say that the gentleman is in error. There are 2,000 hands in the Groversdale factory, instead of 200, that have been benefited.

Mr. HARDWICK. I am glad to accept the amendment of my

friend from Connecticut. It was a misreading.

The SPEAKER. The House will be in order. The gentleman from Illinois [Mr. Mann] asks unanimous consent to ad-The House will be in order. The gentledress the House for three minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, like all information which comes from that side of the House, there are liable to be errors in the statements which are made. I have a letter here from ex-Congressman Hill in reference to this matter, which I put in my pocket to meet just this proposition, supposing some gentleman, in the exuberance of the moment, would refer to this proposition.

Mr. HARDWICK. Will the gentleman yield? Mr. MANN. If I have the time.

Mr. MANN.

Mr. HARDWICK. You can get the time, of course.

Mr. MANN. I will yield.
Mr. HARDWICK. Does it make any difference at all whether Mr. Hill is a stockholder in this factory or not, if wages have been increased to hundreds and thousands of hands?

Mr. MANN. It makes a difference whether the statement is true or not.

Mr. HARDWICK. It was printed in the press. Mr. MANN. I have an answer from Mr. Hill which answers

one proposition there at least.

Mr. HARDWICK. That is an immaterial part.

Mr. MANN. The gentleman thinks it is immaterial if it does not interest his side. The gentleman from Georgia presents a letter saying that ex-Congressman Hill is interested in certain factories. I presume the rest of the article is just as reliable as that part of it. Mr. Hill says:

NORWALK, Conn., February 2, 1914.

Hon. James R. Mann.

My Dear Mann: The New York Times of February 2 has a dispatch from Hartford, doubtless intended to hit at "ex-Congressman Ebenezer J. Hill, a Payne Republican Ways and Means Committee member." It speaks of "his Terryville factory." and is headed "Overtime in Hill's factory—Mills rushed, despite owner's tariff pessimism." If occasion requires, you are authorized to say that I have no interest in any Terryville factory and never had, and am not now and never have been interested in any factory of any kind outside of the town in which I live. JAMES R. MANN.

interested in any factory of any live.

I know nothing about the other statements made in the dispatch, but if they are no more accurate than those concerning me they are of no value whatever,

Yours, truly,

E. J. Hill.

I presume the rest of the dispatch is equally inaccurate with this statement. I suggest to gentlemen that they verify some of the wild ideas that they exploit on the floor of the House before they make their statements.

Mr. HARDWICK. Mr. Speaker, will the gentleman yield for

just a moment?

Mr. MANN.

Mr. HARDWICK. The gentleman does not know that the facts stated by this man-who may not know about the ownership of the factory-as to the increase in wages and number of employees are not true?

Mr. MANN. I do not know, but I give very little credence to the statement of a man who is unwilling to have his name known

Mr. HARDWICK. I will give the gentleman his name if he

The SPEAKER. The time of the gentleman from Illinois has expired.

EXPENSES OF MINE INVESTIGATION.

Mr. LLOYD. Mr. Speaker, I present the following privileged resolution

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 395 (H. Rept. 217).

Resolved, That all expenses that may be incurred by the Committee on Mines and Mining or any subcommittee thereof, under House resolution 387, adopted January 27, 1914, authorizing said committee or subcommittee thereof to make certain investigations, to an amount not exceeding \$15,000, shall be paid out of the contingent fund of the House of Representatives on vouchers ordered by said committee or subcommittee, signed by the chairman thereof, and approved by the Committee on Accounts, evidenced by the signature of the chairman thereof.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

CHANGE OF REFERENCE.

Mr. GOLDFOGLE. Mr. Speaker, on April 25, 1913, I introduced the bill H. R. 4310, which was referred to the Committee on Ways and Means, although it is a private claim bill. It belongs to the Committee on Claims. In fact, I spoke about it to the gentleman from Alabama [Mr. UNDERWOOD], chairman of the Committee on Ways and Means, long ago, and he said it was a private claim bill and ought to be cognizable by the Committee on Claims. I ask that it be referred to the Committee on Claims.

The SPEAKER. The gentleman from New York [Mr. Gold-FOGLE] asks that the Committee on Ways and Means be discharged from the further consideration of the bill (H. R. 4310) concerning certain moneys collected from Bernard Citroen as customs duties and declared by the United States Supreme Court to have been illegally exacted, and that the same be referred to the Committee on Claims. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

LEAVE OF ABSENCE.

Mr. Martin, by unanimous consent, at the request of Mr. DILLON, was granted leave of absence indefinitely on account of illness.

RESTRICTION OF IMMIGRATION.

The SPEAKER. The House automatically resolves itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6060, the immigration bill, and the gentleman from Virginia [Mr. HAY] will take the chair.

The House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6060, the immigration bill, with Mr. Hay in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6060, which the Clerk will report by title.

The Clerk read the title of the bill, as follows:

A bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States. The CHAIRMAN. The gentleman from Alabama [Mr. Bur-

NETT] is recognized. Mr. BURNETT. Mr. Chairman, I offer a committee amend-

ment to section 19.

The CHAIRMAN. The gentleman from Alabama [Mr. Bur-NETT] offers an amendment, which the Clerk will report. The Clerk read as follows:

Amend, page 38, by striking out in lines 9, 11, and 20, respectively, the word "three" and inserting in lieu thereof the word "five."

Mr. GARDNER. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. GARDNER. Is it permissible to demand that that amendment be separated into its three component parts?

The CHAIRMAN. The Chair thinks the committee by consent could adopt all three amendments at the same time.

Mr. GARDNER. I am against the committee amendment.
The CHAIRMAN. Very well. Then—
Mr. GARDNER. I ask unanimous consent that these three amendments be considered separately.

Mr. CANTOR. Mr. Chairman, I ask that the amendment be

again reported.

Mr. MOORE. Mr. Chairman, I reserve the right to object.
The CHAIRMAN. The gentleman from Massachusetts [Mr. Gardner] makes the point of order that the three amendments

can not be offered at one and the same time, and the Chair sustains the point of order.

Mr. BURNETT. Mr. Chairman, I move to consider the first

amendment separately.

The CHAIRMAN. The gentleman from Alabama moves to consider the first amendment. Without objection, the Clerk will report it

The Clerk read as follows:

Amend, page 38, line 9, by striking out the word "three" and insert-g the word "five."

Mr. BURNETT. Mr. Chairman, section 19 reads, "That any alien, at any time within three years after entry, who shall enter the United States in violation of law," and so forth. The committee thought that that was too short a time. The committee thought that there ought to be a deportation of these aliens after five years if they came in violation of law at any time within five years; and that is the substance of that amendment. The time now, under the existing law, is three years, and the committee thought it ought to be extended to five years.

Mr. SABATH. Will the gentleman yield?

Mr. BURNETT. Yes.
Mr. SABATH. I have been present at all the meetings of the committee and I can not recollect when the committee has voted to increase the time from three years to five years. The chairman may be in a position to enlighten me as to when that was agreed upon.

Mr. BURNETT. Yes; I will state to the gentleman that at one of our meetings the motion was made by the gentleman from New York [Mr. Goldfogle]. The committee record shows and my memory corresponds to the record, that it was not agreed to that the word "three" was not stricken out and the word "five" was not inserted. The gentleman from Illinois

[Mr. SABATH] was present at that meeting.

At a subsequent meeting of the committee, at which the gentleman was not present, attention was called to the fact that that change was not made in the text of the bill, from three to five, and the statement was made by gentlemen from their recollection-and most of them agreed that that was the case, although my recollection did not agree with theirs-that we had at that meeting agreed to an extension to five years. In order to remedy that, so that there would be no conflict between the record and what gentlemen thought the committee actually did, a motion was made to instruct the chairman of the committee to offer this amendment. In conformity with that motion I have offered the amendment.

Mr. GARDNER. Mr. Chairman, as a matter of fact the records of the committee show that these amendments were at

first voted down.

The deportation clause of the immigration law is already severe. For instance, if a man comes into this country as a stowaway, or if he comes in as a vagrant, or if he comes in stowaway, or if he comes in as a vagrant, or if he comes in having his ticket paid for by an association or society, he is here illegally. But if he manages to satisfy the immigrant inspectors and is permitted to land in this country, nevertheless, no matter how good a citizen he may prove, in the next three years he is liable to deportation if the facts ever crop out. That is the law to-day, and I think it harsh enough. It subjects immigrants whose passage money has been paid by an association or society to the blackmail of the year people. association or society to the blackmail of the very people responsible for bringing them in. Now, it is proposed in this first amendment to extend that period to five years. This whole section of the existing law has been tremendously strengthened in this bill already, without the adoption of any one of those amendments.

As things are to-day, if a man comes into this country and afterwards becomes a criminal, he can not be deported. We tried to get bills through this House allowing him to be deported within three years. The House has always questioned whether a criminal ought to be deported for crimes committed in this country, because it is argued that those crimes may have been committed in consequence of conditions existing here. Nevertheless we have included in this bill this deportation provision for those who become criminals within three years after arrival. Now, the third amendment proposes to increase that period to five years. That is a pretty big jump from the present law, which does not permit a criminal to be deported at all unless he was a criminal before he came here.

Under existing law we can not deport people who become public charges after arrival here, unless they become public charges from conditions existing prior to landing. We make no

change in that respect.

Under the present law prostitutes and procurers may be deported at any time during the rest of their lives, provided they are still aliens. In the law, as we propose it, we retain precisely the same feature.

Mr. Chairman, I submit that the first amendment is far more objectionable than any of the rest. Perfectly innocent men get by the inspectors—they are vagrants, to be sure; they are liable to become public charges, to be sure; they may have some other disability, to be sure, like the loss of three fingers, which will endanger their ability to earn a living—

Mr. BURNETT. This does not apply to those who become

public charges,

Mr. GARDNER. I beg the gentleman's pardon. Mr. BURNETT. If the gentleman will read the language

Mr. GARDNER. That language applies to those who be-ome public charges after entry. This amendment would affect come public charges after entry. This amendment would affect all who are here in violation of the law. If a man was likely to become a public charge when he came here he is here in violation of the law, and to-day is deportable at any time within three years. It is now proposed to make that period

five years.

Many a good man who technically came here in violation of law has slipped by the inspectors; many a contract laborer, who did not know that he was a contract laborer; many a man who saw an advertisement in a foreign paper and thought it was proper for him to emigrate in response to that advertisement came here originally in violation of law. We now require such men to be deported if discovered within three years, but this amendment holds the sword of Damocles over them for five years

The CHAIRMAN. The time of the gentleman from Massa-

chusetts has expired.

Mr. MANN. Mr. MANN. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. MANN. What is the amendment now pending?
The CHAIRMAN. The Clerk will report the pending amend-

The Clerk read as follows:

Amend, page 38, line 9, by striking out the word "three" and inserting the word "five."

Mr. MANN. Was not the committee amendment to this section agreed to?

The CHAIRMAN. It was not.

Mr. MANN. It is printed in the bill.

The CHAIRMAN. It has not been offered by the chairman of the committee.

Mr. MANN. It need not be offered by the chairman of the committee; but, of course, it does not necessarily take prece-

The CHAIRMAN. In accordance with the practice of the House, the committee amendment in the bill will first be considered. The Clerk will report the amendment.

The Clerk read as follows:

Page 38, line 10, after the word "law," insert the following:
"Any alien who within three years after entry shall be found advocating or teaching the unlawful destruction of property, or advocating or teaching anarchy, or the overthrow by force or violence of organized government or the assassination of public officials."

Mr. BURNETT. Mr. Chairman, before that is done this amendment making it five years instead of three years is really an amendment to the committee amendment, and I should think that ought to be voted on first to perfect the committee amend-

The CHAIRMAN. If the gentleman from Alabama offers an amendment to the committee amendment, the gentleman will have to withdraw the amendment which he offered before.

Mr. GARDNER. Mr. Chairman, this amendment is offered to the text and not to the committee amendment.

The CHAIRMAN. The gentleman has a right to offer an

amendment to the committee amendment.

Mr. GARDNER. But that is the second amendment.

The CHAIRMAN. The first amendment has not been adopted. The Charkman. The installment has not been adopted. The Chair inadvertently failed to have reported the committee amendment printed in the bill. The Chair understands that the gentleman from Alabama withdraws the first amendment he offered and offers another to the committee amendment.

Mr. GARDNER. I think the Chair is misled, and that this is an amendment to the text and not to the committee amend-

ment.

The CHAIRMAN. The question is on the amendment to the committee amendment.

Mr. MOORE. Mr. Chairman, a parliamentary inquiry.
The CHAIRMAN. The gentleman will state it.
Mr. MOORE. If this amendment is adopted, there will still be an opportunity to offer amendments to this committee

The CHAIRMAN. The Chair thinks not. The Chair thinks that if the gentleman desires to amend the committee amendment it is now in order to offer an amendment to the amendment. The gentleman from Alabama has offered one amendment to the committee amendment.

Mr. GARDNER. A parliamentary inquiry, Mr. Chairman. The CHAIRMAN. The gentleman will state it.

Mr. GARDNER. There is an amendment to perfect line 9, page 38, of the text of the bill, and I raise the point of order that an amendment can not be withdrawn in Committee of the Whole.

The CHAIRMAN. The Chair will state to the gentleman from Massachusetts that the committee amendment ought to have been placed before the committee before any other amendment was offered. It was not in order to offer that amendment until the committee amendment had been acted upon.

Mr. GARDNER. If the Chair rules that way, very well. I know of no rule of the House that requires the committee

amendment to take precedence.

The CHAIRMAN. The Chair thinks that is the order of busi-The question is on the amendment to the amendment offered by the gentleman from Alabama, which the Clerk will

The Clerk read as follows:

Amend the amendment by striking out, in line 11, the word "three" and inserting the word "five."

Mr. MOORE. Now, Mr. Chairman, I desire to offer an amendment.

Mr. GARDNER. Mr. Chairman, I want to know whether we

The CHAIRMAN. We have not adopted the committee The CHAIRMAN. amendment. The Chair has stated repeatedly that the question is on the amendment offered by the gentleman from Alabama to the committee amendment,

Mr. GARDNER. Another question, Mr. Chairman.
The CHAIRMAN. The gentleman will state it.
Mr. GARDNER. The result is that we are going to consider

this paragraph wrong end to.

The CHAIRMAN. The Chair does not know about that. Mr. MOORE. Mr. Chairman, I offer the following substitute for the pending amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 38, line 11, after the word "who," strike out the words "within three years" and insert the words "at any time."

The CHAIRMAN. The question is on the substitute. Mr. MOORE. Mr. Chairman, is that debatable?

The CHAIRMAN. Certainly it is.
Mr. MOORE. Mr. Chairman, the committee amendment purposes to deal wholly with anarchists and those teaching the destruction of life and property and the overthrow of government. I assume none of us has any sympathy with any of these classes. The Commissioner General of Immigration in the report referred to yesterday asked that his jurisdiction in this matter be enlarged to a certain extent. It seems to me-and I believe most of the committee feel this way about it—that we ought to have a very positive law with regard to anarchists and to those who unlawfully teach the destruction of life and property. believe there is no real division in the committee on that question. My amendment purposes to leave it in the power of the Secretary of Labor to seize a criminal alien at any time, if he is still an alien, when found unlawfully teaching the destruction of life and property or the overthrow of our Government. There ought to be no excuse for the criminal alien who has not become a citizen of the United States to teach the destruction of life and property. There ought to be no limitation on the power of the Secretary in this regard. There ought to be no expense incurred in any community to maintain and try the man, who, refusing to comply with the requirements of citizenship and being an alien, unlawfully teaches the destruction of life and property. Such a man under this amendment might be seized at any time by the Secretary of Labor and deported to the place whence he came.

Mr. SABATH. Mr. Chairman, will the gentleman yield?
Mr. MOORE. Yes.
Mr. SABATH. Mr. Chairman, will the gentleman inform me how he construes the latter part of the amendment which states "or the overthrow by force or violence of organized government ?? Does that include any organized government, or only our own Government?

Mr. MOORE. I would amend that and make it the Government of the United States. We are not dealing with patriots.

Mr. SABATH. I think that amendment ought to be made. Mr. MOORE. I would be very glad to offer such an amend-

Mr. GARDNER. It would have to be made all through the

Mr. MOORE. We ought not to sanction on the highways or amongst the people of the United States alien anarchists who mislead workingmen, or who mislead other aliens by teaching the uniawful destruction of life and property in this country, and so far as the members of the minority on the Committee on Immigration and Naturalization are concerned I do not know one of them who does not stand for a law that will embody that principle.

Mr. Chairman, will the gentleman yield? Mr. SLAYDEN.

Mr. MOORE. Yes.

SLAYDEN. Does the gentleman not think that an anarchist in the old country will probably be an anarchist in this country if he comes here?

Mr. MOORE. But he ought not to be permitted to come here. Mr. SLAYDEN. And therefore a dangerous member of so-

Mr. MOORE. If there is a proper and efficient administration, he ought not to come into the country at all, and he would not. Mr. Chairman, will the gentleman yield?

Mr. MANN. Mr. MOORE. Yes.

Mr. MANN. Suppose a man comes here with a family having a boy or a girl six months or a year old. The father does not take out naturalization papers. The boy is educated and the girl is educated in this country. Does the gentleman think that at the end of 18 or 20 years that boy or girl, who is still an alien, should be seized and sent back to some country, which

country does not want to take either of them?

Mr. MOORE. Mr. Chairman, the gentleman presents an extreme case; but if anyone turns criminal and unlawfully preaches in America the destruction of life and property here, there ought to be no hesitancy about apprehending or turning him back, no matter what the length of his residence. We do not need men in this country to teach destruction of life and property. is contrary to our institutions. I have opposed this bill because it bars unfortunate men and women who can not read, whose intentions are pure and lawful, but I do not believe that we need in this country or should tolerate here men who come under subterfuge or otherwise to teach the destruction of life and property and to disturb our peace.

Mr. HULINGS. Mr. Chairman, will the gentleman yield?

Mr. MOORE Certainly.

Mr. HULINGS, I would like to ask the gentleman from Pennsylvania what would be the situation if an honest-hearted man should come into this country and be educated under our law, and under American tuition should become an anarchist. Would the gentleman then attempt to send him back to the country whence he came-an anarchist who was made so under American tuition?

Mr. MOORE. I have not heard of anything of that kind, and sounds like a far-fetched proposition.

The time of the gentleman from Pennsyl-The CHAIRMAN. vania has expired.

Mr. RAKER. Mr. Chairman, the original intention of the committee, as I gather it, seemed to be, with no dispute or division, that this should be five years, because it was supposed that a man having lived here five years would then be able to become a citizen by naturalization, if he had taken out his first papers in time, and then followed that up by making his final applica-

tion, which can all be done after five years from his landing. We ought to have the right to make him stay here the length of time that it requires him to become a citizen, and if he violates the law and does any of these things provided for in this section he ought to be deported. Anyone who teaches the unlawful destruction of property or advocates or teaches anarchy, or the overthrow by force or violence of organized government, or the assassination of public officials, who has lived here five years and does not desire to become a citizen, and then lives here another two years and makes no application to become a citizen, and teaches the assassination of public officials or the unlawful destruction of property or the overthrow of government, he does not belong in America. And in answer to the question of the gentleman from Illinois, if a child comes here with his parents at the age of 3 or 5 years and stayed here 15 years and was so inculcated with all things of this Government that he then taught anarchy and assassination of public officials or the destruction and overthrow of government, he does not belong in America and he ought to be sent Lack to the country from which he came; but the amendment of the committee will sufficiently cover the question.

Mr. MANN. Will the gentleman yield for a question? Mr. RAKER. I will.

Mr. MANN. Suppose the country from which he came refuses to receive one so imbued with the principles of anarchy? How are we going to force him back?

Mr. RAKER. That does not require an answer; the statement answers itself. Under the principles of living as taught in our common schools that condition should never obtain

Will the gentleman yield?

Mr. RAKER. I can not at this time. This ought to be amended where it says "or the overthrow by force or violence of organized government." I do not believe this country ought to permit aliens to come in here and live here and establish schools for the purpose of overthrowing this Government. Our schools ought to be established for the betterment of this Government, for the purpose of trying to build up this Government, trying to teach its principles, trying to teach its laws, so that they can make better citizens and assist those surrounding them instead of starting a propaganda, sowing the seeds of discord, and disseminating dissatisfaction and assassination, so that it may be promulgated all over this country. That man does not belong in America; he does not belong here; his place is somewhere else, who tenches or advocates the doctrines as prohibited by this section. That man ought not to be allowed to come here and teach the destruction of this Government. He ought to be taught that it is our highest object and our purpose to teach the power of the individual to properly control him-self and be a good citizen, that he might better himself and those who surround him.

Mr. JOHNSON of Washington. I desire to say that I am opposed to the amendment offered by my colleague of the committee [Mr. Moore] and in favor of the committee amendment and the amended paragraph, which provides, in line 11, page 38, that "three years" shall be changed to "five years." I regret, Mr. Chairman, that there seems to have been a slight misunderstanding as to the committee's action, but I believe that all the members of the Committee on Immigration desire to indorse the great work that has been done by the chairman [Mr. Bur-NETT] and the gentleman from Massachusetts [Mr. GARDNER] in perfecting the details of this exceedingly difficult bill.

Now, should this line be changed to read "deportation at any that change will interfere with the wording of the bill in many places which we have passed. If I may be permitted to speak for a moment of the committee's action, let me say that this amendment was considered with considerable care and it was decided to make the time of deportation five years in the one place, line 11; that any alien, during the five-year period, in which time he should learn to regard citizenship of the United States as a privilege, should be deported if he commits or advocates the unlawful destruction of property or the overthrow by force of this Government.

Mr. Chairman, that clause should have been adopted 30 years ago. I contend that we must do more than simply put up the bars against undesirable immigration. By this clause we put aliens on probation and withhold their right to live in the United States unless they show at least passive love and respect for it and its institutions. It is not fair that along with aliens who come here to make homes, to live in and love the United States, shall come those who neither respect our flag nor our institutions and who bring with them a mass of "isms" which

if not checked, must lead on to anarchy and revolution.

Mr. Chairman, I desire to show here a copy of a newspaper which came in my mail this very morning. This is a Tacoma newspaper containing a photograph of a letter threatening the life of one of the city officials of Tacoma. It is signed by some member of one of those revolutionary organizations which contend for direct action, the overthrow of this Government, and the unlawful destruction of property—sabotage, if you please.

Will my colleague yield there? Mr. RAKER. Mr. JOHNSON of Washington. Gladly.

Mr. RAKER. Now, if that man had been in the United States six years and threatened the life of this official, ought he not to be sent away

Mr. JOHNSON of Washington. I can not agree with the

Mr. BARTON. Why? Mr. JOHNSON of Washington. He should, as a matter of fact, be sent away, but I think if in five years we can not teach the thousands who come, and during that five years prepare them for citizenship, we will just have to fight it out with them. I am in favor of the committee amendment as reported by the unanimous vote of those who were present.

Mr. GOLDFOGLE. Mr. Chairman, no one has more earnestly or persistently opposed the literacy test in this immigration bill than I have. I believe the injection of that provision means the exclusion of many decent, honest, industrious, and law-abiding persons simply because an opportunity to acquire an education was denied them. But we are now met with a proposition offered by the Immigration Committee to change the

period of limitation of three years, as it is in existing law, to five years, so that within the latter period of time those who teach the doctrine of anarchy or the assassination of public officials may be deported. I want my country kept clear of men who advocate the assassination of public officials. I want my country kept clear of men who sow the seed of discord and discontent against our American Government or dare preach the doctrines of anarchy. [Applause.]

With characters of that kind I have no sympathy, so, Mr. Chairman, I see no harm in the adoption of the committee amendment offered by the chairman of the committee, the gen-

tleman from Alabama [Mr. BURNETT].

Mr. Chairman, I will not go as far as my colleague on the committee [Mr. Moore] has gone in his amendment. I can not go to the length he desires without fixing a limit of time. think it is not unreasonable to change the period in existing law from three years to five years. It merely extends it two years. If the committee amendment is adopted, it will enable the Department of Labor to discover those who preach and advocate doctrines that menace the peace and happiness, the

well-being and welfare of America, as was suggested by the gentleman from California [Mr. Raker].

Mr. O'SHAUNESSY. Will the gentleman yield?

Mr. GOLDFOGLE. With pleasure.

Mr. O'SHAUNESSY. Does not the gentleman think it ought to be amended so as to read, "the organized Government of the United States"? Do you think it is a crime for any man to say that he would like to see a despotism overthrown by force? Was not the despotism of the English Government overthrown by force by the attitude and the cooperation of the American Colonies?

Mr. GOLDFOGLE. The gentleman from Rhode Island is right in the enunciation of the principle he has expressed and I agree with him fully, but the gentleman has not read the lan-guage of the bill in so far as it is affected by the amendment

offered by the committee.

The CHAIRMAN. The time of the gentleman from New York has expired. The gentleman from Minnesota [Mr. MANAHAN] is recognized.

Mr. CARDNER Will the gentleman from Minnesota [Mr.

MANAHAN] is recognized.

Mr. GARDNER. Will the gentleman from Minnesota [Mr. Manahan] yield half a minute to me?

Mr. MANAHAN. Yes.

Mr. GARDNER. I would like to have this amendment read for the information of the committee. This provides we can not deport people whom we do not exclude, and this will make the amendment uniform.

The CHAIRMAN. The gentleman from Massachusetts asks that the amendment be again read. Is there objection?

There was no objection.

The Clerk read as follows:

Page 32, line 14, strike out the words "organized government" and insert "the Government of the United States or of all forms of law, or who disbelieve in or are opposed to organized government."

Mr. DYER. Mr. Chairman, it is page 38. The gentleman should have it go in that way. He said "page 32," but it should be page 38, should it not?

The CHAIRMAN. It is page 38 of the bill. Mr. DYER. The Clerk read "page 32."

Mr. MANAHAN. Mr. Chairman, I had it in mind to speak on that very point, and I only want to say now that, before that amendment was offered, the proposition was manifestly unfair. I think it would be nothing short of a repudiation of our whole history as a Nation if we undertook to deport every man who had taught, or was teaching, or believed in, the overthrow of some foreign despotism. And I am in favor of the amendment suggested by the gentleman from Massachusetts [Mr. GARDNER] just now.

I also wish to suggest that I think the amendment as it stands is in very much better condition than it will be if the amendment of my colleague from Pennsylvania [Mr. Moore] is adopted, and for a good many reasons. I think the three-year limitation is a fair limitation to make, and to assume that we can not control people living within our borders after they have been with us three years is a sort of confession of weakness,

in my judgment.

If any man commits a crime here, we should be capable of promptly and properly taking care of him and punishing him

for the crime.

The way this amendment reads at present it would make it possible for this Government to deport the suffragettes of England if they came over here. It would be better to reform them. It is an unfair amendment in that it combines offenses like unrestrained anarchy, that cry to Heaven for vengeance, with offenses such as those with which some of the best women of England are charged. I think we ought not to pass a law here which classes with anarchists a woman, a respectable, decent woman, who, through mistaken judgment, takes the position of the suffragettes of England—who honestly feel that they are justified in destroying the mail, for instance, for the sake of securing to themselves rights which every honest man must concede are very sacred rights, and the denial of which is a reflection upon their Government.

Now, in case women of that kind should be here, or should come here and, after living here for a time, should feel keenly we are not treating them right as women, and, through mistaken judgment, take that point of view and get doing what they should not, I think it is hardly commendable to our civilization to say that instead of punishing them for violence they should be ranked with anarchists, who believe in destroying and murdering all governors and Presidents, and so forth, and be deported as such. I think it is such an unbalanced amendment that it ought to be adjusted in some way and so changed as that at any time not the milder offender but the grave offender should be subject to deportation.

It is a confession of weakness on the part of our Government that we can not keep and control them, which, for my part, I am ashamed to make. We ought to be able so to administer our laws as to compel obedience thereto. Deportation is a confession that we can not handle the person deported; and when we say we can not handle well-meaning but misguided women like the suffragettes of England we confess to a failure on the part of our Government.

The CHAIRMAN. The time of the gentleman from Minne-

sota has expired.

Mr. BRYAN. Now, Mr. Chairman, referring not to the question of anarchy or assassination of public officials or to those who are against all government, but to this portion of the amendment which reads "advocating or teaching the unlawful destruction of property," I want to say that that is a very

broadly stated proposition.

It is only necessary, prior to five years' residence, to teach unlawful destruction of property in order to become subject to deportation. Up in Alaska nearly a year ago some well-meaning citizens were offended at the policy of the department with reference to the opening of the coal lands, and there went up there a shipload of coal, and some of those people met at the wharf and, as I understand, threw a lot of the coal into the bay. They were unlawfully destroying property, and if it had hap-pened that among those men—who were well purposed and had grievances, and against whom I am not making any criticismthere was one man who was an alien, or was the son of an unnaturalized citizen, or of some one who had not acquired a citizenship under the special laws applicable, he would be subject to deportation.

Mr. JOHNSON of Washington. Mr. Chairman, will the gen-

tleman yield right there?

The CHAIRMAN. Does the gentleman yield to his colleague?

Mr. BRYAN. I will; but make it very brief.
Mr. JOHNSON of Washington. I desire to ask my colleague if he believes in the teachings or practice of sabotage as brought

into this country?

Mr. BRYAN. The gentleman knows that I do not believe in that that question should not be that doctrine; and he knows that that question should not be

asked here and is not appropriate.

Mr. JOHNSON of Washington. That is the crux of the whole matter. I ask the gentleman again If he believes in the unlawful destruction of property?

Mr. BRYAN. I do not believe in the unlawful destruction of property or in anything else that is unlawful, and the gentleman knows that. I think a question of that kind is an insult. When you go to make a law and say that anything is unlawful, and leave it to the Commissioner of Immigration to de-

termine whether or not a given act is unlawful, you give him

too much power.

In Alaska it is said that the Guggenheims employed some gunmen on a certain occasion to stop the building of a railroad, and they engaged in some things of that kind. In every new country and in every new development there are strikes and differences of opinion among men, and some men may destroy a little property or something—a scuttle or two of coal or a dollar's worth of property—and then they become subject to this provision, because it is construed that they teach the unlawful destruction of property. I say that is too broad a provision. It is all right to expel from this country at every opportunity an anarchist or any man who tries to overthrow the Government.

Of course I accord with the amendment that has been suggested with reference to violence against our own organized Government, and I do not desire to open up the matter as to those particulars at all; but as to this other, I am opposed to

the amendment suggested by the gentleman from Pennsylvania, and I believe those words ought to be cut out.

Mr. SLAYDEN. Mr. Chairman, I am afraid the gallantry of the gentleman from Minnesota [Mr. Manahan] is running away with his judgment. I think that criminals ought to be denied admission to the United States under all circumstances. If we are able to fix upon women the participation in a conspiracy or the giving of advice that induced crime they ought to be kept out. Arson is just as effective when committed by women as when committed by men, and on many historic occasions, as gentlemen know, property has been destroyed by women.

Mr. MANAHAN. Will the gentleman yield for a question?
Mr. SLAYDEN. If the gentleman will be quick about it.
Mr. MANAHAN. Is there any difference between destroying

property for political rights now and the destroying of property at the Boston tea party?

Mr. SLAYDEN. Mr. Chairman, the gentleman opens up a very wide avenue of discussion, which I have not the time in five minutes to go into; but unquestionably the very people for whom in his gallentry be speaks on this case of the control of the c whom in his gallantry he speaks on this occasion have been guilty of inexcusable crimes, the destruction of historic buildings, and of efforts to destroy libraries and public galleries, all of which were established and maintained for the benefit and

education of the public.

I abhor anarchy so much that my sympathy inclines me to support all these measures which tend to keep them out. I shall vote for the committee amendment of five years, but I am also inclined to believe that if I had the power to do so I would apply the method lately announced by one of those disciples of pure democracy in Mexico, Mr. Emiliano Zapata, who says that when he gets to the City of Mexico he is going to hang Huerta and Blanquet from the balconies of the palace, and then he is going to try them and have them shot. Now, I would execute these anarchists if I could, and then I would deport them, so that the soll of our country might not be polluted by their pres-ence even after the breath had gone out of their bodies. [Applause.] I do not care what the time limit is, whether it is forever, as advocated by my friend and colleague on the comforever, as advected by my Iriend and coneague on the committee [Mr. Moone], or whether it is fixed at what the committee thought a reasonable limit. What I want to do is to shut out anarchy and anarchists, and if they get in and we find them out, I want to get rid of them by some route, whether it be a trans-Atlantic or trans-Pacific steamer, or by execution by the hangman. It makes no difference to me, so that we get rid of them, and I have no sympathy with crime, no matter what cause it may be in support of or by what sex committed. I oppose it under all circumstances.

Mr. DONOHOE. Would the gentleman have been willing to

deport Louis Kossuth, the Hungarian patriot, or the men who

came to this country advocating freedom for Cuba?

Mr. SLAYDEN. Mr. Chairman, I have never put broad revolutionary movements in support of human rights, certainly not those like that for which Robert Emmet was executed, on a par with the common crimes of anarchy and arson. [Applause.]

with the common crimes of anarchy and arson. [Applause.]

Mr. DONOHOE. But those gentlemen meant the overthrow of the despotisms against which they were fighting.

Mr. SLAYDEN. Oh, the acute intellect of my friend will have no difficulty in distinguishing the difference between broad revolutionary movements and the individual acts of criminals, which not only do not advance the cause they purport to be aiding but actually have a tendency to retard their progress. [Applause]

[Applause.]

Mr. MANN. Mr. Chairman, our Democratic friends, having decided last night that they would not appoint a committee in the House on the woman-suffrage question, now propose to adopt an amendment under which if some woman comes to this country from England who has been advocating the policy of the suffragettes in England shall be deported for three or five years, or as long as she lives. They are very bold after the caucus last night; but up until the meeting of the caucus it was impossible to get any expression or opinion from any gentleman on that side of the House, with the exception of our handsome friend from Alabama, who does not himself consider that his good looks gives him immunity from female [Laughter.]

But this morning we are very bold. It is proposed now to shut out or deport for years to come anyone for political offenses. I have wondered what distinction our friends from the South on the Democratic side make between advocating destruction of property and advocating destruction of human life contrary to

Suppose an amendment should be proposed here permitting the deportation of an alien or the punishment of an American who not only advocates but who follows up his advocacy of

the destruction of human life contrary to law. There are a the destruction of human life contrary to law. There are a number of gentlemen on the floor of this Chamber who would probably be deported or punished, because I have frequently heard-them assert that it was the policy of the people in the South to punish without regard to the processes of law certain offenses under certain conditions. Will you advocate a proposition that puts property above life? You propose to provide for the deportation forever of some who, in a political excitement or following a political propaganda, advocates the destruction of property, but you condone the offense of those who advocate the destruction of human life. I leave it to our friends to decide

Mr. GARDNER. Before the gentleman sits down I want to ask him a question. The gentleman has not overlooked the fact that we have already adopted section 3 of this bill which excludes those who advocate teaching unlawful destruction of property? His reasoning would equally apply to their exclu-

Mr. MANN. Not necessarily. Here is a proposition pending before the House to deport them and order their deportation for life, and I believe the law provides now against the admission of people who advocate the destruction of organized government. Although, when the question was recently brought before the administration in the concrete instead of the abstract, they permitted the admission, and I think rightly so,

stract, they permitted the admission, and I think rightly so, of a lady of renown from England.

Mr. GARDNER. I want to call attention to the fact—and I am not opposing the gentleman's view—I want to call his attention to the fact that the committee is trying to make the deportation paragraph conform with the exclusion paragraph.

Mr. MANN. I should say not. There is quite a distinction between somehody coming here advocating the destruction of property and some one coming here advocating the destruction of life.

Mr. HEFLIN. Mr. Chairman, the gentleman from Illinois [Mr. MANN], without the slightest occasion or excuse, has injected into this debate a bitter criticism on the conduct of some of the people of the South with regard to punishment imposed

of the people of the South with regard to punishment imposed for certain crimes. I want to say in reply to the gentleman that last year a Republican United States Senator from a Northern State said in a speech:

All this talk about the South lynching negroes for the commission of that most helnous offense against woman should cease. The fact is the northern man lynches for that offense just like the southern man does.

Mr. Chairman, it would be much more appropriate if the gentleman from Illinois would speak against the awful crime that causes lynching rather than to criticize the action of the enraged and unfortunate men whose loved ones have been outraged and whose peace of mind and happiness have been destroyed.

We of the South want the crime that makes lynching possible We want the law to take its course, but I can not to cease. tell, and the gentleman from Illinois can not tell, just exactly what the men of the South or the men of the North will do when the horrifying and heart-rending news of rape reaches them. The situation is desperate then, and they often do desperate things. I want to say to the gentleman from Illinois that that outrageous and unnamable offense against woman is committed in the North as well as in the South, and the wrath of the northern man expresses itself in about the same form that it does in the southern man. In the last two or three years white men in Northern States have lynched negroes who committed the crime of rape. In some instances they applied the torch and burned the criminal at the stake. Yes, Mr. Chairman, it is best that the law be allowed to take its course, but who can tell the precise action that men will take and who can describe their feeling when the news that the wife or daughter of a neighbor has been assaulted by some fiendish brute in human form? Excitement reigns and men are desperate. Let me say in this connection to the gentleman from Illinois,

it will be a sorry day and a lamentable time when the men of the North or the men of the South receive with indifference and unconcern the news of that awful crime against woman. [Ap-

Southern womanhood is the priceless jewel of the southern household, and we will safeguard it and protect it with the last drop of our blood. [Applause.] The importance and necessity for the safety of our women and the sanctity of the home are the same the country over, and the curse of God Almighty will rest upon the man who will not protect and defend them. [Applause.]

Mr. GARDNER rose.

The CHAIRMAN. The gentleman from Massachusetts is rec-

Mr. MANAHAN. Mr. Chairman, I wanted to ask the gentleman from Alabama [Mr. HEFLIN] a question within his time.

The CHAIRMAN. But the gentleman from Alabama is not in possession of the floor. The gentleman from Massachusetts

is recognized.

Mr. CARDNER. Mr. Chairman, the gentleman from Massachusetts reserved the right in committee to oppose the sections excluding and deporting persons who teach the unlawful destruction of property. I did not do so entirely for the reasons suggested by the gentleman from Washington [Mr. BRYAN]; but I think that a good deal of what he has said is so and a good deal of what the gentleman from Illinois [Mr. MANN] has said is so. However, Mr. Chairman, I did not avail myself of my right to dissent when section 3 was reached. I did not offer an amendment. Perhaps by my silence I acquiesced in excluding the admission of people who teach the unlawful destruction of property. That being the case, I hesitate to oppose their deportation, but I certainly think that the amendment of the gentleman from Pennsylvania [Mr. Moore] should not prevail. I believe the gentleman from Rhode Island [Mr. O'SHAUNESSY], the gentleman from Illinois [Mr. SABATH], and other gentlemen are absolutely correct in saying that the wording of this committee amendment must be changed. The amendment as it reads now would require the deportation of any man who advocates the overthrow by force or violence of organized government. Undoubtedly, as some gentleman suggested, such a provision of law would have required the deportation of Kossuth, the Hungarian, or of Quesada, the agent for the Cuban Junta.

Chairman, the amendment which the gentleman from Rhode Island [Mr. O'SHAUNESSY] will offer puts the matter in the proper shape. It will harmonize this section vith section 3. Section 3 provides for the exclusion from the United States of aliens who advocate the overthrow by force or violence of the Government of the United States or of all forms of law. If that amendment of the gentleman from Rhode Island is adopted, this part of the committee amendment will be corrected. If it is desired not to deport those who advocate the destruction of property, that end can be obtained by striking out line 12.

Mr. BARTHOLDT. Mr. Chairman, will the gentleman yield

for a question?

Mr. GARDNER. In a moment. If it is desired to make the deportation period for anarchists five years instead of three, I shall not oppose the change any further, though I shall vote against it. The real hardship proposed is the change of the word "three" to "five," in line 9, and not the change of the word "three" to "five," in line 11. I now yield to the gentleman from Missouri.

Mr. BARTHOLDT. Mr. Chairman, I am glad to find myself in harmony with the gentleman from Massachusetts for once.

Mr. GARDNER. For the first time, I think, on this immigration question.

Mr. BARTHOLDT. Does the gentleman believe that teaching the unlawful destruction of property will include the greater offense, namely, the destruction of property itself? For instance, I am thinking of the case of strikes, where laboring men may throw stones and break windows. That would be destructive. tion of property, and could they be deported under this section?
Mr. GARDNER. No. indeed, they could not.
Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. GARDNER. Yes.

Mr. MOORE. Does not the gentleman interpret the argument of the gentleman from Illinois as being in favor of the patriot rather than the criminal? My amendment contemplated dealing only with the criminal, and not with the patriot advocating the liberation of a country.

Mr. GARDNER. If the provision which reads "advocate or teach the unlawful destruction of property" were stricken out of the committee amendment, and if the change suggested by the gentleman from Rhode Island is included, I should not have so much objection to a longer period during which deportation might be possible.

The CHAIRMAN. The time of the gentleman from Massa-

chusetts has expired.

Mr. SABATH. Mr. Chairman, the gentleman from Illinois, the leader of the minority, frequently gives credit where there is no credit due. If there is any credit due for this provision, it belongs to a gentleman on his side, the gentleman from Pennsylvania [Mr. Moore]. The gentleman from Pennsylvania [Mr. MOORE] did intend to secure the adoption of an amendment to which all, or nearly all, of the members of the committee have which an, or hearly an, or the members of the committee in averagreed, but I am of the opinion that he was very unfortunate in framing it. As it reads now, there is no doubt in my mind that the amendment, if adopted, would exclude a great many people whom we do not desire to deport. It would exclude patriots, who, persecuted and oppressed in other lands, come

into our midst and seek our sympathy and our aid in their fight for political and religious liberty, and it would exclude those others who have falled to secure relief from the tyrannical oppression in their native country and who seek safety and shelter in this land of freedom.

As I have stated, Mr. Chairman, I do not believe that we should deny these people admission to our shores, and therefore I have called the attention of the gentleman from Pennsylvania to the wording of this paragraph. I am of the opinion that if the gentleman from Rhode Island will introduce the amendment suggested by the gentleman from Massachusetts—an amendment which was first proposed by me—and it is adopted, we will then accomplish everything that he gentleman from Pennsylvania [Mr. Moore] had in mind when he offered his amendment.

I wish to say that no one on this committee is in favor of permitting the anarchist or the criminal to remain in our midst, and it has been the aim of every member of the committee to secure the passage of a provision which will not only provide for their deportation if once they secure admission but which will prevent them from entering. I yield to the gentleman from

Pennsylvania.

Mr. MOORE. The language of the committee's paragraph was not my language, although it was framed partly upon my suggestion; but I call the attention of the gentleman to the fact that there is nothing in the language of the committee amendment that does not contemplate deportation for unlawful acts, criminal acts, unpatriotic acts-acts that in themselves are criminal, for which, of course, the committee and the House would not stand.

Mr. SABATH. The provision under discussion now reads as

follows:

That any alien, at any time within three years after entry, who shall enter the United States in violation of law; any alien who within three years after entry shall be found advocating or teaching the unlawful destruction of property, or advocating or teaching anarchy, or the overthrow by force or violence of organized government or the assassination of public officials; any alien who within three years after entry becomes a public charge from causes existing prior to the landing, except as hereinafter provided; any alien who is hereafter sentenced to imprisonment for a term of one year or more because of conviction in this country of a crime involving moral turpitude committed within three years after the entry of the alien to the United States, * * shall, upon the warrant of the Secretary of Labor, be taken into custody and deported. * * *

I desire to call the attention of the gentleman to the fact that this proviso could easily be construed as affecting an alien advocating the overthrow of any organized government.

Mr. MOORE. I have said to the gentleman that that ought to pertain to the United States Government.

Mr. SABATH. Your amendment provides that-

Any allen who within three years after entry shall be found advocating or teaching the unlawful destruction of property, or advocating anarchy, or the overthrow by force or violence of organized government, or the assassination of public officials—

shall be deported; and I have suggested that the words "of the organized Government of the United States" be inserted in place of "organized government," so that this provision will not apply to those whom we do not want affected by it.

That would be satisfactory to me.

Mr. SABATH. And I am of the opinion that the amendment suggested by the gentleman from Rhode Island will accomplish

the desired result.

Mr. Chairman, there are efforts being made to amend two other provisions of this section-those with reference to the deportation of an alien who may become a public charge and the deportation of an alien who may be sentenced to imprisonment for a term of one year or more for the commission of a crime after the entry of the alien to the United States. As the bill now reads, it provides for the deportation of any alien who within three years after entry becomes a public charge from causes existing prior to the landing. It has been proposed to increase this length of time to five years. This, in my opinion, is entirely unnecessary, as I am convinced that should an alien become a public charge after he had been in this country for over three years his condition could hardly be traced to causes existing prior to his landing and it would be manifestly unfair to extend this time for two more years.

In connection with the proposal to amend the bill so that any alien who is hereafter sentenced to imprisonment for a term of one year or more because of conviction in this country of a crime committed within five years after the entry of the allen to the United States, instead of three years, as the bill now reads, I wish to insert extracts from a speech which I delivered on the floor of this House some five years ago when there was under consideration a similar measure. At that time I said:

On its face there is nothing alarming about this measure, yet it comes dangerously near being a "wolf in sheep's clothing," for the reason that its full import is not recognized.

In order that I may not be misunderstood, I want to impress upon you from the very outset that I am unalterably opposed to the condoning of any offenses, for I hold that all transgressors, whether rich or poor, high or low, should have such lawful punishment meted out to them as is commensurate with their evil doings. Much, however, as I am opposed to any disregard of our laws, I am equally opposed to any and all unjust and unfair laws, and to cruel, inhuman, and barbarous pensities. Far be it from me to set myself in opposition to any law conducive to the betterment of conditions or to the preservation of the safety of the people of the United States, but I will not remain silent when I apprehend that safety to be endangered by ill-advised legislation.

Continuing, I said:

Continuing, I said:

Have you considered the cruelty of the punishment which would be inflicted upon the alien by the terms of this measure? Have you considered the case of an alien, perhaps a sober, industrious workingman, just recovering from the ravages of some disease? His savings from his hard-earned wages have become exhausted, his credit is cut off; misery knocks at his door; there is no way to provide even the bare necessities of life for his family, which finds itself on the verge of starvation. Such a man, we will say, strays from the righteous path, he is convicted, sentenced, sent to prison. The family is fatherless and without a provider. In the midst of all the trials and tribulations to which it is subjected it struggles along bravely, hoping for the day that the husband and father will return to assume his place at its head. Eagerly, anxiously, impatiently do his wife and children bide the time when the prison doors shall open for him. At last the day comes when the term of his imprisonment has expired, the day to which he and his loved ones have looked forward for months, perhaps years. Behond, the law steps in and tells him that he is a felon; that he must be deported; that the law will tear him away from wife and children, leaving them to the mercies of a rude world. Can you imagine the heart-rending scene which then ensues? The State erects a barrier between him and those nearest and dearest to him. What is to become of them? Friendless, the wife and children of a felon—a felon by the force of our unfair and unequal law, shunned by neighbors, unable to obtain work, destitution staring them in the face. Who will provide for them? Who will so shape their affairs for them that the children may have the advantage of an education and grow up to become good citizens?

We cry out against pauperism. We bring to bear all the ingenuity of philanthropy to lessen its evils and to deplete its army. Yet, in the instance I have cited, we make paupers of a family and surrender them without regard or compass

Mr. Chairman, in conclusion I wish to quote the final words of the speech which I delivered at the time this other measure was under consideration and which apply with equal weight to the proposed amendment which I am now discussing:

Let us have laws that are humane, just, and fair. Let us not lay too heavy a hand upon an erring fellow being who, perhaps, through want and misery, is driven to the commission of a crime. [Applause.] In behalf of the thousands upon thousands of honest, upright, industrious, liberty-loving, and self-reliant people who flee from lands of bigotry, oppression, and tyranny to make their homes in this country I pray you to lay aside all prejudices which might prevent you from dealing with these people as you would be dealt by, and which might prevent you from being governed by the principles of fairness, justice, and humanity. [Long and continued applause.]

Mr. Chairman, and gentlemen of this House, I trust you will defeat this amendment.

The CHAIRMAN. The time of the gentleman has expired. Mr. O'SHAUNESSY. I desire to ask——
The CHAIRMAN. The gentleman from Alabama has been cognized.

Mr. BURNETT. Mr. Chairman, I believe that the committee amendment goes far enough with the amendment suggested by Judge Sabath and incorporated in the amendment that the gentleman from Rhode Island [Mr. O'SHAUNESSY] will introduce and offer. I think it goes far enough, for this reasonthe reason suggested by the gentleman from Minnesota: That if these people have been here for five years and have been good during that time, that it would perhaps be harsh and un-reasonable simply because after that time they began to preach or teach the destruction of property, for we have laws of all the States that are sufficient to deal with them if they become anarchists. If they have been here that length of time, the assumption is that they have learned the doctrines of anarchy here, either from their people who are here or from association after they come here. Therefore it strikes me it would be rather harsh and unreasonable to adopt the amendment offered by the gentleman from Pennsylvania. The gentleman has referred to the fact it will perhaps keep out some of the militant suffragettes from England. Mr. Chairman, if they teach the destruction of property, they ought to be kept out. Be it said, while I do not agree with my suffragette friends in our country, and was one of those last night who voted against the adoption of a rule giving them a committee-but be it said to their credit, Mr. Chairman, that when Mrs. Pankhurst came over here, it being known that on the other side she was teaching the principles and doctrines of the destruction of property, that the splendid women of America who believed in woman suffrage did not meet her with open arms and give her the welcome that they would have given her if she had come teaching doctrines which the good women all over this country approve.

I want to say just one word in answer to the gentleman from Illinois, the leader of the minority. After the magnifi-

cent patriotic speech that that gentleman made yesterday, showing a heart and a mind that was willing to embrace all of this country with all its patriotic inspirations, I was surprised when he made the attack upon the South, your country and my country, Mr. Chairman, that he did. If the North was immune to the attack which is made upon my people of the South in regard to lynchings, then there might be some reason for it; but, Mr. Chairman, you know and gentlemen in this House know whenever a black brute attacks a white woman, North or South, that he usually meets with the same fate. am not here to defend it, Mr. Chairman. In connection with some of the gentlemen in my home town I prevented a mob once from committing violence upon a negro guilty of one of the most heinious assaults upon a white widow woman in the suburbs of my town. I have never contended for mob iaw. I have always believed in letting the law take its course and justice be vindicated. But when a gentleman undertakes to point the finger of scorn at the South and say you and you alone are guilty of lynching I point him to the people of Cairo, Ill., the gentleman's own State; to the people of Wilmington, Del., where the grand jury even refused to return a true verdict, because, they said, that the sentiment of the community approved of it.

And I refer to a case which occurred in Denver, Colo., a few years ago, and to a case which occurred in the district of one of my splendid friends on this floor from Pennsylvania, where not only was a negro killed but was burned afterwards.

Mr. Chairman, if we take these matters into our own homes, we do not wonder that men, under impulses of that kind, with the feeling that their homes have been outraged or the virtue of their women has been desecrated, should take the law into their own hands and punish the guilty, whether the crime oc-curs in the North or in the South. Even at Springfield, Ill., under the shadow of the home of Lincoln, the same thing happens that sometimes happens in the South.

Mr. Chairman, I ask unanimous consent that debate be now

closed on the pending amendment.

The CHAIRMAN. The gentleman from Alabama [Mr. Bus-NETT] asks unanimous consent that the debate be now closed on the pending amendment.

Mr. LENROOT. Mr. Chairman, I ask unanimous consent for

The CHAIRMAN. The gentleman from Wisconsin [Mr. Len-ROOT] asks unanimous consent that the debate close in five minutes. Is there objection?

Mr. BROWN of New York. Mr. Chairman, I have two amendments that have not been discussed on two portions of this Will I have the privilege of speaking to the

The CHAIRMAN. The gentleman will have the opportunity to offer the amendments, but he will not have an opportunity to debate them.

Mr. BURNETT. I refer to my amendment and to the amendment of the gentleman from Pennsylvania [Mr. Moore].

The CHAIRMAN. The gentleman from Alabama moves that debate on the pending amendment be closed in five minutes. Is there objection? [After a pause.] The Chair hears none. The gentleman from Wisconsin [Mr. Lennoot] is recognized.

Mr. LENROOT. Mr. Chairman, I wish to speak on that part of the amendment relating to advocating or teaching the unlawful destruction of property. It is admitted that this amendment is aimed at the militant English suffragette. The gentleman from Illinois [Mr. Mann] commented upon the fact that last night a caucus of the Democratic Party was held in this Chamber upon that question.

Mr. GARDNER. Will the gentleman yield?

Mr. LENROOT. Yes. Mr. GARDNER. I d I do not think it is admitted that it is almed at the militant suffragette,
Mr. LENROOT. I will modify that. I should say militant

suffragettes who advocate unlawful destruction of property. Mr. GARDNER. I do not think so. I do not think that is

fair. I was against it, and I do not think it is a fair statement. Mr. LENROOT. I will modify it by saying that, at least, they are one of the classes that will be included in this amendment, which is all I care about in the point I desire to make.

Now, Mr. Chairman, up to yesterday this matter of equal suffrage in the United States and equal suffrage in England were two entirely distinct questions. In this country, whether equal suffrage was a right or whether it was a matter of expediency, was one on which there was honest difference of opinion. But the Democratic Party last night by its action put this question on the same plane that it now occupies in England, for you gentlemen by your caucus last night undertook to say that suffragists shall not have an opportunity to be heard | has just completed, that the great Committee on the Judiciary

before a committee of the Congress of the United States. [Applause.] And that is what the militant suffragettes of England complain of, namely, not having the right to be heard. And you, the party in power in this country to-day, have now assumed as a party the responsibility of saying that they shall not have the right to be heard in the United States.

Mr. GORDON. Mr. Chairman—
The CHAIRMAN. Will the gentleman yield?
Mr. LENROOT. I have not time to yield.
Now, in view of that situation, existing since last night, Mr. Chairman, this amendment becomes doubly important. I believe in woman suffrage, but I believe the destruction of property, such as is advocated by some in England, if it should be followed up in this country, would delay woman suffrage 25 years here, and I do not want to see any such condition prevailing in the United States as prevails in England. I do not want to see anyone coming into this country advocating destruction of property here as it is being advocated in England. And so I am most heartily in favor of this amendment. [Applause.]

The CHAIRMAN. The question is on the amendment to the

amendment offered by the gentleman from Alabama [Mr. Bur-

Mr. MANAHAN. Mr. Chairman, I ask to have the amendment reported. I think there is a misunderstanding.

Mr. BURNETT. The amendment to the amendment is the substitute offered by the gentleman from Pennsylvania [Mr.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from Alabama [Mr. BURNETT].

The amendment was agreed to.

The CHAIRMAN. The question now is on the substitute offered by the gentleman from Pennsylvania [Mr. Moore].

The substitute was rejected.

Mr. O'SHAUNESSY. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Rhode Island offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 38, line 14, strike out the words "organized government" and serf the words "the Government of the United States or of all forms

Mr. BURNETT. That is satisfactory, Mr. Chairman. The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Rhode Island [Mr. O'SHAUNESSY] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. UNDERWOOD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair will state to the gentleman from Alabama that all debate on the pending amendment is now,

Mr. UNDERWOOD. I understood otherwise. Mr. MANN. Mr. Chairman, I ask unanimous consent that the

gentleman may have five minutes.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from Alabama [Mr. Underwood] may have five minutes.

Mr. UNDERWOOD. No, Mr. Chairman; I do not wish that, I now understand that debate is closed on the pending amend-

The CHAIRMAN. The gentleman from Massachusetts [Mr. GARDNER] offers an amendment, which the Clerk will report. The Clerk read as follows:

Page 38, lines 11 and 12, strike out the words "advocating or teaching the unlawful destruction of property."

The CHAIRMAN. The gentleman from Alabama [Mr. UNDERWOOD] is recognized.

Mr. UNDERWOOD. Mr. Chairman— Mr. LINTHICUM. Has unanimous consent been granted, Mr. Chairman?

The CHAIRMAN. The gentleman from Alabama is recognized on this amendment. He is recognized in his own right.

Mr. UNDERWOOD. Mr. Chairman, I was amazed at the statement that has just been made by the distinguished gentleman from Wisconsin [Mr. LENBOOT], when he went out of his way to say that the action of the Democratic Party last night was intended to prevent the women of this country from being heard on the question as to whether the Constitution of the United States shall be amended or not, so as to grant woman suffrage.

My distinguished friend from Wisconsin is one of the ablest and most learned men in this House, and he knew as well as you and I knew, when he made the partisan address that he

of this House has been vested for many years with jurisdiction over this very question; that it has repeatedly granted hearings to the women of the United States on the question as to whether or not legislation shall be passed submitting to the States a constitutional amendment for woman suffrage. During the many years that the gentleman's party was in power the same rules in this House existed as exist to-day. As a matter of fact, at one time I was a member of the Committee on the Judiciary myself, and I have had the pleasure of listening to the able arguments of Miss Susan B. Anthony before that committee. I have heard at different times the cause of woman suffrage advocated before the committee when the gen-tleman's party was in power, and I noticed through that entire series of years that the gentleman's party continually refused to report the resolution that these ladies desired.

Now, the proposition that came before the Democratic caucus last night was merely, in the first place, to provide for a new committee, to give jurisdiction to a new committee-a jurisdiction that was already possessed by one of the ablest committees of this House, which has had jurisdiction of that question almost since the beginning of the Government. There is no objection on the part of these ladies as to what committee they shall go before. They wanted their resolution reported, and shall go before. They wanted their resolution reported, and they thought they could not get it reported from the committee having the matter in charge and wanted to create a new committee to report it. That was all. It was not a question of taking away from them any constitutional right to be heard. It was merely the fact that they recognized that this House

would not pass a resolution of that kind.

Mr. MANAHAN. Mr. Chairman, will the gentleman yield?

Mr. LANGLEY and Mr. LENROOT rose.
The CHAIRMAN. To whom does the gentleman yield?
Mr. UNDERWOOD. I yield to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Will the gentleman, as leader of the majority, use his influence in the House to report that resolution

so that we may have an opportunity to vote on it?

Mr. MANAHAN. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. No; I will not yield. I want to answer the gentleman from Wisconsin. This controversy is between the gentleman from Wisconsin and myself, and I ask other gentlemen, with all due courtesy, not to inject themselves into it. I will say to the gentleman from Wisconsin that I would not, because I am not in favor of it. If there is one fundamental principle that my party stands for, it is local self-government. [Applause on the Democratic side.] If the Democratic Party stands for one thing above all others, in reference to local selfgovernment, it is that the right of franchise should be governed by the States of the Union and not by the National Govern-[Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Alabama

has expired.

Mr. MANN. Mr. Chairman, does the gentleman want more time?

Mr. UNDERWOOD. No; I have stated the case. Mr. LENROOT. Mr. Chairman, in reply to my distinguished friend from Alabama [Mr. UNDERWOOD], he knows quite as well as I do that the Committee on the Judiciary, with the work now pending before it, will be absolutely unable to give due and proper consideration to this question.

The gentleman from Alabama refers to the fact that that committee had jurisdiction of this question when the Republican Party was in power. It is true; and the gentleman from Alabama also knows that one of the reasons why there is a Democratic majority here to-day was the fact that he and I, in common with many others, asserted then, as the fact was, that the Judiciary Committee was a morgue for all good legislation that was introduced into this House. [Applause.]
Mr. UNDERWOOD. If the gentleman will allow me, that

was under a Republican administration. [Applause on the

Democratic side.]

It was, and I am a Republican, and I criti-Mr. LENROOT. cized that quite as much as did the gentleman from Alabama; and the gentleman from Alabama now admits that so far as this resolution is concerned he and his party propose that the Judiciary Committee shall be a morgue for this resolution.

Mr. UNDERWOOD. Will the gentleman allow me?

Mr. UNDERWOOD. Will the gentieman allow me?
Mr. LENROOT. Yes.
Mr. UNDERWOOD. It is perfectly proper for a great party
in this country to take a position on a measure.
Mr. LENROOT. Yes.
Mr. UNDERWOOD. Now, I have said that the Democratic
Party last night took the distinctive position that it was not in favor of this legislation, because it was in favor of the

States controlling the question of suffrage. Now, is it not perfectly proper, if that is the position of the party, not to report that resolution?

It is perfectly proper to oppose it, but it Mr. LENROOT. is not perfectly proper to deny upon a great question the right to a hearing, which you have done. Now, the gentleman from Alabama a moment ago, when I asked Lim whether he would favor giving the House itself an opportunity to vote upon this resolution, said he would not vote to give the House that opportunity, because he himself was not in favor of the resolution. Mr. Chairman, have we come to the point in this House where, because a man is opposed to a certain proposition, he is therefore opposed to the House itself having a right to vote

Mr. UNDERWOOD. The gentleman will not misquote me? Mr. LENROOT. I did not misquote the gentleman. I appeal to the RECORD.

Mr. UNDERWOOD. The gentleman misunderstood me, then. I not only said I was opposed to it, but I said the party on this side of the Chamber was opposed to it, and the party that has control of the legislation in Congress certainly has the right openly and aboveboard to say that it will not support a measure

if it is not in accordance with its principles.

Mr. LENROOT. That is true; but there is a distinction between supporting a measure and giving the House a right to

vote upon the measure.

Mr. UNDERWOOD. The gentleman recognizes the fact that

we can not vote upon every measure.

Mr. LENROOT. Now, if the gentleman wishes to take the position that the Members on that side are unwilling to let the House of Representatives vote upon this question, then he is entirely welcome to take that position.

Mr. UNDERWOOD. The gentleman from Wisconsin began his first remark by stating that the Democratic Party had taken its position last night, and it did, when by a two-thirds vote it

fixed our position on that matter.

The gentleman from Alabama and I are get-Mr. LENROOT. ting very close together as to what the situation really is. Now, Mr. Chairman, I want to say for myself that if this resolution was reported to the House I should vote against it, and I am with the gentleman from Alabama, so far as State rights are concerned, upon this question, but I believe that this question is of such importance that the House itself ought to have the right to vote upon it, and the people of this country ought to have the right to know how every Member of this House stands individually upon that question, and, more than all, those who favor the resolution are entitled to a fair hearing and consideration of the subject, which is now denied them.

Mr. BURNETT. Mr. Chairman, I move the

Mr. BURNETT. Mr. Chairman, I move that all debate on the amendment offered by the gentleman from Massachusetts

[Mr. GARDNER] be now closed.

Mr. MONDELL. I hope the gentleman will withhold that for five minutes.

Mr. BURNETT. I will not.

Mr. GARDNER. I withdraw my amendment.

Mr. BURNETT. The gentleman has withdrawn his amendment.

The CHAIRMAN. The gentleman from Massachusetts withdraws his amendment, and the question now is—

Mr. MANN. Of course, that can be done only by unanimous consent.

Mr. MONDELL. I desire to be heard in opposition to the amendment.

Mr. BURNETT. I ask for the regular order.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts to withdraw his amendment?

Mr. MONDELL. I object. Mr. BURNETT. Then I move that all debate on the amendment be closed.

The CHAIRMAN. The gentleman from Alabama moves that all debate on the amendment of the gentleman from Massachusetts be now closed.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment to the amendment proposed by the gentleman from Massachusetts.

The amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the adoption of the committee amendment as amended.

The committee amendment as amended was agreed to.

The CHAIRMAN. The Clerk will report the other committee amendment.

The Clerk read as follows:

Page 38, line 9, strike out the word "three" and insert in lieu thereof the word "five."

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Alabama, which has just been

Mr. MONDELL. Mr. Chairman, I do not know that I have any objection to striking out "three" and inserting "five." I was unavoidably detained, and therefore have not had the benefit of the discussion which I understand has taken place relative to the action of the Democratic caucus on the sub-

Mr. GARDNER. Mr. Chairman, I raise the point of order that the gentleman is not discussing the amendment.

The CHAIRMAN. The Chair sustains the point of order.
Mr. MONDELL. Mr. Chairman, I believe the amendment is
to strike out "three" and insert "five." There are many more
than five committees in the House. I do not recall the exact number of committees, but there are many more than five. One of those committees has to do with the question of how much mileage we are entitled to under the law.

Mr. BURNETT. Mr. Chairman, I make the point of order

that the gentleman from Wyoming is not discussing the amend-

ment before the House.

The CHAIRMAN. The Chair sustains the point of order. The gentleman from Wyoming must confine himself to the question before the House.

Mr. MONDELL. The question is whether we shall strike out "three" and insert "five." I think that is more than the proportion in the Democratic caucus-

Mr. GARDNER. Mr. Chairman, I raise the point of order that the gentleman is not discussing the amendment.

The CHAIRMAN. The gentleman from Wyoming must proceed in order.

Mr. BURNETT. Mr. Chairman, I invoke the rule that if the gentleman does not proceed in order he must take his seat. The CHAIRMAN. The gentleman from Wyoming will confine

himself to the question. Mr. MONDELL. The gentleman from Wyoming will discuss the question between "three" and "five." The CHAIRMAN. The gentleman from Wyoming must pro-

ceed in order and must not trifle with the Chair. He must be

Mr. MONDELL. Mr. Chairman, I do not think it is material whether we strike out "three" and insert "five," but I think it is highly important that the most virtuous and intelligent half of American citizenship shall have an opportunity to be heard before a committee of Congress.

Mr. GARDNER. Mr. Chairman, I make the point of order that the gentleman is not confining himself to the subject before

the House.

The CHAIRMAN. The gentleman from Wyoming is out of order. The gentleman is not confining himself to the subject before the committee. The point of order is sustained and has been repeatedly sustained, and the gentleman must proceed in

Mr. MONDELL. Well, Mr. Chairman, come to think of it, I am rather inclined to think that perhaps the striking out of "three" and the insertion of "five." five being a larger number ' five being a larger number than three, would be a most excellent thing. I do not understand why the Democratic caucus has not seen fit to increase the number of its committees.

Mr. BURNETT. Mr. Chairman, I make the point of order that the gentleman is not discussing the question, and I move

that he be made to take his seat.

Mr. MANN. Mr. Chairman, I do not see that the gentleman is so far out of order.

The CHAIRMAN. But the Chair thinks otherwise.

Mr. MANN. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Does the Chair hold that on this amendment nothing can be discussed except the question of "three" or

The CHAIRMAN. No; the Chair holds nothing of the sort. Mr. MANN. But here is a proposition that says that all persons may be deported-

The CHAIRMAN. What is the gentleman's parliamentary

As to what the Chair holds. Mr. MANN.

The CHAIRMAN. The Chair holds that the gentleman from Wyoming can not discuss some subject other than the subject before the committee, and no one knows better than the gentleman from Illinois that the gentleman from Wyoming has not been confining himself to the subject before the committee.

Mr. MANN. As the Chair has used my name in connection

with this matter-

The CHAIRMAN. Because the gentleman from Illinois asked the Chair a parliamentary inquiry.

Mr. MANN. Which the Chair has not answered.

The CHAIRMAN. The Chair has answered it and will answer no further.

Mr. MANN. The Chair is disrespectful to the House.

The CHAIRMAN. The gentleman from Illinois will take his

Mr. MANN. The gentleman from Illinois will take his seat because the gentleman from Illinois will be in order, but the Chair is not

Mr. MONDELL. Mr. Chairman— The CHAIRMAN. The gentleman from Wyoming.

Mr. MONDELL. Mr. Chairman, the amendment relates to the length of time within which certain aliens may be deported. and among those referred to are those who unlawfully-

Mr. GARDNER. Mr. Chairman, a point of order. The gentleman is not addressing himself to the matter before the committee.

The CHAIRMAN. So far as the gentleman has proceeded he is speaking to the amendment.

Mr. GARDNER. He was not recognized by the Chair to speak a second time.

The CHAIRMAN. The Chair did recognize the gentleman from Wyoming.

Mr. MOORE. Mr. Chairman, may I ask that the amendment be reported again?

The CHAIRMAN. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Page 38, line 9, strike out the word "three" and insert the word

Mr. MONDELL. Mr. Chairman, I was about to remark when the gentleman from Massachusetts, who, like the gentleman from Alabama, does not want the question of woman suffrage discussed, interrupted me. I understand this amendment relates to the period of time within which certain aliens can be deported. Among the causes for which these deportations may be made is that of a belief in the unlawful destruction of property. Now, the people who desire to appear before committees of Congress in behalf of the most virtuous and intelligent half of American citizenship and their right to vote, are people who do not believe

Mr. GARDNER. Mr. Chairman, I rise to a point of order. Mr. MONDELL. Mr. Chairman, I insist that I shall not be interrupted.

Mr. GARDNER. Mr. Chairman, I insist that the rules of the House be followed. I will read the rule:

If a Member is called to order for words spoken in debate, the Member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the House.

And the Member, under the rules of the House, must take his seat.

Mr. BUTLER. Mr. Chairman, I move that the gentleman from Wyoming be permitted to proceed in order.

The CHAIRMAN. The Chair thinks that so far the gentle-

man film Wyoming has been proceeding in order.

Mr. MONDELL. Mr. Chairman, I trust that as I proceed in order the Chair will protect me from the gentleman from Massachusetts [Mr. GARDNER], who is so much opposed to woman suffrage that he does not even want it discussed. I was remarking that those who desire to have a committee named in order that they may appear before it in behalf of a constitutional amendment which I have introduced, do not believe in the unlawful destruction of property, they are those who do believe

Mr. GARDNER. Mr. Chairman, I raise the point of order. The amendment has nothing to do with the unlawful destruc-

Mr. MONDELL. Well, the destruction of property in viola-

The CHAIRMAN. The Chair sustains the point of order, and the gentleman from Wyoming will proceed in order.

Mr. MONDELL. I wish to ask the Chair if I have not been proceeding in order?

The CHAIRMAN. Not when the gentleman is not discussing

the amendment before the House. Mr. MONDELL. Mr. Chairman, I do not wish to disagree

with the Chairman, but I was discussing the question of the destruction of property unlawfully.

The CHAIRMAN. The gentleman was discussing an entirely different subject from the amendment now ending. The question is on the amendment offered by the gentleman from Alabama.

Mr. GARDNER. Mr. Chairman, I desire to be heard in opposition to the amendment.

Mr. MADDEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.
Mr. MADDEN. Is not the subject of the amendment the question of the deportation of those who may have destroyed property in violation of law?

The CHAIRMAN. It is not.

Mr. SABATH. The amendment relates to the first two lines in section 19.

Mr. MADDEN. Then, it is the question as to whether the people live here more than three or less than five years, is it not? Mr. SABATH. No.

The CHAIRMAN. The Chair does not think that is a parliamentary inquiry. The gentleman from the amendment and determine for himself. The gentleman from Illinois can examine

Mr. MADDEN. The purpose of my inquiry is to ascertain whether or not a man, having been recognized by the Chair, is entitled to discuss the question of who ought to be deported; and if so, when.

Mr. GARDNER. Mr. Chairman, I can not agree with the Committee on Immigration as to this proposed amendment. It seems to me to be most severe. As I pointed out earlier in the day if anyone comes into this country a stowaway; if he comes into this country a vagrant; if he comes into this country on a ticket paid for by some association or some municipality, in all of those cases and in many others he must be held to have entered the United States in violation of the law. That is the law, and that is the way the law is construed by the Department of Labor. Mr. Chairman, it is severe enough to provide that such a man may be deported at any time within three years. It is severe enough to open the door so that for three years some blackmailer may say to that stowaway, "You got by the inspector, but I, who came over with you, know you were a stowaway, and unless you grease my palm I shall have you deported." It is bad enough that any man who came over here under promise of employment should for three years be at the mercy of the very man who secretly was instrumental in bringing him over here under promise of employment. Under the law as it is at present at any time within three years that man could come to the alien and say, "You must give me some money or I shall show you up and you will be deported." But that is the situation of the immigrant to-day who comes here in violation of law.

Even now, for three years after he arrives here there hangs over his head this sword of Damocles. No matter how prosperous he is, no matter how good a citizen he is, he can be deported at any time within three years if anyone can show that when be first arrived the immigration officers admitted him by mistake or were ignorant of all the circumstances. Gentlemen must realize that throughout this discussion I have almost uniformly been upon the side of stringency, but it is stringency in admitting people to this country which I favor, stringency pro-hibiting steamship companies from importing inadmissible aliens from foreign lands only to see them turned back at Ellis Island. It is the wide-open gates of admission which I hope Once a man has been admitted into this country, however, I believe that we ought to be very careful how we deport him, unless he is a criminal.

Mr. Chairman, as I said, this amendment was originally defeated in the Committee on Immigration, at all events according to the records and according to my memory. At a subsequent meeting, when it was adopted, I doubt whether the committee fully realized the full bearing of all these three amendments. The other two are well enough. I do not like them, but they are well enough. It seems to me, however, Mr. Chairman, that if the period that this sword of Damocles is to be suspended over well-meaning immigrants is to be extended from three to five years, we shall be doing a cruel thing.

Mr. JOHNSON of Washington. I desire to ask the gentleman a question before he takes his seat that I may make it clear in my mind as a member of the committee. He is now opposing, as I understand it, an amendment which offers to

change the word "three" to the word "five" in line 9.

Mr. GARDNER. Yes. I am opposing any further extension of the time during which we require the deportation of aliens who have illegally entered this country.

Mr. JOHNSON of Washington. I agree with the gentleman thoroughly, because I think it is practically impossible to find them and requires quite an unnecessary hunt.

Mr. GARDNER. That is true. Moreover, there is a grave

danger lest we give an opportunity for miscreants to blackmail

Mr. JOHNSON of Washington. I quite agree with the gentleman in what he says. Am I correct in supposing that the three-year period which he advocates at the present moment

does not apply to the five-year provision we have adopted in line 11?

Mr. GARDNER. The gentleman is correct. There is no connection between the two propositions.

Mr. MANN. Mr. Chairman, the amendment offered by the gentleman from Alabama was to amend the first two lines of section 19, and those two lines read as follows:

That any alien, at any time within three years after entry, who shall enter the United States in violation of law.

That is a provision providing for deportation. The amendment is to strike out "three" and insert "five." Those who are forbidden entry into the United States, and who if they enter in violation of the law, are enumerated in section 3:

That the following classes of aliens shall be excluded from admission into the United States.

Among them are those who advocate or teach the destruction of property. A moment ago, when the gentleman from Wyoming [Mr. MONDELL] was attempting to discuss the question of deportation of those who advocate the unlawful destruction of property, the gentleman from Massachusetts [Mr. GARDNER], who temporarily had forgotten what was in the bill reported by the committee, raised a point of order against the gentleman from Wyoming on the ground that he could not discuss that proposition, because that was not covered by the amendment; and the Chair, not being familiar with the provisions in the bill to that extent, without any fault of the Chair, ruled the gentleman from Wyoming out of order at the instance of the gentleman from Massachusetts, and when I instance of the gentleman from Massachusetts, and when I endeavored to obtain a statement from the Chair as to what was in order the Chair ordered me to take my seat. The present occupant of the chair makes a very good Chairman; I believe, on the whole, that he is about the best Chairman the Democrats put in the chair; but possibly, nagged a little by the gentleman from Wyoming, whom the Chair feared was going to discuss something out of order and whom the gentleman from Massachusetts feared was going to discuss something out of order thing out of order-

Mr. GARDNER. Will the gentleman yield?

Mr. MANN (continuing). The Chair ruled out of order the discussion of the subject of the deportation of persons who advo-

cated the unlawful destruction of property.

Mr. GARDNER. Did not the gentleman from Illinois think that the gentleman from Wyoming was discussing that which was not in order?

Mr. MANN. I did not; I have no doubt that if the gentleman from Wyoming had been permitted to proceed ad libitum he would have done what the gentleman from Alabama has just done, discussed the woman suffrage question.

Mr. GARDNER. Ah, yes.
Mr. MANN. The gentleman from Wyoming up to the time he took his seat had discussed nothing that was not in order under the terms of this bill, because the bill prohibits the admission of militant suffragettes. That is the whole subject.

Mr. GARDNER. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. GARDNER. Is it not in the interest of good government that a serious question like this should be voted on now, when the discussion is fresh in men's minds, rather than you should go to a question of whether the gentleman from Wyoming was or was not properly taken off his feet?

Mr. MANN. I do not know of any question of government more serious or more important than preserving to the Members of this House the right to be heard under the rules of the House. [Applause on the Republican side.]

Mr. GARDNER. I raise the point of order that the gentleman is not now proceeding under the rules of the House. He is not discussing the amendment.

Mr. MANN. I was discussing the amendment; but the gentle-man from Massachusetts asked me a question, and then ob-

jected to my answering it.

Mr. GARDNER. I was calling attention to the inconsistency. Mr. MANN. I was discussing the proposition involved in the amendment, which is the length of time during which people may be admitted who come into the United States, among whom are militant suffragettes, and when I courteously answer the gentleman from Massachusetts [Mr. GARDNER] he says that

I am talking out of order. [Applause.]
Mr. DONOVAN. Mr. Chairman, I wish to offer a pro forma

amendment.

The CHAIRMAN. The gentleman from Connecticut [Mr. Donovan] offers a pro forma amendment. Mr. DONOVAN. I would like to have the Clerk read these

telegrams in my time.

The CHAIRMAN. The Clerk will read the telegrams in the time of the gentleman from Connecticut.

The Clerk read as follows:

DANBURY, CONN., February 3, 1914.

Hon. JEREMIAH DONOVAN, M. C., The Driscoll, Washington, D. C.:

Mario Bianco Lodge, No. 160, Order Sons of Italy, American citizens, protest against Burnett literacy test bill.
VINCENSO TORCASO, Venerable.
LOUIS PALMERMO, Recording Secretary.

Mr. LANGLEY. Is not the reference to the literacy test out

The CHAIRMAN. The gentleman from Connecticut asked to have the telegrams read in his time.

Mr. LANGLEY. The gentleman must proceed in order. The CHAIRMAN. The Chair overrules the point of order. The Clerk read as follows:

The Cierk Peace.

Hon. Jeremiah Donovan, M. C.,

Washington, D. C.:

Adelaide Caroli Lodge, No. 200, Order Sons of Italy, American citizens, protest against Burnett literacy test bill.

Virginia Vetriolo, Venerable.

Cristina Devito, Recording Secretary.

Esheuary 3, 1914.

Hon. Jebemiah Donovan.

The Driscoll. Washington, D. C.:

Anita Garibaldi Lodge, No. 184, Order Sons of Italy, American citizens, protest against Burnett literacy test bill.

M. G. Salbse, Venerable.

F. Castelli, Recording Secretary.

STAMFORD, CONN., February 3, 1914.

Hon. JEREMIAH DONOVAN, M. C., Washington, D. C.:

Operia Lodge, No. 159. Order Sons of Italy, American citizens, protest against Burnett literacy test bill.

GAETANO MADDALONI, Venerable.

VITO PITTANO, Recording Secretary.

Mr. MOORE. Mr. Chairman, I offer an amendment to the

Mr. BURNETT. I move that all debate on this section and

amendments thereto be now closed.

The CHAIRMAN. The gentleman from Alabama moves that all debate on the section and amendments thereto be now closed.

Mr. BROWN of New York. I would like to offer two amendments

The CHAIRMAN. The question is on the motion of the gentleman from Alabama [Mr. BURNETT]

The question was taken, and the Chair announced that the

Ar. MOORE. Division, Mr. Chairman.

The committee divided; and there were—ayes 47, noes 44.

Mr. MOORE. Tellers, Mr. Chairman.

Tellers were ordered, and Mr. Burnerr and Mr. Moore took their places as tellers.

The committee again divided; and the tellers reported-ayes 57, noes 45.

So the motion was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Alabama [Mr. Burnett].

The question was taken, and the Chair announced that the

noes seemed to have it.

Mr. SABATH. Division, Mr. Chairman.
The CHAIRMAN. Division is demanded.
Mr. SABATH. I withdraw the demand, Mr. Chairman.
Mr. BURNETT. I renew the demand, Mr. Chairman.

The committee divided; and there were—ayes 37, noes 27.
Mr. GARDNER. I ask for tellers, Mr. Chairman.
Tellers were ordered, and Mr. Burnett and Mr. Gardner took

their places as tellers.

The committee again divided; and there were-ayes 56, noes 47.

So the amendment was agreed to.
The CHAIRMAN. The Clerk will report the next committee

amendment. The Clerk read as follows:

Page 38, line 20, strike out the word "three" and insert the word

The CHAIRMAN. The question is on agreeing to the amend-

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. BURNETT. Mr. Chairman, I ask for a division. The committee again divided; and there were—ayes 41,

noes 16.

So the amendment was agreed to.

Mr. BROWN of New York. Mr. Chairman, I desire to offer two amendments.

The CHAIRMAN. The gentleman from New York offers two amendments, which the Clerk will report.

Mr. BROWN of New York. Mr. Chairman, I ask that the first amendment be read first, and that the second be not read until after the first has been disposed of.

The CHAIRMAN. The Clerk will report the first amendment.

The Clerk read as follows:

On page 38, line 15, strike out the word "three" and substitute the word "five."

The CHAIRMAN. The question is on agreeing to the amend-

Mr. BROWN of New York. Mr. Chairman, I ask unanimous consent to proceed for three or four minutes.

Mr. BURNETT. I hope that will be granted. The gentleman from New York has been trying to get in several times, and I hope the Chairman will permit that.

Mr. LINTHICUM. Mr. Chairman, reserving the right to object, I wish to say that from now on, in order to facilitate the passage of this bill, I shall object to all requests for unanimous consent for time.

The CHAIRMAN. The gentleman from New York [Mr.

Brown] is recognized for five minutes.

Mr. BROWN of New York. Mr. Chairman, no alien can be-Mr. BROWN of New York. Mr. Chairman, no alien come a citizen of the United States inside of five years. to that time he is a stranger in a sense, and yet, if he become a public charge because of conditions existing prior to the landing within two years before his eligibility to citizenship he remains a public charge on the community in which he is temporarily domiciled. No State has a voice in his admission to that particular State, and yet all States must care for him and for his descendants if he or they should prove defectives.

Mr. Chairman, the cost to the Federal Government, out of the \$4 head tax paid by each immigrant for his medical examination is the large sum of 16 cents. As I have already stated here, the State of New York expends about \$3,500,000 a year in taking care of the alien insane who never should have been admitted. Now, the Federal Government took hold of this proposition in 1882, and it made the period of deportation within one year. In 1903 it made it two years. In 1907 it made it three years.

The State of New York is obliged to maintain a bureau of deportation—they call it "deportation," but I think it is wrongly named—for the purpose of assisting home those aliens who have become public charges, who wish to return to the countries whence they came in order that their families may take care of them and in order that they may be buried in the old country whence they came.

In 1912 the State of New York repatriated 439 insane aliens who had become public charges after they had been in the State three years and before they had been in the State for five years. This meant a saving to the State of \$1,265,198.

I submit, Mr. Chairman, that by reason of this very absurd

medical examination at ports of entry, which is the best pos-sible, considering the fact that the Government appropriates only enough money to equal 16 cents a head for that purpose, this period of deportation for causes existing prior to landing should be extended from three years to five years. [Applause.]

Mr. BURNETT. Mr. Chairman, I would like to hear the

amendment reported.

The CHAIRMAN (Mr. SAUNDERS). The Clerk will report the amendment offered by the gentleman from New York [Mr. BROWN]

The Clerk read as follows:

On page 38, line 15, strike out the word "three" and substitute the word "five."

Mr. BURNETT. Now, Mr. Chairman, I am opposed to that. I want to ask unanimous consent to have three minutes in which to oppose that amendment.

Mr. STAFFORD. Mr. Chairman, I hope the gentleman from Maryland [Mr. Linthicum] will not oppose that.

Mr. LINTHICUM. I shall oppose all unanimous consent for time.

The CHAIRMAN. Objection is heard.

Mr. BURNETT. I hope that will be voted down.
The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. Brown],

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. BROWN of New York. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is called for.

The committee divided; and there were-ayes 57, noes 38.

So the amendment was agreed to.

Mr. BROWN of New York. Mr. Chairman, I ask that the other amendment be reported.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

On page 38, in line 16, strike out the words "from causes existing prior to the landing" and insert in lieu thereof the words "unless the said alien can show to the satisfaction of the Secretary of Labor that the causes for becoming a public charge did not exist prior to the landing."

Mr. BROWN of New York. Now, Mr. Chairman— The CHAIRMAN. Debate is closed.

Mr. GARDNER. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. Brown] may have three minutes in which to make his statement, and that somebody be recognized to answer him.

Mr. LINTHICUM. I object.
The CHAIRMAN. Objection is heard. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. BROWN].

The question was taken, and the Chair announced that the

noes seemed to have it.

Mr. BROWN of New York. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were-ayes 38, noes 54.

So the amendment was rejected. The CHAIRMAN. The Clerk will read. The Clerk read as follows:

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sc. 20. That the deportation of aliens provided for in this act shall, at the option of the Secretary of Labor, be to the country whence they came or to the foreign port at which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory; to the foreign port at which they embarked for such territory; or, if such aliens entered foreign contiguous territory; to the foreign port at which they embarked for such territory; or, if such aliens are held by the country from which they entered the United States not to be subjects or citizens of such country, and such country refuses to permit their reentry, or imposes any condition upon permitting reentry, then to the country of which such aliens are subjects or citizens, or to the country in which they resided prior to entering the country from which they entered the United States. If effected at any time within five years after the entry of the alien, such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the appropriation for the enforcement of this act, and the deportation from such port shall be at the expense of the owner or owners of such vessels or transportation line by which such aliens respectively came, or, if that is not practicable, at the expense of the appropriation for the enforcement of this act. If such deportation is made by reason of causes arising subsequent to entry, the cost thereof shall be payable from the appropriation for the enforcement of this act. A failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Labor to take on board, guard safely, and transport to the destination sp

Mr. GOLDFOGLE. Mr. Chairman, during the debate on this bill allusion was made to the State of New York, and there were some allusions also to the city of New York. I desire to call the attention of the committee—

Mr. GARDNER. Mr. Chairman— The CHAIRMAN. Does the gentleman from Massachusetts desire to make a point of order?

Mr. GARDNER. I desire to ask what is the question before

the House.

The CHAIRMAN. The gentleman from New York [Mr. Goldrockel was recognized-

Mr. GOLDFOGLE. If the gentleman wishes to be so formal, I will move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to

strike out the last word.

Mr. GOLDFOGLE. I repeat what I have just said, that during the debate on this bill allusion was made to the State of New York and to the city of New York. I deem it my duty, coming from the State of New York, to call the attention of the committee to the fact that yesterday the lower house of our legislature passed a resolution calling upon the Congress to vote against the literacy or educational clause in this bill. On Saturday last my colleague [Mr. Cantona cause in this bill. On Saturday last my colleague [Mr. Cantona] called the attention of this committee to the fact that the sentiment of the State of New York was against this literacy test; and the fact that the assembly of that great State, which has within it such an enormous number of the foreign born, passed the resolution protesting against the educational test, is the strongest con-

firmation of the statements made last Saturday by my colleague [Mr. Canton].

Mr. BARTHOLDT. Will the gentleman permit a question?

Certainly.

Mr. GOLDFOGLE. Mr. BARTHOLDT. Mr. BARTHOLDT. What is the political complexion of the Legislature of the State of New York at the present time?

Mr. ANSBERRY. Very black. [Laughter.] Mr. GOLDFOGLE. The assembly is Republican, the senate is Democratic.

Mr. BROWN of New York. Mr. Chairman, I desire to offer certain other amendments, and I wish to say to the chairman

of the committee [Mr. Burnett] that these will be all.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 42, line 6, strike out the word "may" and substitute the word "shall."

Mr. BROWN of New York. Mr. Chairman, this is very largely a humanitarian amendment, but it has also to do with the safety of all coming in contact with aliens who are being deported.

Since 1907 there has been an understanding between the Department of Commerce and Labor-now the Department of Labor—and the steamship companies that the department will receive from the steamship companies a statement as to the physical condition and well-being of aliens being returned, and a receipt from some person signing for them, in lieu of persons accompanying the aliens. This amendment would make it mandatory on the Secretary of Labor, if he deemed it a dangerous case, to send some one to accompany the alien to his or her destination. Most Members will doubtless remember that in 1911 Anton Gross was certified to the Secretary of Commerce and Labor as having delusions of persecution, and that he was

not safe to travel by himself.

Mr. GARDNER. Will the gentleman yield?

Mr. BROWN of New York. Certainly.

Mr. GARDNER. Certified by whom? Mr. BROWN of New York. Certified by the surgeon in charge of the hospital where Anton Gross was confined.

Mr. GARDNER. But not a United States or State hospital, was it?

Mr. BROWN of New York. It was a State hospital, and he was a public charge within three years after his admission to the country, and he was about to be deported. Instead of sending somebody with this alien, the Secretary of Commerce and Labor sent a blank paper form. The alien landed, and after a little he went to a city in the interior, bought himself a revolver, and went to a hotel. While there he was seized with his delusion and became convinced that the waiters and guests of the hotel were pursuing him. Consequently he opened fire on everybody in sight. The police of that city fortunately shot him before he did anything more serious than to wound some of the waiters, and that was a very fortuitous ending of the If I had the time, I could mention other cases, including that of Tillie Ostrokowsky, but I have not the time to do so.

I suggest, Mr. Chairman, that the amendment be adopted, both for humanitarian reasons and for the purpose of protecting those who are brought in contact with the deported aliens.

Mr. GARDNER. Mr. Chairman, I think this is a dangerous amendment. The fact is, we give the Secretary of Labor the right to decide whether a deported alien needs anyone to accompany him. He may decide that the man does not need anybody to accompany him, because his wife is already accompanying him. He may decide that a woman does not need anybody to accompany her, because her son is accompanying her. This amendment would require the Secretary of Labor to hire somebody to accompany the outgoing alien. More than that, it will give rise to needless controversies. Who is to decide whether the alien needs assistance? When anyone chooses to assert to the Secretary of Labor that such and such a deportable alien is in a condition that requires personal care or attendance the Secretary of Labor would perhaps be liable to a suit if he took the opposite view. The gentleman from New York did not bring this matter before the Committee on Immigration and Naturalization

Mr. BROWN of New York. Will the gentleman yield?

Mr. GARDNER. In one minute. The Committee on Immigration was never told the story about this deported alien who ran amuck in foreign parts. I do not mean to say that it is the gentleman's fault that he did not bring the matter to the attention of the committee. The gentleman asked to be heard, but our hearings were already closed. Perhaps this is one of the matters on which he wanted to be heard. A good way to do when gentlemen have a succession of amendments and they

can not be heard by the committee is to ask to have them referred to the department. Unless we have a report from the department, how can you expect us on the floor of the House to be sufficiently familiar with these questions to enable us to act on them offhand.

Mr. BURNETT. Mr. Chairman, I move that all debate on

this section and amendments thereto be now closed.

The CHAIRMAN. The gentleman from Alabama moves that all debate on this section and amendments thereto be closed.

The motion was agreed to.

Mr. BROWN of New York. Now, Mr. Chairman, I ask unanimous consent to withdraw the second amendment and address myself to the last amendment for three minutes.

Mr. GARDNER. I ask that this amendment be put first. Mr. BROWN of New York. I ask unanimous consent to

withdraw the second amendment.

Mr. GARDNER. Mr. Chairman, I rise to a point of order

that there is an amendment pending.

The Chair understands that, but we will The CHAIRMAN. get through with that in a moment. The gentleman from New York asks unanimous consent to withdraw the second amendment and to proceed for three minutes on the other amendment. Is there objection?

Mr. LINTHICUM. I object.
The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was lost. The CHAIRMAN. Does the gentleman from New York desire to offer the third amendment now?

Mr. BROWN of New York. I do.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

The Clerk read as follows:

On page 42 add a new section, to be known as section 20a, to read as follows:

"That hereafter it shall be unlawful for the owner, agent, or master of a transportation company or vessel engaged in the transportation of aliens into the United States to refuse to sell tickets for transportation to his or her native country or, having sold tickets for such transportation, to receive on board any alien who was brought to the United States by a vessel owned by such transportation company or owner or his or their legal successors or assigns, who, at the time that application for such ticket shall be made, shall be an inmate of any institution in the United States which is supported wholly or in part by public funds: Provided, That the arrival of such alien by a vessel owned by such transportation company or owner shall be verified by a United States Commissioner of Immigration: Provided further, That it shall be certified by the superintendent or principal medical officer of such public institution that such alien inmate is in condition to travel with safety to himself or herself or others: Provided further, That such alien inmate is not suffering from a quarantinable disease: Provided further, That when necessary for the safety of such alien inmate a suitable attendant shall be provided without expense to such transportation company or owner.

"That any person, including the owner, agent, or master of any transportation company or vessel, who shall refuse to sell tickets for the transportation of such alien inmates or, having sold such tickets, shall refuse to receives such alien inmates on board, shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by fine not exceeding \$500 for each and every such alien inmate for whom transportation is received or who is not received on board."

Mr. BROWN of New York. Mr. Chairman, to understand the

Mr. BROWN of New York. Mr. Chairman, to understand the reasons for adopting this amendment I will state briefly the

condition of affairs in the State of New York.

The State of New York maintains a bureau of deportation, which might better be called a bureau of repatriation, because only the Federal Government can deport aliens. What this bureau does is to return to their homes at the expense of the State or at the expense of friends such persons who will be properly cared for at home and who want to go there.

In 1912 the United States Immigration Service deported 419 aliens who had been admitted to the United States who had become public charges in State hospitals or homes. In the same year the State repatriated 474 aliens at the expense of the State and 278 at the expense of friends, which makes a total of 752 repatriated by the State as against 474 deported by the United States Government. Of those 752 repatriated 439 were public charges in the State hospitals, so this bureau saved the State of New York, figuring the usual cost of \$2,882 per patient hospital life, the great sum of \$1,265,198 in the year 1912

Now, when this bureau buys tickets for an alien and an attendant, if necessary, the alien's family and friends having satisfied the bureau that they not only want the alien home but are in a position to care for him or her, and when the bureau tries to place the alien on board a ship, it is continually confronted with a refusal on the part of certain steamship com-

panies to allow the aliens on board.

It is to cover these cases that I have offered this amendment. The surgeons on the returning ships examine each passenger most carefully for mental and physical defect, and refuse passage to the defective. There is no examination worthy of the

name at the ports of embarkation by these surgeons, so they pass all kinds of defectives to us and will not take them back.

Federal legislation is the only method of relief.

Had I time I should be glad to go into the cases of Carmelo Cantanzaro, Savenio Marano, Cammillo Cantoni, John Casulo, and Philomena Masitto as being typical of this scandalous condition of affairs.

Mr. GILLETT. Mr. Chairman, I ask unanimous consent to

extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was lost,

The Clerk read as follows:

The Clerk read as follows:

Sec. 22. That wherever an allen shall have taken up his permanent residence in this country and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Labor shall prescribe, until it shall be determined whether the disorder will be easily curable or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable and the husband or father or other responsible person is willing to bear the expense of the treatment, they may be accorded treatment in hospital until cured and then be admitted, or if it shall be determined that they can be permitted to land without danger to other persons, they may, if otherwise admissible, thereupon be admitted.

Mr. GARDNER. Mr. Chairman, just what is this literacy test for immigrants? It provides that any immigrant over 16 years old must be able to read a little in his or her own language. Even to this mild restriction there are generous excep-tions. Families are not to be broken up. If only one of them can read, he or she can bring in pretty much all the rest of the household, except grown-up sons. If a reading test had been in force last year for aliens over 14 years of age, some 300,000 of those aliens who came in here would have been excluded. That is a pretty big slice to exclude, I think. Of course the steamship companies would probably have brought quite a number of other immigrants in place of those excluded. That would have lessened the dimensions of the slice, to be sure. On the other hand, many an immigrant untruthfully told the inspector that he was able to read, and no one was able to show up his ignorance. Unfortunately, no provision exists in our laws for verifying the truth of an immigrant's assertion as to his reading capacity. If the literacy test reduces immigration by 300,000 per annum, that is the most which can be expected of it.

A dozen years ago every restrictionist favored a different method of restriction, and every pretended restrictionist stoutly asserted his abiding belief in some method or other of restriction which stood no chance of adoption. Gradually the restrictionists in the House and in the Senate came to see that the literacy test could command the greatest amount of support. Meanwhile the labor organizations came to the same conclusion. Along in 1907 the Immigration Commission was appointed, nine experts in all. At first Prof. Jenks, of Cornell, and Dr. Neill, of the United States Bureau of Labor, both members of the commission, were doubtful about the literacy test. Finally, after two years of study eight out of the nine commissioners joined in recommending the literacy test as the most important step to be taken. That it is perfect no one will contend, but surely we must all admit that 300,000 aliens who can read would probably make better citizens than the 300,000 illiterate aliens whom we admitted last year. To hold otherwise is to indict our commonschool system. However, the commission recommended the literacy test, not as a selective measure but as a means of curtailing the congested oversupply of unskilled labor. The su-periority of the individual immigrant under this system was regarded as a fortunate incidental advantage.

For many years I have listened to the argument that the anarchist and the gumman and the procurer can read, while many a horny-handed honest laborer does not possess that accomplishment. I freely admit the fact. It is also true that honest men can be found in gambling houses and that thieves can be found in church. Yet for all that I should not recom-mend the passage of any legislation based on the supposition that the frequenters of gambling houses are more desirable citizens than are the churchgoers.

The gentleman on my right has spoken jauntily to the effect that it is easy enough for me to support this bill because, as he puts it, I represent a Yankee constituency. A Yankee stituency I surely represent, but not in the sense in which he uses the word "Yankee." I believe it to be the fact that less than half the voters of my district are of English or Scotch descent. More than half, I suppose, are either Irish or French Canadians by descent, but we are all so mixed up together that it is pretty hard to tell the difference except by our names. We do not have much of this race or religious prejudice business down our way.

Of course the Irish and the French Canadians would not be affected to any extent by this literacy test. All Irish and Canadian children are taught to read nowadays, and the old people would be admitted, anyway, whether they could read

It is different with the Jews, however, and there are a good many Jews in my district. About one Jew in five who comes to this country is unable to read, so this restriction strikes home in Jewish circles. The way the Jew feels about it is this: He has been a target for race and religious prejudice for such a long time that he naturally looks suspiciously on any proposed legislation which may in any way prevent him acquiring that power which numbers give. There is no denying the fact that this legislation would exclude a good many pretty wholesome Jews who might desire to come over here. On the other hand, it would protect many an equally wholesome American Jew against an overstocked labor market.

All honor to the Jew who desires that his brother in Russia should share in the liberty and prosperity of the United States. All honor to the Italian who is willing to risk an oversupply of the labor which is his only capital if he may but share his opportunities with his own race. Such men as these may be prejudiced; they may be unjust to us who disagree with them; but at least they are unselfish. The seekers after cheap labor

are indeed fortunate to have such allies

Mr. MOORE. Mr. Chairman, I would like to ask whether the Clerk in beginning this section 20 read the words "The whereever"? In the copy of the bill I have it begins "The wherever." It is a misprint

The CHAIRMAN. That is correct.

Mr. MOORE. I move to strike out the word "the" and the word "that" be substituted.

Mr. GARDNER. And the gentleman should move to strike out "wherever" and insert "whenever."

Without objection, the amendments will The CHAIRMAN. be agreed to.

There was no objection.

Mr. MANN. I should object to "whenever" being inserted, because "wherever" is correct.

Mr. GARDNER. I think the gentleman from Illinois is mistaken. This was suggested by the department, and the existing law has the word "whenever."

Mr. MANN. It does not make good sense.

Mr. GARDNER. I think it does.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last word. I ask the Clerk to read the following telegram published in the New York Tribune of to-day in reference to alien insane.

The Clerk read as follows:

ALIEN INSANE NEW YORK EURDEN—GOV. GLYNN ASKS THAT IT BE SHIFTED TO UNITED STATES.

ALBANY, N. Y., February 2, 1914.

ALBANY, N. Y., February 2, 1914.

A plea for the transference from the State to the Federal Government of the care of the allen insane is embodied in a message sent by Gov. Glynn to the legislature to-night. The governor pointed out that more than a third of the money spent in the maintenance of New York's hospitals for the insane is devoted to the care of allens.

"The average length of hospital residence," the message recites, "is 9.85 years. Consequently, on the basis of the figures for 1912, the 9.241 allens in the State's hospitals represent a total burden upon present and future taxpayers of \$25,412,038."

It is urged that the legislature adopt concurrent resolutions calling upon Congress te raise the limit for deportation to five years, and transfer from the State to the National Government the cost of maintaining the alien insane.

Mr. GARDNER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on section 22.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is

there objection? [After a pause.] The Chair hears none.
Mr. JOHNSON of Washington. Mr. Chairman, I make the

same request in regard to section 19.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD. there objection?

There was no objection.

Mr. BURNETT. Mr. Chairman, a parliamentary inquiry. Where there is a request to extend remarks in the Record, would not that permit the Member to extend his remarks on any part of the bill? The CHAIRMAN. The Chair thinks so.

A SHIP IN

Mr. MANN. I take it that permission to extend remarks in the RECORD does not mean that gentleman can extend them forty times

The CHAIRMAN. No. The inquiry was whether they could not be extended with reference to different sections of the bill. Mr. MANN. Oh, undoubtedly.

The Clerk read as follows:

Mr. MANN. Oh, undoubtedly.

The Clerk read as follows:

SEC. 23. That the Commissioner General of Immigration shall perform all his duties under the direction of the Secretary of Labor. Under such direction he shall have charge of the administration of all laws relating to the immigration of allens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder; he shall establish such reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this act and for protecting the United States and allens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such allens as may fall into distress or need public aid, and to remove to their native country, at any time within three years after entry, at the expense of the appropriations for the enforcement of this act, such as fall into distress or need public aid from causes arising subsequent to their entry and are desirous of being so removed; he shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not unnecessarily to delay, impede, or annoy persons in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose; it shall be the duty of the Commissioner General of Immigration to detail officers of the Immigration Service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges. He may, wi

Mr. MOORE. Mr. Chairman, my attention has been called to page 44, line 10, where the word "bond" appears, and in order to conform to the other reports, and so forth, I presume the plural of that word should be used. I therefore move to strike out the word "bond" and insert in lieu thereof the word bonds.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 44, line 10, by striking out the word "bond" and inserting the word "bonds."

Mr. GARDNER. Mr. Chairman, I think the gentleman is incorrect. The current law uses this language:

Such forms of bond, reports, entries, and other papers.

Does not the gentleman think that better English than saying "such forms of bonds"?

Mr. MOORE. If there is only one bond to be entered, very well; but there will be bonds, as there are reports and as there are entries and other papers.

Mr. GARDNER. I am not going to quarrel with the gentleman over the English of it. I do not see any reason to change

the law as it stands.

AL HERE

Mr. BURNETT. That law has been construed by the department.

The CHAIRMAN. Does the gentleman from Pennsylvania insist upon his amendment?

Mr. MOORE. If the committee does not accept the amendment, I shall withdraw it.

The CHAIRMAN. The gentleman from Pennsylvania withdraws his amendment and the Clerk will read.

The Clerk read as follows:

The Clerk read as follows:

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or decreased from time to time by the Secretary of Labor, upon the recommendation of the Commissioner General of Immigration and in accordance with the provisions of the civil-service act of January 16, 1883: Provided, That said Secretary, in the enforcement of that portion of this act which excludes contract laborers, may employ, without reference to the provisions of the said civil-service act, or to the various acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw annually from the appropriation for the enforcement of this act \$50,000, or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Labor certifies that an

itemized account would not be for the best interests of the Government: Provided further, That nothing herein contained shall be construed to after the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation act approved August 18, 1894, or the official status of such commissioners heretofore appointed.

Mr. SABATH. Mr. Chairman, in answer to the arguments advanced by the gentleman from Massachusetts [Mr. GARDNER] and the gentleman from Alabama [Mr. Burnerr] and the gentleman from Tennessee [Mr. Austrn] in favor of the literacy test, I desire, first, to call the attention of the Members to the views of President Cleveland, as expressed by him in a message vetoing a measure similar to the one we now have under consideration. President Cleveland said:

The ability to read and write as required in this bill, in and of itself affords, in my opinion, a misleading test of contented industry, and supplies unsatisfactory evidence of desirable citizenship or a proper apprehension of the benefits of our institutions.

And we find that only last year, when President Taft vetoed practically the same bill that we now have before us, his veto message read in part as follows:

I can not make up my mind to sign a bill which in its chief provision violates a principle that ought, in my opinion, to be upheld in dealing with our immigration.

Then, too, let us carefully consider the views of the greatest President this country has ever known, Woodrow Wilson, as set forth in a letter to a prominent Philadelphian, in which he says:

I think that this country can afford to use and ought to give opportunity to every man and woman of sound morals, sound mind, and sound body, who comes in good faith to spend his or her energies in our life, and I should certainly be inclined, so far as I am concerned, to scrutinize very jealously any restrictions that would limit that principle in practice.

Again, in reply to an inquiry from a newspaper, we find him saying that-

I, like other Democrats, have always held liberal views with regard to immigration. I feel that it would be inconsistent with our historical character as a Nation if we did not offer a very hearty welcome to every honest man and woman who comes to this country to seek a permanent home and a new opportunity.

Quite recently a number of prominent educators throughout the country were asked their opinion as to the desirability of imposing a literacy test upon incoming aliens, and I quote below the views of a number of these gentlemen:

[Harry Pratt Judson, LL. D., president University of Chicago, Chicago, III.]

If we can establish a test which will exclude those who are really undesirable—that is, who are unlikely to make intelligent, industrious, and law-abiding citizens—such test I shall approve. I do not believe that the literacy test conforms to that condition.

[Bernard J. Otting, S. J., president St. Louis University, St. Louis, Mo.] I can not respect the intelligence of the man who can make literacy the test of fitness, and I am driven to suspect some underlying motive, which he is assamed to make public, in the statesman who would make this test the 'aw.

[Edward Cummings, S. J., president Spring Hill College, Mobile, Ala.] Read the roster of our great men these days and you will find them children of men that came over here to escape persecution without, perchance, the knowledge of the alphabet.

[Lyon G. Tyler, LL. D., president College of William and Mary, Williamsburg, Va.]

Hilteracy is a mere accident that may affect a family in one genera-tion, but be conspicuously absent from succeeding generations.

[George Lewis Mackintosh, president Wabash College, Crawfordsville, Ind.]

Unquestionably immigrants who could not measure up to the most rudimentary test of literacy may yet be industrious, honest, and very desirable men.

[George S. Davis, LL. D., president Normal College of the city of New York,]

It [the literacy test] would be inadequate and misleading, often resulting in the exclusion of worthy and desirable additions to our population.

[John Cavanaugh, C. S. C., president University of Notre Dame, Notre Dame, Ind.]

I am convinced that the effort to restrict immigration by a literacy test is un-American as well as unwise.

[James A. B. Scherer, LL. D., president Throop College of Technology, Pasadena, Cal.]

I used to incline toward a belief in much stricter immigration laws, but upon becoming acquainted with the sons and daughters of possibly objectionable immigrants, I saw that the "melting pot" does its work effectively and advantageously.

[Stephen M. Newman, D. D., president Howard University, Washington, D. C.]

Some of the best immigrants who ever came to America could not read when they landed, but settled down into helpful American lives. I do not believe that a literacy test should be enacted.

[Herbert L. Stetson, LL. D., president Kalamazoo College, Kalamazoo, Mich.]

I believe that immigrants fleeing from religious and political persecution should not be subjected to a literacy test, should such test be enacted.

[Winthrop E. Stone, LL. D., president Purdue University, Lafayette, Ind.]

There are many valuable men and women who could be of service in this country who possibly can not read and write.

I have before me an article from the pen of Mr. Francis E. Hamilton, former solicitor to the collector of the port of New York, and a man who had the very best opportunity imaginable to note the effect of immigration, and I find that he says:

The immigration act recently passed, but vetoed by President Taft, contained a number of cumbersome and nonworkable provisions and was also most unjust in its "literacy test." Legislators should not forget that the public records of the United States prove conclusively that a large percentage of those who were the pioneers of this country, ancestors it may be of the present members of the Society of the Mayflower, the Daughters of the Revolution, and even the Society of the Cincinnati, were men and women who could neither read nor write, who signed deeds and other documents with a cross, but who laid the foundations of this country and its present government.

Now, Mr. Chairman, we have heard so much about the various organizations that demand this legislation, let me read an extract from a letter to me by a man who classes himself as "only a private citizen," but who was for 25 years a member of the faculty of George Washington University and a lecturer at Yale, Princeton, and Copenhagen, and who during the past 10 years has devoted his attention to international questions. Here is a man, Prof. James H. Gore, who has devoted many years of his life to the study of just such questions as this, and we find him saying that:

There is nothing on which to base the argument that a literate person would more quickly become prepared to enjoy the privileges of citizenship, while on the contrary it is the universal experience that persons unable to read acquire a speaking knowledge of a foreign tongue more quickly than his fortunate brother.

Then, too, we find Prof. Gore expressing the opinion that:

It would be a great mistake to place an embargo on willing hands and brawny muscle. It would be much better to increase the efficiency of our existing machinery for distributing the arriving aliens so that the supply might reach our vast and scattered demands.

Mr. MONDELL. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. MANN. Mr. Chairman, I make the point of order that one gentleman can not interrupt another on the floor by a parliamentary inquiry.

Mr. MONDELL. Then, Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman can interrupt another with point of order. The gentleman will state his point of order.

Mr. MONDELL. My point of order is that the gentleman from Illinois [Mr. Sabath] is not addressing himself to the paragraph that has just been read; but I am not so particular with regard to these matters as other gentlemen are. I withdraw the point of order.

Mr. SABATH. Mr. Chairman, not wishing to take any more of the time of the committee than is necessary, I shall only read short extracts from the many protests that I have received against the passage of this bill.

I have here the combined protest of the German-American State Alliances of Kentucky and Ohio, in which they-

Emphatically protest against the adoption of the Burnett immigration bill, as it is detrimental to the welfare of the country. * * * Physically well-built men and women, desirable immigrants, who on account of their moral worth would improve the citizenship of our country ought to be welcomed in this land of liberty instead of being excluded for not passing the test provided in the Burnett bill.

The following is an extract from a resolution adopted at a mass meeting attended by the very best citizens of Cincinnati:

Be it resolved. That all legislation restricting immigration beyond keeping out the criminal and the diseased is both unjust and unwise and in flagrant contradiction to the principles laid down in the Declaration of Independence.

The General Laborers' International Union desires to go on record as being opposed to this test, and in their letter I find the following:

We can not see any reason why a man ought to be excluded simply because he can not read or write. The most dangerous characters coming to this country from Europe and other lands are well educated.

The resolutions adopted by the Polish National Alliance state in part that-

The downtrodden and oppressed of every clime for years have looked upon these United States as an asylum where all could enter and enjoy liberty and freedom. * * * We feel convinced that literacy or educational tests would and do in no wise indicate the morals, conscience, honesty, integrity, and industry of those that desire to come to our land.

The following extract is from a resolution adopted by the Board of Commissioners of Cook County, Ill.

The conditions in some of the countries of Europe are such that moral, honest, and industrious men and women can not secure an education,

and they seek to come to this country in the hope of improving them-selves under the beneficent influence of free institutions and our free Government. * * We hereby cheerfully give testimony to Mem-bers of Congress, before whom the new restrictive immigration measures are pending, that the foreign-speaking citizenship of our community is a most desirable element, and that neither the paupers or disturbers come from the moral, honest, and industrious peasant, artisan, or crafts-man of Europe, who, although they may not be sufficiently schooled to pass educational or literacy tests, come here and make worthy and de-sirable citizens. sirable citizens.

Now, Mr. Chairman, I have before me hundreds of resolutions and letters from organizations and individuals all over the United States protesting in the strongest terms against the enactment of this legislation, but my time is so limited that I will not be able to read any more.

Mr. AUSTIN. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. SABATH. Certainly. Mr. AUSTIN. Is it not a fact that the hearings before the committee showed that 18 States in the Union had passed resolutions in favor of the restriction of undesirable immigration?

Mr. SABATH. The gentleman is mistaken in that, the same as he is in a great many other of his statements.

Mr. AUSTIN. Does the gentleman have allusion to the statement I made-

Mr. SABATH. And if the gentleman's information in other instances has not been any more accurate than it is in this case, I realize why during the debate he has so often insisted that immigration is not beneficial to our country.

Mr. AUSTIN. Mr. Chairman, will the gentleman answer my

question?

Mr. SABATH. I have already answered it.
Mr. AUSTIN. Then the gentleman states that the hearings and the RECORD do not show that 18 States have passed resolutions favoring restriction of immigration?

Mr. SABATH. Mr. Chairman, to the best of my belief there was no such evidence introduced before our committee. I am of the opinion that there are some States that have gone on record,

and very likely the gentleman's State is one of these.

The gentleman from Tennessee [Mr. Austin] has continually been insinuating that these immigrants do not make desirable citizens, and while it was not my intention to take up any more of the committee's time, I can not resist the temptation to supply the gentleman with some information relative to the progress of the city which I have the honor to represent in part. Chicago to-day has a population of around 2,500,000, and 80 per cent of these people are of foreign birth or of foreign parentage. There are within its borders hundreds of thousands of Germans, Irish, Bohemians, Poles, Jews, Italians, Scandinavians, Norwegians, Slovanians, Lithuanians, and those of other nationalities, people whom the gentleman from Tennessee [Mr. AUSTIN] and the gentleman from Alabama [Mr. BURNETT] have seen fit to designate as "undesirables." These people have demonstrated time and time again that they are honest, industrious, law-abiding, and virtuous, and that they make very desirable citizens.

Our city, which to-day has an area of 191 square miles, was incorporated in 1837, and it was not until 1848 that the first railroad penetrated its borders. To-day we have 288 large public schools, in which there are employed 6,740 teachers and in which there were enrolled over 300,000 pupils in 1912. We have within the boundaries of the city 35 medical schools, 138 banks, and 1,138 churches and chapels. There are over 740 newspapers and periodicals edited in our city. In 1911 the duties collected on imported merchandise and the internal revenue collected in Chicago district totaled over \$22,000,000. The value of the products of our manufacturing plants is in excess of \$1,500,000,000 annually. Our bank clearings are nearly \$15,-000,000,000 annually, and our appropriations amount to over \$70,000,000 per year.

Gentlemen, think for a moment what has been accomplished by the people who have made their homes in Chicago. As I stated before, our city was only incorporated in 1837, and, as you know, it was practically wiped out by the great conflagration in 1871. And now our city, with 80 per cent of its people of foreign birth or foreign parentage, is the wonder of the age. It is the center of education, of invention, of industry, of art, of music, and of everything that contributes to the progress and elevation of the human race. Gentlemen, I proudly point to it as an example of what the immigrants have done for our coun-

try. [Applause.] Mr. MONDELL. Mr. Chairman, I rise in opposition-

Mr. AUSTIN. May I ask the gentleman a question? Mr. SABATH, I yield to the gentleman.

Mr. AUSTIN. Is it not a fact that the American Federation of Labor of Chicago passed a resolution favoring this legislation?

Mr. SABATH. I desire to say that if the Federation of Labor in the city of Chicago has passed such a resolution I am not aware of it. I do not know of a single labor organization in Chicago that has adopted a resolution favoring the passage of this bill. The city of Chicago is the strongest labor-union city in our country, and wages are higher and conditions are better there than anywhere else; and this is mainly due to the fact that nearly 80 per cent of its inhabitants are of foreign birth or foreign parentage

The CHAIRMAN. The time of the gentleman has expired. Mr. AUSTIN. I will be glad to give the gentleman the infor-

Mr. BURNETT. Mr. Chairman, I move to strike out the last two words. In reply to the gentleman I want to call his attention to the fact that I have here the names of 30 college presidents, which I desire to insert in the RECORD, who have gone on record in statements that they are in favor of this legislation. It is also interesting to note that the present president of Harrt is also interesting to note that the present president of Harvard, Mr. Eliot's successor, Mr. A. Lawrence Lowell, is strongly in favor of the illiteracy test. Many members of the faculty in the city of Chicago are among those. There are Profs. Breasted, Butler, Carpenter, Marshall, Moore, Strong, Williston, and Young, all strongly in favor of it in the gentleman's own city. A gentleman the other day quoted from Dr. Eliot as being against the literacy test, and yet I have here a strong communication from Dr. Eliot, or a telegram-

Mr. SABATH. Will the gentleman yield there? Mr. BURNETT. Yes.

Mr. SABATH. I think the gentleman from Alabama is mistaken if he states that I have quoted from Prof. Eliot, for I have not.

Mr. BURNETT. There was a gentleman, I said, and that was the gentleman from Maryland, Mr. Coary, who made the quotation, Mr. Chairman, and I have here a communication or a telegram of an interview with Prof. Eliot, who when president of Harvard College enforced as a necessary qualification for admission the ability to pass an educational test, in which he denounces the labor union and favors the open shop, and virtually said the unions are destroying the country, and I want to know if Congressman Coady quotes him as an expert authority and follows also in the matter of the desirability of labor organizations as well as this particular legislation which they desire and demand to help them in their efforts to better the workingmen of this country. I desire also to place in the Record the names of more than 56 different organizations in the country, comprising such organizations as the American Agents' Association, American Federation of Labor, Boiler Makers and Iron Ship Builders of America, Carpenters and Joiners' National Brotherhood, Amalgamated Society of Carpenters and Joiners, National Brotherhood of Coal Hoisting Engineers, Commercial Travelers of the United States, Core Makers' International Union, Electrical Workers of America, Farmers' National Congress, United Garment Workers of America

Mr. GOLDFOGLE. Will the gentleman pardon me at that point? Is it not a fact that the Garment Workers' Union of New York expressed itself as against the educational clause

Mr. BURNETT. That may be true, Mr. Chairman; I am not surprised if it is; but this is the United Garment Workers of America, and not of New York. The gentleman from New York [Mr. Goldfogle] is one of those gentlemen with a narrow environment, who has not learned that America embraces anything but New York. Mr. Chairman, the same thing is true of the very fellows we want to keep out. They are the men on the other side who think that New York City is the United States. Mr. Chairman, I found all over southern Italy when they speak of New York City they seem to think that the whole of America was New York City. The gentleman from Illinois [Mr. Mann] the other day spoke of the lack of opportunities that aliens have to learn to read, and yet there are in southern Italy 56 per cent of the people over 14 years of age who are so absolutely illiterate that they are unable to read their own language, while only 6 per cent of the people of northern Italy are unable to read, although opportunities throughout all Italy, in so far as the Government is concerned, are the same. with the commission on its foreign tour, I asked the Italian commissioner of immigration of Italy, Mr. Rossi, how it was that under the same King, with the same Parliament, with the same laws, that that striking contrast of literacy and illiteracy existed, and he said: "Mr. Burnett, I am bound to admit to you that it is the difference between the white man and the man of mixed blood." Lack of opportunity? Not at all. makes his own opportunities to a very large degree. He can have schools and free institutions if he demands them. Gentlemen talk about these being the ancient Romans. They are

no more ancient Romans than we are. They are the descendants of those who came chained to the chariot wheels of the ancient Romans, and came behind their conquering eagles as slaves. They came from the blood of the Saracens, Arabs, Moors, and Africans across the Mediterranean.

Mr. MANAHAN. Will the getleman yield? Mr. BURNETT. I must decline to yield. Gentlemen, they are the descendants of those who came chained to the chariot wheels of the ancient Romans, and came behind their conquering eagles as their slaves. They are those who came from the blood of the Saracens, Arabs, Moors, and Africans who are across the Mediterranean.

Following is the list of some national organizations that have indorsed restrictive legislation, and also a list of local city and

State bodies that have urged it:

American Agents' Association.
American Federation of Labor.
Boiley Makers and Iron Ship Builders of America.
Carrenters and Joiners National Brotherhood.
Amalgamated Society of Carpenters and Joiners.
National Brotherhood of Coal Hoisting Engineers.
Commercial Travelers of the United States.
Core Makers' International Union.
Electrical Workers of America.
Farmers' National Congress.
United Garment Workers of America.
Glass Blowers' Association of America.
Glass Blowers' Association of United States and Canada.
Granite Cutters' National Union,
United Hatters of North America.
Horseshoers' International Union.
Knights of Labor, General Assembly.
United Mine Workers.
Mosaic and Encaustic Tile Layers and Helpers' International Union.
American Federation of Musicians.
National Board of Trade, Philadelphia convention.
National Grange.
Atlantic Coast Seamen's Union.
International Convention of Factory Inspectors.
National Association of Hat Makers.
National Prison Reform Association.
National Grange or Patrons of Husbandry, 1912.
National Grange or Patrons of Husbandry, 1912.
National Grange or Patrons of Husbandry, 1913.
Farmers' Educational and Cooperative Union, Salina, Kans., September 3, 1913.

Farmers' Educational and Cooperative Union, Salina, Kans., Septem-

National Council Order United American Accumines, Doson, 1913.

Farmers' Educational and Cooperative Union, Salina, Kans., September 3, 1913.
Secretary Northwest Immigration Association.
Paperhangers' National Protection and Beneficial Association of America.
United Brotherhood of Paper Makers.
National Association of Spinners.
International Union of Steam Engineers.
National Association of Steam and Hot Water Fitters and Helpers.
United Textile Workers.
Theatrical Stage Employees National Alliance.
Operative Plasterers' International Association.
Secretary American Diamond Verstellers Union.
Watch Case Engravers' International Association.
Wood Carvers' United Association.
National Farmers' Educational and Cooperative Union of America.
Brotherhood of Locomotive Engineers.
Brotherhood of Reilway Trainmen.
Cotton Growers' Association.
National Reform Bureau.
American Purity Federation.
Immigration committee of the eugenics section of the American Breeders' Association.
Immigration conference, Tampa, Fla., 1908.
Patriotic Order Sons of America.
National Council Junior Order United American Mechanics.
Harvard Medical School graduates, 85 per cent answering questionnaire in 1912 favored reading test.
"Who's Who in America," 77 per cent answering questionnaire in 1911 favored reading test.

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"ALABAMA.
Alabama.

ALABAMA.

Demopolis: Commercial and Industrial Association; immigration con-ARKANSAS.

House of representatives.

CALIFORNIA.

Legislature.
San Jonquin County: Associated charities.
Lakeport: Lake County Board of Trade.
Los Angeles: Associated charities, board of trade, chamber of commerce, Merchants and Manufacturers' Association.
Oakland: Associated charities.
San Francisco: Building Trades Council; Shipowners' Association of the Pacific Coast, Merchants' Association.
Redlands: Associated charities.

COLORADO.

State grange. Denver: Charity organization society. Leadville: Bainbridge Council, No. 1. CONNECTICUT.

Connecticut branch American Federation of Labor. Junior Order United American Mechanics. Bridgeport: Associated charities for industrial relief. New Britain: Associated charitie, charity organization.

DELAWARE.

Junior Order United American Mechanics.
Wilmington: Carriage Builders' National Association, associated charities.

DISTRICT OF COLUMBIA.

Washington: Central Labor Union; Knights of Labor, District Assembly 66; Local Assembly No. 2672, Knights of Labor.

FLORIDA.

Junior Order United American Mechanics.

GEORGIA.

State Federation of Labor. Farmers' Educational and Cooperative Union.

ILLINOIS.

State Branch, American Federation of Labor.
Aurora: Charity Council.
Bloomington: Journeymen Tailors' Union.
Chicago: Bridge and Structural Iron Workers' Union, No. 1; Board of Trade; Carpenters' Union, No. 10; Bureau of Charities; Civic Federa-

Dubuque: Charity Organization Society. INDIANA

Indianapolis: Indianapolis Board of Trade.

Muncie: Associated Charities.

Vincennes: Operative Plasterers' International Association, Local
Union No. 114.

KANSAS.

Lawrence: Associated Charities. Wichita: Associated Charities.

KENTUCKY.

Junior Order United American Mechanics, Louisville: Charity Organization Society; Wholesale Grocers' Association.

LOUISIANA

Farmers' Educational and Cooperative Union. New Orleans: Prison Reform Association of Louisiana; Board of Commissioners of Prisons and Asylums.

MAINE.

Junior Order United American Mechanics, Bangor: Associated Charities. Portiand: Central Labor Union.

MASSACHUSETTS.

MASSACHUSETTS.

House of Representatives.
New England Methodist Conference.
Woman's Christian Temperance Union.
Junior Order United American Mechanics.
The Consumers' League of Massachusetts.
State Board of Trade.
Society for Prevention of Cruelty to Children.
Boston: Associated Charities; Bostonian Club; Boston Chamber of Commerce; Park Street Club.
Brockton: Brockton Branch Lasters' Protective Union.
Cambridge: Associated Charities; Lodge No. 21, Amalgamated Association of Iron, Tin, and Steel Workers.
Fall River: Associated Charities.
Fitchburg: Fitchburg Benevolent Union; Merchants' Association; Woman's Club.
Gloucester: Associated Charities.
Lowell: Workingmen's Protective League.
Lynn: Associated Charities,
Newton: Associated Charities,
Salem: Associated Charities,
Somerville: Associated Charities,
Somerville: Associated Charities.
Springfield: Union Relief Association.
Taunton: Associated Charities,
West Somerville: Board of Trade.
Worcester: Board of Trade.

Junior Order United American Mechanics.

Detroit: Chandelier Workers' Union, No. 6913; Cigar Makers' Union, No. 22; Council of Trades and Labor Unions.

Port Huron: Cigar Makers' Union, No. 368; Edison Union; Journeymen Barbers' Union; Longshoremen's Union; Trades and Labor Council; Typographical Union.

MINNESOTA

Minneapolis: Sixth Congressional District I. A. Associated Charities; Minneapolis Merchant Tailors' Exchange. Duluth: Central Sawmill Workers' Protective Union, No. 6724.

MISSISSIPPI.

Immigration Convention.
Farmers' Educational and Cooperative Union.

MISSOURI.

St. Joseph: Charity Board; Merchants' Exchange.

MONTANA.

Butte: Associated Charities.
Helena: Commissioners Bureau of Agriculture, Labor, and Industry. NEBRASKA.

The Nebraska Club.

Junior Order United American Mechanics,
Elizabeth: Board of Trade; Screw Makers' Union, No. 6585.
Newark: Associated Charities; Central Labor Union; Hatters' Union;
Typographical Union.
Plainfield: Woodbury Branch 14, Glass Bottle Blowers' Association of
the United States and Canada.
Salem: Society for Organizing Charity.

NEVADA.

NEW MEXICO.

Albuquerque: Commercial Club.

NEW YORK.

Immigration Restriction League. Junior Order United American Mechanics.

Public mecting in New York City, May 17, 1912.

Woman's Republican Club.
Albany: Chamber of Commerce.
Brooklyn: American Workmen's Protective League, Branch No. 1;
United Retail Grocers' Association.
Buffalo: Catholic Temperance Society.
Castleton: Charity Organization Society.
Mount Vernon: Bureau of Charities.
Newburgh: Associated Charities.
New York City: Blacksmiths Helpers' Union No. 6931; Brass Molders' Union; Stone Cutters' Union; Typographical Union; Stair Molders' Union; Stone Cutters' Union; Typographical Union; Union League Club; United Wood Carvers; Woman's Republican Club; Merchants' Association in National Association of Manufacturers.
Rochester: Ciothing Cutters' Local Union No. 136, United Garment Workers of America; Society for the Organization of Charity.

NORTH CAROLINA.

Farmers' Educational and Cooperative Union. Patriotic Order Sons of America.

OHIO.

American Federation of Labor, Ohio State board.
Legislature.
Immigration Restriction League.
State Grange.
Trades and Labor Assembly of Ohio.
Cincinnati: Assoclated Charities.
Cleveland: Cleveland Chamber of Commerce,
Dayton: Associated Charities.
Hamilton: Cooperative Trades and Labor Council.
Massilon: Trades and Labor Assembly.
Springfield: Associated Charities.

State legislature. Portland: Associated Charities.

PENNSYLVANIA.

Order of Independent Americans.

Order of Independent Americans.

Legislature,
Knights of Labor Social Assembly, No. 1562,
Easton: Charity Organization Society.
Erie: Bureau of Charities.
Kane: Kane Labor League.
Philadelphia: Glass Bottle Blowers; Grocers and Importers' Exchange; Master Builders' Exchange; National Wholesale Druggists'
Association.
Pittsburgh: Association for the Improvement of the Poor; American
Association of Flint and Lime Glass Manufacturers.
Scranton: Associated Charities; Cigar Makers' Union No. 295.

Junior Order United American Mechanics. East Providence: East Providence Business Men's Association, Pawtucket: Associated Charities.

SOUTH CAROLINA.

Farmers' Educational and Cooperative Union.

SOUTH DAKOTA.

South Dakota Immigration Association.

TENNESSEE.

Farmers' Educational and Cooperative Union. Galveston: Chamber of Commerce.

VIRGINIA

Legislature. Junior Order United American Mechanics. VERMONT.

Junior Order United American Mechanics, Burlington: Howard Relief Society.

WASHINGTON.

Legislature.
Washington State Immigration Society.
Everett: Chamber of Commerce.
Seattle: Seattle Chamber of Commerce.

WISCONSIN.

Eau Claire: Associated Charities.
Milwaukee: Associated Charities; Merchants and Manufacturers'
Association. WYOMING.

Legislature.

The Association of Foreign Language Newspapers, with headquarters in New York City and Chicago, an organization which has for several years taken a prominent part in opposition to any further restriction of immigration, has recently, as a part of its campaign against the pending Burnett immigration bill, published a list of 10 college presidents who are alleged to be against the bill and in favor of a "liberal immigration policy."

This article might convey to those not familiar with the sentiment on this subject the idea that American educators generally share the opinion of the few quoted by the Association of Foreign Language Newspapers. To show that, on the con-trary, an overwhelming majority of our educators feel that restriction of immigration is a vital necessity if American ideals and standards of living are to survive, I have here a list of 30 college presidents in favor of the further restriction of immigration:

A. Lawrence Lowell, president Harvard University, Cambridge, Mass. John N. Tillman, president University of Arkansas, Fayetteville, Ark. J. C. Branner, vice president Leland Stanford University, California, K. G. Matheson, president Georgia School of Technology, Atlanta,

Ga. Charles A. Blanchard, president Wheaton University, Wheaton, Ill.

George E. MacLean, president Iowa State University, Iowa City,

M. F. Troxell, president Midland College, Atchison, Kans. L. H. Blanton, vice president Central University, Danville, Ky. Thomas D. Boyd, president Louisiana State University, Baton Rouge,

La.

E. B. Craighead, president Eduisiana State University, Baton Rouge,
E. B. Craighead, president Tulane University, New Orleans, La.
George C. Chase, president Bates College, Lewiston, Me.
George E. Fellows, president University of Maine, Orona, Me.
Richard C. Maclaurin, president Massachusetts Institute of Technology, Boston, Mass.
W. De Witt Hyde, president Bowdoin College, Brunswick, Me.
Henry A. Garfield, president Williams College, Williamstown, Mass.
James W. Cain, president Waisington College, Chestertown, Md.
James Wallace, ex-president University of Wooster, St. Paul, Minn,
William H. Black, president Missouri Valley College, Marshall, Mo.
C. H. Levermore, president Adelphi College, Brooklyn, N. Y.
William P. Mason, president Polytechnic Institute, Troy, N. Y.
F. W. Atkinson, president Polytechnic Institute, Frooklyn, N. Y.
K. P. Battle, ex-president University of North Carolina, Chapel Hal,
N. C.
A. B. Church, president Buchtel College, Akron, Obje

A. B. Church, president Buchtel College, Akron, Ohio. Alston Ellis, president Ohio University, Athens, Ohio. Charles F. Thwing, president Western Reserve University, Cleveland,

Ohio.

E. D. Warfield, president Lafayette College, Easton, Pa.

James T. Young, director Wharton School of Finance, Philadelphia,

Clinton Lockhard, president Texas Christian University, North Waco,

N. E. Blackwell, president Randolph-Macon College, Ashland, Va. David Starr Jordan, chancellor Leland Stanford University, California. HEADS OF OTHER EDUCATIONAL AND SCIENTIFIC INSTITUTIONS.

H. B. Battle, president Battle Laboratory, Montgomery, Ala. R. H. Webster, superintendent of schools, San Francisco, Cal. F. S. Curtis, principal Curtis School, Brookfield Center, Conn. Job Williams, principal American School for the Deaf, Hartford, Conn. Ralph K. Berace, principal Connecticut Literary Institute, Suffield, Conn.

A. P. Bourland, secretary Southern Education Board, Washington, D. C.

A. P. Bourland, secretary Southern Education Board, Washington, D. C.

Dr. Eugene S. Talbot, secretary American Medical Association, Chicago, Ill.

C. H. Benjamin, dean school of engineering, Purdue University, Lafayette, Ind.

Albert P. Walker, headmaster Girls' High School, Boston, Mass.

A. E. Winship, editor Journal of Education, Boston, Mass.

L. L. Doggett, president International Young Men's Christian Association Training Schools, Springfield, Mass.

William C. Collar, headmaster Roxbury Latin School, Boston, Mass.

G. W. Bissell, dean department of engineering, Michigan Agricultural College, Lansing, Mich.

Leon C. Marshall, dean University of Chicago, Chicago, Ill.

O. C. Gregg, superintendent Farmers' Institute, Lynde, Minn.

William Treleare, director Missouri Botanic Garden, St. Louis, Mo. Lorin Webster, head Holderness School, Plymouth, N. H.

Edward B. Vorhees, director Agricultural Experiment Station, New Brunswick, N. J.

Walter R. Marsh, headmaster St. Paul's School, Garden City, N. Y.

Milton H. Turk, dean William Smith College, Geneva, N. Y.

M. N. Baker, editor Engineering News, New York City.

Dr. Carlos MacDonald, former head New York State Lunacy Commission, New York City.

George C. Ashmun, president board of education, Cleveland, Ohio.

Edwin A. Barbour, director Penn Museum, Philadelphia, Pa.

Daniel Carhart, dean Western University of Pennsylvania, Wilkinsburg, Pa.

Joseph L. Hills, director Agricultural Experiment Station, Burling-

burg, Pa.

Joseph L. Hills, director Agricultural Experiment Station, Burlington, Vt.

A. H. Yoder, superintendent high school, Tacoma, Wash.
George C. Comstock, director Washburn Observatory, Madison, Wis.
Charles McKenny, president State Normal School, Milwaukee, Wis.
John A. H. Keith, president State Normal School, Oshkosh, Wis.
Dr. A. C. Cowpenthwaite, president Chicago Homeopathic Medical
College, Chicago, Ill.

Of the 10 college presidents quoted by the Association of Foreign Language Newspapers, the best known is Harry Pratt Judson, of the University of Chicago. It is interesting to note the many members of the faculty of the University of Chicago that I have just named do not agree with President Judson. As I said, Profs. Breasted, Butler, Carpenter, Marshall, Moore, Strong, Williston, and Young are all strongly in favor of further restriction of immigration. The same thing is true of the faculties of most of the universities. Thus not only President Lowell, but nearly all the members of the departments of history and economics at Harvard are in favor of restriction; and the same is true of the professors in the department of economics at Yale University. Prof. Fairchild, of Yale, and Prof. Jenks, of New York City University, having recently written books in favor of restrictive legislation.

In fact, nearly all of these whose names are mentioned above are in favor not only of the pending legislation, containing a reading test for immigrants, but also favor going further and raising the head tax to \$10 or more, requiring immigrants to be in possession of a certain sum of money to support them while seeking employment, and raising the standard of physical and mental condition so as to exclude those of low mentality and poor physique.

But, Mr. Chairman, that which is most delightful to my own heart personally is the fact that I have this very day received from Council No. 14, Junior Order United American Mechanics, of Gadsden, Ala., my own home town, a resolution indorsing

my course in regard to this bill. They are poor workingmen, it is true, but they are my neighbors and my friends and men who know that for years I have been working faithfully for a cause that is nearer to them than tariff or currency or any other question before the American Congress. I would rather have from them the plaudit "Well done, thou good and faithful servant," than to be the greatest man in this or any other Congress. I am also assured that I am carrying out the will of the farmers, as well as the townspeople, for at a great farmers' meeting at Gadsden, Ala., last July, a resolution proposed by the president, Mr. O. P. Ford, of the State farmers' union, was unanimously adopted, indorsing my course in refusing the chairmanship of the Committee on Public Buildings and remaining as chairman of the great Committee on Immigration, which would have charge of this bill. I feel that, like a good soldier. I have obeyed the orders of those who have sent me here and whose commission I have borne for the past 15 years in this distinguished body.

Now, Mr. Chairman, I move that all debate upon this section

and all amendments thereto be now closed.

Mr. GOLDFOGLE. I think it is unfair not to give us a chance to reply

The CHAIRMAN. The gentleman from Alabama [Mr. Bur-

NETT] moves to close debate. Mr. MOORE. Mr. Chairman, I have an amendment which I

desire to present at this time.

The CHAIRMAN. That will not be precluded by this motion, but only the debate on it will be precluded.

Mr. BUTLER. Does the gentleman from Alabama [Mr. BURNETT] move to close the debate?

The CHAIRMAN. Yes.

Mr. BUTLER. Having been heard himself, he moves to close the debate on the paragraph?

Mr. GOOD. Has there been any debate at all on this para-

The CHAIRMAN. It has been treated as debate.
Mr. GOLDFOGLE. A parliamentary inquiry, Mr. Chairman.
The CHAIRMAN. The gentleman will state it.
Mr. GOLDFOGLE. Is it not a fact that after the gentleman

from Alabama [Mr. BURNETT] made a speech the Chair recognized some one on the floor, and did not the gentleman from Alabama then move to close debate? The CHAIRMAN. The Chair recognized no one after the

gentleman from Alabama made the motion. The motion is to

close debate on this paragraph and all amendments thereto.

Mr. MONDELL. Mr. Chairman, the "gentleman from Wyoming" understood that he was recognized some time ago. The Chair surely called his name.

The CHAIRMAN. The Chair was disposed to recognize the gentleman from Wyoming, but just then the chairman of the committee [Mr. Burnert] asked for recognition.

Mr. MONDELL. Mr. Chairman, there has been no discussion

The CHAIRMAN. The gentleman from Wyoming [Mr. Mon-DELL] has never been formally recognized. The Chair was getting ready to recognize him.

Mr. MOORE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Pennsylvania will

state it.

Mr. MOORE. The motion of the gentleman from Alabama, as stated by the Chair, was that all debate close upon this paragraph?

The CHAIRMAN. And all amendments thereto.

Mr. MOORE. Yes, sir. As the paragraph is the section, and one is cotemporaneous and coterminous and coextensive with the other, I ask if I may still offer an amendment to the

The CHAIRMAN. The Chair has heretofore stated that if the motion of the gentleman from Alabama is carried it will not preclude the gentleman from Pennsylvania or anyone else from offering his amendment, but it can not be debated.

Mr. SLAYDEN. A parliamentary inquiry, Mr. Chairman. Mr. MONDELL. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman from Texas [Mr. SLAYDEN] will state his parliamentary inquiry.

Mr. SLAYDEN. What is the question before the committee? The CHAIRMAN. It is the motion of the gentleman from Alabama [Mr. Burnett] to close debate on this section and amendments thereto.

Mr. MONDELL. A parliamentary inquiry, Mr. Chairman. The CHAIRMAN. The gentleman will state it. Mr. MONDELL. I called attention some time ago to the

fact that the gentleman from Illinois [Mr. Sabath] was not discussing this question.

The CHAIRMAN. The Chair has considered what has been proceeding here as debate, and holds accordingly.

Mr. MANAHAN. Mr. Chairman, I move that all debate on this paragraph and amendments thereto be closed in 15 minutes. The CHAIRMAN. The gentleman from Alabama [Mr. Bur-

NETT] moves that all debate be closed forthwith, and the gentleman from Minnesota moves to amend that by asking that debate close in 15 minutes.

The question is on the amendment of the gentleman from Minnesota to the motion of the gentleman from Alabama [Mr. Bur-

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. STAFFORD. Division, Mr. Chairman.

The committee divided; and there were-ayes 46, noes 57.

Mr. MANN. I ask for tellers, Mr. Chairman.

Tellers were ordered, and Mr. Moore and Mr. Burnett took their places as tellers.

The committee again divided; and the tellers reported-ayes 48, noes 68.

So the amendment was rejected.

So the amendment was rejected.

The question now is on the CALL RUBNETT to close The CHAIRMAN (Mr. HAY). The question now is on the motion of the gentleman from Alabama [Mr. BURNETT] to close debate.

The question was taken, and the Chair announced that the ayes seemed to have it.
Mr. MANN. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 60, noes 37.
Mr. MANN. I ask for tellers, Mr. Chairman.
Tellers were ordered, and Mr. Burnett and Mr. Moore took their places as tellers.

The committee again divided; and the tellers reported-aves 76, noes 36.

So the motion was agreed to.

The CHAIRMAN. The debate is closed, and the Clerk will

The Clerk read as follows:

SEC. 25. That the district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this act. That it shall be the duty of the United States district attorney of the proper district to prosecute every such suit when brought by the United States under this act. Such prosecutions or suits may be instituted at any place in the United States at which the violation may occur or at which the person charged with such violation may be found. That no suit or proceeding for a violation of the provisions of this act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

Mr. MOORE. Mr. Chairman, I offer the following amend-

The CHAIRMAN. The gentleman from Peansylvania [Mr. MOORE] offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 47, line 10, strike out the words "and concurrent."

Mr. MOORE. Mr. Chairman, the words "and concurrent" are unnecessary and misleading, because the circuit courts of the United States have been abolished. The amendment proposes to strike out the words "and concurrent," on line 10, page 47. The words "and concurrent" imply action by the circuit courts, and are therefore meaningless.

Mr. GARDNER. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Yes.

Mr. GARDNER. Of course, I am not a lawyer. The exist-ing law provides that "the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes.

Mr. MOORE. That is the existing law, but that law was passed prior to the enactment of the judicial code by the Con-

Mr. GARDNER. I did not catch the gentleman's statement. Mr. MOORE. The gentleman from Massachusetts has read from the existing law, of which this provision is an exact copy, implying that the circuit court would still have jurisdiction. am making the point that there is no concurrent court now, and hence the words "and concurrent" are meaningless.

Mr. GARDNER. I think the gentleman is correct.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. Moore].

The amendment was agreed to.

Mr. BURNETT. Mr. Chairman, I started to say that the adoption of this amendment would simply make us ridiculous. An alien is a person who is not native born, who has not acquired the rights of citizenship. Now, to say that somebody is not an alien who is an alien is a simple absurdity, and if that provision was put in there the effect of it would be that a man might hold his papers for years, go back to the old country, contract any kind of a disease, or become insane, and then

upon returning have the same rights and privileges that a nativeborn citizen or a naturalized citizen would have.

Mr. MADDEN. Does not the gentleman from Alabama recognize the peculiar situation that might exist, where a man having come to this country and declared his intention to become a citizen, might be called back within the five-year period before he had the right to complete his citizenship?

Mr. BURNETT. Exactly, Mr. Chairman; and the law now is that that man, when he returns, has to comply with the law as it exists. It does not keep him out. It simply subjects him to the same kind of an examination that he would have if he was coming here originally. It does not expatriate him. could hardly say that a man was expatriated when he had not acquired citizenship; but at the same time if he leaves the country he comes back with the right of examination. If he is admissible, he will come in. If he is not admissible, he will be kept out just like any other alien. I think the adoption of that declaration as to what is an alien would be an absurdity, because it is absolutely in conflict with the definition of an alien as given by the courts and as understood by all the authorities.

Mr. MADDEN. Would not that compel a man to begin de novo by declaring his intention to become a citizen again unless we make such a provision in the law as is contemplated by this amendment?

Mr. BURNETT. It would not keep him out. It would simply say that that man should come in like anybody else.

Mr. MADDEN. It would defer the time five years longer within which he could become a citizen.

Mr. BURNETT. It would not do that at all. That would not be the legal effect of it.

Mr. MADDEN. Yes; I think it would.
Mr. BURNETT. The result of it will be that the existing law will remain unchanged in that respect. It is for the purpose of getting around any confusion as to an immigrant alien and a nonimmigrant alien. I am opposed to the amendment. I hope it will not be adopted.

The CHAIRMAN, The Clerk will read.

The Clerk read as follows:

SEC. 27. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. I also ask the attention of the chairman of the com-Just before this unfortunate dispute arose we passed section 24, pertaining to the enforcement of the contract-labor law. An appropriation of \$50,000 was provided, and I wanted to offer an amendment to increase it to \$60,000, but could not, because you closed debate on the other side. I now ask whether the department has asked for more than \$50,000 for the purpose of investigating violations of the contract-labor law?

Mr. BURNETT. I do not think so; it has never been called

to my attention.

Mr. MOORE. Then I bring to the attention of the committee the urgent report of the Commissioner General of Immigration. My judgment is that if we give more money to the Commissioner General it would go a great way toward suppressing improper

Mr. DONOVAN. Mr. Chairman, I rise to a point of order. The committee is in disorder; it sounds like a flock of geese over here. And I think the worst offender is the chairman of the committee and his associate. [Laughter.]

The CHAIRMAN. The committee will be in order.

Mr. MOORE. Mr. Chairman, the report of the Commissioner General, which is not yet published, gives a remarkable statement in regard to the finances of the bureau. It is not generally known that in 20 years, during the operation of the Bureau of Immigration, there has been collected from the immigrants about \$37,000,000, and the expenditures have not greatly exceeded \$28,000,000. That leaves a net balance, as the result of the 20 years' operation of the bureau, of over \$8,000,000. This came from the pockets of the immigrants by way of head tax. If a little of this \$8,000,000, which now goes into the General Treasury and is expended for general purposes, is applied to the purpose of administration in the Immigration Bureau and the Department of Labor, there might be less complaint about the admission of undesirable immigrants. What we need is a closer inspection at the ports of entry and along the border lines, and we ought to have more thorough medical inspection at some of the larger ports.

Mr. SABATH. Did I understand the gentleman from Pennsylvania to ask unanimous consent to go back to section 24?

Mr. MOORE. No; I could not get an opportunity to offer the amendment, and I do not care to go back unless the chairman of the committee will consent. If he would consent, I would move to increase the appropriation from fifty to sixty, thousand dollars.

Mr. SABATH. Mr. Chairman, I am of the opinion that this appropriation should be increased. We are all against contract labor. I am of the opinion that the appropriation in this bill does not give the Secretary of Labor the working force that he ought to have to enforce this particular section pertaining to

contract labor. Mr. MOORE. Will the gentleman yield?

Mr. SABATH. Yes.
Mr. MOORE. For the year ending June 30 last we collected in head tax from these immigrants \$4,800,000, and we expended for the purposes of the bureau \$2,800,000, leaving approximately \$2,000,000 to the credit of the immigrants, or to the immigrant fund, which has gone into the general fund of the United States.

Mr. SABATH. I agree with the gentleman that it should not

be the policy of our Government to make money out of these unfortunate people, and I am of the opinion that this large sum of money that has been collected should have been used to provide better accommodations and take better care of the immigrants. I am also of the opinion that it is not the intention of the House that we should impose a head tax for the purpose of revenue or for financial benefit, and for that reason I am going to ask permission of the chairman of the committee, or ask unanimous consent, to amend the section, and instead of appropriating \$50,000 increase it to at least \$75,000.

Mr. BURNETT. Mr. Chairman, this \$50,000 is merely for the purpose of employing agents and agencies to investigate violations of the contract-labor law. It is not for inspectors; it is not for patrols along the borders; it is not for general inspectors all over the country, but for this particular line of We have had no request from the Commissioner business. General of Immigration or from the Secretary of Labor asking that this amount be increased, and my judgment is that they have not used the maximum amount that is already allowed.

Therefore, although I desire to be courteous to my friend from Pennsylvania [Mr. Moore], who is always courteous himself, I wish he would withhold his request, and if there is any necessity for it I will aid him in securing the additional appropriation in the Senate. I am of the opinion that there is no demand for it. This is an important line of investigation; it is one of the most serious violations in the whole country. the same time I believe the amount allowed here is sufficient unless the Secretary of Labor or the Commissioner General of Immigration would advise us differently, and therefore I hope the gentleman will not insist on recurring to that section.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. Byens of Tennessee having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bill of the following

H. R. 10084. An act to authorize the changing of the names of the steamships Buckman and Watson,

RESTRICTION OF IMMIGRATION.

The committee resumed its session. The Clerk read as follows:

The Clerk read as follows:

SEC. 28. That any person who knowingly aids or assists any anarchist or any person who believes in or advocates the overthrow by force or violence of the Government of the United States, or who disbelieves in or is opposed to organized government or all forms of law, or who advocates the assassination of public officials, or who is a member of or affiliated with any organization entering and teaching disbelief in or opposition to organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, to enter the United States, or who connives or conspires with any person or persons to allow, procure, or permit any such anarchist or person aforesaid to enter therein, shall be deemed guilty of a felony, and on conviction thereof shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than five years, or both.

Mr. Chairman, I. have a committee amend-

Mr. BURNETT. Mr. Chairman, I have a committee amendment which I desire to offer to that section, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 49, line 10, after the word "both," add a new sentence as

"Any person who knowingly aids or assists any alien who advocates or teaches the unlawful destruction of property to enter the United States shall be deemed guilty of a misdemeanor, and on conviction

thereof shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than six months, or by both such fine and imprisonment."

Mr. BURNETT. Mr. Chairman, the purpose of that amendment is to reach the amendment which we offered in previous portions of the bill excluding and making deportable those who advocate the destruction of property. It is a felony on the part of those who aid anarchists to enter this country in violation of the law, and the committee did not think it was right to make a felony of the offense of aiding one who advocates the unlawful destruction of property to enter, and hence have made it a misdemeanor, with a large discretion in the court or the jury trying the same as to the penalty imposed. In other words, those who aid in bringing in those who advocate or teach the destruction of property are guilty of a misdemeanor.

Those who aid an anarchist to enter are guilty of a felony.

Mr. GOLDFOGLE. Mr. Chairman, the gentleman from Alabama suggests that this is a committee amendment. I have no

recollection that any such committee amendment was offered, and I would like to have the amendment again reported.

Mr. RAKER. Mr. Chairman, I desire to call the attention of the gentleman from New York to the fact that the committee did take this up and unanimously instructed the chairman to re-

Mr. GOLDFOGLE. I was not present at that time, but I would like to have the amendment again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment offered by the gentleman from Alabama [Mr. BURNETT].

There was no objection, and the Clerk again reported the amendment.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The amendment was agreed to. The Clerk read as follows:

The Clerk read as follows:

SEC. 38. That this act, except as otherwise provided in section 3, shall take effect and be enforced from and after July 1, 1914. The act of March 26, 1910, amending the act of February 20, 1907, to regulate the immigration of aliens into the United States; the act of February 20, 1907, to regulate the immigration of aliens into the United States, except section 34 thereof; the act of March 3, 1903, to regulate the immigration of aliens into the United States, except section 34 thereof; and all other acts and parts o. acts inconsistent with this act are hereby repealed on and after the taking effect of this act: Provided, That this act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section 6, chapter 453, third session Fifty-eighth Congress, approved February 6, 1905, or the act approved August 2, 1882, entitled "An act to regulate the carriage of passengers by sea," and amendments thereto: Provided, That nothing contained in this act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this act, except as mentioned in the last provise of section 19 hereof; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters, the laws or parts of laws repealed or amended by this act are hereby continued in force and effect.

With the following committee amendment:

With the following committee amendment:

Page 56, line 18, strike out the word "thirteen" and insert in lieu thereof the word "fourteen."

The CHAIRMAN. The question is on agreeing to the committee amendment.

Mr. BURNETT. Mr. Chairman, that is a committee amendment, and is just changing the time when the act shall go into effect, from 1913 to 1914.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. MANN. Mr. Chairman, I suggest to the gentleman also that it might be a little better in line 17 to strike out the word "from" and insert in lieu thereof the word "on," making the act take effect with the beginning of the fiscal year, though I do not know that it makes any great difference.

Mr. BURNETT. I think the suggestion is a wise one. The CHAIRMAN. The question is on agreeing to the The question is on agreeing to the committee amendment.

Mr. GARDNER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on section 38.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BRYAN. Mr. Chairman, I ask unanimous consent to extend my remarks by printing in the Record resolutions passed by the State Federation of Labor of the State of Washington and by the Everett Typographical Union. The CHAIRMAN. Is there objection?

There was no objection.

The resolutions referred to are as follows:

Whereas on December 15, 1913, Mr. JOHN L. BURNETT, chairman of the House of Representatives Committee on Immigration, reported the immigration bill, H. R. 6060, to the House and urged its early consideration and speedy passage; and

Whereas this bill contains the following restriction:

"That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons:

"All aliens over 16 years of age, physically capable to read, who can not read the English language or some other language or dialect, including Hebrew or Yiddish: Provided, That any admissible alien or any alien theretofore or hereafter legally admitted, or any clitzen of the United States may bring in or send for his father or grandfather over 55 years of ege, his wife, his mother, his grandmother, or his unmarried or widowed daughter, if otherwise admissible, whether such relative can read or not, and such relative shall be permitted to enter. Each alien may designate the particular language or dialect in which he desires the examination to be made, and shall be required to read the words printed on the slip (prepared under the direction of the Secretary of Labor) in such language or dialect "; and Whereas this section of the act is the literacy test that the American Pederation of Labor has urged Congress to enact for many years. In the last Congress it was passed by both Houses and vetoed by President Tatt. The Senatz took it up and passed it over Mr. Tatt's veto by a vote of 72 to 18, the House vote being 213 to 114. A change of 5 votes in the House would have overridden the veto and placed the literacy test for incoming aliens upon the statute books during that Congress; and
Whereas protests against the enactment of the literacy test are being received by Congressmen, but the general opinion is that they are inspired by, and principally emanate from, steamship agencies interested in having a full supply of helpless lamigrants, who, because of their necessities, must work cheaply; and
Whereas this literacy test is very broad and liberal and when enacted into law it will prove to be equally valuable as a means of protection to native-born American workmen, foreign-born workmen alread

Whereas the Pacific coast for many years has had the menace of the oriental labor, and from past experience it has been conclusively proven that the competition of this labor can not be met by any of the white races; and
Whereas there is now pending in Congress a bill, known as House bill No. 102, by Congressman RAKEER, of California, which totally excludes all of the oriental races: Therefore be it

cludes all of the oriental races: Therefore be it

Resolved by the Washington State Federation of Labor in convention

assembled, That this bill be indorsed and that the entire congressional
delegation from the State of Washington be advised of this indorsement
and urgently requested to work actively for its enactment.

Whereas the coming months will witness heavy immigration to our

western shores from the countries of Europe; and

Whereas no adequate provisions have been made by Congress for the
erection and maintenance of immigration stations at ports of entry,
detention sheds, medical inspection; and

Whereas it has been publicly stated that unless the necessary appropriation be made by Congress the immigrant station at Seattle will
be seriously handicapped: Therefore be it

Resolved, That this convention urgently petitions Congress to adequately provide for Seattle and other Puget Sound ports of entry; and be it further Resolved, That the secretary of this federation wire to our Representatives in Congress the urgent need for this appropriation and request their united support for such legislation by the present session of Congress.

E. P. MARSH, Everett Typographical Union, No. 419.

By unanimous consent, leave to extend their remarks in the Record was granted to Mr. Moore, Mr. Goldfogle, Mr. Raker, Mr. Cantor, Mr. Reilly of Connecticut, Mr. Sisson, Mr. Lobeck, Mr. Donohoe, Mr. Dyer, Mr. Austin, Mr. Steenerson, Mr. Falconer, Mr. Manahan, Mr. Morin, Mr. Williams, Mr. Weaver, Mr. Burnett, Mr. Connelly of Kansas, and Mr. AIKEN.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 56, line 17, strike out the word "from" and insert the word "on."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. MANAHAN. Mr. Chairman, I ask unanimous consent to revert to section 7, which was passed without prejudice, for the purpose of offering an amendment which I send to the desk and ask to have read, and which I have submitted to the chairman of the committee.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to return to section 7 in order to offer an amendment, which the Clerk will report. Is there objection? There was no objection,

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 12, after the word "representation," insert "or by the payment of any commissions or the allowance of any rebates to an alien or by any transportation company to another transportation company participating in the transportation of any alien out of the fare of such alien."

Mr. BURNETT. That amendment, Mr. Chairman, has been submitted to several of us, who investigated it, and it seems to be a proper amendment.

The question was taken, and the amendment was agreed to.

Mr. BURNETT. Mr. Chairman, I move that the committee do now rise and report the bill as amended, with the recommendation that the amendments be agreed to and the bill as amended do pass. I believe the rule provides for the previous question being ordered at once,

The CHAIRMAN. The Chair will call the attention of the gentleman from Alabama to the fact that there are two mistakes, which the Clerk will report.

The Clerk read as follows:

Page 14, line 15, strike out "and persons who have been insane within five years."

The CHAIRMAN. The word "previous" should also be stricken out.

Mr. BURNETT. That should be stricken out.
The CHAIRMAN. Without objection, it is so ordered.

There was no objection. The Clerk read as follows:

Page 10, line 22, after the word "in," insert the words "the contract labor or reading test provision of this act."

The CHAIRMAN. The words "of this act" should be

stricken out.

Mr. BURNETT. Yes.

The CHAIRMAN. Without objection, the correction will be

There was no objection.

The CHAIRMAN. The gentleman from Alabama moves that the committee do now rise and report the bill and the amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Hay, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6060 and had directed him to report the same with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SABATH. Mr. Speaker, I desire to move to recommit— The SPEAKER. That time has not arrived yet. Is a separate vote demanded on any amendment? If not, the Chair will put the amendments in gross.

The question was taken, and the amendments were agreed to. The SPEAKER. The question is on the engrossment and third reading.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. SABATH. Mr. Speaker, I desire to offer a motion to recommit.

Mr. BURNETT. Mr. Speaker, I am not sure whether the rule covers it or not, and if not I desire to move the previous question on the motion.

The rule covers it. The SPEAKER.

Mr. GOLDFOGLE. The rule covers it, expressly provides

The SPEAKER. The rule covers it. The Clerk will report the motion to recommit.

The Clerk read as follows:

The Clerk read as follows:

Mr. Speaker, I move to recommit the bill to the Committee on Immigration and Naturalization, with instructions to strike out the following, and report forthwith:

"That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to wit:

"All aliens over 16 years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yiddish: Provided, That any admissible alien or any alien heretofore or hereafter legally admitted, or any citizen of the United States, may bring in or send for his father or grandfather over 55 years of age, his wife, his mother, his grandmother, or his unmarried or widowed daughter, if otherwise admissible, whether such relative can read or not; and such relative shall be permitted to enter. That for the purpose of ascertaining whether aliens can read the immigrant inspectors shall be furnished with slips of uniform size, prepared under the direction of the Secretary of Labor, each containing not less than 30 nor more than 40 words in ordinary use, printed in plainly legible type in the various languages and dialects of immigrants. Each alien may designate the particular language or dialect, in which he desires the examination to be made, and shall be required to read the words printed on the slip in such language or dialect. No two aliens coming in the same vessel or other vehicle of carriage or transportation shall be tested with the same slip. That the following classes of persons shall

be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States solely for the purpose of escaping from religious persecution; all aliens in transit through the United States; all aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory."

Mr. SABATH. That is the educational test; that is all. The SPEAKER. The question is on the motion to recommit. Mr. GOLDFOGLE. Mr. Speaker, I demand the yeas and

The SPEAKER. The gentleman from New York [Mr. Gold-FOGLE] demands the year and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 140, nays 239, answered "present" 2, not voting 52, as follows: YEAS-140

	A 4941	4.44	The state of the s
nsberry	Driscoll	Lee, Pa.	Riordan
ailey	Dunn	Levy	Roberts, Mass.
archfeld	Dyer	Lieb	Rogers
arnhart	Eagan	Lobeck	Sabath
artholdt	Elder	Loft	Scott
ooher	Esch	Logue	Scully
orland	Estopinal	Lonergan	Sherley
ritten	Fergusson	McAndrews	Sherwood
roussard	FitzHeary	McCoy	Shreve
rown, N. Y.	Fordney	McDermott	Sloan
rowne, Wis.	George	McGillicuddy	Smith, Minn.
ruckner	Gerry	Madden	Smith, N. Y.
rumbaugh	Gilmore	Mahan	Stafford
uchanan, Tex.	Gittins	Maher	Steenerson
ulkley	Goldfogle	Manahan	Stephens, Nebr
urgess	Gorman	Mann	Stevens, Minn.
urke, Wis.	Goulden	Metz	Stevens, N. H.
alder	Graham, Ill.	Mitchell	Stone
antor	Gray	Moore	Stringer
	Greene, Mass.	Morin	Sutherland
arew	Griffin	Murray, Mass.	Talcott, N. Y.
asey handler, N. Y.	Hamill	Norton	Taylor, N. Y.
	Hammond	O'Brien	Ten Eyek
lancy	Hardy	O'Leary	Thacher
oady	Hawley	O'Shaunessy	Townsend
onry		Daige Mass	Treadway
ooper	Howell	Paige, Mass.	Tuttle
ramton	Igoe	Patten, N. Y.	Vane
rosser	Kahn	Peters, Mass.	Vare
ale	Keating	Peterson	Wallin
anforth	Kennedy, R. I.	Phelan	Walsh
eitrick	Kindel	Platt	Whaley
illon	Kinkaid, Nebr.	Prouty	Whitacre
onohoe	Kinkead, N. J.	Reed	Williams
onovan	Konop	Reilly, Conn.	Wilson, N. Y.
ooling	Lazaro	Reilly, Wis.	Woods
	3747	70 000	

Donovan Dooling	Lazaro	Reilly, Conn. Reilly, Wis.	Woods		
NAYS—239.					
Altonometric .			O'Hair		
Abercrombie	Dickinson	Hughes, W. Va. Hull	Oldfield		
Adair	Dies Difenderfer	Humphrey, Wash.			
Adamson	Dixon	Humphreys, Miss.	Page N C		
Ainey Alexander	Doolittle	Jacoway	Palmer		
Allen	Doughton	Johnson, Ky.	Park		
Anderson	Edwards	Johnson, S. C.	Parker		
Anthony	Evans	Johnson, Utah.	Patton, Pa.		
Ashbrook	Faison	Johnson, Wash.	Payne		
Aswell	Falconer	Keister	Peters, Me.		
Austin	Farr	Kelly, Pa.	Plumley		
Baker	Ferris	Kennedy, Iowa	Porter		
Baltz	Fess	Kent	Post		
Barkley	Fields	Kettner	Pou		
Bartlett	Finley	Key, Ohio	Powers		
Barton	Flood, Va.	Kiess, Pa.	Quin		
Bathrick	Floyd, Ark.	Kirkpatrick	Rainey		
Beakes	Foster	Kitchin	Raker		
Bell, Cal. Bell, Ga.	Francis	Knowland, J. R.	Rauch		
Bell, Ga.	Frear	Kreider	Rayburn		
Borchers	French	Lafferty	Rothermel		
Bowdle	Gard	La Follette	Rouse		
Brockson	Gardner	Langham	Rubey		
Brodbeck	Garrett, Tenn.	Langley	Rucker		
Brown, W. Va.	Garrett, Tex.	Lee, Ga.	Rupley		
Browning	Gillett	Lenroot	Russell		
Bryan	Glass	Lesher	Saunders		
Buchanan, Ill.	Goeke Good	Lever	Seldomridge		
Burnett Butler	Green, Iowa	Lewis, Md. Lewis, Pa.	Sells Shackleford		
Byrnes, S. C.	Greene, Vt.	Lindbergh	Sims		
Byrns, Tenn.	Griest .	Lindquist	Sinnott		
Callaway	Gudger	Linthieum	Sisson		
Campbell	Guernsey	Lloyd	Slavden		
Candler, Miss.	Hamilton, Mich.	McClellan	Small		
Cantrill	Hamilton, N. Y.	McKellar	Smith, Idaho		
Caraway	Hamlin	McKenzie	Smith, J. M. C.		
Carlin	Hardwick	McLaughlin	Smith, Md.		
Carr	Harrison	MacDonald	Smith, Saml. W.		
Church	Hart	Maguire, Nebr.	Smith, Tex.		
Clark, Fla.	Haugen	Mapes	Sparkman		
Claypool	Hay	Mondell	Stanley		
Clayton	Hayden	Montague	Stedman		
Cline	Hayes	Moon	Stephens, Cal.		
Collier	Heflin	Morgan, La.	Stephens, Miss.		
Connelly, Kans.	Helgesen	Morgan, Okla.	Stephens, Tex.		
Covington	Helvering	Morrison	Stout		
Cox	Henry	Moss, Ind.	Sumners		
Cullop	Hensley	Moss, W. Va.	Switzer		
Curry	Hinds	Mott	Talbott, Md.		
Davenport	Hinebaugh	Noolog Kons	Taylor, Ala.		
Davis	Holland	Murray, Okla. Neeley, Kans. Neely, W. Va.	Taylor, Ark.		
Decker	Houston	Nelson	Taylor, Colo.		
Dent	Howard	Nolan, J. I.	Temple Thomas		
Dershem	Hughes, Ga.	Morall, J. 1.	Luomas		

Bowdle Brockson Brodbeck Brown, W. Va. Browning

McKenzie
McLaughlin
Maguire, Nebr.
Mapes
Mondell
Montague
Moon
Morgan, Okla.
Morrison
Moss, Ind.
Moss, W. V.
Murray, Okla.
Neeley, Kans.
Neely, W. Va.
Nelson
Nolan, J. I.
O'Hair
O'Idfield
Padgett
Page, N. C.
Palmer
Park
Parker
Patton, Pa. Weaver White Willis Wilson, Fla. Wingo Thompson, Okla. Thomson, Ill. Tribble Underhill Witherspoon Woodruff Young, N. Dak Young, Tex. Hayden Hayden Hayes Heftin Helgesen Helvering Sinnott Vaughan Sinnott
Sisson
Siayden
Small
Smith, Idaho
Smith, J. M. C.
Smith, Md.
Smith, Saml. W.
Smith, Tex.
Sparkman
Stepley Dershem Dickinson Dies Difenderfer Dillon Dixon Walker Walters Watkins Watson Underwood ANSWERED "PRESENT "-2. Henry Hensley Hinds Garner Towner Doolittle Doughton Dunn NOT VOTING-52. Hinebaugh Miller Murdock Dunn Edwards Elder Evans Faison Falconer Aiken Sparkman Stanley Stedman Stephens, Cal. Stephens, Miss. Stephens, Tex. Stout Sumners Sutherland Switzer Dorremus
Dupré
Eagle
Edmonds
Fairchild
Fitzgerald
Fowler
Gallagher
Godwin, N. C.
Goodwin, Ark.
Gordon
Graham, Pa.
Grezr Avis Beall, Tex. Blackmon Bremner Burke, Pa. Burke, S. Dak. Holland Holland Houston Howard Hughes, Ga. Hughes, W. Va. Hulings Hobson Hoxworth Hulings Jones Oglesby Ragsdale Richardson Roberts, Nev. Jones Kelley, Mich. Kennedy, Conn. Korbly L'Engle McGuire, Okla. Martin Merritt Farr Ferris Fess Fields Sharp Hull Humphrey, Wash. Humphreys, Miss. Carter Cary Connolly, Iowa Slemp Taggart Tavenner Volstead Sutherland
Switzer
Talbott, Md.
Tavenner
Taylor, Ala.
Taylor, Ark.
Taylor, Colo.
Temple
Thomas
Thompson, Okla.
Tribble
Underhill
Underwood
Vanghan
Walker Finley
FitzHenry
Flood, Va.
Floyd, Ark.
Foster Jacoway Johnson, Ky. Johnson, S. C. Johnson, Wash. Copley Crisp Curley Webb Winslow So the motion to recommit was rejected. Kelster Kelly, Pa. Kennedy, Iowa Kent Kettner Patton, Pa. The Clerk announced the following pairs: Fowler Francis Frear French Gard Payne Peters, Me. Platt For the session: Mr. Hobson with Mr. FAIRCHILD. Until further notice: Mr. Beall of Texas with Mr. Hulings. Key, Ohio Kiess, Pa. Kirkpatrick Kitchin Plumley Porter Post Pou Powers Prouty Gardner Gardner Garrett, Tenn, Garrett, Tex. Gillett Glass Goeke Good Gray Green, Iowa Greene, Vt. Grlest Gudger Guernsey Mr. GARNER with Mr. BURKE of Pennsylvania. Kitchin Knowland, J. R. Krelder Lafferty La Follette Langham Mr. Godwin of North Carolina with Mr. CARY. Walker Walters Watkins Watson Mr. OGLESBY with Mr. MURDOCK. Quin Rainey Raker Rauch Mr. CONNOLLY of Iowa with Mr. ROBERTS of Nevada. Mr. CARTER with Mr. McGuire of Oklahoma. Weaver Whaley White Willis Wilson, Fla. Laugley Lee, Ga. Lenroot Lesher Mr. AIKEN with Mr. BURKE of South Dakota. Rayburn Reed Rothermel Rouse Mr. TAGGART with Mr. GRAHAM of Pennsylvania, On the vote: Guernsey Hamilton, Mich. Hamilton, N. Y. Lever Lewis, Md. Lewis, Pa. Lindbergh Lindquist Mr. Gordon (to recommit) with Mr. Gregg (against). Mr. Fitzgerald (to recommit) with Mr. Slemp (against). Rubey Rupley Russell Saunders Seldomridge Sells Wingo Witherspoon Woodruff Young, N. Dak. Young, Tex. Hamlin Hardwick Mr. Winslow (to recommit) with Mr. Blackmon (against). Mr. Bremner (to recommit) with Mr. Avis (against). Harrison Hart Linthicum Lloyd McClellan McKellar Mr. KENNEDY of Connecticut (to recommit) with Mr. SHARP Shackleford Sims Mr. Copley (to recommit) with Mr. L'Engle (against).
Mr. Towner (to recommit) with Mr. Goodwin of Arkansas NAYS-126. s-126.
Lobeck
Loft
Logue
Lonergan
McAndrews
McCoy
McDermott
McGillleuddy
Madden
Mahan
Maher
Manahan
Maher
Manahan
Mann
Metz Rogers
Sabath
Scott
Scully
Sherley
Sherwood
Shreve
Sloan
Smith, Minn.
Smith, M.Y.
Stafford
Steenerson
Stevens, Minn.
Stevens, N. H.
Stone
Stringer Ansberry Barchfeld Barnhart Bartholdt Dyer Eagan Esch Estopinal Mr. Edmonds (to recommit) with Mr. Crisp (against) Mr. MILLER (to recommit) with Mr. KELLEY of Michigan Fergusson Fordney Gerry Gilmore Booher Borland Berland
Britten
Broussard
Brown, N. Y.
Browne, Wis.
Bruckner
Buchanan, Tex.
Bulkley
Borrnes Mr. VOLSTEAD (to recommit) with Mr. Webb (against). Mr. TAVENNER with Mr. MERRITT. Mr. TAVENNER WITH Mr. MERRITT.

Mr. TOWNER. Mr. Speaker, I was paired against the bill with Mr. Goodwin of Arkansas, but inadvertently voted on the vote to recommit. I voted "yea." I desire to change that and have it appear that I voted "present."

The SPEAKER. Call the gentleman's name.

The name of Mr. Towner was called, and he answered "Present." Gittins Goldfogle Gorman Goulden Graham, Ill. Greene, Mass. Griffin Bulkley
Borgess
Burke, Wis.
Calder
Cantor
Carew
Casey
Chandler, N. Y.
Clancy
Coady Metz Mitchell Stone
Stringer
Taicott, N. Y.
Taylor, N. Y.
Ten Eyek
Thacher
Townsend
Treadway
Tuttle
Vare
Wallin
Wallsh
Whitacre Mitchell
Moore
Morgan, La.
Morla
Murray, Mass.
Norton
O'Brien
O'Leary
O'Shaunessy
Paiga Mass Hamill Hammond " Present." Hardy Howell Igee Johnson, Utah Kahn Mr. SABATH. Mr. Speaker, how is the gentleman from Illi-The SPEAKER. He is not recorded.

Mr. SABATH. I heard him vote. He was obliged to leave the Hall for a few moments. He answered to his name and Coady Conry Cooper Cramton Keating Kennedy, R. I. Kindel Kinkaid, Nebr. Kinkead, N. J. O'Shaunessy Paige, Mass. Patten, N. Y. Peters, Mass. Peterson Phelan Reilly, Conn. Reilly, Wis. Riordan Roberts, Mass voted "yea. The SPEAKER. On that statement, the Chair thinks the gen-Whitacre tleman from Illinois, Mr. McAndrews, ought to be recorded.

Does the gentleman from Illinois, Mr. Sabath, wish the gentle-Konep Lazaro Lee, Pa. Williams Wilson, N. Y. Woods Deitrick Donohoe Donovan Dooling Driscoll man recorded in the affirmative? Levy Mr. SABATH. He voted in the affirmative.
Mr. LOBECK. I heard the gentleman vote "yea."
The SPEAKER. In the mouth of two or three witnesses Roberts, Mass. ANSWERED " PRESENT "-2. Garner Towner NOT VOTING-52. every word may be established. [Laughter.]
The result of the vote was announced as above recorded. Helm Hill Hobson Hoxworth Avis Beall, Tex. Doremus Mott Murdock Dorremus
Dupré
Eagle
Eagle
Edmonds
Fairchild
Fitzgerald
Gallagher
George
Godwin, N. C.
Goodwin, Ark.
Gordon
Graham, Pa. The SPEAKER. The question is on the passage of the bill. Oglesby Ragsdale Richardson Roberts, Nev. Rucker Blackmon Bremner Bryan Mr. SABATH and Mr. BRUMBAUGH demanded the yeas and Jones Kelley, Mich. Kennedy, Conn. Bryan Burke, Pa. Burke, S. Dak. Carter Cary Connolly, Iowa. Copley Crisp Curley nays. The yeas and nays were ordered. The question was taken; and there were—yeas 253, nays 126, answered "present" 2, not voting, 52, as follows: Korbly L'Engle McGuire, Okla. Martin Sharp Taggart Voistead YEAS-253. Graham, Pa. Gregg Baltz Barkley Bartlett Barton Bathrick Merritt Miller Abercromble Webb Winslow Brumbaugh Clark, Fla.
Claypool
Clayton
Cline
Collier
Connelly, Kans.
Covington
Cox
Cullop
Curry
Danforth
Davenport
Davis
Decker Clark, Fla. Adair Adamson Aiken Ainey Alexander Buchanan, Ill. Buchanan, Ill.
Burnett
Butler
Byrnes, S. C.
Byrns, Tenn.
Callaway
Campbell
Candler, Miss.
Cantrill
Caraway
Carlin
Carr
Church So the bill was passed. The Clerk announced the following additional pairs: Beakes Bell, Cal. Bell, Ga. Borchers Alexander
Allen
Anderson
Anthony
Ashbrook
Aswell
Austin
Balley
Baker Mr. Avis (for) with Mr. Bremner (against). Mr. L'Engle (for) with Mr. Copley (against).

Mr. CRISP (for) with Mr. EDMONDS (against).

Mr. Webb (for) with Mr. Volstead (against). Mr. GREGG (for) with Mr. GORDON (against)

Mr. Kelley of Michigan (for) with Mr. Miller (against).

Mr. Slemp (for) with Mr. Fitzgerald (against). Mr. Goodwin of Arkansas (for) with Mr. Towner (against). Mr. Blackmon (for) with Mr. Winslow (against).

Mr. SHARP (for) with Mr. KENNEDY of Connecticut (against).

Mr. Mott (for) with Mr. Gallagher (against).

Until further notice:

Mr. Garner with Mr. Burke of Pennsylvania.

Mr. HELM with Mr. MERRITT.

Mr. Korbly with Mr. Burke of South Dakota.

Mr. GEORGE. Mr. Speaker, how am I recorded?

The SPEAKER. The gentleman is not recorded.

Mr. GEORGE. I desire to vote "no."

The SPEAKER. Was the gentleman in the Hall, listening? Mr. GEORGE. No; I was not, Mr. Speaker.

The SPEAKER. Then the gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

On motion of Mr. BURNETT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE TO PRINT.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that all gentlemen may have leave to extend their remarks on this bill in the RECORD.

The SPEAKER. For how long Mr. BURNETT. For five days. For how long?

Mr. MANN. I shall object to any general request. I thought that everybody had that privilege who wanted it. If any more

want it, let them ask for it.

The SPEAKER. The gentleman from Illinois [Mr. Mann]

objects to the general request.

Mr. BURNETT. Then, Mr. Speaker, I will ask that all who spoke shall have five legislative days in which to extend their remarks.

The SPEAKER. The gentleman from Alabama [Mr. Bur-NETT] asks unanimous consent that all gentlemen who have spoken on the immigration bill shall have five legislative days in which to extend their remarks. Is there objection?

Mr. FINLEY. I object, Mr. Speaker.

The SPEAKER. The gentleman from South Carolina [Mr. FINLEY] objects.

GOOD ROADS.

Ir. POU. Mr. Speaker, I offer the following resolution from the Committee on Rules.

The SPEAKER. The Clerk will read the report and resolu-

The Clerk read as follows:

The Clerk read as follows:

Mr. Pou, from the Committee on Rules, offered the following report (H. Rept. 220):

The Committee on Rules, to which was referred the resolution (H. Res. 382) providing for the consideration of the bill H. R. 11686, having had the same under consideration, beg to report the following substitute in lieu thereof and recommend its adoption:

Resolution (H. Res. 382) providing for the immediate consideration of the bill (H. R. 11686) empowering the United States, in certain cases to aid the States and civil subdivisions thereof in the construction and maintenance of rural post roads, and for other purposes.

Resolved, That immediately upon the adoption of this resolution it shall be in order to consider the bill (H. R. 11686) providing that the United States shall, in certain cases, aid the States and the civil subdivisions thereof: In the construction and maintenance of rural post roads; that there may be seven hours' general debate on said bill, which said general debate shall be had from 8 o'clock p. m. on this day and between said hours on each succeeding day, except Calendar Wednesday, until said general debate has been concluded; that on the next day thereafter, other than either Monday or Calendar Wednesday, and immediately after reading the Journal, said bill shall be considered under the five-minute rule, and be the standing order of the House until disposed of.

Mr. POU. Mr. Speaker, this substitute, which has been

Mr. POU. Mr. Speaker, this substitute, which has been reported by the Committee on Rules for the original resolution, provides for seven hours' debate on what is known as the socalled road bill, with which I presume all of the Members of the House are more or less familiar. I do not care to discuss the rule.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

question?

Mr. POU. I do.

Mr. MANN. Is it, as I understand it, the intention to have debate to-night? That is what the rule says.

Mr. POU. That would be in accordance with the rule.

Mr. MANN. We have transferred Calendar Wednesday until to-morrow. I would like to have an expression from the

has the right of Calendar Wednesday. I take it that it would be so construed?

The SPEAKER.

Mr. MANN. Is it the intention under this rule to proceed with the consideration of the bill for amendment before you finish general debate?

Mr. POU. I think not. Mr. MANN. The gentleman ought to know. The SPEAKER. The rule itself provides that after seven hours' debate it shall be taken up under the five-minute rule.

Mr. MANN. The rule provides that immediately after the adoption of the rule it shall be in order to call up the bill.

The SPEAKER. But it can only be called up under the rule for general debate, which in that case means 8 o'clock to-night or 8 o'clock to-morrow night.

Mr. SHACKLEFORD. Mr. Speaker, the rule itself is explicit, but in order that there may be no misunderstanding about it it may be considered that to-morrow stands for Calendar Wednesday.

Mr. MANN. The Speaker has already ruled that.
Mr. BORLAND. Mr. Speaker, do I understand that the debate is to begin to-night, but will not continue to-morrow night under the terms of the rule?

The SPEAKER. By a previous order of the House, to-morrow will be considered to be Calendar Wednesday, and the House will meet at 11 o'clock. The Chair does not think anybody would want to come back here to-morrow night at 8 o'clock after spending seven hours or perhaps eight hours here during the day.

Mr. BORLAND. Does not the order apply to to-night? Do

Members want to come back here to-night?

The SPEAKER. Why, no. We did not begin at 11 o'clock to-day.

Mr. BURLAND. Calendar Wednesday. Mr. BORLAND. The rule says that it shall not apply to

The SPEAKER. Yes. Mr. BORLAND. To-day is Calendar Wednesday, although we have made the business of Calendar Wednesday in order to-morrow

The SPEAKER. As far as the Chair is concerned to-morrow will be Calendar Wednesday. That is the way the rule is construed by the Chair.

Mr. POU. Mr. Speaker, I ask unanimous consent that the

previous question be considered as ordered.

The SPEAKER. The gentleman asks unanimous consent that the previous question be considered as ordered. Is there objection?

Mr. BORLAND. I object, Mr. Speaker.

Mr. MANN. Then let us have a vote on the resolution. The SPEAKER. The question is on the resolution.

The resolution was agreed to.

BUREAU OF LABOR SAFETY.

The SPEAKER. The Chair promised to recognize the gentle-

man from New Jersey [Mr. WALSH].

Mr. WALSH. Mr. Speaker and gentlemen, there is a bill pending in this House in which Robert Bremner is intensely interested. It relates to a subject to which he has devoted years of his life. He is now in a very critical state. In fact, the end is likely to come at any minute. I ask unanimous consent for the present consideration of the bill H. R. 10735.

The SPEAKER. Before the Chair puts the request for unanimous consent, he will ask leave to make a short statement,

Since the creation of the Unanimous Consent Calendar the Chair has been very careful to try to enforce it, but in a few instances, where there was an emergency, the Chair has taken the responsibility of recognizing Members outside of that; and under the peculiar circumstances of this case, without setting any precedent or having it relied on as a precedent, the Chair, after consultation with the majority and minority leaders and some other gentlemen, has recognized the gentleman from New Jersey [Mr. Walsh] to make this request for unanimous consent. Is there objection?

Mr. CLARK of Florida. What is the bill? The SPEAKER. The Clerk will report the bill. The Clerk read the bill (H. R. 10735) to create a bureau of labor safety in the Department of Labor, as follows:

to-morrow. I would like to have an expression from the Speaker on that, if I might.

Mr. POU. The resolution expressly excepts Calendar Wednesday.

Mr. MANN. I understand the resolution expressly excepts Calendar Wednesday and was undoubtedly designed for to-morrow, which is Thursday, which has the right of Calendar Wednesday. It is not itself Calendar Wednesday, although it

study of all phases of the subject of vocational diseases, and to make public the results of such investigation, examination, and study from time to time. It shall also be the province and duty of such bureau, under the direction of the Secretary of Labor, to gather, compile, publish, and supply useful information concerning the use of labor safety plans and devices and vocational diseases in the industries of the United States and elsewhere.

Sec. 2. That there shall be erected a museum of sufficient size and capacity, with grounds thereto annexed, in and upon which shall be exhibited approved devices for the safeguarding of machinery, the protection of employees from injury, the lessening of dangerous conditions which may exist in any industrial enterprise, and the methods of lessening, preventing, and controlling industrial diseases. All such appliances, devices, and arrangements may be exhibited at rest or in motion, as may best serve the purposes of such exhibit. That in addition to the museum hereinbefore referred to and in connection therewith there shall be established a laboratory, wherein may be examined and tested the relative efficiency of types of guards or other devices for the protection of machinery calculated to safeguard the employee or the general public from injury or industrial disease.

The SPEAKER. Is there objection?

The SPEAKER. Is there objection?

Mr. SISSON. I reserve the right to object, Mr. Speaker. Listening, as best I could, to the reading of the bill by the Clerk, it appears to be very comprehensive in its language; and while I regret the circumstances under which the bill comes up, and am very fond of the Member who is the author of the bill, and while my sympathies are with him, and the bill may be all right, yet under the circumstances I feel that I must object to a bill, involving as much as this bill does, being considered

in this way.

The SPEAKER. The gentleman from Mississippi [Mr. Sisson] objects.

MINE-RESCUE STATION-CHANGE OF REFERENCE.

Mr. CLARK of Florida. Mr. Speaker, the bill H. R. 3988 was inadvertently referred to the Committee on Mines and Mining. It provides for the construction of a mine-rescue station, and should have gone to the Committee on Public Buildings and I ask unanimous consent that the reference may be Grounds. changed.

The SPEAKER. The gentleman from Florida asks unanimous consent that the Committee on Mines and Mining be discharged from further consideration of H. R. 3988, and that it be referred to the Committee on Public Buildings and Grounds.

Is there objection?

There was no objection.

Mr. FARR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the immigration bill.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the Record on the immigration bill. Is there objection?
There was no objection.

OUDER OF BUSINESS. -

Mr. SHACKLEFORD. Mr. Speaker, the rule which has just been adopted in regard to the good roads bill requires that we proceed to-night at 8 o'clock with the general debate. After talking with a number of Members who have addressed the House to-day, I have been requested to ask unanimous consent that the general debate on the good roads bill be postponed until 8 o'clock on Friday night instead of going on to-night. I therefore make that request. [Applause.]

The SPEAKER. Is there objection to the request of the gen-

tleman from Missouri?

There was no objection.

LINCOLN MEMORIAL.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate joint resolution 107 and consider the same.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to take from the Speaker's table and consider Senate joint resolution 107, relating to the Lincoln Memorial. The Clerk will read the resolution.

The Clerk read as follows:

Senate joint resolution 107, relating to supervision of the Lincoln Memorial.

Resolved, etc., That in the exercise of its control and direction for the construction of the Lincoln Memorial, authorized by act of Congress approved February 9, 1911, the commission created by said act shall designate to perform the duty of special resident commissioner to represent the commission in the oversight of the work, the Hon. Joseph C. S. Blackburn, recently appointed a member of the Lincoln Memorial Commission, as the successor to the Hon. Shelby M. Cullom, deceased; and for the special service of the member so designated he shall be entitled to receive compensation at the rate of \$5,000 per annum out of the appropriations for the construction of such memorial.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. TOWNSEND. Mr. Speaker, reserving the right to object, I want to ask the gentleman from Kentucky if it is not a fact that when the special resident commissionship was created

employment to the late and then former Senator Cullom, of Illinois, with the implied obligation on the part of the gentleman who secured the employment that there was no necessity for such commissioner, but that it would be a graceful act on the part of Congress to give this employment to that gentleman, who unfortunately then, as everyone knew, had but a short time to live? I want to ask the gentleman further if there is any useful work to be performed by this commissioner which could not be performed by the commissioners created in

the bill for the general commission?

Mr. SHERLEY. I think a part of the statement of the gentleman from New Jersey is correct—that it was a very graceful compliment and a proper one to the late Senator Cullom. I do not think it is accurate to say that there was nothing for him to do or nothing he was prepared to do or did, just as I now think there is a proper work to be performed by the commissioner who has been appointed to succeed the late Senator Cullom, former Senator Blackburn. Of course any work could be done by some one else. Doubtless if no one was designated the work would be done, but I do not think it is a matter that has no justification. I believe it is a proper appointment that the President has made, and it is proper that Congress should make provision as to Mr. Blackburn, as provision was made for Senator Cullom.

Mr. BORLAND. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. BORLAND. This is for the purpose of fixing Mr. Blackburn's compensation?

Mr. SHERLEY. At the same rate that was paid Mr. Cullom. Mr. BORLAND. Mr. Blackburn was appointed a member of the commission?

Mr. SHERLEY. Yes; the same as was Mr. Cullom. Mr. BORLAND. Mr. Cullom was made a resident commissioner's

Mr. SHERLEY. By act of Congress, in the exact language of the resolution now before the House.

Mr. BORLAND. Is it not a fact that since the late Senator Cullom was made resident commissioner and was supposed to be clothed with the power to make contracts, the Attorney General has ruled that the commission itself has no power to make contracts; that that power is in the Secretary of War; and the Secretary of War in pursuance of that ruling has designated Maj. Harts as supervisor of the construction?

Mr. SHERLEY. Touching the contracts the gentleman is right; but it was not contemplated, in my judgment, that Senator Cullom should perform the duty of seeing that the contracts were entered into. He was to be the resident commisstioner. There will of necessity be a great many things engaging the attention of the resident commissioner in connection with the construction of that great memorial.

Mr. TOWNSEND. Outside of what the architect will be able to attend to?

Mr. SHERLEY. I think there are many things that will come up outside of the architect's duty.

Mr. BORLAND. There is not only the architect but the architect's representative, who will supervise the construction.

Mr. SHERLEY. I suppose it is true that you could dispense with the members of the commission, but it seemed fit to the author of the resolution and to the Senate, where it passed unanimously, and it seems fit to me that this resolution should go through, and that former Senator Blackburn should be given the position. I believe he will more than justify by his services the action taken by Congress.

Mr. LANGLEY. Will my colleague yield?

Mr. SHERLEY. Certainly.

Mr. LANGLEY. Senator Cullom, up to the time he became physically unable to go to his office, was actively engaged in the work that it is proposed to substitute former Senator Blackburn to do. I hope that there will be no objection to considering this joint resolution, and that it will pass unanimously.

Mr. BORLAND. Mr. Speaker, reserving the right to object, I do not yield to any man in my admiration for the public services of Senator Blackburn in the Congress of the United States, and ac civil governor of the Canal Zone, and as member of the first commission, but clearly that position of resident commissioner was created as a personal compliment to Senator Cullom. The work of planning the memorial was done by the Fine Arts Commission and the architects. The work of letting the contracts was supposed to be handled in an administrative way by Senator Cullom and by the commission, but the decision of the Attorney General has actually taken away from the commission that power and provided that the Secretary of War must, in the last analysis, pass on the contracts, aid—whatever the former duties of Senator Cullom may have been—that has made it was created for the sole and express purpose of giving it necessary under the law for the Secretary of War to designate some one there as the administrative officer and supervis-

ing architect of that building.

Mr. SHERLEY. I think the gentleman is somewhat in error. Mr. BORLAND. He has designated very properly an engineer officer of the Army. I do not think he ought to have gone outside and designated anybody and taken money out of this fund to pay him. He has designated an Army officer, who is the Superintendent of Public Buldings and Grounds in the District of Columbia, and he ought not to cost the Government an additional cent. He ought to do that work as a part of his duty as Superintendent of Public Buildings and Grounds, and there is absolutely no occasion for continuing this position, Mr. SHERLEY. Mr. Speaker, I suggest to the gentleman

that while it is true that the Department of Justice has held that the Secretary of War was not a ministerial officer only but should exercise judgment as to letting the contracts, there are many matters besides that which it will be the duty of the commission to consider. I think it is not unfitting that Congress should have, in a sense, a representative directly of its choosing, as it had in the person of former Senator Cullom. I am quite sure that nothing could be more fitting than that in connection with the memorial to the most distinguished of all Kentuckians Congress should now designate a very distinguished Kentuckian, a former Senator from that State, to be its representative in the construction of such memorial. [Applause.]

Mr. BORLAND. Mr. Speaker, I recognize the high degree of sentiment that attaches to that, but we have had too many expensive commissions and the commissions do not do the work, and nothing has made it clearer that commissions are utterly useless and extravagant than the recent decision of the

Attorney General.

Mr. SHERLEY. The gentleman will remember that this is not an expensive commission. I am quite sure it will not entail on the Government any additional expense. I do think that a resident commissioner who will spend his time in seeing that the work is properly forwarded will earn the salary which is purposed to be paid to him out of the fund for the erection of this memorial. I trust the gentleman may permit the matter to come before the House for consideration. Mr. TOWNSEND. Mr. Speaker, will the gentleman yield

further?

Mr. SHERLEY. Certainly.

Mr. TOWNSEND. It is a fact, is it not, that whenever there was occasion for any business of importance to be transacted in relation to letting a contract or other affairs relating to this Lincoln Memorial there have been meetings of the whole commission?

Mr. SHERLEY. Why, there are meetings of the whole com-

mission, of course.

Mr. TOWNSEND. Showing that no business will be transacted of any importance without a meeting of the commission?

Mr. SHERLEY. I do not think that follows.

Mr. TOWNSEND. As the gentleman from Missouri [Mr. BORLAND | has said, there is the architect; there is the Army engineer actively and diligently and professionally capable of carrying on this work. If in view of that fact the gentleman from Kentucky thinks that it is proper that the House as a matter of sentiment purely should continue this \$5,000 a year commission, I will withdraw my objection.

Mr. Speaker, I would not have asked Mr. SHERLEY. unanimous consent if I did not think it was a proper resolution to pass the House. I am quite sure, as I have undertaken to say in several instances, that the resident commissioner will justify the payment to him of this compensation. I am quite sure that he himself would not want to be a recipient of it if he did not feel that he would render services entitling him to it, and I should not ask the House to pass this resolution if I did not think it was a proper one.

Mr. TOWNSEND. Mr. Speaker, the gentleman is aware of the fact that unfortunately, very unfortunately, since the creation of this special resident commissioner he has, of course, been

unable to perform any service whatever?

I do not think anyone in the House objected to the fact that he received this salary, although when the House was asked to give this salary the statement was made upon the floor here that he was a man who absolutely required this compensation for his livelihood. I am glad to see, however, the gentleman left an estate of \$100,000.

Mr. COOPER. Mr. Speaker, will the gentleman from Kentucky permit an interruption?

Mr. SHERLEY. I will. Mr. COOPER. If ex-Senator Blackburn becomes a member of the commission, he will be the only ex-Confederate soldier on that commission, will he not?

Mr. SHERLEY. That is true.

Mr. COOPER. If I may be permitted to say, I think it would be a most admirable thing to have an ex-Confederate soldier on the commission having to do with the construction of this magnificent monument to the memory of Abraham Lincoln.

Mr. BORLAND. I will say to the gentleman he is on the commission. He is an ex-Confederate soldier already on the commission, and the question now under consideration is. Shall he be paid; and if so, for what services? That is the question under discussion.

Mr. COOPER. I thought the question was, Shall he be paid for these services

Mr. BORLAND. For what services?

Mr. COOPER. For the same services which Senator Cullom performed.

Mr. MANN. Mr. Speaker, it is an error on the part of gentlemen to assume that Senator Cullom did not have any duties to perform or did not perform any duties. On the contrary, he had quite a number of duties to perform and gave as much time to it as he was able to give. I know that on several occasions he did me the honor to consult me in reference to matters before the commission in reference to the Lincoln Memorial, and I know that he did give it considerable time up to a very recent period.

Mr. LANGLEY. Mr. Speaker, will my friend permit me to say I had occasion with a number of gentlemen to go before that commission on two different occasions and Senator Cullom was taking a very active part in the deliberations of that commission, and left work unfinished that, as far as I am informed, ex-Senator Blackburn will take up.

Mr. FINLEY. Mr. Speaker, it is unquestionably true a commission such as this will be better equipped by having one resident commissioner on the ground, and he will be to some extent, so far as the commission is concerned when it meets, the eves and ears of that commission to bring to their attention for dis-cussion and settlement various questions that an outsider, one who is not a member of the commission, would not bring before the commission. In other words, he, being one of the commissioners, would be in a position that would enable him to render valuable aid and assistance to the commission as such, being a member of that commission.

Mr. BORLAND. Does not the gentleman think that all that can be done by the engineer officer?

Mr. FINLEY. I will say to the gentleman, in 21 years' experience as a legislator here and at home I pay a great deal more attention, because there is more freedom of debate and of intercourse, to members of a committee of which I am a member when we go to discuss the final settlement of questions involving any work or legislation or policy; and I think the gentleman on consideration will conclude there is work for a resident commissioner to do, and I know of no one in all this country who is better qualified or better equipped from that standpoint than Joseph Blackburn, of Kentucky. If the gentleman wants to put it solely on the ground of sentiment, which I do not do, I will say that I hope sentiment will never perish from the face of the earth. If it does, this will be a very poor world, indeed.
Mr. BORLAND. Mr. Speaker, I withdraw my objection.

Is there objection? The SPEAKER.

Mr. DIES. Mr. Speaker, I object.
The SPEAKER. The gentleman from Texas [Mr. Dies] objects, and that is the end of it.

CHANGE OF REFERENCE.

The SPEAKER. The Chair lays before the House the following, which the Clerk will report:

The Clerk read as follows:

The Committee on Pensions is hereby discharged from further consideration of the bill (H. R. 12179) to establish in the War Department and in the Navy Department, respectively, a roll designated as "the Army and Navy medal-of-honor honor roll," and for other purposes, and the same is hereby referred to the Committee on Invalid

Mr. MANN. Mr. Speaker, reserving the right to object, whose proposition is that? Is it a bill in reference to Civil War veterans or is it an Army and Navy roll of honor generally?

The SPEAKER. It is to establish a roll of the soldiers of both armies during the Civil War.

Mr. MANN. Just during the Civil War?

The SPEAKER. Yes; that is my understanding of it. Chair has forgotten who has charge of this matter. It is a question of reference. Evidently it went to the wrong pension committee by some kind of an oversight. The bill provides for printing a roster of the officers and sailors of the Civil War, on both sides.

Mr. MANN. It belongs really to the Committee on Military Affairs, then.

The SPEAKER. The Chair is rather inclined to think the suggestion of the gentleman from Illinois is right. We will let the matter go over until the morning, when we can have the bill before us.

WITHDRAWAL OF PAPERS.

Mr. RIORDAN, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Henrietta Sherman, H. R. 2394, first session Sixty-second Congress, and H. R. 14852, second session Sixty-second Congress, no adverse report having been made

Mr. Dillon, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, papers in the case of Charles Hartsough, H. R. 7266, first session, Sixty-third Congress, no adverse report having been made thereon.

CHAIRMAN COMMITTEE ON EXPENDITURES IN THE POST OFFICE DEPARTMENT.

Mr. UNDERWOOD. Mr. Speaker, I move the election of Hon. James M. Gudger, Jr., of North Carolina, to be chairman of the Committee on Expenditures in the Post Office Department, to fill a vacancy caused by the death of the late Representative

The SPEAKER. The gentleman from Alabama [Mr. Under-WOOD] moves the election of Hon. James M. Gudger, Jr., as chairman of the Committee on Expenditures in the Post Office Department in lieu of the late Representative PEPPER,

The motion was agreed to.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly the House, under its previous order (at 5 o'clock and 52 minutes p. m.), adjourned until Thursday, February 5, 1914, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting a list of property under control of the Treasury Department for which rent is being received (H. Doc. No. 704); to the Committee on Appropriations and ordered to be printed,

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and plan and estimate of cost of improvement of Willapa Harbor and River, Wash., from Raymond to the sea, including consideration of any proposition for cooperation on the part of local interests (H. Doc. No. 706); to the Committee on Rivers and Harbors and ordered to be printed, with illus-

3. A letter from the Secretary of the Interior, transmitting an amendment to the sundry civil act of June 23, 1913, making appropriations for repairs and improvements to the Patent Office Building (H. Doc. No. 705); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of Labor, submitting additional observations concerning section 9 of a bill (H. R. 6060) to regulate the immigration of aliens into the United States (H. Doc. No. 703); to the Committee on Immigration and Naturalization and ordered to be printed.

5. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Congaree River, S. C. (H. Doc. No. 702); to the Committee on Rivers and Harbors and ordered to be printed.

6. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Escambia and Conecuh Rivers, Ala. and Fla., from River Falls to the mouth in the Gulf of Mexico (H. Doc. No. 701); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

7. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on survey of Cuyahoga River, Ohio, from its mouth to a more southerly connection with the Ohio Canal, with a view to eliminating bends and securing a navigable depth of 21 feet, with suitable width, together with a report on proposition for cooperation by localities affected thereby (H. Doc. No. 707); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations. Public Buildings and Grounds.

By Mr. McCOY: A bill (H. R. 12927) constituting directors and stockholders of certain corporations trustees of an express

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII.

Mr. FLOOD, from the Committee on Foreign Affairs, to which was referred the resolution (H. J. Res. 211) authorizing the President to accept an invitation to participate in an International Commission of Phytopathology, reported the same without amendment, accompanied by a report (No. 219), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. ADAIR, from the Committee on Invalid Pensions, to

which was referred the bill (H. R. 12914) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported the same without amendment, accompanied by a report (No. 216), which said bill and report were referred to the Private Calendar.

Mr. GORDON, from the Committee on Military Affairs, to which was referred the bill (H. R. 6464) for the relief of Charles R. Grant, reported the same with amendment, accompanied by a report (No. 218), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 11798) granting an increase of pension to D. K. Rowe, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:
By Mr. J. R. KNOWLAND: A bill (H. R. 12915) pensioning the survivors of certain Indian wars from the year 1865 to January, 1891, inclusive, and for other purposes; to the Committee on Pen-

By Mr. CLINE: A bill (H. R. 12916) providing for the payment of pensions monthly by means of the annual issue of 12 coupons; to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 12917) for the erection of a complete plant for the manufacture of armor plate in the city of Alexandria, Va.; to the Committee on Naval Affairs.

Also, a bill (H. R. 12918) authorizing the Secretary of War to have repaired the military road to Balls Bluff, in the county of Loudoun, Va.; to the Committee on Military Affairs.

By Mr. SINNOTT: A bill (H. R. 12919) to amend an act entitled "An act to provide for an enlarged homestead"; to the Committee on the Public Lands.

By Mr. REILLY of Connecticut: A bill (H. R. 12920) to authorize a survey of Mill River, between Tomlinsons Bridge and Grand Avenue Bridge, New Haven, Conn.; to the Committee on Rivers and Harbors

By Mr. DONOVAN: A bill (H. R. 12921) authorizing a survey with a view to better navigation on the Mianus River between the New York, New Haven & Hartford Railroad bridge and Mianus, Conn.; to the Committee on Rivers and Harbors.

By Mr. SUTHERLAND: A bill (H. R. 12922) providing for an increase in compensation to fourth-class postmasters rural carriers; to the Committee on the Post Office and Post Roads

By Mr. LLOYD (by request): A bill (H. R. 12923) to establish a national flexible currency; to the Committee on Banking and Currency

By Mr. VAUGHAN: A bill (H. R. 12924) to provide for the purchase of a site and the erection of a public building thereon at Cooper, in the State of Texas; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12925) for the erection of a public building at Atlanta, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12926) to provide a site and to erect thereon a public building at Linden, Tex.; to the Committee on

trust for the benefit of stockholders; to the Committee on the

By Mr. MOON: A bill (H. R. 12928) to amend the postal and civil-service laws, and for other purposes; to the Committee on the Post Office and Post Roads

By Mr. DERSHEM: A bill (H. R. 12929) to provide for the purchase of a site for a public building at Waynesboro, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 12930) to establish a fish hatchery and fish-culture station in the first congressional district in the State of Nebraska; to the Committee on the Merchant Marine and Fisheries.

By Mr. MORGAN of Oklahoma: A bill (H. R. 12931) to regulate the commerce of certain corporations, and for other purposes; to the Committee on Interstate and Foreign Com-

By Mr. SLAYDEN: Resolution (H. Res. 398) authorizing the Clerk of the House to pay to Nellie Taylor, daughter of Daniel Taylor, late an employee of the House, an amount equal to six months of his compensation and an additional amount, not exceeding \$250, to William S. Riley, undertaker, to defray funeral expenses of said Daniel Taylor; to the Committee on Accounts.

By Mr. THOMSON of Illinois: Resolution (H. Res. 399) authorizing the Committee on Printing to have printed as a House document an address by Sir Horace Plunkett; to the

Committee on Printing.

By Mr. McCLELLAN: Joint resolution (H. J. Res. 212) to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes," approved June 23, 1913;

to the Committee on Appropriations.

By Mr. FLOOD of Virginia: Joint resolution (H. J. Res. 213) authorizing the President to accept an invitation to participate in the Third International Congress of Occupational Diseases; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 214) authorizing the President to accept an invitation to participate in the Sixth Inter-

national Dairy Congress; to the Committee on Foreign Affairs. By Mr. HAYES: Joint resolution (H. J. Res. 215) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions

were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 12914) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House. Also, a bill (H. R. 12932) granting an increase of pension to

Samuel Ludy; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 12933) for the relief of Kate Rudolph Wilson and other heirs of Zebulon Brown Rudolph; to the Committee on Claims.

Also, a bill (H. R. 12934) for the relief of Kate Rudolph Wilson and other heirs of Tobias S. Rudolph, deceased; to the Committee on Claims.

By Mr. AUSTIN: A bill (H. R. 12935) granting a pension to Vira Dail; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12936) to place the name of George W. Peters upon the unlimited retired list of the Army; to the Committee on Military Affairs.

By Mr. BARTHOLDT: A bill (H. R. 12937) for the relief of Edward B. Fox, administrator of the last surviving partner of

the firm of Child, Pratt & Fox; to the Committee on War Claims. By Mr. BROUSSARD: A bill (H. R. 12038) for the cell of of the heirs of Joseph Piernas, deceased; to the Committee on the Public Lands.

By Mr. BRUCKNER: A bill (H. R. 12939) granting an increase of pension to Anna M. Stroessinger; to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 12940) granting an increase of pension to Moses M. Whitney; to the Committee on Pen-

Also, a bill (H. R. 12941) for the relief of the estate of Murray Mason, deceased; to the Committee on War Claims.

Also, a bill (H. R. 12942) for the relief of Emma E. Frauner, eorge W. Seaton, Hiram K. Seaton, Howard Seaton, Mary Seaton, Blanche Seaton, George W. Taylor, Edward Taylor, and Catharine Pomeroy; to the Committee on War Claims. By Mr. CARY: A bill (H. R. 12943) granting an increase of

pension to Aaron I. Comfort; to the Committee on Invalid

Also, a bill (H. R. 12944) granting a pension to McCulloch Talley; to the Committee on Invalid Pensions.

By Mr. CLAYPOOL: A bill (H. R. 12945) granting an in-

crease of pension to James S. Knighton; to the Committee on Invalid Pensions.

By Mr. COLLIER: A bill (H. R. 12946) for the relief of James Richards, administrator of the estate of William Richards, deceased: to the Committee on War Claims.

By Mr. CONNELLY of Kansas: A bill (H. R. 12947) granting an increase of pension to Henry O. Pixley; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 12948) granting an increase of pension to Samuel A. Leazer: to the Committee on Invalid Pensions

By Mr. DOOLITTLE: A bill (H. R. 12949) for the relief of William S. Colvin; to the Committee on the Post Office and Post

By Mr. DYER: A bill (H. R. 12950) granting a pension to John Kalber; to the Committee on Pensions.

By Mr. FAIRCHILD: A bill (H. R. 12951) granting an increase of pension to Philander T. Crocker; to the Committee on Invalid Pensions

By Mr. FAISON: A bill (H. R. 12952) for the relief of R. W. Williamson, administrator de bonis non of the estate of William Ward, deceased; to the Committee on War Claims.

By Mr. FERRIS: A bill (H. R. 12953) for the relief of Tochterman, Kerby & Richards; to the Committee on Claims.

By Mr. FIELDS: A bill (H. R. 12954) granting an increase of pension to Sarah T. Wright; to the Committee on Invalid Pen-

By Mr. GITTINS: A bill (H. R. 12955) granting a pension to Martha Cheney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12956) granting a pension to Charles D.

Minard: to the Committee on Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 12957) granting an increase of pension to Jonathan Greeley; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 12958) for the relief of Christopher Fitzgerald; to the Committee on Claims.

By Mr. KIESS of Pennsylvania: A bill (H. R. 12959) for the relief of Peter J. Hill; to the Committee on Military Affairs. Also, a bill (H. R. 12960) to correct the military record of Alfred Coffin; to the Committee on Military Affairs.

By Mr. KINKEAD of New Jersey: A bill (H. R. 12961)

granting an increase of pension to Jane H. Crofut; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12962) granting an increase of pension to Ellen L. Kneller; to the Committee on Invalid Pensions.

By Mr. KREIDER: A bill (H. R. 12963) granting a pension to Catherine B. Peffley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12964) granting a pension to Martha R.

Allwein; to the Committee on Pensions. By Mr. LINDQUIST: A bill (H. R. 12965) for the relief of

Albert Smith; to the Committee on Military Affairs. By Mr. MAPES: A bill (H. R. 12966) for the relief of James

Conway; to the Committee on Military Affairs. By Mr. MOTT: A bill (H. R. 12967) granting an increase of

pension to Eleanor W. Chadwick; to the Committee on Invalid

Also, a bill (H. R. 12968) granting a pension to Fannie F.

Vane; to the Committee on Invalid Pensions,
By Mr. O'SHAUNESSY: A bill (H. R. 12969) granting an
increase of pension to Mary A. Walsh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12970) granting an increase of pension to Sarah J. Millikin; to the Committee on Invalid Pensions.

By Mr. PETERS of Maine: A bill (H. R. 12971) granting an increase of pension to Herbert Wadsworth; to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 12972) granting an increase of pension to James Brunton; to the Committee on Invalid

Also, a bill (H. R. 12973) granting an increase of pension to Sarah Fields; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12974) granting an increase of pension to James P. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12975) granting an increase of pension to

John E. Pentleton; to the Committee on Invalid Pensions,
Also, a bill (H. R. 12976) removing the charge of desertion
from the military record of James English; to the Committee on Military Affairs.

By Mr. REILLY of Connecticut: A bill (H. R. 12977) granting an increase of pension to James E. Smith; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 12978) granting a pension to Susan C. Davidson; to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 12979) to correct the military record of Clark G. Russell; to the Committee on

Military Affairs

By Mr. SMITH of New York: A bill (H. R. 12980) for the relief of George Deitz; to the Committee on Military Affairs. By Mr. TAGGART: A bill (H. R. 12981) granting a pension

to Isabell Homan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12982) granting a pension to Mary M. Walden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12983) granting a pension to Julia Kibby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12984) granting a pension to Edward H. Lewis; to the Committee on Pensions. Also, a bill (H. R. 12985) granting a pension to J. S. Fletcher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12986) granting a pension to George M. Younger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12987) granting an increase of pension to Sylvania Collins; to the Committee on Pensions.

Also, a bill (H. R. 12988) granting an increase of pension to Robert Hird; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12989) granting an increase of pension to Fernando C. Cash; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12990) granting an increase of pension to Charles Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12991) granting an increase of pension to Nancy J. Vanzant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12992) granting an increase of pension to Charles Carver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12993) granting an increase of pension to George Stevens; to the Committee on Pensions.

Also, a bill (H. R. 12994) for the relief of Malinda Johnson; to the Committee on War Claims.

By Mr. WINGO: A bill (H. R. 12995) for the relief of John Davis; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of the De Witt Clinton Branch of American Continental League, of New York City, N. Y., and the Nathan Hale Branch, American Continental League, of Rivera Point, Pa., protesting against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

Also (by request), petitions of the Societa M. S. Maria S. S. del Carmine, of Norristown, Pa., and Society of St. Maria of Mount Carmel of Mutual Aid, protesting against the passage of bills restricting immigration; to the Committee on Immigration

and Naturalization.

By Mr. ANTHONY: Petition signed by Mrs. M. J. Dorcas and other citizens of Holton, Kans., protesting against passage of legislation for proper observance of Sunday in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ASHBROOK: Petition of James N. Fitzsimmons and 80 other citizens of Newark, Ohio, protesting against Federal

prohibition; to the Committee on the Judiciary.

By Mr. BARCHFELD: Petition of German-American Alliance of Pennsylvania, protesting against Federal prohibition; to the Committee on the Judiciary.

By Mr. BRUCKNER: Petition of Polish citizens and organizations of New York City, favoring an amendment to House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. BRYAN: Petition of the Washington State Federation of Labor, favoring erection by Congress of a public-health and marine hospital at Seattle, Wash.; to the Committee on Appropriations.

By Mr. BUTLER: Petition of Division No. 1 of the Ancient Order of Hibernians, protesting against the passage of bills re-stricting immigration; to the Committee on Immigration and Naturalization.

By Mr. CALDER: Petition of citizens of the United States favoring the passage of bills restricting immigration; to the

Committee on Immigration and Naturalization.

Also, petition of R. C. Williams & Co., of New York City, protesting against the passage of House bill 9832, relative to labels bearing the year of packing; to the Committee on Interstate and Foreign Commerce.

Also, petition of International Association of Machinists, of Brooklyn, N. Y., favoring an investigation of the trouble in the mines of Michigan; to the Committee on Rules.

Also, memorial of the Northern New York Development League, relative to deepening of St. Lawrence River where necessary; to the Committee on Rivers and Harbors.

Also, petitions of citizens of Milwaukee, Wis., favoring an investigation of the trouble in the mines in Michigan; to the

Committee on Rules.

Also, petition of Fred A. Roeder, of Brooklyn, N. Y., favoring the passage of the Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, petition of the New York Wholesale Grocers' Association, relative to the right of the manufacturer to make the resale price on goods; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Dunston Lithograph Co., of Dunkirk, N. Y., favoring the passage of the Ransdell-Humphrey bill; to

the Committee on Rivers and Harbors.

Also, petition of citizens of Cincinnati, Ohio, protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. CARY: Petition of citizens of Milwaukee, Wis., urging investigation as to the conditions in the copper mines of

Michigan; to the Committee on Rules.

Also, petition of the German-American Alliance of Kewaskaw, Wis., representing 42 American citizens, protesting against House joint resolution 168 and Senate joint resolutions 88 and 50, or any similar prohibition measures; to the Committee on the Judiciary.

By Mr. CRAMTON: Memorial of John A. Logan Post, No. 1, protesting against any changes in the United States flag; to the

Committee on the Judiciary

By Mr. DIFENDERFER: Petition of citizens of Newtown, Pa., favoring House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. GALLAGHER: Petition of Deming & Gould Co., of Chicago, Ill., favoring amendment to cold-storage bill; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Pennsylvania: Petition of the Pennsylvania State Board of Agriculture, favoring the passage of the Shackleford road measure; to the Committee on Roads.

Also, petition of General Robert Howe Branch of the American Continental League, of Philadelphia, protesting against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

By Mr. GREENE of Vermont: Petitions of F. L. Abbott and others, of the first congressional district of Vermont, protesting against the passage of House bill 9674, the Sabbath-observance bill; to the Committee on the District of Columbia.

By Mr. GRIEST: Memorials from citizens of New Holland, Lancaster County, Pa., urging congressional action providing for nation-wide prohibition of the manufacture, sale, and im-portation of alcoholic beverages; to the Committee on the

Judiciary.

Also, petition of citizens of Columbia, Pa., against House bill

9836; to the Committee on the Judiciary.

Also, petitions of citizens of Lancaster and Columbia, Pa., protesting against congressional action providing for nationwide prohibition of the manufacture, sale, and importation of alcohelic beverages; to the Committee on the Judiciary.

By Mr. JOHNSON of Washington: Memorial of Socialists of

Toledo, Wash., relative to the Government of United States pro-

viding work for the unemployed; to the Committee on Labor.

Also, memorial of Washington State Federation of Labor, relative to location of marine hospital on Puget Sound; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Snohomish County (Wash.) Merchants' As-

sociation, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, memorial of Associated Chambers of Commerce of Pacific Coast, relative to an Alaska exhibit at Panama-Pacific Exposition; to the Committee on Industrial Arts and Exposi-

Also, petition of Immigrant Watchman at Tacoma, Wash., relative to increase in pay; to the Committee on Appropriations.

Also, memorial of the Washington State Commandery of
Military Order of Loyal Legion, favoring passage of the
Sherwood bill (H. R. 1946); to the Committee on Military

Also, petition of the Washington State Federation of Labor, favoring additional facilities on Puget Sound for handling of immigrants; to the Committee on Immigration and Naturaliza-

Also, petition of citizens of Carrollton, Wash., protesting against the passage of House bill 9674, the Sabbath-observance bill; to the Committee on the District of Columbia.

Also, memorial of the Washington State Federation of Labor, favoring the passage of the Raker Asiatic-exclusion bill; to the Committee on Immigration and Naturalization.

By Mr. KAHN: Memorial of the Associated Chambers of Commerce of the Pacific Coast, favoring appropriation of \$250,000 for participation by Alaska in the Panama-Pacific Exposition;

to the Committee on Appropriations.

By Mr. KALANIANAOLE: Memorial of the Maui Chamber of Commerce, favoring construction of a breakwater at Kahului,

Territory of Hawaii; to the Committee on the Territories.

By Mr. KENNEDY of Rhode Island; Memorial of Nathan Hale Branch of the American Continental League, of River-point, R. I., protesting against the "One hundred years of peace ; to the Committee on Foreign Affairs. celebration'

By Mr. KIESS of Pennsylvania: Petitions of citizens of Williamsport, Pa., favoring the passage of House bill 6060 restricting immigration; to the Committee on Immigration and Naturalization.

Also, memorial of the Covington Seventh Day Adventist Church, of Covington, Pa., favoring Federal prohibition; to the Committee on the Judiciary

By Mr. LAFFERTY: Petition of citizens of Oregon, against House joint resolution 168; to the Committee on the Judiciary. Also, petition of Longshoremen's Union, No. 38-6, and Local nion No. 90, Independent Brotherhood of Bakers, favoring seamen's bill; to the Committee on Merchant Marine and

By Mr. LINDQUIST: Paper to accompany bill for relief of Albert Smith: to the Committee on Military Affairs

Also, petition of citizens of Howard City, Middletown, and Perrinton, Mich., favoring the passage of the Lindquist pure fabric and leather bill; to the Committee on Interstate and Foreign Commerce.

By Mr. LONERGAN: Petition of the Polish Talcon's Society, of Collinsville, Conn., protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Wallingford Branch of the Continental League, of Wallingford, Conn., protesting against the "One hun-dred years of peace celebration"; to the Committee on Foreign Affairs.

By Mr. MAHAN: Petition of American Continental League, of Wallingford, Conn., against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

Also, petition of Norwich (Conn.) Lodge, No. 62, against House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. MANN: Petition of citizens of Chicago, Ill., protesting against House joint resolution 168; to the Committee on the

By Mr. MARTIN: Petitions of citizens of Pennville, S. Dak protesting against the passage of the Sabbath-observance bill

(H. R. 9674); to the Committee on the District of Columbia.

By Mr. MERRITT: Petitions of members of the Canton, Pottsdam, and Gouverneur Auxiliaries of St. Lawrence Presbyterian Society of Home and Foreign Missions, favoring the antipolygamy amendment; to the Committee on the Judiciary.

By Mr. MOORE: Memorial of the John Quincy Adams Branch

of the American Continental League, of Philadelphia, Pa., protesting against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

Also, petition of George B. Henderson and others, of Philadel-

phia, Pa., protesting against the passage of the Columbus Day bill; to the Committee on the Judiciary.

By Mr. MOTT: Memorial of the District Association Opposed to Woman Suffrage, protesting against suffrage for women; to the Committee on the Judiciary.

Also, petition of citizens of Watertown, N. Y., protesting

against passage of a bill excluding The Menace from the mails; to the Committee on Rules.

Also, petition of citizens of thirty-second district of New York, favoring House bill 5308; to the Committee on Ways and

Also, petition of the Carthage and Adams Auxiliaries of the St. Lawrence Presbyterian Society of Home and Foreign Missions, favoring antipolygamy amendment to the Constitution; to

the Committee on the Judiciary.

By Mr. O'SHAUNESSY: Petitions of the Rhode Island Workingmen's Beneficial Association; Circolo Francesco Crispi, of Providence, R. I.; and Italians of Providence, R. I., protesting against House bill 6060; to the Committee on Immigration and

years of peace celebration"; to the Committee on Foreign Affairs

By Mr. RAKER: Resolutions by the California State Federation of Labor, indorsing the Alaska mining bill, known as the Bryan-Poindexter bill; to the Committee on Mines and Mining.

Also, resolution urging Representatives in Congress to work for the immediate passage of the seaman's bill (S. 136) without any of the numerous amendments suggested by big business; to the Committee on the Merchant Marine and Fisheries.

letter from the Concordia Turnverein, protesting against the passage of House joint resolution 168 and Senate joint resolutions 88 and 50; to the Committee on the Judiciary.

Also, resolution by the Junior Order United American Mechanics, pledging the entire support of the association to the Burnett bill (H. R. 6060); to the Committee on Immigration and Naturalization.

Also, petition from the residents of Woodland, protesting against the passage of a bill (H. R. 9674) preventing labor on buildings, and so forth, in the District of Columbia on the Sabbath day; to the Committee on the District of Columbia.

By Mr. REILLY of Connecticut: Petition of Branch No. 232, Workmen's Circle, of New Haven, Conn., and New Haven (Conn.) Lodge, No. 21, Order B'rith Abraham, against House bill 6060; to the Committee on Immigration and Naturalization.

Also, petition of September Lodge 37, Order Sons of Italy, protesting against the passage of bills restricting immigration; to the Committee, on Immigration and Naturalization,

By Mr. SUTHERLAND: Papers to accompany House bill 9518; to the Committee on Invalid Pensions.

By Mr. TREADWAY: Petition of the Tadensz Koscurszko Klub; Polish Athletic Association, Lodge 157, Z. S. P. A.; and Dzienica 124, Komitet Obronz Narodorve, Polish Committee, all of Holyoke, Mass., against House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. WALTERS: Petitions of citizens and organizations of Pennsylvania, against any prohibition amendment; to the Com-

mittee on the Judiciary.

Also, petition of organizations and citizens of Pennsylvania, favoring House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. WILLIS: Petition of F. A. Zebold and 14 others, of Bellefontaine, Ohio, favoring the two-battleship program; to the Committee on Naval Affairs.

By Mr. WINGO: Petitions of citizens of Van Buren and Fort Smith, Ark., protesting against the passage of the Sabbath-observance bill (H. R. 9674); to the Committee on the District of Columbia,

SENATE.

THURSDAY, February 5, 1914,

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D. The Journal of yesterday's proceedings was read and approved. READING OF WASHINGTON'S FAREWELL ADDRESS.

The VICE PRESIDENT. There is a standing order of the Senate that, in observance of Washington's Birthday, Washington's Farewell Address shall be read in the Senate of the United States, and that the Presiding Officer shall name a Senator to read the address. The Chair designates the Senator from Virginia [Mr. Swanson] to read the address this year.

PUBLIC UTILITIES COMMISSION.

The VICE PRESIDENT laid before the Senate a communication from the Public Utilities Commission of the District of Columbia, stating, pursuant to law, that the balance sheets for the year ended December 31, 1913, and other information re-quired by the public utilities commission of the various utilities under its jurisdiction which have been received this date have been submitted to the Speaker of the House of Representatives, which was referred to the Committee on the District of Columbia.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 4094) authorizing the construc-Naturalization.

Also, petition of the Nathan Hale Branch, American Continental League, of Riverpoint, R. I., against "One hundred by the Vice President."

PETITIONS AND MEMORIALS.

Mr. SHEPPARD. I have received a petition signed by sundry citizens of Takoma Park, D. C., praying for the passage of Senate joint resolution 88, proposing an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages. I move that the petition be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. STERLING presented a memorial of sundry citizens of Mitchell, S. Dak., remonstrating against the enactment of legislation making Columbus Day-October 14-a legal holiday, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Mitchell, S. Dak., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on

Immigration.

Mr. WORKS presented a memorial of sundry citizens of Los Angeles, Cal., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. LODGE presented a memorial of the Young Men's Lodge, Independent Order of B'rith Abraham, of Boston, Mass., remonstrating against the enactment of legislation to provide an test for immigrants to this country, which was

referred to the Committee on Immigration.

He also presented a memorial of the Lawrence Branch of the German-American Alliance of Massachusetts, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. McLEAN presented memorials of the Independent Minsker Association, of New Haven, Conn.; of New Haven Lodge, No. 21, Independent Order of B'rith Abraham, of New Haven, Conn., and of the Komitet Obrony Narodowe, of Wallingford, Conn., remonstrating against the enactment of legislation to provide an educational test for immigrants to this country, which were referred to the Committee on Immigration.

Mr. ROOT presented a petition of the Young People's Society of Christian Endeavor of the First Baptist Church of Alabama, N. Y., praying for the enactment of legislation to prevent Sunday banking, and also unnecessary work in post offices on Sunday, which was referred to the Committee on Post Offices and Post

He also presented a petition of the Young People's Society of Christian Endeavor of the First Baptist Church of Alabama, N. Y., praying for the enactment of legislation to prohibit the sale of intoxicating liquor in buildings and ships owned or used by the Government, which was referred to the Committee on the Judiciary.

He also presented a petition of the Young People's Society of Christian Endeavor of the First Baptist Church of Alabama, N. Y., praying for the enactment of legislation to prevent United States district attorneys from engaging in private law practice, which was referred to the Committee on the Judiciary.

He also presented a petition of the Young People's Society of Christian Endeavor of the First Baptist Church of Alabama, N. Y., praying for the ratification of the proposed arbitration treaties with Great Britain and France, which was referred to

the Committee on Foreign Relations.

He also presented a petition of the Young People's Society of Christian Endeavor of the First Baptist Church of Alabama, N. Y., praying for the enactment of legislation to prohibit the sale of liquor in the Hawaiian Islands, which was referred to the

Committee on Pacific Islands and Porto Rico.

He also presented a petition of the Young People's Society of Christian Endeavor of the First Baptist Church of Alabama, N. Y., praying for the enactment of legislation to prohibit traffic in opium in all territory under the jurisdiction of the United States, which was referred to the Committee on Finance.

He also presented a petition of the Young People's Society of Christian Endeavor of the First Baptist Church of Alabama, N. Y., praying for the enactment of legislation to prohibit the interstate transmission of race-gambling odds and bets, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Young People's Society of Christian Endeavor of the First Baptist Church of Alabama, N. Y., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on

He also presented a petition of the Young People's Society of Christian Endeavor of the First Baptist Church of Alabama, N. Y., praying for the enactment of legislation to compel the observance of Sunday as a day of rest in the District of Columbia,

which was referred to the Committee on the District of Columbia.

Mr. OLIVER presented petitions of sundry citizens of Mount Carmel, Mount Pleasant, and Stauffer, all in the State of Pennsylvania, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on

Immigration.

He also presented a memorial of Pittsburgh Lodge, No. 359, Independent Order of B'rith Abraham, of Pittsburgh, Pa., and a memorial of McKinley Lodge, No. 283, Independent Order of B'rith Abraham, of Pottstown, Pa., remonstrating against the enactment of legislation to provide an educational test for immigrants to this country, which were referred to the Committee

on Immigration.

He also presented memorials of the Ninety-eight Club, of Philadelphia; of John Quincy Adams Branch, American Continental League, of Philadelphia; of Gen. Robert Howe Branch, American Continental League, of Philadelphia; of the Charles Stewart Parnell Club, of Philadelphia; of Kosciusko Branch, American Continental League, of Philadelphia; and of Pulaski Branch, American Continental League, of Philadelphia, all in the State of Pennsylvania, remonstrating against an appropriation being made for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which were referred to the Committee on Foreign Relations.

He also presented memorials of the Cambria City Maennerdor, of Johnstown; of Local Union No. 163, United Brewery Workers of America, of Wilkes-Barre; of the German Beneficial Union, of Jeannette; and of sundry citizens of Columbia; of the thirty-first congressional district; and of Pittsburgh, north side, all in the State of Pennsylvania, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of North East, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Commit-

tee on the Judiciary.

He also presented a petition of sundry citizens of Pittsburgh, Pa., praying for the enactment of legislation permitting members of the United Boys' Brigade of America to wear uniforms similar to those of the United States Army, which was referred to the Committee on Military Affairs.

Mr. McCUMBER. I present a telegram in the nature of a memorial signed by W. H. Mann, president of the German-American Alliance of New Salem, N. Dak. It is short, and I ask that it may be printed in the RECORD and referred to the Committee on Immigration.

There being no objection, the telegram was referred to the Committee on Immigration and ordered to be printed in the

RECORD, as follows:

[Telegram.] NEW SALEM, N. DAK., February 4, 1914.

Hon. P. J. McCumber, Washington, D. C.

The German-American Alliance of North Dakota protest against the present immigration bill as detrimental against the interests and development of our large resources and wish that you see it in the same light as we do and vote and work against it.

German-American Alliance,
W. H. Mann, President.

Mr. BRANDEGEE presented a memorial of the Independent Minsker Association of New Haven, Conn., and a memorial of Dzieinica No. 105, Komitet Obrony Narodowe, of Wallingford, Conn., and of the German-American Alliance of Hartford, Conn., remonstrating against the enactment of legislation providing for an educational test for immigrants to this country, which were referred to the Committee on Immigration.

He also presented a petition of members of Company L, Second Regiment Division of Connecticut, of Danbury, Conn., praying for the adoption of an amendment to Senate bill 3777 providing for the wearing of uniforms by members of that company similar to those of the United States Army, which was referred to the Committee on Military Affairs.

Mr. GRONNA presented a petition of sundry citizens of Rugby, Calvin, Rolla, Bisbee, Starkweather, and Devils Lake, all in the State of North Dakota, praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

PARCEL POST ON STAR ROUTES.

Mr. BRADY. Mr. President, the parcel post has caused injury to be done to some of the carriers on rural routes in my State. I have a very short article here from the Pocatello Tribune, together with a letter from one of the contractors, Mr. Hansen, I will ask that they be read into the RECORD.

Mr. SMOOT. Does the Senator from Idaho wish to have them referred to the Committee on Post Offices and Post Roads? Mr. BRADY. That reference may be made after they have been read.

Mr. SMOOT. They are in the shape of a petition?

Mr. BRADY. The communications are in the form of a petition.

Mr. SMOOT. I was wondering, that being the case, whether they might not be referred without encumbering the RECORD with them. Does the Senator wish to have them printed in the RECORD?

Mr. BRADY. I should like to have them read into the RECORD at this time, and then referred to the Committee on Post Offices and Post Roads.

The VICE PRESIDENT. Is there objection to the reading of the communications? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

MACKAY & CENTRAL IDAHO STAGE Co. (LTD.), Mackay, Idaho, January 31, 1914.

Mackay & Central Idaho Stage Co. (Ltd.),
Mackay, Idaho, January 31, 1914.

Hon. James H. Brady,
Senate Chamber, Washington, D. C.

Dear Senator: I have seen by the paper that you were interested in the star-route mail service, and as I am one of them and have been in the business for the past 15 years and I am trying to get a new contract, if possible, without too much risk, but under the present conditions of the parcel-post business a person does not know what to do, as you will see from the clipping inclosed, which will give you some idea of the rate conditions here.

For example, let us take the rate from Mackay to Bonanza, a distance of 118 miles, at the rate by parcel post of \$1.08 per hundred; by slow freight during summer months the rate is \$1.25 per hundred, making a difference of 17 cents per hundred. During the winter months the rate by slow freight is \$2 per hundred, so you will readily see that if business improves, which it no doubt will, the mail contractor will be unable to handle the same, except by so doing at an enormous loss. The man who handles slow freight is at a very trifling expense compared to a mail contractor, as the mail must go through regardless of expense and the slow freighter can take his time; the slow freighter employs no help.

I do not think the department is aware of the conditions as they exist in a mountainous country, as we have waterspouts to contend with in the summer months and snowslides and blizzards in the wintertime, to say nothing of excessive cold.

Allow me to call your attention to the contractors on the routes between Boise and Idaho City, and Mountain Howe and Rocky Bar. When the contractor of the Boise-Idaho City took the contract, his bid was for \$7.68 per trip; parcel post so increased the mail and diminished the express that he was forced to give up his contract, and his bondsmen, who are now operating the line, are doing so at the cost of \$46 per day. The same facts are true in the case of the Mountain Home contractor.

Thanking you for this and past favors, I remain, Yours, very truly,

C. V. HANSEN.

HANDED HIM ORE FOR PARCEL POST.

HANDED HIM ORE FOR PARCEL FOST.

After throwing up his hands in despair and calling for aid, when three carloads of ore, in 50-pound packages, shipped by parcel post, were handed him to deliver recently, the contractor who handles the mail between Stites and Elk City, Idaho, is expected to succumb when he begins to receive from Spokane a 50,000-pound parcel-post shipment of groceries over the same route. Stites is on the railroad and Elk City is not, and the parcel-post shipments are carried 60 miles by a Government mail carrier between the two points. He has been using light wagons but may have to engage a battery of automobile freighters if business picks up. The grocery shipment comprises one thousand 50-pound packages, and goes at the rate of 54 cents for 50 pounds. To top it off, it is understood the Elk City retailer expects to have dry goods and hardware supplies shipped in by parcel post from Spokane.

The VICE PRESIDENT. The communications will be referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (S. 2316) authorizing leave of absence to homestead settlers upon unsurveyed lands, reported it without amendment and submitted a report (No. 223) thereon.

He also, from the same committee, to which was referred the bill (S. 656) granting to the trustees of the diocese of Montana of the Protestant Episcopal Church, for the benefit of "Christ Church On-the-Hill," at Poplar, Mont., lots 5, 6, and 7, in block 30, town site of Poplar, State of Montana, reported it with an amendment and submitted a report (No. 224)

Mr. BRADLEY, from the Committee on Claims, to which was referred the bill (S. 2786) for the relief of the New England Steamship Co., owner of the American steamer Commonwealth, reported it with amendments and submitted a report (No. 226)

PREVENTION OF HOG CHOLERA

Mr. CHAMBERLAIN. From the Committee on Agriculture and Forestry I report back favorably, with an amendment, the bill (S. 3439) appropriating funds for the purpose of providing and administering remedies for hog cholera, and I submit a

report (No. 222) thereon. I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The amendment of the Committee on Agriculture and Forestry was, in line 8, after the word "of," to strike out "providing and administering remedies for hog cholera" and insert "the investigation, treatment, and eradication of hog cholera: Provided, however, That not less than \$50,000 of said sum shall be available for expenditure in carrying on examinations and inspections authorized by the act approved March 4, 1913 (37 Stat. L., pp. 832, 833), regulating the preparation, sale, barter, exchange, shipment, and importation of viruses, serums, toxins, and analogous products for use in the treatment of domestic animals, and for the enforcement of the provisions, including detection of violations, of said act and the regulations made thereunder," so as to make the bill read:

Be it enacted, etc., That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$500,000, or so much thereof as in the opinion of the Secretary of Agriculture may be necessary, to be expended, by and under his direction, for the purpose of the investigation, treatment, and eradication of hog cholera: Provided, however, That not less than \$50,000 of said sum shall be available for expenditure in carrying on examinations and inspections authorized by the act approved March 4, 1913 (37 Stat. L., pp. 832, 833), regulating the preparation, sale, barter, exchange, shipment, and importation of viruses, serums, toxins, and analogous products for use in the treatment of domestic animals, and for the enforcement of the provisions, including detection of violations, of said act and the regulations made thereunder.

Mr. BURTON. Mr. President, I hope this bill appropriating \$500,000 for the prevention of hog cholera will be passed without delay. Promptness is required in acting on it. If we wait until the Agricultural appropriation bill is presented and passed, the opportunity to stay the ravages of the disease may be lost.

In this connection I should like to address the Senate briefly on the preventable waste in this country. Very few realize the aggregate loss to the people of the United States from this cause. It is characteristic of our country that everything is on an enormous scale, and in nothing is that enormous scale quite so notable as in losses which for the most part might be prevented by the exercise of care and improved methods. These losses bear with unusual weight upon agriculture.

In the report of the National Conservation Commission, sub-

mitted in January, 1909, which contains the most complete sta-tistics upon this subject, it is stated that the direct and indirect losses from fire in the United States during the year 1907 approximated \$450,000,000, nearly one-half the cost of new construction. A comparison of the standard of construction and fire losses in the larger European countries shows that of this loss four-fifths, or an average of \$1,000,000 per day, could have been prevented.

The loss from floods in the same year was estimated at \$238,000,000. In the year 1913 the flood loss was vastly greater, while the losses from fire, it is gratifying to note, were diminished nearly one-half.

In treating of agriculture the report of the commission, on page 81, states that-

Aside from careless or ignorant farming and such hostile climatic conditions as storms and droughts, the most serious enemies to crops are noxious insects and mammals.

The chief insect enemies of the grains are the corn-root worm, the chinch bug, the Hessian fly, plant lice, grasshoppers, cutworms, and army worms. The worst enemy of cotton is the boil weevil. Fruits are injured chiefly by the codling moth and the San Jose scale, The Bureau of Entomology estimates that the annual damage by noxious insects to growing crops, fruit trees, and grain in storage is no less than \$655,000,000. This total includes the cost of preventive measures which greatly reduce the aggregate loss.

The average yearly loss to animal products from files, ticks, and other insects is estimated at \$267,000,000. This does not include the enormous loss of human life and the cost of disease due to house flies, mosquitoes, fleas, and other germ-carrying insects—a loss much greater than that suffered by the live stock and their products.

The Biological Survey estimates that the damage to live stock and crops by wolves, rats, mice, and other mammals averages over \$100,000,000 yearly.

The average annual loss to stock by disease during the preceding five years was: Among horses, 1.8 per cent; among cattle, 2 per cent; among sheep, 2.2 per cent; and among swine, 5.1 per cent.

The total annual losses to the agriculture of the country, including live stock, animal products, and grain in storage, from insects, mammals, and disease was estimated at \$1,142,000,000, or one-sixth of the total production. Texas fever among cattle caused a loss of \$40,000,000. The estimated loss from hog cholera was \$54,000,000 in a single year. Unfortunately the loss from hog cholera has greatly increased, and the estimate given was unquestionably much too small.

While the conservation of human life and health should always be the first consideration, these increasing injuries to the farming industry of the country demand immediate and thorough attention, and among them all the eradication of hog cholera is the most pressing.

It is hardly necessary to say that the prosperity of the farmer and the maintenance and increase of farming products are objects of universal interest. This is not a mere State or a

local but a national problem.

The food products of one State are the food supplies of another. Grain and live stock are objects of interstate commerce and a proper subject for national appropriation. Whatever may be the theory as to the connection between the State governments and the National Government, appropriations have been made on a very large scale for the extermination of the boll weevil, the gypsy moth, and for a number of animal and plant diseases

With the consent of the Senate, I will include a brief statement of some of these derived from the last agricultural appropriation bill:

BUREAU OF ANIMAL INDUSTRY.

For inspection and quarantine work, including all necessary expenses for the eradication of scables in sheep and cattle, the inspection of southern cattle, the supervision of the transportation of live stock and the inspection of vessels, the execution of the 28-hour law, the inspection and quarantine of imported animals, including the establishment and maintenance of quarantine stations and the alteration of buildings thereon, the inspection work relative to the existence of contagious diseases and the tuberculin and mallein testing of animals, \$654.000: Provided, That of this sum not less than \$75.000 shall be set aside for demonstrating the best method of preventing and eradicating hog cholera.

For all necessary expenses for the eradication of southern cattle ticks, \$325,000.

BUREAU OF PLANT INDUSTRY.

For the investigation and improvement of cereals and methods of cereal production, and the study of cereal diseases, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, \$104,925: Provided, That not less than \$30,000 shall be set aside for the study of corn improvement and methods of corn production.

BUREAU OF ENTOMOLOGY.

BUREAU OF ENTOMOLOGY.

For investigations of insects affecting deciduous fruits, orchards, vineyards, and nuts, \$45,000.

For investigations of insects affecting cereal and forage plants, including insects affecting wheat, corn, oats, rye, barley, alfalfa, clover, etc., \$90,000, of which amount not to exceed \$10,000 shall be expended for the investigation of the range caterpillar.

For investigations of insects affecting southern field crops, including insects affecting cotton, tobacco, rice, sugar cane, etc., and the Argentine ant, \$50,000.

For investigations of insects affecting forests, \$44,750.

For investigations of insects affecting truck crops, including insects affecting the potato, sugar beet, cabbage, onion, tomato, beans, peas, etc., and insects affecting stored products, \$35,000.

For investigations in bee culture, \$15,000.

For investigations of insects affecting tropical and subtropical fruits, including insects affecting the orange, lemon, grapefruit, mango, etc., \$21,500.

For investigations of the Mediterranean fly in the United States, its Territories and possessions, \$35,000.

For investigations of miscellaneous insects, including the study of insects affecting the health of man and domestic animals, household insects, the importation and exchange of useful insects, and experiments with insecticides and insecticide machinery, \$45,000.

In all, for general expenses, \$331,250.

Preventing spread of moths: To enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the gypsy and brown-tail moths by establishing and maintaining a quarantine against further spread in such manner as he shall deem best, in cooperation with the authorities of the different States concerned and with the several State experiment stations, including rent outside of the District of Columbia, the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, \$300,000.

I do not wish to take further time, but I trust the bill will pass immediately, because it is of the utmost urgency to the agricultural States in which hogs are raised. It is also especially urgent that action be taken during the colder weather of the winter when remedial action will be more effective.

It should not be forgotten that there is a close connection between the raising of hogs and that of cattle. The cattle industry and the profits therefrom are dependent in a considerable degree upon the raising of hogs. Thus the prevention of hog cholera will have a very appreciable effect in increasing the quantity of both these varieties of meat.

Mr. BRADY. Mr. President, relative to the bill which is now

Mr. Brady. Mr. President, relative to the bill which is now before us for consideration, we have had this matter before the Committee on Agriculture for some time. Several bills were presented. This last week we called before us Mr. Galloway, the Assistant Secretary of Agriculture, and discussed the matter very thoroughly with him. He made a statement to the effect that the department is thoroughly satisfied that hog cholera can be eradicated and the disease in almost every case prevented by proper scientific treatment and he stated that prevented by proper scientific treatment, and he stated that

action should be taken at an early date when the disease is known to be in a community.

Various appropriations were asked for, \$500,000, \$750,000, and

Various appropriations were asked for, \$500,000, \$750,000, and I believe \$1,000,000, but it was unanimously agreed that \$500,000 spent now would be of as much benefit to the farmers of the country as \$2,000,000 spent in July.

Therefore it was decided by the committee to ask for this smaller appropriation, so that it could be used immediately, and the Agricultural Department be in a position to commence the work of assisting the farmers throughout the country as early as March. The measure has been ably discussed and no serious objection has been made to its passage.

A great many statistics have been presented showing the . great loss to the farmers of the country by the ravages of hog cholera; my own State of Idaho suffered an enormous loss in

1913 on account of this disease.

I noticed a map on the wall of the Senate Chamber the other day, when the junior Senator from Iowa [Mr. Kenyon] was delivering his address on this subject. He stated there were something over 7,000 hogs lost in 1912 in the State of Idaho, valued, I believe, at something over \$100,000. That was quite true for the year 1912, but the hog cholera broke out in my State in 1913, and the disease caused a loss of hogs in that State State in 1913, and the disease caused a loss of hogs in that State amounting to over \$1,500,000. I believe that the Agricultural Department and the State, working in cooperation against the disease, can do a great deal to prevent further loss not only in my State but in the Nation. For that reason the committee decided to ask for this small appropriation at this time, with the hope that the Senate would give the bill immediate and favorable consideration. The Agricultural Department is doing splendid work along these lines, and with this appropriation made will be able to do an improper amount of good before the made will be able to do an immense amount of good before the general appropriation is available in July. For these reasons I hope there will be no objection to the immediate consideration and passage of the bill.

The VICE PRESIDENT. The question is on agreeing to the amendment reported from the Committee on Agriculture and Forestry.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. SMITH of Georgia. Is there a report accompanying the bill?

The VICE PRESIDENT. There is a report.
Mr. SMITH of Georgia. Very well.
The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill appropriating funds for the purpose of the investigation, treatment, and eradication of hog cholera."

FISH-CULTURAL STATION IN FLORIDA.

Mr. FLETCHER. From the Committee on Fisheries, I report back favorably without amendment the bill (S. 1899) to establish a fish-cultural station in the State of Florida, and I submit a report (No. 221) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present

consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It appropriates the sum of \$50,000, or so much thereof as may be necessary, for the establishment of a fish-cultural station in the State of Florida, including purchase of site, construction of buildings and ponds, and equipment, at some suitable point to be selected by the Secretary of Commerce; and provides that before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this act, the State of Florida, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish-cultural work and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding; and provides further, that the operations of said fish-cultural station may be suspended by the Secretary of Commerce whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to zemain so inadequate as to impair the efficiency of said fishcultural station.

Mr. FLETCHER. I ask that a letter from the Department of Commerce in reference to this matter may be read. It is brief.

The VICE PRESIDENT. The letter will be read.

The Secretary read as follows:

DEPARTMENT OF COMMERCE, OFFICE OF THE SECRETARY, Washington, October 24, 1913.

Hon. J. R. THORNTON, United States Senate, Washington, D. C.

United States Senate, Washington, D. C.

My Dear Senators: Referring to your letter of the 20th Instant, transmitting a copy of Senate bill 1899, for the establishment of a fish-cultural station in Florida, the department makes the following statement and recommendation:

It would appear to be very appropriate and desirable for this department to have a fish-cultural station at some suitable point in Florida where both migratory and pond fishes could be handled for the purpose of keeping up the supply in the waters of Florida and of contiguous States. Among the migratory fishes of great economic importance which may be cultivated to advantage in Florida are shad and sturgeon, while the local races of black bass, sunfish, crapple, etc., are among the largest and best in the country.

The form of this bill meets with the entire approval of the department, and its passage is strongly recommended.

Very truly, yours,

E. F. Sweet, Acting Secretary.

E. F. SWEET, Acting Secretary.

Mr. SMOOT. Mr. President, I should like to ask the Senator from Florida whether there is any amendment suggested by the committee to the bill?

Mr. FLETCHER. There is no amendment reported. bill is reported precisely as recommended by the department.

Mr. SMOOT. I will say that the bill is not in the usual form of bills providing for the establishment of fish-cultural stations within the different States, and I was wondering why there should be a difference in a bill for the establishment of such a station in the State of Florida and for those in other States

I will also state to the Senator from Florida that the amount of the appropriation is twice as much as is generally allowed for

the establishment of a fish-cultural station.

Mr. FLETCHER. This appropriation covers the site as well as all other provisions for this fish-cultural station. The form of the bill is the form approved by the department. I do not know in what respect it differs from any similar bill, but I repeat that it is precisely in the form the department desires it shall be.

Mr. JONES. Mr. President, if the Senator from Utah will permit me, I will state that the Department of Commerce sent a letter to the committee setting out that the appropriations heretofore provided in bills which have been passed have been entirely inadequate for the construction of such fish hatcheries as should be constructed, and they recommended that the amount of the appropriation should be increased, and the committee

have accepted their suggestion.

In reference to the form of the bill, I desire to suggest to the Senator from Utah-I did not notice the reading of the first part of the bill-that I think it, with the change suggested by the department, is in exactly the form in which similar bills have heretofore passed the Senate. The bill was introduced to meet the suggestions of the department. Therefore no amendment was necessary to make it conform with bills heretofore passed.

Mr. FLETCHER. I consulted with the department before

introducing the bill.

Mr. SMOOT. I did not say that the Senator from Florida had not done so. What I said was that the wording of the bill is so different from that of other bills establishing fish-cultural stations in other States that I wondered what was the reason for it. This bill provides that there shall be an act of the Legislature of Florida in relation to the culture of fish or the authorization of the Government of the United States to propagate fish within the State. No other bill which we have passed here has had any such requirement as that, and, I repeat, I

wondered why it was so framed.

Mr. JONES. Mr. President, the Senator from Utah is mistaken in that. During the last two years such a provision has been inserted in every bill which has passed the Senate for the

establishment of a fish-cultural station.

I know that the last bill that became a law Mr. SMOOT. for the establishment of a fish-cultural station in the State of

Utah did not include those words.

Mr. JONES. That is true as to the last law, but we have had no law for several years. I know, however, that during the last two or three years such bills as have passed the Senate have all contained such a provision.

Mr. FLETCHER. I know it was recommended by the department. As to the limitation, I am perfectly willing to accept it in that form, and the State is willing to cooperate with the department to that extent. I do not think that it requires an act of the legislature, but it requires cooperation by the authori-

ties of the State.

Mr. SMOOT. Mr. President, I have no objection to the consideration of the bill being proceeded with.

The bill was reported to the Senate without amendment. ordered to be engrossed for a third reading, read the third time, and passed.

PRISON REFORM.

Mr. FLETCHER. On January 15 the Senator from Arizona [Mr. Ashurst] presented a memorial prepared by J. J. Sanders, parole clerk of the Arizona State prison, and it was referred to the Committee on Printing for consideration. I submit a report from that committee which I ask may be read.

The report (S. Rept. 225) was read, as follows:

The Committee on Printing, to which was referred the memorial to Congress prepared by Hon. J. J. Sanders, parole clerk of the Arizona. State prison, as presented by the senior Senator from Arizona [Mr. ASHURST] on January 15, 1914, report the same back, with the recommendation that it be referred to the Committee on Post Offices and Post Roads without printing. The memorial is an argument urging the passage by Congress of an act prohibiting the restriction of a prisoner's mail by State prison authorities. It is accompanied by data relating thereto, and the committee is of the opinion that the manuscript should be referred to a committee having jurisdiction of the subject matter to determine whether it is properly one for consideration by the Federal or State Governments. If the mail regulations of State prisons are for the States themselves to determine, the committee is of the opinion that the memorial submitted ought not to be printed as a Senate document at the expense of the Federal Government.

Mr. FLETCHER. I ask that the report may be agreed to, and that the memorial be referred to the Committee on Post Offices and Post Roads.

The VICE PRESIDENT. The report is agreed to, and the memorial will be referred to the Committee on Post Offices and Post Roads.

MISSISSIPPI RIVER BRIDGE, HANNIBAL, MO.

Mr. SIMMONS. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 9574) to authorize the Missouri, Kansas & Texas Railway Co. to con-struct a bridge across the Mississippi River near the city of Hannibal, in the State of Missouri. A similar Senate bill has been reported from the committee and is now on the calendar.

The VICE PRESIDENT. The Chair is informed the RECORD

discloses that the Senate bill passed last week.

Mr. SIMMONS. If the Senate has passed the bill—I did not know that it had been passed—I ask unanimous consent, then, for the present consideration of the House bill just reported by me.

Mr. SMOOT. I think, Mr. President, before that is done the Senator ought to ask that the former action of the Senate be reconsidered, that the bill be recalled from the House, and the vote whereby it was passed be reconsidered before he asks unanimous consent for the consideration of the House bill.

Mr. SIMMONS. I do not see that that is necessary

Mr. CLAPP. Mr. President, the Senator from Utah is mis-ken. The proper procedure is to pass the House bill and, after it has been passed, then request the recall of the Senate bill and move its indefinite postponement.

The VICE PRESIDENT. There is not any doubt about it.

Is there any objection to the present consideration of the House

Mr. SIMMONS. That is the course I intended to pursue. After I heard that the Senate bill had been passed—I did not know that it had been passed—I intended to move, after the Senate had acted upon the House bill, the recall and indefinite postponement of the Senate bill.

Mr. SMOOT. The Senator can not do that. The bill has

passed the Senate.

The VICE PRESIDENT. The parliamentary situation is absolutely clear. When the House bill is out of the way the Senator from North Carolina can move that the Senate bill be returned from the House, and when it is returned the votes whereby the bill was ordered to be engrossed for a third reading, read the third time, and passed can be reconsidered, and the bill can then be indefinitely postponed.

Mr. SMOOT. It seems to me the proper proceeding is to first ask for the recall of the Senate bill; but I am not going to object if the Senator from North Carolina wishes it done in the

other way.

I wish to state that at the time I made the Mr. SIMMONS. original motion I did not know the Senate had passed the bill. I did know, however, that the Committee on Commerce had reported it favorably, and I supposed it was still on the calendar. Now, that I am advised by the Chair that the Senate has passed the bill, my motion is that the Senate proceed to the consideration of the House bill. I do not think it is necessary that the other motion should precede that and I withhold it until action is taken on the House bill.

What is the bill? I do not think the title Mr. CUMMINS.

has been stated.

The VICE PRESIDENT. The Secretary will state the bill

The Secretary. A bill (H. R. 9574) to authorize the Missouri, Kansas & Texas Railway Co. to construct a bridge across the Mississippi River near the city of Hannibal, in the State of Missouri.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the

Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

I move that the House be requested to re-Mr. SIMMONS. turn to the Senate the bill S. 3625.

The motion was agreed to.

Mr. SIMMONS. I move that the Senate bill be indefinitely

postponed.

The VICE PRESIDENT. The Chair will be compelled to hold that motion out of order until the bill is returned to the

Mr. SIMMONS. Very well, I withdraw the motion for the present.

AMENDMENT TO THE CONSTITUTION.

Mr. CUMMINS. I submit the views of the minority of the Judiciary Committee on Senate joint resolution No. 26, proposing to amend the Constitution of the United States so that amendments can be initiated through the action of the States or through the people of the States. The report is signed by or through the people of the States. The report is signed by seven members of the committee. It is brief, and I ask that it may be printed in the RECORD and also in the usual form.

The VICE PRESIDENT. Without objection, the report will

be printed in the RECORD.

Mr. ASHURST. I hope the distinguished Senator from Iowa

will ask that the views be read as well at this time.

The VICE PRESIDENT. Is there any objection to the reading of the report?

Mr. LIPPITT. How long is the report, Mr. President?

Mr. CUMMINS. I may say that the views are expressed by seven members of the committee, but they are different views. They are all against the report of the committee, but they do not concur with regard to just what should be done. I suppose it would take about three or four minutes to read the whole

Mr. VARDAMAN. I hope it will be read. I should like to

hear it read.

The VICE PRESIDENT. Is there any objection? The Chair

hears none, and the report will be read.

The Secretary read the report (No. 147, part 2), as follows:

[Senate Report 147, part 2, Sixty-third Congress, second session.] AMENDMENT TO THE CONSTITUTION.

Mr. CUMMINS (for himself and Messrs. Ashurst, Walsh, Borah, Nelson, Overman, and Chilton), from the Committee on the Judiciary, submitted the following views, to accompany S. J. Res. 26.

VIEWS OF SENATORS CUMMINS AND ASHURST.

Views of Senators Cummins and Ashurst.

The undersigned Senators, being a minority of the Committee on the Judiciary, beg to submit their views upon Senate joint resolution 26, which has been reported adversely by the majority of the committee.

Aside from the provision for a constitutional convention, which is practically of no avail, amendments to the Constitution must be initiated by Congress by a two-thirds vote of each House. No matter how generally the people desire a change in their organic law, they are powerless unless Congress, burdened as it is with a load of legislation and hampered with its variety of interests, has the inclination to adopt the resolution necessary for the submission of the proposed amendment. A constitution controls legislative body representing the people. A constitution controls legislation, and it seems illogical to subject it to the judgment of the legislature it is to govern. The people should be able to initiate amendments to State constitutions which are limitations upon power, and much more should they be able to initiate amendments to the Federal Constitution, which is a grant of power.

The members of the committee who sign these views are not in entire agreement with respect to all parts of the resolution. Some of them are of the opinion that the legislatures of a reasonable number of the States should have the right to require the submission of an amendment, and that it is not wise to extend the right to primary voters to be exercised through petition. Others believe that the right of initiation should be given not only to State legislatures but also to the voters under proper restrictions. They are, however, of one mind in this, that there should be submitted to the States for approval or rejection an amendment providing that either a proportion of the States or a proportion of the people, or both, should have the power to initiate amendments to our Constitution.

Albert B. Cummins.

ALBERT B. CUMMINS. HENRY F. ASHURST.

VIEWS OF SENATORS WALSH AND BORAH.

While differing from some of the conclusions and principles asserted in the foregoing, I am in favor of an amendment to the Constitution permitting it to be amended on conditions much less onerous than those imposed by the Convention of 1787, and accordingly join in opposing the report of the committee.

T. J. WALSH. WM. E. BORAH.

VIEWS OF SENATORS NELSON AND OVERMAN.

I am in favor of so much of the resolution as permits the legislatures of the several States to propose amendments.

KNUTE NELSON. LEE S. OVERMAN.

VIEWS OF SENATOR CHILTON.

VIEWS OF SENATOR CHILTON.

The merits of the proposed amendment are many.

It is not strange that the States, as well as the people thereof, should find that a Constitution adopted in 1789 needs amendment now; nor is there cause for wonder that they feel that the existing method of making such amendments is cumbersome. The first gantlet to be run is the Congress, where the amendment must receive two-thirds majority in both branches before it can be submitted to the people. Under the rules of the Senate, one-third of the membership has the power to prolong a debate indefinitely. Thirty-two Members (one-third of the Senate's membership) can delay and debate a resolution to amend the Constitution indefinitely; therefore it is in the power of one-third of the Senate—even a less number, in fact—to prevent the submission of an amendment. I think, therefore, that to give a reasonable number of States the power to submit an amendment for ratification is wise and is demanded by the present situation.

I think the limit of time within which the States may ratify is justified by sound principles. It is altogether proper that a proposed amendment, after the lapse of five years, should die unless ratified. The submission of a proposed amendment to the people of the States, if the legislatures desire to do so, can not be objectionable, and no doubt that, with present conditions, habits of thought, and experience before them, the original convention would have adopted that plan. Anything which facilitates the expression of the people's will appeals to me.

The resolution does not abolish the present method of amending the Constitution. It adds another method, and would be used, probably, only in those instances where the people demanded the submission of the amendment and tired of the delays of Congress. By either method the same solemnity for ratification is required.

W. E. Chilton.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 4373) to provide for a commission to codify and suggest amendments to the general mining laws; to the Committee on Mines and Mining.

By Mr. CLAPP:

A bill (S. 4374) to provide for the allotment of members of the Fond du Lac Band of Chippewa Indians in the State of Minnesota; to the Committee on Indian Affairs.

By Mr. BURLEIGH:

A bill (S. 4375) granting an increase of pension to Francis V. Patterson; and

A bill (S. 4376) granting an increase of pension to Truman S. Bigelow; to the Committee on Pensions.

By Mr. BANKHEAD:

A bill (S. 4377) to provide for the construction of four revenue cutters; to the Committee on Commerce.

By Mr. DILLINGHAM:

A bill (S. 4378) granting an increase of pension to Edwin H. Dana; to the Committee on Pensions.

By Mr. CLARK of Wyoming:

A bill (S. 4379) granting a pension to Charlotte Perry; to the Committee on Pensions.

INTERNATIONAL FISHERIES COMMISSION.

Mr. ROOT. I offer the following resolution which I send to the desk, and ask for its present consideration.

The resolution (S. Res. 263) was read, as follows:

Resolved, That the Secretary of State be requested to inform the Senate whether the International Fisheries Commission, created under the treaty concerning fisheries in United States and Canadian waters, concluded April 11, 1908, have completed their work, and whether further regulations under said treaty are now or are soon to be ready for action by Congress.

Mr. ROOT. Mr. President, this resolution relates to a subject of very great importance, the preservation of a great food supply which is in danger of being destroyed unless there are some regulations adopted.

The treaty was made to provide for a joint commission to make regulations for the preservation of the supply in the Great Lakes and the whole St. Lawrence system. The commission was created, and agreed upon certain regulations, which were sent to Congress for its action; but there were a few subjects remaining upon which there seems to have been a failure to agree, or a misunderstanding, and the Congress never acted finally on the regulations which were sent in.

I know the commission has had the subject up, and has been

dealing with it, but I do not know whether or not it has reached a point where the duty rests upon us to act. I am exceedingly desirous that we shall ascertain whether or not it is our duty now to go on and do something; and that is the object of this resolution of inquiry.

The VICE PRESIDENT. Is there any objection to the

present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

AMENDMENT TO THE RULES.

Mr. SHEPPARD. I offer a resolution proposing an amendment to the rules in pursuance of the notice given by me on yesterday.

The resolution (S. Res. 264) was read and referred to the Committee on Rules, as follows:

Resolved. That the above-named committees on expenditures in the several departments shall have within their jurisdiction the following subjects: The examination of the accounts and expenditures of the several departments of the Government and the manner of keeping the same; the economy, justness, and correctness of such expenditures; their conformity with appropriation laws; the proper application of public moneys; the security of the Government against unjust and extravagant demands: retrenchment; the enforcement of the payment of moneys due to the United States; the economy and accountability of public officers; the abolishment of useless offices; the reduction or increase of the pay of officers.

HOUSE BILL REFERRED.

H. R. 6060. An act to regulate the immigration of aliens to and the residence of allens in the United States was read twice by its title and referred to the Committee on Immigration.

ELECTION OF SENATORS.

The VICE PRESIDENT. Morning business is closed, and the calendar under Rule VIII is in order.

Mr. WALSH. Mr. President, I gave notice the other day that at this time I should call up for consideration Senate bill 2860. I ask the Senate to resume the consideration of the bill.

The Senate, by unanimous consent, resumed the considera-tion of the bill (S. 2860) providing a temporary method of conducting the nomination and election of United States Senators.

The VICE PRESIDENT. The pending question is on the amendment proposed by the Senator from Utah [Mr. SUTHER-

Mr. WALSH. Mr. President, before the debate proceeds further, I desire to submit to the Senate some reflections upon a feature of the bill which has been the subject of some consideration heretofore, namely, whether the power of Congress to legislate in the premises extends to that part of the procedure of election commonly referred to as the nomination of candidates.

I am convinced that if those who deny that the authority conferred on Congress by the fourth section of the first article of the Constitution to make regulations concerning the time, place, and manner of holding elections for Senators and Representatives extends to regulations in relation to nominations of candidates for such offices, will but concentrate their attention upon the actual working of the prevailing system of elections, they will—and I make the assertion with the very greatest deference—realize how impossible it is to maintain that any such limitation of the power exists. "Regulations" concerning the holding of elections are required, first, that an election may be held at all, and, second, that such election may be free from error or from the influence of fraud, duress, or corruption. The "regulations" which the Constitution contemplated the States should prescribe, or, in case they should omit to do so, or sufficient reason for its interposition should appear, Congress should enact, were such as should provide the machinery by means of which the public choice might be regularly and authoritatively expressed, and such as assured that such choice might be freely and honestly expressed, justly counted, and accurately returned. Really, the whole purpose might be regarded as embraced in a solicitude to secure a free and fair choice of the electorate. Our election laws, now elaborate and intricate, are a growth. They were developed as the ingenuity of those who sought by nethods open to public condemnation to thwart the public w enabled them to operate with a greater or less degree of success. Until very recent times no very direct provisions were found in the laws of any State by which the right of one who offered to vote could be ascertained. The solution of the question was left very largely to the determination of the judges or inspectors at the very time the vote was offered.

If in a particular State there existed no law, or if the law of any State was by Congress deemed insufficient to secure a just determination at the very time the vote is offered of the right of any individual to participate in an election, it can scarcely be doubted-indeed, it would be idle to assert-that Congress could not make provision to test the right so asserted. Since such provisions as had been made in the several States for the purpose of testing while the election is progressing the right of those offering to vote have been demonstrated to be entirely ineffective, registration laws have become all but universal. Under these the right of those claiming the privilege of voting in any particular precinct is determined in advance. A roll is prepared and none except those whose names are found thereon, sometimes with exceptions, are permitted to

vote at the election. The right of Congress to enact a registration law applicable to congressional elections can not be questioned, such a law being clearly a "regulation" such as is contemplated by the section of the Constitution referred to, the purpose of which is to insure an honest election. It has been fully justified by the decisions of the Supreme Court of the United States. (Ex parte Seibold, 100 U. S., 371; ex parte Coy, 127 U. S., 731.)

A method of election in vogue in earlier times, both in this country and abroad, required that the elector come forward and viva voce announce his candidate, the election officers recording his vote. The constitution of Kentucky once enjoined

Such a system subjected the voter to a multitude of embarrassments. Obviously he would often not act with the freedom desired if his vote was thus made public. That plan would no longer be tolerated. Secrecy was deemed essential to permit the voter to exercise entire freedom in his choice. The system of voting viva voce gradually gave way to the plan of voting by ballot. No one could doubt that Congress, recognizing the evils inherent in the ancient system, might provide that all elections for Members of Congress must be conducted pursuant to the more modern plan. Indeed, it has done so. It decreed by an act passed in 1871 that all votes for Representatives in Congress should be by written or printed ballot. Later this act was amended so as to permit the voter to record his choice by means of a voting machine. It now reads as follows:

"Sec. 27. (Votes by ballot or voting machine.) All votes for Representatives in Congress must be by written or printed ballot, or voting machine, the use of which has been duly authorized by the State law; and all votes received or recorded contrary to this section shall be of no effect. (Fed. St. An., 212.)

The plan of voting by written or printed ballot prepared by the voter or prepared for him, generally, by interested parties, affording abundant opportunities for perpetrating a fraud upon him, and, more dangerous, for the purchase of the vote of the elector, an abuse that became national in its extent and hisfrom its reaching even to the selection of a President of the United States, practically all the States passed laws which forbade and prohibited the use of any ballots at elections except such as were prepared by officers of the Government and were supplied by the election supervisors to the voters as they severally appeared to exercise the franchise. The essential difference between the Australian ballot law and the system which it displaced lies in the fact that under the former the Government provides the voter with a ballot on which appears the names of the candidates nominated by the various political parties, or otherwise among whom he is permitted to select, leave being given him ordinarily to write on the ballot the name of some person as his choice who has not been nominated in any way. It is not open to serious question that Congress might, if it saw fit to do so, make this method of voting Impera-Surely no candid mind, conceding its power at each successive stage of the route we have been traveling, can hesitate But when the Government undertakes to prepare the ballot, it must make some provision by which it shall be known who is the candidate of any particular political party. When the Australian ballot first went into effect in this country, nominations by conventions was the universal method in vogue. So the statutes provided usually that the officers of nominating conventions should be required to file certificates showing the party nominees. About the same time corrupt-practices acts were generally passed and made applicable to the work of conventions and to caucuses and primary elections by or through which delegates to the nominating conventions were chosen. These acts were passed in recognition of the utter futility of making elaborate provision for insuring the regularity of the conduct of the final election and to prevent fraud and corruption thereat, if the malign influences through which they might otherwise be perpetrated were left free to operate in the preliminary proceedings absolutely necessary to be observed in order that the proceeding thus provided for might be put in operation at all. Why Congress may not respond to the same necessities in connection with congressional elections it is difficult to conceive. Let it be admitted that Congress has pre-scribed that the voting for Members of Congress shall be by the Australian system as we have assumed it may. It has already amended the act of 1871 so as to permit voting by ma-chines. That act necessarily contemplates the operation of the Australian system, for the voting machines are devised in conformity to that system alone. Will it not be admitted that Congress might provide that in cities having a certain population the voting must be by machines?

The wisdom of such a law might be questioned; the power of Congress to enact it can not be. If, then, Congress should

insist by proper legislation that the Australian ballot system should be pursued in all congressional elections in order that their purity might be assured, and it was thereafter represented, as the fact would probably be, that the legislation was wholly ineffective because the criminally inclined simply transferred their nefarious operations to the processes by which the party candidates whose names the law required should appear on the ballot were selected, could it be asserted by any candid student that Congress would be powerless to make any regulations controlling such processes? In what respect would such regulations differ from a registration law? Both are intended to accomplish more certainly the result of a fair and free election—the determination of the real choice of the majority. Both are reasonably calculated to attain that result.

It is conceded in the able argument of the junior Senator from Tennessee [Mr. Shields] that the word "elections," as it is used in State constitutions, has often been held, and by courts of the highest character, to extend to and embrace primary elections as well as those through which the ultimate choice is made. A study of the cases in which the more re-stricted significance was given to the term will reveal that not infrequently there were other constitutional provisions which seemed to require that the meaning be so limited. By what rule shall we determine whether the narrower or the wider meaning is to be given to the word as used in the im-portant section under consideration? Shall we be influenced by the fact that primary elections were unknown at the time of the adoption of the Constitution?

In the exigencies which have arisen in our career as a Nation it has been found necessary repeatedly to apply the language of the Constitution to conditions never dreamed of at the time of its adoption by either statesman or seer. Early in its history the Supreme Court, confronted with the necessity of laying down some rule by which the power of Congress in any particular case resting upon the interpretation that should be given to the language of the organic law, said:

The safest rule of interpretation after all will be found to be to look to the nature and object of the particular powers, duties, and rights with all the lights and aids of contemporary history, and to give to the words of each just such operation and force, consistent with their legitimate meaning, as may fairly secure and attain the ends proposed.

And then referring to the particular part of that instrument involved in the case before it, added:

How, then, are we to interpret the language of the clause? The true answer is in such a manner, as consistently with the words, shall fully and completely effectuate the whole objects of it. If by one mode of interpretation the right must become shadowy and unsubstantial and without any remedial power adequate to the end, and by another mode it will attain its just end and secure its manifest purpose, it would seem upon principles of reasoning absolutely irresistible that the latter ought to prevail. No court of justice can be authorized so to construe any clause of the Constitution as to defeat its obvious ends when another construction, equally accordant with the words and sense thereof, will enforce and protect them. (Prigg v. Com. of Pa., 16 Pet., 610-612.)

In the discharge of the duties before us we may very properly attend to the observations of Mr. Justice Story on the rules which had been worked out by the highest tribunal in the land for the resolution of the perplexing questions which so often arise touching the power of Congress.

At section 430 of volume 1 of his Commentaries, he says:

Government presupposes the existence of a perpetual mutability in its own operations on those who are its subjects, and a perpetual flexi-bility in adapting itself to their wants, their interests their habits, their occupations, and their infirmities.

At section 431-

In the interpretation of a power all the ordinary and appropriate means to execute it are to be deemed a part of the power itself. This results from the very nature and design of a constitution. In giving the power, it does not intend to limit it to any one mode of exercising it exclusive of all others. It must be obvious that the means of carrying into effect the objects of a power may, nay, must be varied in order to adapt themselves to the exigencies of the nation at different times. A mode efficacious and useful in one age or under one posture of circumstances may be wholly vain or even mischievous at any other time.

And at section 432-

In the practical application of government, then, the public functionaries must be left at liberty to exercise the powers with which the people by the Constitution and laws have intrusted them. They must have a wide discretion as to the choice of means, and the only limitation upon that discretion would seem to be that the means are appropriate to the end.

If in the experience of the several States it has been found almost if not altogether indispensable, in order to secure a perfectly free and fair election, to assume control over the machinery by which political parties nominate candidates to be voted for by the whole people, why should Congress in legis-islating under a power authorizing it to make regulations conislating under a power authorizing it to make regulations con-cerning the manner of holding elections for Senators and Rep-resentatives, granted to enable it to insure a free and fair

election with respect to such officers, be denied the right similarly to prescribe how and when the candidates for those offices who shall claim a place on the official ballot shall be nominated? Laws touching the manner in which candidates of political parties claiming the right to official recognition as such shall be nominated are as much a part of the election machinery as laws requiring registration. A compilation of the election laws of a State which should be wanting in those respecting nominations by conventions or primaries, if there were any such, could scarcely be conceived of by the ordinary mind. In view of the universality of such laws, one expects, as a matter of course, to find them in every collection of the election laws of any State. If we reject the rule that, in determining the extent of the grant of power to Congress under the section of the Constitution here considered, we are to consult the end to be secured by it and to inquire whether the purpose of the legislation is more certainly to attain that end, and whether it falls reasonably within the scope of the language of the grant, there is left no guide by which we may say what legislation Congress may enact to insure the sanctity of the proceedings in virtue of which membership is claimed in this body. Certain it is that, in view of recent history to which we can not shut our eyes if we would, unless Congress can legislate concerning the method by which party nominations are now made the power vested in it is a barren, futile thing and might as well be abandoned.

The legislation before us may be unwise. I do not share that view. It may be impolitic. I am convinced to the contrary. But that is beyond the power of Congress to enact; it can not, I respectfully assert, entertaining as I do the most profound respect for the learning of the distinguished Senators by whom it is advanced, be upheld upon any theory of the Constitution that would not make of it a vain and useless thing. I venture to suggest that they might wisely accept the principle embodied in this bill, that though Congress may legislate concerning nominations of candidates for Members of either House, it ought under all ordinary circumstances simply to give efficacy, if necessary, to such regulations at the States themselves have prescribed.

Mr. BORAH. Mr. President, the entire subject of the control of the Federal Government over elections has become one of considerable interest of late, and the subject may well be considered from the view which has been advanced by the President in his late message to Congress. The message, in treating of the subject of Federal elections and the control of the Federal Government over the election of Federal officers, reads as follows:

I turn to a subject which I hope can be handled promptly and without serious controversy of any kind. I mean the method of selecting nominees for the Presidency of the United States. I feel confident that I do not misinterpret the wishes or the expectations of the country when I urge the prompt enactment of legislation which will provide for primary elections throughout the country at which the voters of the several parties may choose their nominees for the Presidency without the intervention of nominating conventions. I venture the suggestion that this legislation should provide for the retention of party conventions, but only for the purpose of declaring and accepting the verdict of the primaries and formulating the platforms of the parties; and I suggest that these conventions should consist not of delegates chosen for this single purpose, but of the nominees for Congress, the nominees for vacant seats in the Senate of the United States, the Senators whose terms have not yet closed, the national committees, and the candidates for the Presidency themselves, in order that platforms may be framed by those responsible to the people for carrying them into effect.

It is not to be assumed that the President had not fully considered, both from the standpoint of policy and of constitu-tional power, the question of enacting a national primary law before his delivery of this message, and it is not to be assumed that he did not, as the result of consideration before delivering the message, come clearly to the conclusion that it was within the power of the Federal Government to provide national primaries for the nomination of candidates for the Presidency of the United States.

There is no suggestion made in the message with reference to a constitutional amendment. On the other hand, the inference to be drawn-and it seems to me the only inference that can be drawn from the message-is that legislation alone is necessary in order to accomplish it, for the message says:

I turn to a subject which I hope can be handled promptly and without serious controversy of any kind. I mean the method of selecting nominees for the Presidency of the United States. I feel confident that I do not misinterpret the wishes or the expectations of the country when I urge the prompt enactment of legislation which will provide for primary elections throughout the country at which the voters of the several parties may choose their nominees for the Presidency without the intervention of nominating conventions.

ate the purposes outlined in his message. This seems to be a conclusion wholly different from the conclusion which it would seem from the language the author of the message entertained.

Mr. President, I am not going to discuss that proposition to-day. I only want to say that if it be now the view of the President and his advisers that a constitutional amendment is necessary, no time should be lost in urging that constitutional We know the conditions which will confront an amendment of that kind, and this legislation can not be enacted "promptly" nor this purpose effectuated "promptly" unless we proceed without delay to the urging of a constitutional amendment, if that seems to be necessary. I do not express at this time a view as to the necessity of a constitutional amendment, but I express a most earnest hope for early action-whatever action may be deemed necessary to bring about the result.

I am clear in my own mind that the President did not have

a constitutional amendment in view at the time, and I do not know that he has it in view now. However, I do not rise to discuss questions of a national primary, but to use it as a preface to what I am going to say upon the other question.

Whatever doubt there may be as to the constitutional power to do that which the President suggests ought to be done, there is, to my mind, no doubt whatever of the power of Congress to provide for the nomination at primaries of Senators and Representatives as the Constitution now reads with reference to the election of Senators. It is clearly within the power, in my judgment, of the National Government, under the provisions of the National Constitution, to control the election of the Congress from the first step to the last. When the fathers referred to the manner of holding an election they treated it as a unit, and whatever pertains to an election which in the wisdom of Congress should constitute an election, the manner of bringing it about or effectuating its final purpose comes within the purview of the language of the Constitution with reference to the manner of holding an election. If we think that the candidates who are to receive our votes should be nominated through primaries, then we make it a part of our system of Federal "elections

It has been said in the discussion here that some of the State decisions have given a narrow construction to the word "election." These State decisions are, to my mind, not conclusive, although they may be persuasive. They were construing a State constitution, and they gave to the constitution a narrow construction for the purpose of upholding primary election laws. But here we are construing, Mr. President, a national fundamental law of government, and we ought to take into consideration that when the fathers framed this Government they framed an elective Republic, a Government which can not exist without elections. When they came to treat of the subject of elections, they were treating of a subject which was vital to the existence of the Government, and it is not to be assumed, unless the express language of the Constitution is to the contrary, that the fathers intended to put into operation a form of government in which the question of the control of elections was absolutely vital to its existence without retaining in the power of that Government the control of that thing which was vital to its existence. We could not have a Republic without an election. The kind of Government which they organized could not exist without elections. And it seems clear that when they refer to the manner of holding elections they could but have referred to the subject as a whole and that the manner of holding an election could and would cover any step from the beginning to the close of the election.

As was said by Chief Justice Marshall in an early decision,

there was no intent manifested on the part of the fathers to make the National Government dependent for its existence upon subordinate governments; there was no intent on their part to organize a Government which depended for its existence upon the volition or the will of another Government. Whatever powers were granted to the National Government were intended to be exercised from that standpoint. As was said by Marshall:

No trace is to be found in the Constitution of an intention to create a dependence of the Government of the Union on those of the States for the execution of the great powers assigned to it. Its means are adequate to its ends, and on those means alone was it expected to rely for the accomplishment of its ends. To impose on it the necessity of resorting to means which it can not control, which another Government may furnish or withhold, would render its course precarious, the result of its measures uncertain, and create a dependence on other governments, which might disappoint its most important designs, and is incompatible with the language of the Constitution.

Here was a Government organized which could not start and could not continue or maintain itself for a fortnight without elections. It came into existence by virtue of them. To say that the National Government can not determine the manner of holding elections, from the beginning to the end, in order to protect the elections from all those influences which tend to corrupt and destroy a Government, or to secure the best possible public

servants, is to withhold from the National Government a most vital element of national existence.

It has been said, of course, that there were no primaries at the time of the adoption of the National Constitution, and that, therefore, the fathers could not have had in contemplation the question of a primary when they referred to elections. Certainly not; there were no primaries; but they did not undertake, in making a Constitution, to prepare a schedule of the things which might be done under that Constitution. They were preparing an instrument for a living, progressive, active, dominant, aggressive people which granted general powers, and with those general powers followed those things which were necessary and essential to the execution of those powers. Customs, habits, and conditions would change, and though changed the general subject matter covered by the grant covers all things necessary to be done under the change.

When the fathers said that the National Government should control or direct the manner of holding elections, as with reference to many other matters with which they dealt, they had in contemplation not an election of the seventeenth or eighteenth century, but such an election as changed conditions and environments and the progress of humanity might work out to a final and effective conclusion. At that time we had no telegraph, we had no telephone, we had no railways; yet would anyone say that the interstate-commerce clause of the Constitution should be confined in its operation to the manner of transportation which existed at the time of the framing of the Constitution? As stated by the Supreme Court:

Constitutional provisions do not change, but their operation extends to new matters as the modes of business and the habits of life of the people vary with each succeeding generation.

It is immaterial what constituted an election in the morning of the eighteenth century; it is wholly immaterial under the conditions as they then existed; but whatever constitutes an election to-day in the contemplation of the people, whatever constitutes a method, the wisest and most effective which can be had for securing the best possible public servants, is just as much a part of an election under that provision of the Constitution as any step in an election in the simpler form was at the time of the adoption of the Constitution.

I call attention, Mr. President, to some language found in the case of ex parte Yarbrough, which, it seems to me, we may at least consider in connection with this subject, although, of course, the specific question was not then before the court. The line of argument, however, and the principle adopted by the court can not be other than instructive at this time. The court said:

That a government whose essential character is republican, whose executive head and legislative body are both elective, whose most numerous and powerful branch of the legislature is elected by the people directly, has no power by appropriate laws to secure this election from the influence of violence, of corruption, and of fraud, is a proposition so startling as to arrest attention and demand the gravest consideration.

If this Government is anything more than a mere aggregation of delegated agents of other States and governments, each of which is superior to the General Government, it must have the power to protect the elections on which its existence depends from violence and corruption.

Mr. President, as we have progressed from time to time we have found that one of the most effective means by which we secure desirable results of the ultimate facts in an election is to control the manner of nominating the candidates. It is now regarded by all parties as an essential part of the correct machinery and modus operandi of holding an election, and all of the State decisions which have been referred to and cited as in opposition to this proposition nevertheless treat a primary as a part of the machinery of an election. It is one of the steps which is taken, an essential and a necessary step which is taken, to secure a desirable ultimate result. It is therefore well within the reasoning of the Yarbrough case to say that it could not have been in the contemplation of the fathers that they were forming an elective republic and not giving to those who would come in after years the means of absolutely protecting from beginning to end the method of selecting those who were to conduct the public affairs of that republic.

In my humble judgment, Mr. President, the Congress of the United States has as complete control over the manner and method of electing a Federal elective officer from the first step to the last as a State has control over its elective officers, and that which is deemed an election under a State law can be no less than an election under a Federal law, and that which is desirable and essential to bring about a proper election under a State law must, by the same parity of reasoning, be considered as desirable in bringing about a proper election under a Federal law. Therefore we are not permitted to construe the word "election" within the narrow limits which would relate solely to the ultimate result or the final step by which the officer was selected. In other words, as Mr. Webster said in treating of the commerce clause, when the fathers referred to the subject 'commerce," they referred to it as a unit encompassing every part of the subject as an entirety and not merely a part of it; not the last step, the middle step, or the beginning, but the entire subject was turned over to the Congress. The subject "Elections" is treated as a unit, and primaries are now an essential part of a twentieth-century election.

In the case of Ex Parte Siebold the court said:

In the case of Ex Parte Siebold the court said:

In view of the fact that Congress has plenary and paramount jurisdiction over the whole subject, it seems almost absurd to say that an officer who receives or has custody of the ballots given for a Representative owes no duty to the National Government which Congress can enforce, or that an officer who stuffs the ballot box can not be made amenable to the United States. If Congress has not, prior to the passage of the present laws, imposed any penalties to prevent and punish fraud and violations of duty committed by officers of election, it has been because the exigency has not been deemed sufficient to require it and not because Congress had not the requisite power.

Whenvery the court has approached this subject it has dealt

Wherever the court has approached this subject it has dealt with it on broad and comprehensive lines. We are to take no

step backward.

Mr. President, when the bill which was known some years ago as the "force bill" was up for consideration, Mr. Tucker, and other distinguished and exceedingly able men who argued the proposition, did not argue that under this clause of the Constitution under which we are proceeding the power did not belong to the Government of the United States because of the narrow construction which is now placed on the word "election." Mr. Tucker admitted that if the State failed to act the power of Congress would be complete and that the National Government might take charge of the election, just the same as a State might take charge of the election of its own officers. In the mind of Mr. Tucker, judging from his argument, the construction placed on the word "election" was not to be narrowed down to what some now insist it should be, but that if the State failed to act the power was complete in the National Government.

The law which was passed, I think in 1870, took control, in a large measure, of Federal elections. Many things were done under that law which, in my judgment, would be far more difficult to defend as a constitutional proposition than the orderly and legal manner of placing men in nomination for election. The court sustained the law and sustained it upon the broad ground that under this particular clause of the Constitution the power of Congress was plenary as to the holding of elections, in order that the Government might not only have servants whom the people really desired, but that they might have them through elections relieved of all taint of corruption or misuse of

local power.

Mr. President, I again call attention to the language of the Constitution:

SEC. 4. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

In Article I, section 2, we find this provision:

And the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Of course, Mr. President, it has long been decided and finally and ultimately determined by the Supreme Court that, while we can not fix the qualifications of the voter, while the qualifications of the voter are to be fixed by the State, as soon as the qualifications of the voter are fixed, the right to cast the vote is a right guaranteed by the Constitution of the United States and is completely within the control and under the jurisdiction of the Congress of the United States; that the right to cast the vote, the manner in which the voter shall cast it, and the control of the casting of the vote is not one with which the United States Government has parted. The Constitution left to the States the fixing of the original qualifications, but after the qualifications are fixed by the States it then becomes a Federal The Federal Government may, in any manner it sees fit, prescribe the law which shall insure the exercising of that right in the manner in which the voter desires to exercise it.

Said the Supreme Court in One hundred and seventy-nine

United States Reports:

The right to vote for Members of Congress of the United States is not derived merely from the constitution and laws of the State in which they are chosen, but has its foundation in the Constitution of the United States.

Again it is said-and this is the Yarbrough case (110 U. S.,

But it is not correct to say that the right to vote for a Member of Congress does not depend upon the Constitution of the United States. The office, if it be properly called an office, is created by the Constitution, and by that alone. It also declares how it shall be filled, namely, by election. Its language is, "The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifica-

tions requisite for electors of the most numerous branch of the State legislature."

That requisite is now provided for with reference to United States Senators. So, Mr. President, we have the qualifications of the voter established and fixed by the State, and as soon as they are fixed the right to cast that vote becomes a right guaranteed by the Constitution of the United States, subject to the control and to the jurisdiction of the Congress. Congress may prescribe such methods and such manner as it sees fit for the purpose of having that vote properly cast and properly recorded. This is a most important proposition to bear in mind, as we construe the other provision of the Constitution with reference to the manner of holding elections. If the best method is deemed to be that of a primary, by which to secure the nomination of the parties, in order that the election may be properly and orderly conducted, in order that, in the judgment of the Congress, the best officers may be selected, that is one method which may be adopted for the purpose of exercising the general power which the Government has to protect its Federal

Whichever view we take of the subject matter, whether we confine it to the one provision of the Constitution or take into consideration both, we can not do otherwise than conclude that a public depending for its existence upon elected officers must necessarily have control of the manner of holding the elections, and nothing but an express provision of the Constitution delegating that control elsewhere would prevent the conclusion that it is retained by the National Government.

Mr. SUTHERLAND. Mr. President, I have only a word or

two to say upon this subject.

I have not the slightest doubt as to the power of the General Government, not only to regulate the actual holding of the election so far as that involves the machinery that is in operation upon the day of election and all of the incidents surrounding the day of election, but also to regulate all of the preliminary steps which lead up to and are necessary prerequisites of the holding of the actual election itself. I think that necessarily follows from the provisions of section 4 of the first article of the Constitution.

The Constitution provides that the Members of the House of Representatives shall be chosen every second year by the people of the several States, and, under the seventeenth amendment, that the Senate shall be composed of two Senators chosen from each State by the people thereof. In order that all the necessary machinery for electing Representatives and Senators might be in existence section 4 of Article I provides:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof.

I think there can be no doubt that under those three words, "times, places, and manner," every element which is necessary to an election may be prescribed by the legislature of the State. The mere balloting, the mere reception of the votes, the mere counting and announcing of the result is not sufficient. There must be, in the first place, voters who are qualified under the provisions of the State constitutions and laws to cast their votes. They are as necessary to an election as the actual depositing of the ballots themselves. There must be candidates for whom the voters may cast their ballots. They are as necessary under our form of government as the voters themselves, and they must be provided for by proceedings which antedate the actual balloting. So, under the provision of the Constitution that the times, places, and manner of holding the election may be prescribed, there can be no doubt that the State legislature may provide for the registration of voters, the nomination of candidates, and the appointment of judges of election or inspectors of election, although each of those things precedes the actual holding of the election.

Whatever the State legislature may do in that regard, under this provision of the Constitution Congress itself may do, because the provision continues:

But the Congress may at any time by law make or alter such regulations.

Namely, such regulations as the State legislatures are authorized in the first instance to prescribe. So anything which the State legislatures can do by virtue of this provision of the Constitution, necessarily the Congress itself can do, either by way of making the regulations originally or by way of altering those which have been made by the State legislatures, if Congress is not satisfied with the regulations which have been made.

wards repealed; but so long as it was in operation nobody doubted the power of the General Government to do that. Certainly if we have the power to supervise the registration of voters, which is a step antecedent to the holding of the election, we have the power to regulate the nomination of candidates. I

can see no difference between the two things.

The Senator from Idaho [Mr. Borah] calls attention, however, to another phase of the election question, and that is with reference to primary elections for electors of the President and Vice President of the United States. While I have no doubt whatever as to the power of Congress to regulate the holding of elections for Representatives and Senators, and within that power to regulate all the preliminary steps leading up to the election itself, I base my conclusion in that regard upon the language of the Constitution. When, however, we come to the provisions of the Constitution with reference to electors of President and Vice President we find an altogether different situation. The language of the Constitution in that regard is:

Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress—

And so on

In that instance the power is devolved upon the State legislature to prescribe the manner of appointing electors, and no supervisory power is reserved to Congress by the Constitution. The power is conferred upon the legislature alone. Congress is given no authority whatever, either in the first instance to regulate the manner of appointing presidential electors or to alter such regulations as the State legislature may make in that respect.

The absence of any such provision with reference to electors as we find with reference to Representatives and Senators is further emphasized by the affirmative provision in the Constitution, a little later along, that—

The Congress may determine the time of choosing the electors and the day on which they shall give their votes, which day shall be the same throughout the United States.

Taking those two provisions together, it seems to me there can not be the slightest doubt that the power of Congress over the appointment of electors is limited to prescribing the time when they shall be chosen, and that it can not prescribe either the place or places or the manner of choosing the electors.

Therefore it seems very clear to me that, while Congress has the undoubted power in the one case, it has no power whatever to deal with the subject of primaries, so far as presidential electors are concerned. Of course, we might pass a law such as the President recommends, but it would be nothing more than good advice or bad advice, according to the point of view of the individual who was looking at it. It could not be law, because there is no constitutional warrant for it. If it is law, it must be enforceable. How could it be enforced?

be enforceable. How could it be enforced?

The Constitution says that "each State shall appoint, in such manner as the legislature thereof may direct, a number of electors," and so forth. Suppose Congress passes a primary law directing that these electors shall be selected at primary elections in particular ways, and some State chooses to disregard the law of Congress and appoints its electors in the manner that its legislature has directed, and it turns out that that is an altogether different method from that which is directed by the congressional primary law. Under the provisions of the Constitution, would we have any right to refuse to receive the votes of those electors? It seems to me clearly we would not.

Therefore, so far as I am concerned, I entirely disagree with the view apparently entertained by the President in this message as to the authority of Congress to deal with the subject of presidential primaries at all.

I have an amendment pending to this bill which I desire very briefly to discuss again, but I notice that the Senator from Tennessee [Mr. Shields] rose, and I presume he desires to be heard upon this question. Therefore I shall defer until a little later what I have to say upon the amendment.

[Mr. SHIELDS addressed the Senate. See Appendix.]

The PRESIDING OFFICER (Mr. Chilton in the chair). The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated by the Secretary.

The Secretary. A bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

Mr. WALSH. I believe the general discussion on Senate bill 2960 has almost reached a close. I ask the Senator from

Georgia whether he would not be quite willing to allow us to go on with it?

Mr. SHIELDS. I am perfectly willing that it shall go over.

Mr. SMIELDS. I am perfectly withing that it shall go over.
Mr. SMITH of Georgia. I desire to conform to the wishes of
the Senate, and if the bill which has been before the Senate
this morning could be completed in a reasonable length of time,
I think it would facilitate the business of the Senate; and while
I regret very much to lay the agricultural extension bill aside
temporarily, I think I ought to consent to do so. However, in
doing so I wish also to add that to-morrow morning, immediately
after the close of the morning business, I shall ask the Senate to
take up the agricultural extension bill without waiting for 2
o'clock. I understand from the Senator from Montana that this
discussion will probably be over in an hour; at least I have
been told so.

Mr. SHIELDS. I can not state how long the discussion will continue. Really, I prefer that the bill should go over. I do not wish to interrupt the unfinished business.

Mr. SIMMONS. Mr. President, I would suggest to the Senator from Montana that the Senator from Georgia [Mr. Bacon], who has been profoundly interested in the bill he has in charge, is at present detained from the Senate by illness. Does not the Senator from Montana think it might be well, as there is no special hurry about this measure, to let it go over until the senior Senator from Georgia returns to the Senate?

Mr. WALSH. I was not unmindful, Mr. President, of the interest of the Senator from Georgia [Mr. Bacon] in the measure. However, before he left the Senate, some days since, when he was complaining of illness, I spoke to him about the matter and said I should be glad to take it up at his convenience; and he then stated to me that he did not desire to say anything further in connection with the bill, and that I need not defer it on his account. If, however, his colleague will say to me that the senior Senator from Georgia would like to be here, I should hesitate very much to press the measure to a determination in his absence.

Mr. SMITH of Georgia. I know that my colleague is very much interested in the bill, but he has not said to me that he desired to have it delayed on account of his absence.

Mr. WALSH. Very well; as there seems to be some question about it, I shall not ask to have a vote on the bill to-day.

Mr. SMOOT. I wish to state that this is a Senate bill, and it has to be acted upon in the House. If not acted upon before the adjournment of the present session, in many of the States an extra session of the legislature will have to be called. I believe it would be a splendid thing for the Senate to act upon the bill at an early day, in order that the House might receive it and act upon it before the adjournment of the session.

Mr. SIMMONS. I do not think there is a Member of the Senate who does not desire that the bill shall be acted upon during the present session of Congress. I do not think there is the slightest danger of Congress adjourning until we have acted upon it.

Mr. SMOOT. I hope that may be the case, but the Senator knows that legislation in the House moves very much more slowly than it does here.

Mr. SIMMONS. A bill of this sort will be certain, I think, to secure consideration in both Houses before final adjournment. Everyone concedes the absolute necessity of some legislation along this line.

Mr. SMOOT. I would not do anything to retard the passage of the unfinished business, as the Senator from Georgia knows, but that is a House measure, and I am sure that it can be passed either to-day or to-morrow at least. Therefore I thought if there was no real objection it would be the proper course for the Senate to lay the unfinished business aside and finish this measure this afternoon. If there is objection to that, of course that ends it.

Mr. VARDAMAN. Mr. President, I wish to add to what has been said regarding the interest of the senior Senator from Georgia [Mr. Bacon] in this matter, that he discussed it with me, and I do not think a measure has come into the Senate in which he is more deeply interested than the question of the control of the nomination of Senators by a law enacted by Congress. I am very sure that he wants to submit some observations upon the bill, and if he could be here I would be very glad indeed for him to have that opportunity.

Mr. WALSH. Mr. President, in view of what has been said,

Mr. WALSH. Mr. President, in view of what has been said, with the permission of the Senator from Georgia, I shall move, then, that on the disposition of the bill now in charge of the junior Senator from Georgia the Senate will resume the consideration of Senate bill 2860.

The PRESIDING OFFICER. Does the Senator from Mon-

tana submit that as a motion or give a notice?

Mr. SMOOT. I do not think a motion would be now in order.

Mr. SIMMONS. The Senator can not make a motion now.

Mr. SMOOT. Even if a notice is given, if the Senator desires to give a notice, I wish to call his attention to a notice already given by the Senator from Arizona [Mr. ASHURST] that immediately following the disposition of House bill 7951, the cooperative agricultural extension bill, he will move to proceed to the consideration of Senate joint resolution No. 1. That notice is already upon the calendar, as the Senator from Montana will see. The Senator from Montana will lose no right whatever by giving no notice, and if the Senate desires to take up his bill at that time, of course it can do so.

Mr. WALSH. Let me inquire of the Senator, would that notice take precedence of the notice given by me with respect to the bill now under consideration, which follows immediately

on the calendar?

Mr. SMOOT. I think the notice of the Senator from Arizona was given prior to the notice of the Senator from Montana. so, naturally the notice of the Senator from Arizona would take precedence so far as a notice is concerned.

Mr. WALSH. Then I withdraw the request.

The PRESIDING OFFICER. The unfinished business will be proceeded with.

COOPERATIVE AGRICULTURAL EXTENSION WORK.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

Mr. JONES. I submit an amendment which I ask to have

The PRESIDING OFFICER. The Senator from Washing-

ton submits an amendment which will be read.

The Secretary. On page 2, line 10, beginning with the word "Provided," strike out the clause "That in any State in which two or more such colleges have been or hereafter may be established, the appropriation hereinafter made to such State shall be administered by such college or colleges as the legislature of such State may direct," and insert in lieu thereof the fol-

lowing:

That no money shall be paid out under this act to any State to be administered by any college in which a distinction of race or color is made in the admission of students, but payment to any State in which there are separate colleges for white and colored students shall be held to be a compliance with the provisions of the act if the funds received in such State be equitably divided as hereinafter set forth: Provided further, That in any State in which two or more such colleges have been or hereafter may be established, or in which there has been one college established in pursuance of the act of July 2, 1862, and also in which an educational institution of like character has been established, or may be hereafter established, and is now aided by such State from its own revenue for the education of colored students in agriculture and the mechanic arts, however named or styled, or whether or not it has received money heretofore under the acts of 1862 and 1890, above referred to, the legislature of such State shall propose and report to the Secretary of Agriculture a just and equitable division of the appropriation hereinafter to be made to such State between one college for white students and one institution for colored students, and when approved by him the share in said appropriations, as determined by such division, of such institution for colored students shall be administered by such college for white students, shall be administered by such institution for colored students.

Mr. WORKS. Mr. President—

Mr. WORKS. Mr. President-

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from California?

Mr. JONES. Certainly.

Mr. WORKS. I should like in this connection to send to the desk a telegram which bears directly upon the amendment offered by the Senator from Washington, and ask to have it

The PRESIDING OFFICER. The Senator from California sends to the desk a telegram, which will be read, without objection.

The Secretary read as follows:

OAKLAND, CAL., February 3, 1914.

OAKLAND, CAL., February 3, 1914.

Hon. John D. Works,
United States Senate, Washington, D. C.:

The northern California branch of the National Association for the Advancement of Colored People, representing the interests of 10,000 colored people and their friends about San Francisco Bay, urge you to vote for the Jones amendment to the Smith-Lever bill relative to the Government appropriation for agricultural extension, thus assuring justice to the negro in the South.

CHRISTOPHER RURSS.
WALTER A. BUTLER.
Miss Eva B. Jones.
Miss Eva B. Jones.
JAMES A. HACKETT,
W. N. RICKS.

Mrs. H. E. DEHART,
W. N. RICKS.

Mr. JONES. Mr. President, the amendment which I have offered has been printed and has been on the desks of Senators for some time. It is changed in one particular. The amendment as I originally introduced it provided that the plan proposed by

the legislature of the State should be approved by the Secretary of the Interior. I have changed that in the amendment, as now offer it, to the Secretary of Agriculture, so as to correspond with the other provisions of the bill.

This legislation, Mr. President, I consider to be of very great importance. It is intended to assist in the development of the agricultural resources of the country, and whatever development can be brought about in the agricultural resources of the country must redound to the happiness, comfort, and prosperity of the people. With the general purposes of the bill I am in very hearty accord, although I fear that the results hoped for

will not come from its passage.

I think it very doubtful, however, if the Congress of the United States can afford to pass legislation of very great importance at the cost of making a great class of the citizenship of the country feel that they have been unjustly and unfairly treated by such legislation, no matter what its importance may be. As I view the bill, it will, as now framed, result in causing a very large class of our citizens to feel that they have been unfairly treated by the bill. In fact, I believe that under the operation of the measure they will be very seriously discriminated against. The purpose of my amendment is to prevent such a discrimination as far as possible. The bill now provides as follows:

That in order to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same, there may be inaugurated in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of the act of Congress approved July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts" (12 Stat. L., p. 503), and of the act of Congress approved August 30, 1890 (26 Stat. L., p. 417), agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture.

It also provides that-No portion of said moneys-

That is, the money appropriated under this actshall be applied, directly or indirectly, to the purchase, crection, preservation, or repair of any building or buildings.

I understand that under this act, if passed, during the next seven years there will be appropriated for the colleges indicated in the bill some fifteen or twenty million dollars, and this proviso is contained in the bill as it is now framed:

Provided, That in any State in which two or more such colleges have been or hereafter may be established the appropriations hereinafter made to such State shall be administered by such college or colleges as the legislature of such State may direct.

Under that proviso of the bill I do not believe there will be any other than one result. That result will simply be that in certain of our States the legislatures will provide that all the fund going to the State shall be used by the white college in the State. There are 16 or 17 States in the Union that have separate agricultural colleges for white and colored students. In view of what has been done in the past with reference to appropriations made by the National Government, I do not believe there is any doubt but that all the fund provided under the terms of the bill and under the proviso I have just read would go to the colleges for white students in these various States. I doubt if the friends of the measure will even contend otherwise.

What has been done under the acts of Congress with reference

to the organization and the development of agricultural col-leges? The act of 1862, which provided for the organization of agricultural colleges, gave to each State 30,000 acres of public land of the United States for each Senator and Representative in Congress. It was provided that the proceeds from those lands should go into a fund that should be undiminished. The income of this fund was to go to the organization, support, and the development of agricultural colleges in the various States. If any part of the fund was lost or misapplied, then it was to be made good by the State. There was no provision in the act that there should be any division between different colleges. In fact, there was no occasion for any legislation of that character at that time. As a result of that fact there was no provision with reference to the disposition of this fund that would prevent all of it from going to colleges to which white students alone were admitted.

The fund has been divided in this way: Three million one hundred and seventeen thousand and six hundred dollars has gone to the colleges where white students are received and educated, and \$201,285, or only about 8½ per cent, to colleges where colored students are received. So under the original act a very large part of the fund arising from it has gone exclusively to colleges for white students, and the colleges for colored students have received practically nothing—as I said, only 81 per

The act of 1890 appropriated \$15,000 a year and \$1,000 additional each year for 10 years for the support of these agricul-

tural colleges, until the annual amount appropriated would be \$25,000 a year. This was to come from the proceeds of the sales of public lands. In that act there was inserted substantially the provision that is contained in my amendment. words, in the act of 1890 it was provided that a plan should be proposed and submitted by the State legislatures to the Secretary of the Interior for the distribution of the money arising under that act for the benefit of white colleges and colored colleges.

Under the act of 1907 Congress appropriated \$5,000 additional, and provided that \$5,000 additional for each year for five years should be added to the amount appropriated in the act of 1890, and thereafter we were to appropriate \$50,000 a year for the support and maintenance of agricultural and mechanical colleges. That act provided that this fund should be used and administered in accordance with the terms of the provisions of the act of 1890.

So under the two acts of 1890 and 1907 we have had a fund distributed in substantially the same way as is provided in the amendment that I have proposed.

Under these two acts a reasonably fair disposition of this fund has been made. The income to the colleges under the two acts has been divided substantially as follows:

The colleges educating white students have received \$609,521.63 and the colleges educating colored students \$240,478.37, or about 28 per cent.

Under the acts of March 2, 1887, and March 16, 1906, experi-mental stations were provided for in connection with agricultural colleges. In the law providing for these experimental stations no provision was made requiring any of the money appropriated under those acts to go to agricultural colleges for colored students, and as a result none of the fund has gone to those colleges, at least substantially none. In 1912 in 12 States of the Union each State received \$30,000 for its experimental stations, and not a dollar went to colleges where colored students were admitted and educated.

Mr. SMITH of Georgia. I should like to ask the Senator how

much went to white colleges? Mr. JONES. Thirty thousand dollars went to experimental stations in connection with agricultural colleges for white

Mr. SMITH of Georgia. No.

Mr. JONES. It went to experimental stations in the States-Mr. SMITH of Georgia. Yes.

Mr. JONES. In 12 States it went where white students were Mr. SMITH of Georgia. Not at all; they were not educated

at the experimental stations. Mr. JONES. I mean they took the course carried on at the

experimental stations.

Mr. SMITH of Georgia. There is not any course at the experimental stations. The experimental station is a scientific investigation of agricultural problems, the information from which all the people of the State are entitled to.

Mr. JONES. They are operated in connection with the agricultural colleges.

Mr. SMITH of Georgia. No. That may be the case with some, but not in others.

Mr. JONES. In a great many of them they are. That is the case in my State.

Mr. SMITH of Georgia. In my State there is a separate board of trustees, and it has no connection whatever with the

State college of agriculture.

Mr. VARDAMAN. Mr. President—
The PRESIDING OFFICER (Mr. THOMPSON in the chair). Does the Senator from Washington yield to the Senator from Mississippi?

Mr. JONES. Certainly.

Mr. VARDAMAN. I wish to say to the Senator from Washington that there are three agriculture experiment stations in Mississippi affiliated, and in that way connected, with the agricultural and mechanical college; one of them is 100 miles from the college and the other two are farther. That they are under the control and direction of white men there is no doubt.

Mr. JONES. I find here in the report of the commissioner of education for 1912, page 358, a statement of the incomes of colleges of agriculture and the mechanic arts, and I find this statement of the United States appropriation for experiment stations:

Mississippi Agricultural and Mechanical College, \$30,000; University of Missouri, \$30,000.

Mr. VARDAMAN. I wish to say to the Senator—
The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Mississippi?

Mr. JONES. Certainly.

Mr. VARDAMAN. These institutions are experiment stations. One of them is situated at Holly Springs, in the extreme northern part of the State; another in the western part of the State on the Mississippi River; another down in the Gulf coast section. The college is situated at Starkville, in the extreme eastern part of the State.

Mr. JONES. But this fund is administered by the controlling

power of the colleges.

Mr. VARDAMAN. As a matter of course, as I said, it is under the control and direction of the men employed for that purpose, and it is affiliated or associated with the colleges

Mr. JONES. That is all I have said. That is what I have contended.

Mr. CUMMINS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Iowa?

Mr. JONES. Certainly.

Mr. CUMMINS. I rose to ask a question of the Senator from Mississippi. Is there more than one director of experiment stations in your State or are all the experiment stations under the direct control of one director?

Mr. VARDAMAN. I think there is a director at each station. Mr. CUMMINS. I was under the impression that the experiments carried on in each State under the act were under the

control of a single director.

Mr. VARDAMAN. I do not think that is true.

Mr. SMOOT. I will say to the Senator that is the way it is in my State.

Mr. SMITH of Georgia. In the State of Georgia there is a board of directors of the experimental station consisting of seven men entirely disconnected with the agriculture college. The station is located in about the center of the State, and they elect scientific men as far as possible to handle the work of experimentation. The effort is to distribute the result of their investigations to all the farmers in the State. Negro farmers have equal access to information passed at the station.

Mr. CUMMINS. I ask the Senator from Georgia, does not the governing board of the experiment station, whatever that board may be or however it may be associated or disassociated with any college, elect or select a director of the experimental sta-

Mr. SMITH of Georgia. I think the leading officer at our station is called the superintendent and not the director. It is practically the same thing by whichever name he is given. There is a man at the head of the work at the experiment station. Then there are various specialists with him experimenting on the farm and experimenting throughout the State, but conducting their work distinctively at the experiment station.

Mr. CUMMINS. I supposed that was true in every State, that no matter in how many places the work might be carried on it was all carried on under the directorship or superintend-

ency of a single head.

Mr. SMITH of Georgia. But the white college of agriculture has no advantage in that station except that the men at the head of it are more capable of using what is done at the station. Everything that is done at the station is furnished to the colored agricultural and mechanical school and furnished to the white agricultural college. It is distributed to every citizen in the State who will use it. Local funds are raised, I think, to pay for pamphlets showing what they do; and not only is it sent to anyone who will take it, white or black, but the people are begged by the papers to write for it. It is simply a question of inducing them without regard to color to take information

which the station can furnish.

Mr. SMOOT and Mr. VARDAMAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Wash-

ington yield further, and to whom?

Mr. JONES. I will yield to the Senator from Mississippi. I think he wishes to make some suggestion to the Senator from

Mr. VARDAMAN. In reply to the question propounded by the Senator from Iowa, I will say these directors in Mississippi are selected by the board of trustees of the agricultural and the mechanical colleges. I want to say that the board of trustees for the college attended by white students is the same board of trustees that control the college where negro students are educated. There is but one board of trustees for the control of all the educational institutions in Mississippi, and as stated by the Senator from Georgia, the results of these experiment stations are sent out to all these institutions.

As the governor of Mississippi, I was ex officio the president of the board of trustees of the agricultural and mechanical college for the education of negro boys and girls; and I state that the same subjects were taught, the same experiments were made, the same opportunities were given to the negro boys

and girls in the agricultural and mechanical college for their instruction as were given in the school for the whites. They did not make the progress the white students made, but that was not expected.
Mr. JONES. Mr. President-

Mr. CUMMINS. Will the Senator allow me just a moment more?

Mr. JONES. Certainly.

Mr. CUMMINS. I am not questioning the fact stated by the Senator from Mississippi [Mr. Vardaman]. The experiment station accomplishes its purpose, so far as publicity is concerned, mainly by the issuance and distribution of bulletins. I was curious, however, to learn whether there were really three experiment stations in Mississippi or whether one station carried on its work at three places under the direction of one head.

Mr. VARDAMAN. It did not.

Mr. CUMMINS. I should like to learn from the Senator from Washington [Mr. Jones] if he has inquired in regard to the report made by the experiment station in Mississippi, and whether that report shows whether there are three independent stations or whether the work is all done under one head?

Mr. JONES. I have not made any inquiries about that, but I think I can show very clearly that the experiment stations are under the agricultural colleges. I am not making any question as to the manner in which the work is done, as to whether the negro students have access to it or anything of that sort; I am simply contending that under the acts appropriating money for the experimental stations practically all the money provided by those acts has gone to experimental stations to which white students go and under the control of the colleges to which white students go. I think that is clearly settled by the language of the acts themselves, which I intend to read to the Senate.

Mr. SMITH of Georgia. Will the Senator allow me a moment before he reads those acts?

The PRESIDING OFFICER. Does the Senator from Wash-

ington yield to the Senator from Georgia?

Mr. JONES. Possibly what I may read may shorten this discussion a little.

Mr. SMITH of Georgia. I will take only a moment.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Georgia?

Mr. JONES. Certainly.

Mr. SMITH of Georgia. Mr. President, in the State of Georgia the governor appoints the trustees of the agricultural college located at the university and also of the experiment stations. They constitute entirely separate boards; they have no relation to each other. Having filled the office of governor in my own State I know that I named trustees to fill vacancies that occurred, and they are just as independent as the negro agricultural and mechanical school. The governor names the trustees of each, and there are three separate boards of trustees that control the three separate institutions.

Mr. JONES. Mr. President, under the law providing for these experiment stations practically every experiment station in the Southern States has been attached to and connected with the agricultural colleges for which this fund has been apportioned by the different States where white students are admitted.

Here is the act of 1887. This was the title of it:
Mr. VARDAMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Mississippi?

Mr. JONES. Not just now.

The PRESIDING OFFICER. The Senator from Washington declines to yield.

Mr. JONES. This is the title of the act of 1887:

An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto.

So under the law itself these experiment stations are established in connection with agricultural colleges established under

Mr. VARDAMAN. I want to say, Mr. President, if the Senator will allow me

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Mississippi?

Mr. JONES. Just in a moment I will yield to the Senator. The PRESIDING OFFICER. The Senator from Washington declines to yield.

Mr. JONES. This proviso was contained in the act:

Provided, That in any State or Territory in which two such colleges we been or may be so established—

That is, agricultural colleges-

the appropriations hereinafter made to such State or Territory shall be equally divided between such colleges, unless the legislature of such State or Territory shall otherwise direct.

And in practically every State in the South the legislature has directed that these experiment stations shall be established in connection with the agricultural colleges to which white students are admitted. There is the law, and that is the way it has been carried out in certain States.

Mr. SMITH of Georgia. In reply to the Senator—
The PRESIDING OFFICER. Does the Senator from Wash-

ington yield to the Senator from Georgia?

Mr. JONES. Certainly.

Mr. SMITH of Georgia. The law expressly provides that the legislature of the State can control it, and in the State of Georgia the legislature established an independent experiment station, with an independent board of trustees, controlled by neither of the two agricultural colleges, and the State furnishes equally to each the benefit of all information that is developed.

Mr. JONES. Mr. President, the act does not-

Mr. SMITH of Georgia. One moment. The Senator may say practically all," but I know that it does not take place in my

State; that is all.

Mr. JONES. The law does not provide for doing what the Senator from Georgia says is done. It says that the experiment stations must be established in connection with the agricultural colleges provided for in the act of 1862. You may have a subordinate board, but the experiment station is in connection with your agricultural college or the law has not been followed.

Mr. SMITH of Georgia. They do work in connection, and the State furnishes both of the colleges all the information gathered, but they are not under the trustees of either in any sense, and the bill authorizes the legislature to give it that direction.

Mr. JONES. No, Mr. President, the bill simply authorizes the legislature to provide that in a State or Territory in which two such agricultural colleges have been established the appropriation hereinafter made shall be divided between such collegesthat is, between the State agricultural colleges—unless the legislature otherwise provides; that is, it can provide that it shall all go to one college, and that is what they have done.

Mr. VARDAMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Mississippi?

Mr. JONES. Certainly.

Mr. VARDAMAN. I think I can probably facilitate the Senator's discussion of this matter by simply saying to him that the money has been expended in the State of Mississippi-and I presume the same is the case in all the Southern States-under the direction of, if not of the board of trustees, the president of the agricultural and mechanical college where white students are taught. I say if that does not provide for it, the laws should. The money has been disbursed and the expenditure has been conducted under the direction of the white people of Mississippi; and for it to be permitted to be disbursed by anybody else would be a great mistake. I dare say that no man who has given any thought to this subject would any more think of turning the money over to the negro race to be disbursed than would the Senator from Washington think of turning it over to the Japanese in the State of Washington.

Mr. JONES. Mr. President, the Senator is going off into a line of argument which I have not gone into and which I have not even suggested. I am simply trying to detail here in a plain way how these expenditures are actually distributed. I am not questioning that they are not distributed properly; I am not even suggesting, and I have not suggested, that the distribution of the money should be turned over to any particular race or to any class; but I may refer to that a little later on.

As a matter of fact, the funds provided for experiment stations have been placed under the control and used in connection with the agricultural colleges in practically every one of the Southern States where white students are admitted. Of the total revenues derived under the acts of 1862, 1890, and 1907, \$1,244,025 has gone to the colleges for white students and \$269,154 to the colleges where colored students are admitted.

It seems to me plain from these facts as to what will be done with the money appropriated by this bill if it is passed as now framed. The money will go to those agricultural colleges where white students are admitted and to them only.

This is very largely true of the State revenues in 16 or 17 States in the Union. Of the total State and national revenues for these agricultural colleges in 17 States \$4,926,979 has gone to colleges where white students are admitted and \$926,306 has gone to colleges where colored students are admitted. I mean where white students exclusively are admitted and where the colored students can not attend.

As I said in the beginning, there are 16 or 17 States where they have separate colleges for white and colored students,

and colored students are not admitted to the white colleges. In everything that goes to a successful institution the same disparity exists in these States with reference to their colleges. For instance, as to the white colleges—that is, the colleges exclusively for white students—their buildings are valued at \$9,402,645, and the buildings of the colleges to which colored students are admitted are valued at only \$2.291,020. Farm lands and grounds of the colleges at which white students are admitted are valued at \$2,759,674, while the farm lands and grounds of the colleges for colored students are valued at only \$466,076. Apparatus and machinery in the colleges for white students are valued at \$2,967,868, while in the colored schools the value is only \$390,772. The libraries in the white colleges are valued at \$722,274, and in the colleges for colored students at \$54,450. The live stock in connection with the white colleges is valued at \$228,482, while the colored colleges have live stock of the value of \$54,890, or the total value of buildings, farm property, live stock, apparatus, machinery, and so forth, in connection with the white colleges in these 17 States is \$21. 516,100, and in the colored colleges it is only \$3,841,769.

Mr. WORKS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from California?

Mr. JONES. Certainly.

Mr. WORKS. In that connection, is the Senator from Washington able to give us the comparative number of people in the State of Georgia, of the white and blacks, or the number of attendants at the colleges?

Mr. JONES. I will make a statement with reference to that a little later, but possibly it might be well to refer to that right

in this connection.

It was stated the other day, as I remember, by some Senator in the debate that the colored people do not send their children very largely to the agricultural colleges, or at least the colored students do not take part in the agricultural studies. The statistics show that in 17 Southern States the attendance at the agricultural colleges was, for the whites, 12,081, or 0.00068 per cent of the rural population, while of the colored people there were in attendance 5,689, or 0.0008 per cent of the colored rural population; in other words, a larger proportion of the colored rural population attend the agricultural colleges than of the white rural population.

In the State of Georgia in 1912 there were 423 white students attending the white agricultural college, and there were 568 colored students at the colored college, showing actually a larger number of colored students at the colored agricultural college in Georgia than of white students in the white agricultural college there. I do not know whether that meets the suggestion

of the Senator from California.

Mr. WORKS. It does in part, Mr. President; but under this bill the distribution of the appropriation as between the States is dependent not upon the number of colored people or white people who attend these colleges, but is dependent upon the entire rural population. It may be that very few of the colored population attend the agricultural schools.

Mr. JONES. I have just shown that a greater proportion of the colored rural population attend those schools than of the

white rural population.

Mr. WORKS. In some of the States; yes.

Mr. JONES. In all the 17 States to which I have referred. Mr. WORKS. Then that meets the question I had in mind.

Mr. JONES. It is true in the whole 17 States. It has been suggested that there are no colored teacher

Mr. SMITH of Georgia. I inquire of the Senator what are his figures for the 17 States, and to which 17 States does he

Mr. JONES. I will name the States. They are Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

Mr. SMITH of Georgia. Does that make 17?
Mr. JONES. I think so; at least those are the States. The percentage of rural white population attending the agricultural schools is 0.00068 of 1 per cent-I have pretty nearly forgotten my arithmetic, and I do not know whether I read the figures correctly; but there is a decimal point, then three ciphers, and then 68. That will give it to the Senator. The per centum of rural colored population attending these colleges is 0.0008—I know I am reading that right-0.0008; in other words, nearly 0.0002 greater than of the whites.

Mr. SMITH of Georgia. Will the Senator give me the total

of each and let me work out my own percentage?

Mr. JONES. Certainly. There are 12.081 white students in the white agricultural colleges in the 17 States named and 5,689 colored students in the colored agricultural colleges. The figures

are taken from the report of the Commissioner of Education for 1912, volume 2, pages 344 and 356,

Mr. CUMMINS. Mr. President-

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Iowa?

Mr. JONES. Certainly.

Mr. CUMMINS. It is a little difficult to see the significance of the figures when so many States are grouped together. the Senator from Washington take one State, as he did a moment ago in the case of Georgia, and state again the number of students in the white agricultural college and the number in the colored agricultural college; and also, in connection with that statement, give the revenue from all sources of the white college and the revenue of the colored college?

Mr. JONES. In that State?

Mr. CUMMINS. In that State.
Mr. JONES. Mr. President, I can very soon give the percentage of students, but whether I can give the total income of

particular schools I am not prepared to say.

Mr. CUMMINS. I thought the Senator stated it awhile ago. Mr. JONES. I gave the total of all the colleges in the aggregate without separating a particular one, but I think I can give here what the Senator desires. I can give the total income for the one year, 1912, at any rate. In Georgia, in 1912, at the white school there were 423 students; that was 0.0003 per cent of the white rural population. The number of colored students was 568, and that was 0.0005 per cent of the colored rural population. The total income of the agricultural college for the whites in Georgia in 1912 was \$249,656, made up of State and national appropriations.

Mr. SMITH of Georgia. Will the Senator give those figures

again?

Mr. JONES. The total income from State and national sources of the agricultural college for the whites in Georgia in 1912 was \$249,656. Of that amount \$50,287 were United States funds and \$182,900 State funds. The total income of the colored college in 1912 was \$24,667, of which \$16,667 was from the United States and \$8,000 from the State.

Mr. CUMMINS. Does that mean that they were trying to teach 500 colored students on \$24,000 and 400 white students on

\$240,000, in round numbers?

Mr. JONES. I assume that to be correct. Mr. CUMMINS. That seems to me a very startling dis-

Mr. JONES. The Senator will find with reference to a good many of the schools in the different Southern States a disparity very much like that.

Mr. SMITH of Georgia. Mr. President—
The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Georgia?

Mr. JONES. Certainly. Mr. SMITH of Georgia. The Senator is no doubt aware that this is an agricultural and industrial appropriation. Does he Lnow whether in Georgia the two are combined or whether there are two separate institutions?

Mr. JONES. I do not understand what the Senator means. Mr. SMITH of Georgia. Whether there is a separate industrial college and a separate agricultural college for whites?

Mr. JONES. I am referring to the agricultural and mechanic arts school.

Mr. SMITH of Georgia. Does the Senator know whether the mechanical part is separated from the agricultural part or is in the same institution?

Mr. JONES. I do not know what separation the State legis-I simply take the statistics furnished by the Commissioner of Education, which show the amount of money spent for the white agricultural and mechanical school in the State of Georgia as being two hundred and forty-old thousand

Mr. 3MITH of Georgia. Will the Senator cite me to any Government report which shows that there are only 423 students in both our agricultural and mechanical colleges for whites?

Mr. JONES. The report of the Commissioner of Education for 1912.

Mr. SMITH of Georgia. I will state to the Senate that there are over 600 students in our mechanical college alone.

Mr. JONES. Is that in connection with your agricultural

Mr. SMITH of Georgia. It is in connection with this appropriation. We separate in Georgia our agricultural college and our mechanical school. Instead of conducting together an agricultural and a mechanical school for whites, we separate them, and we have a technological school in which there are over 600 students and an agricultural college in which there are over 400. At the colored agricultural and industrial school we have found

It impossible to accomplish anything by separation. It has been found impossible to induce any large number to take the agricultural course, and it is practically an industrial school.

Mr. CUMMINS. That answers the question I was about to ask, which was whether the colored school was likewise di-

vided?

Mr. SMITH of Georgia. No. We have a number of separate industrial schools for colored boys in Georgia which are supported largely by private subscriptions. We have a number of industrial schools for the negroes, but we do not separate the funds of our colored agricultural and mechanical school. We wanted to develop that into a distinctive agricultural school, but we have not succeeded in doing so; we have not been able to keep them out of the industries. We have a number of separate industrial schools for negro boys provided for by State appropriations and private subscriptions, but we do not separate this fund, because we have never been able to develop enough of them in the agricultural line to make it an agricultural school. The boys in that school are from the cities just as well as from the country.

Mr. JONES. Mr. President, of course the Senator from Geor-

gia is much more familiar with the details in connection with the administration of those colleges than I am, but I believe if there was more encouragement given and more incentive held out to the colored students, the colored boys and girls in the South, there would be many more of them in the agricultural schools than there are now. That point I shall touch on probably just a little later on. These agricultural colleges have These agricultural colleges have been organized and largely supported by national appropriations, and I assume that the national law has been complied

with.

It was suggested in the debate a few days ago that there are very few of the colored people who are capable of teaching the colored students in agriculture. That probably has resulted from the condition of things which the Senator from Georgia has just now suggested, that they can not get the colored boys and girls to take up or to study agriculture. I think possibly that results very largely from the lack of incentive to take it up. They do not know whether or not, if they do fit themselves for that work, they will have opportunity to use the education which they get. It seems to me that if we hold out to them the incentive that when they do fit themselves they will be permitted to engage in that line of work or that profession in which they desire to enter we shall have a great many more of them attending the colleges than there are now. Close the door of opportunity to white or black and you dwarf growth and development.

As a matter of fact there are a great many colleges and institutions in the South that are maintained, as the Senator from Georgia suggested a moment ago, by private subscription, by private endowment, by private funds. There are a great many colored boys and girls attending those colleges who are developing great aptitude for agricultural work, probably thus far not so great an aptitude as the whites have shown, but that can not be wondered at, for practically every encouragement of a substantial character that has come from the State and from the National Government has gone to the colleges where the white students are educated. There has not been the opportunity for the colored boy and the colored girl that has come to the white boy and girl. They feel that it is impossible to obtain a posttion, even if fitted for it. They have not neglected the industrial occupations, however. I want to suggest that in a good many of the Southern States they have gone into industrial work where they have had the encouragement to do so. There was a fund called the Jeanes fund, for the encouragement of students in agriculture, and under that a great deal has been accomplished in several States of the South.

Mr. CUMMINS. Mr. President-

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Iowa?

Mr. JONES. Certainly.

Mr. CUMMINS. Before the Senator passes from that point, I want to be sure that I understand the situation, because it is a very great surprise to me if I have gathered it correctly. Is it true that in the State of Georgia there is an agricultural and mechanical college in which in 1912 there were about, or a little more than, 500 colored students? Is that the fact?

Mr. JONES. That is what the report of the Commissioner of

Education shows.

Mr. CUMMINS. Is it further true that this school is conducted at an annual expense of not more than \$24,000?

Mr. JONES. Those are the figures given in the report of the Commissioner of Education.

Mr. CUMMINS. To me that seems almost unbelievable. I think there must be an error somewhere in those figures. I can not conceive that you can carry on a college with 500 or 1:1 :11

more students for \$24,000 per year. If that is true, they have reached some process of economy down there that is totally unknown to me. I hope the Senator from Georgia will go into that matter at some time, because certainly that can not be correct. It can not be a college which endeavors to teach these people the science of agriculture and the trades for \$24,000 a

Mr. JONES. It is the school that has been designated in connection with the agricultural appropriations that our Gov-

ernment has made.

Mr. CUMMINS. If you take the other side of it, under the statement made by the Senator from Georgia that they have in the agricultural college and in the industrial college an aggregate of a thousand students, according to the figures given by the Senator from Washington those two schools have more than \$240,000 per year for their support-probably more, because I doubt whether the Senator from Washington had the industrial college in his mind when he was giving the figures. of teaching a thousand white students at a cost of \$240,000 or \$250,000 per year, and teaching 500 or more students of the colored race at a cost of \$24,000 per year, presents a situation that to me is rather inexplicable.

Mr. SMITH of Georgia, Mr. President—
The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Georgia?

Mr. JONES. Certainly.

Mr. SMITH of Georgia. If the Senator will yield, I will says that the character of the instruction is utterly different. The character of the students is utterly different. They have not a boy in the negro school that could go through the college of agriculture at the university, or that could stand an examination to enter. They come there for a few months and take a trade. While the figures show 500 and odd there matriculating during the year, I do not think there are 25 that are studying agriculture. The 500 do not stay there during the year. It is the matriculation for the year that the Senator is They come in and stay awhile to take a course in saddlery, to take a course in shoemaking, to take a course in bricklaying, or to take a special course in carpentry.

I have been in close touch with men who are frequently at the school. My own impression is that the number there at one time does not reach half the number given in the figures. have provided quarters for all who would come. We have en-

couraged them to come.

It does not take the same expense to teach shoemaking that it does to teach higher chemistry. It does not take the same expense to teach bricklaying that it does to teach botany. We have had no applications there for any such courses of study. We have not been able even to get them to take the more advanced work in farming. We have the best farmer we can find among the negroes there, the best-trained man we could get in charge of the farm. The difference is that at one school the highest class of scientific work is done, for men who are capable of receiving the instruction and who are seeking it.

Mr. CUMMINS. May I ask the Senator a question, Mr.

President?

Mr. SMITH of Georgia. Yes.

Mr. CUMMINS. In our school the term "mechanic arts" is not confined to the trades. I take it for granted that all the agricultural colleges—that is, colleges of agriculture and mechanic arts, or agricultural and mechanical colleges—teach many other things than agriculture and the trades. They teach civil engineering, they teach electrical engineering, they teach mechanical engineering, they teach chemical engineering. the college for colored students in Georgia teach these things?

Mr. SMITH of Georgia: I do not think it teaches any of

Mr. CUMMINS. Why? Mr. SMITH of Georgia. There are no negroes to take them. There are no applicants to take them. You are dealing with an utterly different proposition. You are dealing with the masses of the negro race who are not ready for it, are not prepared for it, and are not seeking it. We are trying to reach out and serve them in the only sane way in which we can serve them. Out of our 1,200,000 negroes in Georgia, at least 900,000 of them are coal black. It is all we can do to advance them gradually, as we are seeking to advance them, beyond the condition in which we found them.

Mr. CUMMINS. I am only seeking information. I know the

difficulty as well as the Senator from Georgia,

Mr. SMITH of Georgia. I am seeking to answer the Senator

Mr. CUMMINS. But the colored children of some parts of the South are trying to get just such information as I have suggested we are imparting in the North, in some of the private A LY I HE SIGHT

institutions of learning, such as that conducted by Booker Washington. Is not civil engineering taught in that college?

Mr. SMITH of Georgia. I do not know. If so, I never saw a negro who was a civil engineer, and I certainly never saw one who was a chemical engineer or a mechanical engineer.

Mr. CUMMINS. What does Booker Washington teach in his

Mr. SMITH of Georgia. I do not know. I never see any of his graduates doing anything anywhere in my State. not know one of his graduates who is at work in my State. In that agricultural and mechanical college we are seeking to take hold of the great mass of the negro race in our State. We have 900,000 negroes who are rural. In our negro grammar schools we are trying to teach as many of them as we can to read and write. Few go beyond the fourth grade. We are spending each year for the negro schools, out of the money paid by the white taxpayers of Georgia, many times the amount the Government gives to these colleges. We are advancing the negroes in these schools just as well as we can and as fast as we can. Of the appropriation to the State college of agriculture, \$50,000 is used to put demonstrators all over Georgia, who demonstrate to the negro as well as to the white man, and who are extremely gratified whenever they can get a negro on his own place, whether it is rented or owned by him, to take his acre and follow their directions and use the knowledge derived from participating in the demonstration.

Mr. CUMMINS. My surprise is that after all these years of educational effort the State school in Georgia open to the colored race is not able to gather students in such numbers as to require more than the expenditure of \$24,000, gathered from all sources, national as well as State, to carry on the school. To me that is the most depressing information that has been

developed in the course of this discussion.

Mr. TOWNSEND. Mr. President—
The PRESIDING OFFICER. Does the Senator from Wash-

ington yield to the Senator from Michigan?

In just a moment I will yield. On the very point at issue here, I wish to suggest to the Senator from Iowa that in 1912 there were in Mississippi 586 students in the agricultural and mechanical college, while in the same year the income of the colored college of Mississippi from all sources was \$59,932. In South Carolina, in the same year, there were 826 students in the colored college, and the income of the college was \$48,361. Not so much difference in these different Very likely the facilities afforded were in keeping with the money available.

I now yield to the Senator from Michigan.

Mr. TOWNSEND. I was interested in the argument which was presented the other day by the Senator from Georgia, and I had some sympathy with it, to the effect that the rural population of some of these Scathern States requires the assistance this bill carries. I should like to ask the Senator from Washington whether, in the distribution of the fund in this bill, it is equally divided among the white and the colored people in the rural districts of the Southern States?

Mr. President, possibly the Senator was not Mr. JONES. here during the first part of my remarks. I am trying to show that none of it will go to the colleges for the colored people, and I am basing that statement upon what has been done in the past. I do not contend that the colored people will not get some benefit from it. What I am contending is that it will go to the white colleges, to be distributed and used where only white students attend. That does not mean that no colored people will get the benefit of it, because under this bill people are to be sent out into the country; but they will be sent out by the colleges that are exclusively for white students. In other words, those who have charge of the colleges where colored students go will have nothing to say as to how this money shall be used or where it shall be used.

It seems to me, when the National Government is appropriating money for the encouragement of education, that in States where there are two colleges recognized as agricultural colleges. recognized as entitled to receive the benefits of the appropriations which we have made heretofore for agricultural colleges from the National Treasury, we should not place it in the power of the State to say that this money shall all go to or be handled by one college to which white people only are ad-

I do not contend that the negroes will not be benefited by this appropriation. I do not contend that the demonstrators you send out will not demonstrate in communities where there are colored people, and where they can get benefit from it. I do not contend that. Even if I were to admit that the colored children would get the same benefit under your bill that they would under the provision I offer, I should still think Congress ought

to put in this provision, so as to show these people that we propose to see that they are treated fairly, and to give them the encouragement that must come from the fact that there is a college to which colored boys can go that will have control over a part of this appropriation, and that if they develop boys who are capable of demonstrating they will have an opportunity to go out and do it.

Mr. SMITH of Georgia. Mr. President-

The PRESIDING OFFICER. Does the Senator from Washington further yield to the Senator from Georgia?

Mr. JONES. Certainly.

Mr. SMITH of Georgia. I wish to ask the Senator, then, if he would waste half of this fund in its beneficial effects, if intelligently administered, upon the 900,000 negroes in the rural section of Georgia, just for the purpose of shifting part of it to a place where there is nobody competent to do the demon-

Mr. JONES. Of course we have not wasted any of this money heretofore, and I do not believe it is a fact that there are no colored people or white people connected with the colleges where colored boys go that are competent to do this work. do not believe that is the condition of things, even in the State

of Georgia, to which the Senator is referring.

Mr. VARDAMAN. Mr. President—
The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Mississippi?

Mr. JONES. Certainly.

Mr. VARDAMAN. The Senator speaks of the white people connected with the colored college. Does the Senator really know anything, of his own knowledge, about the management of the colored college of Mississippi?

Mr. JONES. I say I do not, Mr. President. I have not visited it.

Mr. VARDAMAN. The Senator, then, is speaking out of the profundity of misinformation.

Mr. SMITH of Georgia. Want of information. Mr. JONES. No, Mr. President; I am not going into the question as to how they are handled. I am going upon the broad proposition as to what it is fair for the National Gov-ernment to do with its money. If these institutions are so lacking in facilities for education, how, in the name of God, can you expect people to go there to attend them? It seems to me, if the National Government is going to appropriate money for any of our agricultural colleges, we ought to see to it that some of the money goes to colleges that really need it. If they have not the necessary facilities now, let us provide facilities. If they have not colored teachers, let us provide white teachers for the colored schools.

Mr. VARDAMAN. Mr. President—
The PRESIDING OFFICER. Does the Senator from Washington further yield to the Senator from Mississippi?

Mr. JONES. Certainly.

Mr. VARDAMAN. I very heartily concur with the Senator from Washington in his desire to benefit the colored man.

Mr. JONES. I do not doubt that. Mr. VARDAMAN. But I do not in the least concur with the Senator in the method by which he would do it. If the Senator would just take a few days off and study this question and inform himself as to the racial peculiarities of the negro, with which we of the South have to deal, I think, from my acquaintance with him, instead of standing in his place and criticizing the white people of the South who are carrying this burden, his attitude on this question would be entirely different. Would the Senator ask the Government to share this fund with the Japanese in California? Would he give the yellow man a voice in the disbursement of it?

Mr. JONES. I will answer that question, Mr. President. I would, if the Japanese were citizens of this country. They are not citizens of this country. I hope they never will be.

Mr. VARDAMAN. Why not? Mr. JONES. The colored people are citizens of this country, legally as well as otherwise, and we must regard them as such. I will say to the Senator, however, that I can not discuss this question upon any other basis than that. He may look at it in a different way.

Before I forget it, I want to say that I do not intend, at any rate, to criticize your people of the South, and I do not believe I am merely trying to show, from my stand-I have done so. point, what I think ought to be done with the funds the National Government is going to take out of the Treasury for the development of schools in the different States.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington further yield to the Senator from Mississippi?

Mr. JONES. I do.

Mr. VARDAMAN. I desire to ask the Senator why he is so averse to the Japanese becoming citizens and so much in favor

of the negro as a citizen?

Mr. JONES. The colored man is a citizen now. I am not here to say what I think ought to have been done 40 or 50 years ago. He is a citizen, and as such he is entitled to the same rights that I am entitled to under our Constitution and under our laws

Mr. VARDAMAN. The Japanese is here.

Mr. JONES. He is not a citizen and never will be.

Mr. VARDAMAN. I agree with the learned Senator that the Japanese should not be permitted to become citizens. I am opposed to any colored race acquiring citizenship. But in all the elements that go to make up a perfect man the Japanese is vastly superior to the negro. The Senator knows that.

Mr. JONES. I do not admit it.

Mr. VARDAMAN. The Senator does not admit it?

Mr. JONES. No. Mr. VARDAMAN. Well, Mr. President, I can not argue against that kind of information. The Japanese has shown marked capacity for self-government; the negro has not.

Mr. JONES. I do not think it is necessary to admit that for the purposes of this argument.

I wish to say that I recognize the burden that the white people have in the South, and I should be glad to do anything possible to help them bear that burden, because it is a national burden. I believe this is a good way to help them bear it. They may not agree with me, and they may have better information than I have with reference to the situation. I think, however, that human beings have about the same feelings and about the same aspirations to a greater or less degree, and that about the same influences affect one that affect another, to a greater or less degree, of course; and I believe that about the same influences that will elevate and lead upward the white man will also elevate and lead upward the colored man. It may be true that the progress of the colored man will not be quite so rapid, but I think if you hold out to him hope for the future he will reach for it just as we reach for it. He may not reach for it quite so vigorously or quite so effectively as we do. believe he will reach for it, however, and I believe the development of the colored people in the South has shown it to be characteristic of them as well as of us.

Mr. WORKS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from California?
Mr. JONES. Certainly.

Mr. WORKS. If it is an admitted fact, as stated here, that the colored man is not susceptible of education along agricultural lines, I will ask the Senator from Washington whether the National Government ought to be making an appropriation for that purpose?

Mr. JONES. I certainly do not think he should be counted to get a certain part of the fund if he is not considered capable of getting any benefit from it, but of course I would not admit that he is not capable of development in that line. In fact, I think he has shown his capacity in that respect to a very great

Mr. WORKS. I am not admitting it, either. I am simply taking the statement that comes from the other side of the

Mr. JONES. I did not intend to convey the impression that the Senator was doing so, because I was satisfied he was not.

It was suggested here a few days ago in the debate that the negro people did not want negroes sent out to teach them. My recollection is that the junior Senator from Georgia [Mr.

SMITH] suggested something of that sort.

I can not believe that to be the case. There may be some evidence of that in Georgia or in some of the other States, but it seems to me it is so contrary to the principles of human nature that we can not believe it as a general proposition. I believe the colored people like to be taught by people of their own race. I believe they like to be educated and led by peo-ple of their own race rather than by those of another race. I think that is not only in accordance with human principles and human character, but also in accordance with experience.

There are a great many colored schools in the South established and maintained by private capital. What do we find about teachers in those schools? Why, we find, of course, both white teachers and colored teachers, but we find colored teachers in a far greater proportion than white teachers.

If the negro does not like a colored teacher, why is it that these institutions employ a great many more colored teachers than white? The people who furnish the money for these different institutions are business people. They are white people. They are men of experience. They are men of wisdom. It seems to

me they would use the methods that would bring the greatest good out of the money they invest. If they found among the colored people the feeling that has been suggested, that they do not want to be taught or led by their own race, they, of course, would have a great majority, if not all, of the teachers white. Yet what are the facts in that regard?

The teachers in the secondary and high schools, excluding the public high schools, in the following States, are as follows:

In Alabama there are 68 white teachers in these schools, and 440 colored teachers.

In Arkansas there are 9 white teachers, and 88 colored teachers

In Florida there are 19 white teachers, and 80 colored teachers. In Georgia there are 111 white teachers, and 227 colored teachers.

In Kentucky there is 1 white teacher, and there are 68 colored

In Louisiana there are 65 white teachers, and 97 colored teachers

In Maryland there are 5 white teachers, and 39 colored teachers.

In Mississippi there are 55 white teachers and 195 colored teachers.

In Missouri there are no white teachers, but there are 41 colored teachers.

In North Carolina there are 56 white teachers and 275 colored teachers.

In South Carolina there are 54 white teachers and 264 colored

In Tennessee there are 90 white teachers and 322 colored teachers.

In Texas there are 44 white teachers and 196 colored teachers. In Virginia there are 150 white teachers and 431 colored teachers.

It seems to me that shows that these colored students would prefer and do prefer people of their own race for teachers and leaders above those of the white race. If they did not prefer them, it seems to me the people who finance these institutions would get the teachers they did prefer.

Mr. VARDAMAN. Mr. President-

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Mississippi?

Mr. JONES. Certainly. Mr. VARDAMAN. I do not wish to interrupt the Senator, but I desire to say to him that so far as Mississippi is concerned, in all the public institutions for negroes they have negro teachers. If there are any white teachers for negroes, they are in private schools maintained by private contributions.

Mr. JONES. Mr. President, that emphasizes what I am trying to bring out, namely, that we ought to have colored teachers for colored people; and if we have and insist upon having colored teachers for colored people, we ought to give them some direct benefit from the funds we are going to appropriate out of the National Treasury.

The Senator says that in the public schools of Mississippi all the teachers for the negroes are colored people. In other words, they either recognize the fact I have stated or else they force upon the colored people, against their will, colored teachers and colored leaders.

Mr. VARDAMAN. Mr. President—
The PRESIDING OFFICER. Does the Senator from Washiugton further yield to the Senator from Mississippi?

Mr. JONES. I do.

Mr. VARDAMAN. The management of the schools in Mississippi in all the municipalities is under the control of a white board of trustees. There is a negro superintendent and negro teachers in the agricultural and mechanical college of Mississippi for colored students. As I said a moment ago, they are under the control, however, of the same board of trustees that control all the other educational institutions. There are a few private schools, maintained by contributions largely from the North, that have white teachers. I do not think they have negro teachers at all in those schools. There is one in Jackson and one north of Jackson, at Tugaloo, which is maintained by donations, and my understanding is that they are all white teachers; but so far as the teachers in colored schools that are provided by law in Mississippi, they are colored.

I wish to say while I am on my feet that I rather think the negro prefers a negro teacher, but I have my doubt about the negre teacher being as helpful to the negro student as the more

capable white teacher.

If I may be permitted to occupy the floor in the Senator's time, I believe that it would be a very unfortunate condiof affairs if the negroes were permitted to manage their public educational institutions. I will cite an instance to sustain this view. When I was governor and president of the board of trustees of the negro agricultural and mechanical college I went down to the college on one occasion and found a repetition of one of the revolutions they have down there in Haiti. The yellow and the black members of the faculty had gotten into a race war, and when I went there and inquired about it I found it was absolutely impossible to keep order in the institution until a white secretary was provided to look after the business affairs of the institution and was put in charge of it.

I speak, Mr. President, as one who has lived with the negro all my life and who wishes him well, and who would make a greater sacrifice to-day to preserve his rights to life, liberty, the pursuit of happiness, and the enjoyment of the products of his own toil than some gentlemen who live at a distance from him, who love him as a race but who despise him as an individual. festations of applause in the galleries.]

The PRESIDING OFFICER. There must be no manifestations in the galleries. The Sergeant at Arms will be directed to

clear the galleries if it occurs again.

Mr. JONES. I do not suppose the Senator has any one particularly in mind when he makes a suggestion of that sort. think I would go just as far to help the man lying at the gate, whether he was colored or white or any other color, as the Senator from Mississippi. The fact that I happen to live in some other section of the country certainly ought not to deprive me of the right of saying some words in behalf of the people of some other sections of the country. I have endeavored as far as possible not to criticize or even to suggest that the people of the South are neglecting their duty. I do not want to suggest anything of that kind, and I have tried not to do it. I do not know why it is that such thoughts seem to be uppermost in the minds of our friends on the other side and why they seem to attribute to us something that is farthest from our thoughts in trying to solve this problem. I know it is their burden, although in a broad sense it is the Nation's problem, and I sympathize with them in it. I recognize the conditions, but not so clearly it may be as they do. Probably I do not realize the difficulties so clearly as they do, but I try to do it, and I believe I do grasp them to a certain extent. I want to do everything that I can to help them solve this problem and to bear these burdens, and I am suggesting this as one of the ways by which I believe we can help them to do it.

I believe that if we will take some of this money that we propose to take from the Treasury of the United States and guarantee that it will go to and be used by some of those colleges, or put under their control, to help develop teachers from those colleges, and help develop teachers that the Senator from Mississippi thinks ought to be teachers for the colored race, we are helping to solve this problem and that we are going forward in the solution of it rather than backward. It may be that I am mistaken and that he is right, but I do

not think so.

Mr. VARDAMAN. Mr. President—
The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Mississippi?

Mr. JONES. Certainly.

Mr. VARDAMAN. I hope the Senator from Washington will acquit me of any purpose to impute to him improper motives. do not. I believe the Senator feels that he is rather called upon to deal with this question, though his method of dealing with it would go contrary to the best opinion of the best people of the South, who have been face to face with it all these years, whose burden the Senator from Washington says it is. Yet he said a moment ago that he had never lived among them and he does not know anything about them except that which he has received from sources that I am quite sure from my own observation and experience are not reliable.

If the Senator from Washington had his way about this matter-and I do not pretend to impute to him improper motives; I think he is just as honest and just as sincere and just as patriotic and just as devoted to duty as the inquisitors were during the Spanish inquisition, who broke the bodies of the Jews on the rack and boiled dissenters, believing, as they did, that it was better, that by punishing them for a day they might be induced to recant and thereby save their immortal souls from

eternal damnation-I say to him-

Mr. JONES. Mr. President, I do not think the Senator-Mr. VARDAMAN. The Senator would bring about a condition in the South which would be unendurable for the white people of that section, and the civilization of the South, glorified by the genius of our fathers and consecrated with their blood, would perish from the earth.

Mr. JONES. I do not think the Senator has any right or any occasion to suggest that I am animated by the same motives and the same spirit that animated the inquisitors.

Mr. VARDAMAN. They were perfectly-honest. Torquemado was as sincere in his bloody work as Washington was in his patriotic effort.

Mr. JONES. Yes; but they had a spirit and a malignity about them that I thought was entirely foreign to me.

Mr. VARDAMAN. Absolutely. They were only trying to save humanity. They thought a little suffering in this world was justified in order to save souls from perdition.

Mr. JONES. If that is the way the Senator looks at it, of course it will be a long time before he and I will agree on these matters. I am inclined to think the Senator, probably biased by the very surroundings in his part of the country, may not be as capable of suggesting a proper solution of these matters as some others who might take a little more dispassionate view of the situation. I am trying to think that, and that, too, without questioning his motives or his honesty of purpose in his views as to how to work out this problem.

As I started to state awhile ago, there is a fund called the Jeanes fund that is formed for the education of colored people in an industrial way. I find from official sources, not from living among these people but from official sources, that they have been making quite a development in that respect; that they have been accomplishing considerable; and that there are those among them who apparently are above the ordinary mass of their race as the Senator from Mississippi is above the great mass of his race.

I have here, in the report of the Commissioner of Education, a statement with reference to industrial teachers who were educated under the fund I have referred to, and I find the fol-

The first industrial teacher was employed by the Jeanes fund in October, 1908, in Henrico County, Va.

It was a striking thing to me; it may not surprise our friend from Mississippi, but it surprised me to read this statement:

A negro woman, Virginia E. Randolph, who had taught 13 years in the county and had achieved notable success as a rural teacher, was appointed the first industrial supervisor.

She must have been capable, Mr. VARDAMAN. What State was that? Mr. JONES. In Virginia,

There were 23 negro schools in her county. The industrial teacher during the first year organized the parents into improvement leagues, and through these leagues secured very marked improvements in the conditions of the buildings and the grounds. She introduced into the schools work in cooking, sewing, mat making, and elementary agri-

Mr. MARTIN of Virginia. Mr. President—
The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Virginia?
Mr. JONES. Certainly.

Mr. MARTIN of Virginia. I should like to ask the Senator from Washington something about that system in Virginia. I never heard of an industrial supervisor there. Mr. JONES. An industrial teacher. I believe it does say

that she was appointed an industrial supervisor.

Mr. MARTIN of Virginia. I suppose she was an instructor in some colored school. I know that no colored woman has been appointed a supervisor of any sort over white schools in Virginia.

Mr. JONES. Mr. President-

Mr. MARTIN of Virginia. The Senator, I suppose, has gotten hold of an account of some colored industrial school, of which there are several in Virginia, and they are doing very good work for the betterment of the colored race. They are taught by colored instructors. I have no doubt that was some colored institution with a colored woman appointed as an instructor in it; but we have no public office known as an industrial supervisor in Virginia.

Mr. JONES. I take this from the report of the Commissioner of Education for 1912, at page 119, and I stated that it was under the Jeanes fund.

Mr. MARTIN of Virginia. Yes; it is under some special

Mr. JONES. A special fund. Mr. MARTIN of Virginia. Dedicated to the education of colored children in their institutions.

Mr. JONES. Certainly.
Mr. MARTIN of Virginia. No colored woman has been appointed a teacher or industrial supervisor or anything of that sort except in a colored institution devoted to the education of colored people, and it is very proper that they should be ap-pointed when they are qualified. Some of them, I am glad to say, are qualified to do the work in industrial institutions do voted to the education of colored people.

Mr. JONES. I would not consider it far wrong if a competent colored woman were appointed to an official position in

Virginia, as far as that is concerned; but I do not think that was probably an official position. It was under this fund.

Mr. MARTIN of Virginia. I am not familiar with that particular fund, but I would differ with the Senator about appointing a colored woman to an official position to instruct white people.

Mr. JONES. Oh, I did not say instruct— Mr. MARTIN of Virginia. If appointed to an official position to instruct colored people, it is all right, just as is being done in private institutions.

Mr. JONES. I did not say she had been appointed to an official position to instruct white people. I understood that the Senator from Virginia wanted to make it clear that this woman was not appointed to an official position of any kind.

Mr. MARTIN of Virginia. That is correct.

Mr. JONES. I want to say that I would not have any objection to appointing her to an official position, especially in connection with colored people, if she was competent. The report

In Virginia, where a second State supervisor of rural schools has been appointed to give his time wholly to negro schools, the negro industrial supervisors are in large measure under his control. During the past year negro industrial supervisors were employed in 117 counties in 12 Southern States.

Then it gives the numbers and the States that I will not

take the time to read.

Now, with reference to their capacity for farm work and farm-demonstration work, which the Senator from Georgia seemed to think they did not do or were not capable of doing, and that colored people really do not want them as leaders, but prefer white people, I find this same report on page 249 the following:

Closely allied with the work of the Jeanes Fund and the State supervisors is that of the farm-demonstration work, which was begun by the late Dr. Knapp. This work is carried on under the direction of the United States Department of Agriculture in cooperation with the General Edu-

States Department of Agriculture in cooperation with the General Education Board.

There were 32 negro farm demonstrators in 1912, distributed among the States as follows: Virginia, 10; Alabama, 7; South Carolina, 7; Georgia, 2; North Carolina, 2; Florida, 1; Oklahoma, 1; Arkansas, 1; Mississippi, 1. In speaking of the work of these agents—

These are colored people-

Mr. Bradford Knapp said in his recent report to the general education

Mr. Bradford knapp said in his recent report to the general education board:

"I believe that it is safe to say that these, together with the negro farmers and tenants who are receiving direct instruction through white agents, will bring the total of negroes being instructed up to about 20,000."

As an illustration of the work of the negro demonstrators, Mr. Knapp describes the activities of one of them in the Wellville community, in Virginia:

I call attention to the improvement that has been brought about in that particular community under the direction and supervision of a colored teacher, or instructor, or demonstrator:

supervision of a colored teacher, or instructor, or demonstrator:

The improvement in the Wellville community under the special superintendence of J. B. Pierce is a source of great interest, and presents a showing that is little short of remarkable. Some of these negro farmers are making yields of corn from 50 to 200 per cent larger than they did formerly, and are doing it at less cost per bushel. They have become immensely interested in grass demonstrations, and some of them have produced as high as 2 tons of hay per acre, while formerly they grew no grass whatever. Seventy-five per cent of these farmers are now growing wheat and 35 per cent of them are growing oats, and the acreage has vastly increased over what it was before. They are building up their soils by the use of cowpeas, crimson clover, soy beans, rye, and buckwheat. Before the demonstration work began in this community only one crop was grown on the cornland, and the land was continuously cropped to the one crop, year in and year out. Now fully 40 per cent of the farmers with whom this work is conducted have adopted two or three year rotation of crops.

Mr. President, that simply illustrates what can be done with

Mr. President, that simply illustrates what can be done with these negro demonstrators, and that is what I would like to see done with a part of this appropriation. I believe it can be done, and I believe it will benefit the people of the South. I believe it will benefit the people of the South. I believe it will help them solve this problem. I believe that every negro farmer who can be led to increase the production of his corn or his wheat from 50 to 200 per cent is helping to solve this problem and to relieve the people of the country and the people of the South from the great burden that they have to bear. I believe that if we can have institutions established in these various States, to which these boys can go in the hope and in the knowledge that when they fit themselves they will be sent out to their race and the people of their community to help them to develop themselves as better farmers and better husbandmen, we will have this problem further along the road of a proper solution than it is now.

It was suggested a few moments ago by the Senator from Mississippi that there are negro teachers in all the negro schools and that that is the proper thing. That simply emphasizes what I insist upon, that the colored people want colored instructors, colored farm demonstrators, colored supervisors, and that the best way to solve this problem is to fit colored men to occupy

those positions. Of course, if we have not negroes who are fit to occupy them now we will have to take white people, but that is no reason why we should not help them to fit themselves to take advantage of such opportunities as may present themselves. It is really a good reason why we should do this.

In line with that suggestion of the Senator, I find that legislation has been passed in some States that actually prohibits white men from teaching in colored schools. I saw in a paper

just the other morning—
Mr. VARDAMAN. Mr. President—
The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Mississippi?
Mr. JONES. Yes.

Mr. VARDAMAN. I wish to ask the Senator if he is familiar with the industrial condition of the negro in the South?

Mr. JONES. I am going to refer to that a little later on. Mr. VARDAMAN. Are you familiar with the progress they have made, industrially?

Mr. JONES. I am going to refer to that a little later on.

Mr. VARDAMAN. I say, are you?

Mr. JONES. I think so.

Mr. VARDAMAN. Have they made progress?

Mr. JONES. I think they have made wonderful progress, I am coming to that in a few minutes.

Mr. VARDAMAN. I wish to make a suggestion to the Senator, because I want him to have it in mind. I have listened with a great deal of interest to his discussion of the question, and I hope that the friction of suggestions and attrition of ideas may evolve the eternal truth which will furnish a light to lead us out of the wilderness.

Mr. JONES. I hope so.

Mr. VARDAMAN. I want to suggest to the Senator that it would be interesting if he would contrast or compare the progress of the negro race since 1865 with the negro in other parts of the world. If he shall go deeply into this question he will probably reach the conclusion that under the kindly guidance, assistance, and cooperation of the white man he has probably accomplished more, he has probably done better for himself, than in any other country in the world.

Unless the Senator is absolutely sure of his footing, in his desire to reach the truth and promote the welfare of the negro I would suggest that he had better be careful not to change the system under which the negro has made such progress, lest he might make a mistake and have a repetition of Haiti, or some country like that, where the negro has absolute control.

Mr. JONES. Mr. President, I think when I go into the matter of progress I will advance about the same idea the Senator has with reference to the negro's progress. I am unfortunate in my expression if he thinks I have suggested that the white people have not done a great deal for the colored man. All I want to do is to see if we can not do a little more and do it in a better way.

Mr. VARDAMAN. If the Senator will pardon me, I do not want to interrupt him and break the thread of his argument-Mr. JONES. There is not any thread to it.

Mr. VARDAMAN. I suggest to him that under the terms of this bill as it is, in Mississippi to-day-I do not know how it is in other Commonwealths of this Republic-a negro farmer may be selected who has intelligence above the average, who is prudent and provident, who has a little farm; they will help him to improve his farm and to show what he can accomplish. There are a great many of these experiments being made on negro farms. I'want to warn the Senator that he will commit a great mistake and he is not a kind friend of the negro if he shall give the negro control of this fund. Under this plan the work is going to be done under the direction of the Anglo-Saxon, the man of proven judgment, initiative, wisdom, and experience, and the negro men and women will get the benefit of it. They are going to do the work which will serve to develop whatever qualities they possess susceptible of development, but it is going to be done under the supervision of a superior head and a more skillful hand.

Mr. JONES. My amendment will not take away the superior head or the superior hand. I do not know whether in the colleges that have been designated as entitled to take part in the benefits of the act of 1862, where colored students attend, there is a colored board of regents, but I doubt it. Those in control, I

suppose, are white people. I am not going to disturb that at all.
Mr. BRADY. Mr. President—
The PRESIDING OFFICER. Will the Senator from Washington yield to the Senator from Idaho?

Mr. JONES. Certainly. Mr. BRADY. I have been following the line of argument of the Senator from Washington very closely and I am at a loss to

understand exactly what advantage the amendment he proposes will be to the colored race of the South. In listening to the remarks of the Senator from Georgia [Mr. SMITH] and the Senator from Georgia [Mr. SMITH] ator from Mississippi [Mr. Vardaman] they seem to be firmly convinced that the best way to administer this appropriation in the Southern States, where the white students and the colored students attend different schools or colleges, is to have it administered for the benefit of colored students and white students by the white men of the different States. I think that was the real intent of the first section that this amendment attempts to strike out. The first section which the Senator proposes to strike out

That in any State in which two or more such colleges have been or hereafter may be established the appropriations hereinafter made to such State shall be administered by such college or colleges as the legislature of such State may direct.

I understand that is the part of the bill the Senator proposes

Mr. JONES. I propose to strike out that provision and put in another that has been found in the other acts of Congress passed, the act of 1890 and the act of 1907.

Mr. BRADY. That is what I understand. In place of that the Senator proposes to insert the following:

That in any State or Territory in which two or more such colleges have been or hereafter may be established, or in which there has been one college established in pursuance of the act of July 2, 1862, and also in which an educational institution of like character has been established or may be hereafter established, and is now aided by such State from its own revenue, for the education of colored students in agriculture and the mechanic arts, however named or styled, or whether or not it has received money heretofore under the acts of 1862 and 1890, above referred to-

I wish especially to call the Senator's attention to this part-I wish especially to call the Senator's attention to this part—
the legislature of such State may propose and report to the Secretary
of the Interior a just and equitable division of the appropriations hereinafter to be made to such State between one college for white students and one institution for colored students, and thereafter the share
of such college for white students in said appropriation, as determined
by such division, shall be administered by such college for white students, and the share of such institution for colored students in said
appropriations, as determined by such division, shall be administered
by such institution for colored students.

If I understand it-and if I do not I hope the Senator will explain it, so that I may thoroughly understand it—the State legislature proposes what it considers to be a just and equitable division of the appropriation, and then, after the legislature of the State determines that in the future—"thereafter" the amendment says—"the share of such college for white students in said appropriation * * * and the share of such institution for colored students" chell be administration for colored students" chell be administration for colored students." institution for colored students" shall be administered in accordance with the report of the just and equitable distribution made by the legislature of the State. If the members of the legislature in a State where there are two colleges feel that this appropriation can be better administered by the white people, and they have absolute supervision over the entire appropriation, then it will be so administered.

If one portion is left for the benefit of white students and

one portion left for the benefit of colored students, it seems to me a division might be made that would be more detrimental to the colored students than the present bill.

Mr. JONES. I do not see how. Mr. BRADY. As an illustration, the Senator from Georgia made the statement that he believed the amount of \$24,000 for the 500 colored students was in proper proportion, as I understood him, to the provision for the white students, which was several times larger than that made for the colored students.

Mr. JONES. But I do not think so. Mr. BRADY. They are the men, under your amendment, who would have to decide this,

Mr. JONES. No.

Mr. BRADY. Does not your amendment say thatthe legislature of such State may propose and report to the Secretary of the Interior a just and equitable division of the appropriations?

Mr. JONES. Certainly; it must be approved by the Secretary of Agriculture before they can do it.

Mr. BRADY. It does not say so here.
Mr. JONES. Yes, it does. The Senator has not read the words "and when approved by him."

Mr. BRADY. That is the part that I should like explained.

Mr. JONES. It must be approved by him, Mr. BRADY. That is further on in the amendment? Mr. BRADY. Mr. CLAPP. The Senator has not the right amendment.

Mr. JONES. He has the wrong amendment. That is the amendment as it was first introduced, but it has been changed. It has to be approved by the Secretary of Agriculture.

Mr. BRADY. If the Secretary of Agriculture, even under your amendment as amended or changed, is called upon to ap-

prove a just and equitable appropriation as determined by the legislature of the State, does not the Senator believe that the

Secretary of Agriculture, regardless of his political affiliation, will believe that the members of the legislature of that State know better than an individual how the fund should be appor-tioned and what should be done with it? It seems to me, after listening to the statement of the Senator from Georgia [Mr. SMITH], that the action of the legislature in that State would be unanimously in favor of a distribution of the fund that would give the white men the control of the same, and I fear that if we try to force them to handle this industrial problem in a manner that they do not believe, after years of experience, to be right, that it will in the end be a detriment rather than a benefit to the colored man, and it is the colored man that we are trying to benefit and help by the passage of this law, just the same as the white man, and I believe this can be accomplished in a better way by leaving the States to handle their part of the appropriation in the manner best suited to the conditions in the different States.

Mr. JONES. He may and he may not. I do not know whether or not the Senator has heard all of my remarks, but I find that where the law does not contain a provision of that kind-for instance, the act of 1862—nearly all the money went to the white schools, and under the acts of 1890 and 1907, which contain a provision like that, but not quite so strong, I think—the approval of the Secretary was not even required, though I am not sure about that-but substantially the provision was the same as this, there was, to my mind, a fairer and fuster and more equitable division of the money, and my belief is that under my amendment there will be such a division. I have not any doubt in the world that if this provision is not incorporated in the bill every dollar of that fund will be controlled by the colleges for white students.

Mr. BRADY. I fully agree with the Senator that the question for us to decide is whether or not it would be better for us to have it so controlled-

Mr. JONES. Certainly that is true. Mr. BRADY. To leave it to the justness of the man in the South who has this problem to contend with or whether it is better for us to leave it to the Secretary of Agriculture to say whether what their legislature has determined to be a just and equitable proportion is in reality just and equitable. I do not believe any Secretary of Agriculture would override the decision of the legislature of a State as to what they thought was a just and fair distribution.

Mr. JONES. I have been spending a couple of hours in trying to show that, in my judgment, it is better to do what this amendment provides, but I may not have been able to convince

the Senator from Idaho.

Mr. BRADY. I fully agree with many of the statements made by the Senator from Washington. He has certainly made a very able argument along the lines proposed in his amendment.

Mr. JONES. I thank the Senator.

Mr. BRADY. I simply am asking these questions so that we may become thoroughly enlightened on this subject before we cast our votes, for I realize that this is one of the serious problems that the men in the South have to contend with, and I realize further that the people of the North are very much interested in a fair and equitable use of the fund by the different States.

Mr. JONES. I know that. Mr. BRADY. And it is our duty to see that justice is done to

each and every citizen of this Union,
Mr. JONES. That is right, and that is what I want to do. Neither do we want to overlook the fact that we are taking this money out of the Federal Treasury, and we are taking it out for the benefit of our citizens. It seems to me that we, as representatives of all the people, ought to see to it that it shall be used without discrimination and as nearly as possible for the uplift and the benefit of all citizens whom it is intended to benefit, regardless of race or color.

Mr. President, I was just starting awhile ago, when I was interrupted by the Senator from Mississippi [Mr. Vardaman], to call attention to a clipping which I cut from a newspaper a

morning or two ago, which reads as follows:

NO WHITES TO TEACH NEGRO—OTHER DRASTIC FEATURES IN BILL PASSED BY SOUTH CAROLINA HOUSE.

COLUMBIA, S. C., January 28, 1914.

The lower branch of the general assembly to-day passed on final reading the Fortner bill, prohibiting white persons from teaching in negro schools anything but the Bible, by a vote of 62 to 40.

Amendments to the measure which were adopted provide "that the provisions of this bill shall apply to intimacy of the races in houses of ill repute," and that the bill shall include "white nurses to be employed in negro hospitals or to nurse negroes at any hospital or sanitarium."

I understand that in Florida the whites are absolutely prohibited from teaching in negro schools. I understand that that is also true in Louisiana. It simply emphasizes, as I have said, the importance of the National Government, when we are appropriating money from the Federal Treasury, to see to it that a part of this fund, at any rate, shall go to those who really

need it more than anybody else.

Mr. President, I have taken far more time than I expected to take, but I want to notice, for just a few moments, the question raised by the Senator from Mississippi [Mr. Vardaman] a moment ago, with reference to the progress of the colored race. I had cecasion some little time ago to make an investigation with reference to that subject; not by personal visitation to the section of the country where the colored people mostly are, but by looking through official reports, statistics, and so forth, I endeavored to gather information with reference to the progress of the negro race. I want to say that I was really amazed at their progress; I was amazed at what they have done during the last 50 years. I do believe that the white people are entitled to some credit for what has been done and what has been accomplished by the colored people. I have put into writing what I found and my impressions with reference to the matter, and I think it will take less time for me to read it than it would if I were to try to state it otherwise, because there might be more interruptions that way than there will be in this

Fifty-three years ago there were nearly 4,000,000 human beings in this country in a state of slavery. They were bought and sold like so many sheep or cattle. They owned no property; they were nothing but property themselves. They had no business training, but for 250 years had been working for and under the direction of others. Instead of developing self-reliance, every influence affecting them tended to destroy selfconfidence, self-reliance, and individual initiative. They were given no education, but, on the contrary, to instruct them was made a crime by law. All the moral instincts of their natures were disregarded, dwarfed, and destroyed. They had no rights that anyone was bound to respect. At the close of the most bloody and terrific war in the history of the world this race, this property, became a free people. They were almost as helpless as children; they had scarcely enough clothing to hide their nakedness; they were in a country devastated by war and among former owners and masters who could not help but feel more or less unkindly toward them. Instead of looking to others for food, clothing, and shelter, they must provide for Instead of looking to A more discouraging prospect for a people could scarcely be imagined. It is a high commentary upon the generous nature of their former owners, as well as upon themselves, that they should have made such great advancement and should have reached such a friendly relationship with each other as now generally exists.

Mr. VARDAMAN. Will it interrupt the Senator for me

merely to make a suggestion at this point?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Mississippi?

Mr. JONES. Certainly.
Mr. VARDAMAN. In the discussion of this question I would invite the Senator from Washington to consider the condition of the negro in 1865 and contrast his condition then with the condition in which he was when the slave dealers-who, as it happened, all lived in the North—brought him to this country 200 years before. The Senator remembers that when brought here the negro had to be taught to eat cooked food; that he had to be taught a language. He was a cannibal, a worshiper of the voodoo, and under that "cruel condition of affairs" which, he described, existed in the South the Senator finds him, after 200 years, capable—as the Senator and some other people of the country who did not know so much about it thought—of governing the southern white people.

Mr. JONES. No, Mr. President; I did not suggest anything

of that sort.

Mr. VARDAMAN. I said that the Senator finds the negro in that deplorable condition which he has just described when

the race came out of slavery.

Wait a moment. I can not yield to the Senator Mr. JONES. from Mississippi to put into my mouth something that I did not say at all-that we found them capable of governing the south-I suggested nothing of that kind.

Mr. VARDAMAN. But they were given the right to do that

under the law. Mr. JONES.

Mr. JONES. Oh, yes; they were given the right to vote. Mr. VARDAMAN. I was simply calling attention to that

Mr. JONES. I was not justifying that.
Mr. VARDAMAN. The Senator has presented the negro as a man who had been oppressed. I want to call attention to the

the 250 years of slavery the reverse is true. I am going to make this statement soberly, and I challenge contradiction—considering the negro's condition as it was when brought to this country, he made greater educational and moral progress during the 250 years of slavery than he had ever done before or since in the history of the negro race.

Mr. JONES. I want to ask the Senator a question. Is there any statement or suggestion that I have just read here that is

Mr. VARDAMAN. Except that you present him as much oppressed-

Mr. JONES. No.
Mr. VARDAMAN. That he has had no opportunity for development; that he had simply been driven as a beast of burden. I have no word of defense for slavery; had I lived in those days I should have been as much opposed to it as was Thomas Jefferson; but I want to say to you that slavery did not hurt the negro, though it was a very decided disadvantage to the owner of the slave. I repeat again, however, that no man can take the history of this country and the history of the negro race who will not find that he made greater progress, morally and otherwise, during the 250 years of slavery than he had ever done before or since in the history of the world.

Mr. JONES. Nevertheless, the negro was in the condition have just described.

Mr. VARDAMAN. I do not think he was in that condition

at all.

Mr. MARTIN of Virginia. Mr. President-

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. Certainly. Mr. MARTIN of Virginia. As the Senator from Washington has on more than one occasion asked the question whether he had described the condition of the negro accurately, I can not fail to respond. In so far as my State is concerned the Senator has described the condition of the negro with great inac-

Mr. JONES. In what particular? I do not want to describe

his condition inaccurately. I should like the Senator to point out in what respect I have been inaccurate.

Mr. MARTIN of Virginia. That demonstrates to my mind the fact that those who live in the same communities with the negroes are better qualified to solve the negro problem than are Senators who live in remote States.

Mr. JONES. Mr. President, I am going to ask some ques-

Mr. MARTIN of Virginia. I am not going to occupy many seconds. I merely wish to dissent from nearly every statement which the Senator has made about the negro when he was freed in 1865.

Mr. JONES. I want to ask the Senator if it is true that negroes were bought and sold like sheep and cattle. Is that true?

Mr. MARTIN of Virginia. They were bought and sold, but can not say that they were bought and sold like sheep and cattle. For the most part they were bought and sold in the most humane manner that was consistent with the institution of slavery

Mr. JONES. I am not condemning it; I am not even argu-

ing it.
Mr. MARTIN of Virginia. The Senator says they were bought and sold as sheep and cattle. I say they were not.

Mr. JONES. I always understood they were. Mr. MARTIN of Virginia. I say they were not, and I was there and saw the conditions.

Mr. JONES. I should like to have pointed out to me the difference.

Mr. MARTIN of Virginia. They were bought and sold in the most humane possible manner under which slavery existed.

Mr. JONES. Sheep and cattle are sold in a humane way. Mr. MARTIN of Virginia. Wherever it was possible husband and wife were sold together.

Mr. JONES. I am not questioning that.
Mr. MARTIN of Virginia. Well, stating that they were sold as sheep and cattle was intended to indicate that they were brutally dealt with.

Mr. JONES. No; sheep and cattle are frequently sold together. You sell a cow and calf together often.

gether. You sell a cow and calf together often.

Mr. MARTIN of Virginia. I myself am not willing as a southern man, familiar with the negro and having almost an Mr. VARDAMAN. The Senator has presented the negro as a man who had been oppressed. I want to call attention to the fact that instead of the negro not being helped along during and cattle. When they had to be sold in the division of estates or for one reason or another they were treated with every consideration and kindness that it was possible for human beings to show to each other under the institution of slavery.

Mr. JONES. Then, I will ask this question: I say here that they owned no property, but they were property themselves. Is not that correct?

Mr. MARTIN of Virginia. That is not correct.

Mr. JONES. I should like to have it explained, because I am

glad to get some information.

Mr. MARTIN of Virginia. Under the law they could not own property, but most of them did own some property. the custom of the country and the consideration of their masters they were allowed to own a great deal of property that would be helpful in providing them with comforts and conveniences. Their masters were the custodians of their money. They were allowed a part of their time to work for themselves, and were allowed to have the fruits of their labor. Their masters took charge of their money, took care of it, and handed it to them as they wanted it and called for it.

Mr. JONES. It is a fact, is it not, that to teach them in a great many States—I do not say in all—was made a crime by

Mr. MARTIN of Virginia. It was. In my State the teaching of negroes was made a crime, but I have seen my mother assemble the negro children on the plantation and teach them to read and write. From the time I could read myself I saw that work going on. The negro youth who waited on me and attended me could read and write, and when he was set free he became a minister in the church to teach religion to his fellow men. There was a very large degree of education given to the negroes by their masters and by their mistresses. As I have said, I have seen them being taught from the time I was 10 years old. I have seen my mother and the governesses who were employed to teach the white children in the family teaching the colored children, and many of them were taught to read and write, taught the Bible, and taught the principles of religion.

Mr. JONES. I have not disputed that at all here.
Mr. MARTIN of Virginia. The Senator not only disputed it, but he has called upon me to testify about it.

Mr. JONES. I mean with reference to teaching the Bible,

religion, and so on.

Mr. MARTIN of Virginia. Again, I say to the Senator that the negroes, when they were freed, were not left in a helpless condition, unable to earn a living. I will say to him that they were not poorly clad and unprovided with clothes. They were as comfortably clad, in comparison with the white people of that time, as the negroes of the present day are clad in comparison with the white people of the present day.

I will tell the Senator, too, that the negroes were not only not left in a condition unfit to earn a living, but they were trained to earn a living and were amply able to earn a living. were blacksmiths, shoemakers, harness makers, and so forth. The women were able to cut out and to make clothing. The

All of them men were skilled laborers and common laborers. had been trained to the necessity of industry and frugality, and when they were freed they were in a good condition to earn

their living, and they did earn their living.

I will say to the Senator, also, that there was no hostile feeling toward the negro race. In the paper from which the Sena-tor read it was stated that they were turned adrift poorly clothed and ill provided to make a living, and that there was a certain degree of hostility in the minds of their old owners against them. The contrary was true. The kindest relations and the kindest feelings existed; they found their old masters extending a helping hand, enabling them to earn a living by paying them for their services, and helping them in every way to make their way as a freed people in the land.

I may not have caught all the points sought to be made in the paper from which the Senator was reading, but, to the best of my recollection, there was not an accurate statement in it; it was all inaccurate. I think he will find that the people who have been raised in the midst of the negroes, as I have been and as other southern Senators have been, know more about their condition, more about their characteristics, and more about their necessities than he knows, and are just as ready to extend a helping hand and as ready to alleviate the negro's

condition as he is.

Mr. JONES. I am not questioning that, Mr. President.

Mr. MARTIN of Virginia. Then, I will suggest to the Senator, if he is not questioning it, let the southern people, who have the negroes with them and have to solve the negro problem, attend to this matter, and let the Senator attend to the conditions in his own State, and things will be more equitably arranged.

Mr. JONES. Mr. President, we are handling the money of the United States; we are disposing of that, and I think

Mr. MYERS. Mr. President-

The VICE PRESIDENT. Does the Senator from Washing-

ton yield to the Senator from Montana?

Mr. JONES. In just a moment. I think I have a duty and a responsibility with reference to how that money shall be disposed of and how it shall be taken. Furthermore, I want to say that the Senator from Virginia has demonstrated to my mind, even far better than I have done, the necessity, the importance, and the desirability of our using some of this money in the direction suggested by this amendment. He has shown the colored man to be even far more competent than I thought him to be at the close of the war.

Mr. MARTIN of Virginia. Undoubtedly, accepting the statement of the Senator, he was. We have aided him in his progress during the last 50 years, and we will continue to do so, and in the expenditure of any money that comes to Virginia the negro will be treated fairly, according to our judgment. We might not think that he ought to receive as much of this money as the Senator from Washington thinks, because we know how much of it he can use advantageously, and the Senator from Washington, I am sure, does not know anything about how much of this money can be used advantageously for the negro in Virginia.

Mr. JONES. That may be true; but I have my opinions about it.

Mr. SHERMAN. Mr. President-The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Illinois?

Mr. JONES. Certainly.

Mr. SHERMAN. I am desirous of further information; and, with the permission of the Senator from Washington, I should like to pursue that line for a moment. It is said that this side of the Chamber is incompetent to handle this question, because we do not know anything about the negro race. I want to know whether we are to abdicate our powers and duties here because of the fact that we do not live in the midst of the negroes to the same degree as Senators making the suggestion?

Mr. VARDAMAN. Mr. President—
The VICE PRESIDENT. Does the Senator from Washington

yield to the Senator from Mississippi?

Mr. JONES. I have yielded to the Senator from Illinois, but am perfectly willing that the Senator from Illinois shall yield to the Senator from Mississippi.

Mr. SHERMAN. I have no objection to the Senator yielding

to the Senator from Mississippi.

Mr. VARDAMAN. Mr. President, I want to ask the Senator from Illinois to name the Senator on this side of the Chamber who said that the Senators on the other side knew nothing about the question.

Mr. SHERMAN. I understood the Senator from Virginia to say that we were incompetent to deal with the question, because

we knew nothing about the negro race.

Mr. VARDAMAN. I asked the Senator from Washington if he had any definite, personal information on the subject, and

the Senator told me he did not.

Mr. JONES. Mr. President, the Senator asked me if I had personal information, but not if I had definite information.

Mr. SHERMAN. I was referring specifically to the Senator from Virginia.

Mr. MARTIN of Virginia. The Senator from Virginia will answer the Senator as soon as he can get the floor.

Mr. SHERMAN. I will be glad to have the information. I

had reference to the statement of the Senator from Virginia.

Mr. MARTIN of Virginia. Mr. President, what I said could not, except in a captious and unfair spirit, be construed as a charge that the Senators on the other side of the Chamber were not qualified to discharge their duties. I said nothing of the sort, and by no reasonable inference can such a conclusion be deduced from what I did say. I did state, what is an axiomatic truth, that those most familiar with the subject can deal with it more wisely than those who are not familiar with the subject. did say, and I repeat, that the Senators from the Southern States, reared in the midst of the negro race, living in the midst of the negro race, feeling just as much interest in that race as Senators from other sections, and perhaps more, by reason of their nearness and their association, and having greater opportunities for knowledge and consequently greater knowledge, were better able to solve the negro problem than men from communities where there were no negroes. I said that not in disparagement of Senators from other communities and without intending to charge in any sense that they were unfit to dis-charge their duties here. I said, and I repeat, that the southern Senators, living in the midst of the negroes, and having their

very existence involved in the wise solution of the negro problem-for it is a great problem; it has been a menace to our civilization at times, and we are even now not free from the menace in some of the relations concerning it-I say, in view of the immense interests involved in that problem and in the midst of it, as we are, I think we are in a better position to deal with it than are Senators from remote sections of the

country, where there are no negroes.

is what I said, Mr. President. I said it in none other than a kindly spirit; in no other way than as a fair argument based upon established facts, deducing from those facts a conclusion which I think is irrefutable. If a man can better deal with a subject when he is ignorant of it than when he is familiar with it, then I am wrong; but if familiarity with a subject, if knowledge of a subject helps the solution of the problem, then I say that southern men, assuming that they are actuated by the same patriotic purposes as men in the States where there are no negroes-I say that under those conditions southern Senators are better qualified, from superior knowledge of the conditions, to deal with the negro problem than are men from the northern States. I said that, and I said it in a fair spirit, not intimating or intending to suggest that northern Senators were not qualified to discharge all the duties ·devolving upon them as Senators here.

Mr. SHERMAN. With the permission of the Senator from

Washington, I should like to continue.

Mr. JONES. Certainly.

Mr. SHERMAN. I am quite certain that I did not misunderstand the Senator from Virginia, and his explanation only confirms me in my understanding. I should like to ask the Senator from Virginia whether he knows that many northern Senators have more negro constituents than he has in Virginia?

Mr. MARTIN of Virginia. I know that they have not in proportion to their numbers. There is not a northern State—

Mr. SHERMAN. May I add that probably the Senator has not weighed the statement which I made. When I speak of "constituents," I mean constituents who vote. I have more negro constituents in the State I come from than you have in Virginia; and they are just as capable of taking care of them-selves as are those in Virginia, and they are given the rights under the law and constitutional amendments which they are denied in your State, sir.

Mr. MARTIN of Virginia. Every negro in Virginia who is

qualified to vote is permitted under the law and under the prac-

tice to vote.

Mr. SHERMAN. How many of them vote in your State?
Mr. MARTIN of Virginia. Every man who is qualified to vote and can come up to the desk and fill up the form that is given him.

Mr. SHERMAN. What is the form? Mr. MARTIN of Virginia. I would not undertake to go through all the questions, but they relate to his age, occupation, and other ordinary matters which a man who can read and write can understand. If he can read and write and has the ordinary intelligence that goes with the knowledge of reading and writing, he can qualify to vote in Virginia. in Virginia, when they are qualified to vote, are permitted to vote. I know nothing about the qualifications in the Senator's State; but there is an educational qualification in Virginia, or what amounts to an educational qualification, applicable to the whites and negroes alike. There is no discrimination or distinction of any sort or kind whatever, but every negro in Virginia who is 21 years of age, and is not an idiot or a lunatic, can vote if he has the educational qualifications that are required of white men.

Mr. SHERMAN. I now renew the question-I have not the information yet-how many negroes vote in the State of Virginia, which the Senator represents in part?

Mr. MARTIN of Virginia. I do not know the number of

negro voters in the State of Virginia.

Mr. SHERMAN. I thought possibly, with the knowledge the Senator possesses of the racial lines in Virginia, that he might

give me that information.

Mr. MARTIN of Virginia. I would not be able to make a statement as to the number; but I say we have an educational qualification such as exists in most of the Northern States. I am told, for instance, by a friend sitting near me, that Massachusetts has substantially the same requirement. Negroes are not excluded from voting in Virginia if they are qualified to vote. Exactly the same test is applied to them that is applied to the white man, it is justly and impartially administered, and no negro fails to vote who is qualified to vote and desires to

Mr. SHERMAN. I wish to ask the Senator from Virginia whether as many as 40,000 negroes vote in the State of Virginia? In Kentucky, across the river from where I live.

Mr. MARTIN of Virginia. I have told the Senator frankly that I do not know the number, and I am not going to be crossexamined about it.

Mr. SHERMAN. I will say that twice as many negroes vote in the State of Illinois as are permitted to vote in the State of

Mr. MARTIN of Virginia. That may be so. You may permit them to vote without being qualified, or it may be that they are better qualified. I am not responsible for anything that goes on in Illinois; but I say that Virginia does treat the negro fairly.

and he votes if he is worthy of voting.

Mr. JAMES. And if the Senator from Virginia will pardon me, I want to say that as many negroes vote in Virginia under the provisions of their law as would vote in Massachusetts, if the same number were there, under the provision of their law. In other words, both States have an educational qualification as a condition to the right of suffrage.

Mr. SHERMAN. It is peculiarly within the province of State legislatures to prescribe the qualifications of voters, if the Senator from Washington will permit me to trespass a little

further on his time. Mr. JONES. Ceri

Certainly. Mr. SHERMAN. I am not complaining about that. I do not know whether or not you have any further provisions, such as the payment of a poll tax and a "grandfather clause," in addi-

tion to possessing a collegiate education, in Virginia.

Mr. MARTIN of Virginia. I will say to the Senator that he is inaccurate in that, as he is in almost everything else. A collegiate education is not required in Virginia, and I can not imagine where the Senator got such an idea.

Mr. SHERMAN. Is there any "grandfather clause," or is

the payment of a poll tax required?

Mr. MARTIN of Virginia. There is a requirement that a poll tax shall be paid, which is applicable to white and colored alike. It is a very small tax, and the man who does not choose to pay it or is not able to pay it has no business voting. It is a dollar and a half a year.

Mr. LODGE. Mr. President-

The VICE PRESIDENT. Does the Senator from Washington ield to the Senator from Massachusetts?

Mr. JONES. I do.

Mr. LODGE. As the Senator from Virginia is so extremely accurate this afternoon, I think he had better be accurate when he speaks about Massachusetts. We have, and have had for the last 60 years, the qualification of reading and writing for all voters, but we have no poll-tax qualification, so it is not identical.

Mr. JAMES. Do you have any property qualification?

Mr. LODGE. No

Mr. JAMES. They have to read and write, though? They have to read and write.

Mr. LODGE.

Mr. JAMES. Yes

Mr. LODGE. But it appears that here there is a poll tax in addition. This is merely in the interest of accuracy, about which we have heard so much this afternoon.

Mr. JAMES. Certainly; but I was wondering why the Senator from Illinois did not jump on the State of Massachusetts for having an educational qualification. His objection is not as to the payment of the poll tax, because that is merely \$1.50 a year and it is applied alike to all; but there is an educational qualification in the State of Massachusetts, and was for many years before Virginia or any of the Southern States ever had such a law.

Mr. LODGE. The law was passed in the fifties-about 1853. I think.

Mr. JAMES. Certainly.

Mr. LODGE. But I did not know the Senator from Illinois was "jumping" on any State that had an educational qualification.

Mr. SHERMAN. The Senator from Massachusetts correctly understood me. I am forbidden by the rules of the Senate to reflect on any State. I have too great respect for such sovereignties to reflect on them. I am only inquiring for information as best I can, so that I may be able at some time to vote on the amendment offered by the Senator from Washington.

Mr. JAMES. That is what I thought, and that is the reason called the Senator's attention to Massachusetts, a northern

Mr. SHERMAN. Yes; and then I made the further inquiry about poll-tax regulations, and I find that the State of Virginia possesses a poll-tax qualification, and unless the voter can produce satisfactory evidence of the payment of that tax, by way of receipt or otherwise, he is barred from voting. Probably the Senator from Kentucky knows whether that is a qualification

Mr. JAMES. It is not. There is no such qualification as that in Kentucky, and practically 75,000 to 100,000 negroes walk up to the polls and vote at every election in Kentucky. There is no qualification required, educational or otherwise; nor is there any requirement as to paying a poll tax, nor any property qualifica-tion, the only condition to the right to vote being that the voter shall be 21 years of age and a legal resident. If the Senator wants information about Kentucky, it is a very great pleasure for me to give it to him.

Mr. SHERMAN. Yes, sir; I want it; and I am glad to know that Kentucky is so much more progressive than Virginia-Mr. JAMES. What about Massachusetts?

Mr. SHERMAN. Or Massachusetts; I was going to add that. Wait until I get through.

I want some further information, that I hope will be furnished me, if the Senator from Washington will allow me to trespass a little further on his time.

Mr. JONES. I yield. Mr. SHERMAN. The There will be a literacy test up here some day on an immigration bill, and in voting on that we shall have an opportunity to apply to those coming from foreign countries the same high standard of intelligence that we apply to negroes in Virginia and elsewhere.

I wish to pursue the inquiry a little further and to ask if the condition so glowingly portrayed by the Senator from Virginia and also the Senator from Mississippi as to the great progress made by the negro in slavery days does not indicate that the thirteenth, fourteenth, and fifteenth amendments are a radical and gross governmental error?

Mr. VARDAMAN. Does the Senator address that question

to me?

Mr. SHERMAN. Yes, sir. Mr. VARDAMAN. I think, so far as the fourteenth and fifteenth amendments are concerned, that they are—that is, the fifteenth amendment particularly, and part of the fourteenth.

Mr. SHERMAN. I have the information I desire.

Mr. JONES. Mr. President, the Senator from Virginia seems to think we are trying to solve the whole problem by this bill.

I do not so understand it. The only question in my mind is as
to what is the best course to be taken by the National Government with reference to the particular fund we are asked to appropriate for the purpose of assisting agriculture, and what would be the best way to use this fund in its distribution in the sections of the country where they have this problem, which is a national problem, too, so far as that is concerned. Leaving all the rest of the problem for them to work out and solve, I really can not understand why there is this enthusiasm with reference to propositions that I think are not actually involved in this bill at all. Much of the suggestions and discussion is, in my judgment, far afield from the real issue.

I shall now proceed with reference to the condition of the colored race at the close of the war, and I shall endeavor to show the progress it has made since. I may not be entirely accurate, in the minds of some of my friends on the other side, with reference to each individual of the colored race. I notice that they make suggestions here that are a little different from mine; and yet they are not, taking them as a class, contrary to what I believe to have been the condition of these people. may have been a few of them who could read and write, but the great mass of them could not read and write, and it is a fact that in many States it was made a crime by law to teach them to read and write. When I made that statement, however, of course I did not intend to convey the impression that not one of them could read and not one of them could write, but I applied it to them as a whole, and that is the sense in which I am going to use other references to them and what they have accom-

Four million ignorant, helpless, childlike, freed chattels have increased to 10,000,000 citizens, who are now represented in all walks of life and who are advancing in industrial pursuits, in education, and in moral growth with amazing strides. A statement of the facts is more eloquent than any panegyric that

could be uttered.

From the most reliable information that I can secure, I find that they own property of the value of nearly \$1,000,000,000. They have accumulated over \$50,000,000 worth of church property and have erected about 20,000 churches, with a seating capacity of six or seven million. About 2,000,000 of their children are attending the public schools, and over 40,000 are attending higher institutions of learning. Over 30,000 are teachers, and a thousand or more hold life certificates. Twenty-eight thousand are learning trades, and several thousand are pursuing classical, scientific, and business courses. They have more than 150 institutions of higher learning, with 300,000 volumes in their libraries. About 2,000 of their race are physicians, 1,600 are lawyers, and there are more than 500 newspapers and magazines under their management. They have over 150 insurance companies, over 60 banks, 325 drug stores, 25,000 grocery and supply stores, and thousands of representatives in all the trades and vocations of life.

I hope in making these statements as to what the negro owns I am not in any way reflecting upon his southern white neigh-

Wholly ignorant when the war closed, fathers and mothers could not teach their children. For many years there were few, if any, public schools to which they could go; but more and more the public-school system has been made available to them, and over \$16,000,000 have been contributed for educational purposes through their churches.

The wonderful results are shown by the statistics available from census reports. In 1860 they were practically all illiterate; in 1870, 79% per cent were illiterate; in 1880, 70 per cent were illiterate; in 1890, 56% per cent were illiterate; in 1900, 44% per cent were illiterate; and in 1910 only 301 per cent

were illiterate.

These figures are taken from census reports. At this rate of progress it will not be long until illiteracy will be practically unknown among them. I earnestly hope they will continue to improve in this respect until every one of school age and over can read and write. Education is the sesame that will unlock the door of progress and happiness to them, as it has to all those who have availed themselves of its benefits, and I want this legislation to be fair, just, and helpful to them in every possible way.

It is natural that these people should be social in their habits and inclinations. The lives of their ancestors, when slaves, developed the social instinct as a part of their natures. They like to be together, and it is natural that the cities and city life should attract them. The excitement, companionship, closer associations, and entertainments attract them and their boys and girls as well as those of our race, and we find them congregated in the cities in large numbers. It is very gratifying to me, however, to find that there is a tendency to go to the soil and that the negro race in increasing numbers are becoming owners as well as tenants of farms. I hope this legislation

will accelerate this movement.

The owner of land is the only real free man, the only man who can act with independence. The lawyer's clients may quit him at any time, and he can not help himself nor compel them to make use of his services. The doctor's patients may leave him and go to another without asking his consent. When the preacher's term expires his flock may hire another, and he can not complain. The day laborer can not compel anyone to employ him nor continue his employment after he is discharged. landlord can be compelled to renew a lease when the term of his The owner of land, however, can not be deprived of it without his consent. He can leave it and go back to it when he will. He can plant such crop as he may desire. When the year expires he need ask no one for permission to farm it the next year. With a little house on it, he need not worry for shelter, and with industry and thrift he need not worry about something to eat; but he can make things reasonably pleasant, and always have the real joy that comes from a good appetite, a healthy body, and a mind free from worry.

Of the 6,361,502 farms operated in 1910, 75 per cent were oper-

ated by native whites, and 920,883, or 141 per cent, were operated by colored farmers. From 1900 to 1910 colored farmers increased 19 to per cent. The value of lands and buildings of white farmers increased during the 10 years ending 1910, 122.6 per cent, while those of the colored farmers increased 136.7 per cent. The size of the farms of the whites decreased, while the size of the farms of the colored people increased. While the farms of the whites are larger, the improved lands of the colored people increased 65 per cent, while the improved lands of the whites increased

only 39.4 per cent.

Of course, I understand that with the percentage basis we can make a better showing, and yet nobody ought to object to a good showing on behalf of the negro race. It seems to me we ought to rejoice at the showing they have made. Of course, a small percentage for the white people means more in acres than a large percentage for the colored race, as far as that is concerned; but I am not quoting this to reflect upon the white people, but for the purpose of showing what the negro people have done.

Mr. SMITH of Georgia. I do not so understand it. wish to ask a question. Those farms are all in the South, are they not?
Mr. JONES. Yes; I think so.

Mr. SMITH of Georgia. And this progress is made under our plan of handling the negro in the South, and our treatment of

Yes; that is true.

Mr. SMITH of Georgia. That is what I wanted to bring out. Mr. JONES. What I hope for is to get greater progress, to get an improvement on the present plan. I have not understood that all the Senators on the other side are standpatters, that they do not want to improve on conditions, but I want to help them to improve this condition. I am not saying that they are not helping the negroes, but I think we can help them more, and I want to help my friends on the other side to help them

I hope no one on the other side will think I am charging you with not helping the negro or not trying to help him, but I want to help him a little more and I want to help you to help

him a little more. That is what I want.

In the State of Virginia there were 32,228 colored farm owners in 1910, owning about 1,381,223 acres, or about onetenth of the acreage owned by the whites, and of the value of over \$28,000,000. In the United States there were 218,467 colored farm owners in 1910, or an increase of over 30,000 during the last 10 years. They own over 15,600,000 acres of land, as against 13,300,000 in 1910, and of the value of over \$272,000,900, as against \$106,600,000, or an increase of over 100 per cent. Now, very likely the development brought about by our white friends down there has had much to do with that increase.

Mr. SMITH of Georgia. Can the Senator tell us what proportion of that land, or those farms, is right in the South-in the

States we represent?

Mr. JONES. Why, I think they are all there-possibly not all, however.

Mr. SMITH of Georgia. Practically all?

Mr. JONES. There are some in my State; but practically all of them are in the South.

Mr. SMITH of Georgia. Practically all?
Mr. JONES. Why, to be sure.
Mr. SMITH of Georgia. That is what I wanted to bring out. Mr. JONES. I do not want to suggest the opposite; not at all. Mr. SMITH of Georgia. I simply wanted that fact brought out.

Mr. JONES. Farm tenants increased from 552,401 to 670,474. I hope this means that these tenants will soon become, by their

thrift and industry, owners of these farm lands.

Without homes, without churches, and without organizations of any kind when released from the shackles of slavery, they have demonstrated the virility of their race not only by the increase in numbers from four to ten millions, but by the extent to which homes have been established, churches erected, schools patronized, and the adoption of those systems of organization which characterize the civilization of the day, it being estimated that more than one-third of their people belong to these or-

ganizations at this time.

Mr. President, it seems to me that a people who have made a progress like that, under the conditions and under the circumstances existing, are entitled to all the help and all the encouragement possible. As I have said, I know that their friends in the South who are with them, of a different race, are doing what they can to assist in this progress, this growth, and this development. I am willing to concede that possibly by reason of their familiarity with the surroundings and condi-tions and characteristics and habits of these people they are better able to solve this great problem than I am; but we are not endeavoring to solve all of the problem by this legislation. We are endeavoring by this legislation to help you people solve the problem that confronts you. We are endeavoring to assist you in carrying the burden that is peculiarly your burden, but which is in fact the burden of the whole Nation. We are proposing to take money from the Treasury of the United States: and I think it is our duty, regardless of where we come from, to do what we can to put that money to the best possible use to accomplish the purposes desired.

Mr. VARDAMAN. Mr. President, if the Senator will permit me a moment—the Senator's purpose, as I have said before, may be wholly patriotic and altruistic; but I wish to say to him, and I do not think I am biased, that he is helping us just about as effectively and just about as disastrously as if he should undertake to light us through a dark powder house with a flaming torch. He is simply handling something that he does not understand, and instead of helping the white man and helping the negro in the solution of this problem, he is multi-

plying the difficulties.

Mr. JONES. Did the provisions of the act of 1890 and the act of 1907 multiply the difficulties that confronted you in

working out this problem? I address that inquiry to the Senator from Mississippi.

Mr. VARDAMAN. To what acts does the Senator refer? I

do not recall.

Mr. JONES. They are the acts appropriating a certain amount of money for the support of these agricultural colleges, that had in them substantially the same provision that I am offering in this amendment.

Mr. VARDAMAN. No; I do not think they have the same provision that the Senator offers.

Mr. JONES. Yes; they have substantially the same provision.

Mr. VARDAMAN. I do not think so.

Mr. JONES. It is almost word for word the same.

Mr. VARDAMAN. If so, they have not been executed as the Senator would have this provision executed.

Mr. JONES. Why, yes, Mr. President; the manner in which they have been executed is one of the strong arguments I have for this amendment. Under this provision in those laws 28 per cent of the money went to these schools instead of 8 per cent under the act of 1862.

Mr. SMITH of Georgia. If the Senator will allow me, it is the difference in the way in which this work is to be done that makes the entire distinction that we draw between the former act and this; and to sustain that requires the whole scope of discussion that I hope to present when the Senator takes his seat

Mr. JONES. I had about concluded, Mr. President.

The Senator from Mississippi refers to the bias I have in this matter. I do not believe I have shown any more bias than he has shown with reference to the matter. Probably he has more bias growing out of the more intimate knowledge he has of the

situation than I have. Of course, however, that has nothing to do with the merits of the proposition.

I do not believe I shall take the time of the Senate further. We have branched off into a great many matters that it does not seem to me-although I may be mistaken-are really involved in this question. The question is simply, What is the wise way to provide for the distribution of this money that we are going to take from the Federal Treasury for the agricultural develop-

ment of the country?

I believe that in those States where it has been shown in the past that the State legislatures control or are permitted to control the disposition of this money, they have given it to institutions devoted entirely to the education of white students. Even if this is a different character of work from that in which they are engaged, I believe we should see to it that a part of this money shall go to the colleges that have been recognized under the former acts of Congress as the proper colleges to receive the funds that the National Government has heretofore do-Part of this money should go to those colleges, and be distributed by them. I do not ask that the agencies of distribution shall be interfered with, but that the money shall be distributed by the agencies provided by the State. In that way we shall offer encouragement to the colored race in the solution of this problem, which is a serious one; and we shall see to it that the money Congress appropriates out of the Treasury of the United States is used for the uplifting of those who really

need help, encouragement, and assistance.

Mr. SMITH of Georgia. Mr. President, I shall not question the motives of anyone who differs with me with reference to the proper mode of handling this fund, but I do think I am probably in a better position than the Senator from Washington [Mr. Jones] to understand how the fund can be best used in my own

We have in Georgia more negroes than are found in any other State of the Union. We have 1,176,000 negroes in our State. How to move forward the great mass of the negroes is our serious problem.

The reason why those of you from other States do not understand the situation is that the great mass of the negroes are entirely different from those you see as waiters downstairs. In 1865, when they were freed, those who were old enough to work had been taught to work. Many of them had been taught trades. Many of them had been taught how to farm well and how to care for stock. Relieved of enforced labor, it was but natural that the tendency should be to avoid labor, not so much among the old as among the young who had never been made to

To-day we have in Georgia 900,000 negroes who fall under the class of rural population. We have something more than 200,000 who fall under the urban class. The large majority of the negroes of the State still need the stimulus and the training that may induce them to work for more than is necessary to meet their immediate wants, and instill in them a desire to save something, and to work more hours than are absolutely necessary to clothe and feed themselves.

There are a few, a small percentage, such as you see here, a small percentage of the more advanced in the cities, that are making admirable progress; but our problem is not with that class. It is with the great majority, 75 per cent, that it is diffi-

You can go to a county in Georgia during court week and see three negroes to every white man, coal-black negroes from the farm, full-blood Ethiopians, and it is difficult to move them to work beyond what is absolutely necessary and what they are almost forced to do in order to live.

Now, Mr. President and Senators, just a word with reference to the distribution of money. I still use the figures with regard to my own State. The negroes pay in State taxes \$173,497 in all. That is the amount they pay to what we call our State tax fund. The balance is paid by the white people. With absolute control of the State, we appropriate out of this very fund, in round figures, \$650,000 a year toward the education of the negroes. We appropriate toward their education nearly 400 per cent more than they pay in all to State taxes.

I mention this to show that there is not an unwillingness on the part of the white people to help the negro. I mention this fact only as it bears upon the question we have before us in order that I may, at least in a measure, remove any misapprehension in regard to our feeling toward the negro.

I desire now to call your attention to our system of farming in Georgia. We have practically no negro labor hired for wages on the farm. Ninety-five per cent of the negroes who are on the farms of Georgia work for a part of the crop.

The white man's profit from his land must come from the

good work done by the negro on the farm.

I do not mean that a majority of our farms are worked by To-day more than half the agricultural product of Georgia is the product of white man's muscle on the farm. But of the negroes who work on the farm, and over 900,000 are connected with farm life, 95 per cent work for a part of the crop, and the white man's profit from his lands depends upon the proficiency of the negro farmer. How do they work? Principally under a system which we call cropping. The white man owns a farm large enough to divide up into perhaps a dozen small farms. I take that as an average. He locates a negro family on every one of those small farms, and in many instances you

will find they have been working the same farm that they are on for 10 or 15 years.

Mr. CLAPP. Will the Senator pardon a question purely for Mr. CLAPP. information?

Mr. SMITH of Georgia. Certainly.

What would be, perhaps, the average size of Mr. CLAPP.

Mr. SMITH of Georgia. About 50 acres; perhaps less. On some of the best farms the owner of the land has a common pasture, or two or three common pastures, in which all their cattle go to graze; but 40 to 50 acres make about the average.

The owner of the land, of course, picks the very best negroes he can get to take his land. He frequently requires them to keep a cow. He requires them, as a part of their contract, to raise their own hogs, to keep their poultry around the house. to plant perhaps a few fruit trees, or to take care of them if they are there. There is a vegetable garden for their own house. The interest of the owner of the land is in the staple crops-cotton, probably, and corn; in some sections wheat, and Those are the crops that the tenant cultivates in some, oats. on shares. Sometimes in his contract he is required to cultivate a vegetable garden solely for himself, and is required to keep a cow and raise his own meat. The landlord gets his profit.

Mr. CLAPP. For further information—

Mr. SMITH of Georgia. Certainly. Mr. CLAPP. What proportion, as a rule, does the landowner

Mr. SMITH of Georgia. I was just going to give it to you. Under that arrangement, if the landowner furnishes the stock and the agricultural implements, the animals, and so forth, necessary to make the crop, and pays for half the commercial fertilizer, and advances to the negro his food supplies if he needs them, the landlord receives one-half the cotton or corn or other staple crop.

Mr. CLAPP. The Senator speaks of an advance. That is

paid back by the tenant?

Mr. SMITH of Georgia. The advances are paid back. Anything advanced for the tenant to eat is paid back. When the landlord furnishes the stock he frequently pays half the food required for the stock. He meets half of that expense and half the expense of the fertilizers. That is the plan upon which I

should say 75 per cent of the negroes farm who farm in Georgia. A part of them own their own stock and their own supplies, and then the contract is one-third of the cotton or one-third of the corn or one-third of the oats.

Now, what is the interest of the white landowner? The only way he can make anything is for that negro to farm well, or fairly well, and the better the negro can farm the more the white landlord receives for the use of his land. He looks after and directs his dozen farms and encourages the negro tenant to work. He perhaps keeps a little farm of 50 acres around his own house, and plants a few acres in cotton and corn and wheat and oats for his own use; but the profit from his land comes from the net return that the negro must bring from the soil. That white landowner has every inducement to encourage his negro tenant to learn how to farm well.

From 1865 to 1880, speaking of my own State, we lapsed into the most careless and slovenly manner of farming. trol had passed off from negro labor, and but few white men were then engaged in actually working upon farms. The negro naturally became more and more careless, as he forgot the enforced labor which slavery placed upon him. The change came for the better in about 1880, when more intelligence began to take hold of the negro and there was on his part more willingness to work, and improved methods to a certain extent began

to be adopted.

Mr. TOWNSEND. May I interrupt the Senator long enough to ask him

Mr. SMITH of Georgia. Yes.

Mr. TOWNSEND. If the argument he is now making can not with equal force and effect be applied to every employer of labor and his laborers; that the employer says the conditions under which they work are the best possible, and they have no business to complain? Is not that conclusion necessarily to be derived from the Senator's argument?

Mr. SMITH of Georgia. Not at all, I think. The argument I am making is that 75 per cent of the white landowners in the State get their sole profit from a portion of the negro farmers' production, and therefore if they can add 25 per cent to the capacity of the negro the landowner will get 25 per cent more return.

Mr. TOWNSEND. Is the Senator arguing in favor of a permanent landlord and tenant system?

Mr. SMITH of Georgia. Oh, no; I do not mean that at all. I am just discussing the existing conditions to show that the white men of Georgia who own the land are directly interested in using this farm demonstration work to improve every negro farmer they can possibly reach. What I am leading to is that there is every possible inducement to the white men to stimulate the negro to use the advantages of this demonstration work, and that this demonstration-

Mr. VARDAMAN. Mr. President, I wish to suggest to the Senator from Georgia that under the improved method of farming in Georgia the productive qualities have been increased at least 50 per cent in the last 25 years, and that is the case all through the South,

Mr. SMITH of Georgia. That is undoubtedly true. The only proposition I was seeking to urge upon Senators who doubt the soundness of the proposed plan to use this fund was, first, that the white farmers of Georgia have every incentive to use that plan of demonstration work which will improve to the greatest extent the capacity of the negro farmer to produce good crops.

Mr. President and Senators, I wish to refer to the two colleges in Georgia-the agricultural college located at the university of the State and the agricultural and mechanical school located near the coast, which is used for the negroes. I wish to repeat what I said before—that we have been able to do very little, that we have been able to get scarcely any negroes at the agricultural college who wish to take agriculture and make it a specialty. The result is that that institution, on account of the aversion of the negroes who went there, has been shaped chiefly to a plan of short courses to meet what they seemed to want, and it is almost exclusively a mechanical school to train negroes in mechanical lines. It has gone in that direction on account of the pressure from those who wish to come to it and wish to be given that kind of instruction. We have a good man at the head of it. All the teachers are negroes. We have adopted the policy in the State in all the negro schools and places of instruction where negroes are the pupils to equip the school with negro teachers. I believe that was wise. I was chairman of the board of education in Atlanta when we pressed through, at the instance of some of our best negro preachers, the exclusion of whites from competition with the negroes in the teachers' examinations and gave those places in the schools to negroes

Mr. ROOT. Mr. President, may I ask the Senator a question?

Mr. SMITH of Georgia. Yes.

Mr. ROOT. What is the control of the institution for colored

people above the teachers-the board of trustees?

Mr. SMITH of Georgia. There is a special board of white men, who are trustees, who look after it, and who feel the deep-est interest in it, and who dissuaded me from pressing legislation to change the nature of the institution. They simply said I was interfering, and I did not understand it as well as they did; that they had brought it out; that they had started with the views with which I had started when I felt a part of the responsibility as governor of the State. I had an idea that if we would press agriculture into that school we would make it a normal agricultural school; we would get more well-trained negro teachers for our negro rural schools. They convinced me that a large majority of the negroes preferred mechanical training and that I would lessen the value of the school if I pressed my views. I yielded to their advice, as they spoke from experience, not simply from theory. The fact is that scarcely any of our negroes who get beyond the negro rural schools want to stay on the farm or study agriculture.

Mr. CLAPP. If the Senator will pardon an interruption-

Mr. SMITH of Georgia. Certainly.

Mr. CLAPP. That I may be clear upon this subject, I read this provision of the bill:

That in any State in which two or more such colleges have been or hereafter may be established the appropriations hereinafter made to such State shall be administered by such college or colleges as the legislature of such State may direct.

That is applicable to Georgia—that is, there is more than one college that this fund might be administered by?

Mr. SMITH of Georgia. Yes.
Mr. CLAPP. And one of those is a colored college?
Mr. SMITH of Georgia. Yes.
Mr. CLAPP. Now, without asking the Senator what he

Mr. SMITH of Georgia. I will tell the Senator frankly what we will do. We will put it in our white agricultural college. We would not appropriate a dollar in Georgia to undertake to do extension work from the negro agricultural and mechanical school. It would be a waste of money. We have in our State college of agriculture a great dean. He was a Canadian. He We have in our State has been connected with the agricultural college of the State of Missouri and is a man of great power and zeal in his work. We have gathered the ablest faculty we could obtain from Wisconsin, from Iowa, from Missouri, from different parts of the United States, men who are scientific students of agriculture. and we want to have this work done in the very best possible way. If we tried to handle a part from the negro school, while I suppose the board of trustees would control it, we could not handle it effectively.

Mr. CLAPP. Then the enator would not expect that under the bill any of this fund would be administered through the

colored college?

Mr. SMITH of Georgia. No; I would not.

I merely wanted the Senator's view.

Mr. SMITH of Georgia. I am just as candid with the Sen-We should handle it where we can ator about it as I can be. handle it best. When we handle it best we handle it best for the negro as well as for the white man in the State. We have a great corps of scientific students at the college of agriculture. There is a great corps of scientific students in the Agricultural Department. You have not a negro scientist in the list. are not going to fill up your Department of Agriculture here with negroes, because they are black. You are not going to say that their work, where the negro is to be benefited, must be done by the negro, because you can not do it. We could not have filled properly in our agricultural college from within the State of Georgia the professorships. We have gone outside of the South to get men who are scientists, and have given them chairs in our agricultural college.

Mr. CLAPP. But I understand the Senator to say that the board of control—that is what we would call it; I do not know what it is called in Georgia-having charge of this colored col-

lege is composed of white men.

Mr. SMITH of Georgia. Yes; but who are the real students of agriculture in Georgia? Who are analyzing the soil in Georgia? It is being done at the university, at our agricultural college. Who are making soil surveys in Georgia? It is done from our agricultural college. Who are analyzing plants that are being raised in Georgia? Our agricultural college men, our chemists, and our masters of the subject are found at the State college of agriculture.

Mr. VARDAMAN. Mr. President, if the Senator from Georgia will permit an interruption for a moment, I should like VARDAMAN. Mr. President, if the Senator from to ask the Senators on the other side if there are any members

of the colored race doing any special work of the character designed under the bill in any of the Northern or Western States? Are they chosen because of their race for that work?

Mr. LANE. Mr. President, I am not on the other side, and I do not like to interfere with any family row, but I should like to say, for the information of the Senator, that I read an item the other day which interested me. It was published pretty generally, and stated that the best farmer in the South, the most successful farmer, the one who gathered more crops off his land than any other man in the South, or in the West, for that matter, where I live, or in America, is an old negro down

Mr. SMITH of Georgia. I do not believe there is a word of truth in that item.

Mr. LANE. I was simply going to—
Mr. SMITH of Georgia. I do not yield to the Senator any further, Mr. President. I want to go on with my remarks.
Mr. LANE. Very well.

Mr. SMITH of Georgia. We have some very good negro farms in Georgia. There are a few where you find a very capable negro farmer, who owns a piece of land of his own. We have negro farmer, who owns a piece of land of his own. We have several quite large negro farms in the State; but the only place we have any scientific knowledge on the subject of farming, the only organization in the State that can intelligently handle this fund, is the State College of Agriculture. We separated the mechanical branch from it. We established a mechanical branch, known as our Technological Institute, and devoted our agricultural college exclusively to the study of agricultural

You speak of this money being spent with them. Why, it is not spent with them; not a dollar is spent with the college; not a dollar is used to help the college. We simply take the students of agriculture who are most competent in the States to direct our demonstration work throughout the State. Just now, to stop a moment, I am going to send a letter to the desk, furnished me by the Senator from Mississippi [Mr. VARDAMAN], which I desire to have read.

Mr. CLAPP. I will wait until the letter is read.

Mr. SMITH of Georgia. Well, the Senator may ask his ques-

Mr. CLAPP. What I want to get at is this: Of course, this is an appropriation of money that is gathered into the Federal Treasury from all over the country. Does not the Senator from Georgia feel that, if the necessity could be shown, as the Senator from Georgia is showing it now, of administering this fundtaking his State as an illustration-through the white college, it would be perfectly safe to leave the determination of that matter to a member of the Cabinet of this Republic, especially in view of the fact that we are appropriating Federal funds?

Mr. SMITH of Georgia. If the Cabinet officer did not know

more about it than some others who have expressed themselves, I should say no. It is not a place for debate. We are not appropriating a dollar to be administered in Georgia through

the negro agricultural and mechanical college.

Mr. CLAPP. No; because you are appropriating there the money of the taxpayers of Georgia; but I will be frank about this matter. It does seem to me, inasmuch as we are appropriating Federal money, that there should be some final Federal authority that might act as something of a check in the disposition of these funds within the State, subject to the advice of men like the Senator from Georgia and other residents of the State as to what was the wisest course to be pursued within the State.

Mr. SMITH of Georgia. The bill provides that a plan for the work must be submitted by the college of agriculture to the Department of Agriculture here and receive the approval of the Secretary of that department, or else for the next year not a

Secretary of that department, or eise for the lext year not a dollar can be drawn from the Public Treasury.

Mr. CLAPP. That is the plan for the detail work.

Mr. SMITH of Georgia. If it were seen that the plan of work did not do the negroes justice, the power would be there

to entirely stop it. Mr. CLAPP. W

Mr. CLAPP. Well, but if it were seen that, owing to any possible prejudice—although I do not think it is in the mind of the Senator-the administration of this entire fund due to any one State was being administered through one college when a portion of it ought to be administered through another college, it does seem to me that, dealing with Federal funds, we should reserve somewhere in the Federal Government some check upon the legislature of the State. Under the Senator's own statement, while it would be most improbable, of course, in Georgia, the legislature of that State could administer this fund through the colored college under the terms of the act.
Mr. SMITH of Georgia. That would be impossible.

Mr. CLAPP. Yes.

Mr. SMITH of Georgia. It would be impossible to so admin-

ister it if they tried.

Mr. CLAPP. Well, if that be true, then no Cabinet officer would attempt to administer it. The point I am making and the objection I am making to this clause is, that we are dealing here with a Federal appropriation. I did not want to get into this debate. I have asked three or four questions for information, which the Senator from Georgia so kindly gave; but, while I am on my feet, if the Senator will pardon me, dealing here with a Federal appropriation, it does seem to me, I repeat, that there ought to be somewhere in the Federal Government a final authority with reference to the administration of that fund through the different colleges where there is more

Mr. SMITH of Georgia. The amendment of the Senator from Washington goes far beyond the suggestion of the Senator from The amendment of the Senator from Washington requires the fund in part to be administered through both. I am sure that no Secretary of Agriculture would ever require it to be administered through both if it were left to him.

Mr. BRADY and Mr. SMOOT addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from Georgia yield?

Mr. SMITH of Georgia. I yield to the Senator from Idaho,

who was first on his feet.

Mr. BRADY. Mr. President, the remark of the Senator from Minnesota [Mr. Clarr] brings us back to the very question that I raised when I interrupted the Senator from Washington [Mr. Jones], and that is that I do not believe, if this amendment shall be passed in its present form, it will materially aid the

conditions in any way.

Mr. SMITH of Georgia. It will take the whole benefit of the fund away from the negro if you let the demonstration work be

done through the negro college.

Mr. BRADY. The purpose of this bill is to assist in demonstrations in agriculture, and our aim and purpose is to do the greatest good to the greatest number. According to the state-ment of the Senator from Washington, the schools in the South attended by the colored people and the colored people them-selves have made wonderful progress under the system as administered by the States at the present time. There is no question about that.

Mr. JONES. Mr. President— Mr. BRADY. Just a moment.

Mr. JONES. I did not state that any school had made wonderful progress. It is the colored people themselves who have

made the progress

Mr. BRADY. Well, the colored people themselves have made that progress under the system now in vogue in the Southern States. There is no question about that. We may disagree with our friends from the South as to their treatment of the negro with reference to the ballot, but I can not bring myself to believe that they do not intend and are not trying to help the negro race to become more efficient and better citizens and to improve their condition. We are proposing to pass here an amendment in which it is stated:

The legislature of such State shall propose and report to the Secretary of Agriculture a just and equitable division of the appropriation hereinafter to be made to such State between one college for white students and one institution for colored students, and when approved by him.

That is, the Secretary of Agriculture-

the share in said appropriations as determined by such division, of such college for white students, shall be administered by such college for white students, and the share in said appropriations as determined by such division of such institution for colored students shall be administered by such institution for colored students.

Now, I want to ask the Senator from Georgia whether he does not believe that, according to the terms of this amendment, the State would have a right by its legislature to recommend, propose, and report to the Secretary of Agriculture just how the funds should be divided? That is what the amendment says. Mr. SMITH of Georgia. Yes; it requires a division of some

sort between the two.

Mr. BRADY. Of some sort; but, for instance, we will say that your legislature in Georgia, after due deliberation and investigation, should honestly decide that you should give 99 per cent of it to the white college, to be administered in a manner for the benefit of the colored students or in any manner that you might see proper. I want to ask the Senator whether that you might see proper, I want to ask the Senator whether he does not believe, under this amendment, that the Secretary of Agriculture would approve that plan, believing that your people best understood the conditions?

Mr. SMITH of Georgia. Unless he felt that he was obeying the spirit of the legislation, I think he would feel that he was disregarding the legislation. I think if that was what was bill?

meant by the legislation, nothing of the sort ought to be in the legislation.

I tell you frankly anything that we paid through the agricultural and mechanical college for agricultural extension work we would consider so much wasted. I do not say that the State college of agriculture will not use in the counties negroes as assistant demonstrators, but I have no idea that they will put a negro in charge of the work in any county. We have not, of course, a negro superintendent of education in any county. We have a white superintendent of education in every county.

Mr. SMOOT. Have you one capable of filling that position?

Mr. SMITH of Georgia. Of county superintendent?

Mr. SMOOT. Yes

Mr. SMITH of Georgia. No negro could fill the position of superintendent of the whites as well as of the blacks of the State.

Mr. SMOOT. No; but I ask the Senator whether there is one there who is capable of filling the position? Mr. SMITH of Georgia. Yes; as superintendent of the negro schools. We have them in that capacity, and we have assistants assigned to negro schools; but the man who directs the whole system, which includes the white as well as the black, is always a white man. He has an assistant usually, or wherever it is practicable, to aid him, devoting his time entirely to the negroes. Whenever practicable we get a capable negro, usually a negro woman, who helps to do that work.

Mr. BRADY. That is your manner of handling it at the

present time?

Mr. SMITH of Georgia. Yes; that is our whole educational system where we put up the entire money and where we give \$650,000 out of the fund toward negroes alone, when the negro taxes to that fund are about \$150,000.

Mr. JONES. Mr. President—
The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Washington?

Mr. SMITH of Georgia. Yes.

Mr. JONES. I understood the Senator from Georgia a moment ago, in answer to a question of the Senator from Minnesota [Mr. CLAPP], to say that, under the bill as reported by the committee, the Secretary of Agriculture has the decision with reference to the ultimate disposition of this money?

Mr. SMITH of Georgia. He has to approve the plan for its

Mr. JONES. But he does not have to approve the college which the legislature may select to use the money?

Mr. SMITH of Georgia. No; the legislature would select the

college.

Mr. JONES. That is left entirely to the legislature?

Mr. SMITH of Georgia. Yes; and we do not in my State want the fund if it goes to any but the white college. I will be frank with you. We could not do the work if you should put a negro in charge of white people in conducting demonstrations, but the negroes will be used wherever they can be used, and we will help them, just as we are helping them now. When I tell you that the whole contribution of the negroes to the State's taxes is \$173,000, and that the legislature and the governor, all white men, voted \$650,000 of the fund to which I have referred to the negro schools, \$500,000 being from the contributions of white people, an amount in excess of the total sum which the negroes pay for the entire support of the State, you can not feel that the white people of the State are moved by prejudice. I mention this because I want you to understand that we are carrying the negroes forward and helping them out of our own

Let me say one thing more. Of course we have had a fight in Georgia to try to separate the fund, to use all the white taxes for the white schools and to give nothing to the negro schools except the negro taxes. It is just such fights as this now being made by men who undertake from the outside to interfere that hinder the men in the South who are trying to help the negro.

Mr. SMOOT. For information, I should like to ask the Senator a question or two. Take, for instance, Georgia, where you have an agriculture college for white students and an agriculture college for colored students.

Mr. SMITH of Georgia. We have an agricultural and me-

chanical college together for the colored.

Mr. SMOOT. Yes. What I want to know is this: What has been your experience in Georgia at this agricultural and me-chanical college by way of educating a colored man so that he would be absolutely fitted and qualified in every way to do the demonstration work which we desire to have done under this

Mr. SMITH of Georgia. We have not had one of whom I know who could do it. The negroes that we use as demonstrators in Georgia are the negroes who have made a special success on their farms, starting as farmers. I do not know one of them who attended the agricultural and mechanical college.

Mr. SMOOT. I am rather surprised at that statement, because I certainly thought that, out of the number of students attending that school, there would certainly be some who would be capable of being educated sufficiently to fit them at least to be demonstrators; but the Senator says that he knows of none

Mr. SMITH of Georgia. I do not recall one; and I do not recall a graduate of Tuskegee who is making a successful farmer That will startle you; but it is so.

Mr. SMOOT. It did startle me when I heretofore heard the

Senator make that statement.

Mr. SMITH of Georgia. I have been in every county in my State, and I have discussed agriculture in nearly every county in my State, because I was deeply interested in really putting the college of agriculture on a sound basis. I obtained an appropriation for demonstration work about four years ago, and I have been pressing the demonstration work in Georgia for a number of years. I have noticed that the white people are just as anxious to have the negro improve as a farmer as any human being can be to have a little more income for himself. We bring them where the demonstration goes on; we have demonstrations made on their own land, and we bring them to our agricultural trains.

We find that the best practical means of improving the negro in the country that we have ever tried. If we can get a negro here and there who can take part in the work, and go out and work among the negroes and demonstrate, we use him. There is no race clash in it; they are not in the schoolhouse. We have never engaged in anything in the State which I think has done as much for the negro as the demonstration work of the past four years, when we have been spending about \$50,000 a year for this purpose. I think it has done more for him than all we have spent in the rural colored schools.

Mr. BRADY. The Senator stated the amount of taxes that were paid by the colored people. Has he at hand the total amount of taxes paid by the white citizens of the State?

Mr. SMITH of Georgia. Into that same fund, \$3,846,000.

Mr. BRADY. As against how much?

Mr. SMITH of Georgia. One hundred and seventy-three thousand dollars.

And the amount appropriated for education? Mr. SMITH of Georgia. Six hundred and fifty thousand dollars out of that fund for the negroes exclusively. I mention that solely that I may use it with you to let you see that we are trying out of our own money to help the negro. This is only one fund. This goes almost exclusively into the rural sections; but the special tax in the municipalities and in cities is largely more-I would say several times more-than all the taxes the negroes pay. I think four times as much as they pay as taxes for all purposes is spent on their education alone in the State. We spend several times more on their education in the State than they pay in taxes.

Mr. CUMMINS. Mr. President-

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. SMITH of Georgia. Yes.

Mr. CUMMINS. I wish the Senator from Georgia would make complete the statement he has just made, at least complete as I view it, by adding this information: How much does the State of Georgia spend per person for the education of its white people and how much per person for the education of its col-

Mr. SMITH of Georgia. I can not give you the exact figures; but more for the white people.

Mr. CUMMINS. How much more?
Mr. SMITH of Georgia. I can not give you that exactly. Of course, when we get into the branches of higher education the expense is far greater. The bulk of our work with the negroes is in the lower grades of the common schools.

Mr. CUMMINS. I take it that the State of Georgia prob-

ably spends five times as much per person for its white population as for its colored population-probably more than that

Mr. SMITH of Georgia. I should not be surprised if that were so.

Mr. CUMMINS. I am very sorry that the Senator from Georgia did not make this argument, which is quite persuasive, before my amendment relative to the distribution of this fund

that amendment. Just see what the situation is-if the Senator from Georgia will allow me to propound a question at the end of a statement?

Mr. SMITH of Georgia. Certainly; but I would rather not go back into that discussion until we get through with this.

Mr. CUMMINS. Well, I am very anxious to go back. I think

that is where we began to go wrong.

The State of Georgia gets a proportion of this appropriation based upon a rural colored population of more than 900,000. In getting that appropriation a colored person has just as much influence as a white man; but having gotten it, according to the Senator's own statements, the policy of the State of Georgia is to spend vastly less per person in the education of its colored race than in the education of its white race.

I am not complaining about the last matter, because the Senator from Georgia and his people understand that situation far better than I do; but I am complaining, and shall continue to complain, that having gotten the appropriation upon the theory that as much will be expended for the black person as for the white person, it is then not so distributed in the educational system of the State.

I think we ought to return to the original proposition, which did not include at all the internal policy of any State with regard to its educational plan, and distribute this money upon some other basis. I am sure the Senator from Georgia, in view

of the argument he has made this afternoon, will join me in an effort to reconsider the vote upon that amendment

Mr. SMITH of Georgia. I am glad to correct the Senator at once. He did not quote me correctly, because he did not quote me entirely. I had distinctly stated that in this farm demonstration work the negro received a benefit and a proportion of the benefit as he did nowhere else. In this farm-demonstration work we go to the negro as much as we do to the white man, and we are teaching him, and he receives his per capita benefit; while in the school house, with the white man far more advanced, and in lines of education far more expensive, with few of the negroes going beyond the fourth grade of the grammer school. The white children stay in school many more years and as many, many more of the white children continue through all the grades of the grammar schools, through high schools, and colleges, the educational work advances in grade the expense greatly increases.

While I believe it is probably true that we spend \$5 per capita on our white children to \$1 on the negroes in schools and colleges, in the \$50,000 that we spend on demonstration work I believe the negro gets his benefit and has his chance just as much as the white man.

Mr. VARDAMAN. Mr. President—
The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. SMITH of Georgia. I do.

Mr. VARDAMAN. Lest the Senator from Iowa and other Senators on that side of the Chamber have an erroneous impression about the facts regarding the distribution of the fund as between the races in the Southern States, I wish to make a statement.

Under the constitution of Mississippi the public schools are required to run not less than four months in the year. The school fund is distributed among the counties according to the number of eligible children. The difference in Mississippi is not so great as the Senator from Georgia has stated it is in Georgia, but the amount is very considerably more.

Mr. SMITH of Georgia. I admit that I have not any accurate figures. I simply accepted the suggestion. I am not sure it is

correct.

Mr. VARDAMAN. The difference is very great in Mississippi, but here is the reason for it: In the black belt the black population ranges from 60 to 94½ per cent of the whole. There are counties in Mississippi-Issaquena, for instance-where the population is about 95 per cent, in round numbers, negroes. The negroes are concentrated upon the great plantations. The schools there are run as long as nine months in the year, and they really can not spend the money; it is not all taken up; while in the hill sections that are settled by white people, as they are in Georgia, and more sparsely settled, there are more schools. It necessarily costs more money to conduct a white school where only a few people live on a section of land than it does to conduct a school in the black belt where 100 or more live on a plantation. That very largely accounts for the disparity.

I want to be entirely candid. The education of the negro does not cost as much as it costs to educate the white man, and the amount of money that is expended in the agricultural and among the States was voted upon, and I have some hope that he may be willing to reconsider his position with regard to of the white than it is in the case of the black. Moreover, the

effect of it is more largely felt; the results are very much greater. The reason for the disparity, however, is that the negroes are concentrated; they are more thickly settled in the community than is the case among the white people.

Mr. SMITH of Georgia. Mr. President, I shall say but little

more upon this subject.

I have sought to let Senators see that the white men of Georgia are not entirely neglectful in the effort to do something for the upbuilding of the negro. I have sought to let Senators see that even if a broader spirit did not influence them, if they were moved only by selfishness, it would be dollars and cents in their pockets to improve these negro farmers. I have sought to show that the negro agricultural and mechanical college is scarcely more than a mechanical school. I am sure that if we had been able to hold more of them on agriculture the State would have contributed more from its treasury toward the school, but while we have tried to check it the preponderance of work there is simply learning a trade.

I have sought to show, and I think I have shown, that the best of all ways to help the negro in our State is through farm demonstration; that there is a great institution there, with the ablest scientists we could gather from all over the Union and from Canada working out scientific truths; that a vast amount of information valuable to the farmer is already there; that under the demonstration which they will conduct every truth they can discover, every truth they have, will be carried to the people of the State and furnished to the farmers of the State, and every effort will be made by them to induce the negroes to use it; and that those who advocate the other course, either through lack of knowledge or from a mistaken sentiment, would seek to divert the fund from its valuable service to one of inefficiency.

I wish the Secretary would read now the letter I sent to the desk. It is a letter telling how the work is done in Mississippi. It will take only a moment, and I shall be glad if Senators will hear it.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

FEBRUARY 2, 1914.

Hon. John S. Williams, Washington, D. C.

Dear Senator: I note a running debate in the Senate on the agricultural extension bill. The impression seems to have been left, in the minds of some at least, that the negro in the South will not get any direct benefit from this extension work. Such is not the case. I am in the extension field in Mississippi, paid by State funds, but have opportunity to see and know what men are doing who are in the Federal demonstration service. They are giving this service to colored as well as white people directly, and have both colored demonstrators and many colored cooperators on the farm. The colored farmers are invited to our meetings, and we hold special meetings for them in many sections, and in some cases find that they more readily respond to advanced teaching than some white farmers who have old set ideas to eradicate. We attend their fairs; we visit their industrial schools.

I am giving you this information that you can use if necessary to dispel such an impression if it may so exist in the minds of any of the Senators who may not be properly informed. Personally, I will not be interested in the distribution of this fund, as I am in State work and will likely continue. But we all work along together on the same line as a team working for the common good of all industrial interests, and draw no color line. The measure should remain as it came from the House, as far as the distribution of funds is concerned.

Yours, very truly,

J. F. McKay.

J. F. MCKAY.

Mr. LANE. Mr. President, before the question is put I should like to say a word on this matter.

The question is one which I am willing to concede the Senators living in that section of the country understand better than we who do not live there or who are not familiar with the conditions there. At the same time, there is a presentation of the subject which I do not quite understand; and inasmuch as I shall have to vote upon the matter, I think I am entitled to know about it.

As I understand the statement of the Senator who is urging the bill, it is to the interest of the people of the South to make as good farmers as possible of the colored people; it benefits them financially, and in every other way it is to the advantage not only of the colored citizen but of the white man as well; in many cases they are tenant farmers; and yet, at the same time, after the money is in the hands of the white men, who handle it, they spend about one-fifth as much upon the purpose of educating the colored man as they do upon the white ctudent.

It struck me that that was rather an anomalous condition; that if it was for the benefit of the white man to improve the mental condition of the black man, the negro, and by that method, through his tenant farmer, the white man may profit, it might pay him and benefit him to spend a little more money upon him and make him a still better farmer. Yet, according to the contention of the Senator who is urging the bill, that is the very

thing he does not wish to do. It may be wise, but to me it does not seem exactly fair; and yet it may be the proper thing to do. I should like to have the Senator say something upon that subject, but I do not know that I shall ask for it.

I stated a while ago that there is an old colored man in some section of the South of whom I have read the statement in a number of papers that he was the most successful farmer, the man who made more off his land than any other individual in that section or in any other portion of the United States; that he had solved the problem of mulching to an extent to which it had not been carried by any other farmer in the country; and that they were taking lessons from him.

In a general way I will say that there is a thing about this bill which has attracted my attention, and that is that there is no farmer in the State from which I come who has written me a letter urging me to assist in the passage of the bill. As a matter of fact, it seems to me the bill is a measure in behalf of teachers, people who are engaged in teaching the farmer, rather than in behalf of the farmer himself. The farmer is to be taxed for his education and to pay somebody for educating him with-

out asking that it shall be done.

I do not question the fact that great good can be done, with the proper system of education, along agricultural lines as well as any other. The farmer, however, does not need that so badly as he needs many other things. If the farmer is allowed a free market and given an opportunity to make a profit from his produce, he will till his land to the full extent that it will stand tilling, and there is where he needs help at this time. He does not need to be taxed to have some person come around and teach him how to carry on his farming in order that he may produce more, when he does not receive the full benefit from that which he now raises. In addition to that, it will not benefit the farmer to teach him how to live upon less, how to eat less, how to make it go further, or how to raise more upon his land, if he is not allowed to benefit from it; if the benefit is to go to some owner, some landlord, or to some trust or combination which handles his product before it reaches the market. He does not need some scientific person to come around and teach his wife how to stretch the beefsteak for supper in order to make it meet the demands of the family so much as he needs free access to the markets of the country and a fair price for his product after he raises it.

It rather struck me that the bill was designed for the benefit and advancement of the teacher more than for the benefit and advancement of the man who tills the soil. I have not heard any very strenuous petitions on the part of the farmer in behalf of the bill.

In regard to the amendment I will say that, as a matter of fairness, it appeals to me. I have great respect for the experience of the Senators from the South, but if the negro is to receive but one-fifth of the money, and the benefit is to go to the landlord, I do not see just where the negro is going to profit very much from it. That does not appeal to me as a fair propo-

I think I shall vote in favor of the amendment on those grounds. While by chemical analysis the bill might be proved to be fair, as a matter of fact, on its face it does not seem so

Mr. KERN. I move that the Senate do now adjourn.

The motion was agreed to; and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Friday, February 6, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, February 5, 1914.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, draw us, we pray Thee, by Thy holy influence very close to Thee, that Thy thoughts may be our thoughts, Thy justice our justice, Thy ways our ways, Thy will our will; that the issues of this day may be the fruits of love and good will to our fellow men, for when our attitude is right toward our fellow men we may be sure that we are in harmony with Thee. So may Thy kingdom come and Thy will be done in us, now and always. In His name. Amen.

The Journal of the proceedings of yesterday was read and

approved.

RAILROADS IN ALASKA.

Mr. HOUSTON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of Senate bill 48 in lieu of House bill 1739, on the same subject,

The SPEAKER. The gentleman from Tennessee [Mr. Hous-TON] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of Senate bill 48 in lieu of House bill 1739, heretofore pending. The question is on agreeing to that motion.

The motion was agreed to.
The SPEAKER. The gentleman from Mississippi [Mr. Har-

RISON] will take the chair.

Accordingly the House resolved itself into Committee of the

Whole House on the state of the Union for the consideration of Senate bill 48, with Mr. Harrison in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of Senate bill 48 in lieu of House bill 1739, and the Clerk will report the bill by title.

The Clerk read the title of the bill, as follows:

S. 48. An act to authorize the President of the United States to cate, construct, and operate railroads in the Territory of Alaska, and

Mr. BORLAND. Mr. Chairman, the pending bill is to authorize the construction of not exceeding 1,000 miles of railroad in the Territory of Alaska by the United States Government, between such points and over such routes and in such manner as may be determined by the President of the United States. For this purpose the United States is authorized to borrow, upon the issue of its own bonds, for the purpose of construc-tion, \$35,000,000. This money is to be repaid to the Treasury of the United States from the sale of public lands in Alaska, the value of which is supposed to be materially increased by the construction of the road.

The measure has received the earnest indorsement of the citizens of Alaska and is urged by the Delegate in Congress from that Territory. It was framed in accordance with the recommendations of the Alaskan Railway Commission, a body created by the last Congress for the express purpose of investigating and determining whether the Government of the United States should engage in the construction of railroads in the Territory, and if so, to what extent. It has been recommended to Congress by the Secretary of the Interior, Mr. Lane, in his annual report filed December 19, 1913. It has been mentioned with special approval and recommended to the immediate attention of the legislative branch of the Government by President Wilson in his annual message at the opening of the present Congress. The bill is reported to the House with, I believe, but two dissenting votes. This consensus of opinion indicates that Congress. the matter has had thoughtful and careful consideration and that some vital necessity exists for the legislation.

In the minds of most people Alaska calls up only visions of snow fields and the weird light of the midnight sun. It is regarded as a land of perpetual snow, barren, rugged, inhabited only by fur-clad Eskimos, polar bears, and seals. It has been found, however, by actual exploration and scientific investigation carried on under the auspices of the Government to be a storehouse of vast treasures. It is so far from worthless that it actually possesses agricultural possibilities, both of soil and climate, exceeding those of Norway, Sweden, and Finland. capable of producing food for man and beast by agricultural cultivation sufficient to support a rugged and hardy population of the white race with the force and vigor of development which distinguishes the countries on the Baltic Sea. I have no knowledge, outside of what has been laid before this House, of the resources of Alaska agriculturally, and yet it is a matter of considerable interest that there is a very large element of agricultural development in certain valleys in Alaska.

Alaska is so enormous in its extent that it is easily possible for certain sections of the Territory to be valuable for agricultural purposes, while other sections of the Territory are utterly out of the range of agricultural possibilities. But if it be true, as it seems to be, on the showing made here, that there are in the Territory of Alaska some agricultural possibilities sufficient to sustain or aid in sustaining a white population in that Territory, that adds very materially to the promise of success of the proposed development of Alaska.

Alaska cost the United States \$7,200,000 at the time of its purchase from Russia in 1867. Up to that time little attempt had been made to develop any of the resources of Alaska except the seal fisheries, the whale fisheries, and some rather inferior lines of bartering with the Indians. For many years after our purchase of the Territory it was regarded as practically worthless and its only prominence in national or international affairs was by reason of the fact that it contained the breeding grounds of the most valuable fur seals. It became necessary to protect these grounds by international agreement and the regulations were enforced by the Revenue-Cutter Service of the United States. It was only in the closing years of the nineteenth century that the discovery of gold in the

streams and beach sands of Alaska led to the rush of white adventurers. These adventurers in their eager search for wealth poured over all portions of the Territory, thus carrying on the work of exploration. They found placer gold mines in paying quantities and in widely scattered regions and sent to the United States more than \$200,000,000 in gold. It was this wonderful discovery of gold in Alaska at that opportune time which made possible the success of a gold standard of currency in this country and freed us from a financial servitude to the Bank of England. The gold of Alaska poured into the lap of our Nation more rapidly than the gold of the Rand poured into that of Great Britain, and, unlike our British cousins, we were put to no war of conquest to perfect our title to the treasure. The discovery of gold-placer mining indicated in Alaska, as it did in California, the presence of quartz mining. The gold which is found in river sands and in the sands of the seashore is worn off by attrition from the quartz ledges far in the interior and carried down by streams to its place of deposit. As the placer mining gradually gives out discovery is made of the sources of supply in the quartz ledges. At the present time quartz mining is carried on very extensively and the output is almost as great as during the most active period of placer mining.

The work of the army of prospectors and adventurers who invaded the Territory during the gold rush has been supplemented by the scientific exploration and investigation of the Geological Survey of the United States. As a result not only gold-quartz mining has been established as a paying industry, but there have been discovered vast deposits of coal, copper, and oil. Some of the coal is of the very highest quality, both anthracite and bituminous. Much of it is of a low grade of lignite character, suitable for local consumption for fuel in that cold climate. The deposits of copper are exceedingly valuable and run to a very high percentage pure copper, while the wealth of oil has never been estimated.

The annual production of wealth in Alaska at the present time is astonishing to those who have made no detailed study of the situation. In 1912 the production of gold was \$16,500,000; of copper, \$4,904,715; gypsum, marble, and tin, \$297,365; fisheries, \$17,373,566; making a total of \$39,075,646. Alaska produces more canned salmon annually than Oregon and Washington combined. From 1867, the year we purchased Alaska, down to and including the year 1911, Alaska had produced in natural wealth near \$430,000,000, which was brought into the general volume of trade in the United States. The Territory cost us originally \$7,200,000, and the Federal Government has expended on the Territory for all purposes, including the post office and the expenses of the Revenue-Cutter Service for the protection of the seals, a total of \$28,616,674.25. The total cash receipts from the Internal Revenue and Postal Service in that time has been \$17,117,354.79. The Federal Government therefore has paid out in governing the Territory and for the original purchase price \$18,609,319.46 more than it has received. As a result, however, of this expenditure the people of the United States have profited in national wealth more than \$400,000,000. It may be said that there is no other new territory acquired by the United States which has shown within the first years of its administration such a substantial return upon the investment and cost of maintenance.

As President Wilson said in his annual message to Congress, Alaska is a vast storehouse of treasure belonging to the Nation at large. We must unlock it for the benefit of all of the people of the Nation. We are confronted now with the supreme test of the entire theory of national conservation. We must choose between two possible courses: Either this national wealth must be opened up and developed for the benefit of the people of the United States, or it must be turned over entirely to the Alaska Syndicate, comprising the Morgan-Guggenheim interests, to be developed as an asset of private monopoly. I need not pause at this time to catalogue the economic and political crimes enacted by the Morgan-Guggenheim Syndicate in Alaska since the wonderful rediscovery of that Territory during the gold excitement of 1898. The story running in the sober records of the courts includes everything from the corruption and bribery of judges to the wanton attack by armed bands of assassins upon the workmen engaged in rival enterprises. It is a drama of greed and carnage unparalleled since the days of Warren Hastings. Its scenes were enacted not only upon the snow-clad plains of the Arctic Circle but in the banks of Wall Street and the counting rooms of London. It is this high-handed and lawless attempt to grab the tremendous resources of Alaska which caused the locking up of that great Territory by legislative enactment. The story of Alaska as portrayed in the newspapers, the magazines, and the current novels has crystallized the public opinion of America in favor of conservation as against unlimited exploitation by syndicates and monopolies,

Let us take a brief glance at the history of Alaska during the last few years in her relation to the Nation. The effect of the discovery of gold was to attract a large number of adventurers from all parts of the United States to the Territory of Alaska. The foundation of the wealth of the Territory was the gold placer mining, which was within the reach of any prospector who had the courage and tenacity of purpose to achieve success. Deposits of gold were found in widely scattered parts of the Territory, and the restless prospectors, in their search for gold, discovered but left undeveloped many other sources of natural wealth.

Immediately following the gold rush the United States Government, through the Geological Survey, began a scientific investigation of the resources of Alaska, with the surprising result of the discovery of vast deposits of coal, copper, tin, and other workable minerals. The Federal Government also, through the agricultural experiment station, discovered possibilities of producing in some of the fertile valleys of Alaska during its short summer a supply of certain hardy foods for Through the schools established for the Eskiman and beast. mos and Indians a successful attempt was made to acclimate and breed domestic rindeer of northern Europe. entific efforts of the Government toward developing to the fullest extent the natural resources of Alaska were intended to make that great land available for all of the people of the At once, however, the slimy tentacles of the steal around those resources. All of the domi-United States. trust began to steal around those resources. nant financial interests in Alaska, including the banking house of J. P. Morgan & Co., which was financing various industries, the great copper trust of the Guggenheims, which was interested in seizing the copper resources of the Territory, and certain British and Canadian banks, which had seized all the available passes through the mountains for railroads into the British territory of the Yukon, combined and consolidated themselves under the name of the Alaska Syndicate. The boldness and lawlessness of this syndicate startled the entire country. In 1904 Congress attempted to throw open the coal lands to private purchasers under the same law which had applied to coal deposits in the public lands of Wyoming and other Western States. That law fixed the price at \$10 per acre, with certain easy terms in proving up the claim. It was assumed that it would work to the advantage of the small proprietor and permit the coal lands to be developed by individual owners. Exactly the contrary proved to be the case. Immediately large bunches of filings were made, which may have been in technical compliance with the law, but were in fraud upon the rights of the Government by the Alaska Syndicate or those under its control. So rapidly was this work carried on that in two years—to wit, in 1906—President Roosevelt, by a sweeping order, withdrew from entry all of the coal lands in Alaska.

It is claimed that this act of Roosevelt's was unauthorized

by law, and that is probably true in a literal and technical sense; but the American people neither by direct action at the polls nor through their chosen Representatives in Congress have ever reversed that order. On the contrary, the greatest scandal of President Taft's administration was the alleged attempt of Secretary Ballinger to issue patents in the Cunningham coal These claims, if not actually fraudulent, were so clearly in violation of the public interest that they had been the original cause of the withdrawal of the coal lands from entry and the subsequent block up of the Territory for all forms of development.

In 1910 Congress expressly ratified the withdrawal of the coal lands and provided for their segregation and appraisement. From the time of this withdrawal down to the present time the resources of Alaska, which are based upon the accessibility of coal, have been locked up from all forms of development. Even under this adverse condition of affairs, the great natural wealth of the Territory and the energy of its citizens have contributed nearly \$40,000,000 annually to the national wealth. To-day the situation confronts Congress of either reversing the policy of conservation and turning Alaska back again into the hands of the Alaska Syndicate to be exploited solely in the interest of private greed and partly for the benefit of British and Canadian bankers, or else finding some means of making those resources available for the people of the Territory and for the people of the United States. It is either the Government or the Guggenheims. This proposed railway is the key to the situation, for under existing circumstances no railroad can be financed or built in Alaska by private enterprise except by the Alaska Syn-dicate. The roads projected by the Alaska Syndicate would be so constructed as to give them control of the coal fields, the copper deposits, the passes through the mountains, and the available harbors, without any regard primarily to the general or uniform development of the Territory. Under these circumstances I am strongly in favor of giving to the President of the United States the power, as contemplated by this bill, to construct such railroads as will open up the entire Territory, the cost of which railroads will be reimbursed out of the increased value and increased sale of public lands in Alaska.

The opponents of this bill are divided between those who favor the removal of all restrictions from private enterprise, and who insist that the Territory will be developed by private initiative if the restraints of the conservation act are removed, and those who favor some form of Government aid to a railroad short of the actual construction by the Government. Those who favor the development solely by private enterprise draw a very beautiful picture of a sturdy pioneer going into a new country with his ox team and his household furniture and establishing a humble but independnet American home. Those who favor the Government extending its aid to the construction of a railroad without actual Government ownership admit that under existing conditions proper railroad facilities can not be obtained in Alaska through any source except the Alaska Syndicate unless by the use of the Government credit. They advocate that some private corporation be aided, either by land grants or by the issue of Government bonds or by the Government indorsement and guaranty of its own bonds, to build such railroad. Both sets of opponents are wrong and their arguments not only fail to meet the needs of this situation but are contrary to the teachings of history. If Alaska were a land of generous agricultural resources like the Mississippi Valley, where the life of man and the domestic animals could be supported even in the unbroken wilderness, the sturdy pioneer might find his way in with an oxcart, and might take his family with him and establish an independent American home, but as applied to actual conditions in Alaska, where the wealth is more largely mineral than agricultural, and where transportation is the only possible basis of development, the picture of the sturdy pioneer with his oxcart is a wild dream of the imagination. In fact, the sturdy pioneer did not get very far west of the Mississippi River without the aid of Government subsidized railroads.

Mr. GOULDEN. Will the gentleman yield?

Mr. BORLAND. Certainly.

Mr. GOULDEN. Does not the gentleman think that when

they spoke about ox teams they really meant reindeers?

Mr. BORLAND. Well, they might have meant that the sturdy pioneer could use reindeers, but the sturdy pioneer in Alaska is not going to develop the country by either ox team or reindeers, if I know anything about pioneering, and I think I do, as I am the son of a pioneer myself.

Those who contend that the Government should aid by land grants, money, or credit some private corporation to build a railroad are refuted also by the facts of history. Nearly all of the railroads west of the Mississippi River were built with Government aid or with the aid of States, counties, and town-Some of them managed to secure all forms of aid, and the aid thus given by the people through the taxing power of the various divisions of government exceeded in a large measure the cost of construction of the roads. It is only necessary to direct our attention to the great transcontinental roads which were directly aided by the Federal Government. In 1862 the first act was passed offering a land grant to the Union Pacific Railroad. This was followed in quick succession by grants to the Central Pacific, the Southern Pacific, the Northern Pacific, the Central Branch, and the Kansas Division. Between 1862 and 1875 the United States Government contributed to these roads 155,000,000 acres of land, worth approximately \$400,-000,000, and \$65,000,000 of Government bonds. It has been said that the railroads could not and would not have been built but for the aid of the Government in a new territory where the local business would not support the road.

Assuming this to be true, the plan adopted proved to be wasteful, extravagant, and unsatisfactory to the people of the United States and to the Government. The amount contributed by the Federal Government directly would have built the roads twice over. It encouraged a wild era of speculation and debauchery of finance which plunged the West and the entire country into a disastrous panic in 1873. The failure of the banking house of Jay Cooke & Co., which precipitated this panic was the direct result of the frenzied finance of the Union Pacific Railroad. The plan resulted in political corruption, extortion of the set-tlers, and fraud upon the Government, in the increase of the expenses of the Land Department, in litigations and evictions of homesteaders, and bitterness between the citizens and the corporations, which finally culminated in the granger legislation which swept the entire West about 1880. In less than 10 years after the first grant of land was made the effects of the political blunder were clearly apparent and the Government abandoned for all time the plan of subsidizing railroads by land

grants. The favorite argument on behalf of land grants was that they would facilitate the settlement of homesteads along the line of the railroad, but even this argument fails entirely in the case of Alaska, where the lands which the corporation would take are chiefly valuable for their mineral deposits. Lewis H. Haney, professor of political economy at the University of Michigan, has recently written a very valuable monograph on the "Congressional history of railways in the United States, 1850 to 1887." In discussing at length the history and operations of the land-grant railroads Prof. Haney makes this conservative statement:

Without statement:

Without standing for Government ownership as a general policy, the question may be raised whether in this case our Government might not have built the first Pacific railway with relative profit. As opposed to the policy of assistance which was adopted and administered it would seem simpler. Here private interests ran amuck and the tardy light of publicity only guided the historian. Economic waste and political corruption were rife, while constant litigation injured both railway credit and national dignity. In the light of history it may reasonably be maintained that the United States would have best solved the Pacific railway problem that confronted it in 1860 by constructing a national railway over the central route, leaving to private initiative, aided only by adequate rights of way and materials, the exploitation of secondary railway lines.

It may also be said in this connection that whether Government ownership of railroads will ever become an established policy of our Government is still a debatable question in the minds of many people. If there is any section of our land where Government ownership could be tried as an initial ex-periment with a fair promise of success and with little disturbance of our economic system, it is in Alaska. Alaska is a Territory of the United States, and the Federal Government has plenary power over it. No constitutional restrictions such as might exist in the case of a State apply to Alaska. The constitutional power of the Government to construct railroads there is full and complete. Its situation is so isolated and its economic conditions so different from those of the rest of the country that it seems that the experiment might safely be If it did not prove a success in Alaska there would be less reason to try the dangerous and expensive experiment throughout the United States generally of Government ownership of railroads.

The cost of the proposed railroad in Alaska will be reimbursed from the sale of public lands in that Territory. These lands vary greatly in value. Some are totally worthless and some are of enormous value on account of their mineral de-The best scientific information obtainable shows that their value, properly used, will more than pay for the cost of construction of the proposed railroad, without ultimate expense to the people of the United States. Under these circumstances it would be equally bad business and bad political policy to grant these lands to a private corporation of uncertain credit as a reward for constructing a railroad when the work can probably be done at less cost, and certainly on a firmer basis of credit, by the Federal Government. The United States can borrow money at 3 per cent, but no private railroad corporation in Alaska can borrow it at less than 6 per cent, and the expense of commissions and discounts would probably make the rate of interest at least 8 or 10 per cent.

But on even broader grounds I am in favor of this bill. am in favor of developing the resources of this vast Territory primarily for the benefit of the people who live there and for the benefit of the people of the United States, rather than for the benefit of a nonresident, partly foreign corporation. I am in favor of maintaining the spirit and principle of conservation. The best conservation is the wise use of the natural resources, so protected by law as to prevent the encroachment of private monopoly. To my mind, Government aid or the lending of Government credit to some pet corporation would be just as disastrous in the end as a return to the control of the Alaska Syndicate. Thus far conservation has meant to the Alaskan only the withdrawing of all primary resources from private ownership and private development. The aim and object of conservation is not to lock up resources, but to permit their general use. The Alaskans have borne this condition of local restraint for eight years and some reasonable answer to their demand for relief must be made. They feel that they can develop that great Territory with energy, courage, and success. They feel that they are entitled to use as an asset for that purpose the basis of credit of their public lands. In this demand they are fully in line with the advanced thought of our country on the subject of conservation. They have the hearty support of President Wilson and Secretary Lane, both of whom are conscientious, clear-headed, and conservative public officials. Under this policy I believe that the Territory of Alaska will become a great storehouse of treasure, filled with a vigorous white population, which will add to the national wealth, peace, prosperity, and happiness of the American people. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HENRY. Mr. Chairman, this is a matter that is of so great importance that I think we should have a quorum present,

and I make the point that there is no quorum present.

The CHAIRMAN. The gentleman from Texas makes the point of no quorum. The Chair will count. [After counting.] Evidently there is not a quorum. The Doorkeeper will close the doors and the Sergeant at Arms will notify absentees. The Clerk will call the roll.

The Clerk proceeded to call the roll.

Mr. HENRY (interrupting the roll). Mr. Chairman, I ask unanimous consent that I may be permitted to withdraw the

point of no quorum.

Mr. MANN. Mr. Chairman, I will remind the gentleman from Texas that the Chair can not entertain such a request, The Chair has declared that there is no quorum present, and after that declaration, under the rules, nothing can be done except to ascertain the presence of a quorum. In the absence of a quorum nothing can be done except to get a quorum.

Mr. GOULDEN. Mr. Chairman, I demand the regular order. The CHAIRMAN. The regular order is to call the roll. The Clerk called the roll, and the following Members failed to answer to their names:

Hoxworth thes, W. Va. Aiken Doremus Palmer Palmer Park Patton, Pa. Peters, Mass. Ragsdale Reilly, Conn. Richardson Doughton Driscoll Dunn Dupré Ainey Anthony Hughes, Hulings Hulings
Jones
Keister
Keltey, Mich.
Kelly, Pa.
Kennedy, Conn.
Key, Ohio
Korbly
Kreider
Langham
Lee Ga Avis
Bailey
Barchfeld
Beall, Tex.
Bell, Cal. Eagan Eagle Elder Riordan Roberts, Nev. Rucker Rupley Sharp Riordan Fairchild Finley Fitzgerald Floyd, Ark. Blackmon Borchers Bremner Browne, Wis, Burgess Burke, Pa. Burke, S. Dak. Butler Candler, Miss. Cantor Carlin Slemp Sloan Smith, Md. Smith, Minn. Smith, N. Y. Fowler Lee, Ga. L'Engle French Gallagher Gardner Gillett Glass Lesher Lever Lever
Levy
Lewis, Md,
Lewis, Pa,
Lieb
Loft
McClellan
McCoy
McGillicuddy
McLaughlin
Maher
Manahan
Martin Sparkman Stanley Stephens, Tex. Stout Glass Goeke Goldfogle Goodwin, Ark. Graham, Pa. Green, Iowa Gregg Griest Hardwick Cary Clancy Clark, Fla. Sutherland Tavenner
Taylor, Cole.
Temple
Thomas
Vare
Volstead Coady Connolly, Iowa Cooper Copley Covington Crisp Curley Hart Martin Merritt Metz Murdock Haugen Hawley Walters Watkins Curry Danforth Davis Dixon Dooling Hay Helgesen Webb Nelson O'Brien Oglesby Wilson, N. Y. Winslow Woods Hill Hinds

The committee rose; and the Speaker having resumed the The committee rose; and the Speaker having resumed the chair, Mr. Harrison, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 48, the Alaska railroad bill, and finding itself without a quorum he had directed the roll to be called, that 297 Members had answered to their names, a quorum, and he reported the names of the absentees to the House.

The SPEAKER. A quorum being present the doors will be opened. The committee will resume its sitting.

The committee resumed its session.

The committee resumed its session.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Will the Chair kindly inform the committee
how much time is left for general debate?

The CHAIRMAN. The Chair will state that under a special
rule all of to-day is to be taken up with general debate. There are some thirty-odd applications for time, and the Chair will state further that whenever the time allotted on the paper, which the Chair has, to the different Members who desire to speak is extended by the committee, that much time will be taken away from the remaining speakers.

Mr. ANSBERRY. Mr. Chairman, on behalf of my colleague,

Mr. Goeke, who is unavoidably absent, I ask unanimous con-

sent that he may extend his remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GOEKE. Mr. Chairman, the key to unlock the great storehouse of Alaska is a railroad built, owned, and operated by the people. Railroads were the keys which opened the locks of our undeveloped West, and made it possible for the people to move in and develop the lands. Alaska is a part of our great Nation, and her citizens are the same as we of the States,

and they should have the protection, the care, and the laws we have. No discrimination against the Territory or her people or added hardship in development of the resources of that country should for a moment be allowed. Her people are asking only for what our western citizens now enjoy, and have enjoyed in the past—to help in the upbuilding of their land. Many people from my State, as well as from every State within our borders, have been there, and a great number wish to return. It is but fair that we give the Territory the helping and needful hand so that the farming lands in the interior, the mineral resources, and the business of the country can meet with development that follows railroad construction, as has followed railroad construction throughout our great West.

I am not going into detail to show the valuable holdings of the country. All of the Members here are convinced, more or less, of the wealth of the land, but there are a few would like to call your attention to. How was it that the United States became the owner of this country? Lest we forget. I will go back to the time when the United States, stricken down with war, crippled, weak, and our bonds worth 50 cents on the dollar, and no one knew what the morrow would bring forth, threatened by a great power in Europe-now our cousins across the way-just at that time another great power, Russia, made it quite plain to our cousins that war on us meant war between those two great European nations. That is why England was stopped from jumping upon the helpless, tottering States

If England had then been permitted by Russia to fight us, there would probably have been different history about us now. In gratitude for this brotherly act the Government at Washington wished to make a substantial return for the expenses that Russia had been obliged to assume in order to make preparation for the defense she undertook in our behalf. Russia then owned both Siberia and Alaska and looked upon both countries as a great glacial, moss-covered arctic region. Russian and Washington diplomats finally agreed upon the Alaskan purchase plan, Russia only too glad to let go of her iceberg across the Bering Straits. President Johnson expressed his reason of the purchase in his annual message in true diplomatic language, for at that time the matter was considered a very close State secret. I repeat that we owe a moral obligation to the country that was at that time our greatest friend. We also owe something to the descendants of the people Russia turned over to our care and keeping, as well as to our brothers and sisters of our States who have cast their future in that Territory.

For a moment let us see what Russia has done for the other glacial country-Siberia-similar in all respects, climatic, agricultural, mineral, timberlands, and so forth. Since the discovery was made in Siberia that her lands would produce in bountiful harvests Russia has built a great system of railroads across the country. Side branch lines, connecting at both ends with the main line, have been put in operation. Over 2,000,000 people have emigrated from southern and western Russia into the lands of Siberia. The shipping has so increased that the Government has opened up arctic ports and built railroads to connect with the arctic port of Archangel. Extensive warehouses at this port are used to store grain and other freight, and in the summer, when shipping is possible in the Arctic Ocean, steamships go to the port and load with the accumulated freight for European markets. With over 10,000 miles of main line and branches in Siberia, that Government has found that a second system of railroads across the country is now necessary. For two years that Government has been constructing this second system of railroads, which, when completed, will be 7,000 miles

The first system of railroads is paying operating expenses and fixed charges and bringing in a large profit each year, and that Government is using the money so derived in track improvement and new lines, as well as the upbuilding of country roads and stage lines. Nearly every part of Siberia can be reached to-day by the Government owned and operated railroads or by a stagecoach operated by the Government. If we take as an example what is being done in Siberia as to what we may expect from Alaska, then there should be no fear as to the road paying or that the weather is too cold to operate the line.

There are Members here who represent districts that produce coal, timber, oils, and minerals. Alaska's development, it has been suggested, may close some of the markets now obtainable upon the Pacific coast, both with regard to sales to the Government, the public, and to foreign commerce. The great State of Ohio, and in particular the district which I have the honor to represent, may feel for a short time the marketing of the abundant resources known to exist in Alaska, but we feel that trade will adjust itself, and if we do not send to the coast one thing the upbuilding of the Territory will increase the demand

for other manufactured goods, machinery, and so forth, so that in no event will we lose. And this is quite true with every other State, and why be afraid? Are you trying to keep Alaska back and her development locked up for fear that our own States may suffer? How about the 350,000 American farmers who have gone into a similar country in Canada, of whom a large majority became citizens in order to take up lands? If rail-road transportation had been built across the Tanana Valley, how many of the 350,000 Americans now Canadians would have gone to the Tanana and remained at least under our flag? We all want to keep our farming class at least under the flag. The Government of Canada has given cash and bonds as guaranties and her lands to secure railroad construction across lands similar in all respects to Alaskan lands and climate. Did the people go, and have the railroads paid in this so-called frozen North? The American farmers, with their families and their friends, number over a million persons in Canada. The railroads are meeting with success. More lines are under construction. We have the example of Government ownership and operation in Siberia, Russia, and Germany, all very successfully operated railroads. In Canada we have the example of the Government unconditional guaranties, both principal and interest, and the railroads are a success.

Laws are about to be enacted by this Congress governing the issuing of railroad securities, limiting and restricting the amount of the issue to the actual investment made. This will eliminate the speculative features of railroad construction. There will be no further opportunity for so-called "melon cutting," jobbing," and "syndicate frauds," and hence the speculative railroad magnate who has been dealing in American railroads will not venture into Alaska, deprived of the opportunity of making exorbitant profits out of railroad construction. can be no question but what the people of this country want a law of that character, and it is certain that one will be enacted. With this condition of affairs it is a foregone conclusion that no bank or banker, European or American, will undertake the financing of an Alaskan railroad unless our Government gives its unconditional guaranty of the securities. Government aid the attempt to finance a railroad in Alaska would be a waste of time and energy. As the Government owns almost all the Territory, it would hesitate a long time before giving such unconditional guaranty and add thereto a part of the lands to any private corporation or railroad promoter as an inducement for railroad construction; and hence it follows that the Government must undertake the construction of a railroad itself if it would do its duty by Alaska and develop this great Territory

The distinguished and able Secretary of the Department of the Interior, Hon. Franklin K. Lane, 'n a letter dated May 15, 1913, addressed to the Hon. Key Pittman, chairman of the Committee on Territories of the United States Senate, in reference to the policy of the construction and ownership by the National Government of a railway system in the Territory of Alaska, says:

Alaska, says:

I favor the adoption of this policy. I believe it to be that under which Alaska will develop most safely and most speedily and under which the resources of that Territory will most certainly become available to the whole people.

There is but one way to make any country a real part of the world—by the construction of railroads into it. This has been the heart of England's policy in Africa, of Russia's policy in western Asia, and is the prompting hope of the new movement in China. Whoever owns the railways of a country determines very largely the future of that country, the character of its population, the kind of industries they will engage in, and ultimately the nature of the civilization they will enjoy. The policy of governmental ownership of railroads in Alaska seems to me to be the one that will most certainly make for her lasting welfare.

seems to me to be the one that will most certainly make for her lasting welfare.

To many of our people Alaska is little more than a land of natural wonders, here and there dotted with mining camps and fishing villages. If Alaska is to be nothing more, it is almost a matter of indifference as to who builds her railroads. I have talked with many who know that country well, and I am convinced that we should think of Alaska as a land not only of mines and fisheries but of towns, farms, mills, and factories, supporting millions of people of the hardiest and most wholesome of the race. If this conception of a possible Alaska is a true one, our legislation should be such as to most surely bring out this possibility, and it seems to me there is less of hazard as to Alaska's future if the Government of the United States owns the railroads which will make its fertile interior valleys accessible from the coast and bring its coal, iron, copper, and other mineral resources within the reach of the world.

This is a new policy for the United States. Very true. This is a new part of the United States, And policies properly change with new conditions. The one determining question in all matters of government should be: What is the wise thing to do? The ancient method of opening a country was to build wagon roads. The modern method is to build railroads. To build these railroads ourselves and control them may be an experiment, but such a plan does not suggest scandals more shameful or political conditions more unhealthy than many we have known in new portions of our country under private ownership. And in the end we will be free to establish and maintain our own chosen relationship between Alaska and the rest of the United States, unhampered by threats of confiscation or the restraining hand of any merely selfish influences. We can only secure the highest and fullest

use of Alaska by making her railways wholly subordinate to her industrial and social life and needs—true public utilities.

This statement, coming from one so fully informed on this question, ought to dispel all doubts as to the correctness of the policy advocated in the bill under consideration. But if, notwithstanding all that can and has been urged in favor of the Government constructing and owning a railroad system in Alaska, there still remains doubt in the mind of any Member on this side of the Chamber as to his duty in the premises, he might follow with absolute safety the great leader of the Democratic Party, the President of the United States, who, in his annual message to the Congress on this subject, clearly indicates in his usual convincing style what he regards ought to be done. I quote from his message:

done. I quote from his message:

A duty faces us with regard to Ahaska which seems to me very pressing and very imperative; perhaps I should say a double duty, for it concerns both the political and the material development of the Territory. The people of Alaska should be given the full Territorial form of government, and Alaska, as a storehouse, should be unlocked. One key to it is a system of railways. These the Government should itself build and administer, and the ports and terminals it should itself control in the interest of all who wish to use them for the service and development of the country and its people.

But the construction of railways is only the first step, is only thrusting in the key to the storehouse and throwing back the lock and opening the door. How the tempting resources of the country are to be exploited is another matter, to which I shall take the liberty of from to time calling your attention, for it is a policy which must be worked out by well-considered stages, not upon theory but upon lines of practical expediency. It is part of our general problem of conservation. We have a freer hand in working out the problem in Alaska than in the United States of the Union; and yet the principle and object are the same, wherever we touch it. We must use the resources of the country, not lock them up There need be no conflict or fealousy as between State and Federal authorities, for there can be no essential difference of purpose between them. The resources in question must be used, but not monopolized upon any narrow idea of individual rights as against the abiding interests of communities. That a policy can be worked out by conference and concession which will release these resources and yet not feopard or dissipate them I for one have no doubt; and it can be done on lines of regulation, which need be no less acceptable to the people and Government of the Nation at large, whose heritage these resources are. We must bend our counsels to this end. A common purpose ought to make agreement easy.

I believe that the policy of President Wilson, just stated, is the correct and true policy for the Government to follow with respect to Alaska, and I shall therefore with great pleasure vote for the bill under consideration.

The building of a railroad in Alaska in no sense commits this Government to the policy of obtaining the ownership and operation of the railroads in the United States. That question is not involved in the measure under consideration. Neither is the country ready at this time to even seriously consider that great problem. I am confident that no party will under-take to acquire the railroads of the country and operate the same without first having that issue distinctly and definitely determined by the people of the country at a general election by proper platform declarations.

The fact is that the Government requires coal, oil, timber, and also the opening up of the Territory to settlement. The railroad is the one necessity that will accomplish the result. Alaska with the railroad will soon have a large population, and will make for us a very strong and comfortable possession, adding to our own naval and military strength, of great value to us. Alaska will serve as an insurance against war on the Pacific. Our aggressive Pacific Ocean neighbors will hesitate a long time before they make the attempt when Alaska is opened up and is peopled by that splendid citizen, the American farmer. Alaska is big enough to become a great nation herself and is rich enough to hold her own.

There is a most important matter I wish to call to your attention. We all feel proud of our Military Academy. West Point is known to you all. With pride we look upon the splendid system of work it has accomplished, and upon the perfect men it has turned out. It has been said that if a man had it in him, that the Military Academy would devolp the best parts of his make-up. We have a most excellent example in Col. George W. Goethals, the builder of the Panama Canal. It is the system of West Point brought out through this genius that has built the canal. This same system has been ably demonstrated by the Army in Alaska. The Army has been building trails, roads, attending to the care of the wounded and sick, and maintaining order in the country for 17 years. early days of the rush of gold seekers to Alaska-1807-98and prior to the establishment of civil law, the Army was the means of saving thousands. Hospitals were built and care was given to the suffering. People went to that country totally unprepared, and but for the efforts of the Army there would have been many deaths to record. The men of the Army, enthused by their leader to accomplish results, have dragged hundred. dreds of tons of telegraph wire across the valleys and moun-

tains and constructed a good telegraph system. They have accomplished a great deal with a small force. These men have worked for small pay, and close to others who were comfortably housed and receiving ten times the salary for lighter em-It was the system, the Military Academy leader who accomplished the result. The Panama Canal was about to be let out to contract construction when it was finally decided to have the Army do the work. The people of the United States now see the wisdom of that decision. I believe that the great majority of the people of the United States would like to see the Army put in charge of the railroad construction in Alaska. We have every faith in our President, and know that he will do the right thing at the right time, and I for one would not limit his powers, but to satisfy all of the people in this matter, and to further show our high appreciation of the men from West Point, and to encourage our young men now in the academy, to demonstrate our high appreciation of the men of the Army, I propose at the proper time to offer an amendment to the bill H. R. 1739 to the effect that the actual construction work of the Government railroads in Alaska will be under the direct charge of the Army.

I hope that this side of the Chamber will stand by the President and aid in the passage of this bill.

The CHAIRMAN. The Chair will recognize the gentleman

from Texas [Mr. DIES].

Mr. Chairman, the measure now under consideration for the construction of a railroad in Alaska proposes that the Government shall issue bonds bearing 3 per cent interest, and with the proceeds of the bond sale carry on the work. These bonds are to be secured, so to say, by a first mortgage upon all of the property owned by the United States in the Territory of Alaska and elsewhere. The amount of bonds to be issued, as proposed in this bill, is \$35,000,000; however, the bill as passed by the Senate carried \$40,000,000.

Mr. Chairman, we are at peace with the world. Our annual revenues are enormous. The interest on these bonds, amounting to more than a million dollars a year, must be paid by taxing the people. This interest payment will go on and on, like Tennyson's Brook, for we never pay Government bonds. Why pledge our property in Alaska and our resources at home? Why mortgage our future to build this railroad in the frozen gorges of this far-away land?

We are told, Mr. Chairman, that there is great demand for this bill, that we must open up Alaska and give the dwellers in the crowded cities a chance to "go out west" and grow up with the country. Now, sir, I am perfectly willing to open up Alaska and permit anyone to go there who cares to do so, but I am not willing that the Government should finance this polar expedition at the instance of interested cupidity on the one hand and credulous ignorance on the other.

Why build this railroad? I shall not at this time discuss the general question of Government ownership. I have small patience with the dreams of socialism. But grant, for the moment, that the Socialists are right and that the Government should own everything from railroads to soda fountains, why should we go railroad building in the neighborhood of the North Pole, while so many transportation additions are required in the United States, where people can live and do live?

When conditions in Alaska are generally understood the people in the United States will no longer marvel that the population of that Territory has only increased 733 souls in the past We have owned this colossal chunk of frozen earth 10 years. for more than 50 years, and with great labor and expense we have succeeded in thawing out only two or three thousand acres sufficiently for the growth of quickly maturing crops.

Mr. Chairman, Alaska is a mining proposition pure and simple. We have gold and copper and coal in Alaska. already been built and is now in operation a railroad to the principal copper mines. I believe it is not contended that railroads are necessary to bring away the gold we find there. True, we catch a great quantity of fish in Alaska, but they are taken from navigable waters, and I have never heard it contended that railway transportation was required for the handling of this product. We also receive from Alaska a goodly quantity of furs, but they are likewise secured in navigable waters and do not require additional means of transportation. But the coal mines of Alaska, say the advocates of this bill, can not be developed without additional railroads. And I have no doubt, Mr. Chairman, that that is true. Of course it has never been contended that Alaska coal could be shipped into many parts of the United States.

The long haul and consequent high freight rates would pre-clude that. But when this bill was first brought forward it was said by its sponsors that we needed Alaskan coal to use

in the Navy on the Pacific coast. That argument, I must confess, never appealed to me very strongly, but even that poor excuse has been utterly shattered. Now comes the Secretary of the Navy and informs us that his department has completely abandoned the use of coal so far as future construction is concerned, and that many of the vessels already built are being fitted with oil burners, and that oil is to be the future fuel of the Navy. Nay, more, the Secretary informs us that the Government is now conducting negotiations with a view to Government ownership of oil wells, pipe lines, and refineries.

Mr. Chairman, we appropriated \$75,000 at a former session for the purpose of testing the coal produced at the Bering mines in Alaska. The Bering coal was said to be the best to be found in Alaska. We have since appropriated double that amount for the purpose of testing the product of the Matanuska field. The test for the Bering coal has already been made, and the Secretary of the Navy reports that this coal is utterly unfit for use in the Navy. The other Alaskan coal has not yet been tested, but we have nothing upon which to base the hope or belief that it will prove superior to that already tried and These tests were made by Government agents, friendly to Alaska and to this bill. In the first place, the coal was taken from the mine by employees of the Government. Five hundred tons were secured for the purpose. A large part of this coal was used, or attempted to be used, on the U.S. S. Maryland, and, as I have stated, proved worthless as a coal Those who were clamoring for the Alaska for use in the Navy. appropriation were dissatisfied with the test which I have de-They contended that the coal used was negligently mined and contained a large quantity of dirt and gravel. They demanded a further test under more favorable circumstances. The entire matter was in the hands of the friends of this measure, and a further test was made with this coal at the Government testing grounds at Annapolis. Fifty tons were used in this last test. In order to try the coal under the most favorable conditions it was washed and screened. The test was then made and the Acting Secretary of the Navy reported "with regret" that this coal was "unsuitable for naval use."

I do not contend for a moment, Mr. Chairman, that Alaskan coal can not be used in Alaska successfully for many local purposes. I know from all the reports that it can. But I also know with equal assurance that it is neither possible nor necessary to bring this coal to the United States, with the possible

exception of the northwestern frontier.

The Government has in its employ a great number of persons whose business it is to examine into the mineral resources of the country. The geologists have examined very carefully and repeatedly our coal supply, present and future. They report that we have enough in sight here in the United States to last us and our successors in existence something over 7,000 years. That, of course, does not include the vast coal deposits in Alaska, where, if the report of the Weather Bureau is to be credited, a goodly quantity will be required for home consumption, in the event the farmers of New York City ever decide to

go homesteading in that direction.

But, Mr. Chairman, it was not ordained in nature that man should live on coal alone. The miner of coal will need meat and bread. But the farmers of Alaska, say you, will supply these articles. What will the farmer take his pay in—coal? We have owned Alaska for more than half a century. In that time there has been marketed from Alaska products of the value of \$446,000,000. That is a great sum; and yet the State from which What are the Alaskan products which produced these millions? The fisheries brought \$148,000,000 The fisheries brought \$148,000.000 of the amount. As stated, the fish are secured in navigable waters, and do not require the railroad. They are caught by means of enormous seines drawn by tugboats. Comparatively few men are required to perform this labor, and practically no white men are engaged in the work. These fish canneries are owned by corporations, who send vessels up from San Francisco laden with supplies and with Japanese, Chinese, and other laborers to do the work. When the canning season is over the entire product is shipped and the crews and workmen disappear until the following year. Nothing in that to require a Government-built railroad, is there?

In the time we have owned Alaska she has contributed \$73,000,000 worth of furs to the market. These furs nearly all come from Pribilof Islands. The fact is a few natives live on these islands and secure the skins of the seals for the Government lessees, who in turn sell the furs. We have passed a law to stop killing these seals to a large extent. No matter how many Government railroads we had in Alaska, none of the seal-skins would be shipped by rail, for they are secured in navigable water, the cheapest transportation in the world.

In all the years we have owned Alaska that Territory has produced \$168,000,000 gold, not quite enough to pay the war pensions for 12 months. But this gold does not require railroad transportation. Practically all of it is mined near the coast. The gold production in Alaska year before last was \$22,000,000, and last year it had fallen to \$18,000,000. Of course, this gold production is a good thing and helps to sustain the world's supply of basic money, but it costs a dollar to mine every dollar of gold that is produced in Alaska or elsewhere. The miner digs it out of the ground, hands it to the Government, the Government mints it into the form of money, hands it back to the miner, and the taxpayer who gets it has to work for it. And, of course, that same principle applies to all that we get from Alaska, whether gold, furs, fish, copper, or coal.

Mr. Chairman, the people of the United States own about 95

Mr. Chairman, the people of the United States own about 95 per cent of all the land there is in Alaska, and its area is about one-fifth of that of the United States. In recent years we have inaugurated and are now pursuing a course in Alaska which to my mind is little short of idiotic. The cry of conservation swept the American people off their feet. As in the case of a great many good reforms, we went too far, and as a result we

bottled Alaskan resources up completely.

For one, I am heartily in favor of opening up Alaska as rapidly as the interests of the American people demand it. I would permit every American citizen who wanted to go to farming in Alaska to have as much land as he could use in his business. would lease the mineral and coal lands upon such conditions as would render monopolization impossible. With the Territory thus opened up. I have no doubt that railroads and other transportation facilities would be constructed as rapidly as profitable tonnage was at hand. Under such circumstances railroads would be built in Alaska wherever they would remunerate the builders for the money spent, and at such places as railroads would not be profitable I am unwilling to issue bonds to build them at public expense. It is very probable that the greater part of Alaska is not ready for development. Much of its soil will no doubt lie in frozen virginity until time is no more. the years to come, when our population becomes dense, it may be that our remote posterity will be driven to dare the migration to this land of glaciers, but that time, Mr. Chairman, I am happy to believe, is far remote.

The white population of Alaska is only 30,000. This bill, which has grown from \$35,000,000, as first presented, to \$40,000, 000, as we now consider it, appropriates more than \$1,000,000 for each 1,000 of the white population of Alaska. 000 is just a starter. No one can doubt that if we embark upon the governmental construction of railroads in Alaska it will require many hundreds of millions before we get through with it. So it was with the Panama Canal, so it has been with all Government undertakings, and so it will be with this affair. The estimates for the work in Panama was \$135,000,000. We have already gone far enough to see that it will cost \$500,000,000. The engineers who examined this Alaska scheme have already submitted plans and specifications for railroads up there which they admit would require an outlay of \$478,000,000. What will we do with these railroads when we get them built? The Government owns the coal land, and gentlemen tell us that it will never do for the Government to lease these coal lands to private individuals. What, then, can the Government do with these coal lands after railroads are built to them? Let the Government operate the coal mines, you say. Many of the advocates of this bill are already openly advocating Government operation of the coal mines in Alaska. Of course that follows inevitably if we refuse to sell or lease the property. But if the Government had the railroads built and the coal mines open, what would we do with the coal? We have enough at home to last us 7,000 years, and the Alaska coal is not suitable for the Navy, even if the Navy wanted to use coal. Would not the Government ultimately have to go into the manufacturing business in order to use the coal?

But when you get the advocates of this bill in a tight place they fall back upon the wonderful agricultural possibilities of Alaska. Happily we are not in the dark about farming in that country. The Government has been doing a little farming in Alaska for a number of years. We have spent \$298,000 of the people's money in the farming business up in Alaska, by way of experiment, and the returns up to date have been \$22,000. Your Uncle Samuel is about the only farmer I know of who could stand that kind of farming very long at a time. Of course our Government farm managers in Alaska are enthusiastic over the possibilities of that country. We are paying them large salaries and they can gratify their agricultural curiosity without stint. These Government farmers in Alaska are learned men, and I have no doubt that they are thoroughly honest and patriotic. But not one of them could make a liv-

ing farming. We professional men shine as farmers as long as we have a good income on the side to help things out, but the real farmers, those who pay our salaries, have to get up and hustle to make a living even upon good land in a good farming country. I know what I am talking about, for I am supporting a farm right now. It is only a small farm, it is true, but it knocks a right sharp hole in my salary check every month to keep it going.

What do our Government farmers say of Alaska? Chubbuck, who has charge of one of the experimental farms

up there, says in a recent official report:

On the south coast, where the climate is mild, tillable land is scarce, because of the proximity of the mountains to the shore line; elsewhere in Alaska the winters are long and very cold.

Yes; the winters are very long in Alaska. They have, in fact, eight months of very severe winter there. During those eight winter months the sun does not rise until 10 o'clock in the morning, and it sets at from 3 to half past 3 o'clock in the True, in the summer months, some three or four in number, the sun shines nearly all the time, but even at that it takes an entire summer to thaw out a piece of cultivated land 2 or 3 feet below the earth's surface. The land in its natural state is covered with moss several feet thick, and will not thaw out at all in summer unless this moss is removed. is frozen as deep down into the earth as anyone has been They have gone down 200 feet into the able to penetrate. earth and found nothing but blue ice.

The cost of clearing land in Alaska is variously estimated at from \$125 to \$200 per acre. It costs the Government in excess of the latter sum to clear the land required for the experimental farms, but this is accounted for by the fact that the Government pays its farm hands in Alaska \$7.50 and that private farmers get their labor cheaper. This is the report of our expert farmers, and I am prepared to believe it, for under our very noses here in the Capitol the Government pays at least twice as much for service as is paid by private employers. Not only is that true, but when one of our employees die we bury him at Government expense and let his salary run on six months after he is dead.

What about the fertility of Alaskan soil after it is cleared and thawed out deep enough to cultivate? I will let Prof.

Chubbuck answer.

As already stated, generally speaking, Alaskan soil holds but limited supply of available plant food. They soon become exhauste and the problem is how to increase this limited store of plant food.

Prof. Chubbuck suggests several remedies for the sterility of these Alaskan soils, and one of these remedies is to allow the land to lie out every other year. Of course I have no idea in the world how a farmer could make a living farming in Alaska; but if such a thing were possible he certainly would have an easy time of it with only three months of growing season every year and his land lying out every other year; the balance of the time he could go to bed at dark, which comes on at about 3 o'clock in the evening, and rise with the sun the next morning, which would be in the neighborhood of 10 o'clock a. m. Nothing would remain to be desired by such a farmer except for the Government to give him a pension, which, of course, it would be absolutely necessary for him to have in order to buy food and clothing.

Mr. Chairman. I have not reached the decision to vote against this measure hastily. Many of our party leaders are supporting this bill, and it appears to be meeting with favor throughout the country. Under these circumstances I have felt it to be my duty to investigate the proposition most thoroughly. I have looked at it from every angle, followed it through the tortuous maze of lengthy reports, and read many hundreds of pages for and against its enactment. In every aspect of the proposition I can only see new burdens to be borne by the taxpayers of

this land.

Why, sir, only 27 per cent of the tillable land in the United States is in a state of cultivation. We have countless millions of acres yet in a state of nature awaiting but the hand of labor to bring forth abundant yields. The worst of these wild acres is a better farming proposition than the best there is in Alaska. Why, then, is 73 per cent of the tillable lands in the United States standing idle? It must either be that there is not sufficient demand for farm products, not sufficient hands to work the land, or not sufficient railroads and dirt roads to open up these wild acres and handle the product of the soil. In either case no better reason can or need be given for the folly of the proposition to build railroads in Alaska. If the Government must embark in the business of building railroads, which I oppose, why not build them here at home, where our people can use them in developing wild lands which are naturally and admirably adapted to the maintenance of a prosperous and happy

citizenship? We need more railroads all over the South and West. Not only do we need railroads, but we need good country roads to intersect these railroads that we already have to enable the people to get the products of their toil to market.

In my own district in Texas we have hundreds of thousands of acres of the best farming land in the world that never had a plow in it. These lands can be purchased at from \$10 to \$25 per acre. They are comparatively easy to bring into a state of We have a long growing season and mild winters. Fuel is plentiful and water is pure and abundant. Less than 10 per cent of these lands are in a state of cultivation. Railroads are needed and country roads are needed to open up this What is true of my section is true of almost the entire South and, in part, of many other sections of the United States. Under these circumstances, how can I go back to the people who sent me here and excuse myself for writing a \$40,000,000 mortgage against the property of the United States

for the purpose of building railroads in Alaska?

If gentlemen will turn to page 417 of the 1912 Yearbook of Agriculture, they will find a very interesting article there from the pen of Mr. Jay A. Bonsteel, scientist in the Soil Sur-They will find from this article that the best trucking soils in the United States are along the Atlantic and Gulf coasts; that there are from thirty to fifty million acres of one series of this soil known as the Norfolk series, and that not one-tenth of 1 per cent of these lands are devoted to truck farm-More than 80 per cent of these soils have never been touched by the plow. In this article you will find a picture of a piece of this land in its natural state, and under this picture you will find these words:

Worth less than \$10 per acre in this condition, but capable of producing \$1,000 worth of truck crops per acre in a single year.

That particular land is in eastern North Carolina, but the soil survey shows that it is almost identical with the predominant soil in eastern Texas. Now, sir, there are but two reasons why this land is lying idle to-day; one is the limited demand for the food products which they will produce in such great abundance and the other is the want of transportation facilities. With all these millions of acres lying idle at home, pray, tell me where is the logic, where the wisdom of organizing a Dr. Cook expedition to icebound Alaska in search of a place to grow potatoes?

But it is well for the country to understand that this appropriation is but an entering wedge not only as to railroad building in Alaska but as to the activity of the Government in many schemes of like import. One is not compelled to go far to find advocates in Congress and out of it for every socialistic nostrum that the nebulous intellects of the past and present have con-

A Senator of the United States from one of the Western States. who aided very largely in the passage of this bill through the Senate, made the purpose of the bill quite clear in the following statement, made in the course of a speech in the Senate the other day. He said:

We do not propose to build these roads simply to get coal. If that were the sole purpose, we could build a line to the Bering River fields, equip it, construct docks and terminals, and make a harbor for not exceeding \$4,000,000, and have access to all the coal we need for many years to come, not only for Government purposes but to supply the needs and demands of the Pacific coast. * * In the bill which I introduced I provided for the reservation of a certain coal area and its development by the Government.

The Senator who gave utterance to his desire for the Government to enter the coal-mining business is recorded as a Republican. On the same day, or rather in the same issue of the Congressional Record, I find the speech of another Senator, who proposes a remedy for poverty. This Senator is recorded who proposes a remedy for poverty. This Sen as a Democrat. His proposition is as follows:

as a Democrat. His proposition is as follows:

Let the Government of the United States annually acquire, by purchase if necessary, 50,000 small farms throughout the various States as may be most suitable and practicable, build commodious dwelling houses thereon, and each year place 50,000 citizens, without any expense or cost to such citizens, into actual possession of these farms, carefully providing that these "home-reserve farm lands" shall not be allenated, hypothecated in any way, or transferred under any pretext by the citizen inducted therein.

* * These tracts of land, with decent dwelling houses, could be provided at an average cost to the Government of about \$4,000 per farm.

A little while are seven and discovered or thinks be did that

A little while ago some one discovered, or thinks he did, that radium is beneficial in the treatment of cancer. Immediately a bill was introduced in Congress to have the Government take over the radium mines and pay the owners of these mines some hundred millions or so as the purchase price.

Within the past few days the Post Office Department has strongly recommended the Government ownership of the telephone lines. I have not yet had an opportunity to examine the official report, but from the press copy I find the following:

According to the best available data the capitalization of the long distance and toll lines represents approximately \$200,000,000, and the

capitalization of the entire commercial network approximately \$900,000,000.

I also gather from this report, Mr. Chairman, that the Government ownership of these lines would increase the number of persons employed in the Postal Service from 290,000 persons to about 500,000 persons. It is, no doubt, still fresh in the minds of many of my colleagues that less than a week ago an amendment, known as the Reilly amendment, was ingrafted upon the Post Office appropriation bill providing that the Government should furnish free life and accident insurance to about 90,000 employees of the Postal Service, including rural and city carriers and others. My effort to defeat this proposition, though vigorously made, was unavailing. It is now insistently pro-posed to provide pensions for all the civil-service employees of the Government. The former President of the United States recommended that they receive a pension.

A mother's-pension law has been written into the statutes of several States of the Union, and a bill is pending before Congress to give the proposition national scope.

An old-age pension bill has been pending in Congress for

several years, and is being urged now with renewed vigor.

Mr. Speaker, we are being swept off our feet by a clamor which, in my judgment, does not proceed from the mind and heart of the great body of the American people. Are we ready to cast away the sober democracy of our fathers for the hybrid faith of paternalistic State socialism? Is there nothing good left in the individualism under which this Republic has grown so great? I grant you there has been enormous abuses. Corporate wealth and individual wealth has been stacked mountain high by the fraudulent flotation of fictitious stocks and bonds. The public has been saddled with burdens without a corresponding benefit. Men have reaped where they never sowed. I grant you all. But the fault has not been so much with the law as with lethargic public opinion and the men whom the people delegated to execute the law. But public opinion has been awakened with a shock. With one mind we are all determined to correct these abuses. Much has already been accomplished. We have rewritten the tariff laws in the interest of the people; we have enacted a graduated income tax; we have taken the national banking system from private hands and placed it under Government control; we have broken the op-pressive monopoly of the express companies with the people's parcel-post system; and we are very shortly going to write into the statutes of this Nation a law forbidding the formation or operation of trusts and monopolies, All this and more has been done. We are marching in unbroken ranks to the realization of the people's hopes. In this state of our affairs let us not become panic-stricken or hysterical. There is both good and bad in our established laws and policies. Let us not strike with the fury of enraged blindness, smiting both good and evil with indiscriminate hand. No good reform movement was ever blasted by reactionaries. We need not fear them. They are powerless to stay the righteous hand of the people's will. many good reforms have been destroyed by excessive zeal. There are few good things in this world that do not become evil when carried to extremes. Mr. Jefferson declared that he found it more difficult to hold back into bounds of safety the overardent friends of liberty than to bring to proper advancement those who doubted the wisdom of popular government.

Public men are just now running to and fro as if they had been awakened to a disaster at sea. In good truth, the old ship has struck some rocks, but she is yet sound in her vital parts. She has sprung a leak here and there, but these can be stanched by cool and statesmanlike wisdom. There are many barnacles clinging to her bottom and pirates swarm her decks. But she is a good ship, this constitutional democracy of ours. The world has never witnessed her equal. For more than a hundred years she has rolled in safety through every storm and risen triumphantly from every shock. Shall we jump overboard now and give up the ship because, forsooth, there are leaks in the hold and pirates on the deck? How will we improve our condition by forsaking the old ship for the frail and leaky craft of socialism? For one, I prefer to throw the pirates overboard and stay with the ship. If she needs repair, I am ready with a stout heart to begin the work; and if we have not the courage, the strength, and the patriotism to do that, how will it be with us when we are aboard this new vessel, into which we are in a fair way to embark the history, the hopes, and the destiny of the people of this great land? If we flee from pirates, will they not pursue? Will not these and other barnacles gather upon the new ship, and in greater abundance? Will not plunderers be more numerous under the new system than the old? No, Mr. Chairman; the fault is not with the form and substance of our institutions but with abuses which it lies within our power to correct. I confess that I am alarmed at the fever-

ish haste of gentlemen to increase and extend the activities of the Federal Government. Already Government employees muster an army ten times as numerous as followed Lee or Grant. Already they are organized for more pay and shorter hours, free life and accident insurance, and a Government pension to retire upon. Already they are sufficiently numerous and strong to give the average Congressman the buck ague when their interests are involved.

What will it be when the Government enters upon the operation of coal mines, oil wells, radium mines, refineries, railroads, telephones, manufacturing plants, and other suggested Federal activities?

It is just as well that the people who do not have an opportunity to view the details of governmental operations at close range should understand the inner workings of the great and necessary but altogether clumsy machine called government. It is well to understand that whatever the Government requires must be paid for at a much more expensive rate than private persons are under the necessity of paying. For instance, the Government requires many horses in the service, and to shoe these horses costs the Government anywhere from two to ten times as much as the ordinary individual has to pay. I remember some years ago to have served upon a committee in this House called the Committee on Expenditures in the State Department. Among other things that came out I remember that the expense of keeping one horse in that department properly shod cost the Government something like \$50 a year. It costs the Government \$25 and sometimes more per month to board its horses. It is generally understood that the Government will pay the top price for all it buys, and be content with the bottom price for all it sells.

Nearly the entire army of Government employees are now covered into the civil service. What does that mean? Nothing short of a job for life. What will we do with these employees when they grow old and are no longer able to do the work required of them by the Government? That question can be answered by a visit to the departments here in Washington. There you will find men and women tottering with age, scarcely able to stand alone, drawing their salaries and doing nothing to earn them. But why is this? you inquire. Because many of these old men and women have neglected to provide for old age, and now that they are old the heads of the departments have not the heart to kick them out into the street. This is the meat of the argument for civil pensions.

And what will it be when we pension this army of Government employees? Here again we do not have to look about us long for examples of the way the pension system grows. The Civil War is 50 years behind us, but there are three times as many names on the pension rolls as there were 20 years after the war. They first put on the pension rolls the soldiers who needed a pension, then all the soldiers, then their wives, then their parents, and finally their children. Civil War pensions have already amounted to more than forty hundred million dollars, and we pass private pension bills every two weeks. A more recent example can be found in the case of Spanish War pensions. Only a few hundred were killed on our side in that war, and the wounded was quite a short list, and yet the annual pension roll on account of that war now amounts to something over forty-two millions. The war of 1812 is a century behind us, but we are still paying pensions on account of that war.

Will not the employees of the Government soon be strong enough to make Congress give them pensions? And once they secure their demand will not the history of war-pension legislation repeat itself in the matter of the civil list? What, then, would be the fate of a Congressman who dared to stand between the countless horde of pensioners and the Public Treasury? He would be drawn, quartered, and cremated. Yea, he would be decapitated without the benefit of clergy.

And who is to pay for all these radium mines, railways, and telephones, anyway, and how is the payment to be made? The Government of the United States never has a dollar except as it taxes it out of the pockets of the people. In fact, the Gov-ernment is the people in organized form. "But bonds will be issued," say our cheerful doctors. What is a Government bond, pray tell me, except a mortgage given by the people upon all that the people own? How is money to be raised to meet the interest on these bonds twice a year? By taxing the people, of course, for the Government has no way of raising money except by taxing the people, unless bonds were issued to pay the interest; but in that case it would not be long until no one could be found who would buy a Government bond.

Mr. Chairman, socialism is the folly and the fad of the hour, and I am sad of heart to see it, not only because I know that it will convert those who come to lean upon the Government into a race of hopeless and spineless dwarfs but because I know

that it will strain every muscle and every nerve in the bodies of energetic and independent men to pay the taxes to keep a great army of Government boarders at the public table. The greater part of the parasites that will breed under socialism like insects in the sun will come from the crowded cities. Our manly and independent laborers and our sturdy and frugal farmers will have to feed this hungry horde, and, like the cask of Danaides, it will be impossible to fill them, for their mouths will be ever stretched forth in open supplication, and their clamor will sound like the rush of many waters.

Mr. Chairman, I shall not vote for these nostrums of socialism; believing as I do, I would be worse than a public enemy

if I did so.

I love the people of my district. I cherish sacredly the land in which they dwell. I have lived among them since my boyhood, and I shall be buried there. Many of them are my devoted personal friends, and a great majority of them have given me proof that neither the bitter tongue of the slanderer nor the honeved lips of the demagogue can drive them from me. These people, Mr. Chairman, have a right to expect that I will have the courage to consult the public good rather than my political safety. They have a right to expect that I will give studious application to these great public questions and that I will do my duty as that duty appears to me. I can not hope that they will always agree with me upon all great public questions. The will of the people is the all-powerful equation, and I am thankful for it. If the time should come when I am out of tune with my people, they will no doubt bestow their commission upon another more nearly in accord with their views. But in the meantime I pray for courage to sustain me in the discharge of my duty as God gives me the light to see it, for if my strength holds out I shall speak my sentiments and vote my convictions though they slay me. [Applause.]

Mr. MANN. Mr. Chairman, if the distinguished gentleman who has just spoken [Mr. Dies] had lived in Massachusetts in the forties of the last century and represented a constituency from that State in this body at that time, he would have raised his eloquent voice to prove how impossible it would be for a civilized people to live on the arid plains of Texas. [Applause.] And do the two distinguished gentlemen from Oklahoma who have led the fight against this bill need to be reminded that 100 years ago the United States entered into a solemn treaty providing that it never would incorporate the region they now represent, either into a State or a Territory of the United States, but turning it over to the Indians, and considering it

valueless for white men? [Applause and laughter.]

Such has been the history of our country. At every step which has been made we have been told that the Constitution was strained, that self-government was at stake, and that the legislation we were about to enact would prove destructive of the principles of our Government. Even in the short space of half a generation, during which I have had the honor to occupy a place in this body, I can recall numerous instances when I have heard the same speeches in opposition to other measures that I have heard in opposition to this measure.

Mr. FERRIS. Will the gentleman yield right there?

Mr. MANN. Yes.

Mr. FERRIS. The gentleman never has heard any speeches in opposition to such a bill as this, because we have never had such a bill as this before.

Mr. MANN. Well, let us see. When Col. William P. Hepburn, a great statesman, first proposed that the Government of the United States construct the Panama Canal as a Government venture, the same dire prophecies were exploited here and elsewhere which the distinguished gentleman from Oklahoma now exploits in reference to another governmental un-dertaking of somewhat similar character. [Applause.] We provided in the end for the construction of the Panama Canal by the Government, for the reason that we believed it would not be safe to trust it to construction by private enterprise, which could not afford to undertake it unless guaranteed great profits; and we believed it wiser for the Government to do this. Who would change it now? Where now can you find the men who then denounced it as an act of socialism?

When some years ago we proposed to provide for a new Department of Commerce and Labor, the same dire prophecies occurred about the extravagant results to the Government. When we proposed here to pass the pure-food law, gentlemen said we were destroying the Constitution, that we were ruin-

ing the principles of our Government.

When we passed the white-slave law, gentlemen said it was destructive of every principle of government. When we have extended the work of the Agricultural Department, gentlemen have said, "This is pure socialism, the Government entering

into private affairs and giving private help to the citizens of the United States.'

The same dire prophecies have been made every time. They will continue to be made as long as government exists.

It is well that the opposition side is presented to these propositions, because we ought to hear both sides, upon the principle that a legislative body which has not the ability to determine what to do in a specific case, but is fearful of what it may want to do in some other case, and decides not on the question before it but on the fears it has for the future, that legislative body is unworthy to exist. [Applause.] Now, what are the facts? I am not unduly impressed even with the possibilities of Alaska. I am not unduly impressed with the fertility of the soil or the value of the coal, or the amount of gold which is procured from there, or the other industries which may exist or which may be developed in the future. That is something we may argue about. No one can tell. No one knows. When I was a boy going to the public school, on the map there was the great American Desert, and I was taught to believe, as other children of my age were taught to believe at that time, that out in the West there laid a region where it was impossible for men to live, comparable only with the Desert of Sahara. And yet in my short life-and I am still a young man [applause]-I have lived to see this desert bloom and blossom. I recall that when we had before us the bill to provide for Government construction in aid of the irrigation of arid lands the same dire prophecies were made that are made now.

Mr. FERRIS. Will the gentleman yield?
Mr. MANN. Yes.
Mr. FERRIS. Does the gentleman from Illinois think that if he had plenty of time he could give any justification for the expenditure of sixty millions of money within the last year?

Mr. MANN. I could. Mr. FERRIS. What part of it? Mr. MANN. Oh, the gentleman has had three or four hours on this question and I have only a few minutes, and yet he expects me to go into a matter of that kind. I recall that when a distinguished gentleman of great ability in this House made a speech against the irrigation bill because he believed that the farmers of his district were so narrow minded that they wanted to keep out new lands and occupancy by settlers raising new products, I went to the gentleman, who was a friend of mine, and suggested to him that he leave that speech out of the RECORD, because it would live to plague him. He left it out of the Record, and the next time he was a candidate for Congress a newspaper, which had opposed him theretofore, came out one day with a broadside favoring his reelection because he had helped to pass the irrigation bill, and appealing to the farmers to stand by him, and they did. [Laughter and applause.]

Now, what is the situation? We own Alaska; it is unde-

veloped and its resources are unknown. If one of us owned Alaska and had the power, what would the owner do? If I owned Alaska, what would I do? Give it away? No. Sell it? No. No one would know what is its value. Handle it and develop it yourself. What would be the first step of development? What has been the first step in development anywhere in the United States within the last 50 years? To build a railroad. [Applause.] And as the owner of Alaska we propose to build a railroad as the first step of development. We must also learn the value of Alaska. We would not give it away. We would not sell it; we could not afford to do that, and if we keep it we must find out the resources which are there, and, as men of common sense, we should develop our own property by making it possible to learn the resources, and the first step is to build a railroad. [Applause.]

Gentlemen decry Government ownership of property. question is not before us. The Government owns a great deal of property. The Government owns a great many and the Government is engaged in charge of work. When it was proposed to pass the parcel-post bill, why, gentlemen had all sorts of fits over the subject. Who is there now so brave on the floor of this House as to propose to do away with the parcel

post? I yield to him to rise and show his face.

Mr. KINDEL. I do. Mr. MANN. I am glad to know that the gentleman from Colorado [Mr. KINDEL] is opposed to the parcel-post law. Mr. KINDEL. As it stands, it is a subterfuge and a fraud.

Mr. MANN. The gentleman says he is opposed to the parcelpost law, but the gentleman is really in favor of making it stronger. No; we hear these prophecies. We are engaged in more or less Government activities, but because we are engaged in one does not bind us to do all. Because we adopt one proposition does not bind us to adopt all propositions. We should consider each one on its merits, and a legislative body that can not do that is not able to worthily legislate for the people. I 50 years.

believe that we ought to do fairly not only by Alaska but we ought to do fairly by our own constituencies and our own country in developing the resources which belong to them and I believe that we ought to pass this bill authorizing the President to construct this railroad within the narrow limits

[Applause.] .

Mr. RAINEY. Mr. Chairman, for nearly half a century we have owned and controlled the great Territory of Alaska. Purchased for an insignificant sum of money, it has already added to the wealth of the Nation \$470,000,000 worth of products. We have barely touched the surface. We do not know yet what treasures that great Territory, one-fifth as large as continental United States, still conceals from the world. But we do know in this progressive part of the opening of this new century that our duty to ourselves, our duty to the rest of the world, demands that we now unlock the treasures of this great section of the earth's surface. [Applause.]

We have the best of reasons for believing that the coal fields there are greater than the coal fields of Pennsylvania; that the marble possibilities are greater than those of Vermont, and we are beginning to understand from investigations made by our Agricultural Department that there are agricultural possibilities

in that great Territory of ours.

Between the sixtieth and seventieth parallels of latitude in Europe lie the countries of Norway, Sweden, Finland, and the Provinces of northern Russia, and there are 11,000,000 people living there who are self-supporting. When we exported foodstuffs-when we produced more than enough for ourselveswe did not send any of it to that part of the world. Corn from the Argentine Republic is not going there now. Chilled beef from Australia is not going to this section of Europe. They are producing there all the foodstuffs that the 11,000,000 people who live there consume. They have established stable governments; they have built great cities, splendid public buildings, while from the ports of Norway sail the great fleets of black merchant ships that carry so much of the commerce of our own country. We have not been making agricultural experiments in Alaska, as stated by the gentleman from Texas [Mr. Dies], for nearly

Only a little over six years ago in a small way our Agricultural Department commenced to make experiments there, When I want to find out something about the possibilities of Alaskan farming I do not intend to depend too much upon the advice of the gentleman from Texas [Mr. Dies], who admits that even down there in Texas, in that fertile section of the world, where the sunshine is abundant, he is a failure as a farmer. [Laughter and applause.] The gentleman from Texas reminds me of Daniel Webster. Daniel Webster was a great orator. He was a brilliant statesman, but he often made mis-The gentleman from Texas is not a great orator nor a brilliant statesman-he will admit that himself-but he makes mistakes oftener than Daniel Webster ever did or ever could. [Laughter.] Why, when we were talking about adding to our territory forever the great agricultural section of the Northwest, the Oregon country, that section out of which we have now carved three great States, when from the interior of the Oregon country there came from the few settlers who lived there the demand that we take care of our own, when Daniel Webster and the other statesmen of that time were intent upon protecting just a few hundreds of acres of woodland upon the Maine border-when these demands came from settlers in the Oregon country Daniel Webster made a speech with reference to that section of the country, its worthless character for agricultural purposes, its ice and its snows and its undesirability from every standpoint, that reminds me very much of the speech made this afternoon by the gentleman from Texas [Mr. Dies], and I want to read now what Daniel Webster had to say about Oregon a little over three-quarters of a century ago. Daniel Webster said:

What do we want with this vast worthless area, this region of savages and wild beasts, of deserts, of shifting sands and whirlwinds of dust, of cactus and prairie dogs? To what use could we ever hope to put these great deserts or these endless mountain ranges, impenetrable and covered to their base with eternal snow? What can we ever hope to do with the western coast, a coast of 3,000 miles, rock-bound, cheerless, and uninviting, and not a harbor on it? What use have we for such a country? Mr. President, I will never vote one cent from the Public Treasury to place the Pacific coast one inch nearer to Boston than it is now.

Daniel Webster's claim to statesmanship does not, of course, rest upon that speech, and in the future the claims of the gentleman from Texas [Mr. Dies] to statesmanship will not rest on the speech he made here this afternoon. But, Mr. Chairman, the demand for the Oregon country continued, and finally resulted in establishing forever our claims to that great section of the world. The years passed; the British attempted settlements in Oregon. Whitman and Lovejoy undertook in the dead of winter their journey to the Capitol through the snows and the ice of the Northwest, and when they arrived here, describing the possibilities there, opinion had not changed much, apparently, because the Senators from South Carolina and other States were making just the same kind of speeches that we hear to-day against the development of Alaska. Senator McDuffie, following Senator Calhoun, of South Carolina, made a speech which reads very much like the minority report of the committee in this case, and 20 years from now the speeches made against Alaska here will sound just as amusing as the extracts from the speech of Senator McDuffie, which I propose now to read. The Senator, replying to Senator Benton, and speaking of the Oregon country, said:

Has the Senator

He demanded of Senator Benton-

He demanded of Senator Benton—
examined the character of the country? As I understand it, about 700 miles this side of the Rocky Mountains is unhabitable, where rain scarcely ever falls, a barren, sandy soil. There are three successive ridges of mountains extending toward the Pacific and running nearly parallel, which mountains are totally impassable except in certain parts, where there are gaps or depressions to be reached only by going some hundreds of miles out of the direct course. Well, now, what are we to do in such a case as this? How are you going to apply steam? Have you made anything like an estimate of the cost of a railroad from here to the mouth of the Columbia? Why, the weaith of the Indies would be insufficient! You would have to tunnel through mountains 500 or 600 miles in extent.

It is true they have constructed a tunnel beneath the Thames, but at a vast expenditure of capital. With a bankrupt Treasury and a depressed and suffering people, to talk about constructing a railroad to the western shore of the continent manifests a wild spirit of adventure which I never expected to hear broached in the Senate of the United States. And is the Senate of the United States to be the last intrenchment where we are to find this wild spirit of adventure which has involved the country in ruin? I believe that the farmers, the honest cultivators of the soil, look now only to God in His mercy and their own labor to relieve them from the wretchedness in which the wild and visionary schemes of adventure have involved them. * * Why, sir, of what use will this be for agricultural purposes? I would not, for that purpose, give a pinch of snuff for the whole territory. I wish to God we did not own it! I wish it was an impassable barrier to secure us against the intrusion of others. This is the character of the country. Whom are we to send there? Do you think your honest farmers in Pennsylvania, New York, or even Ohio or Missouri will abanden their farms to go upon any such enterprise as this? God forbid! To any man w

Senator McDuffie's study of the Oregon question extended over some years. He gave to the matter much more attention and study than the gentleman from Texas [Mr. Dies] has given to Alaska, and if his investigations led him to such conclusions as this, great God! what sort of conclusions would the gentleman from Texas have reached if he had studied the Alaskan question as long as Senator McDuffle studied the Oregon question? He continues:

He continues:

If the British had no claim to this territory, and there was nothing which impelled us to go with our military establishments and agricultural settlements, I would not consent, if there was an embankment of even 5 feet to be removed, to enable any population to go there. I do not wish to tempt the people to settlements there. I wish this to be a great empire, grown up by the natural course of civilization, and the natural extension of population. I thank God, in His mercy, for placing the Rocky Mountains there. I believe if it had not been for those mountains we would have been already in the Pacific. You can not civilize men if they have an indefinite extent of territory over which to spread their numbers; for so long as they spread their numbers instead of becoming civilized they become semisavage. All agree that civilization can be best effected where the country is hedged in by narrow boundaries. narrow boundaries.

Now, all that we ask permission to do is to build there a pioneer railroad—a railroad connecting the open harbors of the south with the waters of the great navigable rivers of the interior of Alaska, connecting its valleys with all their possibilities, and who will say that between the sixtieth and seven-tieth parallels of latitude in Alaska you can not raise just as much as you can between the sixtieth and seventieth parallels of latitude in Europe, where these millions of people live in comfort and prosperity and happiness?

This bill contemplates a bond issue in order to provide the money with which to build these trunk-line railroads. We developed the great West by giving away land. We gave to the Northern Pacific Railroad at one time 43,000,000 acres of land, and in spite of the dire prophecies of Webster, and of Calhoun, and of McDuffie, the railroads were built. Great bands of steel reached the western sea, and the population in its westward movement across the continent followed them and developed those great States and brought them, in spite of Webster, very near, indeed,

to Boston [Applause.]
Canada is doing the very thing we are trying to accomplish in this bill. She is building railroads up there herself, some of them extending in the direction of the Territory of Alaska, with Government aid, Government bonds, for over 2,000 miles of railway. We are told in the daily press she has just completed a lease for nearly 1,800 miles of railroad which she now has under construction, by the terms of which the rental to be paid for the use of that railroad will pay the interest on her entire railroad-aid bond issue. It is not too much to expect that the building of these pioneer railroads up there in Alaska will never be a charge on the people of the United States or upon the Treasury of the United States.

Webster and Calhoun and McDuffie can perhaps be pardoned for the position they took with reference to the Oregon country. Their opportunities for information as to the possibilities of that country depended merely upon reports of the few settlers who lived there. I am unable to reach the conclusion that those gentlemen who on this floor so vigorously opposed this proposition are entitled to the same consideration. ties for information as to Alaska and its possibilities are ample, There are frozen rivers and long nights and high mountains covered with snow and cold winters in those sections of Europe between the sixtieth and seventieth parallels of latitude, just as there are in Alaska, and yet people live there, millions of people, happy, prosperous, contented. We have taken \$470,000,000 worth of products in less than 50 years from Alaska, and to-day less than 40,000 white people live there. Without a proper system of railroads we can not expect a larger population.

Roads are a necessity for the development of every land. Roman generals at the head of Roman legions carried the Roman rule to remote sections of the known world, but back of the great crushing armies of Rome came her road builders, building hundreds of miles of good roads—the best roads the world had ever seen. Some of them exist to this day. Government aid for railroads is not an unknown thing in the United States. The pioneer western roads—the Union Pacific and the Northern Pacific-were built on account of Government aid. Enormous land grants made possible the completion of those roads and the speedy development of the western part of our continent in spite of the predictions of the legislators of that period. It is estimated by competent writers, excellent authorities on the subject, that in lands and in moneys, the States and the National Government have given in aid of railroad building in continental United States over \$1,000,000,000. Competent authorities writing on the subject estimate that the donations of lands and moneys to railroads in continental United States amount, in the aggregate, to two-fifths of all the value of railroad properties in the United States to-day. We have built over 16,000 miles of railroad with Government aid.

There are only three things to do with Alaska and the time has come when we must do something. We must deliver over the Territory to the Guggenheims and the other interests who clamor for it; we must give it back to Russia, which, in my judgment, would be preferable to giving it to these interests, or the National Government must provide for its development. This is the method of developing Alaska which I stand for and which I believe the majority of the people of the United States stand for to-day. We can only develop a country by building roads, by building the best roads, roads which transport persons and property quickly, and in this age of the world railroads are the only kind of roads that answer this requirement. We aided by land grants only the Northern Pacific and the Union Pacific Railroads, but the other railroads followed without national aid and now a network of railroads covers the entire western part of this continent. Canada is building railroads and is issuing bonds in aid of railroads. Under the direction of the Canadian Government a railroad is being built now toward the great Northwest, penetrating the colder regions of the Northrailroad that will reach, when it is completed, almost to the When, under the direction of the President of Arctic Circle. the United States, the roads we are providing for in this bill are completed but a comparatively small gap will remain between the Alaskan system of railroads and the Canadian system of railroads, and it is not too much to expect that in the not too distant future an entire-rail route will exist from the great cities of our Atlantic coast to the interior of the Territory of Alaska.

Acting under the direction of the great departments of this Government, investigations have been conducted in Alaska. We know from the reports of these investigations that there is, in this great Territory, of water power as much as there is in all the Pacific Coast States. Alaska produces as much gold per annum as California, our greatest gold State. There is contained within the boundaries of this Territory more arable land than there is within the entire State of Oregon. Ten years ago we started in Alaska with a small herd of reindeer; how there are 47 great herds numbering in all 38,000 of these animals—food animals, all of them. In time, if these great herds increase in numbers as rapidly as they have increased in the last few years, much can be accomplished in Alaska toward overcoming the cattle shortage in this country. The

area of Alaska is equal to the area of Norway, Sweden, Finland, England, Scotland, and Ireland. Within its boundaries there are 100,000 square miles of rich valley lands available as arable and grazing lands. It has been demonstrated that oats, barley, rye, potatoes, and all the vegetables can be successfully grown in Alaska. All the vegetables that can be raised in the Temperate Zone in America will grow as far north as the Arctic Circle and even beyond that, according to the investigations made by this Government.

It will cost the Government less to build this railroad than it would to subsidize with land grants a company to build it. Does anyone doubt the fact that if we gave away these coal fields-even a comparatively small part of them-to the Guggenheims or to other great combinations of capital in this country they would build this road and be glad to build it? The time has passed when any portion of our public domain or any part of the mineral wealth under the soil can be given away

to great combinations.

This bill contemplates Government operation of the railroads be built under it during the period of construction. The roads may then be leased, just as Canada has leased the roads she has built; and is it too much to expect that we can lease them as successfully as Canada leases her railroad properties? Is it too much to expect that we also can obtain enough rentals for these properties to pay the interest on the entire bond issue contemplated in this bill, just as Canada has done? We have in Alaska the largest and most productive fisheries in the world. That section of Europe to which I have called attention, and which supports in comfort 11,000,000 people, and which exports its products to other sections of the world, in area is only a little over one-third larger than the Territory of Alaska, but taking into consideration the possibilities of the Alaskan fisheries it is not too much to expect that in Alaska as many people can live and prosper as do live within the same parallels of latitude in Norway and Sweden and Finland and the Russian Provinces.

This is an administration measure, and the measures advocated by this administration are popular. In compliance with the suggestions of a Democratic President, carrying out progressive Democratic policies, in this bill we are taking the first steps toward unlocking the great storehouses of Alaska.

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from Virginia [Mr. Saunders] is recognized.
Mr. SAUNDERS. Mr. Chairman, this Alaskan proposition is not an appeal to reason, and rests on no solid foundation of assured fact. We are blithely going forth, like the boy in the fable, in quest of the pot of gold at the end of the rainbow. In the minds of many, this project is invested with all the glamour that attaches to the far distant the mandatus. that attaches to the far distant, the mysterious, the problematical, or the unknown. So far as the merits of this enterprise are concerned, the essential features are easy of ascertainment, and if this House would pause for a moment, to apply to the matter in hand, the facts that may be readily derived, not from glowing prospectuses, or rhapsodical descriptions of dreamers who are dreaming dreams of an El-Dorado in Alaska, but from the accounts of dispassionate travelers, and the reports of Government officials charged with the duty of investigating, and making report on the resources of this country, it would have no difficulty in arriving at a conclusion adverse to the recommendations of the committee.

Mankind is curiously constituted, and eternally verifying the

maxim, quot homines, tot sententiæ.

Bring forward a scheme of governmental construction in some far corner of the earth, in Hawaii, in the Philippines, at Guam, and millions of dollars are voted with a lavish hand. Then submit a commonplace proposition of homely, domestic interest, one that involves no speculative, or problematical elements, but is to be prosecuted under such conditions of assured success, that the results to agriculture, commerce, and industry in every form, may be stated in terms of positive and impressive import, and at once the same people who are ready to construct a railroad into Utopia, or to run a tunnel under Bering Strait, begin to talk in a strain of unfamiliar and unwonted economy. They question whether the party platform covers such a scheme, or perchance hint that it is not within the purview, or contemplation of the Federal Constitution.

I remember that a year or two ago an ingenious gentleman presented to the public a great project, namely, one to cause a deposit upon the Grand Banks, of the sand and other sediment carried by the Labrador current, so as to create in time a great submarine embankment across the banks, thereby deflecting the the Scientific American, and it was even stated that a bill to make the same effective, would be introduced by a Member of Congress. I have often wondered why this has not been done.

Mr. MADDEN. It has been so introduced.
Mr. SAUNDERS. Has it? Well, I am not surprised. I felt assured that a scheme so full of fascinating possibilities, as outlined by its friends, would find supporters in Congress. Who knows what may yet be accomplished, when this enterprise is put on its feet by a liberal appropriation from the Federal Treasury. The flowers that bloom in the spring, may cover the sunny fields of Labrador, and the orange groves of Florida may find formidable rivals in the one-time cheerless wastes of Newfoundland. Before we expend too great a sum in Alaska, we ought to reserve a nest egg for the development of this hopeful enterprise in the turbulent waters that cover the Grand Banks. What is Alaska? The answer may be briefly given: "Alaska is a land of immense distances, great natural obstacles, sparse population. It is 1,500 miles from Ketchi Rau to Bering Straits. The great fjords, arms of the sea; the immense glaciers, Malaspina, 80 miles across; the high mountains, Mount St. Elias, 18,000 feet; Mount Denali, 20,000 feet; the vol-canoes, Katmai, whose ashes tinted Algerian sunsets; the wide and turbulent rivers, Copper, Kuskokwin, Yukon; the extreme cold in the interior, 70° below zero; the rainfall and snowfall, 110 inches at Juneau, all sufficiently exemplify the natural features of this great Territory. The population is about 1 to 20 square miles."

There is so much misconception about this entire situation, and so much misapprehension as to the real facts about climatic and other conditions in Alaska, that I do not deem it amiss in this connection, to refer to conditions in other countries in the older world that are found along the parallels of latitude that run through this portion of the United States. Upon a survey of these conditions, and the achievements of the people in-habiting these areas, we will be able to forecast the likely returns from our expenditure of thirty-five millions in this country. Alaska is practically between the sixtieth and seventieth parallels of latitude. A friend of mine, talking to me a day, or two ago, about this bill, said: "Do you not know that the center of Alaska is in the same latitude as Scotland, and other countries of continental Europe where a great agriculture is successfully prosecuted?" This statement, though made in good faith, is wide of the mark. Examine the globe now in the Hall, and you will find that Mount St. Elias which is in the southern part of Alaska proper, is in the same latitude as northern Labrador. I eliminate, of course, from consideration, the narrow strip which forms the panhandle constituting southeast-Mount St. Elias is far above Scotland. ern Alaska. Mount St. Elias is far above Scotland. The paral-lel running through Mount St. Elias, which is above Sitka, runs through the southern portions of Sweden and Norway, and above Stockholm. Below this parallel are the main agricultural portions of the Scandinavian peninsula.

Now look to central Alaska, Fairbanks, and the Tanana region, and see how they are situated with reference to Greenland, Iceland, and the corresponding countries of the Old World? Bear in mind that this is the region where it is supposed that the great agricultural development will take place. This portion of Alaska is clear above the northern extremity of Labrador. The sixty-fourth parallel of latitude is not a great distance above Fairbanks. This parallel runs through lower Greenland, Iceland, well above Scotland, and thence through Norway and Sweden below the Lofodens, and far above Christiania and Stockholm. Following the same parallel further, we find that it runs across the White Sea, thence by Archangel, and through the frozen portions of Siberia where the Samoyeds and other miserable and

abject tribes are found.

Assuredly agriculture has never been pursued with any degree of success, or of profit, or to any considerable extent, in these subpolar areas. It is true that in all of Norway, and Sweden, and Finland, there are many people—millions of peo-Sweden, and Finland, there are many people—millions of people, but comparatively few of them are pursuing lucrative agriculture, above the sixtieth parallel, much less in the latitude of Fairbanks. The inhabitants of these countries trace their history to the very beginning of recorded time, and by untold ages of painful, and protracted toil, have brought their soil to its present measure of cultivation. The existing state of agriculture in those countries is not due to any favoring conditions of soil, or climate, but to strenuous application, prosecuted through countless centuries.

These then are the facts with regard to farming in those lati-tudes of the Old World which correspond to the Fairbanks section of Alaska. Go to Sweden, and you will find that the chief agricultural operations of that country are in the lower portion of the peninsula. The same is true of Norway. Go to Russia, in the area about Archangel, and there is no agriculture worthy of note. Moreover this agriculture such as it is, I

finds its roots in prehistoric times. There is no present movement of population into these countries, but on the contrary a steady outward flow, largely into the United States. As far back as history goes, we find the pressure of local conditions inducing emigration from Scandinavia. Knowing nothing of fairer climes, fancying that all the world was as forbidding as their native land, ignorant of life under other conditions of greater opportunity than prevailed at home, their first colonies were established in the northern latitudes.

Iceland was settled from Norway. Later, as the sagas of Iceland inform us, emigrants from that country established themselves in Greenland, and maintained a flourishing colony in that forbidding environment during a long period of time. these migrations have ceased. The colony in Greenland is only a memory. The glories of Iceland have vanished. creasing knowledge, the flow of emigration has turned in other directions. No mileage of railroads in Greenland, or Iceland. or northern Scandinavia would attract colonists and settlers to those countries. The world is wiser now than it was in the days of the Vikings, and there is no movement of population toward Greenland, though lower Greenland is in the latitude of Fairbanks. And yet the advocates of this Alaskan proposition, with full knowledge that even an emigrant from Iceland, or Norway, or Finland, or Sweden, leaving as he would, a settled country, with homes and schools and civilization, could not hope to better his condition as an agricultural pioneer in the bleak interior of Alaska, insist that if we build railroads into that country, a great flow of emigration would set thitherward. Whence would it come? Surely there is no farmer in any State of this Union, living under conditions so untoward, or unhappy, that he would be attracted to a country where the soil is frozen everywhere to bedrock, and land selected for agriculture must be cleared for such limited crops as may be raised, at an expense of from \$125 to \$200 an acre.

This Alaskan project stands on two legs, coal and agriculture. How about the coal? I think it is but just to the committee to say, that if it had been able to forecast the reports that would be submitted on the coal of Alaska, the present report would not have been made. I find in the committee's report the statement that there are "quantities of naval coal on the route between San Francisco and Yokohama." What are the facts as to this coal? What are the reports from the Navy Department?

The Secretary of the Navy, speaking of coal from the Bering River field, and Dr. Brooks says that there is little to choose between the Matanuska and Bering River coal, states in a recent letter, that "the run of the mine is not fit for naval use." But this coal was submitted to an additional test. It was screened and washed, and then burned. Even under these conditions, the coal used yielded only about 75 per cent of the power secured from Pocahontas coal. Concluding his letter to Mr. Davenport, relating to this test, the Acting Secretary of the Navy wrote as follows: "The department therefore notes with regret, that the Bering River coal sample, has thus far proved unsuitable for naval use." Speaking of this same coal, Dr. Brooks, of the Geological Survey, makes the following statement: "In the physical composition it leaves much to be desired, so far as we know." He further stated that for naval purposes, it might contain too large a percentage of slack. This forecast was verified by the naval tests.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield there? The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Tennessee?

Mr. SAUNDERS. Certainly, I will yield to my friend.
Mr. HOUSTON. I want to call the gentleman's attention to the statement of the Secretary of the Navy in regard to this Bering River coal.

Mr. SAUNDERS. Which Secretary is that? Mr. HOUSTON. Josephus Daniels, Secretary of the Navy. His letter is dated January 31, 1914. He says:

In reference to my previous letter to you in regard to the tests of Bering River coal I desire to invite particular attention to the fact that these tests only relate to the coal actually tested.

Mr. SAUNDERS. Of course. No one would think otherwise, Mr. HOUSTON. The Secretary proceeds:

As stated in my letter, there is nothing to show in the tests just com-pleted what may be expected of coal taken from greater depths on other veins.

Mr. SAUNDERS. Of course the tests can only relate to coal that is actually tested. But a test is made from a sample, and this sample is supposed to be representative of the thing sampled, otherwise what is the value of a test?

Mr. MADDEN. Mr. Chairman, will the gentleman yield there?
The CHAIRMAN. Does the gentleman yield?
Mr. SAUNDERS. This coal was selected for the deliberate purpose of showing that Alaska coal was suitable for naval purposes. But the result was disappointing, deeply disappointing to the advocates of this measure.

Mr. TAGGART. Mr. Chairman, will the gentleman yield for a question?

Mr. SAUNDERS. Certainly.

Mr. TAGGART. There is an abundance of coal in Alaska, is there not?

Mr. SAUNDERS. There is no doubt about that. Mr. TAGGART. In case it is necessary for the fleet to operate in the Pacific Ocean, there is no coal there with which to operate, and the eastern coal is hauled there. In case of an emergency the coal in Alaska is exactly what the fleet would have to have and would have to use.

Mr. SAUNDERS. To what emergency does the gentleman fer? Is the gentleman lugging the old Japanese war scare into this debate, in order to justify an expenditure of untold millions in Alaska?

Mr. TAGGART. No. But the gentleman has not answered my question.

Mr. SAUNDERS. What is the gentleman's question? Mr. TAGGART. Why is a fleet operating in the Pacific or in any other ocean?

Mr. SAUNDERS. The gentleman has not propounded a ques-

tion that I can answer.

Mr. MADDEN. Is not the latest report of the Navy Department to the effect that the coal brought down from Alaska and tested showed only 43 per cent of the efficiency of the Pocahontas coal?

Mr. SAUNDERS. Yes; and having reference to efficiency, it will be far better to bring suitable coal from the coal fields of the eastern seaboard, than to send our fleet against a hostile fleet in the Pacific, with a supply of inferior and inadequate coal in its bunkers. Of course this is upon the theory that our country is to fight for the control of the Pacific, and that a great naval war in that ocean is inevitable. For one, I scout the suggestion of such a war, and regard it as too improbable for serious consideration.

Now, as to the facts about Alaskan coal and its alleged value for naval use. Mr. Secretary Daniels, with reference to the Bering River coal, has stated that a large sample of this coal was mined for the purpose of testing its value for naval purposes. The results of these tests both as to the run-of-mine coal, and the same coal after being washed and screened, have been furnished. If these tests had been satisfactory, if the coal had met the anticipations of the gentlemen who have spoken in such glowing terms of the possibilities of Alaska, the opponents of this measure would have been confronted at every turn of this debate with the official reports establishing the efficiency of Alaskan coal for naval use. But the unexpected results of these experiments have confounded the advocates of the bill, and they are now seeking to minimize the value to be attached to the official tests.

Mr. BOOHER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield? Mr. SAUNDERS. Certainly.

BOOHER. Is the gentleman familiar with the test

made three years ago at Bremerton?

Mr. SAUNDERS. No. I prefer to take the latest test, for the obvious reason that this test was devised for the very purpose of ascertaining the value of Matanuska and Bering River coal for naval purposes, and to afford support for this scheme of railway construction in Alaska.

Mr. BOOHER. Was not the Bremerton test made for that

purpose also?

Mr. SAUNDERS. I do not know. I am not acquainted with

the results of that test.

Mr. BOOHER. Does not the gentleman know that this coal that was tested last was not mined coal at all? Does he not know that it was just coal taken off the mountain side?

Mr. SAUNDERS. Well, if that is so, such a fact is certainly a reflection upon the people who conducted this test.

Mr. BOOHER. But that is true.

Mr. SAUNDERS. Let us see if it is true. The purpose of the inquiry was to ascertain the value of Alaskan coal for naval purposes. Presumably it was conducted under such conditions that its results would be valuable either in the way of proof, or disproof, of the claims preferred for this coal.

Now you tell me that these tests are valueless, and yet we are expected to rely in other directions upon the representations of a department that is apparently incapable of making an efficient test of bituminous coal. But as a matter of fact Mr. Secretary Daniels states in his letter to Mr. Davenport that a large sample of Bering River coal was mined.

Mr. DIES. That test cost \$75,000, did it not?

Mr. SAUNDERS. I do not know the figures; but surely a department which conducts an inquiry at such an expense, I

should not be discredited by its friends. There is no evidence to show that these tests have not been properly made under adequate conditions. I can not agree with the friends of the bill that the conclusions of this expensive inquiry are to be regarded as inconclusive and insufficient.

Mr. FERRIS. Is it not the solemn duty of a gentleman interrupting another gentleman here to present an authority more recent than the December letter from the Navy Department.

Mr. SAUNDERS. Of course it is. I am calling attention to the fact that the tests which have been recently made, are adverse to the claim that Alaskan coal is suitable for naval use. If there is any reliable evidence in its favor, it is certainly the duty of the friends of this measure to present it. We have had too much speculation, too much theory, too much loose talk about the possibilities of Alaska. Above all things, we desire facts, facts, and then more facts. We are more concerned with probabilities, than possibilities, with facts, than with fancies, or highly colored dreams. A test is intended to be an ascertainment of value, and this particular test was ordered for the very purpose of affording material support for this scheme of Alaskan development. The result has been disconcerting. It is a case of being hoisted with one's own petard, and the friends of the bill having recovered from their first astonishment, are seeking to discredit the credibility of their witness. Vain endeavor. Like the fisherman in the Arabian Nights who opened the bottle, and released the malignant genie, they are the authors of their own misfortune. Having invoked this test, they must abide by its issue, and will not be aided by their eager efforts to discredit an ascertainment of their own seeking,

The Secretary of the Navy writes that the experiment shows that the run-of-the-mine from the Bering River field is unsuitable for the use of the Navy. Coal taken from the surface would hardly be styled run-of-mine. There are two horns to this dilemma. Either the test discredits the claims preferred for this coal, or the ability of the Navy Department to make an efficient test, is discredited. Take either horn you choose.

Mr. HAMLIN. Does the gentleman insist that it makes no difference with the value of coal if it is allowed to lie on the ground exposed to the elements for years? Does the gentleman claim that makes no difference?

Mr. SAUNDERS. Oh, no. Of course I do not claim that. Mr. HAMLIN. The gentleman has just stated that.

Mr. SAUNDERS. I do not claim that it makes no difference; but coal of proper value, does not lose that value by lying on the ground for a while.

Mr. HAMLIN. Does it not ever deteriorate?

Mr. SAUNDERS. Oh, to some extent. But I wish to ask you this question. What value do you attach to a test deliberately inaugurated, and conducted at a considerable expenditure by that particular department of the Government which is most vitally interested in the inquiry? When we invoke the results of this test as an argument against the value of Alaskan coal for naval purposes, you gentlemen who favor this bill, wave us airily aside, and in substance declare that the test is valueless, or at least inconclusive. What value is to be attached to any information afforded by a department of the Government if the result of a \$75,000 experiment is to be whistled down the wind in this fashion?

If the test had stopped with the run-of-mine coal, you would have said: "Wait until we screen this coal and wash it. is the test which will ascertain its real value. coal had responded to the screen test, you would have been jubilant, and insisted that at last the truth had been revealed. But the last test afforded no better results than the first. What Then if the does the Secretary say in relation to this coal, after both tests had been completed?

The department therefore notes with regret, that the Bering River coal sample has thus far proved unsuitable for naval use.

Are there any more recent tests? If so produce them. Is there any more recent information, or is there any more recent scientific ascertainment reversing the former tests and showing that the Bering coal, or the Matanuska coal is suitable for naval purposes? If not, we must abide by the report of Secretary Daniels.

I wish to call the attention of the committee to another statement in the report which serves to illustrate the character of the arguments that are used to bolster up this Alaskan proposi-First we are told that we need a supply of naval coal in the Pacific. Then in order to justify the construction of railroads to haul this coal to the coast, the report proceeds to afford an estimate of the coal that may be needed in the future, to supply the fighting ships. In addition the report gives the present cost of transportation from Pocahontas to San Francisco. This cost is fixed at from \$5 to \$8 a ton. Proceeding to multiply the amount of coal required, by the cost of transportation, the

committee does not take the average of cost, but uses the maximum of \$8, as a multiplier.

In their attempt to estimate the coal needed, they predicate a great war in the Pacific, with some unnamed enemy, presumably Japan. This war is to last 12 months. Now this last hypothesis is absurd. There is no possibility of war in the Pacific with any power, save Japan, and conceding that war with the latter, is a possibility, the United States can not afford to build rail-roads into Alaska, upon the theory of a 12 months' war with that country. The era of protracted naval wars has passed.

Mr. WICKERSHAM. I will say to the gentleman from Virginia that that is an exact quotation from Secretary Myer.

Mr. SAUNDERS. I have no doubt that what you say is true. The Secretary was making an argument for a big Navy. His estimate provided for 200,000 tons of coal a month, for 12 months, or a total of 2,400,000 tons of coal. Multiplied by \$8 a ton, this made the handsome total of \$19,000,000 in round numbers, and furnished a conclusive argument, in the mind of the Secretary, for the development of Alaskan coal. This is a sample big Navy argument, and is apparently cited with approbation by the committee, as justifying the measure submitted, from a military standpoint. I reproduce this feature of the report, merely to show that in this, as in other directions, the suggestions of military necessity are used to afford an excuse for extravagant appropriations. Surely the limit of absurdity has been reached, when the excuse for developing Alaska at an enormous expense rests in large part upon a chimerical war in the Pacific, that is to last for 12 months, and require 2,400,000 tons of coal for naval purposes. The absurdity of this suggestion is made more apparent, when attention is called to the fact that the battle fleets of the future are to burn oil, and not coal.

Mr. HARDY. Is it not the duty of the Government to see if by the development of the Alaskan fields they can not obviate the necessity

Mr. SAUNDERS. Yes.

Mr. HARDY. Let me finish the question. Is it not the duty of the Government to see if it can obviate the necessity of hauling Pocahontas or Pennsylvania coal clear around the Horn to it over into the Pacific?

Mr. SAUNDERS. Yes. I am ready to vote for a reasonable appropriation of a few millions to try out the coal fields in Alaska. But the plan submitted contemplates a system of railroads to develop the agricultural possibilities of that country. Our party platform calls for the one, it does not contemplate the other. There are no agricultural possibilities in Alaska.

Mr. HARDY. I am rather inclined to agree with the gentleman, that we can not afford to build that road just for agricul-

Mr. SAUNDERS. Then why do you support a proposition that provides for roads to develop agricultural possibilities below the Arctic Circle.

Mr. HARDY. Because there is an undeveloped wealth of mineral resources there.

Mr. SAUNDERS. Let us see as to the mineral resources. There is of course gold in Alaska, but there is no reliable information as to the amount. It is stated that \$18,000,000 of gold came out of Alaska last year. How much of that gold came from Nome, how much from Treadwell, and how much came from that interior to which your railroads are heading? road into interior Alaska to enable miners to prospect for gold that may, or may not be there in paying quantities, does not appeal to our business sense. The road to Fairbanks is designed to develop an agricultural country. It will be an expensive road to construct, and an expensive road to operate. From Chitina to Fairbanks the road will pass through a country that will afford practically no tonnage. Is the outlook for tonnage from the country surrounding Fairbanks any better? the judgment of the committee it is. The Fairbanks-Tanana area is described in the report as the garden spot of Alaska. But this garden spot is not a translated Florida, or California, a land of balmy zephyrs, and perennial bloom. It is farther north than Labrador. It is in the same latitude as Iceland, Greenland, northern Scandinavia, Archangel and the White Sea. The soil is frozen to an unknown depth. I hold in my hand a report by Mr. Seth Mann, who describes himself as the representative of President Wilson on a tour through Alaska, under the auspices of the Seattle Chamber of Commerce.

Describing the agricultural lands of interior Alaska, he says that they are covered with a thick growth of birch, spruce, poplar, aspen and other small timber. As a preliminary step to farming in that country, the homesteader must cut down the small growth, get rid of the roots, and then remove a foot of moss and tundra in order to give the soil that is intended to be cultivated, the first glimpse that it has had of the sun for the ages of ages. This initial expense of preparing the ground runs from \$125 to \$200 an acre. "A pioneer will have invested in

preparation, the total cost per acre of first-class farm land near a good market in an old country, before he will begin to raise anything to sell in this dayless night, and nightless day region."

Mr. WICKERSHAM. Will the gentleman yield?

Mr. SAUNDERS. Yes.

Mr. WICKERSHAM. Will the gentleman read from Mr. Mann's statement where he has to remove a foot of moss and tundra?

Mr. SAUNDERS. I will. Mr. WICKERSHAM. If he so states, that is not the fact.

Mr. SAUNDERS. This report of Mr. Mann was mailed to us in order to influence our votes in favor of this bill. My friend ought not to seek to discredit this witness. He is a witness for the plaintiff, and a friend of this project, though he damns it with faint praise. The following extract is taken from page 12 of Mr. Mann's report:

of Mr. Main's report:

Great level stretches are visible from the boat as one steams down the Yukon and the Tanana. The land is covered with a thick growth of small timber consisting of spruce, birch, poplar, cottonwood, and aspen. Owing to the freezing of the soil in the winter season, the trees in this section have very shallow roots, reaching down only about a foot or so below the surface of the soil. The trees are small and valueless, except for fuel. They are easily uprooted, and when the clearing is completed, the covering of moss and tundra about a foot in thickness, must be removed and the soil exposed to the summer sun.

There is a popular impression that the railroads projected under this bill will open up considerable areas of valuable timber. But there is no support of fact for this impression. There is no timber in the interior of Alaska, and comparatively little along the coast. Hence there will be no forest products to furnish tonnage for the railroads.

Mr. WICKERSHAM. The Forestry Bureau believes it. Mr. SAUNDERS. Where are these forests? I concede that there is a little timber on the coast line, but the railroads in contemplation are to run from the coast into the interior. Get away from the coast, and the timber dwindles into insignificant and worthless growths. While great possibilities have been claimed for mining and agriculture in the interior, these pos-sibilities have not been extended to include timber.

Now Mr. Mann may be mistaken, but at least his report very clearly states that a foot of moss and tundra must be removed to expose the surface soil to the mellowing influences of the summer sun. This is the land that is presented as the future home of millions, happy in the enjoyment of mills and schools, and factories, and well-tilled farms. Whence, I ask,

will these people come?

Having in mind that in any State of the Union good farms with improvements thereon, may be purchased at a price per acre far below the sum required to prepare an acre of this Alaskan land for cultivation, pray tell me why anyone should put behind him a country of civilization, of schools, of churches, of abundant opportunity, and leaving the sweet precincts of home, betake himself to the wilderness of the Tanana and the Yukon, to shiver through six months of winter and darkness, and begin life anew under the grim and forbidding conditions of this cheerless land? [Applause.] Mr. W. D. Joyce of the Saturday Blade, accompanied the Seattle excursion through Alaska in 1913, and gives the following description of the land to farmed in that country by homesteaders and settlers: warmth comes from the soil, or beneath the surface. As far down as a shaft has ever been sunk, over 2,000 feet, you find This ice was not made by freezing from the top down. millions of years the country has been built up from the bottom, ice on ice that never thawed out in the summer. The moss that grows everywhere is a complete protection from the sun, and when you sink a pick through it, you think you have struck Clear off this moss, other vegetation, and scrub timber, and you have the frozen earth. The sun will draw out the ice and frost about 1 foot the first year. Break this up, and the next year it thaws out deeper. After a number of years, by next year it thaws out deeper. After a numbe June 1, the frost will disappear down 2 or 3 feet." Mr. WILLIS. Will the gentleman yield?

Mr. SAUNDERS. I will yield to the gentleman from Ohio. Mr. WILLIS. I understood the gentleman to be quoting a few moments ago from the report of Seth Mann.

Mr. SAUNDERS. I did.

Mr. WILLIS. Will the gentleman state upon what page he was reading?

Mr. SAUNDERS. Page 12.

Mr. WILLIS. Will the gentleman object to reading from pages 13 and 14 what Mr. Mann actually said?

Mr. SAUNDERS. Does the gentleman from Ohio suggest that I have read what he did not say?

Mr. WILLIS. Oh, no; but he says a lot more.

Mr. SAUNDERS. But I am not undertaking to read the entire report

Mr. WILLIS. What the gentleman did read gives an incorrect idea of the conclusions of Seth Mann.

Mr. SAUNDERS. In what way?

Mr. WILLIS. If the gentleman will read pages 13 and 14 he

Mr. SAUNDERS. I have not undertaken to quote this report in full, though I would be more than willing to do so, if time permitted. This document emanates from a friend of this enterprise, but taken as a whole it presents a most discouraging picture of so-called agricultural Alaska.

Mr. FERRIS. Will the gentleman yield?

Mr. SAUNDERS. Yes. Mr. FERRIS. I do not want to take up the gentleman's time, for I am interested in every word that he says. But he made a statement with reference to the ability and power of the people of the United States to purchase land in the United States. I hope that he will add that there are more than 300,000,000 acres of public lands that they can have for the asking and tak-

ing it and residing upon it here in the United States.

Mr. SAUNDERS. Yes; my friend is undoubtedly correct and, as I have said, if we will look at this matter in a common-sense way, we will be quick to realize that nowhere in the United States proper is there a section so barren, cheerless, and uninviting that its inhabitants with a knowledge of conditions in Alaska, as depicted by Mr. Mann, would be willing to exchange the meagre opportunities at home, for the chances of agricultural betterment in that far distant land.

The CHAIRMAN. The time of the gentleman from Virginia

Mr. DAVENPORT. Mr. Chairman, I ask that the gentleman's time be extended 20 minutes.

The CHAIRMAN. The gentleman from Virginia has an hour,

but he was to be notified when he had used 30 minutes

Mr. DAVENPORT. I want to say to the Chair that there will not be as many gentlemen who desire to speak in opposition to the bill as there are of those who favor the bill, and for that reason a proportionate division of the time would give those in opposition to the bill longer than those in favor of the bill.

The CHAIRMAN. The Chair is trying to equalize the time

in that respect.

There are many applications for time, and there are only about four more Members who are to speak against the bill. The Chair is giving them more time than he is assigning to those who are to speak in favor of the bill. Under the rules of the House, the gentleman from Virginia has one hour.

Mr. SAUNDERS. Mr. Chairman, I will proceed a little fur-er. For the benefit of my friend from Ohio, I will read from

Mann's report:

The growing of various grains is as yet largely in the experimental stage. But crops of wheat, oats, barley and rye are matured on the Government farms. The summer season is short for the maturing of wheat, but there is much less difficulty with the other grains mentioned. Some hay is cut by individual farmers.

Great possibilities in the matter of hay have been claimed for Alaska, but Mr. Mann dismisses these possibilities with the curt statement: Some hay is cut by individual farmers. To con-

The interior of Alaska is more favorable for agricultural purposes than the regions along the coast.

I now call the attention of my friend particularly to this sentence:

It does not appear that Alaska will ever export the products of agriculture.

Think of the undeveloped areas of the United States proper that we are asked to disregard in favor of a region that will never under the most favorable conditions, export the products of agriculture! Why go to Alaska to expend thirty-five millions, when greater possibilities lie at our door requiring but little expenditure for their development? In this connection, I will reproduce the cautious, not to say discouraging remarks of Dr. Piper of the Agricultural Department who has been conducting some experiments in Alaska: conducting some experiments in Alaska:

conducting some experiments in Alaska:

Prof. PIPER. I may state briefly, in conclusion, that my own viewpoint, and I think that is the viewpoint Prof. Chubbuck has taken—and I am sure it is the one Prof. Georgeson takes in all his reports—is conservative as to the future agricultural development of the interior of Alaska. I have no doubt that with the building of the railways there will be plenty of literature of the boom-type published, but I think it would be something of a calamity to induce any large number of homesteaders to go there to-morrow with the idea that it could be developed rapidly, like much of our prairie country was in the West. In the development of a new agricultural region usually the first development is live stock, and the second is grain raising—usually wheat raising. Now, in the development of the live-stock industry in Alaska somewhat different methods will have to be used to those which farmers have been familiar with in the States, and in a way they will have to feel their way along toward the most profitable methods.

In the matter of extensive grain culture, while that may be possible, I.feel that the farmer himself will have many problems to solve before the ordinary man can be advised to go into farming. That is, in other words, I fear that the greatest danger to the proper development of the interior of Alaska would be of holding out too roseate hopes of what can be done in the way of its agricultural development.

Prof. Chubbuck, another representative of the Agricultural

Prof. Chubbuck, another representative of the Agricultural Department in Alaska, gives an equally gloomy picture of prospective agriculture in that country. I quote from page 27 of Prof. Chubbuck's report:

DIFFICULTIES THAT CONFRONT THE HOMESTEADERS.

Over against the optimistic facts pertaining to this great northwestern portion of the North American Continent, are others that should be remembered by those who contemplate going to Alaska for the purpose of home making, particularly farm home making.

On the south coast, where the climate is mild, tillable land is scarce, because of the proximity of the mountains to the shore line; elsewhere in Alaska the winters are long and very cold, and frost-proof buildings must be provided for the shelter of family and stock.

The ground freezes to a great depth, and there is but a short period during which this can thaw, and the surface is covered with an accumulation of undecayed moss and other vegetable material serving as a protection to the frost, and a reservoir for moisture.

The frost line under natural conditions sinks but a few feet during a season, and the thawed layer is usually a morass of muck in all portions of Alaska where tillage is possible.

Are these mucky morasses, so vividly described by Prof. Chub-

Are these mucky morasses, so vividly described by Prof. Chubbuck, likely to tempt homesteaders and agricultural pioneers from the United States to take up life anew under the discouraging conditions of central Alaska? Bear in mind in connection with this talk about promoting agriculture in this sub-Arctic area that only about 27 per cent of the tillable land of this country, excluding Alaska, is now under cultivation. According to the recent figures put out by the Department of Agriculture, there are \$23,000,000 acres of tillable land in the United States which have never been turned by a plow. The "back-to-the-soil" advocates can find land nearer home, under fairer skies, and more attractive surroundings than even the most enthusiastic boomers of this visionary project can claim for this land of tundra, reindeer, and frozen wastes.

I will now reply to some of the arguments of the gentleman from Illinois, Mr. RAINEY.

Mr. RAINEY. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS. Certainly.

Mr. RAINEY. Will the gentleman inform us what the value of agricultural products is that the United States itself is exof agricultural products is that the United States itself is exporting at this time?

Mr. SAUNDERS. Oh, the gentleman is a member of the Ways and Means Committee and ought to be more familiar with the figures than I am. He must know how much wheat for instance we are exporting. The figures are not at hand, but I know that we export a vast amount of agricultural products.

Mr. RAINEY. We did not raise last year enough for home

consumption.

Mr. SAUNDERS. Of agricultural products?

Mr. RAINEY. No. and oats from Canada. We are bringing in corn from Argentina

What are the figures of our agricultural Mr. SAUNDERS. exports for last year?

Mr. RAINEY. I do not know how much we exported last

ear. We did not produce enough for home consumption.

Mr. SAUNDERS. We may have imported some food products, bananas for instance, but we exported quantities of others. The Department of Commerce gave out the following figures of agricultural exports for the month of December, 1913. It is easy to see from these figures that the aggregate value of our agricultural exports during the past 12 months has been enormous:

December, 1913.	
Animals	\$541, 204
Breadstuffs	11, 786, 026
Unmanufactured cotton	81, 945, 936
Eggs	286, 212
Fruits and nuts	3, 423, 916
Hay	87, 237
Meat and dairy products	13, 053, 224
Seeds	326, 939
Unmanufactured tobacco	4, 837, 936
Vegetables	390, 927

116, 679, 557

I believe we are importing some beef, but we are also exporting a great deal. In this connection I wish to say that the reports show that Alaska will never become a stock country. The winters there are too long, and too hard, making the cost of feeding too great, even if the necessary forage could be raised in the summer. With our knowledge of cattle raising in Iceland, and northern Scandinavia, not to speak of Greenland and other countries in the same latitude as interior Alaska, we hazard nothing when we say that the high cost of living will never be reduced by cheap meat from Alaska. In one respect, however, meat from that country would enjoy an advantage over its New Zealand or Argentina competitor—it would not require artificial congelation. The processes of nature would be sufficient. Build these railroads, and the mining and all cognate industries will import their foodstuffs. Business men will always do what it is the cheapest for them to do. They will buy in the cheapest market, and the cheapest market for foodstuffs will always be outside of Alaska.

Mr. Chairman, we are continually reminded that our fore-fathers were mistaken about the possibilities of the great West.

The men of that day knew nothing of the West. To them it was as much terra incognita, as the vast stretches about the South Pole, are to the men of to-day. Hence they were not in a position to make a forecast, or form an intelligent judgment. But we know the facts about Alaska, and the history of countries where conditions are similar. We are not groping in the dark for facts, but are full handed with authentic information, climatic, agricultural, and geographical.

The committee informs us that during six months of the year there is a great deal of sunshine in interior Alaska. We know that, and we also know that for six months there are long nights, and intense cold. Follow the Fairbanks parallel around the world, and at every point on that parallel will be found the same amount of sunshine. There is much sunshine in Greenland, in Arctic Lapland, even at the North Pole, but those countries have never become agricultural countries by reason of that fact. Our friend from Alaska [Mr. Wickersham] speaks with apparent pride of the legions of mosquitoes in Alaska. There are mosquitoes in Greenland, mosquitoes at the North Pole, mosquitoes throughout the Arctic regions, but something more than mosquitoes are needed to attract immigrants into a new country. Some years ago I read a lively account of a trip across Arctic Lapland. We are accustomed to think of that country as a land of frozen, wind-swept wastes, inhabited by wandering Lapps eking out a precarious existence by raising reindeer. The Lapps and the reindeer are there, but in the summer the country is more like Central America, than the conventional idea of the Arctic. The travelers made their way through bogs, and morasses, across lakes, and clear flowing streams, harassed at every step by clouds of ferocious biting insects. And yet, though Arctic Lapland is at the edge of a great population in Europe, it has never attracted immigrants, and has never become an agricultural country. It is as waste, cheerless, and uninhabited to-day as it was 5,000 years ago. Despite the continuous movement of peoples throughout Europe during its entire history, no tide of emigration has ever set toward Lapland. In many respects Lapland corresponds to the descriptions that have been given of Alaska. Indeed reindeer have been imported from Lapland into Alaska on account of the similarity of conditions in the two countries.

The gentleman from Illinois [Mr. RAINEY] has cited the attitude of certain distinguished men in the early days of the Republic toward the possibilities of what was then the unknown West. Those gentlemen were groping their way. They were not possessed of the facts. Is it a fair conclusion that because our forefathers erred in respect of a matter of which they were confessedly ignorant, therefore every scheme of modern exploitation is to be justified? Does it follow that every scheme with "millions in it," is to be commended by the men of to-day, because men of another generation fell into palpable error, from lack of familiarity with the actual conditions of the territory west of the Mississippi, vaguely supposed to be a land of trackless wastes, and barren mountains, inhabited by fierce tribes of savage Indians?

But if we sin in this matter we will sin with knowledge. We know the actual conditions in Alaska through first-hand information, and if these reports are in anywise challenged, then the voice of wisdom suggests delay until the facts can be ascertained in the most definite and authoritative fashion. said that Alaska is a treasure house, a land of unbounded pos-Are there no treasure houses, no possibilities nearer home? We are told that we owe a duty to the 15,000 sojourners in the inhospitable interior of that country. Do we owe no duty to the people at home whose money will be expended with lavish hand to build these trial railroads, with which to feel out this land, and ascertain what of value is contained within its forbidding portals?

Upon what does the committee seek to rest this report? Upon the last Democratic platform? There is not a line in that platform that justifies the scheme submitted in this bill. The Baltimore platform declares that we should open up the coal lands of Alaska under such conditions as will keep them out of the hands of monopolizing corporations. This can be done with an expenditure of a four little and the conditions of t expenditure of a few millions. I would gladly support a common-sense proposition for building a line, or lines into these coal fields. This done, and the roads opened, we could try out the value of the coal and the cost of mining and transportation to the coast. Incidentally prospectors could ascertain the presence and possibilities of other minerals. and possibilities of other minerals. If on trial it is found that Alaskan coal can be mined and sold on the Pacific coast at a cost to meet free coal from British Columbia, then the mines may be worked to their utmost capacity. But thirty-five millions will not be needed to finance such an experiment. moderate appropriation will suffice for a very thorough inquiry into the value of the Alaskan coal fields.

Mr. DIES. This bill has grown to \$40,000,000 since the last time we had it under consideration.

Mr. WICKERSHAM. Oh, the gentleman is mistaken about

Mr. DIES. But the Rules Committee brought in a rule providing that we should consider the Senate bill.

Mr. SAUNDERS. Well, if that be true, we ought to hurry If debate lasts much longer the bill will doubtless carry fifty millions. Perhaps it would be economy to pass the Senate bill to-day, lest by another Calendar Wednesday this measure may carry an even more staggering amount than fifty millions.

Mr. WICKERSHAM. Oh, both gentlemen are incorrect in their statements.

Mr. DAVENPORT. Mr. Chairman, will the gentleman yield? Mr. SAUNDERS. Yes. Mr. DAVENPORT. If we are not operating under the rule

that was adopted that made it in order that general debate proceed to-day on Senate bill 48, in lieu of the House bill, then the mr. SAUNDERS. Of course we are operating under the rule.

Mr. SAUNDERS. Of course we are operating under the rule.

Mr. DAVENPORT. The trouble about that is—

Mr. SAUNDERS. I can bring this matter to a head in a

moment, by a simple question addressed to the gentleman from

Mr. DAVENPORT. If the chairman will permit me, it may have been intended, as suggested by the gentleman from Tennessee [Mr. Garrett], that this morning under that rule the chairman of the committee would suggest that that rule be construed to say that it was a substitute for an amended bill reported back, but the rule does not so state.

Mr. SAUNDERS. Does the Senate bill carry \$40,000,000 or not?

Mr. WICKERSHAM. It does.
Mr. HOUSTON. Will the gentleman allow me to state what the proposition is? It is to take up the Senate bill and consider that in lieu of the House bill. The Senate bill was referred to the Committee on the Territories, and that committee has reported it back to the House and recommended its passage after striking out all after the enacting clause and substituting the House bill, which carries \$35,000,000 only.

Mr. SAUNDERS. Even our House committee could not stom-

ach the Senate bill.

Mr. STAFFORD. On the point that is engaging the attention of the committee I find, on page 15 of the Senate bill, the following:

Provided, however, That the total amount authorized by this act to be appropriated shall not exceed the sum of \$35,000,000, including any sum in or by this act appropriated.

It is the Senate bill.

Mr. SAUNDERS. How could the House bill strike out five millions from the Senate bill, and leave a residue of thirty millions, unless the bill carried forty millions? From what is the gentleman from Wisconsin reading?

Mr. HOUSTON. That is the Senate bill as reported back by

the House Committee on the Territories?

Mr. DAVENPORT. The Senate bill carried \$40,000,000 as it came to the House.

Mr. SAUNDERS. I understood the gentleman from Wisconsin [Mr. Stafford] to say that it did not carry \$40,000,000.

Mr. STAFFORD. I read the bill as it passed the Senate. Mr. SAUNDERS. This is an illustration of the confusion that prevails as to every stage and every feature of this Alaskan proposition.

Mr. WICKERSHAM. The gentleman is mistaken.

Mr. SAUNDERS. Who is mistaken, the gentleman from Wisconsin [Mr. Stafford], or the gentleman from Virginia? I said the Senate bill carried \$40,000,000 as it came to the House. Now, who is mistaken?

Mr. WICKERSHAM. The gentleman is wrong.

Mr. SAUNDERS. Who is wrong?

Mr. WICKERSHAM. You are. Mr. HOUSTON. The Senate bill originally carried \$40,000,000.

Mr. SAUNDERS. That is all that I have said.

Mr. HOUSTON. It was sent to the House and referred to the Committee on the Territories, and reported back here carrying only \$35,000,000.

Mr. SAUNDERS. When I made the statement that the Senate bill carried \$40,000,000, the gentleman from Wisconsin [Mr. STAFFORD] rose to correct me, and read from printed matter before him, which he said showed that I was in error as to this statement. Who was right, the gentleman from Wisconsin [Mr. Stafford] or the gentleman from Virginia? I said that the Senate bill carried \$40,000,000, and the gentleman from Tennessee said that his committee reduced it by \$5,000,000.

Mr. HARDY. The whole error grew out of the statement of another gentleman, that you are now considering the Senate bill

of \$45,000,000.

to a strain a str

Mr. SLAYDEN. Will the gentleman allow a suggestion, which is that he go on with his argument and let that quibble alone?

Mr. SAUNDERS. I will proceed, then, to refer to some other statements contained in the report, and in the arguments advanced by the friends of this measure. My friend from Ohio, Mr. Brumbaugh, in his speech of a day or two ago, undertook to establish the possibilities of agricultural development in Alaska, by the analogy of conditions in countries presumably similarly situated. He cited Denmark in that connection. I wish to say that Denmark is many a long mile south of the garden spot of Alaska. The sixtieth parallel of latitude runs above the peninsula of Denmark, and a long way south of the Tanana and Yukon Valleys. The descriptions of so-called agri-cultural Alaska continually remind the reader of northern Siberia. While Alaska is often compared with Siberia, the com-parison only holds good with the northern portion of that immense country. A recent writer on Siberia describes it as naturally falling into three zones, running east-west.

First there is the northern zone, which is in the same latitude as Fairbanks, and is a region of eternally frozen soil, a mere veneer of which thaws enough to allow a growth of moss and lichen, in the summer. Below this zone is a belt of poplar, larch, willow, and other tree growths. Still further south, is the black-soil belt, the seat of Siberian agricultural wealth, and the home of the bulk of the population. This zone comprises the mid valleys of the great rivers, but is only one-fourteenth of the entirety of Siberia.

The third zone is hundreds of miles south of Fairbanks. Mr. GRAHAM of Illinois. Will the gentleman yield for one question?

Mr. SAUNDERS. Yes.
Mr. GRAHAM of Illinois. Is it not true that Greenland and Labrador present no parallel to this, because the Arctic current, carrying cold water and yielding off cold air, passes Greenland and Labrador, whereas this is influenced by a warm current from Japan?

Mr. SAUNDERS. I ask my friend whether there are any countries in the world, civilized, or uncivilized where agriculture is being successfully, much less extensively, conducted in a soil that is frozen to an unknown depth, to bedrock wherever it is found. Yet this is what is proposed to be done in the Tanana Valley. The cold facts about this region, and cold is the appropriate adjective, are that "the country is a frozen wilderness for the greater part of the year, a fly-plagued sweat bath for the balance of the time, and is otherwise just as it came from the hands of the Creator.'

Mr. GRAHAM of Illinois. I think that is a clear evasion of my question, but the question can be answered.

Mr. SAUNDERS. Yes, the question is easy to answer, and

my question in a measure answers it.

Mr. GRAHAM of Illinois. I would like to have it answered. Mr. SAUNDERS. The fact that this soil in Alaska is frozen to an unknown depth, shows that agriculture on any large scale will be as impossible in that country, as in Labrador, or Greenland, whatever may be the conditions in the latter countries.

Mr. GRAHAM of Illinois. Will the gentleman permit me to

answer that in his time?

Mr. SAUNDERS. No. Has not the gentleman time? Mr. GRAHAM of Illinois. Not nearly as much as you have. Mr. SAUNDERS. I will have to proceed. It will be your task, in your time, to satisfy your colleagues who represent great States, with far-flung fields under a genial sun, States where there is social life and comforts, and opportunity, and where rich farms with complete improvements may be bought for \$100 an acre, and in many cases for a less amount, that such are the possibilities of agriculture in Alaska that the men and the women of these States will turn their faces toward the aurora borealis, and under its flickering lights painfully cut down trees, grub out roots, and remove moss and tundra until at last the sun may shine upon the thin and sour soil from which thenceforward they will wring a reluctant livelihood. It is agreed that this initial expense will run from \$125 to \$200 an acre. At this rate the cost of preparing a farm of 300 acres for the plow, will run from \$37,500, to \$60,000. Great are the possibilities, likewise the disappointments that await the agricultural pioneer in Alaska!

Why the majority report quotes approvingly the statement of one gentleman to the effect that if we pass this bill, and open up Alaska there will be eventually four or five hundred million people in that country in 10 or 15 years. [Laughter.]

Mr. SLAYDEN. Five hundred what?
Mr. SAUNDERS. Five hundred thousand, I meant to say. I am so used to dealing with the figures of the Alaskan boomers that I become a little confused at times. [Laughter.]

Mr. SLAYDEN. Yes; but one is as good as the other.

Mr. SAUNDERS. Yes, that is true. It is just as likely that 500,000,000 people will be in Alaska in 10 years, as 500,000, under the new conditions is to be self-sustaining. But the gentle-

Either statement is equally wide of the mark. Let me read you this, from Mr. Joslin, one of the Alaskan boomers. He says:

this, from Mr. Joslin, one of the Alaskan boomers. He says:

I think it is not unreasonable to say that if this approximately 1,000 miles of railroad was built and put in operation and the country opened up so that it could be used, its entire trade would go to at least five times its present extent, and its annual production would be five times what it is to-day. If the Territory were opened up its population, if it were to grow to five times the present population, would be about 175,000. That is scarcely a handful. There is no doubt in the world that 400,000 or 500,000 people could be readily attracted to Alaska in the next 10 or 15 years, and that its annual trade, which is now about \$60,000,000, would go to \$300,000,000 or \$400,000,000 per year. Its gold output, which is now about \$17,000,000, would increase to three or four times its present value. I believe that increase is entirely possible. Not only that, but I believe that within 10 or 15 years, assuming that the country is to be properly developed with railroads, the gold output of Alaska would equal \$100,000,000 a year.

Now what would constitute this \$400,000,000 a year in the way.

Now what would constitute this \$400,000,000 a year in the way of trade? What form would it take? Of course we know that a great value of furs has come from Alaska since we bought it. But these furs would not afford any tonnage to the railroads that will be built under this bill. A few box cars will hold all the furs that will ever come out of interior Alaska. We know too that the value of the fish annually caught in Alaskan waters is very great. But these fish are caught on the coast. They will not be transported by the railroads, but will come to the States by steamships. Last year, I believe, \$18,000,000 of gold came from Alaska. I do not know how much of this came from Nome, or Treadwell, but concede that all of it came from Fairbanks, and how much tonnage would it afford for the new railroad? About 12,000 pounds. The supplies needed for the men who wash this gold would be a negligible item for a great railroad. Of course it is argued that quartz mines may be opened, and placers worked on a much larger scale. All of this may be true, and doubtless to some extent will be true, but the evidence on this point is unsatisfactory.

The line from Chitina to Fairbanks will be 313 miles. It will certainly cost not less than \$48,000 a mile. Some of the Alaskan roads have cost \$100,000 a mile. From Chitina to Fairbanks the road will pass through a country that will afford no tonnage, a dreary, barren, unattractive waste. The initial cost of construction under such conditions, will be immense. Is there anyone with knowledge of the facts who fancies that the tonnage of machinery and supplies on this road, and the passenger fares, will ever render it self-sustaining, much less make it a dividend? If in the result it will not be self-sustaining, how long is it proposed for this road to be operated by the Government at a loss?

Dr. Brooks makes some interesting statements bearing on

this Chitina-Fairbanks route. In part he says:

When we leave Chitina along this proposed route into Fairbanks, we traverse a broad upland, a gravel filled area where the rock has been buried to a depth of 300, and possibly 1,000 feet. Here there is no possibility of any mineral resources being developed. There may be some lightic coal, under a part of this gravel, but not worthy of consideration. To the east, the gold and copper prospects seem promising, though there have been no extensive developments. To the northwest are some auriferous lodes, which might be of value, if they had transportation. These deposits are not on the main line to Fairbanks, but could be reached by a branch line.

In this connection Dr. Brooks suggested various possible branch lines or feeders.

But when you get to the mountains you strike a region somewhat mineralized, and not far from the route is the Slate Creek district, where some gold placers are found. These are about 30 miles from the main line. There is also the Valdez Creek placer district, perhaps 100 miles to the west. There are also some indications of mineralization along the main line, as soon as you reach the mountains, so that there is at least promise of some mineral development.

This is a very conservative statement of Dr. Brooks, and is in striking contrast with the glowing representations of the spokesmen for the Seattle boomers. Indications of mineralization, and a promise of some mineral development, afford but little ground of support for expensive railway projects. In this matter, we ought to have some regard at least for returns, and the considerations that are usually potent with prudent business men. The credit of the United States will not be strained to the breaking point, should it spend \$35,000,000, or even \$135,000,000 in railway construction in Alaska. We are rich enough to commit almost any folly. But why select Alaska as a field in which extravagance shall run riot? There are many States in the West that hold out a promise of "some mineral development," and are entitled to greater consideration than Alaska, if this House is anxious to make a record for chasing rainbows.

The CHAIRMAN. Does the gentleman yield to the gentleman from Washington?

Mr. SAUNDERS. Yes

Mr. LAFFERTY. What does the gentleman suppose the ton-

nage of provisions would amount to, going into the miners' camps, mining this \$18,000,000 of gold?

Mr. SAUNDERS. Not very great. According to the friends of the bill, the farmers of Alaska will feed the miners. Alaska

man seems to think that the miners will be fed from the outside, and by implication he discredits the agricultural possibilities of the garden spot. In that I think that he is right. But should the United States build an expensive railroad into Alaska, in order to give miners a chance to prespect for hidden wealth? Is the Cov give miners a chance to prospect for hidden wealth? Is the Government going into the prospecting business? If the proposition is at last reduced to this basis, it would be well to equip a number of expeditions, and at a cost of half a million, if necessary, secure some authentic figures as to the gold deposits, the extent of their probable development, the number of people that they would be likely to attract, and upon the most favorable estimate, the amount of tonnage that these operations, and the industries incidental thereto, and in connection therewith, would afford to the Fairbanks Railroad. These figures, and some further figures as to the probable cost of constructing and operating the road, would give us a working basis. As it is we are making a leap in the dark. Look at this matter in a homely, common-sense way. The time is coming when we must report to our constituents, and give an account of our stewardship. They will ask us what we have done for the general uplift, for domestic development, for roads, and canals, and rural routes, and levees, and reclamation projects, and when we recite the long list of measures of popular interest that failed of passage, measures of domestic interest that have been awaited with eager expectancy, will we be able to justify ourselves by saying, Oh yes, we omitted to do these things, but as an offset, we appropriated \$35,000,000 for the development of Alaska. Will our constituents be satisfied when we tell them that the imperious demands o Alaska absorbed the funds that otherwise might have been expended on domestic enterprises of transcendent interest?

Mr. BOOHER. Mr. Chairman, will the gentleman yield there?
The CHAIRMAN. Does the gentleman yield?
Mr. SAUNDERS. Yes.
Mr. BOOHER. What domestic enterprises does the gentle-

man refer to

Mr. SAUNDERS. Well, for one, I think the development of good roads at home is of far greater importance to the people of this country than the building of railroads in Alaska.

Mr. BOOHER. Then the gentleman's idea is that it is a good idea to build railroads here, in order to uplift the people rather

than let them help themselves?

Mr. SAUNDERS. Yes. I think we ought to build roads for Mr. SAUNDERS. Yes. I think we ought to build roads for our 90,000,000 people at home, rather than construct railroads for 15,000, or 20,000 people in interior Alaska. The rest of the 35,000 people of that Territory are on the coast, and will not be affected by these projected railroads.

Mr. SLAYDEN. Could not the gentleman find another avenue

for the use of public funds in the drainage of swamp lands?

Mr. SAUNDERS. Yes; I could suggest many other and more

hopeful projects for the expenditure of public funds.

Mr. SLAYDEN. You could recover the swamp lands in Virginia, for instance?

Mr. SAUNDERS. Yes; the Dismal Swamp if drained at an expenditure of a few millions, would afford homes for, and support more people, than will be found in Alaska in 100 years. Apply this thirty-five millions to relieve the rich lands of the lower Mississippi from overflow and you will open up to permanent settlement and cultivation, an area of inexhaustible fertility, equal to the aggregate of several present populous States of the Union. Such a work will contribute more to the sum total of human output, happiness, and national prosperity in the United States, than the utmost achievements in Alaska during a thousand years to come. [Applause.] The outcome of these domestic improvements will be positively beneficial, and capable of definite forecast. The other scheme is a chimerical quest of prosperity under positively adverse and impossible conditions.

Mr. LAFFERTY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. SAUNDERS. Yes. Mr. LAFFERTY. Is it not a fact that we have expended over

\$100,000,000 on the Mississippi River?

Mr. SAUNDERS. Possibly, though I do not know the figures. That expenditure has been fully justified. Continued expenditures in that direction may be expected, as well as for rivers generally, harbors, and roads.

Mr. LAFFERTY. The gentleman mentioned the coal as not being fit for the Navy. Would the gentleman withhold the development of the Alaska coal fields simply because the coal

was not fit for one particular purpose?

Mr. SAUNDERS. Oh, no, Mr. Chairman. I have already stated that I would gladly vote a reasonable amount for the development of the Alaskan coal fields. Such an appropriation would be in conformity with our Democratic platform, adopted at Baltimore.

A. FFERTY. We need the coal in Oregon, for instance,

Mr. SAUNDERS. Should we build a railroad into the Bering River region, and one into the Matanuska coal field, we could try out the value of that coal, and determine the cost of mining, and the cost of transportation, in a word ascertain what of value is there, and whether this coal could compete on the Pacific coast with free coal from British Columbia. This would be the common-sense way to deal with this proposition, and I would vote for it.

Does not this bill leave it to the discretion Mr. LAFFERTY.

of the President to build one railroad or two?

Mr. SAUNDERS. No. This bill provides for an ambitious scheme of railroads, and for prospective agricultural development, in the garden spot of Alaska.

Mr. LAFFERTY. But the discretion is left with the Presi-

Mr. SAUNDERS. In a measure it is left with him, but by passing this bill in its present form, we do not confine ourselves, as outlined in the Democratic platform, to opening up the coal fields. We commit ourselves to a much more comprehensive project, and indorse the report of the committee that there is a great field for agricultural development in that country. maintain that we owe a greater duty-because it is a more obvious, and a more easily ascertainable duty, in its terms and extent-to our people at home.

Mr. LAFFERTY. Does not that agricultural development

mean the incidental encouragement of agriculture?

SAUNDERS. Surely my friends on the committee are not willing for you to tone down their glowing report by the suggestion that the prosecution of agriculture in Alaska will be a mere side issue, so to say, to the development of Alaska? Will the development of the garden spot of Alaska be an incidental feature of this wonderful enterprise? Oh, assuredly not.

Mr. WILLIS. The gentleman has just referred to the opening of the coal lands. Does the gentleman think that if the coal lands of Alaska were opened, according to the plans to which he has referred, there would be a sufficient inducement in that to secure the construction of a railroad by private

parties?

Mr. SAUNDERS. Where to?

Mr. WILLIS. Of course I mean the roads that would tap the coal fields.

Mr. SAUNDERS. We are to build those roads.

Mr. WILLIS. What I am asking the gentleman is this: Without any governmental action save and except the opening of the coal fields, does the gentleman think that would be a sufficient incentive to private capital to build these roads, with-

out any action on the part of the Government?

Mr. SAUNDERS. If there is nothing in Alaska worth going after, of course private capital will not be attracted, but the construction of railroads into the coal fields will be the means of ascertaining what is there, and its value. That is what I wish to see done. Children first crawl, then walk. Let us crawl first on this proposition, and by spending three, or four, or five million dollars, afford the means of developing the coal areas. As an incident to this development, we will be able to ascertain what else of value may be found in Alaska.

Mr. WILLIS. The gentleman did not quite apprehend the point I have been trying to make. It has been said a number of times in this debate—perhaps by the gentleman; I am not sure—that if we merely open up Alaska private capital will go

in there and build these roads.

Mr. SAUNDERS. Well that may be so. Build railroads to the coal fields, afford liberal leasing laws, and land laws, and wait on development by private capital. There is no need of reckless haste about this matter-Alaska will keep.

Mr. SLAYDEN. Will the gentleman allow an interruption?

Mr. SAUNDERS. Yes.

Mr. SLAYDEN. Does not the gentleman believe that if there is any great mineral wealth in the Alaskan coal fields, of a kind which would offer a remunerative return to a railway corporation, if the Government opened it up, capital would go there?

Mr. SAUNDERS. Of course if there is anything of value in Alaska, and that value is once reasonably ascertained, and laws are enacted that will admit of adequate development-and such laws should be passed—private enterprise will develop Alaska as rapidly as it is necessary that it should be developed.

Mr. SLAYDEN. That is what the gentleman from Ohio

wanted to know.

Mr. SAUNDERS. I object to the pursuit of the speculative, the problematical, and the possible, in preference to the definite projects of sober domestic development that are clamorously calling for our attention.

The report of the committee is very insistent that apart from other considerations, Alaskan coal must be developed for naval purposes. Of course the military element must be injected into this enterprise. Whenever arguments are lacking for an extrava-

gant expenditure, there is always a final appeal to be made in its behalf, that it is necessary as a vital feature of a proper condi-tion of military preparedness. Unfortunately for the committee their argument in this respect has been completely refuted by the results of the naval tests. But even if this coal was suitable for naval use, why develop it at a prodigious expense for an oil-burning Navy? The Secretary of the Navy recently made the following official announcement:

The Government has definitely abandoned the use of coal in future fighting ship designs, and all destroyers, submarines and battleships are being designed for oil burners.

Plans for Government oil wells, and refineries to insure an adequate supply of fuel oil for the Navy, are rapidly taking shape. The special commission announced yesterday that hearings would begin to-day at the department. Later they will visit the Oklahoma oil centers, and make personal examinations of the fields.

So that long ere coal will be available from Alaska, the opportunity for its naval use will have disappeared. In this view, the ridiculous figures of a former Secretary of Navy that Alaska should be opened up, because our fleet in the Pacific, might need 200,000 tons of coal a month for a war lasting 12 months, become, if possible, even more ridiculous. Another objection to this Alaskan project, if it is put on military grounds, is that it will later call for a great expenditure for troops, guns, and fortifications, duplicating our Panama experience in that respect. No estimate whatever was made in the initial estimates of the cost of the Panama Canal for fortifications and garrisons, at the terminals. The country was informed that its construction would be an economy, since it would tend to reduce the size of the Navy, by making the fleet more effective, and providing for an expeditious transfer from one ocean to another. As soon as the project was well under way, the country was advised that additional ships would be needed to protect the canal. To the same end, a demand was made for elaborate fortifications, great guns, and permanent garrisons at the Atlantic and Pacific terminals. It is perfectly obvious that if we are to have great coal depots in Alaska to supply our ships in the event of that war with Japan which looms with such portentous proportions in the mind's eye, of our jingo friends, we must protect these depots against attack. Otherwise we will provide a source

of supply for our hypothetical enemy.

Already in Alaska we have wasted \$800,000 or \$1,000,000 on a perfectly useless fort. The friends of this measure need not think that \$35,000,000 will be the limit of expenditure under this bill. The demand for fortifications, garrisons, and guns will in-

clude many additional millions.

Mr. LAFFERTY. Has the gentleman read the report of that commission that went up on the Maryland?

Mr. SAUNDERS. I have read the reports that have been

submitted. They are authentic and convincing.

Mr. LAFFERTY. I mean, in the preparation for this presentation to the House, did the gentleman read the report of that

Mr. SAUNDERS. I have not seen that particular report. prefer to read the results of actual tests, and attach more value to them than to the speculations of wandering commissions

Mr. LAFFERTY. Is the gentleman aware that the oil fields of Alaska are more valuable for naval purposes than the Cali-

fornia fields?

Mr. SAUNDERS. I am not aware of it. Such a suggestion is not made in the report. Two of the pillars on which this project is supposed to rest, to wit; naval coal, and agriculture, having been overthrown. Is the gentleman seeking to erect another?

Mr. LAFFERTY. Does the gentleman know that the Alaska

oil is better than the California oil for naval purposes?

Mr. SAUNDERS. I do not admit that there is any commercial oil in Alaska, but I would be willing to equip an expedition at considerable expense to try out the possibilities of oil fields in that country. No subject has been more thoroughly exploited, or caused more acute disappointments, than alleged oil fields.
Mr. LAFFERTY. They reported on the oil.
Mr. SLAYDEN. They do not transport oil by rail, anyhow.
Mr. SAUNDERS. No, the efficient modern method is by

Mr. SAUNDERS. No, the efficient modern method is by pipes, but I am afraid that this method might not be practicable in Alaska. The pipes might be frozen at the very time that war was raging, the Japs at our door, and the oil most needed.

Mr. WICKERSHAM. The gentleman is mistaken about that.

That oil is in a warm country.

Mr. SAUNDERS. Does it never freeze there?

Mr. WICKERSHAM. No. Mr. SAUNDERS. This is a warm country, but we have freezing weather, all the same.

Mr. LAFFERTY. You could not freeze up that oil.
Mr. SAUNDERS. Why not, oil freezes at a low temperature.
But as showing that the Navy is not looking to Alaska for oil, permit me to call your attention to the fact that at this very time, the Secretary of the Navy is making arrangements to This is said to be a new policy, calling for large expenditures. secure a sufficient supply of oil in Oklahoma, and pipe the same I am not afraid of a new policy. I am not afraid to expend

to tidewater, in order to provide fuel for the future oil-burning shins

Mr. WICKERSHAM. That might explain the objections of

Mr. DAVENPORT. The gentleman from Oklahoma lays aside his personal and past record when he is advocating a

matter of principle.

Mr. SAUNDERS. Mr. Chairman, I do not challenge the authority of the Government to build and operate these roads, nor do I anticipate any engineering difficulties, that will not be readily overcome. I have full confidence in the ability and resourcefulness of American engineers, and an even greater confidence in the length of Uncle Sam's purse. Indeed there are no engineering problems relating to railroad construction in Alaska. With the Government footing the bills, mountains may be moved, rivers bridged or tunneled, glaciers deflected, nature in her wildest forms subdued, but a successful engineering proposition, is not of necessity a successful commercial proposition. If we are trustees of the public purse, we must give an account of our stewardship. The figures cited in support of this project are misleading. Neither the fish nor the furs of Alaska will afford tonnage for the railroads. Much of the gold comes from Nome and Treadwell, which are at the water's edge. A comparatively small expediture will develop the coal, and private capital, under reasonable leasing laws will work the mines to the utmost limit of profitable operation. If they prove to be unprofitable as a commercial proposition, the Government should not undertake to operate them at a loss. The agricultural possibilities of this country are too remote to be taken into serious consideration, as a foundation for this enterprise. These possibilities are stated so cautiously, and with so much reservation by the Government agents who have conducted experiments in that region, that the statements of these agents are really warning signals, and should serve to discourage rather than encourage emigration to Alaska. Whatever may be the hopes that this country holds out to adventurous prospectors who are ready to take a gambler's chance, it affords no attractions to the agricultural pioneer. In time perchance, far down the centuries, the inexorable law of increase may fill to overflowing the countries that are blessed with a could support the countries that are blessed with a could support the countries that are blessed with a could support the countries that are blessed with a could support the countries that are blessed with a could support that are blessed with a could support the countries that are blessed with a could support the countries that are blessed with a could support the countries that are blessed with a could support the countries that are blessed with a could support the countries that are blessed with a countries that are blessed w threes, the meantaine law of increase may into overnowing the countries that are blessed with a genial sun, and a generous soil. This will be Alaska's opportunity.

When the door of agricultural opportunity is closed else-where, reluctant pilgrims may take up the trail that leads to the

frozen North. For the present, these doors are wide open. I do not question that there are brave and hardy men in Alaska. The conditions require men of that type, and to the extent of our duty, I am ready to aid them. But I submit that the expenditure proposed is in excess of that duty, and the results promised are speculative and problematical in their character. There are other obligations nearer home, where the population is greater, and the prospect of return from Government enterprises, more assured. The expenditure of this vast sum for the handful of people in interior Alaska, when a like expenditure in the United States will effect a far greater good, for a far greater number, will be a crime against humanity. This is a case of number, will be a crime against humanity. This is a case of grotesque disproportion between cause and effect, between the amount to be expended, and the result that will be secured. When the mountain labors, and the product of parturition is a ridiculous mouse, it is an occasion for laughter. A lavish expenditure of millions to secure the pitiful returns likely to be afforded by the railroads in contemplation, will serve to discredit any political party that is associated with the enterprise. This enterprise calls for a thorough and painstaking inquiry, before we commit ourselves irrevocably to its prosecution. There is no occasion for haste. If Alaska is a treasure house, we may be assured that our treasure is secure. Thieves will not break through and steal. We hold the key, to be used in our own good time. The full development of Alaska will require 10,000 miles

of railroad.

If limited to a cost of \$48,000 a mile, this would make an aggregate of \$480,000,000. I am unwilling to commit myself even partially to so gigantic a proposition. I am unwilling to go further than the requirements of our Baltimore platform, which merely requires us to open up the coal lands, so that they will not fall into the hands of monopolizing corporations. Even this plank does not commit us to the construction of railroads. The end sought may be effected by private capital under a reasonable leasing system. We are going headlong into a venture that holds out dazzling possibilities of unlimited expenditure by the Government. The same arguments that suffice to justify the present scheme, will be equally potent to induce further con-struction on a larger scale. If the United States owes a duty to the Tanana, and the Kuskokwim, the same obligations of duty will apply to other and more remote sections of that country.

money. The public interests often require that money shall be expended. But the policy must be sound, and the expenditure judicious, to secure my support.

With the passage of this bill, I see the finish of many far more meritorious projects of domestic interest, projects to which we are committed by every consideration of duty, interest,

Mr. Chairman, this proposition is fundamentally and radically unsound. It is not justified by our Democratic platform. It is not justified by the figures and arguments submitted in its behalf. Holding out no hopeful prospect of definite returns, within any time to which as practical legislators we should limit our contemplation, this measure is not entitled to our support. For one, I shall vote against it.

Mr. GRAHAM of Illinois. Mr. Chairman, I think it is very fortunate that this great question comes before Congress unaffected by any shade of partisan feeling, and that it has been discussed entirely on its merits. It is in no sense partisan. President Taft favored the policy of the bill when he was in the White House, and so did Secretary of the Interior Fisher. President Wilson has strongly recommended it, and no clearer or more forceful words have been spoken in favor of it than by the present able and clear-seeing head of the Interior De-While there seems to have been partment, Secretary Lane. entire unanimity in executive circles as to the proper course to pursue, there is a difference of opinion in the Congress, and advocates and opponents are found on both sides of the main aisle at both ends of the Capitol. The friends of the measure have nothing to fear from the fullest and freest discussion of it, for it is a wise, patriotic, and truly progressive

The differences of opinion in the House as shown by the discussion of the bill are very sharp. In the heat of debate there may have been some unconscious exaggeration on both sides. The climate and agricultural prospects of the Territory have been made the subject of mirth and ridicule and sarcasm by gentlemen opposed to the measure, and they have frequently relieved the tedium of the debate by brilliant sallies of wit at the expense of Alaska; but while wit often amuses it rarely convinces, and the friends of the bill are so conscious of the strength and justice of their cause that they are quite ready to enjoy these jokes of the opposition, well knowing that the good sense of the House will decide the question on its merits, not for to-day or to-morrow alone, but for the future.

Gentlemen opposing the bill, and notably my clever and genial friend from Virginia [Mr. SAUNDERS], took advantage of some highly colored statements for the purpose of his argument, erected a man of straw, and then proceeded to demolish him. I think that the truth lies between the extremes in this case,

I think that the truth hes between the extremes in this case, as in most other cases. But in my opinion no one, however bitterly opposed to the bill, will deny that Alaska has tremendous, or, as one report puts it, prodigious possibilities.

If some of the opponents of the bill are correct, Alaska is a continuous frost—a sort of false pretense, a gold brick that Russia cunningly worked off on us—and that money spent in building railroads there would be virtually wasted. They say the white population there has not increased appreciably in a the white population there has not increased appreciably in a decade; hence, what use to build railroads? They urge that enterprises conducted by the Government cost more than private enterprises; therefore the bill should not pass.

They say we should wait till the sturdy pioneers go there with their mule teams and ox teams and convert Alaska into a state of happy homes, and they predict that if the Government builds railroads there it will have to also go into the log-

ging and coal-mining and gold-mining business.

I do not contend that the Valley of the Tanana rivals the Misa do not contend that the valley of the Nile in fertility. It is not at all necessary that it should in order to justify the vote I expect to cast for this bill. I do not claim that agriculture will follow the building of railroads in Alaska as it did in Illinois and many other States of the Union, nor do I think that Chicago will be duplicated on the Yukon or on the Tanana. It is not necessary that any of these things should happen to justify the passage of this bill. But I do contend that Alaska is a very wonderful country, full of tremendous possibilities, possessed of very great mineral wealth, and that it has agricultural land enough to furnish food for a population of many millions of people; and I see no reason why, in the course of time, the Territory would not have a population of at least 10,000,000 of brave, hardy, intelligent, freedom-loving American citizens. I do not expect that to happen right away, but I do think that in legislating for Alaska at this time we have a right to look forward to a time when it will be as populous and as prosperous as the corresponding territory in northern Europe, and that it is right and wise to make laws for it on that theory.

I do not expect that population to be wholly, or even mainly, agricultural. I do not expect many of the pioneers there to be farmers; indeed, I think agriculture will follow rather than lead; that it will be mainly incidental to the development of that country's wonderful mineral resources.

I doubt very much if many people would go to Alaska to farm for a living if that were the only attraction, but gold and silver and copper and coal and other minerals abound there; men will go there to develop this mineral wealth, and some will in due course take to agriculture to raise food products for the others.

Thus agriculture will follow mining and other industries until most of Alaska's 64,000,000 acres of agricultural land is brought into use. In the development of the Territory the mineral wealth will be the primary attraction; the development of the mineral wealth will take precedence, but the development of

agriculture will follow closely on its trail.

That raises the question, What are the mineral possibilities in Alaska? I am not going to speak of the oil, although it is there. It may not cut much of a figure in railroad transporta-I will not speak of tin, because we do not know how much exists there, and it is a very scarce and valuable mineral. But as to the three leading ones-gold, copper, and coal-I say, and it seems to me too clear to be denied, that these are of tremendous, of prodigious value, and the development of them requires absolutely the building of some railroads, not so much for the gold, because gold, especially that obtained by placer mining, is of comparatively small bulk and may be carried on the person or by inferior means of transportation.

Mr. HARDY. How about the machinery to develop the gold? Mr. GRAHAM of Illinois. I was coming to that. Many of the placer mines in the Fairbanks region are being practically abandoned, scarcely half worked out, because of the lack of

machinery. Quartz mining also exists there.

But much of this mineral wealth, indeed most of it, is far inland, behind high and almost impassable mountain ranges, and little progress can be made in developing it without the means of transportation; that is, without railroads. A great storehouse of wealth lies back in the interior beyond the coastal mountain range, and, as the President has well said, railroads are the key to it. There is, and there can be, no other key to develop the mineral wealth lying in this great storehouse. Railroads are absolutely and indispensably necessary for that purpose. All agree about that.

But who will furnish the key? Who will build these railroads?

If they are built at all, they must be built either by some very rich and powerful syndicate, able to invest many millions of dollars and wait a long time for returns on the investment, or they must be built by the United States Government. Which is the safer and better course to take? [Applause.]

Mr. FERRIS. Can the gentleman conceive of any way that the Guggenheims or the Alaska Syndicate or anybody else could derive any monopoly from the leasing system?

Mr. GRAHAM of Illinois. If they can not get a monopoly there they will not build the railroads.

Mr. FERRIS. Let me answer that.

Mr. GRAHAM of Illinois. I can not allow the gentleman to answer that in my time. The gentleman would not ask that on second thought, would he?
Mr. FERRIS. I would not. Go ahead. [Laughter.]

Mr. GRAHAM of Illinois. No combination of rich men, no syndicate, will undertake the work of building railroads in Alaska under all the circumstances, unless it has an assurance amounting to a guaranty that it will control the great natural wealth of the Territory. No concern would undertake so enormous an expenditure on any other condition, for the development of the Territory will, under the most favorable circumstances, be rather slow. If such a course is pursued, if we turn the wealth of the Territory over to exploiting syndicates, Alaska will inevitably fall into a far worse than medieval feudalism.

To permit the development of Alaska along monopolistic lines means an abandonment of our present national policy with reference to conservation. It would mean an abandonment of the theory that the mineral wealth in public lands shall remain the property of the American people, and adoption of the theory that such mineral wealth shall be turned over to the private syndicates and that they will then build railroads to that wealth. For I think it entirely safe to assume that no set of men with money enough or credit enough to build even the necessary trunk lines in Alaska would use their money or their credit for such a purpose without an assurance that they could control the mineral wealth of the Territory. The railroads now in existence there probably would not have been built if those who built them did not believe that they would get virtual control of the

mineral opportunities which these roads tapped. The Alaska Syndicate built its road from Cordova to the copper mines on this theory. Later, the syndicate surveyed and arranged to build a spur road from a point on this line to the Bering coal field, and this was doubtless done on the theory that they field, and this was doubtless done on the theory that they would obtain title in fee to the Cunningham coal claims and several other groups of claims constituting the cream of the Bering coal field. Under a change of administrative policy, these coal claims slipped from their grasp, and then the syndicate promptly abandoned the building of the spur road.

In this they acted wisely, for while it would doubtless be good business to build the spur if they owned the coal field, it would be a different proposition to build it when the Government carried the coal real week the right to mint it.

owned the coal and merely leased the right to mine it.

Assuming, then, that if Alaska is to be developed at all it must have railroads, and assuming that private capital will not build them unless it is given a free hand in the exploitation of the Territory's mineral wealth, we are confronted by two alternatives-either the Government must build them, or we must abandon our present policy as to the conservation of our natural resources and hand all these vast opportunities over to private monopolies that will build them. There is no middle ground, and whether they so intend or not those who oppose the bill inevitably place themselves in opposition to the policy of true conservation.

In my opinion the American people want to give Alaska a chance, and they will not consent to abandon the policy of conservation, nor will they consent to turn over to any syndicate or to any monopoly the great stores of mineral wealth it contains.

POPULATION DECREASING.

It is contended by those opposing the bill that the population of Alaska is not increasing; that there are only 35,000 white people there; that there were as many or more people there three years ago; therefore we should not build these railroads.

It seems to me there is a lack of frankness and fairness in this objection when urged by persons familiar with the absurd laws now in force in Alaska. Under these laws the coal mines are sealed, homesteading is made practically impossible, cutting timber is a crime, and railroads struggling to live under impossible laws are taxed \$100 a mile and denied the use of

Up to 1911 there was a prospect that the coal mines would e worked. But it developed that most of the coal entries be worked. were fraudulent, having been made with a view to consolidation into one huge monopolistic interest when the entrymen got title, and as a consequence nearly all of them have been canceled. The cancellation of the coal entries killed all hope of opening coal mines, and that in turn killed the railroad business and general development. Three thousand men left the Territory in 1911 and 1912 on that account alone. In addition to this many of the accessible streams which gave opportunity for placer mining are becoming exhausted, so far as the mining methods now in vogue are concerned,

Better machinery would make it profitable to work them over, but without railroads that machinery can not be had.

Valuable gold prospects in various places can not be developed for a similar reason.

Mr. FERRIS. Does not the gentleman think a lease law would remedy all of the ills of which he complains?

Mr. GRAHAM of Illinois. No; I think a leasing law is necessary, but I think one step in the right direction is not enough. We must have leasing laws that are liberal, but before we can avail ourselves of them we must get the key, as the President said, which will open up these very valuable mineral assets.

The great cost of making surveys and the great expense of neces-

sary traveling back and forth to Juneau prevent homesteading; and so it goes through the whole ridiculous round. Indeed, it seems as if the Territorial laws could not be made more effectual if the purpose was to prevent the development of the country. The laws in force are well calculated to drive out those who are there and offer no inducement to others to take their places. Is it candid under these well-known conditions to charge the diminishing population to a lack of natural advantages in the country? Is it frank or fair to argue that because under these wretched and disheartening conditions the population does not increase it is useless to give Alaska a chance?

It would be as logical to say that because swamp lands do not produce crops therefore they should not be drained, or to say that because few people have gone from the Atlantic to the Pacific by way of Panama, what is the use of digging a canal.

Alaska is starving for the want of railroads and for necessary legislation. Because it is starved it is not growing, and because it is not growing they say what is the use of helping it.

Does that kind of logic appeal to you? If it does, you should vote against this bill.

Such logic reminds me of a certain Oklahoma farmer. The corn crop was very short, but this gentleman had a lot of old corn in his cribs. He also had a large herd of stock hogs on hand. He was very closefisted and he grudged the hogs that 75-cent corn. He fed them very sparingly, so sparingly that they didn't get fat enough to market. They didn't even grow. He kept doling out the corn in this fashion till it was all gone, and the hogs looked as if they were being trained for a Marathon race.

Had he fed them properly—rushed them, as our farmers say-

he could have sold them at a good price and had corn left.

The opponents of this bill seem to approve of his method. Like the farmer's hogs, Alaska is wasting from inanition while surrounded by marvelous opportunities for growth and development which it can not use, but they point to its emaciated condition, poke fun at it, and tell us it is growing leaner. They would have advised the farmer that his hogs were doing no good, and he should save his corn. Why throw it away by feeding it to them? The friends of this bill would have advised him to feed his hogs enough corn, to rush them, to develop them, and realize on them. Where do you stand?

Put Alaska on its feet, give its people a chance to develop its great resources, and a healthy increase in its population will soon follow, but do not cramp and harass it with bad laws and then condemn it because it does not grow. To do that is to add insult to injury.

RAILROADS PRIMARY NEED.

It is contended that even though the Government should adopt the policy of building railroads in Alaska, it should wait until the Territory is settled up, until it has a considerable population. This position is altogether untenable. In Alaska the conditions are such that the building of railroads, coupled with the enactment of liberal leasing and homestead laws, must precede any real development.

If the mines of Alaska are to be developed in any degree commensurate with the mineral resources of the Territory, efficient and proper machinery is a prerequisite. But how can such machinery be gotten to the mines without railroads? Would you transport heavy boilers and engines across the mountains and over the plains for hundreds of miles on dog sleds?

You can not get the necessary machinery to the mines nor can you get large quantities of ores from them without railroads, nor can you hope for the employment of large numbers of men in the mines without such machinery, and unless large numbers of men are employed in developing its mineral resources there will be little need for developing its agricultural resources, and the great storehouse will remain locked. What they tell us should come last must come first. Railroads in Alaska will be a cause, not a consequence. They must precede, not follow, a great growth in population. The ox team and the mule team do not and can not constitute a key to unlock that Alaskan door. There is only one key that will fit that lock, namely, railroads.

But how will the building of railroads through the Territory effect such a change? By making its great wealth easier of ac-That has been the experience of the whole world. Ancient Rome did not confine its efforts in road building to the Appian Way. It made roads through the forests of Germany, it made roads in Gaul and in Britain. It could neither have utilized nor retained its hold upon these countries otherwise.

Great Britain did not wait until her possessions in Africa were populated before building the Cape to Cairo railroad. Russia built her trans-Siberian line through regions practically uninhabited. We built, at the people's expense, several transcontinental lines through territory practically uninhabited. In none of these instances were the industrial reasons for building s strong as they are in this case.

Coal, copper, and gold in great abundance lie in places now practically inaccessible, so far as economical production is concerned. Heartbreaking journeys by the most primitive methods prohibit immigration, and isolation from the outside world also tends to discourage it.

A few trunk-line railroads properly located would very largely overcome these difficulties. With such lines in operation modern machinery could be carried at reasonable cost to where it is so much needed. The journey inland, now so difficult, could then be made quickly, safely, and cheaply by rail. Mail could be delivered with reasonable frequency and regularity. The people in the interior would be connected with the outside world; they would become a part of civilization.

Under present conditions the miners at work in the mountains far away from cities have to quit the season's work in time to get back to civilization before the winter storms set in, but with railroads available they could remain at work longer in the autumn and return earlier in the spring, besides avoiding the dangers and discomforts of long journeys afoot or on dog sleds. Under these new conditions men who work in the mines and on the railroads would bring their wives and families to Alaska and establish homes. These would have to be fed and clothed and housed. The demand for food supplies would increase so that it would pay to raise such supplies there, and thus the agricultural land would be brought into actual All these results may be reasonably expected to follow the building of railroads and the enactment of liberal and practical laws for the utilization of both mineral and agricultural land, but they can not be expected to precede them.

This seems so plain and so clear that it is not easy to understand how there can be serious difference of opinion about it. This is the conclusion reached by almost every Government official and every disinterested person who has been face to face with the problem. President Roosevelt and President Taft, when in the White House, officially recommended the building of railroads in Alaska by the Government. Secretary of the Interior Fisher, after a trip to Alaska, said:

What Alaska needs more than all else is a trunk-line railroad from the ocean to the great interior valleys of the Yukon and the Tanana, opening the country so that its future development may really be possible.

It was his judgment that the Government should build such a line.

President Wilson, in his message to Congress on December 2, well and wisely said:

A duty faces us with regard to Alaska which seems to me very pressing and very imperative. * * * Alaska, as a storehouse, should be unlocked. One key to it is a system of rallways. These the Government should itself build and administer, and the ports and terminals it should itself control in the interest of all who wish to use them for the service and development of the country and its people.

Secretary of the Interior Lane says that a system of Government-built railroads in Alaska is the one way to make that country a real part of the world. It is the policy which will develop the Territory most safely and speedily, making its re-

sources available to the whole people.

The Alaska Railroad Commission, consisting of Jay J. Morrow, major, Corps of Engineers, of the United States Army; Alfred H. Brooks, of the United States Geological Survey; Leonard M. Cox, civil engineer, of the United States Navy; and Colin M. Ingersoll, consulting engineer, after a very thorough, careful, and scientific survey of the whole field, unanimously recommended that the work of building the railroads called for by this bill should be undertaken at once and prosecuted with vigor; that the development of the Territory can not be accomplished without providing the railroads they recommend under some system which will insure low transportation charges and the consequent rapid settlement of this new land and the utilization of its great resources.

They also say:

The data presented shows that the United States possesses in Alaska a frontier territory of great size and of wonderful industrial possibilities. The commission believes that its climate is favorable to permanent settlement and to agriculture; that its mineral resources are vast and as yet but little exploited; that its population is sparse, but only by reason of its inadequate transportation facilities; and that its people are of the same type of hardy pioneers that have carried the United States frontier to its present limits.

In a recent report on mining in Alaska in 1913 by the Geological Survey, the director, Mr. George Otis Smith, says that no marked progress can be expected in mining in the inland region until a system of transportation is provided.

Mr. Seth Mann, as the personal representative of President Wilson, made a tour through Alaska last June and July and reported the results of his investigation direct to the President. The information which he furnishes is so full and so recent, and his views are so sound and conservative, that I take the liberty to quote at some length from his report. He says:

There are two primary requirements for the opening up and development of Alaska: First, the construction of railroads, roads, and trails; and, second, the opening up of the coal fields. These two projects should go forward with equal steps, since each is dependent upon the

other.

I am convinced that this work of the building of railroads, as well as the construction of roads and trails, should be carried forward by the Government directly. There is nothing definite or certain in regard to the building of railroads by private enterprise, either unaided or with Government assistance. The traffic to support Alaska railroads must be in large part developed by the road itself through the settlement of the country, induced by increased transportation facilities. When the Berling River and Matanuska coal fields are opened by appropriate legislation, railroads to these fields would no doubt be constructed by private enterprise. The opening of these coal fields is, however, a separate problem, and until that problem is satisfactorily solved there will not be sufficient coal traffic to induce the building of railroads

to the fields. It may take some considerable time to enact legislation that will result in the satisfactory working of these great deposits. In the meanwhile, it must be assumed that railroad development by private enterprise to the coal fields would be delayed until it became apparent that the legislation would result in the immediate opening of the coal measures.

Alaska needs at once one and probably two railroads. One should run from the coast to the Tanana and the Yukon, and the other from the coast in a northwesterly direction at least as far as the valley of the Kuskokwim River. I can not believe that any railroads of this length will be constructed by private enterprise for many years to come. If this be true, such development of that portion of Alaska beyond the Chugach Mountains and as far as the Yukon and the Kuskokwim Rivers must be indefinitely delayed. From the Chugach Mountains to the Yukon River is about 300 miles, and the distance to the Kuskokwim River in a general westerly direction is about the same. The country is rich in precious metals and other mineral wealth, which up to the present time have been but slightly developed. The construction of railroads through this country would at once give a sharp impetus to prospectors. The miners and prospectors of Alaska lay great stress upon the difficulties which surround prospecting in this Territory at any distance beyond 100 miles from the coast or from navigable rivers. With railroad transportation into this country the prospector could remain in the field, if not twice as long, at least two months longer than he can at the present time. He must enter the field under present conditions late in the year and return again from a month to two months earlier than would be necessary if these railroads were built, since he can not risk the severities of the Alaskan winter, which may prove fatal if he starts out too early and returns too late. The principal resources of the interior of Alaska are its mineral wealth. It is the universal opinion of all A

The evidence is uniform, complete, and overwhelming. No other nation would hesitate a moment, but we have been so accustomed to the very best of conditions as to soil, climate, and all that that we look with suspicion on anything not in the very first rank in all these respects. But common prudence, ordinary business foresight, and true patriotism all urge that we begin now, and begin right, to lay the foundations for a great empire State in this far northern land.

COST OF BUILDING.

It is also contended that the Government can not build these railroads as cheaply as private concerns could, and therefore the Government should not build them at all.

Even if this contention were true, it would not be anything like a sufficient reason for not building them.

But is it true? In answering this question we should consider not alone the cash outlay or first cost of building these roads; we should consider also the final or ultimate result to the American people.

Any other test would not be sound, and when this reasonable test is applied I do not hesitate to say that it will be a wise investment. The Government can build these railroads, and own them when they are built, for far less than it has heretofore given away to other roads constructed under private management and ownership. I believe the Pacific roads would have been built at less cost to the people had the Government done the work itself.

The Government has carried on many enterprises with satisfactory economy. I am inclined to believe that in some very large enterprises the Government can do the work as well, or better, than private concerns. Who will say the Panama Canal could have been constructed more successfully by private interests? Or who will say that the success achieved in that instance can not under the same or similar supervision be duplicated in Alaska?

No doubt the Government would pay its employees better wages and treat them better than private concerns would do in far-off Alaska. And it might have to pay more in some other ways than private concerns would pay. But in the matter of financing the enterprise the Government would have a tremendous advantage and could make a big saving over a private concern.

Mr. Falcon Joslin, who has done some railroad building in Alaska, and who is very familiar with conditions there, was before the Committee on Territories in July last. He said:

One of the greatest advantages from Government ownership is the fact that the capital to construct the roads can be obtained by the Government at 3 per cent; that is, at the present time. I doubt whether it can be obtained at that rate for a long time, because the rate of interest is steadily going up. If a private concern attempted to promote such a venture, or if I myself sought to find capital for an Alaskan railroad, I should offer 6 per cent bonds, with a premium of at least 50 per cent in stock. The bonds that I did float to build the road I now have were 6 per cent bonds, and they were sold at a discount—sold for 85 cents on the dollar—and there was a premium of 75 per cent in stock. The Government would avoid that outlay.

Let us examine a little the matter of railroad building under private management and see whether the Government and the people have not been pretty heavy losers through their reliance on the alleged economy of private enterprise. In his book, The Railroads, the Trusts, and the People, Prof. Frank Parsons devotes a chapter to railroad graft and official abuse. Referring to the Pacific railroads he says:

These companies received enormous land grants and subsidies from the National Government and the States—more than enough to build and equip the whole of the lines. Yet they bonded the roads for twice what they cost, and in addition issued stock to an amount largely in excess of the actual cost. The people really paid for the roads, but the promoters took the ownership and possession, raised millions of dollars by the issue of fictitious securities, and through construction frauds and other inequitable practices put the bulk of the money into their own private pockets.

In the case of the Central and Union Pacific roads resources amounting to \$260,000 a mile were put into the hands of a few men to do work costing apparently about \$31,000 a mile, and the public that paid for the roads several times over got nothing but a second mortgage for part of the money they put in.

I will not attempt to guete all the facts and figures which

I will not attempt to quote all the facts and figures which Dr. Parsons gives concerning the building of the Central Pacific and the Union Pacific lines, as well as other lines. Indeed, the waste and grafting which he shows existed in those cases are also found in lines privately owned. Speaking of an eastern road he says:

The South Pennsylvania Road, built by Commodore Vanderbilt to compete with the Pennsylvania Road, has been shown to have cost somewhere between six and ten millions. A responsible contractor had offered to build it for \$6,500,000. Yet a construction company, composed of Vanderbilt's clerks and brokers, received \$15,000,000 for building it; and the syndicate of capitalists that supplied the money to do the work got \$40,000,000 in securities, \$20,000,000 bonds, and \$20,000,000 stock. The cost of the road was less than \$10,000,000, so that the whole of the stock and half of the bonds were fictitious. In the same manner, though not in the same proportion, the thing was worked all over the Union.

And he adds:

Excessive land grant and subsidy graft has not confined its ravages to the Pacific roads any more than construction frauds. In Iowa, for example, 5,000,000 acres of land were given to the railways, an area almost as great as that of the whole State of Massachusetts. And besides this the contributions in taxes, rights of way, depot sites, and gifts of money to the railways of this one State are estimated by a leading railroad attorney at \$25,000,000, and by William Larrabee, ex-governor of Iowa, at \$50,000,000.

To those who think the Government can have the work done more cheaply by private enterprise than it could by doing it directly under its own supervision the whole chapter from which I quote will make interesting reading, and will, I think, dissipate such ill-grounded notions. Summing up the situation Dr. Parsons says:

dissipate such ill-grounded notions. Summing up the situation Dr. Parsons says;

The total gifts of the public to railways by municipalities, States, and Nation can not be accurately stated, but it is known that the national land grants alone have aggregated more than 215,000,000 acres, an area far exceeding the whole of New England and the Middle States, Since 1850 the Federal Government fare granted subsidies to more than 50 railroads. Six of these companies received cash sums aggregating \$65,000,000, and the Government sustained their credit by paying interest on their bonds to the extent of about \$75,000,000, making a cash appropriation of about \$140,000,000 to assist six railroads already enriched by empires of land. States, cities, and towns have also contributed large values to railroads in all sections of the country.

The railroad grants in Minnesota would make two States the size of Massachusetts, one of which was donated to the promoters of the Northern Pacific Railroad Co. In Kansas the railroad grants would make the two States of Connecticut and Rhode Island. In Michigan and Wisconsin also the railway pasture is nearly as large. In Montann the grants to one company would equal the whole of Maryland, New Jersey, and Massachusetts. In Washington also the grants are about equivalent to the same three States, and three States the size of New Hampshire could be carved out of the railway grants in California, The Union Pacific alone obtained 13,000,000, cares, the Kansas Pacific 42,000,000, and the Southern Pacific 47,000,000, the Atlantic & Pacific 42,000,000, and the Southern Pacific 9,520,000 acres.

The total area given by act of Congress to western roads is nearly as large as the whole extent of the original thirteen States. It is larger than the German Empire, Switzerland, Denmark, and the Netherlands; larger than the German Empire and Italy combined; larger than the Austro-Hungarian Empire, Switzerland, Denmark, and the Netherlands; larger than the German Empire and Italy combined; larger than the

The Government owns practically 99 per cent of the wealth of Alaska, mineral and agricultural, and the building of the roads provided for in this bill will increase the value of it far beyond the expense incurred. When the roads are built undoubtedly all

lines of endeavor there will be stimulated and the demand for opportunities greatly increased.

Such consequences always follow railroad development.

The grant of land to the Illinois Central Railroad was made in 1850, but the road was not completed till September, 1856. In the decade from 1850 to 1860 the population of the State more than doubled.

In 1850 land like that given the company was on sale at \$1.25 an acre, with no takers. Indeed, much of it was offered through soldiers' land warrants at 70 cents an acre, and could find no purchasers, but by 1852, with a railroad in prospect. it sold readily at \$5 an acre.

This has invariably been the history of new countries after the introduction of railroads, and Alaska will be no exception. RAILROADS WILL NOT PAY.

It is also contended by the opponents of the bill that these railroads will not pay when built; therefore the Government should not build them.

I readily concede that they will not pay dividends in money at first, but I am confident they will pay dividends in the greater progress and development of Alaska from the very day they begin to operate, and I am also confident that they will eventually pay dividends in money, if that is desired. The Government has in the past yery materially aided in the construction of a large number of railroads. As I have shown, it has given away hundreds of millions of acres of public land to aid in the building of some 16,000 miles of railroad. Did that investment pay a dividend? Did anybody expect it to pay a dividend in cash? It was expected that it would aid in the development of the country, that it would add to the general prosperity and render possible the establishment of additional homes for our people. True, much of that land was given away recklessly—almost criminally; but even at that the country has received dividends-large dividends-in the more rapid growth of the country and the spread of general prosperity.

Surely, the Government's activities are not to be confined to

enterprises which will pay dividends in cash.

The genial and persuasive chairman of the Good Roads Committee [Mr. Shackleford] wants Congress to appropriate twentyfive millions to aid in building good roads through the States, and unless his right eye loses its cunning he will get it. it is expended in making better post roads, do gentlemen expect the Government to collect a cash dividend on the investment? When we appropriate money for dredging and deepening navigable waters, do we expect a direct return in money? smaller governmental units, such as counties and municipalities, tax property to open up roads and streets and keep them in repair, do they expect a money dividend from the expenditure? Of course not. In every such case the object is the general welfare. The expenditure is never put on a dividend basis, and it never should be.

Canada will soon have completed the construction of a rail-road from the Atlantic to the Pacific, 3,600 miles long. Winnipeg is midway this distance. East of that city the Canadian Government undertook the work of construction itself. West of it they let the construction contract to the Grand Trunk Railroad Co., and they guaranteed that company three-fourths of the principal sum and the interest on that much of the bonds, and in addition they agreed to pay the interest on these guaranteed bonds for seven years as a pure gift. This road, for almost its entire length from near Halifax, New Brunswick, on the Atlantic coast to Prince Rupert on the Pacific coast, runs through territory which is either sparsely settled or wholly uninhabited. The building of this line will cost, not \$35,000.000 but \$300,000,000, and three-fourths of that amount, or \$225, 000,000, is guaranteed by the Canadian Government, in addition to the gratuity of seven years' interest on that amount.

What is the reason for this liberality? Is the Canadian Government looking forward to cash dividends on this investment? Not at all. The reason for its liberality is given in a preamble to the bill which provides for the building of the road. Here it is:

Whereas, by reason of the growth in population and the rapid development in productiveness and trade of Canada, and especially of the western part thereof, and with a view to the opening up of new territory available for settlement both in eastern Provinces and in the west, and the affording of transportation facilities for such territory, and for other reasons the necessity has arisen for such construction of a national transcontinental railway.

The Canadians do not ask, Will this road pay dividends? They simply say it will open up new territory to settlement; that is all. They do not claim that it will tap some of the richest mineral sections to be found anywhere, for it will not do so. Every reason they give for this enormous expenditure applies in Alaska, and there are many other reasons in support of our case that have no application in theirs; yet who will say they

are not justified in what they are doing? But if they are justified, how much more are we justified?

A government which considers great measures and adopts or rejects them on the theory that they will or will not pay dividends has outlived its usefulness. There are better things than cash dividends. The greatness of a nation can not be measured by the contents of its treasury alone.

The Acropolis and the Parthenon put no money in the treasury of Athens but they were well worth while. The construc-

ury of Athens, but they were well worth while. The construction of the Appian Way was a drain on the treasury of Rome, but it contributed to promote the general welfare. The Washington Monument, so typical of the great character it commemorates, as a dividend paying investment is a signal failure, but where is the man who would lower its towering apex one single inch? The question with a great government should be, not will it pay, but will it make for the general welfare; and in the case before us the answer is emphatically that it will.

WEALTH OF ALASKA.

I have assumed that Alaska is a land of great natural opportunities. Its great fisheries are conceded, but they do not materially affect the present question. This is also measurably true of its trade in furs. But it is of its mineral wealth and

its agricultural possibilities I would now speak.

So much has been said on both these topics by those better informed about them than I am that I approach the subject with some hesitation. Since 1880 the Territory has produced \$248,300,000 worth of mineral wealth. Of this, \$228,200,000 was gold, \$16,580,000 copper, \$2,060,000 silver, and only \$360,000 of it was coal.

The great preponderance of gold over copper is due in part to the fact that gold can be carried on the person, whereas copper is bulky and must be transported by rail.

COAL.

The coal situation has been the subject of so much discussion

that little more need be said about it.

I want, however, to call attention to an error which my genial friend from Virginia was led into by my colleague from Illinois [Mr. Madden]. He suggested to the gentleman from Virginia that an experiment made on the Maryland developed the fact that Bering River coal had only 43 per cent of the fuel value of Pocahontas coal for naval purposes. read from the speech of the gentleman from Oklahoma [Mr. Ferris] a letter from the Assistant Secretary of the Navy to the gentleman from Oklahoma [Mr. DAVENPORT]:

Hon. James S. Davenport, M. C., House of Representatives.

My Dear Mr. Davenport: The preliminary report of the tests of Bering River washed and screened coal at the engineering experiment station, Annapolis, Md., notes that under similar conditions Bering River coal produced only about 75 per cent of the power gotten with Pocahontas.

The department therefore notes with regret that the Bering River coal sample has thus far proved unsuitable for naval use.

Sincerely, yours,

FRANKLIN D. ROOSEVELT,
Acting Secretary of the Navy.

It will be seen that that is 75 per cent and not 43 per cent. This is indicative of the unconscious exaggeration to which I referred.

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. GRAHAM of Illinois. I do not like to, but I will yield to my colleague.

Mr. BUCHANAN of Illinois. I do not want to take up the gentleman's time.

Mr. GRAHAM of Illinois. But the gentleman is taking up my time.

Mr. BUCHANAN of Illinois. The test on the Maryland was 43 per cent and the test at Annapolis was 75 per cent.

Mr, GRAHAM of Illinois. The statement of my colleague shows the perfect unreliability of these tests. One test shows the Bering coal to be only 43 per cent of the fuel value of the Pocahontas coal, and another test of the same coal shows it to be 75 per cent, an increase of 32 per cent. May I not assume that at that rate of increase the third test will show it to be 107 per cent of the Pocahontas? My friend from Virginia [Mr. SAUNDERS] said that the exposure of coal did not materially interfere with its value as fuel. That is a mistake. When coal is exposed to the atmosphere oxidation takes place; the oxygen in the atmosphere unites with the coal, causing slow combustion, and its effectiveness is thus lowered. There is no mine in the Bering coal field.

Mr. SAUNDERS. Will the gentleman allow an interruption? Mr. GRAHAM of Illinols, I will; but my time is very short, Mr. SAUNDERS. I said it did affect it to some extent, and it would depend entirely upon the time which it had been ex-

posed.

Mr. GRAHAM of Illinois. Well, this coal has been exposed for perhaps a million years.

Mr. SAUNDERS. We had no evidence before us as to how

long it had been exposed.

Mr. GRAHAM of Illinois. It has been on the surface of those coal fields for a great many years. Now, that coal was loaded into bags; it was lying there exposed for a long time before it was transported to the place where these tests were made.

Mr. SAUNDERS. Did not they have to dig into the coal bed to get 500 tons?

Mr. GRAHAM of Illinois. They had to dig into it somewhat, suppose

Mr. FERRIS. Will the gentleman yield?

Mr. GRAHAM of Illinois. I can not yield; my time is too short.

Mr. FERRIS. I do not want to take up the gentleman's time.

Mr. GRAHAM of Illinois. But the gentleman does. When one Member interrupts, and then another and another interrupts, it takes considerable time, all together.

Mr. FERRIS. I simply wanted to say that this coal was taken out of a tunnel 100 feet below the ground.

Mr. GRAHAM of Illinois. I know of no such tunnel in that coal field. If there is one, I have not heard of it. But I am not going to hang my case on the matter of coal for naval use, because the Secretary of the Navy says that in the future we will not rely on coal. We must, however, to some extent, as we

now have many ships that have to rely on coal.

Some of these ships will be in the Pacific and they will need coal, and in time of peace certainly this coal would be of value to them. We might need a supply of the better quality of coal only in case of war, which I hope will not occur. Then, again, this report says that they have not tested the Matanuska field The testimony is that out of the 40 square miles of coal in the Bering field and the 75 square miles of coal in the Matanuska one-half is of the highest grade of anthracite. heard the sworn statements of the two men best qualified to express an opinion upon this subject, from a theoretical point of view, Mr. Brooks, of the Geological Survey, and Mr. Andrew Kennedy, the mining expert of the Government in Alaska, and both of them testified it was practically equal to the Pocahontas coal, as shown by an analysis of it. What the event will prove to be I do not know. If, as opponents of the bill suggest, we are to have a railroad to reach the Matanuska field, we go a large part of the way to Fairbanks. We go far toward tapping the valley of the Tanana, and having gone that far, even on the logic of my friend from Virginia [Mr. SAUNDERS], it were the height of folly there to stop and not go on to the navigable waters of the Tanana and the Yukon. He concedes that we ought to go to the Matanuska. On that concession I claim that it were unwise not to go through that valley, fertile, at least, for Alaska, and reach the navigable waters of the Tanana and the Yukon. So that the gentleman concedes the wisdom of building at least one of these railroads.

Mr. SAUNDERS. But these are entirely different roads. Mr. GRAHAM of Illinois. No; the Matanuska field is on the proposed line from Seward to Fairbanks. The gentleman is rusty on the geography of the question he is discussing.

Mr. SAUNDERS. I am looking at it here right now. Mr. GRAHAM of Illinois. And even if it should prove somewhat inferior to the best Pocahontas coal it would still be very valuable. It would at least serve for naval use in time of peace. and it would be of great commercial value along the whole Pacific coast, where it has no rival.

The gentleman from Oklahoma [Mr. Ferris] says we have coal enough in the States to last several thousand years. That is not quite the question. The real point is to get plenty of good coal near the place where it is needed, and this Alaska coal is much nearer a vast number of people who need it than any other coal of nearly equal quality.

Here is the situation as I see it: I do not say that we should build these railroads merely for the purpose of developing agriculture in Alaska. I say that we ought to build them primarily to develop the great mineral possibilities of that country, keeping agriculture in mind as an important incident. Let me read to you from the testimony, not a mere statement, but the sworn testimony of the man who knows more about the mineral qualities of Alaska than any man living, Prof. Albert Brooks, or Mr. Albert Brooks, as he prefers to be called. Speaking of the Bonanza copper mine, he testified:

That is an enormously rich deposit,

He further said:

In the Bonanza mine the ore runs from 20 to 30 per cent, and in ome cases from 40 to 50 per cent, pure metallic copper. It is very

In answer to a question as to how far these conditions extended, he said that they practically extended along the entire mountain range, a distance of about 150 miles.

Mr. SLAYDEN. Forty per cent of copper the whole way? Mr. GRAHAM of Illinois. I did not intend to say that. Here are Mr. Brooks's words:

That these conditions are likely to repeat themselves in places all along the copper belt for 150 miles, but we do not know that they do. But as far as we can tell from the surface the same conditions may arise elsewhere. * * * I think there is a strong probability that other deposits will be found similar in character to the Bonanza.

And he adds that this copper has a mixture of silver running up to \$5 a ton.

There are places in this mine where the copper is even 70 per cent pure, and Mr. Brooks says that where the winter and the spring eroded the mountain side, washing the lighter substances away, copper has been shoveled up that was 95 per cent pure metallic copper.

Mr. SLAYDEN. Mr. Chairman, I hope the gentleman did

not think that I interrupted him for a question that was irrelevant. I understood him to say that the Bonanza mine, which I am informed belongs to the Guggenheims, runs from '0 to 50 per cent of pure copper, and I asked if that was through the whole mountain range.

Mr. GRAHAM of Illinois. Oh, no. What I read says that it does not continue all of the way, but that it repeats itself along the mountain range for 150 miles. Mr. Chairman, we are beginning to know the value of copper. The extended use of electricity makes it an exceedingly valuable product, but these deposits are hundreds of miles in the interior and can be handled only by railways. True, one railroad now taps it, and branches from that one can reach out farther, but because the coal mines are not developed the railroads are handicapped, and are of little value on account of the great expense in running

We must get some railroads that will enable them to reach these opportunities. I do not care how liberal your homestead law is, nobody is going there to locate on a homestead if he can not get to it and from it with reasonable convenience and 3x-

Mr. FERRIS. Will the gentleman yield right there?

Mr. GRAHAM of Illinois. If it is important, I will yield, of course. I do not like to be discourteous, but you know how quickly the minutes slip by in a case of this sort.

Mr. FERRIS. I do, indeed.

PRIVATE ENTERPRISE WILL NOT BUILD THEM,

Mr. GRAHAM of Illinois. Now, then, I assume it to be true that if Alaska is to be developed we must have railroads. we are to unlock this door we-must have a key with which to we are to unlock this door we-must have a key with which to unlock it. What is the key? It is a few trunk-line railroads, as the President has said. Some gentlemen say that private enterprise will build them. I say it will not. Even syndicated wealth will not build them. The Alaskan Syndicate, the Guggenheim-Morgan syndicate, or "Morganheim," as some call it, would doubtless have gone on and built railroads in Alaska, but only on one condition, and that is the condition on which they built the railroad they constructed there-that they would have a free hand in Alaska, and they could for their own use exploit that Territory for all time. Turn the mineral wealth of Alaska over to them and they will build the necessary railroads for such exploitation, but when you do it you will develop a condition of things there for the future far worse than history can point to in the worst days of feudalism. Do we want that? Will we reject the doctrine of conservation? Will we turn all these resources away from the American people, who now own 99 per cent of them? Will we turn them over to the Guggenheims and the other syndicates that will be created? If we do, they will build the necessary trunk lines and develop the wealth that is there. But the American people will not consent to that; they will not give these mineral lands away.

AGRICULTURE.

I have said that I think agriculture in Alaska will follow the development of its mineral resources rather than precede them. This has been largely true of California, Idaho, Montana, Colorado, and other States rich in mineral wealth.

But we are told the climate and soil are leagued against the farmer in Alaska to such an extent as to render farming impracticable; that the temperature is so low and the season so short, success in maturing crops is not possible.

The average length of the crop-growing season at Fairbanks

its short season it is a great agricultural valley with a population of 23,000, with \$6,000,000 in bank deposits. Many other agricultural regions have a crop-growing season shorter than the season at Fairbanks, and have not the advantage of long days, with almost continuous sunshine during the growing period, as the Tanana Valley has. The lowest temperature the Government has any record of at Fairbanks is 65° below zero. That temperature has been reached at Miles City, Mont., and in the Milk River country in Montana, where the Government is now spending millions on irrigation projects, and yet Montana has demonstrated that it is a great agricultural State.

The lowest temperature recorded in Florida is 2° below zero; the thermometer has never fallen even to zero on the southern coast of Alaska. Oklahoma has a record of 25° below and Missouri 29°, while 1° above zero is the lowest temperature yet recorded in Cordova.

The great valleys of the Yukon, the Tanana, and the Kuskokwim compare more than favorably in soil and climate with Norway, Sweden, and Finland, and Alaska far surpasses these countries in mineral wealth, yet Norway has a population of 2,300,000, Sweden 5,500,000, and Finland 3,000,000, or 10,800,000 in all, mainly supported by agriculture. Alaska has more territory than all three and will some time in the future have as large or even a larger population. We should now give it a good start and head it in the right direction.

There is no question that root crops, vegetables, rye, barley, and oats can be grown very successfully there, and that wheat can also be grown, but we need not expect very extensive crops of cereals so long as the Alaskans have to thrash with fiails because of the lack of transportation for thrashing machines.

Mr. Seth Mann, in his report to the President, says:

The agricultural possibilities of the interior of Alaska are a revelation one who visits the great valleys of the Yukon and Tanana for the to one whe

He says-

When once the land is prepared for cultivation the long periods of sunshine during the summer months operate like intensive cultivation and bring about rapid germination and quick maturing of crops.

Mr. S. Hall Young, superintendent of the Presbyterian mission, who has lived in Alaska for 35 years, in a recent letter to the able chairman of the Committee on the Territories [Mr. Houston] says:

I have successfully raised and ripened in my own garden and fields there wheat, oats, barley, potatoes, turnips, rutabagas, tomatoes, peas, radishes, lettuce, carrots, and other vegetables also.

While the temperature sometimes drops very low, the winters are by no means as bad as some suppose. Mr. Young says on that subject .

My wife and I were out calling on our parishioners during the coldest weather of each year and did not suffer from cold. The children in the schools at Fairbanks lost no time from their lessons on account of the weather. The entire absence of wind during these periods of cold weather is a striking characteristic of the climate. Indeed, I have never known a wind strong enough to drift the snow in the vicinity of Fairbanks.

During most of the winter the temperature ranged from 10° above zero to 20° below. There were no sudden changes, and woodmen, lumbermen, and travelers were busily at work, the mails coming in regularly, and the population in general living without discomfort. It is a dependable climate, and you know to-day about what the weather to-morrow is likely to be.

Mining was being carried on all of this time without hindrance from the weather. There was very little snow and very little cloudy weather.

And as to the people and the general conditions there, Mr. Young says:

The population (white) of interior Alaska will compare well in intelligence, morals, physical strength, and character with any other population elsewhere. The people are contented and love the land of their adoption, and it has become a proverb in central Alaska that if any one of the people who have lived there for some years goes "outside" he must come back. For my part, I know of no land under the sun where I would rather live, work, and die than interior Alaska. GOVERNMENT OWNERSHIP.

It is useless to try to frighten folk with the cry of Government ownership of railroads. That question is not involved in this measure. This is an extraordinary case and needs an extraordinary remedy. We can not be frightened from doing the right thing in this case for fear we would be asked to do the same thing later in a different case. We must, like sensible men, cross the bridges after we reach them and not before we reach them.

If ever the question of Government ownership comes up in the States the Congress then in office will be amply able to deal with the question on its merits.

This question should be dealt with now on its merits and in view of our present light on the subject.

The gentleman from Oklahoma [Mr. FERRIS] told us the other for the last five years is 105 days. I mean the summer season between killing frosts. The average season at Ellensburg, Vash., in the Kittitas Valley, is only 90 days, but in spite of an acre was required to clear the land. I concede a man could go to Alaska and spend \$200 in clearing an acre of land You can spend a great amount of money clearing an acre of timberland in Oklahoma, too, if you go there in the spring and get it ready for a crop that year. I take from the gentleman's own speech a quotation which fully answers his

Mr. McKenzie. I have had a little experience in clearing land up in the interior of Alaska, and if you can get a burn on the ground and kill those trees the roots will lie on the top of the frost, and in two or three years you can go along there and almost kick them out. It is very easy. Of course if you do it in one season it is a very expensive system.

There is the common sense of the situation. When men clear land ordinarily they begin by deadening the trees. a while, when they are dead enough to burn, they burn them. If they get in a hurry, of course, they pull the stumps or blast them out. That is expensive, but if they wait a few years the stumps can be easily and cheaply disposed of. Then, too, the Alaska homesteader could use his own and his family's labor instead of hiring men at \$8 a day.

REINDEER.

There is another aspect of the question which has received but little notice during the debate.

It is almost certain they can raise an ample supply of meat for home consumption and before another decade passes the people of the States may be looking Alaskaward for help in the solution of the meat question. A year and a half ago I ate with much relish reindeer steak imported from Alaska.

It was only 12 years ago that 1,280 head of reindeer were imported from Siberia. Their descendants now number 46,000, and the annual increase is 30 per cent. If this rate of increase continues, by 1920 there will be almost 300,000 head.

Experts estimate that Alaska has enough grazing ground to

support from ten to twenty million head of them.

The claims of Alaska can not be answered by exhausting adjectives and epithets in a vain attempt to heap ridicule upon it.

It is no answer to say, or even to prove, that agricultural opportunities are not as good there as in some of the States. It is enough to show that they are too good to remain unde-

It is no answer to say that frost may sometimes injure or yen destroy the crops. That has happened in Oklahoma, in even destroy the crops. Illinois, in Florida, in California, and in almost every State in But who says we should abandon effort in those the Union. States on that account?

Nor is it an answer to say there are various difficulties in the way so long as they are not insuperable. It is the conquest of difficulties which makes men strong individually and racially, and the difficulties in Alaska can be conquered. They are not greater than they once were in Finland. But the Finns are a strong race mentally and physically. Their great national strong race mentally and physically. epic, the Kalevala, has a recognized place in literature and undoubtedly furnished the model for Longfellow's Hiawatha.

The champion long-distance runner of the world at this time is a Finn. In the long-distance contests in Alaska the native half-breeds win the prizes. Alaska offers as great opportunit- for human development as Finland does and is bound to eventually have a population of millions of stalwart, brave, hardy, intelligent, liberty-loving citizens, worthy of the best traditions of the Republic. But it must first have means of communication with the rest of the country and with the outside world. This it can not have for ages unless the Government builds some trunk lines. The building of them will assuredly inaugurate the change. Alaska will do the rest.

Gentlemen fear that if we spend \$35,000,000 or \$40,000,000 now it will grow to \$400,000,000 later on. That objection might have been urged with as much reason against the aid given the Pacific lines. But, as matter of fact, in the territory where some 5,000 miles of railroad were built by Government aid there are now 50,000 miles. The trunk lines have been supplemented by feeders built by private enterprise. It will be so in Alaska,

The time for action is here. We must prepare to unlock this storehouse. We must adopt a wise, forward-looking policy for it. We must give enterprise and industry a chance to seize and develop the opportunities awaiting them. We must provide Alaska with liberal mineral-leasing laws, with liberal and inexpensive homestead laws; but first of all we must provide access to it by giving it the railroads provided for in this bill. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 3439. An act appropriating funds for the purpose of the investigation, treatment, and eradication of hog cholera.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 9574. An act to authorize the Missouri, Kansas & Texas Railway Co. to construct a bridge across the Mississippi River near the city of Hannibal, in the State of Missouri.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 3625) to authorize the Missouri, Kansas & Texas Railway Co. to construct a bridge across the Mississippi River near the city of Hannibal, in the State of Missouri.

The message also announced that the Senate had passed without amendment the following resolution:

House resolution 8.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the House of Representatives, to be distributed through the folding room, 50,000 copies of House Document No. 1458, Sixty-second Congress, same being "Prayers offered at the opening of the sessions of the Sixty-second Congress of the United States."

The message also announced that the President had, on February 3, 1914, approved bill of the following title:

S. 541. An act granting to the Emigration Canon Railroad Co., a corporation of the State of Utah, permission, in so far as the United States is concerned, to occupy, for a right of way for its railroad track, a certain piece of land now included in the Mount Olivet Cemetery, Salt Lake County, Utah.

RAILROADS IN ALASKA.

The committee resumed its session.

The CHAIRMAN. The gentleman from Washington [Mr. LA

FOLLETTE] is recognized.

Mr. LA FOLLETTE. Mr. Chairman, I am in favor of the Federal Government building and, if necessary, operating a rail-road in Alaska. For more than 100 years the transportation problem has been probably more paramount than any other. It was fully recognized throughout the length and breadth of our country that the greatest handicap to advancement was the lack of ways and means for entrance into and egress from the various settlements of our Commonwealth and lack of transportation facilities for people and freight. The Federal Government showed its appreciation of that condition in 1802, when it appropriated one-twentieth of the proceeds of public-land sales in he Ohio territory to the construction of highways. Later the Government authorized the construction of the Cumberland Road or National Pike, which started from the center of population in Maryland, extended from there into the Ohio country, eventually reaching as far west as Vandalia, Ill., the Government expending thereon some \$10,000,000.

This movement was followed by Government aid to various canal projects and Federal aid to rivers and harbors. The country developed under these transportation facilities to such an extent as to awaken the public mind fully to transportation advantages and to the immense disadvantage localities were subjected to which had no such blessings. This knowledge led to continuous efforts on the part of communities, States, and Territories to secure transportation facilities, and as time passed not only the Federal Government was importuned for aid to transportation facilities of various kinds, but also States, counties, and municipalities, and prior to the year 1850 by far the largest amount of paternal aid came from the latter-named

The States contributing to various railroad projects, with the amounts contributed, are, in part .

Alabama	\$15 800 000
Arkansas	7, 100, 000
Delaware	600,000
Florida	4, 000, 000
Georgia	
Illinois	
Indiana	\$1, 800, 000
Kentucky	200, 000
Louisiana	7, 700, 000
Maryland	6, 800, 000
Massachusetts	41, 000, 000
Michigan	3, 200, 000
Minnesota	2, 200, 000
New York	31, 700, 000
North Carolina	11, 400, 000
Ohio	500,000
Pennsylvania	12, 700, 000
South Carolina	5, 700, 000
Tennessee	34, 100, 000
Texas	4, 800, 000
Virginia	15, 400, 000

__ 228, 500, 000 A total approximating This in cash,

In addition to this, the United States made land grants to States for transportation purposes, which in turn regranted to railroads, the total land grants thus made for this purpose by the States and Federal Government totaling approximately 155,000,000 acres, which if worth only an average of \$2.50 per acre would amount to \$387,500,000.

In addition to this, counties and municipalities bonded themselves to an amount approximating \$500,000,000, making first and last various sums of governmental aid to our United States railroads approximating \$1,500,000,000.

Dr. William Z. Ripley, professor of economies in Harvard University, estimates that Federal Government and various State, county, and municipal aid to railroad construction amounts to at least two-fifths of the total value of all railroads.

Our States and municipalities have not only assisted in railroad construction by subsidies, but have frequently built railroads and parts of railroads themselves. The Interstate Commerce Commission furnishes data which cover in part some of the States and the mileage they hold under State control. While it does not comprise much mileage, it does illuminate the fact that those States recognize the right and, in some cases, the expediency of Government ownership of railroads. The list is as follows:

Belt Raliroad of San Francisco; the Belt yard is a State property under the jurisdiction of the Board of State Harbor Commissioners of California.

Cincinnati Southern Raliway, operated by the Cincinnati, New Orleans & Texas Pacific Rallway Co.; built and owned by the city of Cincinnati

Plattsburgh & Dannemora Raliroad, operated by the Delaware & Hudson Co.; property of the State of New York.

Oregon State Portage Rallway; owned and operated by the State of Oregon.

Texas State Raliroad; property of the State of Texas.

32. 56

Western & Atlantic Raliroad, operated by the Nashville, Chattanooga & St. Louis Raliway; owned by the State of Georgia.

The last suppul propert of the North Cary, ing. Raliroad Co. to

The last annual report of the North Carc'ina Railroad Co. to the Interstate Commerce Commission shows that the company owned 223.55 miles of road in North Carolina, which was leased to the Southern Railway Co. From unofficial sources it is understood that the State of North Carolina owns \$3,000,200 of the

\$4,000,000 ontstanding capital stock of that company.

Mr. Chairman, the States of New York and Massachusetts have each individually appropriated as much for aid of railroads as the Federal Government is asked to appropriate in this case, or nearly so-New York more than \$31,000,000 and

Massachusetts more than \$41,000,000.

Mr. Chairman, in view of the fact that the people of the United States have furnished more than \$1,000,000,000 for building transportation lines in the past, I do not think that they will criticize or blame the American Congress for making this comparatively small appropriation for construction of a railroad through their own great country, Alaska, with more than 95 per cent of its total resources yet within the direct control of the

people, the Government of the United States.

The gentleman from Wisconsin [Mr. Lenroot] and the Delegate from Alaska [Mr. Wickersham] quoted freely from the testimony of John E. Ballaine, of Seattle and Alaska, before the House and Senate Committees on the Territories, in which Mr. Ballaine told of his negotiations with the firm of J. P. Morgan & Co., through G. W. Perkins, in an effort to induce them to finance a narrow-gauge railroad from the southern coast of Alaska to the Tanana River, and of the refusal of the Morgans to finance the enterprise because the Guggenheim brothers ob-jected. That testimony by Mr. Ballaine entered largely also in the Senate debates on this bill, and has afforded convincing reasons why it is necessary for the United States to build a system of railroads in Alaska.

Let me call your attention particularly to the fact that strenuous efforts have been made to get a denial from Mr. Perkins, and that all such efforts have failed. Not only have they failed, but Senator Lippitr in the Senate admitted the correctness of Mr. Ballaine's statements. Those of us who know Mr. Ballaine knew that his statements were correct, but it is doubly important to have an admission from the opponents of this bill that he stated

Mr. Chairman, I have listened with great interest to the various speeches made by gentlemen on this bill, both for and against it, and with no little amusement at some of the suggestions made by the speakers and also by gentlemen commenting on the bill individually. I have heard men protest that they could not vote for this measure because it was establishing a precedent for paternalism and committing the Government to a policy so far-reaching in its effects that it might in time practically bankrupt the Government. Some of these gentlemen have been for years voting for river and harbor improve-ments, just as paternal in character, aggregating millions of dollars, taken from the Federal Treasury without a thought of

any impropriety. Many of these sums have been applied to streams of very doubtful navigation value, and many of the appropriations made for rivers and harbors that were more local than national in character. These appropriations have been made annually for many years and at times have been criticized unmercifully, charges of fraud and scandal being freely made. But in spite of criticism and abuses, the public at large has acquiesced in the expenditures and the Government and our people have prospered. I have heard gentlemen get up here and talk against the expenditure of the people's money in the most virtuous and self-sacrificing manner who would not hesitate a minute to vote \$35,000,000 or \$50,000,000 for building levees along the Mississippi River, although one-half of our people have no direct benefit from it and only a negative indirect benefit, yet we all recognize the necessity of Federal aid in

these matters and extend paternal help.

The honorable gentleman from the City of Brotherly Love, Mr. Moore, would not hesitate to ask for \$1,000,000 for the benefit of the Delaware River, and would take a suggestion that it should not be made from the Federal Treasury because, forsooth, the Mississippi Valley and the Pacific coast get no benefits from it as a very narrow viewpoint, unworthy of Rep-resentatives of a people like ours. I heard one gentleman remark to another that the Washington delegation was in favor of this measure because a large part of the \$35,000,000 would be spent there and it was like getting an appropriation for our own State. The gentleman from Wyoming [Mr. Mondell] in his speech on this question said practically the same thing. Mr. Chairman, the State of Washington is so situated geographically that it is the nearest United States point to Alaska, and the State of Washington will attempt to compete for Alaska business, just as every other State in the Union would do if favorably situated; yet I hardly think any Member here would vote against this bill simply because his State was not favorably situated to secure this business. I hope votes on this bill will be controlled by higher motives.

Mr. Chairman, I would be pleased to think that my State could get the lion's share of the expenditures made for a railroad in Alaska, for I am only human and wish my State well; but the assertion is so preposterous and shows so little knowledge of present conditions and the possibilities of my State to furnish the materials and elements necessary to use in railroad construction, that I can hardly think the remark serious. should judge that possibly the great State of Pennsylvania would get more of the actual cost of the enterprise than any one State, because of its supremacy in the manufacture of iron and steel, also locomotives and rolling stock, although many States would be competitors, and no doubt the money used for railroad building in Alaska would be widely distributed, going to many different States. My own State being as yet only a pioneer, is not prepared even to seriously consider supplying to the Government many of the constituent elements necessary. Our rolling mills are few and our manufacturing establishments in embryo. No; the Members from the State of Washington have no hopes of being the largest direct beneficiaries from the enterprise; but we do know that Alaska is a factor in our prosperity and that it will be a greater factor in future years, if the Territory can be properly developed.

I listened with much interest to the gentleman from Michigan [Mr. FORDNEY]. He is always interesting and has a great fund of statistical knowledge, and no one knows better than he how to handle statistics to advantage. He gave the cost of railroad building from the census of 1910, and would have us believe that a criterion to go by in figuring railroad building in Alaska. The argument was specious and interesting, but not particularly illuminating to one groping for knowledge, and is in no way applicable to railroad costs in Alaska. We all know that railroad building, like any other construction work, has a definite minimum, but an indefinite maximum, only to be measured by the judgment and bank roll of the builder. A railroad can be constructed in Alaska if properly and honestly managed, capable of handling the heavy traffic and developing the resources of that great country at a minimum of probably

\$30,000 the mile, adequately equipped.

In reply to a letter of inquiry regarding cost of railroad construction in Alaska directed to Mr. J. E. Ballaine, of Seattle, Wash., president of the Tanana Construction Co., who built the first 20 miles of the Alaska Central Railroad, starting at Seward, Alaska, with a prospective terminus at the Tanana River, I received the following:

SEATTLE, WASH., December 24, 1913.

Hon. W. L. LA FOLLETTE,

House of Representatives, Washington, D. C.

MY DEAR MR. LA FOLLETTE: I have your inquiry as to the cost of building and equipping the Alaska Central Railroad, now the Alaska Northern, and as to the difference between the cost of railroad building

In Alaska and in the States. I can answer your question definitely for only the first 20 miles of the Alaska Central, which I, as president and owner of the Tanana Construction Co., built and equipped, and all of the funds for which I procured on notes of the construction company indorsed by me.

The first 20 miles of the Alaska Central starts from Seward, at the head of Resurrection Bay, and extends through a heavily timbered valley for 7 miles. From mile 8 to mile 14, inclusive, the road is on a timbered hillside, with several rock cuts from 20 to 100 feet long, several fills from 10 to 15 feet deep, and about 20 bridges made of native timber, mostly I and 2 decks and 3 to 6 bents.

The road as I built it is standard gauge, of 60-pound steel, and has 2,800 ties to the mile. The ties are 10-inch face, of native spruce and hemlock.

The road as I built it is standard gauge, of 60-pound steel, and has 2.800 thes to the mile. The ties are 10-inch face, of native spruce and hemlock.

The equipment of this first 20 miles consisted of a wharf at Seward which cost \$30,000, two Baldwin locomotives each of 60 tons, five standard flat cars, a sawmill of 10,000 feet daily capacity, 15 horses and harness, and machinery to the value of \$11,000.

The total cash cost of the completed railroad thus constructed and equipped was exactly \$325,000, or \$16,250 per mile.

After I sold the construction company, and thereby control of the Alaska Central Railroad, to Frost & Osborne in 1904, they added \$46,500 to betterments on miles 8, 9, and 10, but not another dollar to any other portion. The total cost of the first 20 miles is therefore \$371,500, or slightly more than \$18,000 per mile for the completed railroad and its equipment as it stands to-day. It has been in continuous use for eight years, with trains making 20 to 25 miles an hour over this portion of the track, without a single accident.

I have been told by some people who have seen the railroad that surely I must be mistaken—that it could not be built for such an amount. Nevertheless, that is the exact cash cost.

I should say that railroad building in the southern part of Alaska, and from the southern coast northward, need not exceed the cost of like construction in the States by more than 15 per cent, the most of which is for added freight charges by ocean from Seattle or San Francisco to the southern coast of Alaska. There is native timber in abundance for all ordinary construction material, and labor in this part of Alaska is but slightly higher than the scales paid in Washington, Oregon, and California.

It should be borne in mind that with the starting of construction on a Government railroad in Alaska prospectors and miners will go to the country by the thousands. Most of them will work on the railroad at periods for grubstakes to help them in their prospecting. This source of labor supply, in

No doubt 100 years from now, when Alaska is developed and has a population of more millions than she now has thousands, and this railroad needs extensive betterments, with double trackage and including many times the equipment of the initial construction, Mr. FORDNEY'S figures of \$76,000 the mile might apply. If the Government does build this road, and it is honestly and efficiently built, I am satisfied it will be illuminating to the people of the United States and to some of the owners of stocks and bonds of railroads who were not on the inside and ground floor when construction of their roads were under way or going on. The gentleman from Michigan [Mr. FORDNEY] says he is willing to lend money for roads or guarantee bonds for roads, but is not willing to have the Government build them. Oh, no; they would cost too much. We lent the Union Pacific and Central Pacific money enough to build those roads, in addition to giving them land grants, and we gave likewise land grants to the Northern and Southern Pacific. The scandals and frauds perpetrated on the stockholders and the bondholders of those roads, as well as the people, especially in the State of California, is still a stench and a byword. I would ask those gentlemen representing the great State of California if they think California could have fared any worse at the hands of the Government than it did at the hands of the pirates who for years throttled and de-bauched it? True, some of the unholy millions wrested from Government aid and land grants was philanthropically left in your State, yet I question if it was even a molety of your losses by their usurpations and highhanded debauching in county, State, and municipalities. Oh, yes; advance money, guarantee bonds. It does not make any difference if the Guggenheims or the Weyerhausers, the Morgans or the Rockefellers, or the successors to the Stanfords or the Huntingtons, or any other great manipulators of big business, do clean up a few more millions they do not need. Milk the Government first and the people afterwards; it will not do for the Government to go into the railroad business. Why? Because it might lead to Government ownership. If this is going to be such a bad thing for the Government, why stand in the way. You can not experiment any place else so satisfactorily as in Alaska; and if it should prove so calamitous as suggested by some, would not it go a long way toward quieting the cry for Government ownership, and at a comparatively cheap

The gentleman from Michigan [Mr. FORDNEY] argued that because the engineers who were advised with by the Interior Department regarding the irrigation works of the West under-estimated their cost these railroad estimates are likely to be erroneous. In this connection I desire to say that railroad building is no new thing in this country, while large irrigation works are new. While underestimates on the latter may be ex-

cusable, there would be little excuse for mistakes as to railroads. Further than this, if the Government did have to pay more for irrigation construction, the extra cost became a charge against the land reclaimed, which in most all cases was ample security, so no Member need allow the pessimistic view of my friend from Michigan to cloud his perspective with a vision of loss to the Nation.

If the irrigation works cost more than anticipated, we know that the money was expended among many and not turned over to the enrichment of a few, as were the subsidized, bond-guar-

anteed congressional enactments for private ownership.

Mr. Chairman, we hear a great cry made against the Government going into the railroad business and building a road through its own property, Alaska. The Government built a telegraph line up there, and I have not heard any claims of graft either in its building or operation. If it owns its own telegraph line in Alaska, why not its own railroads?

Some of the gentlemen who will vote and are talking against this bill voted for the Panama Canal. They did not see any danger to the Government in that transaction, which was purely a speculative one. We paid \$7,200,000 to Russia for Alaska and have had in return to the United States fiftyfold what we paid for it over and above any expense it has ever been to us.

We paid \$10,000,000 to the illegitimate Republic of Panama for

a canal concession, and we have put far and beyond \$350,000,000 into it, for what? I pause for reply. I suppose that he gentleman from Michigan was willing that the Government of the United States should pay \$400,000,000 to build a ditch across the Isthmus of Panama, for what? We have no merchant marine, we have no coastwise fleet, eligible to use the canal. If we ever use the canal we have to create the fleets to float through it. I want to say to you gentlemen who are making the argument against helping Alaska that unscratched Alaska is argument against neiping Alaska that unscratched Alaska is better developed proportionately to-day than is your proud United States merchant thipping to use a canal costing us nearly \$400,000,000. It is inconsistent and unwise to help long-suffering Alaska by building some experimental Government railroads, but it was wise, patriotic, and expedient to build the canal on the plea that it was a military necessity. Oh, you canal of the piea that it was a minitary necessity. On, you guardians of the people's interests, they should rise up and call you blessed. Now, I am in favor of the Panama Canal. I think it is wise to have it, even though it will not probably pay as an investment for a hundred years to come, but I do consider that any man who could stand for the Panama Canal and justify that position and oppose construction of this railroad in Alaska is inconsistency personified.

Mr. Chairman, Alaska was purchased from Russia by the United States in 1867 for \$7,200,000. The name is derived from the Indian word Al-ay-eska, meaning the great country, and it It contains 590,884 square miles. It was first settled by three Russian priests or saints in 1784 and was in the continuous control of their country until 1867, when it was transferred to the United States. Its chief productions are gold, copper. silver, tin, lead, coal, seals; also salmon, halibut, and other fish. It also has great agricultural and grazing possibilities. Alaska is second only to Colorado in the production of gold. In copper, iron, and coal its possibilities are only to be demonstrated by the development of transportation, but it is well known that all indications point to immense tonnage and great

Alaska imported from 1879 to and including 1910: From the United States, \$203,566,500 in merchandise; total from other countries, \$941,358. It will be seen that less than \$1,000,000 of this trade was with other countries. Our investment of \$7,200,000 gave us a market for our products amounting, in round numbers, to \$204,000,000 in the 31 years, starting with \$317,000 in 1879 and amounting to \$18,670,339 in 1910.

Since 1904, which was the first year for which the Census Bureau has had available statistics. Alaska has sent into the United States gold as follows: 1904, \$6,347,742; 1905, \$9,059,023; 1906, \$12,638,608; 1907, \$18,564,228; 1908, \$11,490,777; 1900, \$17,782,493; 1910, \$18,393,128; a total for the 7 years of \$94,-275,999. If this were all the gold we had received from Alaska, it much be sent as a secon it would be a good return on our \$7,200,000 investment, but it is only for 7 years, and it is estimated that it is not more than 25 to 30 per cent of the total we have received from that country since we acquired it.

This is only one of the elements of wealth pouring into this country, but probably has been the largest single product in value. I am not going to burden the committee with further figures only to say that the Statistical Abstract of the United States says that in 1908 Alaska furnished \$11,536,926 worth of fish and sea-animal products, not including cod and halibut, these two items for some cause being credited to Pacific-coast products, but not segregated as to Alaska. In 1908 there was

received \$11,500,000 from this source, or \$4,000,000 more that one year than we paid for the country in 1867. Alaska has been a great contributor to the wealth of the United States and has received, indeed, but little in return. The United States has never made any other investment that has paid proportionately as this one has, and I verily believe that if we will adopt other than a dog-in-the-manger policy with it it will continue to pay larger returns on the money we will spend there than any

other possession or asset we have. [Applause.]

The CHAIRMAN. The time of the gentleman from Washington has expired. The gentleman from Texas [Mr. SLAYDEN]

Mr. SLAYDEN. Mr. Chairman, I would like now, while I think of it, to ask the privilege of extending my remarks in the

The CHAIRMAN. The gentleman from Texas [Mr. Slayden] asks unanimous consent to revise and extend his remarks in the Record. Is there objection?

There was no objection. Mr. SLAYDEN. Mr. Chairman, I have listened with a great deal of interest to this debate to-day, as I have on previous days since it began, and I heartily agree with one observation made by my friend from Illinois [Mr. Graham], and that is that a great deal of what he calls "unconscious exaggeration" has been indulged in, and, he adds in a spirit of prudence, "possibly by both sides," in the discussion of this question.

It may be unconscious exaggeration; but few people, I fancy, who have taken the pains to go into the official records will doubt that it is gross exaggeration. Indeed, Mr. Chairman, everything that I have heard said, everything that I have read, in support of this proposition suggests to my mind in a very vivid way that peculiar type of publication which, out in the West, we call "boom literature."

Now, real estate dealers who are undertaking to sell banana plantations in Alaska, or gold mines where minerals do not exist, or town lots in an unbuilt city, may not be deliberately and maliciously falsifying, but it can not be denied by anyone who has ever been in one of these boom communities that when they come to painting pictures that they mean to attract set-

tlers with they do indulge lavishly in high colors.

Now, that is the case, I take it, in this instance. A climate which we know to be frigid, a country which is on and so near A climate the Arctic Circle that one needs nothing more than a knowledge of that general geographical fact to realize it is a cold country-is a place so cold that people who contemplate engaging in agriculture in it should have their sanity investigated-is held up to us as a sort of paradise in prospect. I have gone over a good many of these agricultural reports and I find nothing in them, or substantially nothing—and I do not want to get into that "unconscious exaggeration" referred to by my friend from Illinois [Mr. Graham]-I can find, I say, substantially nothing in them which will encourage any man to believe that it is possible or ever will be possible to develop agriculture in Alaska.

That Alaska has a vast amount of mineral wealth is a matter of very general common knowledge. Even those of us who have never had the good fortune to visit that part of the world know, as we know that Julius Cæsar or Napoleon Bonaparte lived, or any other incident that ever occurred with which we had no personal contact, that in the mountains of that country there is mineral wealth, and because of its peculiar geological formation we are inclined to believe that still greater deposits of mineral wealth will hereafter be found there. But, Mr. Chairman, I was strongly impressed with the reasonableness of the suggestion put forward by my friend from Oklahoma [Mr. Ferris]indeed, by my two friends from Oklahoma [Mr. Ferris and Mr. DAVENPORT], if I may be permitted to correct myself-that if we want to unlock these treasures in Alaska, all we have to do is to make reasonable laws, the making of which is in our control; provide opportunities to American citizens to go in there and engage in American enterprises for the gain which will come from them.

That is the best inspiration for commercial endeavor. We go into business not for our health, not to develop the commonwealth at all, but to develop personal, individual wealth. Now, make your reasonable leasing laws so that the American business man can have an opportunity of a fair return for invested energy and capital; and if the wealth is there, I have no doubt that they will go, and go fast enough, and that they will build railways—electric railways, steam railways, railways run by the oil that may be there, run by the coal that probably is there-and if the values are there to the extent that my friend from Illinois [Mr. Graham] suggests, in a rather florid flight of fancy, they will even establish, if it be necessary, lines of airships to bring that wealth out. [Laughter and applause.]

There is no obstacle in the way of business success that makes the American business man hesitate. All that he wants to know, all that he requires to know, in order to invest his energy and capital is that there is a reasonable prospect of a return.

My friend from Illinois [Mr. Graham] says that the copper mines in Alaska—the Bonanza mine, I believe, he specifically referred to—has not been doing very well because the coal is "tied up." I use his precise phrase in that instance: "The coal is tied up." Now, my answer to that sort of argument is that if the tying up of the coal has prevented the development of other mining operations in Alaska, then untie the coal, Untie it according to the plan indicated by the gentleman from Oklahoma [Mr. Ferris] the other day-make a reasonable leas-

Having had a little experience—mostly disastrous—in mining, I was tremendously impressed with what the gentleman from Illinois [Mr. Graham] said about the great wealth, the almost unparalleled mineral wealth, of those mountains, and I felt for a moment, while I was under the influence of his eloquence, a stir of the old fever which more than once in my life has taken me away from home and comfortable surroundings and carried me to the atmosphere of mining camps, where I have undergone personal discomfort and had associations which. to say the least of them, were not altogether attractive. I felt for a moment, I say, the old fever return, and I wondered if I could wait until that beautiful, balmy springtime to which he looks forward so hopefully in Alaska shall have unlocked the avenues of communication so that I may get up into Alaska.

But I want to say to my friend that copper mines yielding 30 and 40 per cent copper to the ton are very infrequent occurrences on this globe of ours. In the course of my life I have seen bits of gold which ran \$50,000, \$75,000, \$100,000, and \$200,000 to the ton, and occasionally they have been made very remunerative, but the circumstances under which they became remunerative were developed when the sharper who had the bit of gold ore running so high in value came in contact with a sucker from the East who was easily taken in by such enterprises. [Applause.] The yield of a gold mine and the yield of a copper mine, permit me to say, is not indicated by these pieces of ore of exceptional value, or by copper returns of 30 or 40 per cent to the ton; and if the gentleman is investing money in copper with the expectation that he is going to get 600 or 800 pounds of merchantable copper from a ton of ore, I am afraid he is heading for a disappointment.

Mr. GRAHAM of Illinois. I want to get into the RECORD the statement that there is not a bit of danger of that.

Mr. SLAYDEN. The gentleman made another statement which I found of unusual interest. I hope I can quote the gen-tleman correctly. He said that Morgan and Guggenheim, or "Morganheim," as the combination had sometimes been called, had offered or suggested that they would build roads and open Alaska if given a "free hand"—now I know I am right in quoting those words "free hand" in the exploitation of that

Mr. GRAHAM of Illinois. May I correct my friend?

Mr. SLAYDEN. Yes.

Mr. GRAHAM of Illinois. I did not say, or at least certainly did not intend to say, that they had offered or suggested.

Mr. SLAYDEN. I think when the gentleman looks at the stenographic report of his speech he will find that he said that, Mr. GRAHAM of Illinois. I believe they would be willing

Mr. SLAYDEN. I made my note at the time, and I understood the gentleman to say that if they were given a "free hand" in the exploitation of the country they would build the railroads that were needed in Alaska. I would like to have the gentleman tell us when Morgan or Guggenheim, or the amalgam "Morganheim," ever had the audacity to say to the people of this country that they would develop Alaska if they were given a "free hand" to exploit the common property for their per-

Mr. GRAHAM of Illinois. May I tell the gentleman where he can find much information on the subject?

Mr. SLAYDEN. Oh, I can find lots of information in all directions, but I am asking about this specific information.

Mr. GRAHAM of Illinois. It is all sworn testimony, some of it by the agents of that concern, in the Ballinger inquiry of 1911. These facts were brought out there.

Mr. SLAYDEN. Is the gentleman certain that that is not some of the unconscious exaggeration of statement that has characterized the debate, as he says?

Mr. GRAHAM of Illinois. I can not speak for the witnesses.

will have time to get in a few paragraphs; but before undertaking that I want to answer a question propounded by my friend from Virginia [Mr. SAUNDERS] as to tonnage for this proposed railroad. When the gentleman was having that rather interesting controversy with the gentleman from Alaska [Mr. WICKERSHAM] and one or two other gentlemen as to the possible tonnage, I believe it was the gentleman from Oregon [Mr. LAFFERTY] who suggested that there might be a tonnage available in hauling in the supplies for these prospectors and The other day I was shown a private letter from a miners. citizen of Seattle, which is the particular place to benefit by this wasteful expenditure of the public money. I was told that the gentleman who wrote it had spent seven years in Alaska; that he was a man of high character, a capable business man, qualified to observe, sufficiently well equipped in a mental way to draw a fair, proper, and reasonable conclusion from the facts which he had observed, and here is what he said. I commend this to the attention of my friend from Virginia.

Mr. BRYAN. Will it be possible to give the name of that

gentleman?

Mr. SLAYDEN. I can not, because I got it in a private letter; but I have another letter, and I will give the gentleman the name of the author of that other letter. I can not give the name of the writer of the first one, because it was a private communication and I was not authorized to make it public.

Mr. BRYAN. I understand.

Mr. SLAYDEN. If the writer is willing, I shall be glad to He says:

I would suggest that if you are interested in seeing the bill go through, you might point out the possibility of a vast industry that could be created. If the railroad system was broad enough, and horse manure in quantities could be secured, the railroad could spread it all over Alaska about 2 feet thick, which would provide an unlimited inland haul, and then a gigantic mushroom factory could be started and a back haul provided.

[Laughter.]

The fact that there is not a world's market for over 50 per cent of this product need not be pointed out and ought not to cut any figure in an enterprise like this. I can not conceive of anything else that could be grown commercially unless it be lettuce, which would have all of the characteristics of a Virginia creeper. You might put a value on Alaska, and you might possibly induce buyers there, but outside of the fish and the mineral possibilities, practically along the coast only, I would not give 25 cents for the whole damn Territory.

[Laughter.]

Mr. TAGGART. Will the gentleman permit a question?

Mr. SLAYDEN. Yes.

Mr. TAGGART. Is the writer of that letter from Seattle?

Mr. SLAYDEN. Yes.

Mr. TAGGART. The gentleman does not wish to give his name?

Mr. SLAYDEN. No.
Mr. TAGGART. Is not the gentleman entitled to a Carnegie medal for saving the life of the writer of that letter? [Laugh-

Mr. SLAYDEN. I will read you the other letter that I got yesterday morning addressed to me. From that letter I will

now quote:

Everybody out here is jubilant over the Senate having passed the Alaska rallroad bill. Also they are against Government ownership, and condemn Mr. Bryan for his famous Madison Square Garden speech and scoff at the principles he then advocated. No one I have spoken to attempts to reconcile the two positions except to vaguely say "this is different." As a matter of fact, unless one is in favor of Government ownership, he must consider the Alaska bill as a step in the wrong direction. However, like the others, I am selfishly glad of its fine prospect of becoming a law.

There you are, Mr. Chairman. The interest of Seattle in it is explained. The taxpayers of Texas and New York—of the whole country, in fact-foot the bill and Seattle and a few miners get the benefits.

Please note the inconsistency. They were pleased at the passage of the Senate bill, but they are all against Govern-

ment ownership.

Mr. BRYAN. The gentleman is going to give the name of the writer of that letter?

Mr. SLAYDEN. I do not mind giving the gentleman that I have known the writer from boyhood. In fact, he is a first cousin of mine and I vouch for him. If my vouching will do any good, his reputation is established.

Mr. BRYAN. That being the case, would the gentleman-

Mr. SLAYDEN. I have only about four minutes left and I want to lay a predicate for the publication of my real speech.

Mr. Chairman, the peculiar political position in all this matter makes a special appeal to me. If I understand the writings and doctrines of Thomas Jefferson, he held that governments should confine their activities to the preservation of law and order, and should not interfere with the habits or innocent actions of citizens, but should leave them free to regulate their own pursuits. I might elaborate on that with many quotations

from the writings of the first great Democratic President, but I am afraid, Mr. Chairman, that it will no longer make an appeal, and therefore I shall forbear quoting from the discarded prophet. Samuel J. Tilden, one of the greatest modern, and I begin to fear the last disciple of Thomas Jefferson, said-and I do not pretend to quote his language precisely, but substantially—that the cardinal animating and economic principle of the Democratic Party is that no work shall be done, no func-tion performed by the State that can be as well or better done by the individual, and that the Federal Government should engage in no enterprise that can be as well or better done by the State or individual.

Mr. LEWIS of Maryland. Will the gentleman yield?
Mr. SLAYDEN. If the gentleman will be very quick about it. I have only a little time left.
Mr. LEWIS of Maryland. I want to suggest whether he does not find in the writings of Thomas Jefferson that he was in favor of the while building roads and carrels? favor of the public building roads and canals?

Mr. SLAYDEN. I think he did. I am not questioning the right of the United States to build things, I am questioning the wisdom of the policy, because I fear it is socialism, and I am a Democrat, not a Socialist.

Mr. LEWIS of Maryland. But he was in favor of building

roads and canals.

Mr. SLAYDEN. That was 100 years ago.

Mr. WICKERSHAM. Will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. WICKERSHAM. Is it not true that the Military Committee, of which the gentleman is an honored member, have expended \$2,000,000 in building wagon roads in Alaska with his approval?

Mr. SLAYDEN. Mr. Chairman, I will have to publish my speech, as I see that I am not going to get an opportunity to read any of it.

Mr. WICKERSHAM. The gentleman can answer that question by yes or no.

Mr. SLAYDEN. I will answer it as I please in my time. The Committee on Military Affairs has recommended the construction and, under the appropriations which it suggested in this House, has built a good many miles of trails and roads in Alaska. Just what they have cost I do not know. ought to do it. It was a military matter, a military necessity, and no one questions the right of the Government to do that. But I will say to the gentleman that honest, capable men, as familiar with the conditions in Alaska as he or anyone is, not influenced by the hope of political or personal gain, say that it is immeasurably better for the people in Alaska, immeasurably better for the future development of that country, that trails should be built through Alaska in order that the people may get in and out, and that they are needed infinitely more than are railroads. [Applause.]

Never in the history of business in this country has capital lacked enterprise or the disposition to engage itself, where there appeared any hope or reasonable expectation of even a moderate return for the risk assumed. On the contrary, it has sometimes been charged against our business men that they lacked the conservatism of their fellows in Europe; that, in fact, they had a little too much of the gambler's spirit. If they have refused to prosecute business enterprises in Alaska, it may be accepted as a fact that conditions there are not promising. It may also be accepted as a fact that where men of business can not see a profit in commercial enterprises only disaster can follow the efforts of Government in that particular field.

The business organizations of the Government are never conducted with the same careful scrutiny of the expense account; their wage scales are always higher, except in the more impor-tant technical and scientific places, hours shorter, and the control less exacting. In fact—and this is notorious—the Government can not compete in skill and economy in business organization or business management with individuals or private corporations. It is an axiom that whatever the Government does, unless executed without regard to cost, is less well and more expensively done than when conducted by individuals or private corporations.

In the building of railways there is the widest possible opportunity for waste and extravagance, and such opportunities are rarely, if ever, overlooked by the agents of Government.

Conditions in Alaska are such as to make it certain that the maximum of cost in every enterprise will be reached. Half of each year must be spent in comparative idleness. The climate compels it, for an act of Congress can not repeal the laws of nature. The thermometer usually goes down so far below zero that work can not be done from November to April.

We are advised that the minimum pay of the most ordinary labor is \$3 a day, and even at that price the laborer's life is not

attractive and his savings can not possibly put him on the list of income-tax pavers

I can not think of any country where the conditions are so certain to entail the maximum cost of any undertaking.

As a business investment of the taxpayers' money the construction of a railway in Alaska appeals to me as the extreme of folly. If it were not so, private capital would long ago have found a way to unlock the supposed treasures of that country.

It is contended, Mr. Chairman, that this appropriation is necessary to open Alaska to the people of the United States and to develop the country. Alaska is a very large part of the earth's surface, and if it is intended to develop it by building railways to the various sections of that country which will be asked for by the few and widely scattered settlers, the American people will be in for an expenditure which will make the Panama Canal, to this time our largest investment, look like a trifle from a bargain counter. Thirty-five million dollars will not do it, nor three hundred and fifty million dollars. For years we will be sending good money after bad, and will finally wake up to the fact that we have wasted half a billion dollars from the people's contributions to the Government.

Mr. Chairman, it is well to consider the advice of the people who know about conditions in Alaska and who have no interest whatever in coal mines, gold mines, or the mythical meadows that have been dangled before our eyes for a month or more.

The Board of Road Commissioners for Alaska, created by an act of Congress approved January 27, 1905, which consists of Army officers, whose only interest in Alaska is to do the work assigned them and submit the facts to Congress, in the report for 1913 say:

report for 1913 say:

Our board specifically disavows any intent to set forth views in opposition or discouragement to railroad construction in the Territory under proper limitations, but after several years of careful observation and study of the land-transportation conditions and of the natural inducements to development and to settlement which exist, is convinced that no rapid or general development will follow the construction of trunk lines of railroad to the interior unless preceded or accompanied by the construction of numerous wagon roads and trails as feeders, and even then the development will be slow.

In making this statement our board may incur the suspicion of wishing to give undue importance to its own work, but the railroad commission itself recognized this fact, and no one acquainted with the true situation can fail to do likewise.

Unlike the great West in another respect, Alaska has a wonderful system of waterways, both coastal and interior, and while the interior system is open only about five months of the year, during this open period supplies can be distributed to almost every part of the Territory by means of its various ramifications.

There are about 475 miles of railways already constructed

There are about 475 miles of railways already constructed in Alaska, of which only 356 miles are now being operated for the carriage of freight and passengers. And these, I am told, are not overprosperous. Surely the other mileage was not constructed without the belief that tonnage would be offered in quantities to justify the cost of construction. Somebody was Some capitalists spent money to build railways to make more money and the investment has not been a good one, and I suspect that some of them want to unload on the people. Now, if business men, alert to make dividends and much more capable in the discernment of these opportunities than any mere salaried agent of the Government will ever be, make such mistakes, who can believe that this will be a profitable enterprise for the taxpayers? Who can think that Congress will make money where keen, practical business men have failed?

The total value of Alaskan production from 1868 to 1911, as sublished, is \$429,523,630, of which the coastal region gave \$337,386,352, or more than 75 per cent. Fifty per cent of this great wealth came from the fisheries, which, of course, are on the seacoast, where railways are not really needed and would be of little value if built. Outside of the gold production, which has been and can be handled without a railway, the yield from the interior of Alaska is negligible and certainly does not justify this revolutionary move and enormous outlay.

Much stress has been laid on the coal deposits of Alaska, which are, no doubt, of very great potential value and ultimately will become an active asset of the American people. It has been claimed that the coal is needed for the Navy. But the tests made at the engineering experiment station, Annapolis, Md., show that it is unsuited for naval purposes. The Assistant Secretary of the Navy so stated in his letter to Mr. DAVENPORT, written December 27 last.

But, Mr. Chairman, the great and at this time the only desirable fuel for the Navy is oil. The nature of this admittedly superior fuel is having an influence on naval construction. It is driving Governments to the purchase of oil fields and has even provoked international correspondence and ill feeling. country which occupies a position of advantage with reference to the supply of fuel oil is envied by other Governments not so fortunate. Our country is blessed in that respect. In California, Texas, Louisiana, Oklahoma, and other States we have ex-

tensive oil fields, the product of which can be purchased or, if need be, condemned by the Federal Government

The cry that we need Alaskan coal for the Navy is ill timed or insincere. Experiments by scientific officers of the Government have demonstrated its inefficiency. In the letter from the Assistant Secretary of the Navy to Mr. Davenport, of Oklahoma, the statement is plainly made that it is unsuitable for the purposes of the Navy. It is less valuable for steaming by 25 per cent than the West Virginia coal. So that argument

A STEP TOWARD SOCIALISM.

But, Mr. Chairman, I am opposed to all forms of socialism. I believe in the greatest possible liberty of action for the individual and the narrowest possible field of activity for the Government.

When government provides equal opportunities under the law for all citizens and punishes transgressions on the rights of person and property of any citizen by another it has, in my humble democratic judgment, done all, or substantially all, it should do. That may be old-fashioned, but it is my faith, and I shall stand by it. I can not do otherwise and be true to the principles and traditions of my party or retain my self-respect.

This is the beginning on a large scale of Government ownership of railways. The situation at Panama is exceptional. That railway was bought and has been maintained as an adjunct of the canal work-a mere tool used in construction. If it is not necessary to keep it as a part of the machinery of the canal, I hope it will be sold and that the Federal Government will go entirely out of the railway business as quickly as possible.

I think it would be a serious blunder for this Government to go into the transportation business. It would mean an ultimate extension of the roll of public servants to such a degree that they would make a resistless body of compact, organized officials, with an unsatisfied and unsatisfiable appetite for larger pay, shorter hours, and pensions. If, as happened in France, they went on a strike, we would be confronted with rebellion as much more serious than the French situation as our railway mileage exceeds that of France. The French Government settled the strike by calling all reserves to the colors, and the habit of soldlering, persevered in for generations, caused the strikers to rally to the support of government. Could we handle such a situation in that way? I do not believe we could.

Our railway corporations complain now that on account of increased wages and the high cost of material they can not earn enough to pay dividends to the owners of the property. Shippers protest against an increase of rates which the roads say they must have to keep out of the bankruptcy court. If private corporations can not earn on the basis of existing rates, it is absolutely certain that the Government could not, and that year by year the deficit would be made up out of the Federal Treasury.

I have traveled on a good many government-owned roads, and on none of them have I seen a service equal to that we have in this country. The equipment of the trains in this country is superior and the speed greater, and, quality of service considered, our ordinary passenger fare is less, as a rule, than the second-class rates on the Continent of Europe.

I think, Mr. Chairman, that the reports of departmental experts show most conclusively that the talk of the development agriculture in Alaska is preposterous. I will submit and print in the RECORD a few citations from these reports, as well as an excerpt or two from the Senate hearings.

On pages 548, 550, 552, and 556 Prof. Charles V. Piper says:

On pages 548, 550, 552, and 556 Prof. Charles V. Piper says:

So far as rallways into the interior are concerned, any great amount of agricultural freight in the future would have in the main to come from and on account of possible grain production—that is, the production of other things like dairy products, or even meats—would not yield any very great amount of freight.

The most interesting experiment stations, so far as this problem is concerned in Alaska, are those at Rampart, which has been conducted since about 1900; Fairbanks, where the experiment station has been in existence since 1907, I believe; and Copper Center, on the Copper River, where an experiment station was conducted from 1902 to 1906. At the first two of these interior stations—Rampart and Fairbanks—spring-sown oats and spring-sown barley have yielded good crops practically every year they have been tested. Fail-sown rye and fail-sown wheat mature, but there is usually considerable winter killing, especially in the wheat, due to too thin snow protection from the severe cold. At both of these stations a large amount of time has been spent in the endeavor to breed up hardier varieties of all these grains better suited to the conditions in Alaska. There can be little doubt that varieties of these cereals will be developed better adapted to the region than any we now possess. However, among the numerous varieties tested, a good many varieties of oats and barley have succeeded, as I have stated. The ryes have done very well, and some fall-sown wheats have given very good results. Spring-sown wheats, I think, in no case have matured. At Copper Center the results have not been as favorable. During the six years that the station was conducted spring-sown grains—that is, oats and barley—matured perfectly only one season.

Crops that mature perfectly in only one season out of six will neither reduce the cost of living nor make the farmers

This extract from the testimony of Mr. MacKenzle and Prof. Piper is illuminating as to conditions in Alaska. Particular attention is invited to the statement of the latter that the pioneer is "attracted to public land that he can homestead, even if it cost \$200 an acre to clear." Better land, in a good climate, on railways, and near markets are not so attractive to him as the appearance of getting public lands at a song, or for nothing.

on railways, and near markets are not so attractive to him as the appearance of getting public lands at a song, or for nothing.

Senator Jones. What is your estimate, Judge, of the cost of clearing land at Fairbanks?

Mr. Wickersham. It does not cost much. Do you know, Mr. Joslin, what they figure on down there?

Mr. Joslin. The report of the farmer for the experiment station for 1911 showed \$200 an acre.

Mr. Wickersham. That was up there in that heavy timber?

Mr. Joslin. Yes; up in that heavy timber.

Prof. Piper. That was also about the cost at Kenai on lands covered with light timber.

Mr. Ballaine. That is heavy timber—very heavy timber at Kenai. Prof. Piper. I would not call it very heavy.

Mr. MacKerzie. I have had a little experience in clearing land up in the listerior of Alaska, and if you can get a burn on the ground and kill those trees, the roots will lie on top of the frost, and in two or three years you can go along there and almost kick them out. It is very easy. Of course, if you do it in one season, it is a very expensive system.

Prof. Piper. At any rate, whether you put it at \$100 an acre or \$50 an acre, you can still get good farm lands in the United States at \$50 an acre. However, I would not give too much weight to that, because the pioneer is attracted to public land that he can homestead even if it cost \$200 an acre to clear. The \$200 an acre for clearing it is based, I suppose, on wages to the ordinary laboring man of \$5 and \$6 a day, and if a farmer clears the land himself he saves that \$5 or \$6 a day. So that it is really the high cost of labor that makes the apparent high cost of clearing that land.

Mr. Chubbuck, on the basis of his reconnoissance in Alaska, has given expression to conservative views regarding the future possibilities of grain raising in the interior of Alaska very much, I think, like the ideas I have presented.

Senator Walsh. Who is Mr. Chubbuck?

Prof. Piper. Mr. Chubbuck is a member of the Bureau of Plant Industry, and spent the years 1909 and 1910 making an a

In another part of his testimony Prof. Piper said that if the railway were built plenty of "literature of the boom type" would be published to lure the hopeful and ignorant from better conditions at home to the hardships and disappointments of

I will quote his testimony as given in the Senate hearings:

I will quote his testimony as given in the Senate hearings:

Prof Piper. I may state briefly, in conclusion, that my own viewpoint, and I think that is the viewpoint Prof. Chubbuck has taken—and I am sure it is the one Prof. Georgeson takes in all his reports—is conservative as to the future agricultural development of the interior of Alaska. I have no doubt that with the building of the rall-ways there will be plenty of literature of the boom type published, but I think it would be something of a calamity to induce any large number of homesteaders to go there to morrow with the idea that it could be developed rapidly like much of our prairie country was in the West. In the development of a new agricultural region usually the first development is live stock and the second is grain raising—usually wheat raising. Now, in the development of the live-stock industry in Alaska somewhat different methods will have to be used to those which farmers have been familiar with in the States, and in a way they will have to feel their way along toward the most profitable methods.

In the matter of extensive grain culture, while that may be possible, I feel that the farmer himself will have many problems to solve before the ordinary man can be advised to go into grain farming. That is, in other words, I would fear that the greatest danger to the proper development of the Interior of Alaska would be of holding out to roseate hopes of what can be done in the way of its agricultural development.

Here is what Mr. Boyce, of Chicago, I believe a newspaper publisher, has to say about agriculture in Alaska:

FARMING IN ALASKA.

TILLING THE SOIL OVER PROST.

"Gold is where it is found," is an old and true saying. Finding it does not, however, depend on climate, soil, elevation, or favorable natural conditions. This is not true of farming. Agricultural products require congenial surroundings, although through the development of seed and intelligent handling of soil and crop we are now growing grains, fruits, and vegetables in many parts of the world heretofore unthought of. Man can not eat gold, timber, or coal. He must have foodstuff, plenty of it, and cheap.

Before I went to Alaska I knew about the gold and fishing and furs and shooting, but was ignorant as to the agricultural possibilities and products. After covering thousands of miles and seeing nearly every developed spot where anything that grows to eat is at its best, I am satisfied that it is a poor country for a farmer, and always will be. Should you succeed in getting a small patch cleared up at a place where there was a "loom on" you could get fancy prices for one or two years until the boom was over. Except for the long summers and nightless days in Alaska, it would be impossible to grow anything. No warmth comes from the soil or beneath the surface. As far down as a shaft has ever been sunk, over 2,000 feet, you find ice. This ice was not made by freezing from the top down. For millions of years the country has been built up from the bottom, ice on ice that never thawed out in the summer. The moss that grows nearly everywhere is a complete protection from the sun, and when you sink a pick through it you think you have

struck rock. Clear off this moss, other vegetation, or scrub timber, and you have the frozen earth. The sun will draw out the ice and frost about 1 foot the first year. Break this up and the next year it thaws out deeper, until after a number of years the frost, on account of the long days, will disappear by June 1 down 2 or 3 feet.

Where alfalfa has been tried it turns yellow as soon as the roots strike the ice. Of course, with the frost always coming out of the ground you can raise crops where you have only a few inches of rainfall in the summer. Interior and northwest Alaska is very dry in the summer. Only where the Japan current comes close to the southeast coast and the islands do you have much rain.

In Norway, Sweden, Finland, and Russlan Siberia farming has been fairly successful in a latitude as far north as most of Alaska, and this has given hope to the wish that we might make an agricultural country out of our far-north possession. For many centuries these countries have been thickly settled, and labor has been very cheap. An acre could be cleared for little cost, but that is not the case in Alaska, where common labor, employed only for a few months in the year, receives from \$3 to \$6 per day of eight hours. It costs from \$125 to \$150 to prepare an acre for the plow. You have invested the total cost per acre of first-class farm land near a good market in an old country before you begin raising anything to sell in this dayless-night and nightless-day region.

What Mr. Boyce has to say about the impossibility of serving the 32,000 people in Alaska, except at a cost so staggering that all prudent men revolt at the suggestion, is marked by such common sense and frankness that I will also quote it:

ALASKA'S RAILROADS.

ALASKA'S RAILEOADS.

PRESENT AND FUTURE POLICIES.

Alaska, like all new countries, has her share of boomers and failures. The failures and Government employees all want the Government to spend a lot of money in Alaska building railroads, wagon roads, bridges, and winter trails, and in dredging harbors, etc. In fact, I heard it suggested that if Canada would permit, it would be a good scheme to pump the Japan Current into the source of the Yukon River, and from thence let it flow west down that stream, making a perpetual warm country out of the Valley of the Yukon.

This, of course, was objected to by the Alaskans living on the Pacific waters, as it would favor the Yukon valley and Bering Sea, and leave their part of the country frozen 8 months out of the 12. So you see how impossible it is to please or serve more than 3,000 or 4,000 people in Alaska at less than a cost of several billion dollars without disappointing the other 28,000.

Serlously speaking, the 32,000 white people in Alaska are scattered over a territory one-fifth the size of the United States. The winters except for a small strip of country along the southeast coast—affected by the warm Japan Current—extend over eight months of the year. Nevertheless, Alaska is a wonderful country in many ways, and I have never met with a braver, stronger lot of men—two-thirds of the population are men—any place in the world. They come from everywhere, but especially from the Pacific coast and gold-producing States; some from Australia, Canada, and the cold countries of Europe.

Keep in mind all the time, however, that it is over 1,500 miles from Ketchikan, the southeast corner of Alaska, to Cape Prince of Wales, on Bering Strait, northwest of Nome. And, again, it is over 1,500 miles from Unalaska and Dutch Harbor, in the southwest corner of Wales, on Bering Strait, northwest of Nome. And, again, it is over 1,500 miles from Unalaska is not equal to a country 1,500 miles square, it is just as difficult to serve from a transportation standpoint, and nearly all of

As an alternative, the suggestion of Mr. Boyce that it will be cheaper to pension all the people of Alaska at the rate of \$1,500 a year offers the less expensive way of meeting the demands of these hungry folks, and if they had that income out of the Common Treasury they could live in Seattle and spend it there and perhaps also satisfy that city, which appears to be behind this absurd measure.

Mr. Chairman, reasons might be multiplied indefinitely to show why this bill should not pass, but they have been so fully and ably set out by the two gentlemen from Oklahoma

and others that I will not consume any more time.

Mr. SIMS. Mr. Chairman, I want to address myself especially to the argument made against this bill based upon the idea that it commits the Government as a general proposition to the public ownership of railroads wherever located, railroads already in existence and operation, like the Pennsylvania, the Baltimore & Ohio, and like railroads. I do not accept any such proposition. My genial friend from North Carolina [Mr. Small], in answer to a direct inquiry, said that he did regard the passage of this bill as committing the Government to the policy of general railroad ownership. I do not think so, and I want to show you why I do not think it does. We have done many such things in the past.

What is transportation? It is moving persons or property from one point to another. Is not that true? It is moving persons and property from one State to another or from one nation to another. Every highway in the country, every dirt road, is a transportation facility; it is a means of transporta-

tion of persons and property.

Now, we have private dirt roads operated and owned by gentlemen on their farms, but all common highways are owned by the community, by the State, or by the country; they perform a public function; they are public facilities and owned by the people. Does that commit anybody irrevocably to the policy that the Government should own every other means of transportation of persons and property?

Why, it will not do to claim that the owning of a special means of transportation for a special purpose will have such relation to the general proposition as to commit us to Govern-

ment ownership of railroads in general.

The Government owns this District. It owns this Capitol. When this Capitol was built elevators had not come into use, so stair steps were built all around and in it. Afterwards elevators came into use. An elevator is a means of transportation of persons from one portion of a building to another; it is a facility of transportation. The Government owned this building, and was it committed to the transportation of persons and property in general because it built an elevator in its own building? The Washington Monument was built by the Government, and is 555 feet high, with circular stair steps for ascen-When elevators came into use the Government, owning the Monument and the grounds upon which it stood, built an elevator for passengers to go up and down in the Monument, thereby performing the service of transportation in the Monu-

Mr. HARDY. Will the gentleman yield?

Mr. SIMS. Yes.
Mr. HARDY. I want to say to the gentleman that our State gave 16 sections, 12,000 acres, to get other people to build the roads, and in that way escaped Government ownership. Would the gentleman prefer that process to owning the road after they

have given that amount to build it?

Mr. SIMS. That is for the gentleman from Texas to state after they lost the land. I am not discussing the merits of public ownership. I am only trying to point out that the passage of this bill does not commit anyone to the policy of the Government owning railroads, any more than did the building of an elevator in the Capitol Building or putting one into the Washington Monument.

A few years ago I introduced a bill, which I think was reported to the House and passed the House, to build a spur track from the Pennsylvania Railroad to the navy yard. lovable friend from Pennsylvania [Mr. Moore] opposed it bitterly upon the idea that it committed the Government to the policy of Government ownership of railroads. It was to be about 1,000 feet in length, and to be built as a special plant facility. The Government owned the navy yard, and it seemed to me that it might own a track to connect with the Pennsylvania Railroad, and that any other road should have the right to build a connection with the track and use it on the same

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Yes.

Mr. MOORE. Is it not a fact that in that matter it was stated it would not pay the Pennsylvania Co. to build that spur, and it was a very expensive operation for the Government?

Mr. SIMS. Oh, it is not the question of what the Pennsylvania Railroad had to say about it. What I am talking about is the fact of the gentleman having made a serious argument that to do such a thing committed the United States Government to the policy of the ownership of all railroads.

Mr. MOORE. Yes; I did make that argument. Mr. SIMS. Yes; which was about of the force of the argument in this case in opposition to this bill, based on the same objection, according to my honest opinion. What is Alaska? It is a Government-owned piece of land. I do not care whether it is good farming land or not. The question is, Are all of its resources, agricultural, mineral, and everything else combined, worth developing? Will Alaska, with a railroad be worth the price of the railroad more than it is now? If so, where is the principle that denies us not only the power but the wisdom of the policy of building an elevator, as it were, into Alaska? I am leaving all questions as to the productions and resources of Alaska and what it will be worth to the United States to the committee that have investigated it. My two good friends, Mr. FERRIS and Mr. DAVENPORT, have each made speeches here. I did not hear all of the speech of Mr. DAVENPORT, but I did hear all of his colleague's [Mr. FERRIS], and I never heard a better or abler speech in this House on any subject. [Applause.] I give to him and all others the right to exercise their own judgment as they may see fit, without any thought of impugning anyone's motives; but my theory is that here is a piece of land and it is not worth to the people of this country, who own it, as much without a railroad as it will be with a railroad, and that Philippine Government.

by the Government owning the railroad it can prevent the evils of private monopolistic ownership of the resources of Alaska that may grow out of private ownership. I do not care whether the road, as an investment, pays or not. I do not care whether, regarding it as an independent enterprise, the freight and passenger traffic maintains it; but if opening up the whole of Alaska, being Government-owned property, is benefited to the extent of the value of the railroad and its maintenance, then it is good business to do it, is it not? We afford by this railroad the means of developing whatever is there, and if there is not anything worth developing let us sell the Territory as quickly as we can. If we are going to develop it, let us treat it like a private individual would treat his own private property-make the best of it, and furnish the facilities necessary to make the best of it. Would a man having a forest at the back of his farm, with a swamp in front of it, stand back and refuse to build a road to his timber that could not otherwise be developed?

The timber is worth nothing as it stands, but it would be worth a great deal with the road constructed, although the road itself might be merely an expense. My friends ought to remember for a moment that there is nothing new in the ownership of a mere plant facility, and that is all this railroad will be. Alaska is a great Territory. This is a mere branch line connecting the interior of Alaska with the ocean, like the line from the navy yard up to the Pennsylvania Railroad. It is a mere connecting link that private enterprise will not build without all of the benefits that accrue to private enterprise. We have a Government-owned railroad at Panama, and have had it for a number of years. It has not only been operated to perform service for the Government, but it is performing service for the public. It has carried freight, many millions of dollars worth, across the Isthmus for others than the Government. That railroad has been rebuilt, every mile of it, at an enormous expense, and why? We have just dug at the expense of approximately \$400,000,000, a canal, another transportation facility, and one in which the benefits of transportation will accrue more to the world at large than to the United States. Why have we relocated and constructed a new railroad at an immense cost right along by the side of that canal? Is it to compete with the canal, the Government owning both? Not at all. land transportation facility, built right alongside of a water transportation facility as an aid to the water transportation facility, a mere equipment for maintenance purposes, and to be used in case of accident to the canal.

Mr. BRYAN. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Yes.

Mr. BRYAN. And then there is the further fact that we own three or four large ships that sail the ocean in connection with

this same proposition.

Mr. SIMS. That is true; but that is a temporary ownership, as I understand, while the railroad is permament. The point I am making is not the Government ownership of the railroad at Panama for general transportation purposes, but as a mere facility to enable the Government to operate its waterway. That does not commit the Government to the public ownership of railroads any more than if there was no railroad there.

What have we done in the Philippines? I tried to see some member of the Committee on Insular Affairs to ascertain whether or not my information was correct, but was unable to do so; but I am advised that because of the difficulty of constructing railroads in the Philippines, necessary for their development, the Government of the Philippines and the Government of the United States guaranteed the bonds of the railroad.

Mr. MOORE. Mr. Chairman, the facts are that the bonds were authorized by the United States Congress, but they were issued by the Philippine Government, which is responsible for the payment of the interest only, and there is a deficiency in the operation now.

Mr. SIMS. But the United States Government is responsible? Mr. MOORE. Not directly responsible; only moraly. Mr. COX. We guaranteed the interest.

Mr. MOORE. No; I beg the gentleman's pardon. The Philippine Government is responsible for the interest.

Mr. SIMS. Does the Philippine Government own the railroad?

Mr. MOORE. No; Congress authorized the Philippine Government to authorize contracts for the construction of railroads. The railroads have been built under contract, and the contractors or the railroads have undertaken to operate and pay the interest on the bonds.

Mr. SIMS. Are the railroads owned by private corporations? Mr. MOORE. They are owned by corporations and the bonds are guaranteed to the extent of the payment of interest by the

Mr. SIMS. And the Government of the United States as to all of them?

Mr. MOORE. The Government of the United States is not responsible, except morally.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentle-

man yield? The gentleman is a member of the Com-Mr. SIMS. Yes. mittee on Insular Affairs.

Mr. GARRETT of Tennessee. Mr. Chairman, the situation with reference to the Philippine railroad is this: Congress passed an act authorizing the Philippine Government to enter into contracts for the construction of railways and to guarantee-that is, the Philippine Government-4 per cent on the

railroad bonds. Mr. SIMS. Is the Government of the United States respon-

sible for those bonds?

Mr. GARRETT of Tennessee. The Government of the United States is not responsible for those bonds. I would not concede that under any circumstances.

Mr. SIMS. But the Philippine Government is? That is what

wanted to know.

Mr. GARRETT of Tennessee. The Philippine Government is responsible.

For both bonds and interest?

Mr. GARRETT of Tennessee. Four per cent for 30 years. Mr. SIMS. I was not sure that I had the facts; but if the Philippine Government had not done what it did and the United States Government had not done what it did there would have been no railroads built in the Philippines. I am only trying to point out that we should not fail to develop a territory we own because some men, forsooth, may say that it binds us or commits us to the policy of general Government ownership of railroads.

So far as my section of our country is concerned, and that is all I know much about, the majority of our people are opposed to the Government ownership of railroads. They have always been and they are still opposed to it, so far as I am informed.

Now, the mere favoring of these things, the mere advocacy

of Government ownership as a matter of theory and academic policy, will never bring it, and the passage of a thousand bills like this will not bring it, and the defeat of a thousand like this will not prevent it.

Will the gentleman yield right there? Mr. FERRIS.

Mr. SIMS. Yes.

Mr. FERRIS. Now, if we build this railroad along the lines of this bill and issue the bonds and make the appropriation in Alaska, what will you be heard to say when 300,000 Indians come, as wards of the Government, and state that their lands are underlain with coal and that a railroad will develop their resources? I ask you if this is not setting a precedent that will make it extremely hard for you or anybody else to turn them

Mr. SIMS. I believe the gentleman is a member of the Com-

mittee on Indian Affairs?

Mr. FERRIS. Not now, but I have been.

Mr. SIMS. I thought you were. I am sorry for the committee if you are not. When it comes from the committee with a favorable report, with information from the Committee on Indian Affairs, I will act with reference to the merits of that single proposition without reference to the policy of the country upon any other measure that may follow it just as I am acting on this bill.

Defeat this bill and you will keep Alaska where it has been for many years. My friend from Tennessee [Mr. McKellar] has a bill to cut down the period of cold storage of food products. Alaska's products have been in cold storage for thousands of years. Is it not time to open up and let the people of the

Mr. DAVENPORT. I want to suggest to the gentleman that Alaska's products have been in cold storage since the beginning

Mr. SIMS. This bill provides facilities for making accessible hundreds of millions of dollars in value of products which have existed since the beginning of time.

Mr. MANN. I think they have been there long enough.

Mr. SIMS. So do I think.

Now, my friend from Texas [Mr. Slayden] who has just taken his seat talked about overadvertising. I went to Texas once and stopped in his good town. I had read the advertisements of southwest Texas, and I went all the way from Tennessee to San Antonio to see for myself. And I want to say right now that, so far as I could see, it had not been overadvertised; it, in fact, had been underadvertised. It was beautiful beyond description. Birds of paradise were flitting through the air [laughter] and flowers were everywhere. It is a beautiful and glorious land.

About 5 or 6 o'clock in the afternoon I saw 15 or 20 young gentlemen and ladies passing out of the plaza on ponies at a swift gallop. Such personal liberty in the middle of a town I never saw before, and I admired those who were exercising it. The only thing I saw that had been overadvertised was the San Pedro Springs, but perhaps I am wrong even about that. They had been advertised as beautiful springs, and they were beautiful. I was hot, tired, and thirsty, and in the old-fashioned way I lay down and drew up a mouthful of water. It went back immediately. It was hot. [Laughter.] It was not boiling water, but as I expected it would be cold from the way it looked, and from the way it had been advertised, it possibly appeared much warmer than it really was.

But that part of Texas had not been overadvertised, so far

as description of its beauties was concerned.

I do not know whether Alaska has been overadvertised or

not. I am leaving all that to the committee.

As a number of gentlemen who have taken part in this debate have expressed fears that the passage of this bill will commit Congress to the policy of Government ownership of railroads in general, I think it will not be out of place to discuss for a short time some things that may result in forcing Government ownership of railroads in some form on the country, possibly before it is prepared to undertake so great and so tremendous a responsibility upon itself.

Mr. Chairman, I have always advocated the regulation of railroads and have always opposed Government ownership and operation. I have for years believed that one or the other Either the Government must fully and effectively must prevail. control the railroads, so as to give the whole country and every part of it the best possible service under private ownership, or it must own and operate them in the general public interest.

With the hope that regulation was feasible and possible, I have believed that with broad, general powers conferred upon the Interstate Commerce Commission, with the very best and ablest men that the country affords as members of that commission, that Government ownership might be rendered un-necessary. I have hoped that the owners and operators of our railroads would prefer private ownership with public regulation and supervision rather than public ownership. But I am not so hopeful of the cooperation of the railroads as I have been heretofore. It seems that it is the policy of the railroads to treat every act of Congress looking to regulation and control as a criminal statute-to be obeyed only after every legal test of the validity of the law has been resorted to through all the courts of the country. The lower Federal courts seem to construe such acts of Congress with great strictness, so as to narrow the remedial features of all such legislation, often holding acts and parts of acts invalid, and thus making it necessary to have every doubtful point as to the validity of a statute passed on by the Supreme Court of the United States before even a grudging obedience is had on the part of the common carriers.

Since the acts of 1906 and 1910 were passed, increasing the powers of the Interstate Commerce Commission, it has performed the greatest possible public service, and at this time there is no branch of the Government in which the people have greater and more implicit confidence than in the Interstate Commerce Commission. To this day that commission has never in all its years of useful service made one single order affecting the rates and practices of the railroads that has been held confiscatory by any court, high or low. But notwithstanding this record of the commission, nearly every one of its important orders is attacked in the courts by the carriers and fought to the bitter end. Mr. Chairman, if the common carriers would only cooperate with the commission and give aid and advice in the almost impossible task that the commission must perform, my hope for successful and satisfactory regulation and control of the railroads would be greatly strengthened; or if the inferior Federal courts would only give the acts of Congress a broad and liberal construction, so as to reach the end Congress evidently intended to reach in its efforts at regulation and control, that would give additional grounds for hope of success with private ownership.

Under present conditions, Mr. Chairman, it is no longer a question of how to bring about Government ownership of railroads, but the real, burning question for our present consideration is, What can we do to prevent it?

I do not believe there are a great number of our people who really desire that the Government shall assume the ownership and operation of the railroads of our country. They have been and will continue to be patient as long as there is a peg on which to hang a hope. The people are slow to anger, but when once aroused they never quit the fight until victory perches on their banner.

The owners of railroads have many real difficulties to face and overcome in which they need and will have the considerate sympathy of every fair-minded man and woman in our country, and if they will only convince the people that they will in the future so conduct their business as to give the best possible service for the lowest possible charge Government ownership can be avoided; but the people are in no temper to submit to further exploitation schemes on the part of railroad owners and operators. A mere promise to be good will not be sufficient.

Mr. Chairman, we have 48 States possessed with absolute sovereign power over the regulation and control of railroad rates and practices as to all business of a purely intrastate character, although done by an interstate carrier. So far as I have been able to look up the decisions of the courts, there can be no question as to the correctness of this statement. So Congress is without power to in any way interfere with State regulation and control of all purely intrastate business. Each of the 48 States may have differing laws and regulations as to the field in which it has jurisdiction. So one interstate railroad may do some intrastate business in 20 or more States, in each of which it must comply with the laws and regulations of these States and State commissions, regardless of the cost and expenses incurred, so long as the State law is not void under the fourteenth amendment to the Constitution of the United States.

In addition to being subject to all the valid laws and regulations of the 48 States, or so many of same as the railroad in question may enter, all railroads doing an interstate business are subject to all valid laws of Congress and all valid rules and regulations of the Interstate Commerce Commission as to all interstate business. The value of the interstate business of our railroads is many times greater than the intrastate business; but in fixing and adjusting rates and charges both sources of revenue must necessarily be considered. So, Mr. Chairman, even if the railroads cooperate with the Interstate Commerce Commission, and in all good faith attempt to live up to and abide by all valid State laws and regulations, rate making will remain a complex and difficult thing to do so as to give a fair, full, just, nondiscriminating service to all sections of the coun-

The recent case heard by the Supreme Court of the United States, commonly called the Shreveport case, involving an order of the Interstate Commerce Commission as to a discrimination alleged to have been made by interstate carriers against Shreveport, La., and in favor of Dallas and Houston, Tex., raises a very interesting question as to the conflicting powers of the Interstate Commerce Commission and the powers several States and State commissions, which, when finally decided by the Supreme Court, may have a very great effect on the exercise of the power of Congress through the Interstate Commerce Commission to successfully prevent rate discriminations by interstate carriers, as between localities, although brought about in obedience to the order of a State commission, made within its powers as conferred by the valid laws of a sovereign State as to intrastate commerce.

Mr. Chairman, it will be interesting and enlightening to give a few extracts from the report of the majority of the commission in that case, as also the position taken by the Texas com-mission, and the legal questions arising out of the complicated and opposing interests involved.

Commissioner Lane, speaking for a majority of the Inter-

state Commerce Commission, in part says:

"This proceeding places in issue the right of interstate carriers to discriminate in favor of State traffic and against interstate traffic. The gravamen of the complaint is that the carriers defendant make rates out of Dallas and other Texas points into eastern Texas which are much lower than those which they extend into Texas from Shreveport, La. A rate of 60 cents carries first-class traffic to the eastward from Dallas a distance of 160 miles, while the same rate of 60 cents will carry the same class of traffic but 55 miles into Texas from Shreveport.

The railroad commission of Louisiana has brought this proceeding under direction of the legislature of that State for two purposes: (1) To secure an adjustment of rates that will be just and reasonable from Shreveport into Texas, and (2) to end, if possible, the alleged unjust discrimination practiced by these interstate railroads in favor of Texas State traffic and against similar traffic between Louisiana and Texas.

"There appears to be little question as to the policy of the Texas commission. It is frankly one of protection to its own industries and communities. We find in the early reports of that commission, which are quoted at length in the record, evidences that the Texas commission believed that the interstate carriers operating from the north and the east into Texas were pursuing a policy hostile to the development of that State. The Texas commission was conscious that it was within the power

of these interstate carriers to so adjust rates as to make Texas entirely or largely dependent upon other States and thus restrict the growth of her cities and fix the nature of her industries, the employments of her people, and the character of her civilization so far as these depend on economic and industrial conditions. With this thought in mind the Texas commission sought to establish a Texas policy and to make the railroads within that State contribute in the manner believed by her own people to best subserve their own interests. Accordingly we find in the fifth annual report of that commission (p. 5) the following:

"'To Texas as a whole it is of the most vital concern that there should be within her limits at proper places jobbing and manufacturing establishments. Besides adding to the citizenship of the State a desirable population and furnishing employment to persons already in our midst and enhancing the taxable values of the State, and, as a consequence, under wisely administered government, aiding in ultimately reducing the rate of taxation, and besides the home market they afford to the tiller of the soil and other producers, including manufacturers, for their products, if men, in Texas, having the capital to engage in a wholesale business or in a manufacturing enterprise, for the success of which natural conditions are favorable, they have as much right to invest their means in such business or enterprise as a man in Illinois or Missouri has to embark in such business or enterprise in his State. Some of the Texas lines of railway, constituting parts of interstate systems of railway interested in long hauls, appear to be hostile to a policy which would foster Texas jobbing and manufacturing interests, while other lines manifestly favor such a policy. Outside cities bring to bear every pressure they can to coerce all Texas lines into a course favorable to their interests and adverse to the interests of Texas cities with respect to jobbing and manufac-This commission has always had in mind the securing of relatively just State and interstate rates with a view of enabling Texas merchants and manufacturers to do business in competition with outsiders,'

"Passing, then, to the question of discrimination, has this commission the power to say that whatever rates an interstate carrier makes between points in Texas shall not be exceeded for the same distance under like conditions between Shreveport and Texas points? In other words, may a carrier engaged in interstate commerce discriminate against a city beyond the border of a State by imposing upon that city's traffic rates which deny its shippers access upon equal terms to the communities

of an adjoining State?
"This is an appeal to the powers lodged in this commission under the third section of the act-that provision which is aimed at the destruction of undue preference and advantage. We thus meet directly the most delicate problem arising under our dual system of government. Congress asserts its exclusive dominion over interstate commerce; the State asserts its absolute control over State commerce. The State for its own purlute control over State commerce. poses establishes rates designed to protect its own communities and promote the development of its own industries. These rates are adopted by the interstate carriers upon State traffic, but are not adopted upon interstate traffic. Thus arises a discrimination in favor of communities within the State, and interstate commerce suffers a corresponding disadvantage. May this commission end such discrimination by saying to the interstate carrier, You may not distinguish between State and interstate traffic transported under similar conditions; if the rates prescribed for you by State authority are not compensatory upon this specific traffic as to which discrimination is found, the burden rests upon you, irrespective of your obligation to the State, to so adjust your rates that justice will be done between communities regardless of the invisible State line which divides them'? To which we are compelled to answer that the effective exercise of its power regarding interstate commerce makes necessary the assertion of the supreme authority of the Na-tional Government, and that the Congress has appropriately exercised this power in the provisions of the act to regulate commerce touching discrimination.

Congress has prohibited carriers of interstate commerce from giving undue preference or advantage to one community over another. To say that this prohibition permits such carriers to exclude a city within the State of Louisiana from doing business upon equal terms with the cities in Texas is to distort the plain meaning of the act and make the regulation of interstate commerce farcically ineffective. To say that interstate carriers may so discriminate because of the orders of a State commission is to admit that a State may limit and prescribe the

flow of commerce between the States.

"And if one State may exercise its power of fixing rates so as to prefer its own communities all States may do so. There

would thus arise a commercial condition more absurd and unbearable than that which obtained prior to the Constitution when each State sought to devise methods by which its commerce could be localized.

"An interstate carrier must respect the Federal law, and if it is also subjected to State law it must respect that in so far as it can without doing violence to its obligations under the national authority. Before us are carriers which undeniably discriminate directly against interstate traffic. To this charge they plead that all they have done was to obey the orders of a State commission, as against which they were helpless."

In opposition to the views set forth by Mr. Commissioner

Lane, speaking for the majority of the commission, Mr. Com-

missioner McChord says, in part: "To say that interstate carriers might discriminate because of such order would be an equal admission that this commission might limit and prescribe the flow of commerce between points in a State. In response to the suggestion that the Federal commerce power extended to all the affairs of a railroad if any part of its business was interstate, Mr. Chief Justice White, in Howard v. Illinois Central Railroad Co. (207 U. S., 463),

"'It assumes that because one engages in interstate commerce, he thereby endows Congress with power not delegated to it by the Constitution; in other words, with the right to legislate concerning matters of purely State concern. apparent that if the contention were well founded, it would extend the power of Congress to every conceivable subject, how ever inherently local; would obliterate all the limitations of power imposed by the Constitution, and would destroy the authority of the States as to all conceivable matters, which from the beginning have been and must continue to be under their control as long as the Constitution endures."

"It has been repeatedly held by the Supreme Court that the power of the State over intrastate commerce is as full and complete as is the power of Congress over interstate commerce. In Sands v. Manistee River Improvement Co. (123 U. S., 288), the court, by Mr. Justice Field, said:

'Internal commerce of a State-that is, the commerce which is wholly confined within its limits-is as much under its control as foreign or interstate commerce is under the control of the General Government.'

"Of course, if in this instance we fix interstate rates by the Texas yardstick, we must fix other interstate rates by other State yardsticks, and may find ourselves encumbered with some 48 different rate meters, which will doubtless create a condi-tion 'more absurd and unbearable' than that which the majority opines would arise if the States remain unmolested in the exercise of their legitimate powers. But aside from this chaos, the Supreme Court has said that the function which the majority would delegate to the State of Texas can not by a State be constitutionally exercised, because:

"'The fact which vitiates the provision is that it compels the carrier to regulate, adjust, or fix his interstate rates with some reference at least to his rates within the State. (L. & N. R. R. Co. v. Eubank, 184 U. S., 41.)'"

The carriers against which the order of the Interstate Com-

merce Commission was made, in reply to the position taken by the commission, say:

First. If the jurisdiction of the Interstate Commerce Commission be conceded, the discrimination is not yoluntary or illegal.

Second. The transportation affected is wholly within the State of Texas, constitutes no part of an interstate transit, and under the provision to section 1 of the act to regulate commerce the Interstate Commerce Commission has no jurisdiction to regulate the same.

Third. Has Congress the unlimited power to regulate intrastate commerce because conducted by interstate carriers, as asserted by the Interstate Commission

Mr. Chairman, I have given the position of the majority and the minority of the commission and the position of the railroad companies affected by the order, in order to show that there is great conflict between the very highest and most eminent authorities in our Nation on the questions involved in the Shreveport case, as also the position of the railroads to be affected. After having heard both sides to the contention, so as to understand the nature of the inevitable conflict between National and State authority in relation to the attempt to regulate interstate and intrastate rates and charges of the railroads, I want to ask in all candor if there is a Member of this House that would invest a dollar in a railroad to be constructed from some point in Arkansas, Louisiana, or Oklahoma, to and into the State of Texas, with equal mileage in both States?

What one State can do as to intrastate commerce all States can equally do, and with unlimited power in the States to regulate all purely intrastate commerce and with unlimited national power to regulate all interstate commerce, neverending conflict and litigation must ensue. It will be claimed in almost every case where an order of a State commission is made against an interstate carrier that the order has so intimate a connection with its functions as an interstate carrier as to materially affect its revenues and to thus in effect regulate its interstate business, and resort will be had by the carriers to the Federal courts, challenging the authority of the State to make the rate or regulation in almost every case of any considerable importance. With the tendency of the inferior Federal courts to take jurisdiction of every question in which a Federal element is alleged to arise, it will be practically impossible to have ready acquiescence in and obedience to the orders of State commissions touching orders affecting the intrastate business of interstate carriers to any considerable extent.

Mr. Chairman, whether or not Government ownership is to be forced upon this country depends almost entirely upon the owners and operators of our railroads doing interstate business. If we are to judge the future by the past, or even by current events, there is little on which to base a hope that Government ownership can be much longer deferred.

As further evidence of the trend of public sentiment as to the future control of transportation facilities, I now read a clipping from an eastern newspaper, as follows:

TOO MUCH WASTED ON RAILEOADS—NEW ENGLAND TIRED OF MISMANAGE-MENT, SAYS ANDERSON.

"Full protection for the investor in public-service corporations, as well as the rate-paying public, and wide open publicity as to the business of the public-service commission, was the sentiment expressed by Public Service Commissioner George W. Anderson in his address yesterday afternoon before Boston University Law School Association at the monthly dinner in the American House.

"In the matter of railroad regulation we don't deal with a small company, one locally controlled. The entire question is one with many ramifications, covering many other fields, and running into the so-called Money Trust. Our railroad organizations to-day are absolutely different in management and personnel than the locally owned gas companies were.

"It is not a question of what is going to happen to the New Haven or the Boston & Maine. It is a question of what two

or three banking houses are going to do.
"Unless some intelligent cooperation between State commissions and the Interstate Commission can be worked out, it is only a matter of time when our entire transportation will be controlled from Washington and owned by the Federal Govern-

"New England, without natural resources except its seacoast and east wind, must depend on transportation for its development. If the gross mismanagement continues in the future as in the past, the investing public, as much as the rate-paying public, will be affected. The railroads will not be able to find another generation which will put up money to see it wasted, as it has been in the past, by mismanagement. In the common parlance of the street, 'suckers' won't put up any more money in railroads in the next few years."

Mr. Chairman, I am convinced that unless the private owners and operators of our railroads hastily retrace their steps, face about, and by undoing the wrongs they have done and in the future refrain from all like practices without asking a wronged and outraged public by way of increased freight charges to assume the losses brought on themselves that the demand for Government ownership and operation of our interstate carriers will become irresistible long before we have sufficient time to properly consider and prepare for so great an undertaking. Mr. Chairman, I think it may be well said of our railroad

owners and operators that none are so blind as those who can but will not see.

In order to show just how private ownership of transportation lines has worked in this country when in the control and management of the most noted and strongest of our banking houses, I read from an article in Harper's Weekly, January 10, 1914, by Mr. Louis D. Brandeis, under the title of "A curse of bigness": "THE NEW HAVEN MONOPOLY.

"The rise of the New Haven monopoly presents another striking example of combination as a developer of financial concentration, and it illustrates also the use to which 'large security issues' are put.

"In 1892, when Mr. Morgan entered the New Haven directorate, it was a very prosperous little railroad, with capital liabilities of \$25,000,000, paying 10 per cent dividends, and operating 508 miles of line. By 1899 the capitalization had grown to \$80,477,600, but the aggregate mileage had also grown (mainly through merger or leases of other lines) to 2,017. Fourteen years later, in 1913, when Mr. Morgan died and Mr. Mellen resigned, the mileage was 1,997, just 20 miles less than in 1899. but the capital liabilities had increased to \$425,935,000. Of course the business of the railroad had grown largely in those 14 years; the roadbed was improved, bridges built, additional tracks added, and much equipment purchased; and for all this new capital issues were needed; and additional issues were needed also because the company paid out in dividends more than it earned. But of the capital increase over \$200,000,000 was expended in the acquisition of the stock or other securities of some 121 other railroads, steamships, street-railway, electriclight, gas, and water companies. It was these outside properties which made necessary the much-discussed \$67,000,000 6 per cent bond issue, as well as other large and expensive security issues, for in these 14 years the improvements on the railroad, including new equipment, have cost, on the average, only \$10,000,000 a year.

"THE BANKERS.

"Few, if any, of those 121 companies which the New Haven acquired had, prior to their absorption by it, been financed by J. P. Morgan & Co. The needs of the Boston & Maine and Maine Central—the largest group—had, for generations, been met mainly through their own stockholders or through Boston banking houses. No investment banker had been a member of the board of directors of either of those companies. The New York, Ontario & Western-the next largest of the acquired railroadshad been financed in New York, but by persons apparently entirely independent of the Morgan alliance. The smaller Connecticut railroads, now combined in the Central New England, had been financed mainly in Connecticut or by independent New York bankers. The financing of the street railway companies had been done largely by individual financiers or by small and independent bankers in the States or cities where companies operate. Some of the steamship companies had been financed by their owners, some through independent bankers. As the result of the absorption of these 121 companies into the New Haven system, the financing of all these railroads, steamship companies, street railways, and other corporations were made tributary to J. P. Morgan & Co., and the independent bankers were eliminated or became satellites. And this financial concentration was proceeded with, although practically every one of these 121 companies was acquired by the New Haven in violation either of the State or Federal law, or of both. Enforcement of the Sherman Act will doubtless result in dissolving this unwieldy illegal combination.

"OTHER RAILROAD COMBINATIONS.

"The cases of the Union Pacific and of the New Haven are typical, not exceptional. Our railroad history presents numerous instances of large security issues made wholly or mainly to effect combinations. Some of these combinations have been proper as a means of securing natural feeders or extensions of main lines. But far more of them have been dictated by the desire to suppress active or potential competition or by personal ambition or greed or by the mistaken belief that efficiency grows with size.

"Thus the monstrous combination of the Rock Island and the St. Louis & San Francisco with about 16,000 miles of line is recognized now to have been obviously inefficient. It was severed voluntarily, but had it not been, must have crumbled soon from inherent defects if not as a result of proceedings under the Sherman law. Both systems are suffering now from the effects of this unwise combination; the Frisco, itself greatly overcombined, has paid the penalty in receivership. The Rock Island-a name once expressive of railroad efficiency and stability-has, through its excessive recapitalization and combinations, become a football of speculators and a source of great apprehension to confiding investors. The combination of the Cincinnati, Hamilton & Dayton and the Pere Marquette led to several receiver-

"There are, of course, other combinations which have not been disastrous to the owners of the railroads. But the fact that a railroad combination has not been disastrous does not necessarily justify it. The evil of the concentration of power is obvious; and as combination necessarily involves such concentration of power, the burden of justifying a combination should be placed upon those who seek to effect it."

Mr. Chairman, all the populistic and socialistic arguments that have ever been made in favor of Government ownership and management of our railroads pale into utter insignificance in weight and force when compared with the simple, unpainted, unexaggerated statement of the facts as to how some of our greatest systems of railroads have been built up and capitalized.

As an illustration of how one of the greatest railway systems of the country has been financed, I now read from the report of the Interstate Commerce Commission in the advanced rates investigation in official classification territory, decided February,

"The New York Central & Hudson River Railroad Co. came into existence in 1869 by a consolidation of the New York Central Railroad Co. and the Hudson River Railroad Co. dence before us fairly shows that the capital stock of the New York Central Co. contained \$9,000,000 which had been issued without the payment of any present consideration, and that the stock of the Hudson River Co. had been increased in like manner by something over \$3,000,000. At the time of the consolidation the capital stock of the two companies was further increased without the payment of any present consideration by the amount of substantially \$45,000,000, issued in proportions agreed upon to the stockholders of the new company. Since that date all issues of the capital stock of this company have been for cash at par or above par, but the capital stock contains \$57,000,-000 par value for which nothing was ever paid.

"The dividends paid upon this capital stock for the last 40 years will probably average 6 per cent. During that time there has been actually paid in dividends to the holders of this \$57,-000,000 of stock at least \$120,000,000. Had the New York Central & Hudson River Co., instead of paying these amounts to its stockholders, invested them in its property, the funded debt of that company might have been reduced by \$120,000,000, not having reference to interest. If account be taken of interest, the

amount would be much larger.

This company has, therefore, as a result of this transaction a capital stock \$57,000,000 in excess of what it would be and either a funded debt or a capital stock at least \$120,000,000 greater than would be the case if the original issues of stock had never been made.'

Here was an instance of where the stockholders of two railroad companies, in consolidating their lines, issued stock to themselves in the enormous sum of \$57,000,000 for which not one cent was ever paid in money, property, or services—pure water, and nothing more—upon which the freight and passenger paying public have since paid in dividends more than \$120,000,000. making in all, since the date of the consolidation of these two roads in 1869, the appalling sum of more than \$179,000,000 which has been added to the wealth of their owners without any legal, equitable, or moral consideration of any kind. At this hour this guilty corporation is pleading before the Interstate Commerce Commission to be permitted to increase its freight rates 5 per cent in order to continue to further reward the holders of this spurious stock issue by a continuance of an unjust and unholy dividend payment on same. Such an act would put to shame all the robber barons of the Middle Ages.

This is a sample of private ownership and management of the greatest railroad property in this country. Many people ask, Could Government ownership and management be worse?

Mr. Chairman, in a statement made by Charles A. Prouty, of the Interstate Commerce Commission, and the members of the public service commissions of Massachusetts, Vermont, New Hampshire, and Maine, bearing on the present condition of the Boston & Maine Railroad Co., dated Boston, November 24, 1913, the following appears:

"The Boston & Maine has outstanding \$27,000,000 of shorttime paper, which it will carry for the current year at a charge of about 7½ per cent, as compared with 5½ per cent for the preceding year. Of this short-time paper, \$20,000,000 was used to purchase stocks which the Boston & Maine now owns."

Is not this an astonishing revelation in view of the fact that this is one of the railroad companies asking an increase in freight rates on account of an increase in wages?

While making such a plea it is actually carrying a debt of \$27,000,000 borrowed money at loan-shark cutthroat rates of interest, incurred in order to purchase the stocks of another railroad company. All this unjust and usurious rate of interest must be paid by the consumers of the country. Is it any wonder that they are beginning to sit up and take notice and ask themselves, Can public ownership be any worse?

In another place in the same report the following statement

appears:
"In our opinion, the salaries paid the chief executives and frequently the other chief officials of the principal railroad

systems of the United States, ranging as they do from \$50,000 to \$100,000 annually in case of the chief executive, are utterly extravagant. These positions are not properly private places, to which the corporations may attach any compensation which its stockholders ratify; they are quasi public in their character, and the reasonableness of the amount paid may properly be inquired into, especially where the corporation is asking to impose an additional transportation tax.

Such compensation of railroad officials to be paid by the public in the nature of a tax upon transportation is nothing

less than plain, undisguised robbery.

The justices of the Supreme Court of the United States receive only \$14,000 in salary annually. The President of the United States only \$75,000. The members of the Interstate Commerce Commission, a body of great transportation experts, who have supervision and control of all the interstate railroad rates in the whole country, receive only \$10,000 per annum in salary.

Is it any surprise that the people who are taxed to pay these outrageous salaries are beginning to think that there is no justification for longer submitting to the banker-controlled and banker-financed roads under private ownership, when as Gov-ernment officials the same men would perform all the legitimate and necessary functions they now perform for perhaps less than one-fourth of what they now receive?

If Government ownership of our railroads ever comes in this country, it will be brought on by the demonstrated failure of private ownership to give to the people the service they are en-

titled to and will have.

As I have just said, the passage of a thousand Alaskan railroad bills like the one now pending will not bring it on, and

the defeat of a thousand such bills will not prevent it.

Mr. Chairman, there is no way to prevent Government ownership of all the railroads in this country except through the friendly, cordial, and active cooperation of all the railroads, and all the State railroad commissions, with the Interstate Commerce Commission, in a sincere and honest joint effort to give the whole people the best possible service for the lowest possible charge.

Mr. Chairman, I ask unanimous consent to extend my remarks

in the RECORD.

Mr. SAUNDERS. Mr. Chairman, I would like to prefer a

similar request.

The CHAIRMAN. The gentleman from Virginia [Mr. SAUNDERS] also asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, I would like to be able to bring myself to believe that Alaska can become an agricultural possibility, for I would like to realize that continental America has close to its border such a vast area of land that could be turned into utilization.

But I have not been able to convince myself of such a possibility, and I regret it. We have had five agricultural experiment stations in Alaska for a long time. One of these stations has recently been abandoned, and four of them still remain. They have been endeavoring to do agricultural experimental work. In the course of their efforts to do that they have expended \$298,000, and they have been able to produce as the result of their labors products valued at the sum of only \$22,000 in return for that expenditure.

Information obtained from the weather stations shows that frost occurs in Alaska every month in the year, and it is said by those who know more about it than I do that all of Alaska is frozen, so far as it can freeze, to the bedrock. How we can hope to develop agriculture in such a country is more than I

can understand.

Wheat, as everybody will agree, never matures there. Those who attempt to raise it have to cut it when it is green and use it for fodder, and there is not very much fodder at that. They tell me-these experts who have been there on the part of the Government investigating the possibilities of Alaska-that if we hope to raise any agricultural products there the land must be fertilized every year and crops attempted to be raised only every other year.

There are only 163 homesteaders there. This is the total number of people who have patented homesteads, although our homestead laws have been in force and are still in force. If agriculture is such an easy thing in Alaska, I would like to understand why it is that in all the years of our ownership of this vast Territory only 163 people have patented homesteads. It does not seem to have attracted the men and women who believe in agriculture, and this indictment of the Territory as an agricultural region forces me to the conclusion that we ought not to expend the vast sum of \$85,000,000 in the construction of a railroad there.

Mr. LAFFERTY. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. MADDEN. I regret I have only 10 minutes. The CHAIRMAN. The gentleman declines to yield.

Mr. MADDEN. It is said by those who know that the cost of clearing an acre of land up there amounts to from \$125 to \$150 per acre-nearly as much money as it would cost to buy the best acre of land in the State of Illinois. Surely there can be no comparison between the opportunities for agriculture in a country like Alaska and in a State like Illinois, whose every acre of land is richer than any acre of land in the Valley of the Nile or in any other place on the earth; and I invite the critical consideration of what agriculture can be developed in Alaska if it costs \$125 or \$150 per acre to clear the land before you begin your attempt at agriculture, and when the fact is taken into consideration that after the land is cleared no crops can be raised the question may well be asked, "What is the land worth?

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Mr. Charman, which egenteman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. MADDEN. Surely.

Mr. MOORE. Will the gentleman let me observe there that of the 178,000,000 acres of farm lands along the Atlantic coast, east of the Appalachian chain, in the territory of the Eastern States, there is still left 78,000,000 acres of land now?

Mr. MADDEN. Yes; and there are 300,000,000 acres of public lands in continental America, owned by the Government of the United States, onto which any person may go for the asking.

One of the arguments for the appropriation of this \$35,000,000

is that \$18,000,000 of gold is produced in Alaska annually. Everybody knows that \$18,000,000 of gold would not furnish any freight. Any ordinary box car, hauled in an ordinary freight train, would carry all the gold that is produced in Alaska every year, so that that would not be much of an inducement for the investment of \$35,000,000 in the construction of a railroad, would it? It does not appeal to me, at any rate.

All of the freight in and out of Alaska last year amounted to less than 35,000 tons, and most of this was by boat. It will be readily seen that 35,000 tons of freight would amount to not more

than 10 ordinary trainloads.

The principal industries of Alaska at present are fish and furs. It is not necessary to build a railroad to carry the furs. do not furnish any tonnage. The fish are all produced from the sea and surely a railroad is not necessary to transport them. What inducement there can be for the construction of a railroad at Government expense or for granting authority to the President to buy the railroads already there is more than I can see. The fur business will not be disturbed because of lack of rail transportation. There will be no less furs than now. fisheries industry will not be in anywise curtailed. It will move forward with the same degree of activity as at present, railroad or no railroad. Then what is the inducement for the expenditure of this vast sum of money? Why are we jumping headlong into such extravagance?

I am opposed to Government ownership of railroads, but whether I were opposed to that or not I would be opposed to the expenditure of this vast sum of money under the circumstances.

The Bering coal fields are only 25 miles from the coast line, and all the arguments thus far made give as an excuse for the expenditure of this \$35,000,000 the development of the Bering coal fields.

If one million dollars will do the job, why spend thirty-five? But can the proposed railroad be constructed for \$35,000,000? am persuaded not. Nobody knows what the cost will be. Everyone knows for certain that Government undertakings are concluded at a much larger outlay, as a rule, than the original estimate, and it will not surprise me to learn, if I shall be so fortunate as to see the consummation of this project, that \$100,000,-000 has been taken from the Public Treasury for this purpose.

By all means common sense should be used, and the common sense of this situation is that if a railroad is to be constructed at all to build the road from the coast line to the Bering coal fields. If the experiment of operating such a line should prove to be successful and the Bering River coal proves to be of anything like the value suggested by other speakers, and if it turns out later that the development of the Matanuska coal fields is necessary, the road can be extended; but to authorize a road now without any well-defined plan as to where it shall go, or what it will do, or where the tonnage to maintain it is to come from, is a utopian dream which ought not to be indulged in by the Congress at the expense of the American people.

Many men on the floor of the House are prompted to vote for the pending bill because they believe the administration wants it; not because they believe in it; not because they think it wise; not because they think the expenditure will yield returns or develop Alaska; but because of their desire to please the powers that be; in other words, because they believe it to be politically expedient.

Politics should not enter into the expenditure of such a vast sum of money. This is a business proposition. It ought to be treated as such. The same sagacity should be exercised that a wise business man would exercise in laying the foundation for

a successful enterprise.

I hope this will be a success if the plan is carried into execution, but I have my doubts. My doubts are justified by all the facts, and I shall be obliged, in the performance of what I believe to be my conscientious duty, to vote against the bill in

its present form.

There are only 35,000 white people in Alaska. In response to a question asked by me of Mr. Wickersham, the Delegate from Alaska, as to what proportion of that population would be served by the construction of all the railroad mileage authorized by this bill, he said he thought about one-half. But I have information which leads me to conclude that not more than 10 per cent of the 35,000 people there would be served by the construction of the seven hundred and thirty odd miles of railroad

proposed by this bill.

Now, if nobody is to be accommodated by the construction of the railroad, why build it? But it is said we have coal fields in Alaska. It is true we have. But the coal fields, as I have said before, that have been exploited or partially developed, from which the coal has been tested, are close to the sea, not more than 25 miles away from the shore. These coal fields need no railroad for their development, or if they do, they can not possibly need more than 25 miles of railroad, and I would be willing to build 25 miles of railroad if perchance these coal fields could be developed for the advantage of the American

But why spend \$35,000,000 in building seven hundred and odd miles of railroad from nowhere to nowhere if 25 miles of road at the outside, at the expense of a million dollars, will do the thing that the advocates of this bill claim they want to do? No wise business man would do what they are undertaking to do.

It is putting the cart before the horse.

The Navy says that they have tested this coal, and I am told upon reliable authority that the coal which was tested was taken from a depth of 100 feet from the surface. The tests show that the coal has only 43 per cent of the value of Pocahontas coal and is unfit for naval use, and the information that I have in my possession leads me to conclude that Pocahontas coal is the class of coal that must be used for the Navy. But the Navy says that we are building our ships for the purpose of using oil as fuel in the future; and if we are, we need

There are nine railroads in Alaska now, all bankrupt. heard it stated on the floor of this House that the men who own these railroads are crooks.

The CHAIRMAN. The time of the gentleman from Illinois

Mr. MADDEN. I wonder whether this bill is being pressed for the purpose of buying out what they have? If it is, it ought to be defeated. If they are crooks, they ought to be prosecuted by the Government of the United States instead of the Government of the United States, through the Congress, enacting laws to relieve them from the losses which they have made by the construction of those bankrupt railroads.

The CHAIRMAN. The time of the gentleman from Illinois

has expired.

Mr. TOWNER. Mr. Chairman, I congratulate the committee on reporting this bill. Against an almost instinctive prejudice, against an organized and powerful opposition, to have done so exhibited courage and a fine example of devotion to convictions of duty, rather than an easy yielding to pressure and a compla-cent acquiescence in existing conditions. [Applause.] While I approve the general purpose of the bill, I do not agree

that all its provisions should be retained, and I shall endeavor to convince the committee and the House that some modifica-

tions of its terms should be made.

Preliminary to the consideration of the changes which I shall propose, I will briefly refer to some of the objections urged against the bill, none of which, in my judgment, are sufficient to justify its defeat, if it shall be properly amended.

OBJECTIONS CONSIDERED.

First. It is urged as an objection to the bill that building a railroad will not solve the problems of Alaskan development; that what is needed is either a reversal of the Executive orders that have tied up her resources, or a revision of the laws affecting them, so that they may be opened to private capital and enterprise.

I am in entire agreement with the statement of Mr. Secretary Lane that-

There is but one way to make any country a real part of the world—by the construction of railroads into it. That has been the heart of England's policy in Africa, of Russia's policy in western Asia, and is the prompting hope of the new movement in China.

It may be added that this is the policy by which Canada has built up with such marvelous celerity the Canadian Northwest. It is not a new policy. Rome bound the Provinces to the Imperial Government by her great system of highways. It can hardly be said that a Territory is annexed that is not made accessible.

The testimony is overwhelming that there can be no development of Alaskan resources without the aid of railways. is admitted by both the friends and foes of the bill. The latter seem to believe that the necessary railroads can be secured by opening the resources of Alaska to private exploitation. is only partially true. If the coal fields were opened to private interests, railroads would unquestionably be built to them; but it is generally believed that the price to be paid by the adoption of this plan would be altogether too much. It is now apparent that the American people will not permit exploitation through private ownership. The Government has the title and will hold it. A leasing or royalty system is the only possible manner in which Alaskan coal resources can be made available. That being true, the interest which the Government must have in coal transportation is much more intimate. If ownership or leasing in commanding proportion to individual interests is to be prevented, then the primary incentive to private railway building is removed. Granted that neither private ownership nor monopolistic control will be permitted, it follows that no railroads will be built by private interests even to the coal fields.

On the other hand, it must be apparent that if the Government builds railroads to the coal fields, it must open them to the people, not to be exploited by large corporations, but to smaller, competitive companies, with equal privileges and a fair field. That this is the better course would seem almost selfevident.

But even if it should be admitted that private enterprise might build railroads to the coal fields, that would still leave the problem unsolved of how to bring railroads into the interior. The best coal fields are near the coast. Mountain ranges separate the great interior valleys from the open sea. Any development of the great interior, with its thousands of miles of river transportation and its millions of acres with undeveloped agricultural and mineral resources, is dependent on railways to the sea.

The report of the United States Geological Survey for January, 1914, says:

While the coastal region is developing at a rate which bids fair to overshadow all mining operations in the interior, no marked progress can be expected in the inland region until a transportation system is provided. * * Therefore, railway construction is of first important. tance to Alaska.

It is evident, from a careful examination of the evidence before both the House and Senate committees, that there never has been any real good-faith expectation or endeavor on the part of private enterprise to build a railroad to the interior. Promises have been made as an inducement to promote special interests and particular projects, but, these purposes secured, extensions to the interior would have been abandoned. I am satisfied that the Government is not only justified but is required by its obligations and its duty to secure at least one railroad from the coast to the interior. If it can not induce such enterprise, if it can not subsidize it, it should itself build and control it.

Second. It is urged that it is unfair to grant \$35,000,000 to 35,000 white people in Alaska when our own people need the

money so much.

This objection is based upon a misconception-all too generally indulged-that an appropriation is a special favor, a gratuity to be handed around. Certainly argument is not needed against such a theory. If there were no people in Alaska, conditions might well justify building a railroad there. And if there were 10,000,000 instead of 35,000 people, the Government should not build a foot of railroad unless conditions justified it. If we are wise and regardful of our obligations, we will not attempt to distribute gratuities or equalize special privilege

But Alaska, from even the most materialistic and selfish standpoint, is entitled to our respectful consideration.

It may be of interest to know what was thought regarding the wisdom of our course in spending \$7,200,000 for the purchase of Alaska in 1868. It is probable the motives which induced action were political rather than economic. There was scant knowledge of the territory, and its acquisition occasioned surprise rather than approval. There was a minority report of the committee, a majority of which reported the bill for acquisition. This minority report declared that Alaska had "no capacity as an agricultural country; that, so far as known, it has no value as a mineral country"; that "its fur trade is of insignificant value"; that "the fisheries are of doubtful value"; that "the right to govern a nation or nations of savages in a dispete upon the position of civilized ment was not worthy climate unfit for the habitation of civilized men was not worthy of purchase.'

But merely as an investment the purchase is amply justified. Alaska cost us \$7,200,000. It has already returned to us in revenue paid into the United States Treasury \$17,117,000.

The minority report objecting to its acquisition declared Alaska had no value as a mineral country. Since then we have Since then we have taken from it in mineral products \$206,813,000.

Its fur trade was reported as of "insignificant value." It has produced over \$62,681,000 in furs.

"The fisheries are of doubtful value." We have derived already from the Alaska fisheries \$147,953,000.

Altogether the known value of these products exceeds \$429,-

It has been estimated that Alaska has more coal than Pennsylvania, West Virginia, and Ohio combined; more copper than Michigan and Arizona; more gold than California and Colorado; and more fish than all the other American waters combined. For her population Alaska produces far more than any State in the Nation.

Regarding the amount of appropriation asked for I shall be able to convince the committee, I hope, that the amount carried in the bill may be greatly reduced—almost cut in two

But gentlemen should remember that only \$1,000,000 is actually appropriated under the terms of this bill. The remainder to be expended will be derived from the sale of bonds for the payment of which a redemption fund is provided. Into this fund shall be paid one-half of the proceeds derived from the sale, or from rentals and royalties of all public, coal, or mineral lands in Alaska, as well as proceeds from the sale of timber lands. The net earnings of the railroad shall also be paid into the fund to pay the interest and principal of the construction bonds. It is my judgment the Government will never be called upon to make an appropriation to pay these bonds. In order to increase the probabilities of such desirable result, I shall introduce an amendment to make the payments 90 per cent instead of 50 per cent, which I hope will commend itself to the committee.

Third. It is urged that if the building of railroads in Alaska will not pay as a private investment it will not pay as a Government project.

The statement sounds logical and seems reasonable. careful consideration of existing conditions will show that it is neither. It is quite evident that no railroads, merely as such, will be built in Alaska. If the Government will surrender the coal fields to investors and exploiters, undoubtedly they will build railroads from these fields to coast harbors and markets. But no private corporation without special privileges granted will build to the interior. No projector has in mind the build-ing of a railroad to develop the country, to bring in settlers, to stimulate agriculture, to encourage stock raising.

If private corporations were granted the coal fields, they

would immediately and gladly build railroads to develop them.

If private individuals were able to secure title to the lands they would be only too willing to build railroads to make them available and salable. That which would be good policy on the part of private interests, if they owned these resources, can not be bad policy on the part of the Government which does own them.

But the Government has a much greater and higher interest in Alaskan development than mere profit on an investment. It is a nation builder. It is not limited to an inquiry as to how much per acre it can sell its land, or how much per bushel it can obtain as rental or royalty for its coal. It realizes that it holds these resources in trust for its people; primarily for those of its citizens who shall locate in the particular Territory, and secondarily for the people of the Nation, who must protect it and develop it as a part of the Nation's domain. Whatever shall further these larger interests is justified and a duty.

Fourth. It is strongly and repeatedly urged that to construct a

railroad in Alaska commits the Government to the policy of Government ownership and operation of railroads everywhere within our territory.

This is an old and oft-repeated objection to Government action, as absurd as it is popular. Government action should always be governed by the requirements of the occasion which necessitates such action. The Government must act within its

constitutional limitations, and those are its only restraints. It can act in one case and refuse to act in another. It may determine arbitrarily just how far it will go in any line of action. It has no master and submits to no control except that which is self-imposed.

It certainly does not follow that because the United States owns and operates a railroad in Panama that such action means a departure from our established policy, and that the Government means to buy and operate all the railroads. It by no means follows that because the Government in the Canal Zone built churches and furnished preachers, gave dances and or-ganized clubs, built schoolhouses and hired teachers, ran hotels, barber shops, and ice-cream parlors, it thereby has adopted a socialistic policy and expects to do the same all over the land.

The Government has aided some railroads, but it has not aided all. The Government has aided railroads in cases where existing conditions warranted such action. It has refused to aid railroads where aid was not warranted. It may and will build or purchase or operate railroads where conditions warrant or require such action, and it will refuse to do so when such action is not warranted. Having the undoubted constitutional right, we ought to determine each proposition as it arises on its merits and act accordingly.

I have no fear that by building a railroad in Alaska we will thereby commit ourselves to a general policy of Government ownership of railroads. There will doubtless be in the future instances where the Government will be called upon to consider whether it is advantageous or necessary to build or purchase a railroad. Whenever such individual instance shall arise we shall be free as we are now to judge and pass upon it on its merits and for the best interests of the Nation.

Fifth. It is urged that Alaska is a bleak and barren region where agriculture and stock raising is impossible and is not worth developing.

With infinite delight gentlemen have selected all the derogatory statements that could be found concerning Alaska, and have asked us to accept such statements as faithfully descrip-

Alaska has an area of over 590,000 square miles. It is an empire in dimensions. Over 100,000 square miles—an area nearly as large as Iowa and Illinois combined—is subject to cultivation. Thirty thousand square miles, or nearly 20,000,000 acres, can be made available for tillage. All Government experts, and there have been many, unite in placing the agricultural resources of Alaska and the possibilities of their development at a very high standard.

George H. Eldridge, of the Geological Survey, says of the Susitna Valley—one only of the many susceptible of agricultural development, in itself a region 150 miles long by 125 miles

It gives promise of an agricultural value little short, it is believed, of many of the most prosperous regions of the United States. * * * The soils of the valley are rich in loam and decayed vegetation, extending to depths of from 4 to 10 feet.

Prof. Georgeson, in charge of the agricultural experiment stations in Alaska, after years of experiment and experience, says:

That Alaska has agricultural possibilities of a sufficiently high order to make it self-supporting is no longer open to dispute. * * At these various stations all the hardy vegetables have been grown successfully every year. * * * We have never falled to mature barley and oats in the most unfavorable seasons, and in normal years we have also matured winter wheat and winter rye, spring wheat, spring rye, and buckwheat. * * Moreover these results can be bettered. * * We shall in the near future, by selection and breeding, be able to develop varieties which shall be better suited to Alaska than anything we now have, and it is therefore certain that the results will be improved upon.

As against the violent denunciations we have heard may be set the calm and deliberate conclusions of Mr. Secretary Lane, which he gives as the result of the most careful and painstaking investigation:

I am convinced that we should think of Alaska as a land not only of mines and fisheries, but of towns, farms, mills, and factories, supporting millions of people of the hardiest and most wholesome of the

That is a statement made from high authority both from an official and political standpoint.

But I shall quote a still higher authority. President Wilson, in his annual message delivered to this House last December, in the strongest terms recommended action such as is contemplated in this bill. He said:

AN ADMINISTRATION POLICY.

A duty faces us with regard to Alaska which seems to me very pressing and very imperative; perhaps I should say a double duty, for it concerns both the political and the material development of the Territory. The people of Alaska should be given the full Territorial form of government, and Alaska, as a storehouse, should be unlocked. One key to it is a system of railroads. These the Government should itself build and administer, and the ports and terminals it should itself con-

trol in the interest of all who wish to use them for the service and development of the country and its people.

In the repeated assaults made by Democrats against this determined and declared policy of the administration it is said that no action is necessary. The President says that not only is such action a duty, but that it is a duty which is "very pressing and very imperative." These gentlemen declare that the storehouse of Alaskan resources is empty, but that, if it contains anything, the way is open and anybody can help them-The President says the storehouse is locked and that one of the keys is a system of railroads. The opponents of this bill say that under no circumstances should the Government engage in railway building in Alaska. The President says the Government should not only build, but should "administer," and that the Government should control the ports and terminals.

It will be found, I believe, that almost anyone coming without bias to an examination of existing conditions in Alaska will reach the conclusion that the Government is not only justified but required to take some action such as is contemplated by

this bill

We, the people of the United States, own in Alaska a vast undeveloped, unimproved estate. More than one-half of the unsold public domain lies there. We should make it available. We should take steps to place these lands on the market and under cultivation. We should make it possible to develop its under cultivation. We should make it possible to develop its resources—to dig the coal, to mine the gold and copper, to enlarge our fisheries, to increase our revenues and strengthen our outposts. And the question has a humanitarian side as well. We would thus legislate to make homes for a great people; we would provide an extension of the fields of enterprise and opportunity; we would enlarge the scope of human endeavor. Every such enlargement brings hope and the promise of happiness to American citizenship, and a glow of exultation that these blessings are to be found under our flag, and that our ambitious and energetic youth will not be required to expatriate themselves, and seek fields of enterprise in foreign lands.

SOME DESIRABLE CHANGES.

But while I am in favor of the legislation and desire to see action taken which will secure the results desired, I do not approve of the bill reported by the committee in its present form. With some changes which will both improve the bill and reduce the appropriation I believe it should pass.

In the first place, the bill does not carry out the first of its declared objects, which is "to connect the interior with the

The bill is based on the report and recommendations of the Alaska Railroad Commission. The commission recommends building two systems with a total mileage of 733 miles and a total cost estimated at \$35,611,000. One of these systems has two branches which do not connect with each other—one extending from Chitina to Fairbanks, a distance of 313 miles, known as the Copper River line, the estimated cost of which is \$13,971,000; the other, a branch line, leaving the main line of the present Copper River & Northwestern Railway at a point 38 miles north of its southern terminus, Cordova, and extending eastward via Lake Charlotte to the Bering coal fields, a distance of 38 miles, the estimated cost of which is \$2,054,000.

It will be noted that Chitina is the present northern terminus of the Copper River & Northwestern Railway, known in this discussion as the Guggenheim line. Chitina is 132 miles from Cordova on the coast, and the proposed line from Fairbanks to Chitina will not extend from the interior to the coast, as is desired and proposed, but will leave the Government raflway hung up at a mountain village 132 miles from a seaport. Shipments can not be made from the seaboard to the interior nor from the interior to an open port without accepting the rates, terms, and service of the Guggenheim line for 132 miles. The only alternative to this will be the purchase of the Guggenheim line, with their terminals, by the Government, which would involve an additional cost of \$20,000,000.

It should be further noted that the Bering coal branch does

not reach a market, but is to be built from the coal fields to the Guggenheim line, 38 miles from Cordova. Neither the Government nor private parties who may develop the Bering coal fields can under this arrangement market their coal without accepting the terms and accommodations of the Guggenheim

line for 38 miles.

To build these proposed patches and parts of lines, dependent for their efficacy on the good offices or the purchase or condemnation of the Guggenheim line, is, in my judgment, an utterly impracticable and indefensible proposal.

The other proposed system consists of three divisions—one extending from Kern Creek to the Susitna Valley, a distance of 115 miles, the estimated cost of which is \$5,209,500; another,

the Matanuska coal branch, extending from the main line to

the coal fields, a distance of 38 miles, the estimated cost of which is \$1,616,000; the third extending from the Susitna Valley to the Kuskokwim, a distance of 229 miles, the estimated cost of which is \$12,760,500.

Kern Creek is the northern terminus of the Alaska Northern Railroad and is 72 miles from Seward, its southern seaport terminus. So that this system, like the other, is hung up in the interior and must either depend on the good graces of the Alaska Northern Railway Co. or purchase the line, which its owners say cost \$5,000,000. The Kuskokwim extension at this time is ab-The valley of the Kuskokwim has hardly been touched by settlement. It is estimated that there are barely 500 people in the valley, except the gold miners. There has never been any general demand or expectation of a railroad there, and the proposition to expend nearly \$13,000,000 now on a railroad extension into this region ought not to be seriously considered.

The committee report says:

The commission has recommended the construction of two branch lines to reach coal fields that do not lie directly on the trunk lines, and these are needed at once, in order to connect the main lines with the coal fields.

It is here assumed that this means the trunk lines which the Government will build or acquire. Yet the branch from the Matanuska coal fields would have to connect with a railroad now owned and controlled by a private corporation, with which the Government would have to make traffic arrangements over 72 miles of its line or purchase the line, and no such purchase is contemplated in the bill, nor will the amount appropriated include such purchase.

The branch from the Bering coal fields would connect not with the Government line, but with the Guggenheim line, with whom the Government would have to go into partnership or purchase their line. This would doubtless please the Guggenheims, but, unfortunately, we would have no means, under the provisions of

this bill, even to do that.

But the committee says in its report the bill does not bind the President to these plans. He may use his discretion. may build one or more lines, as he shall determine, provided he shall carry out the general plan. The committee would not even bind the President as to the number of lines or systems. He may build a "line or lines." The report says:

One may be sufficient, and one would be of incalculable benefit, and we are entirely content to leave this matter to the wisdom and judgment of the President.

But why the President? We ought to legislate, and not the President. We are to determine, and not the President. are guilty of an abandonment of our obligations to say to him, "We believe they need railroads in Alaska, but we do not know how many they should have or where they should be located." How shall the President know better than we? How ridiculous it makes us appear to confess that we do not know enough to determine and to say to the President, "Now you guess."

We did not so act in building the Panama Canal. Suppose we should have said to the President, "We can not determine

between Panama, Nicaragua, or Tehuantepec; you decide for us.'

Gentlemen who modestly profess their lack of knowledge of which route should be chosen should understand that if their lack of knowledge extends to a want of ability to determine between lines, it would of necessity be such as to prevent their determination upon any line. How shall it be possible for us to determine the necessity of any, if we can not determine be-tween one or many or the location of even one?

When we authorize a river or harbor improvement or authorize a bridge or build a building, we determine where it should be located. We do not "leave the matter to the wisdom and judgment of the President." We also do not shirk our duty and throw the responsibility on the President. If we shall send this bill to him in its present form, he would be entirely justified in believing that we desired to have him carry out the recommendation of the commission, as that is the basis on which the bill is formed. And yet, not one, even, of the committee desires that to be done. How silly it would make us appear to vote this large sum of the people's money to build roads that begin nowhere, that run nowhere, and that end nowhere.

And yet, we know what we want and what is needed. The objects of the bill are clearly and well stated. We are not ignorant of the facts, nor of the needs to be supplied, nor of the means to supply them. We have a wealth of material upon which to form a judgment. Our commission, an able and impartial one, has gone there and reported. Are we to have another? If so, let us provide for one and have its report before we act. We have had numerous official reports and extensive hearings. When the President is called upon to act, he can have no better means of arriving at a conclusion than we have. He can not act on his own knowledge; he must be advised. Who

can we trust to advise him better than ourselves, upon whom

can we trust to advise him better than ourselves, upon whom rest the responsibility of legislation?

All this is entirely unnecessary. We can, by providing one line, accomplish all the purposes desired and specified in the bill. A few things are well established and will furnish an unfailing guide to our action. We should abandon the Cordova-Chitina-Fairbanks-Bering project entirely. First, because it would be consummate folly to build Government railroads or parts of railroads which must be dependent on the good will, administration or possible action of a private corporation. We administration, or possible action of a private corporation. can under no circumstances justify a partnership or traffic arrangement or any possible connection with the Guggenheims. That eliminates the proposed line from Chitina to Fairbanks and the branch to the Bering fields entirely.

At this time we should build one system, not two. We can by building one system carry out the declared purpose of this bill and greatly reduce the cost. We can connect an open Pacific harbor on the southern coast with the navigable waters in the interior of Alaska. We can reach coal fields, both for naval use and for fuel for the interior. We can reach the best agricultural and mineral regions in Alaska. We can thus aid in the development of its resources. This line will have for its northern terminus Fairbanks and the Tanana Valley, thus reaching the great interior river system of Alaska. There the resources of the great Yukon and its subsidiary tributaries can be transshipped to the sea coast and to the world's markets, and their machinery and supplies can be transported over a line which shall be Government owned and Government controlled.

The southern terminus should be Seward, on Resurrection Bay, or Portage Bay, or both. Resurrection Bay is without doubt the best harbor on the Alaskan coast and one of the best harbors in the world. It is spacious, its waters are deep enough to float our largest battleships, it is landlocked, and ice-free the year round. To reach Seward on Resurrection Bay would necessitate the purchase of the Alaska Northern Railroad. The advantages which would accrue would well warrant that, and the cost would not be excessive.

This purchase may be avoided and 63 miles of railway saved by making the southern terminus Portage Bay, which opens into Prince Williams Sound, and is, while smaller, a deep, land-

locked, and ice-free harbor.

A branch from the main line, 38 miles in length, would reach the Matanuska coal fields, which are admittedly the largest and best in Alaska.

The main line would also pass through the Nenana coal fields,

the largest and best interior supply in Alaska.

The total length of the line from Portage Bay to Fairbanks, with the Matanuska extension, would be 441 miles, and its probable cost \$17,640,000. To Seward the line would be 493 miles long, and the cost about \$20,000,000. It is thought by Government experts that the line could include both terminals for the latter amount.

This will make a complete system, entirely independent of any connection with private interests. It will reduce the cost nearly one-half. It will accomplish all we ought at this time to do. It will reach the desired termini by the best route. The Tenana and Susitna Valleys are the best and most promising agricultural regions in Alaska. If they can not be developed, none can. This line will reach the best and largest coal field for naval use and coastal traffic, the Matanuska. It will reach and pierce the Nenana coal fields, which embrace a territory of 165 square miles, or over 100,000 acres; the coal in which the Geological Survey estimates at 10,000,000,000 tons, an inex-haustible supply for fuel for interior Alaska. It will furnish a means of transportation for machinery and supplies to the interior, and for ores and furs and other products from the interior to the coast and a market.

All these desirable and necessary advantages can be secured by building this one line. No other proposed line can secure them. Why, then, should we hesitate? Let us, if we have courage enough to act at all, have courage to act definitely, and as our best judgment dictates. [Applause.]

Mr. LONERGAN. Mr. Chairman, the question before us is not the Government ownership of railways, nor is it altogether a question of the advisability of Government construction of railways in Alaska. It is a question as to how the resources of that treasure land shall be developed. Of course, the resources of Alaska must pay for their own development. The question of Alaska must pay for their own development. The question is, Shall the people of the United States, who own the natural resources of Alaska, give a big portion of those resources to private capital for their development or shall we develop those resources ourselves and mortgage them, as it were, to pay for the facilities for their development?

The argument as to whether railway construction in Alaska will be profitable all merges in the admission that such railways

will be built by private capital if the Government will give a land grant similar to that given to the Northern Pacific. We are told that private capital will gladly build a railroad from the Pacific coast of Alaska to the interior waterways if given one-half of the land for a distance of 40 miles on each side of the road. Now, if it be profitable for a private corporation to build the railways for one-half of the land in a 40-mile strip, why is it not a good business proposition for the Government to build a railway, as proposed, when it owns practically all of the land, not only for 40 miles along the proposed route but throughout all of Alaska?

This argument justifies railway construction in Alaska by the Government independent of the question as to whether such railroad will be profitable immediately or for many years to come. The road will be a profitable investment if it develops the land and makes available the resources of the Territory. Railroads are necessary for that purpose. It is perhaps true that 10,000 miles of railway will be necessary for the ultimate development of the Territory of Alaska, but it does not follow that the Government must build all of it. Our Government has assisted in building 5,500 miles of the Union Pacific, Central Pacific, and Northern Pacific in a region where there are now 55,000 miles of railway, all the rest of which was built without any assistance of the Government whatever. The same will be true in Alaska. Within five years after a Government railway The same will be is built to the Tanana River it is said there will be 50,000 people in the Tanana Valley. That will justify private capital in building railways along other routes, into the interior of Alaska, in the same way as railways were built in the region between the Great Lakes and Puget Sound, where four transcontinental railways were operating within 25 years after the first one was built, and only that first one, the Northern Pacific, received Government aid. So it will be in Alaska. I repeat, it is not a question of Government ownership of railways, not even in Alaska. It is a question of how best to provide facilities to develop the resources of that Territory. It is a question of whether we shall surrender a large portion of those resources to secure such railways, as was done in the Western States, or whether we shall build the railways ourselves to facilitate de-velopment. Then, when such railways are built and the development of the interior of Alaska assured, we can settle the Government railway question there on the same basis as in the States. I contend it will be immensely profitable for the Government to build the railways in Alaska just to secure the development of that Territory, just to make available the great natural resources of that Territory; and after we have done this we might, if so disposed, give the railways away and still profit immensely by the transaction in the light of our experience in the development of the great West.

THE VALUE OF ALASKA TO THE UNITED STATES.

Alaska is a land whose area is equal to one-fifth of the United States, or twelve times that of the State of New York. Its production of gold for the year 1912 was \$17,398,943; that of our gold State, California, whose population is thirty-seven times as great, was only \$19,928,500. Alaska's per capita production of copper, the mining of which is only begun, is now equal to the per capita production of Montana. It has coal fields of greater area than those of Pennsylvania, and arable lands greater than the entire State of Oregon. Tin, iron, gypsum, and oil are found in commercial quantities, and its marble quarries rival those of Vermont.

The reindeer industry, established in 1902 with 1,280 head, has spread until the 47 herds number 38,000 head, and promises to become a valuable source of food supply; while the extent of its fishing grounds exceed those of all the States combined, and are excelled nowhere in the world.

Its undeveloped water power exceeds that of the entire Pacific Coast

Its undeveloped water power exceeds that of the entire Pacific Coast

States.

Such is Alaska, a frontier land not only of vast resources, but a land also of scenic beauty and grandeur not excelled by any of those sought annually by the thousands who take their summer recreation abroad.

On an investment of \$7,200,000, Alaska has given us in return, since 1867 (and by far the greater portion since 1809, or only 14 years), as shown in the reports of the United States Geological Survey, Director

of the Mint, and other official documents: Gold, final estimate	1, 841, 202 13, 570, 225 347, 389 982, 554
Total	470, 337, 265
Produced in 1912, as per final estimates: Gold, silver, and copper Other minerals Fish and furs Miscellaneous	252, 000 18, 120, 132
Total	41, 051, 999
Commerce of Alaska in 1912: Imports	22, 917, 795 42, 278, 546
Total	65, 196, 341

Foreign gold and silver: 3, 840, 546 3, 704, 173 Imports_ Exports_

72, 741, 060

Total 72, 741, 060

This foreign gold and silver was practically all received at Skagway and thence experted.

With a population in 1910 of only 64,356, about equally divided between natives and whites, these figures show commerce per capita for entire population, \$1,013; commerce per capita for white population, \$2,026. No other country in the world can make such a showing.

These results have been obtained at a cost to the Government of about \$25,000,000 over and above the revenues collected in 45 years, showing a profit to the Nation of practically \$438,000,000 on an investment of \$32,000,000. Contrast this with the money spent in the Philippines on an alien nation, and with the results which will not bear comparison. If Alaska has achieved so large a measure of success under adverse conditions of every kind, what may not the results be under more favorable auspices?

The official returns are yet incomplete for the year 1913, but

The official returns are yet incomplete for the year 1913, but those already compiled aggregate \$36,759,784, and this amount will be increased when complete returns are available. has already yielded considerably more than \$500,000,000, has contributed more than half a billion to the wealth of the United States, or a profit of at least \$470,000,000 on our muchneglected investment.

neglected investment.

In March, 1867, Alaska was purchased by the United States for the sum of \$7,200,000 in gold, and in October of the same year the formal transfer was made at Sitka. From 1867 to 1877 Alaska was governed by the War Department, although the customs were from the beginning collected by the Treasury Department, and with the latter the control rested from 1877 until the passage of the act of 1884. This act extended over Alaska the laws of the State of Oregon, so far as they were applicable, created a judicial district and a land district, put in force the mining laws of the United States, and gave the country an administrative system.

The influx of settlers after the discovery of gold in the Klondike in 1896 rendered more adequate laws necessary. In 1899 and 1900 Congress made provisions for a code of civil and criminal law, and in 1903 passed a homestead act. In the meantime a serious boundary dispute had arisen between the United States and Canada regarding the interpretation of the treaty of 1825. This was settled in 1903 by an agreement whereby the seacoast of Canada extended no farther north than 54° 40°.

By the act of May 7, 1906, Alaska was given power to elect a Delegate to Congress. The act of August 24, 1912, provided for the creation of a Territorial legislature.

GOVERNMENT.

EXECUTIVE.

The executive power is vested in the governor, who is appointed by the President for a term of four years by and with the advice and consent of the Senate. The governor may veto any bill passed by the Territorial legislature within three days after it is presented to him. The bill must be vetoed within three days if the legislature continues in session; otherwise it becomes law without the governor's approval. The legislature may override the veto by a two-thirds vote of all the members to which each house is entitled.

LEGISLATIVE.

The legislative power is vested in a Territorial legislature consisting of a senate and a house of representatives. The senate consists of 8 members, 2 from each of the four judicial divisions into which Alaska is now divided. The house of representatives consists of 16 members, 4 from each of the four judicial divisions. The term of each member of the senate is four years, one member from each judicial division being elected every two years. The term of each member of the house of representatives is two years.

The first election for members of the legislature was held on November 5, 1912; subsequent elections will be held blennially thereafter on the Tuesday after the first Monday in November. The legislature will convene at Juneau, the capital, for the first session on March 3, 1913, and thereafter on the first Monday in March every two years. The length of the session is limited to 60 days, but the governor is empowered to call a special session, which shall not continue longer than 15 days.

District court.

The judicial power of the Territory is vested in the United States District Court for Alaska, which has the same jurisdiction as the district courts of the United States and has general jurisdiction in civil, criminal, equity, and admiralty causes. This court is divided into four divisions, presided over by four judges appointed by the President, by and with the advice and consent of the Senate, for a term of four years.

LAND OFFICES.

Local land offices are located at Nome, Fairbanks, and Juneau, where entries for public lands should be filed. The surveyor general for the Territory is located at Juneau.

PUBLIC LANDS.

Citizens of the United States, or those who have declared their intention to become such, may settle upon and enter as a homestead claim not exceeding 320 acres of nonmineral, agricultural public land in Alaska. If unsurveyed, the land must be located in rectangular tracts, not more than 1 mile in length, with north and south, east and west boundaries marked upon the ground by permanent monuments, and notice of the claim filed in the recording district in which the land is situated. If at the expiration of the three-year period of residence and cultivation, or if at the end of 14 months' residence and cultivation the settler desires to commute a 160-acre claim, and the public-land surveys have not been extended over the land claimed, proof may be submitted, entry allowed, and patent obtained upon a survey made at the expense of the settler.

Corporations or citizens of the United States who are in the occupation of public lands in Alaska for the purposes of trade, manufacture, or other productive industry may each purchase at the price of \$2.50 per acre one claim, not exceeding 80 acres in area, of nomineral public land needed and occupied for the purposes of trade, manufacture, or industry.

Deposits of mineral in the public lands and national forests in Alaska other than coal, oil, and natural gas are subject to location and purchase under the general mining laws of the United States by citizens, or those who have declared their intention to become citizens, at \$2.50 per acre for placer-mining claims and at \$5 per acre for lode-mining claims. Each lode-mining claim is limited in area to a tract not exceeding 1,500 feet in length by 600 feet in width, but the law imposes no limit as to the number of locations which may be made by a single individual or corporation. A placer-mining location in Alaska may not exceed 20 acres in area-for an individual location or 40 acres for an association of two or more persons, and no person is permitted to-locate, or to-procure to be located, for himself more than two placer-mining claims in any one calendar month.

Timber upon the unreserved public lands in Alaska is subject to sale under regulations issued pursuant to section 11 of the act of May 14, 1898 (30 Stat., 409).

The law provides for reservations of blocks of public lands 80 rods in width, between sold or entered tracts, along the shores of waters in Alaska, and various reservations of public lands or natural resources thereof have been made within that district.

Less than 1 per cent of the lands of Alaska are in private ownership. The people of the United States still own more than 99 per cent of the entire area of that vast Territory. It is a great national asset of the people, and it is evident to any student of the times that the people propose this asset shall be well administered. At least we must profit by the mistakes of the past. Land grants have proven to be both inadequate and inspections, methods of adding railway construction. In adding the state of the people propose the provention of the details of adding railway construction. insufficient methods of aiding railway construction. Inadequate because the lands have no practical value prior to the railway construction. They are not an asset of the railway until the road is actually in operation, and hence the bonds of the Northern Pacific, even with its tremendous land grants, sold at a deplorable discount. Land grants are unsatisfactory because in the end unreasonable profit is given to the railway, some years after its completion and when that aid is not necessary. This profit should be retained to the people. The financial condition of our country at the end of the Civil War was such that the Government was perhaps not justified in building the Pacific railroads. This may or may not be so, but it is not necessary now to determine that question. History has demonstrated that land grants are unwise, and we have had this experience in practically every State in the Union since railways became the accepted means of transportation. Nor do the people propose to turn over the resources of Alaska for exploitation by private capital. The Government can exploit these lands itself for the benefit of all the people. The proposed bond issue to build Government railways in Alaska is not for the benefit of the 35,000 people who are now in Alaska. money will not go to them, but will go to the people of the United States-to Pennsylvania for locomotives, to Minnesota and Colorado for steel rails, to the copper refineries on the Atlantic coast for copper wire, to the cotton fields of the South and the woolen mills of New England for clothing, and to the farmers throughout the entire United States for much of the food of the people who go there to build the railroads and to develop the resources and to establish homes in that great Territory. Our trade with Alaska is already greater than our trade with the Philippines or with China. What will it be when the population of Alaska is multiplied tenfold by our own people, for Alaska, in the future as in the past, will be peopled by the sons and daughters of every State in the Union. This land is the people's heritage. Its mines should fill their coffers and its fields supply their larders. It is simply a business proposition for the people of the United States to pledge their credit in the development of the resources of this Territory, instead of surrendering one-half or one-quarter of those resources to any private corporation for exploitation and profit.

RAILROADS.

The principal railroads in Alaska are the Alaska Northern, extending about 70 miles in a northerly direction from Seward, on Resurrection Bay, to Kern Creek; the Seward Peninsula, about 75 miles long, with its terminus at Nome; the Tanana Valley, extending from Fairbanks and Chena, about 50 miles among the principal placer-mining camps of the neighborhood; the White Pass & Yukon, extending in a northerly direction from Skagway a distance of 20 miles in American territory, and thence in Canadian territory to White Horse, a distance of about 90 miles; and the Copper River & Northwestern, extending 197 miles from Cordova to Kennicott. The first and last named are standard gauge.

from Cordova to Kennicott. The first and last named are standard gauge.

The act approved August 24, 1912 (public 334), provides for the appointment by the President of a rallroad commission consisting of an officer of the Engineer Corps of the Army, a geologist in charge of Alaskan surveys, an officer of the Engineer Corps of the Navy, and a civil engineer who has had practical experience in railroad construction. The members of this commission are as follows: Maj. Jay J. Morrow, chairman; Alfred H. Brooks, vice chairman; Civil Engineer Leonard M. Cox, and Collin Macrae Ingersoll.

This body was authorized and instructed to conduct an examination into the transportation question in the Territory of Alaska; to examine railroad routes from the seaboard to the coal fields and to the interior and navigable waterways; to secure surveys and other information with respect to railroads, including cost of construction and operation; to obtain information in respect to the coal fields and their proximity to railroad routes; and to make report to Congress, together with their conclusions and recommendations, in respect to the best and most available routes for railroads in Alaska which will

develop the country and the resources thereof for the use of the people of the United States.

The report of this commission is a splendid argument for the construction of railways in Alaska by the Government. The report recommends the construction of two trunk lines from the coast to the interior, one following the Copper River Valley and the other the Susitna Valley. We are not interested now in the consideration of these routes, for the pending bill leaves the selection of the route entirely to the President. We are interested, however, in the advice and information given in that report. One member of the commission, the beloved Dr. Brooks, has personal knowledge of Alaska, acquired through his long experience in the United States Geological Survey and his intimate personal examination of the resources of the Territory. The other members of the commission visited Alaska. The commission availed themselves of the mass of information collected by the Government through its various departments. They not only found that the resources of Alaska justified railway construction, but also that such lines can be made profitable. The commission did not feel called upon to recommend how the railroad should be built, but the report recognizes that the Government can build such roads on 3 per cent money, while private capital must pay a much higher interest rate, unless the bonds for private construction be guaranteed by the Government. The report shows that on an estimated tonnage on a given route a passenger rate of 7.7 cents per mile and a freight rate of 9.4 cents per ton-mile would be necessary on private construction with 6 per cent money, as against a passenger rate of 6.6 cents per mile and a freight rate of 6.25 cents per tonmile under Government construction with 3 per cent money. This means that a private company, even if fortunate enough to sell its 6 per cent bonds at par, would be obliged to charge a passenger rate of \$32,90 for the haul between Seward and Fairbanks, as against \$28.20 on a Government-constructed line, and a freight rate over the same route of \$40.20 per ton would be necessary, as against \$26.71 on a Government-constructed line. I have selected this route merely to illustrate the point that the Government has great advantages in the construction of railroads in Alaska, by reason of its ability to do so on 3 per cent money, while if private construction be at all possible traffic charges would be much greater. These rates seem high, but we have it on the authority of Dr. Brooks, of the United States Geological Survey, that a freight rate of 10 cents per ton-mile would save perhaps one-half of the annual freight bill of from seven to eight million dollars paid by the people of interior Alaska on the present estimated total of 30,000 tons per annum. At this rate, the value to the people of Alaska, on the present tonnage alone, would be sufficient to retire in 11 years the entire bond issue proposed in the pending bill. Hence it follows that we can not only open up the vast resources of the Territory by the construction of the railways, but we can save the people of Alaska enough on the present freight traffic alone to more than justify the investment.

That, however, is a small item. The real purpose is to make available the great resources of the interior of Alaska. Acres of placer gravels, rich but not rich enough to pay to work under the present high transportation charges and the incidental cost of high labor and supplies, mines of native copper of such fabulous wealth as to rival the great Treadwell, which produces \$4,000,000 each year, and the Kennicott, from which the Morgan-Guggenheims have already extracted several millions of dollars, though their railroad to it has been in operation but three years. These rich mines might as well be in the chasms of the moon until railway transportation is provided. I am told that a paying mine has never been found at tidewater anywhere on this old mother earth except in Alaska, yet practically all of the more than \$240,000,000 which Alaska has produced in minerals came from places within sight of the smoke of a steamboat. This will give us but a faint idea of what the mineral production of Alaska will be when railway transportation makes available the mineral wealth of the great

interior.

The mineral wealth is very generally admitted; indeed, it can not be denied by anyone who has given the subject any study. We are disposed to question the agricultural value of Alaska, however, because of its northern latitude. This is because we do not realize that there are 15,000,000 people in Europe living in the same latitude on substantially the same area, in Scotland, Norway, Sweden, Finland, Lapland, and northern Russia. Those countries produce no gold, their copper production, after centuries of development, is but a fraction of what Alaska already produces from the little rim along the southern coast. Their fisheries produce less than those of Alaska, although the Alaskan fisheries are far from being fully developed. The agricultural lands of Alaska are just as favor-

ably situated as those of northern Europe, and in time will produce just as bountifully and sustain just as large a popu-

These statements are not made upon the authority of en-We have it from our Government reports. thusiastic boomers. We have it from the figures compiled by the Department of Agriculture, and based on data collected by and through the investigations of the agricultural lands of the Territory by competent men. There are four agricultural experiment stations in Alaska conducted by the United States Government under the directions of Prof. C. C. Georgeson. These are located at Sitka, the ancient Russian capital of Alaska, situated in the southern archipelago; at Kodiak, on the southwestern coast of Alaska, the oldest town on the Pacific coast of America north of Mexico, which was settled by the Russians the year George Washington became President of the United States, and occupied ever since then by the Russians and their descendants, who till the soil and raise their herds upon this pastoral island, where the Government is now developing a breed of cattle suitable for domestic use in Alaska. Another station is at Rampart, on the Yukon, and another at Fairbanks, in the heart of the Tanana Valley, our great northern agricultural empire. This lies within 100 miles south of the Arctic Circle. It is true that the cold is severe, but no more so than in many of the most prolific agricultural regions in the northern portion of the United States. Sixty-five degrees below zero is the lowest temperature of which the United States Weather Bureau has any record in Fairbanks, Alaska. It is interesting to note that the same temperature has been recorded in Miles City, Mont., in the heart of the great agricultural section of eastern Montana. I append the following tables prepared upon data furnished by the United States Weather Bureau. The information given is official, and can be verified at the Weather Bureau in the United States Department of Agriculture.

The lowest temporature below zero of which the United States Weather Bureau has any official record in the following places.

Degre	
Fairbanks, Alaska	63
Miles City, Mont	
Pembina, N. Dak	59
Moorehead, Minn	48
Gering, Nebr	45
Ogdensburg, N. Y	43
Frankfort, Kans	
Roswell, N. Mex	20
Liberty, Mo	20 20
Beaver, Okla	
Juneau, Alaska	
Kodiak, Alaska	
Sitka, Alaska	4
Tallahassee, Fla	
Cordova, Alaska (above zero)	
AVERAGE DATE OF THE LAST KILLING FROST IN T	THE SPRING ACCORDING TO

CHART NO. 1, BULLETIN NO. 5, OF THE UNITED STATES WEATHER BUREAU FOR 1912.

FOR 1912.

May 15. Fairbanks, Alaska; western Nebraska, southern South Dakota, northern Iowa, southeastern Minnesota, central Wisconsin, central Michigan, northern Pennsylvania, central New York, central Vermont, southern New Hampshire, and southern Maine.

May 20. Eastern Wyoming, central South Dakota, southeastern North Dakota, central Minnesota, north central Wisconsin, southern New York, northern Vermont, central New Hampshire, and central Maine.

May 25. Eastern Montana, central Wyoming, western North Dakota, northern South Dakota, northern Minnesota, and northern Wisconsin, June 1. Northern North Dakota, northern Minnesota, the higher portions of central and northern Wisconsin, central Colorado, western Montana, central Idaho, eastern Oregon, central Nevada, and northern Arizona.

Advisiona.

June 5 to June 15. The higher agricultural valleys and fruit-growing sections, including the Okanogan irrigation project in northern Washington, eastern Oregon, southern Idaho, eastern Nevada, northern Arizona, northern New Mexico, central Colorado, and southern Wyoming.

LATEST DATE OF LAST KILLING FROST IN THE SPRING OF WHICH THE UNITED STATES WEATHER BUREAU HAS ANY OFFICIAL RECORD, AS SHOWN IN CHART NO. 3, BULLETIN NO. 5, REPORT FOR 1912.

IN CHART NO. 3, BULLETIN NO. 5, REPORT FOR 1912.

May 23. Fairbanks, Alaska,
June 1. Central Nebraska, southeastern South Dakota, southern Minnesota, northern Iowa, northern Illinois, central Michigan, eastern Indiana, western Ohio, northern Pennsylvania, and central New York.
June 10. Eastern Wyoming, central South Dakota, central Minnesota, and central Wisconsin.

June 20. Central Wyoming, southeastern Montana, northern South Dakota, eastern North Dakota, northern Minnesota.

June 25. Central Wyoming, central Montana, and higher agricultural valleys in Washington, Oregon, Idaho, Utah, Nevada, and Arizona.

AVERAGE LENGTH OF CROP-GROWING SEASON (WITHOUT KILLING FROST).

AVERAGE LENGTH OF CROP-GROWING SEASON (WITHOUT KILLING FROST), SHOWING ALSO HOURS OF SUNSHINE DURING SAME PERIOD.

Fairbanks, Alaska, 105.6 days, 2.076 hours.
Ellensburg, Wash., 90 days, 1.380 hours. (Kittitas Valley; 20,000 people, \$6,000.000 bank deposits.)
Northern Wisconsin and practically all of the agricultural valleys of the Rocky Mountain region, 100 days, 1.464 hours.
Northern Montana, all of North Dakota, and northern Minnesota, 110 days, 1.607 hours.
Central Wisconsin, northern South Dakota, and practically all of eastern Montana and Wyoming, 120 days, 1,706 hours.
Thus it will be seen that the coldest weather in the Tanana.

Thus it will be seen that the coldest weather in the Tanana Valley is no more severe than in portions of the United States where agriculture and stock raising has long been profitably pursued. It must be noted that this is in the Tanana Valley, the most northerly territory which will probably be reached by any Government railway authorized by this bill. The temperature along the southern coast of Alaska is as warm as that along the southern boundary of the United States, and it is to be noted that colder weather has been recorded in the capital of Florida than at Cordova, Alaska, the terminus of one of the proposed routes recommended by the Alaska Railway Commission. This is because of the influence of the Japan current in the Pacific Ocean, which produces the same effect upon the climate of Alaska as the Gulf Stream produces upon the climate of the British Isles and the Scandinavian countries. This warming influence is supplemented by the long days during the growing season in Alaska. In the Tanana Valley the growing season of 105.6 days, by which we mean the season between killing frosts, has more hours of sunlight than during the growing season in Iowa, New York, or New England. Then, too, the interior of Alaska is semiarid, and is a land of almost perpetual sunshine during the growing season. These climatic conditions, combined with the wonderful fertility of the soil, have already produced bountiful crops, in proof of which I quote literally from the Annual Report of the Alaska Experiment Station for 1912:

FAIRBANKS STATION.

This station has attracted much attention during the summer of 1912. Travelers from many parts of the globe registered at Fairbanks during the present calendar year, many of whom, after visiting the station, expressed their amazement upon seeing the fields of ripened grains, alfalfa, clover, vegetables, and flowers. The majority of people still think of Alaska as one great field of ice, and those who see the possibilities of agriculture unfolded before their eyes in one grand panorama, as displayed on the southern slope during the season of 1912, may well be surprised.

The latest visitors for the season were the honorable United States railroad commissioners, accompanied by the Hon. James Wickersham, Delegate to Congress from Alaska; Mr. Falcon Joslin, president of the Tannan Valley Railroad; also a number of prominent Alaska citizens. At this late date—October 12—the crops were already harvested and stored for the winter. There had been no snow at that date, nor was the ground frozen. The yard was still a profusion of flowers, and the clover lawns were green as in midsummer. The crops were exhibited as well as possible, and the visitors were shown several tons of ripened grain in the sheaf and stack, as well as 3,000 pounds which had already been fiatled out. They were shown through the large cellar, where more than 1,000 bushels of potatoes of 16 varieties were stored.

It has been stated that upon their return to Fairbanks the railroad commissioners announced that they would not dare to tell what they had seen in Alaska when they returned home, for the people would not believe them.

The season of 1912 has been the banner year thus far, and like reports

had seen in Alaska when they returned home, for the people believe them.

The season of 1912 has been the banner year thus far, and like reports are coming from all over the Tanana Valley.

Two church Sunday-school picnics were held at the station in the birch grove on the hill above the cottage during the summer, which afforded some 300 of the Fairbanks citizens the pleasure of visiting the station. On both occasions the general theme of expression was, What a beautiful place! What wonderful crops!

CLIMATIC CONDITIONS.

It has been said that the climatic condition of a country is one of the first attributes to be considered when a change in habitation is contemplated, but perhaps opportunity is even more important to the man in very moderate circumstances, who can not live on climate alone. Every country has some drawbacks, among them undesirable weather conditions; it is usually too cold, too hot, too wet, too sickly, or even all of these conditions exist in one locality. Interior Alaska has its cold winters, but the summers are not too warm, nor seldom too wet, and, with proper cultivation, seldom too dry. There are few, if, indeed, any other, localities on the globe which can boast of a more healthful climate.

any other, localities on the gione which can be climate. The last winter here was the mildest known to white man. The temperature ranged along about -10° to -20° F, with a great deal of the time at or above zero. The temperature fell to -34° F, one day in November, -45° F, one day in December, -42° F, one day in January, and -32° F one day in February. The snowfall was rather light, and very little fell during the early part of the winter. Freighters were compelled to use wagons until December.

Red Fife wheat seeded May 1 began heading July 3. It had sufficiently ripened to cut on September 10. It made a thick, even growth 4 feet tall and yielded about 55 bushels per acre.

Romanow wheat seeded May 1 began heading July 4. It ripened with Red Fife. The grain stood 4½ feet tall, very even and thick throughout the plat. This variety gave a yield of 60 bushels per acre. Wild Goose wheat seeded May 2 began heading July 4. It ripened a few days later than the above varieties, stood 5 feet tall, very even and thick throughout the plat, and indicated a yield equally as heavy as Romanow.

and thick throughout the plat, and indicated a yield equally as heavy as Romanow.

The fall proved so cool and damp that these three varieties were cut and hung up in a shed to dry out and harden. The grain is well filled with plump kernels.

Sixty Day oats seeded May 2 began heading June 28. They made a thick, even growth about 3 feet tall, were ripe enough to cut August 10, and yielded about 85 bushels per acre.

Finnish oats seeded May 10 began heading July 4, and were ripe for cutting August 15. The crop was very heavy, standing 4 to 5½ feet tall. This variety yielded at the rate of about 90 bushels per acre.

Beardiess barlet all, and were ready to cut August 15. This variety gave a yield of 100 bushels per acre.

Beardiess barley (No. 19852) seeded May 3 began heading June 26. It made a heavy growth 4 feet tall, was ready to cut August 10, and 172n thrashed yielded 50 bushels to the acre.

Hull-less barley (No. 19851) seeded May 3 began heading June 25, made a thick, even growth 3½ feet tall, was ready to cut August 10, and yielded 42 bushels of 60 pounds each per acre.

The above grains were seeded with a No. 4 Planet Jr. drill on a south hillside which had been cropped to potatoes the two years previous. The tract is birch timberland cleared three years ago. No fertilizers were used on this tract, neither on the potatoes nor on the grain, but it probably represents the best soil and exposure.

Plats of alfalfa, red, white, and alsike clover were seeded about the yard fronting the cottage during the first week in June after the main crops were all in the ground and the yard laid out. These plats were fertilized with stable manure and sodium nitrate. The alfalfa-covered a plat 24 by 48 feet. It came up very quickly and made more than a 2-foot growth, standing very thick on the ground. It began blossoming about the middle of August and doubtless would have made a light second crop if cut then. Visitors coming in quite frequently, the alfalfa was left standing until late in September. After it was cut for feed, the stubble had made some new growth when the snow fell.

The red clover covered a plat 36 by 48 feet, making a very thick stand. The summer growth was a little over 2 feet high, and this plat was red with blossoms from the middle of August until cut for feed late in September. This plat was also left standing all fall, being much admired by the visitors.

The alsike clover covered a plat 15 by 20 feet and made a very thick growth 2 feet high. It was also cut for feed with the red clover. Both plats were turning quite green before the ground froze.

The white clover occupied two small plats fringed with pansies, China asters, and China pinks. The white clover covered the ground thickly with about 8 inches of growth, which was almost hidden under its blossoms.

Field peas were grown this year by some of the settlers, and they report that they are well pleased with results. They have not been tried at the station.

Other green manuring crops, such as buckwheat and rye, promise to be more suitable here, as either of these will afford a fair crop to turn under by August 1.

The potato crop of 1912 has by far excelled that of previous years all throughout the Tanana Valley as far as reported. The yield in Fairbanks and the immediate vicinity, it is estimated, will total upward of 300 tons. The tubers in nearly every instance are superior in quality to those of other years. The prejudice against the native potatoes is being gradually broken down, and it is probable that in two or three years the native potatoes will control the market, if, indeed, imported potatoes are not excluded entirely. As the farmer here extends his clearings he is enabled to enlarge his crops, and not only produce more but also cheapen the cost of production so that he can sell potatoes for 3 cents a pound and still make a handsome profit. The dealers can no longer afford the risk of disposing of their imported stock, which will cost them at least 5 cents, to say nothing about the loss by shrinkage, which is much greater than on the native product. The station crop for 1912 amounted to about 1,000 bushels of marketable size, and probably 5 tons of small rotatoes and culis from a little over 5 acres. (Pl. VIII, fig. 1.) The small tubers found a ready market at 1½ cents to 2 cents per pound before the recent hog epidemic struck the camp.

Sixteen varieties of potatoes were planted from May 14 to 22. (Pl. VIII, fig. 2.) The greater part of the crop, however, was of the varieties Eureka and Gold Coin.

The experimental plat was on ground cultivated for the third year, being in potatoes the two previous years. The ground was fertilized for the first time with old stable manure for this crop. Each variety was planted on May 14 in rows 40 feet long, the seed dropped and covered by hand 1 foot apart in the row, making 40 hills of each variety was planted on May 14 in rows 40 feet long, the seed dropped and covered by hand 1 foot apart in the row, making 40 hills of each variety was planted on May 14 in rows 40 feet long, the seed dropped and covered by hand 1 foot apart in the row, making 40 hills of each variety and

were dug on September 18. The marketable tubers only were gathered and weighed as follows:

(1) Butkee, a local product; white skin, rather large, oblong and quite regular in shape, deep eyes, and cooks quite dry. The yield was at the rate of 478 bushels per acre.

(2) Irish Cobbler; white skin, rather large, oblong and quite regular in shape, medium deep eyes, and cooks quite dry. The yield was at the rate of 423 bushels per acre.

(3) Gold Coin; white skin, medium size, round and somewhat flattened, quite regular in shape, small eyes, and cooks quite dry. The yield was at the rate of 375 bushels per acre.

(4) Eureka; white skin, medium to large size, round and slightly flattened, quite regular in shape, small eyes, and cooks quite dry. The yield was at the rate of 345 bushels per acre.

(5) Vornhem; white skin, medium large, oblong, irregular in shape, deep eyes, and cooks medium dry. The yield was at the rate of 314 bushels per acre.

(6) Garfield; white skin, medium size and oblong in shape, some what irregular with many knotty or little side tubers, deep eyes, and cooks quite dry. The yield was at the rate of 302 bushels per acre.

(7) Burpee Early; red skin, medium in size, oblong and quite regular in shape, small eyes, and cooks quite dry. The yield was at the rate of 302 bushels per acre.

(8) Early Ohio; red skin, medium large in size, oblong and irregular in shape with many knotty or little side tubers, rather deep eyes, cooks only fair to medium dry. The yield was at the rate of 302 bushels per acre.

(9) Freeman; white skin, medium large in size, oblong and irregular in shape with many knotty or little side tubers, rather deep eyes, cooks only fair to medium dry. The yield was at the rate of 302 bushels per acre.

(10) Extra Early Pioneer; white skin, medium large, round and

per acre.

(10) Extra Early Pioneer; white skin, medium large, round and quite regular in shape, rather deep eyes, cooks quite dry. The yield was at the rate of 278 bushels per acre.

(11) Snowflake; white skin, medium large, oblong and irregular in shape, deep eyes, and cooks medium dry. The yield was at the rate of 272 bushels per acre.

(12) White Mammoth; large round and oblong tubers with quite deep eyes and regular in shape, cooks only fair to medium dry. The yield was at the rate of 254 bushels per acre.

(13) Extra Early Ohio; pale red skin, medium size, round, medium deep eyes, cooks quite dry. The yield was at the rate of 242 bushels per acre.

per acre. (14) Early Market; light pink skin, medium small, round, a little rough with deep eyes, cooks quite dry. The yield was at the rate of 242 bushels per acre.

(15) Bovee; pink skin, medium in size and round in shape, with small eyes, and cooks quite dry. The yield was at the rate of 206 bushels per acre.

(16) White Beauty; rather large round tubers with small eyes, cooks medium dry. The yield was at the rate of 194 bushels per acre.

Considering the market values of the above varieties, or rather such a class of potatoes as those which find preference in the market; the smoothest white-skinned varieties which are good cookers would be selected. Alaska-grown potatoes are not as dry and mealy as outside potatoes, and oftentimes some varieties become watery when cooked on some soils the whole crop is watery and unfit for table use. This accounts for the strong prejudice against the native product.

In cooking samples of the 16 varieties grown at this station for the season of 1912 not a single watery potato was found, although those classed as "medium dry" were not far from it.

Some of the red-skinned varieties are the best cookers, but these do not sell readily because of the color of the skin.

The quality and the yield of potatoes differ materially with the season, so that several years of comparison are necessary to arrive with any degree of exactness at the relative values of different varieties.

This is the first season the many little side tubers on the Freeman and Garfield varieties have been noticed. Some very large tubers have prongs, and sometimes clusters of small side tubers firmly connected to the large tuber, rendering them unsalable.

For market purposes, Gold Coin, Eureka, Irish Cobbler, and Butkee varieties are preferred to the other 12 varieties, and these, by the way, were the heaviest yielders in 1912. The Gold Coin and Eureka is potato on the list.

Based on cooking qualities only, departing from color preference, selections would be made as follows:

Early Ohio, Burpee Early, Extra Early Ohio, and Bovee, of the red or pink skinned varieties. Next, the Gold Coin, Eureka, Irish Cobbler, and the Butkee. Some of the others are close seconds to the

THE VEGETABLE GARDEN.

Turnips, carrots, beets, peas, parsnips, celery, rhubarb, string beans, abbage, and cauliflower were all grown successfully for home consump-

Horse-radish made enormous top growth; it is now 3 years old. The main roots are from 1 to 1½ inches thick.

Strawberries wintered with very little loss, but because of the necessity of moving them they did not bear much fruit.

THE FLOWER GARDEN.

The China pinks, asters, and pansles which fringe the clover beds, together with the masses of sweet peas, morning-glories, stocks, popples, datsies, candy tuft, nemophila, sweet alyssum, and other pinks, pansles, and asters which fringed the borders of the cottage greenhouse and other portions of the yard made one profusion of flowers all summer and until the middle of October.

Prof. Georgeson is so well satisfied with potato culture about Fairbanks that little attention will be given that tuber hereafter at that station. The agricultural experiment station is not intended to compete with farmers, and the farms about Fairbanks are now successful. Indeed, they are producing at less cost than at the Government station, where very properly the cultivation is experimental and hence more expensive in many cases. The local market at Fairbanks now consumes about 400 tons, and the farms produce about 300 tons. will soon supply the entire local demand. When transportation is provided, the Fairbanks farms will have a market in the newer mining camps, and farming in the Tanana Valley will assume that permanency which is essential to any agricultural The success attained is indeed remarkable. Faircommunity. banks already produces more potatoes per capita than many potato-growing States. What other pioneer district can show such a record in advance of railway transportation or other assurance of permanency?

Reference has been made in these debates to the cost of \$200 per acre for clearing lands for the agricultural experimental station at Fairbanks. The same report recites that this was done with labor costing \$7.50 per day for eight hours' work. That was the prevailing rate of wages then paid at Fairbanks during the busy summer season. I am reliably informed that the tract selected contained a fine body of growing timber, and was chosen because of its close proximity to the town of Fairbanks. It was not cleared as agricultural lands are universally cleared. The Government wished to establish an experiment station. It wished to do so immediately. It wished that sta-tion located near the town of Fairbanks for obvious reasons. It was not then demonstrating how cheaply the land could be cleared, but the director was very properly hastening to place the station in operation. It is not fair to illustrate the cost of land clearing in the Tanana Valley by this single instance. We all know that no farmer in the United States would think of hiring labor to clear his land during the harvest season, when labor is scarce and commanding the highest wage. Yet

that was done in this case, with the added circumstance that the Government employees are limited to eight hours' work a day. Then, too, I am reliably informed that growing timber was removed and the green stumps grubbed and burned, roots

were chopped out, and the ground plowed immediately.

This is not the usual method of land clearing. We all know that it costs a railway many times as much to clear its right of way as it costs the farmer to clear the land through which the railroad passes. Then, too, it is seldom that timberlands are first cleared in any agricultural district. There is always plenty of available ground which is more cheaply cleared, and that is always selected by the pioneer farmer. I am told by those who have lived in those regions of Alaska that the greater part of the land is covered by a so-called tundra of moss, leaves, and vegetation, which decays less rapidly in this northern semiarid climate. This tundra is several inches deep. It dries during the summer months, and the drying can be facilitated by digging trenches through it, which is often done with a plow, and that later in the season this tundra burns readily, thus removing practically all of the surface débris, destroying the brush and small trees, and making the ground practically ready for the plow, while the ash improves the soil and places it in better shape for cultivation than if the débris were plowed under. A few years are required to tame such soils, and the best crops can not be expected until the ground has been tilled a few years. The result is that the farms around Fairbanks are yielding better crops and a better quality of produce each succeeding year. Agricultural permanency in that valley will be assured when we have railroad transportation. No doubt the farmers in the Tanana Valley will share many of the trials common to all Tanana Valley will share many of the trials common to all pioneer farmers, and no doubt they will also ultimately triumph, as did the pioneer farmers of New England, of Ohio, of the Mississippi Valley, and of the far West. Our duty to these pioneers is to afford them every encouragement by liberal laws and adequate transportation facilities. Well has Secretary Lane said in his last annual report, "I do not believe we sufficiently reward the pioneer." Certainly the pioneer has not been rewarded in Alaska. He has not even been encouraged. The passage of this bill will be one move in the direction of substantial sage of this bill will be one move in the direction of substantial encouragement.

The fisheries of Alaska have yielded more than \$167,000,000, including the output of 1912, and to this must be added the output of approximately \$18,000,000 in 1913. The bulk of this is canned salmon. The halibut industry is quite well developed, while cod fishing has only begun. The waters of Alaska doubt-less contain more fish than all other American waters combined, and some idea of the future value of the fisheries may be obtained from the statement that of over 250 varieties of food fish in Alaskan waters we are utilizing only 7.

The seal rookeries of Alaska have yielded more than \$52,-000,000 worth of sealskins. Furs have been exported from Alaska of a value exceeding \$22,000,000, and the whaling industry is important, the value thus taken amounting in 1912 alone to \$1,444,084.

Alaska is the hunters' paradise, abounding in all kinds of wild game indigenous to the northland. The bird life is especially interesting, as Alaska is the breeding place for millions of geese, brant, duck, and waterfowl of innumerable variety, as well as grouse, ptarmigan, and other game birds. mountain sheep, and mountain goat are numerous, and it is the northern home of the moose, while the caribou is seen in thousands in their annual trek across the northern plains.

The domestic caribou-called the reindeer-now number over 38,000 in Alaska. These hardy and useful animals thrive upon the moss-covered mountains and waste lands of western and northern Alaska, which it is estimated will support 20,000,000 head of reindeer. Already several hundred reindeer carcasses are exported each year, and reindeer meat is not only the principal winter supply of meat at Nome, but reindeer steaks are quite commonly served in the restaurants of Seattle and other Pacific coast cities. In time the reindeer will provide a great meat supply, as they thrive best in the winter upon the native mosses, but at present there is no means of practical transportation to get these animals to the market. The reindeer is also valuable for its milk and hide. In Lapland, on an area of 14,000 square miles, over 26,000 people are sustained in comfort by their reindeer, amounting to about 400,000. The so-called waste lands of Alaska might sustain 50 times that number. and at that rate provide sustenance for a population of 5,000,000 people. Can any other region in all the world indicate such vast possibilities in the use of its waste lands as this region of western and northernmost Alaska?

After all, however, Alaska is chiefly important to us for its marvelous wealth of mineral. Well has it been named the "treasure land." The so-called Seward ice chest of 40 years ago

now proves to be Uncle Sam's golden coffer. Development work now in actual operation at Juneau alone will provide an annual yield of more than \$30,000,000 from that one mining district, with an insured ore supply in sight sufficient to maintain that production for 150 years. Improved transportation facilities with cheaper cost of labor and supplies will make possible the development of immense areas of placer ground in the interior which can not now possibly be worked. Forty dredges are in operation at Nome on Bering Sea, where water transare in operation at Nome on Bering Sea, where water trans-portation is available five months in each year. But better railway facilities are necessary, and any reasonable estimate of future productions would seem extravagant, even when based on statements made by those so conservative as the Geo-

logical Survey.

Copper mining is at present limited to the islands along the southern and southeastern coast of Alaska. Only one copper mine in the interior of Alaska is provided with railway transportation, and that mine has actually paid over \$3,000,000 in dividends in its less than three years of operation. This great production along the coast is but a slight indication of the pos sible production when railway transportation is provided. But an important factor is the necessity for coke for smelting. At present foreign coke, even from Australia, is used largely in smelting Alaska copper ore, while the coal fields of Alaska contain countless tons of the most suitable coal for coke manu-An assured supply of Alaska coke at a reasonable cost would insure the construction of numerous copper smelting and matting plants along the Alaskan coast, where there is an infinite variety of ores which are suitable for blending in a proper smelter. Then, too, flux will not be necessary, as it is in most smelters throughout the United States, owing to the character of the ores. This, however, will not be possible until railroads are provided and the coal fields are opened to development.

The surveyed coal fields of Alaska cover an area estimated by the United States Geological Survey at 12,667 square miles, but only one-fifth of Alaska has been inspected. Very little of this has even been prospected. The two best-known fields of high-grade coal are the Bering River and Matanuska fields, in both of which considerable development work has been done and some coal extracted. The chemical tests as reported by the United States Geological Survey show the coal from those two fields to be equal in quality to that of Pennsylvania and West Virginia, each field containing deposits of anthracite and very high grades of bituminous steaming coal and areas of the most desirable coals for the manufacture of coke. The withdrawal of these coal fields from entry has prevented their development. I am not now discussing the wisdom of these withdrawals, but the statement is necessary to explain why Alaska has been compelled to buy its coal in foreign countries and that even the Government is purchasing Australian coal for its use in Alaska and is having the same delivered into Government bunkers on the Alaskan coast in Norwegian steamers. The great value of Alaska coal is not only for its use in Alaska, but elsewhere. About this there is no question. Another great demand for this coal is in the manufacture of coke for copper smelters and steel manufacturing. There is no other coking coal of such quality on the Pacific coast of North America, and this coal must be made available before the copper industry of Alaska can be properly developed.

The value of this steaming coal for naval use is, however, questioned in these debates. It appears that no naval test has ever been made of the Matanuska fields, and no satisfactory test has been made of the Bering River coal, although Congress provided for such a test more than a year ago. About 1,000 tons of coal from the Matanuska field has been mined and will be brought out by sleds during the present winter. Some coal was obtained last year from the Bering River fields. It was the test of this coal about which the opponents to this bill made so much argument on the floor of this House a few days ago. The naval report of this coal test admits that it was not a fair test, that the coal was not properly selected, and contained much dirt and slate. The fact is that the citizens of Katalla, Alaska, publicly protested when this coal was brought out. Their statements were then published in the newspapers of Alaska and the Pacific coast to the effect that the coal had been carelessly selected and that much dirt and slate had been included with it. I refer especially to the statement of Thomas G. White, as published in the Seattle newspapers many months before the naval test was made. Mr. White then gave warning that this test would not prove satisfactory because of the improper and careless selection of the coal. charge is that the coal was taken from the face of several cuts made by coal locators several years previous. Naturally the rain and weather had largely destroyed the exposure. In order

to obtain a fair sample other and further development work should have been done so as to obtain coal which had not been exposed to the weather, as this was for several years. does not appear to have been done, and the results of the tests are far superior to what would have been expected by those who read Mr. White's statement made at the time the coal was taken out and months before the test was made. However, this was not the first test of the Alaskan coal. Commander Boyd, of the United States Navy, in his testimony before the Senate Committee on Territories on May 19, 1913, makes this statement on page 141.

this statement on page 141.

Mr. Boyd. We have had just one test of that coal some years ago. About 35 tons were brought from Mr. McDonald's mine in the same field, was brought to Puget Sound and put on board the Nebraska. The Nebraska then went to sea and made 24-hour tests, steaming four boilers, two boilers using Pocahontas coal and the other two using Berling River coal. The result of that test, so far as figures go, indicates the Berling River coal is superior to the Pocahontas coal as 18 to 15, so far as value is concerned, but that is a very misleading sort of test. Two of those boilers may have been providing most of the steam, just as two horses in a four-horse team may do most of the work; so the test shows nothing. It did show that the coal can not be worked very readily on the grate. For instance, it was so slack that if the fireman, following his usual practice in leveling the top of the fire with a hoe, strikes the slice bar in breaking up clinkers, if he follows that same practice, he is likely to lose a lot of the coal through the grate. We have a commander of the Maryland, who is well informed on Alaska affairs, and is very much interested in the experiment and knows fully the result of that test, and he will make an effort to have his engineer and his fireman so trained by the time they get the coal on board at Controller Bay that they will know best by what system this coal should be fired to make the best test.

Now, I contend that neither of these tests are fair or depend-

Now, I contend that neither of these tests are fair or dependable. Naturally surface tests are not reliable. Coal for naval use must meet the most exacting demand and must be carefully selected. The chemical tests of the Alaska coal show it to be all that could be desired, and it ought not to be con-demned upon a sample of coal selected from one place, which had been exposed for several years to the action of the rain and weather, especially as the naval officers themselves admit this test to be unfair.

Tin occurs in Alaska on the Seward Peninsula and in the Hot Springs region of the Tanana Valley, both as placer or

stream tin and in lodes or veins.

In view of the enormous amount of tin plate used by the cannery establishments on the Pacific coast, the success of these mines is of deep interest. The official report of the commerce of Alaska gives the value of tin ore exported in 1912 as \$90,831.

Iron is abundant at several points in the Territory, but not in localities where it can be made valuable under present conditions. The quantity is said to be large and the quality excellent. If opened, the field might offer return cargo for the vessels now returning light from Nome.

Small pebbles of cinnabar occur in the sluice boxes in the north portion of the Copper River Valley and elsewhere in

Alaska, and they may ultimately be a source of profit. Lead is found in the Ketchikan district.

High-grade antimony is reported from several localities, but in the absence of smelting facilities the ores have but little present value. Bismuth and tungsten are also recorded, and platinum is found in small quantities in the sluice boxes of many placer camps. It is interesting to note that a belt of rock of the same age geologically as those which yield the platinum placers of Russia is indicated on a late map of the Geological Survey as crossing the edge of the Tulsak, suggesting that the presence of the platinum in the sluice boxes may prove to be a

fact of commercial value, especially as the metal now commands about \$40 an ounce, or double the value of gold.

Silver also is found in nearly all the different quartz regions of Alaska and often is of sufficient value to pay for the reduction of the ore for the more valuable minerals which are being treated.

The number of fur-bearing animals in Alaska is undoubtedly much smaller than in the days of Russian occupation. The annual output of skins is still an important industry, the total value to 1912 being \$22,216,872 and the value for 1913, \$370,519.

While the marble industry is still in its infancy, those who are familiar with the quality and quantity of marble of Alaska are now preparing to supply the market, not only for interiors of buildings on the Pacific coast, but also to export it to Asia and even as far as Australia.

Gypsum is also found in large quantities.

That stock can be raised from the Yukon Valley southward during the summer is well known to all old Alaskans, who have seen cattle, sheep, and horses living on the native product. Cows for dairy purposes are kept near all the principal towns. On Raspberry Island there is a band of 500 sheep. Horses are in universal use in all parts of the Territory,

their more extensive use being limited principally by the absence of good roads.

That eats, barley, and rye can be grown successfully has been demonstrated at the experimental stations in the Yukon and Tanana Valleys, as well as in that of the Copper River, and also by the farmers around Fairbanks and in the Susitna Valley, who have cut harley for hay giving 3 tons to the acre. There are also splendid samples of wheat. These crops are also largely grown in northern Russia. The successful growth is governed by the date at which the ground obtains a certain warmth to cause the seed to germinate—42° for wheat—and a sufficient time thereafter to mature.

It is possible to grow vegetables in all parts of Alaska except upon the tundra and the high mountains. An examination of the Government experimental station reports shows conclusively that all the ordinary garden vegetables can be raised with entire success.

Fruits and flowers abound in southeastern Alaska, while cranberries, raspberries, blueberries, and many other varieties of wild berries and flowers are to be found all through the Yukon and Tanana Valleys.

FORESTS The following statements are condensed from the official report of R. S. Kellogg, assistant forester in 1910, the report of the governor of Alaska for the fiscal year ending June 31, 1912, and from local sources where they relate to the Fairbanks mining industries.

The total area of the forests and woodlands in the Territory is estimated at about 100,000,000 acres, or 156,250 square miles, or 27 per cent of the total area. Of this about 20,000,000 acres, or 31,250 square miles, are estimated as containing timber suitable for manufacturing purposes, which is more than the area of South Carolina and nearly that of Maine or Indiana. Of the remaining 80 per cent, or 125,000 square miles, one-half is classed as woodland, carrying some saw timber, but on which the forest trees are of a small size, more scattered, and valuable chiefly for fuel; the tree growth on the remainder being stunted, scrubby, and valueless for any purpose except the camp fires of the prospector. The region north of the Endicott Mountains, all of the shores of Bering Sea, and the Alaska Peninsula south of Illiamna Lake are practically destitute of timber, producing nothing larger than willows of very small growth, and those only in a few localities. AREA

The matter of the construction of the railroad is to be left in the hands of the President. He is authorized under the provisions of the bill to do all lawful acts necessary to accomplish the purposes and objects of the measure. He is authorized to withdraw, locate, and dispose of, under such rules and regulations as he may prescribe, such area or areas of the public domain along the line or lines of proposed railroads for townsite purposes as he may from time to time designate.

In that a bond issue for \$35,000,000 is authorized by the act, no appropriation is required. The act provides for a redemption fund, into which shall be paid 50 per cent of all moneys derived from the sale or disposal of any of the public lands, including town sites in Alaska, or the coal or mineral therein contained or the timber thereon; into this fund shall be paid the net earnings of the said railroads above maintenance charges and operating expenses; the said redemption fund, or any part thereof, shall be used from time to time, upon the order of the President, to pay the interest on the bonds authorized and issued under the provisions of the pending bill, and to redeem, cancel, and retire said bonds, under such rules and regulations as the President may establish in accordance with the provisions of this act.

The officers or agents placed in charge of the work by the President shall make to the President annually, or at such other periods as may be required, full and complete reports of their acts and of all moneys received and expended in the construction of the work, and the annual reports shall be transmitted by the President to Congres

The railroad rates will be under the supervision of the Interstate Commerce Commission.

The bill provides for the construction, maintenance, and operation of telegraph and telephone lines as far as they may be necessary and convenient in the construction and operation of the railroad authorized under the act, and they shall perform generally all the usual duties of telegraph and telephone lines for hire.

Alaska is owned by the United States Government. Rightfully it should be preserved for all the people. The day of special interests is rapidly coming to a close, and it becomes more apparent than ever that the resources of the great, rich Alaskan Territory should not be subservient to private interests, but of right should be conserved and developed for the welfare of the whole people.

It is because I believe that the proposed legislation will surely be a benefit to this Government and its people that I favor this bill. No clearer or more forceful statement of the whole situation has been made than was given in the words of our President in a recent message to this House, when he said:

A duty faces us with regard to Alaska which seems to me very pressing and very imperative; perhaps I should say a double duty, for it con-

cerns both the political and the material development of the Territory. The people of Alaska should be given the full Territorial form of government, and Alaska, as a storehouse, should be unlocked. One key to it is a system of railways. These the Government should itself build and administer, and the ports and terminals it should itself control in the interest of all who wish to use them for the service and development of the country and its people.

[Applause.] Mr. BOOHER. Mr. Chairman, I am led to support this bill after giving the subject of Alaska and its resources very careful study and consideration for two years.

In the Sixty-second Congress I was permitted to serve on the Committee on Territories, and was placed upon the subcommittee having in charge legislation touching Alaska. I may say that when I commenced the investigation of the subject I was opposed to conservation in Alaska as it was then and is now carried on, and opposed to railroad building in Alaska, because I had the idea that if we opened the coal mines of Alaska the people would at once flock into that country and it would be settled up as rapidly as the Territories of the West were settled.

After studying the matter very thoroughly I have come to the conclusion that the only way in which to develop Alaska is for the Government to build railroads there. [Applause.] I know no other way to secure those railroads than to support the bill that the Committee on Territories have brought into

this House and now ask us to support.

Gentlemen say, "If you will open up the coal mines alone and build no railroads you will develop Alaska"; and my friend from Oklahoma [Mr. Ferris] wound up a long speech by saying that the way to develop Alaska was to open the coal mines; that once open, the coal mines and the people would flock into the Territory. But for three hours he had been maintaining that there was not anything in the Territory to support a man after he got there. He labored long to prove conclusively that they could not even eat the potatoes that they raised there, that they had to ship potatoes in. Down in my friend's own that they had to ship potatoes in. Down in my friend's own home they are eating potatoes to-day grown up in Minnesota and Idaho and Colorado. That is no sign that you can not raise potatoes in Oklahoma good enough for the people of Oklahoma to eat. It is merely a case where they did not raise enough and have to send somewhere else to get them.

The gentleman from Oklahoma read from the statement of

some gentleman named Chubbock, or some such name, a dissertation on the potato. If the gentleman had taken the pains to read the report of the experiment station, by Prof. Georgeson, who has spent four or five years in Alaska, he could have learned that they raise as good potatoes and as many of them per acre as they do in any country in the world.

Now, I do not believe that Alaska will ever be the agricultural country that Oklahoma, or Kansas, or Nebraska, or Missouri, or Illinois is, but I do believe that they can produce sufficient to support a population of 5,000,000. I know there are great mineral resources there, and, from my standpoint, I believe it is the duty of Congress to develop Alaska in some way in order that we may get the advantage of those resources. [Applause.]

As the gentleman from Tennessee [Mr. Sims] said, Alaska belongs to the United States. It belongs to the people. We are not pledging ourselves to any doctrine of government ownership of public utilities, railroads, or anything else by building this railroad. We are doing with our property what any good business man would do with his own property. [Applause.] Suppose a farmer has 160 acres of timberland. Does it do him any good until he improves it? If he lets the timber stand and does not cut it off and put the land into cultivation, if he keeps it in his family long enough, it will break the whole family, because it is not improved and he gets no return for the outlay and taxes on the land. But when he begins improving it, it costs him something to improve it. The gentleman from Oklahoma [Mr. DAVENPORT] said in his speech that it costs \$200 an acre to improve land in Alaska. Then his colleague [Mr. Ferris] in his speech dropped \$75 an acre and got it down to \$125 an acre.

I have seen a statement from a gentleman as intelligent as anybody who ever visited Alaska, who, after having inspected it, says it can be improved for \$40 an acre. I do not know which one of these gentlemen is right, and I do not care which one is right. I believe it is the duty of this country to build railroads in Alaska, and especially do I believe it is the duty of the Members on this side of the Chamber to vote for this bill, and I will tell you why. We are responsible for the President of the United States. We ought to carry out his views. We ought to aid him in every way we can. We ought to carry out the pledges of our platform to develop Alaska. The President, in the first message he delivered to this Congress, told us how we ought to do it. Now, let us see just what he says:

A duty faces us with regard to Alaska which seems to me very pressing and very imperative; perhaps I should say a double duty, for it

concerns both the political and the material development of the Territory. The people of Alaska should be given the full territorial form of government, and Alaska, as a storehouse, should be unlocked.

My friend the gentleman from Virginia [Mr. Saunders] says there are a good many old storehouses all over the country that are not worth unlocking. President Wilson continues:

One key to it is a system of railways. These the Government should itself build and administer, and the ports and terminals it should itself control, in the interest of all who wish to use them for the service and development of the country and its people.

Now, my Democratic friends, that is the language of our President, and he is supported by the report of Mr. Lane, the Secretary of the Interior, who recommends the passage of this bill without any ifs or ands about it.

Now, what are we to do about it? Are we to keep our pledges solemnly made to the American people and aid our President in carrying out his views on this subject or are we to abandon the pledges we made to the people? Are we to disregard the recommendations of the President and excuse ourselves by saying it pledges us to Government ownership of railroads? What is the difference between digging a canal for transportation and owning it and making it free of tolls and building a railroad for transportation purposes? My good friend from Pennsylvania [Mr. Moore] wants this Government to dig an intercoastal canal, as it is called, all the way from Boston to Galveston, digging it three-fourths of the way in sight of the Atlantic Ocean and the Gulf of Mexico, and making it free of tolls to the commerce of the country. Everyone who favors that idea ought to be more than willing to vote for this bill to permit the Government to build a railroad in Alaska when we propose to charge everybody who rides on it or takes a pound of freight over it enough for the use of it to pay the expenses of maintaining the property. [Applause.]

And then the bill provides for a sinking fund in order to pay

for the road. How? Out of Government property there, out of the gold and the copper and everything else that is there, because it belongs to the American people; and out of the very things that my friend from Oklahoma said would furnish, if the road was built by private parties, an immense tonnage to the railroad if it would only open the coal mines,

A good deal has been said about the coal not being good for naval purposes. The gentlemen when they discuss this proposition ought to go to the bottom of it. They ought to get at the bottom of the coal proposition; they ought to know exactly what there is in it. There has been a strife between the Bureau of Mines, the Geological Survey, and the Navy Department over the coal in Alaska ever since it was known that there was coal up there.

The Bureau of Mines, some years ago, tested the coal from Alaska taken from Bering River coal fields, and it tested better than any eastern coal for naval purposes. Somehow or other that did not suit the Navy. For some reason they wanted to find out what the eastern owners of coal mines wanted. I do not know why, but there was some inducement somewhere that led the people interested to have another test, and so the naval appropriation bill in the last Congress, when it came to the House, carried \$50,000 to enable the Navy to get coal out of Bering River coal fields in order that another test might be made. That appropriation was stricken out in the House for a good reason, but it went to the other end of the Capitol and they added \$25,000 to it, making \$75,000; and I am informed that when it got into conference there was no objection to it on the part of the House conferees, notwithstanding the House had stricken it out. I say there is as good coal in Alaska for naval purposes as there is in West Virginia or Pennsylvania, and I say that the coal taken for the test at Annapolis, and made on the Maryland, was taken for the express purpose of defeating the Bremmerton test before mentioned.

Mr. FERRIS. Does the gentleman want to indict the Navy Department?

Mr. BOOHER. The gentleman heard what I said.
Mr. FERRIS. That shows the character of this debate.
Every time an authority is quoted there is a disposition to de-

tract from that authority.

Mr. BRYAN. The gentleman from Oklahoma ought to be the last one in the House to say that.

Mr. BOOHER. I have said nothing to which the gentleman can object. I say that the test made by the Navy Department was not a true test; that the coal obtained was obtained for the express purpose of destroying the test made at Bremmerton. Otherwise, how would you get two tests so far apart as those two tests were?

Mr. FERRIS rose.

Mr. BOOHER. Oh, the present Navy Department had nothing to do with it, I am very glad to say; neither did the officers who made the test.

Mr. FERRIS. I do not think the gentleman ought to make that statement

Mr. BOOHER. Now, I am going to read a letter and show you how the coal was obtained to make this test, and you can judge whether you believe it was a fair test. I tried to get my friend from Virginia [Mr. SAUNDERS] to say that coal did not deteriorate by lying on top of the ground and that surface coal was not so good as that taken from the mine, but, of course, he would not admit such to be the fact. I want you to hear this letter read, and you will want to know where my friend, the gentleman from Illinois [Mr. MADDEN], got the information that the coal was taken out of a tunnel 100 feet deep. Here is the letter :

TERRITORY OF ALASKA, GOVERNOR'S OFFICE, Juneau, January 17, 1914.

Governor's Office,

Juneau, January 17, 1914.

Hon. James Wickersham,

Delegate from Alaska, Washington, D. C.

My Dear Judge: I note by the newspaper dispatches that the opposition in Congress to the Alaska railroad bill are endeavoring to make capital out of a statement alleged to have been made by Rear Admiral Griffin, of the United States Navy, to the effect that the tests made of Bering River coal had not been satisfactory.

No one who lives in Alaska, having a definite knowledge of the way in which the coal was mined and the quality obtained, expected that the test would be otherwise than unsatisfactory. To dig out of an open cut and transport to tidewater 800 tons or less of this coal cost the Government, I am informed, approximately \$100,000. The expedition in charge of the work was a rank fallure in nearly every particular, according to the information at my command. There was a constant friction between the Bureau of Mines representatives and the Navy officials, who jointly made up the expedition, or who were in charge of it, and the mismanagement and inefficiency were everywhere apparent. In February of last year Thomas G. White, an old resident of Katalla, who assisted the Government party in getting out the coal, wrote me in effect as follows:

"If we ever succeed in getting out this coal, and it is given a test, it will be pronounced no good, and that will not be a lie either. It is no good for the reason that the coal-mining party, instead of taking coal from the tunnel on the Cunningham claim, where a veln has been developed, took it from an open cut. It is surface coal, and full of rocks and dirt and shale and other debris. No attempt has been made to secure a good quality of coal. Wait for the howl that will come up against it when the test has been made."

White was in Juneau a few days ago, and he repeated the statements made nearly a year before as to the quality of the coal mined by the expedition, adding that he could take a bunch of Indians and get 1,000 tons of first-class coal in the B

injury.
Sincerely, yours,

J. F. A. STRONG, Governor.

Now, you have heard the howl, and it seems that an old settler, a laborer, who was helping get the coal out, judged it exactly and told the country what would be the result of that test. As you will see, this letter is signed by the governor of the Territory of Alaska, and ought to be good authority. [Applause.]
Mr. FERRIS. Will the gentleman yield?
Mr. BOOHER. Certainly.

Mr. FERRIS. Does the gentleman think that even the governor's testimony ought to be superior to the Secretary of the Navy in a question of this sort?

Mr. BOOHER. If the Secretary of the Navy had known these facts, I have no doubt that he would have understood the test that was made and would not have said what he did.

Mr. FERRIS. Has the gentleman from Missouri called the attention of the Secretary of the Navy to these facts?

Mr. BOOHER. No.

Mr. BOOHER. No.
Mr. FERRIS. Why not?
Mr. BOOHER. Now, I am going to read you a letter from the Secretary of the Navy which will throw light on the subject and which I invite my friend from Oklahoma to read carefully:

NAVY DEPARTMENT, Washington, January 31, 1914.

Hon. WM. C. Houston, M. C., House of Representatives, Washington, D. C.

My DEAR Mr. HOUSTON: In reference to my previous letter to you in regard to the tests of Bering River coal, I desire to invite particular attention to the fact that these tests only relate to the coal actually tested.

As stated in that letter, there is nothing to show in the tests just completed what may be expected of coal taken from greater depths on

completed what may be expected of coal taken from greater depths on other veins.

The coal as mined was apparently mixed with foreign matter to a considerable extent, either due to the presence of "bone" in the veins or to the conditions due to mining and transporting the sample tested.

The analysis of the coal showed it to have very excellent characteristics, but its ultimate behavior in the furnace could only be told by actual test. This test showed that in spite of the analysis the sample tested for some reason not yet clear did not give a high efficiency. The presence of clinker usually denotes foreign substances, but this is a matter upon which but little is known, and it might well be that coal from deeper shafts, or even from neighboring veins, would behave very differently.

The absence of smoke is a favorable feature of this coal, and the department hopes that future experience may yet show that Alaskan coal is suitable for naval use.

Sincerely, yours,

JOSEPHUS DANIELS,

JOSEPHUS DANIELS, Secretary of the Navy.

Now, the Bremmerton test was made from coal taken from the Copper River coal fields, about 2 miles from the place this coal was taken, and, as I have said, it tested better than any eastern coal for the Navy. I say that such a wide variance between these two tests indicates that something is wrong somewhere in the testing of this coal, because they would not vary that much if there was not. [Applause.]

In order to furnish the best evidence in support of the proposition that there was a close combination between the Pocahontas Coal Co. and the Navy Department I insert a colloquy that took place in the House in the third session of the Sixtyfirst Congress, when the naval appropriation bill was under discussion. By the way, let us not forget that the Pocahontas Coal Co. has very extensive dealings with the Government in supplying coal for the Navy.

The colloquy referred to is as follows:

Mr. Pearre. Then I understand that the gentleman's charge is that ere is collusion between the Navy Department and the eastern coal

Mr. Pearer. Then I understand that the gentleman's charge is that there is collusion between the Navy Department and the eastern coal operators.

Mr. Humphrey of Washington. I do not say who is responsible, but I am just glying the facts. I say there is no excuse for the action of the Navy in spending from \$900,000 to \$1,000,000 a year in bringing coal around from the Atlantic coast to the Pacific coast for the use of the Navy in time of peace. I assert that it is worse than a waste of public funds, for, in addition to wasting it, it does incalculable harm to American shipping.

Mr. Kitchin. The gentleman means to imply that in time of war they would have use for western coal?

Mr. Humphrey of Washington. Yes; in case of war on the Pacific. So if this coal is to be used in war it seems to me of highest importance that they become accustomed to its use in time of peace.

Mr. Underwood. Mr. Chairman, I agree thoroughly with the proposition advanced by the geatleman from Washington. The closest corporation in this country is the combination between the Pocahôntas coal people and the Navy Department, and it has been so for 20 years. I know that during the Spanish-American War, when Alabama coals that were perfectly good for steaming purposes were offered to the Navy Department for \$3.25 a ton over the ship's rail at Mobile, only a night's sail from Tampa, the Navy Department bought Pocahontas coal and shipped it by rail to Tampa at an expense of \$9.60, and that proposition has been kept up ever since.

Now, what control these particular people have over the Navy Department I do not know. But I do know this, that there is no other coal field in America that can sell coal to the Navy Department. The supply of the Navy is confined to this one field only.

Further along during the debate this colloquy took place:

Mr. Stanley. Does the gentleman know whether or not the Navy Department has made any tests of the Alaskan coal?

Mr. Hobson. I am just about to bring up that point and various other points. I wish to register here a complaint that the Navy Department is not encouraging the development of appliances so that it can use other coals. When it found, for instance, that the coal in Alabama approximated to the needs of the Navy, it would have been in line of economy and the best interests of the Government to have undertaken to develop smoke-consuming devices and other devices so that the department could then use Alabama coal.

The same applies to the Pacific coast coal, not only that mined on the mainland but that in Alaska, and the Navy Department has not shown great interest in developing additional sources of supply that would prove of great, if not vital, importance in time of war, and we are put to millions of dollars of expense, perhaps, unnecessarily. I will not say unnecessarily, but perhaps.

The gentleman from Oklahoma certainly will not require further proof to satisfy him that such a combination did exist.

The gentlemen who oppose this bill have labored long and hard to convince themselves, and incidentally to convince the House, that Alaska is a cold, bleak, and desolate country; that it has no future and is not worth developing for any purpose. In answer to their argument I will read an extract from the report of one of the ablest men in the Interior Department, who made a careful, painstaking investigation and study of Alaska and its possibilities from personal observations. I refer to Hon. James W. Witten, who for many years has been connected with the Department of the Interior and whose ability and integrity are unquestioned.

In 1903 Mr. Witten was detailed by the Secretary of the Interior as a special inspector to make a general investigation into the conditions in Alaska. His report embraces agricultural conditions and prospects, native population, fish and fisheries, minerals, coal, and timber. In his report on agricultural possibilities he said:

Much of Alaska is not situated farther north than are parts of Scotland, Finland, Iceland, Norway, and Sweden, where agricultural pursuits give employment and sustenance to more than 10,000,000 people. The main portion of Alaska is situated between the parallels which bound Finland, yet 34 per cent of Finland is being used for agricultural purposes, and supports a population of more than 2,500,000 people. Large quantities of butter, cheese, and oats are exported. Much of Alaska lies in the same zone with Iceland; and while the ocean currents may make some difference in temperature, yet Iceland,

with only 10,000 square miles of land suitable for cultivation and pasture, and with a population of only 76,300 in 1898, had 21,982 cattle, 44,134 horses, 735,442 sheep, and her farmers furnished in 1890 64 per cent of all her exports and maintained four agricultural colleges. The soils of Alaska are generally of an alluvial character, particularly those in the Yukon and other river valleys, and the rank growth of vegetation everywhere to be found testifies to the fact that they are very fertile.

In summing up this part of his report Mr. Witten says:

Not only do the natural conditions have a tendency to embarrass and prevent agricultural developments, but the lack of means of transportation amounts to almost prohibition.

That farming can be successfully carried on, by permission of the Delegate from Alaska, Judge Wickersham, I shall insert in the RECORD two letters that need no comment. The letters referred to follow:

FAIRBANKS, ALASKA, November 8, 1909.

letters referred to follow:

FAIRBANKS, ALASKA, November 8, 1909.

Hon. James Wickersham,
Delegate to Congress, Fairbanks, Alaska.

My Dear Judge: In answer to your suggestion that I write you a letter about my farming operations I take pleasure in doing so. When you and Mr. Joslin and Mr. Birch and Mr. White were at my place last fall I had not begun to take in my crops, but since then I have done so. I had 3 acres of potatoes, and they yielded me 18 tons, and the market price was \$120 a ton, for which I sold most of them. I had 1 acre of beets, on which I and a crop of 8 tons: 2 acres of carrots, which yielded me 7½ tons, with a market price of \$140 per ton; 1 acre of turnips, from which 200 sacks of 80 pounds to the sack, or 8 tons, at \$80 per ton. I had 2½ tons of rutsbagas upon one-fourth of an acre of ground, for which the market price was \$100 per ton. I had 1 ton of red beets on one-quarter of an acre of ground, at \$140 per ton. I had 15 acres of barley, which I cut and sold for hay. I had 3½ tons which I sold for \$75 per ton, and still have enough left to fill my barn chock-full for my own use for the winter. I raised 2 tons of cabbage, which I put away for the winter, besides which I sold between 3½ and 4 tons during the summer at an average selling price of \$140 per ton.

I raised 29 suckling pigs. I sold 5 of my hogs to the butcher for \$80 each.

This fall I put in 6 acres of winter wheat, Bluestem, which I sowed the second week in August, and before the snow came in October the wheat was up 2 or 3 inches high, and I never saw a better stand of wheat anywhere. I have raised good winter wheat, barley, and oats, and all kinds of garden vegetables, and, in my judgment, as a farmer of more than 30 years' experience, the Tanana Valley is a first-class agricultural country.

My farm is near the river and is perfectly level. The soll is sandy loam and is very rich, made up of sediment and silt and sand brought down by the river in ages gone by. The Tanana Valley opposite my farm is 60 miles wide, and there

Valley.

I have several neighbors immediately around the town of Fairbanks who are engaged in successful farming, and we have in the last year raised almost enough to supply the local market, and there is no question hereafter that the whole local market in the Tanana mines can be supplied from our farms and gardens.

WM. Young.

Respectfully,

ALASKA. November 8, 1900.

FAIRBANKS, ALASKA, November 8, 1909.

Hon. James Wickersham, Delegate to Congress, Fairbanks, Alaska.

Delegate to Congress, Fairbanks, Alaska.

Dear Sir: I was born and raised in northern Germany, on the Weser, and my parents being landowners, farmers, and stock raisers, I learned the farming and stock-raising business thoroughly. At the age of 18 I left Germany for the United States, and landed at New York. From there I went to Ohio, then to Illinois, and from Illinois I went to Nebraska, in which State I farmed and raised stock for 18 years, principally in the southern part of the State. From Nebraska I went to the State of Washington, where I engaged exclusively in the stock business—buying, selling, and shipping stock.

In 1897, at the time of the rush to the Klondike, I started for Dawson with 135 steers, but did not reach Dawson until 1898. I have been shipping stock to different parts of Alaska ever since. In 1900 I shipped stock to Nome and also to other parts of Alaska, and have traveled overland with cattle from Valdez to Fairbanks for the past seven years. I have visited the Aleutian Islands and have been on almost every one of the islands of that group, and I find that Alaska is a great country for its climate, grasses, and different kinds of small grain, such as oats, barley, and all kinds of vegetables.

I contended when I first landed at Haines mission, in 1897, that Alaska would be a farming and stock-raising country, and I am more and more convinced of that fact as I travel through the different parts of the country.

and more convinced of that fact as I travel through the different parts of the country.

Owing to the big fire at Fairbanks, I have not been in and around Fairbanks for four years, and I was very much surprised when I came here last September that the country surrounding Fairbanks had been turned into a farming and gardening community.

I came here this last time with cattle and hogs, and found that they raise as fine barley as I ever saw in any of the States where I have farmed heretofore. I bought barley, oats, and hay here from Mr. William Young, which he raised on his farm just north of the town to feed my cattle, and found it to be well filled with good-matured and well-ripened grain. I saw as fine potatoes here this fall as I ever have seen anywhere in the States. Cabbage, rutabagas, turnips, and carrois can not be beat in any of the States, and I believe that sweet potatoes will be raised here in the near future. The raising of hay has proven to be a success. I also find a lot of chickens are being raised in and about Fairbanks for the local market,

Respectfully,

WM. WAECHTER.

WM. WAECHTER.

Let us take into consideration the volume of business between Alaska and continental United States for the year 1912, the last year for which we have the official figures. It is a wonderful

THE SHEET STATE OF THE STATE OF

showing from a country that we have heard so volubly de-

In 1912 the value of merchandise imported into Alaska from the United States was.

In 1908
Showing a gain in four years of.
Average increase per year of.
In 1912 there was sent out of Alaska to the United States domestic export of the value of.
Showing a total trade with the United States for the year 1912 of.
While the total commerce of Alaska with the world for 1912 was. \$21, 992, 761, 00 15, 862, 671, 00 6, 130, 090, 00 1, 532, 522, 00 40, 825, 590.00 62, 818, 352, 00 72, 741, 060, 00 29, 416, 00 18, 818, 480, 00 18, 789, 064. 00 The total cash receipts from Alaska from 1867 to 1911, both inclusive. Total cash disbursed, including the original purchase price 446, 640, 984, 79 35, 816, 674, 54 _ 410, 824, 310. 25 Balance in favor of Alaska_____

From this showing alone we would be justified in passing this bill.

The greatest enterprise of any age was the building of the Pacific Railroad, and it had to remain inactive and slumber for years for the lack of faith of its practicability and usefulness as a means of transportation and as an inducement to the hardy pioneer to settle up public lands of the Middle West and Pacific coast. No one now doubts its success and benefits. But it was not built without Government aid. The fact is that the money and land given the company more than constructed the road; in other words, the Government built the road and has nothing to show for it. If we build this railroad in Alaska we will at least have the road to show for it.

Let us pass this bill and follow it with a bill providing for the leasing of mineral lands in Alaska and we will have done our full duty to the people of Alaska and kept faith with the people

we represent.

Mr. McKENZIE. Mr. Chairman, in the consideration of the pending bill I can not refrain from calling attention to the contradictory position in which we find ourselves if the contentions of the gentleman from Wisconsin [Mr. Lenboot] and others are correct.

It is the expressed opinion of those in a position to know that in a short time we shall witness the completion, at a cost of approximately \$400,000,000, of a great public enterprise in the Tropics, the Panama Canal, a wonderful exhibition of the possibilities of engineering genius. In the completion of this canal we shall witness the consummation of a project for centuries the dream of men of other lands, but it remained for the American, to whom no task seems impossible, to cease dreaming

and grapple in a practical way with this great work.

The proposal to construct this great commercial highway was heartily approved by the masses of the American people, and notwithstanding the fact that it has cost many millions in excess of estimates made by the engineers, no complaint has been heard, all feeling it was a great national enterprise worthy of a great people and which would inure to the benefit of all as a commercial highway and also tend to reduce the burden of naval construction by enabling us to assemble our fleet of war vessels on either of our coasts in time of danger, escaping the long voyage around the Horn.

Having these things in mind, the American people, with patriotic impulse, rejoice as the great work approaches comple-tion. In due time it devolved upon Congress to enact legisla-

tion for the government of the Canal Zone and to provide regulations for the levying and collection of tolls to be paid by owners of vessels who saw fit to use this highway, constructed by and supposed to be an enterprise in the interest of all the people.

Strange credulity, indeed, as viewed in the light of what has transpired. He who spoke with patriotic pride of this public undertaking as "our canal" must now feel that the extent of "our" interest was principally in paying for the construction of the canal. In the enactment of the law for the government of the Canal Zone Congress, by the insertion of a clause in the law, practically declared that the vast expenditure of the people's money in the construction of this canal was not made for the general benefit of all the people, but for the special use and benefit of a part of the people, and that part of the people being those engaged in the coastwise trade, an admitted mo-nopoly. This was done in the face of a solemn compact or treaty with a friendly nation and over the respectful protest of that and other nations. But so strong was the appeal of this special interest or monopoly, made in the name of patriotism, that a | can never successfully compete.

sufficient number of the Members in both branches of Congress were beguiled into voting the free use of this highway, which had cost so much money and was supposed to be for the benefit of all the people, to those engaged in the monopoly of the coastwise trade in our country.

Thus we spend the people's money in the Tropics for the special benefit of a monopoly. But you say, what has all this to do with the pending bill for the construction of railroads in Alaska? Nothing at all, except to make plain the apparently absurd and contradictory position in which Congress is placed. In the one case we have constructed a canal for the benefit of monopolists; in the other we are asked to construct a railroad

to overthrow another set of monopolists.

We are told that in this far-away frozen region of our domain an organization of capitalists has so manipulated affairs that it is impossible for other men who would undertake to promote and build railroads to obtain the necessary money to do so. In other words, certain monopolists and money kings have the game blocked, and we are advised that the only way to unlock the treasure house of Alaska is for the Government to construct the necessary railroads. Strange predicament, indeed. In the Tropics we spend the people's money to aid a monopoly or trust; in the Arctic we are asked to spend it to "bust" a trust. At this point I am constrained to say, without arrogating any particular virtue to myself and having a due regard for the opinions of others, I am opposed to both of these monopolistic

I have been a consistent opponent of Government ownership and operation of the great public service corporations of our country, believing that it is the function of the Government to regulate and control such corporations, but that the ownership and operation of the same are a privilege of the citizen. I am aware that the proposed legislation marks a departure from the policy scrupulously observed from the beginning of our Government, and the reasons for abandoning that policy at this time should be clear and conclusive. To my mind no conclusive argument has thus far been presented that, from a financial standpoint alone, the Government would be justified in constructing this railroad.

First, what of the Territory itself? Alaska is an empire in territorial extent-590,000 square miles-equal to the combined area of Great Britain, Ireland, France, and Spain. Approximately one-third of this vast Territory lies north of the Arctic Circle and is bounded on the north by the Arctic Ocean. We are told that the northern portion of Alaska consists of broken, mountainous lands, interspersed with numerous lakes and rivers, with a great expanse of swamp land, and, owing to the high latitude of this section of the country, the winters are excessively severe, while the summer season is rendered unendurable from the vast clouds of insects. We are also informed that the Aleutian Islands and the Alaska Peninsula are mountainous and volcanic; also that the southeastern portion of the country, comprising many islands and a narrow strip of mainland, has a very mild climate, considering the high latitude, due to warm ocean currents, but here the rainfall is excessive. Portions of the Territory are heavily timbered and the waters abound in fish. The soil is generally poor, and the prospects of any agricultural development are meager indeed.

With the exception of small areas along the coast it is the natural home of Jack Frost. The population is sparse, consisting mainly of Eskimos and Indians. It is claimed that the country is rich in minerals. This is true, no doubt. Surely there must be something locked up in this great Territory, otherwise it would not be necessary to unlock the so-called treasure house. And inasmuch as nature hides securely her richest mineral treasures, often in the most inaccessible portions of her dominion, am ready to believe that in this frigid and uninviting land there may be stored beneath its frozen surface great mineral wealth, and which in large measure will never be obtained unless transportation facilities for carrying food into the country and the ore out are established, either by private or governmental agencies, and in my judgment it is only on the ground of developing the mines of the country and procuring the available timber that there is the least justification at all for railroad construction.

It is perfectly apparent to any student of commerce and industry that Alaska can never be developed into a manufacturing country: First, because the population of the country will never be large, for it is idle to argue that mankind will locate permanently in such a country so long as there is ample room in more-favored climes; second, it is too far removed from the centers of population, and, with its other disadvantages,

To think of developing agriculture in Alaska to any appreciable extent or put it upon a paying basis is folly. Especially is this true when we know that in the great State of Texas, with its 167,924,720 acres of land, only one-seventh of which at this time is said to be under cultivation, and from the further fact that all the people of the United States could be located in Texas and not be more crowded than in New England at the present time. And when we realize the further fact that in the year 1912–13 the output of cotton in Texas was 4,880,210 bales, or more than one-third of the total crop of the United States, and we are told that not more than one-tenth of the land suitable for the growing of cotton is now under cultivation in that great Commonwealth, which would indicate a possible production of more than double the amount of the present cotton crop of the world. Placing a value on cotton of from \$50 to \$60 a bale, and the production under reasonable conditions being one bale to the acre, which, taken into consideration with the mild and healthful climate of Texas, makes it apparent to the most casual thinker that the road to success of the real-estate dealer in farm lands in Alaska will, at least, be a cold and dreary one for perhaps a number of centuries yet to come.

I have simply cited this one illustration of the State of Texas, which without further argument ought to be convincing proof that no matter how many railroads are constructed in Alaska it will have but little effect in inducing agriculturists to migrate into that country. It seems to me that some of the glowing statements relative to agriculture contained in the report of

the committee should have been left out.

It is also argued that the Government should construct railroads from the coast to the coal mines in the interior for the purpose of obtaining coal with which to supply our war vessels in the Pacific. There is some force in this argument, but undoubtedly the day is not far distant when our fleets of war vessels will be using largely, if not exclusively, oil instead of coal for fuel.

Notwithstanding the fact there is apparently no good commercial reason that can be given in justification of the governmental construction of railroads based on the theory that it will bring ultimate and lasting prosperity to the Territory, there are, to my mind, some reasons why the Government should

assume this burden at this particular time.

It is quite apparent that certain individuals have endeavored to control for their particular pecuniary gain whatever there is of wealth in Alaska, and it is perfectly evident to every student of railroad construction that no man or set of men are going to invest their money in the construction of a railroad into a wilderness unless they can clearly see that by so doing they will afterwards reap their reward from the people who flock into the country to make homes for themselves, open up farms, build cities, and establish industries, the transportation of the products of which would bring returns to the men who constructed the road. Heretofore it has been the policy of our Government to aid in one way and another the promoters and builders of railroads into the wild and unsettled portions of our country. And I presume that if the same policy were pursued relative to Alaska men could be induced to undertake the task. But the policy of our Government has changed, and we are now following the idea that the natural resources of the country belong to the people and should not be given to any person or corporation for any purpose.

Therefore the matter resolves itself into this one proposition. The citizen must construct the railroads in Alaska without aid from the Government and take his chances of revenue in the future. This we are convinced no man will do; consequently, the only possible way, apparently, to get railroads into this far northern clime is for the Government to build them. And in view of the gold and minerals that have been found in Alaska, together with the coal and timber possibilities, it may be wisdom to expend this money in the hope that this vast territory may prove to be of greater value than we are at present willing to concede. At any rate, the transportation of merchandise into the country and the products of the country out, during the time the ore is being excavated from the mines and the timber cut from the mountain sides and valleys, may, in a large measure, recoup the Government for its trouble and expenditure. But I am inclined to think that, after the ore is extracted and the timber cut and marketed, Alaska will continue to be, in a large measure, a barren waste and will relapse into a condition of unbroken solitude, the natural condition of all countries not agricultural in their nature.

Again, there has for a number of years been considerable agitation over the railroads of our country and the best way of regulating and controlling them, and it has been argued by some that Government ownership is the only true solution of the problem. It is true we have made some progress. We now l

have the Interstate Commerce Commission vested with great power in the matter of the regulation of rates, and this commission will be soon, no doubt, clothed with power to regulate the issue of stocks and bonds by railroad companies, which undoubtedly, if judiciously exercised, would be a very wise grant of authority and one which appeals to my judgment, and when the time comes for us to pass upon that question it seems to me that the Government ought to enact such legislation as will protect interstate railroad companies from sandbagging legislation by State legislatures. In short, national governmental control, and not National and State control; a definite, clearly defined policy guaranteeing justice and protection to the owners of railroad stocks and bonds and the public alike.

Thus can the fallacy of Government ownership of all the railroads of our country be forestalled, for such a policy in a country like ours under existing political conditions would, in my humble judgment, result in national calamity. But inasmuch as the germ of Government ownership seems to have infected quite a large number of our people, I am not so sure but that a practical demonstration at this time will be the part of wisdom, and we will all await with much interest the outcome of this test about to be made in Alaska, and let us hope that the lesson we shall learn will be well worth the price.

In consideration of the foregoing reasons and with no little sympathy for the hardy pioneers who have the courage to dare the storms and chilling blasts of far-away Alaska, and in the hope this bill may result in aid and comfort for them I lay aside for the time my well-grounded conviction on legislation of this character. I shall support the measure. [Applause.]

Mr. KAHN. Mr. Chairman, Alaska has been in controversy ever since the proposition for her purchase from Russia was presented to Congress in 1867. The Territory was then referred to as "Seward's Folly" and "Seward's Polar-Bear Garden." Many of the arguments we have listened to on this floor against this legislation are similar in character to the arguments that were uttered against the purchase of Alaska: but there were some far-sighted statesmen in those days, and among them was Charles Sumner, who made a notable speech in the Senate upon the subject of the purchase of Alaska. I may say that Mr. Sumner undoubtedly obtained his data from the then Secretary of State, Mr. Seward, who was being severely criticized because he foresaw the advantages that would result to our Government by the purchase of that great extent of valuable territory for the relatively paltry sum of \$7,200,000. Mr. Sumner, in summarizing his argument, said:

marizing his argument, said:

Mr. President, I now conclude this examination. From a review of the origin of the treaty and the general consideration with regard to it we have passed to an examination of these possessions under different heads, in order to arrive at a knowledge of their character and value. And here we have noticed the existing government, which was found to be nothing but a fur company, whose only object is trade; then the population, where a very few Russians and Creoles are a scanty fringe to the aboriginal races; then the climate, a ruling influence, with its thermal current of ocean and its eccentric isothermal line, by which the rigors of the coast are tempered to a mildness unknown in the same latitude on the Atlantic side; then the vegetable products, chief among which are forests of pine and fir, waiting for the ax; then the mineral products, among which are coal and copper, if not iron, silver, lead, and gold, besides the two great products of New England, "granite and ice"; then the furs, including precious skins of the black fox and sea ofter, which originally tempted the settlement, and remain to this day the exclusive object of pursuit; and, lastly, the fisheries, which, in waters superabundant with animal life beyond any of the globe, seem to promise a new commerce. All these I have presented plainly and impartially, exhibiting my authorities as I proceeded. I have done little more than hold the scales. If these incline on either side, it is because reason or testimony on that side is the weightler.

It was said that that speech by Mr. Sumner, which occupied

It was said that that speech by Mr. Sumner, which occupied some hours in its delivery, turned the scales in favor of the purchase of Alaska. Since its acquisition our citizens have taken out over \$400,000,000 worth of gold, furs, fish, and copper. And we have only scratched the surface. We have had no transportation facilities to the interior of Alaska worthy of the We have had no Thus far all that has been done has been done near the The interior of Alaska is practically a virgin field. The construction of railroads is absolutely necessary for its development. Personally I am opposed to ownership by the Government of the railroads, the telephone and telegraph systems, and, as has been recently suggested, the coal mines of our country. I believe that if we ever embark upon the system of Government ownership of public utilities the Prætorian Guard that used to sell the emperorship in the declining days of Rome would look like "thirty cents" as compared with the great army of Government employees in these United States, which could control the elections for President, Vice President, Members of the Senate and the House, and governors and legislators in the various States. They would undoubtedly be the balance of power in such great States as New York, Pennsylvania, Ohio, Illinois, Indiana, Massachusetts, New Jersey, and Missouri, and could absolutely control State and Federal legislation. But our policy

of conservation as applied to the natural resources of Alaska leaves us no other alternative than to have the Federal Government build the railroads in that vast Territory. Wisely or unwisely, we have bottled up the natural resources of that great area. It is remarkable how our so-called conservation policy has been expanded beyond its true purpose. No man wants to see willful waste of any of the great natural resources of our country; but bottling them up entirely, so that present generations can obtain no benefit from the timber, the coal, minerals, and resources of that character, seems to me to be absolute folly. By a parity of reasoning the men who would have entertained ultraconservationist views of that kind a century ago might have exclaimed with just as good grace, "We must not kill any more sperm whales, because if we do our children's children will have no oil for illuminating purposes."

Mr. Chairman, the ultraconservationist discounts the inventive genius of the American citizen. Such a plea for the conservation of sperm oil for illuminating purposes would not have taken into consideration the discovery of illuminating kerosene, of illuminating gas, of incandescent and of arc lights. And it is even so with coal. In some thousands of years from now, when the coal supply of the world shall have been greatly diminished, we will be compelled to develop our heat and our power from other sources entirely. It has been well said that necessity is the mother of invention, and whenever we begin to run short on our supply of coal or timber there will be some Yankee inventor who will discover some device that will most adequately supply their places. If coal and timber are a blessing to mankind, we should use them as we require them, and not tremble about what will happen in 4,000 years from now. It would have been the part of wisdom to uncork the bottle containing all the natural resources of Alaska, so that private capital and private enterprise, under proper Government supervision, might have developed them. But having failed to do that, in my judgment it becomes the duty of the Government to undertake their development. That is the logical result of our conservation policy in Alaska.

Some of the gentlemen who have spoken on this bill have said that to bring out the gold that will be mined in the interior of Alaska will not require even a single box car. That is probably true; but the gentlemen who expressed those views have no conception of life in a mining region. The moment gold is discovered anywhere there is a rush of population to the new fields. Cities spring up over night and thousands of adventurous people enter the new area. All kinds of supplies must be carried to the camps. See what happened at the time of the Yukon excitement. Thousands of hardy pioneers went into the new mining region. A railroad was rapidly constructed over the White Pass for the purpose of accommodating them and bringing their supplies from the seaboard. Cities and towns sprang up like mushrooms. The White Pass Railroad was on a paying basis from the very beginning. And when the road provided for in this bill shall have been constructed new cities and towns will be laid out along the line, just as new cities and towns were laid out on the Canadian Pacific line in Canada, where the prospect for development seemed just as remote as for the development of the interior of Alaska.

The transcontinental railroads that were constructed in the sixties and even at a later period in our own country went through a barren country—a country that then had no cities, a country that then had no towns. But the coming of the railroads developed the cities and the towns. True, the transcontinental railroads were constructed and operated by private corporations. However, these private corporations received large Government subsidies in the nature of land grants, and large sums of money were advanced for every mile of road constructed. The scandals that arose as a result of that legislation stirred the Nation to its very center. Small wonder that we do not want to embark upon a similar sea of trouble at this time. To-day, taking a retrospective glance at the legislation for the construction of the transcontinental railroads, I feel satisfied we all believe it would have been a much wiser course to have had the Government build the lines itself and then have leased them to such railroad corporations as would have been willing to pay for the privilege of using the tracks and the necessary depots, roundhouses, freight sheds, water tanks, and similar appurtenances.

That, in effect, is what the pending bill proposes shall be done. Under its terms the President is authorized to lease the road, together with the telegraph and telephone lines necessary for its operation, to responsible corporations upon such terms as he may deem acceptable under the provisions of the bill. And if the legislation can be carried out along those lines, the engineers and firemen, the conductors and brakemen, the switch-

men and track laborers, the telegraph and telephone operators, and all the other employees that may be required to run the trains will not be Government employees, but employees of the private corporation that secures the lease, even though the physical property of the road which the Government may construct is owned by the Government itself.

Mr. Chairman, I saw a statement in one of our newspapers a year or two ago to the effect that the residents of Alaska were compelled to pay \$26 a ton for coal which was brought to them in ships from the world's coal fields, while at their very doors there were great deposits of coal which they dared not touch on account of our Government's attitude in having bottled up the coal supply of that Territory. To my mind such a condition is disgraceful to our country and its legislators. With the construction of this railroad all the resources of that mighty empire in the north will be developed, not alone for the benefit of the people of Alaska, but for the benefit of all mankind.

Mr. KENT. I believe that this proposition of the development of Alaska by the Government construction and operation of a railroad is a piece of ordinary common business sense. The Territory of Alaska represents the greatest real estate specula-tion that this country has indulged in. The purchase was criticized as being unwise, but it has eminently justified the wisdom of those who made the purchase. In ordinary business, if an individual owns land, the question always comes up as to what he should do with it. Is the land worth developing, or is it not? This is the crux of the Alaskan situation. The testimony, to my mind, is conclusive to the effect that Alaska is worth develop-There is no doubt but that the mineral resources are worthy of the attention of the country; that the fisheries are marvelous; that the timber resources are valuable; and that in that vast Territory there is an amount of agricultural land equal to the land that supports the highest civilization of northern Europe. What are we going to do about it? In the development of our western country, knowing little about economics or the theory of risk, believing in the sufficiency of individual initiative and that everything would take care of itself if let alone, that we should grant subsidy to private enter-prise, we gave away an immense amount of the public domain for the purpose of furnishing railroad transportation. The western railroads at first did not seem very profitable. The old question of the unearned increment of the land took time to work out, but the railroad grants, the grants of land along the lines and of lieu lands, when the land could not be obtained along the lines, have furnished the greatest abuse of land tenure in the United States.

We have given away a vast amount of our public domain to private interests for developing transportation systems which we could have better developed as a people. There is always the old question of the community and the individual. The community is everlasting. It does not perish with the generation. The community can assume risks that the individual can not assume. Are we statesmen or are we simply gauging all our questions by the individual human life here and now? Are we looking to the future or do we merely consider the present and what a man is justified in undertaking in his own short life?

I can no better state this question of the community versus the individual than by considering the very simple question of private ownership of timber. In the case of individual ownership the individual finds his interest in reaping his crop as soon as possible, regardless of the welfare of the community. He must make his dividend out of that land in his own short life and must waste or destroy in order to secure that dividend. Exactly the same question comes up in this matter of transportation and development in Alaska. If I, as an individual, who could lend all the money I could secure at 5 per cent without risk and without taxation, which it is possible to do under present conditions, were asked whether or not I would go into the business of putting a railroad into Alaska, I should surely refuse unless I could control the resources of Alaska, unless in the event of the risk being determined in my favor I could obtain 30 or 40 per cent on the investment.

Every step we take in the development of society is taken toward the elimination of this element of risk, is taken toward placing that burden upon society which the individual can not afford to bear. This is the meaning of life insurance and fire insurance, and of every other step we are taking in social advancement. The idea of corporate organization is primarily a device for dispensing with the risk of the individual life, is a plain effort to establish a narrow form of communism wherein the single life and its inevitable extinction shall not be the foundation of an enterprise. To revert to this specific case, we have first of all the question, Is this great region worth develop-

ing? The testimony is overwhelmingly universal that it is. Next, we have the question, Shall it be done by private enter-prise or by the public? There is no question about what the answer should be. If we think we can hold out from developing this vast territory we are badly mistaken. In a crowded world we have no right to cold-storage a continent. If we refuse as a people to do what business sense demands; if we say to private individuals, "Go ahead and develop it at your own risk," there will be a charge that the community can ill afford to pay, because what is a risk to the individual, to be highly compensated, is something that is not a serious charge upon the community and will probably produce great national profit.

As to the question of Government ownership of railroads, and as to whether that is a bad precedent, that question is simple, absolute absurdity. In the beginning, the railroad was a highway upon which the people could haul their own cars. We have had publicly owned railroads and privately owned railroads, and there is no more precedent for privately owned railroads than for publicly owned railroads. It is always a question of what is the best and the wisest thing to do in every given case. In Alaska, where we are empire building, is a case where the element of risk laid on the individual is more than he can bear unless an extortionate payment be made in terms of public concession, whereas if all of us take upon ourselves this development of our national resources we can well assume a burden that will cease to be harzardous as soon as undertaken.

I am not a bit afraid of talk of socialism. It may or may not be that I am a Socialist. I think an orthodox Socialist would quickly deny my right to the epithet. President Hadley, of Yale, defined socialism as "the belief of those persons who desire to extend the sphere of government." I believe in extending the sphere of government wherever it may be extended to subserve the general welfare. I would let the individual do as much as he can do, using all his initiative and efficiency, but whenever there comes a time when the individual can not or will not render a necessary service without exacting an extortionate price, then and there is a place where we ought to extend the sphere of government. [Applause.] Government by which we mean restraint is not only found in what is recognized as law. There is just as much restraint and therefore as much government in the exercise of private privilege as there is in the repression of the individual under the law. It becomes a question as to when and where we under the law should interfere with the interference that people by reason of capital, by reason of strength, impose upon us. where we as a community in municipality, State, or nation should collectively act for our own welfare instead of granting licenses to perform public functions,

The CHAIRMAN. The gentleman from Kansas [Mr. Tag-GART] is recognized.

Mr. TAGGART. Mr. Chairman, we are now confronted with the question. What is our duty toward our own property? have in Alaska 590,000 square miles, practically all of it the property of the United States. According to all the reports, it contains inexhaustible resources of coal and copper and great quantities of gold. According to the reports of the Department of Agriculture, a great share of it can be converted into homes

Now, what is our duty toward that domain? We can take either one of two courses. We can let it lie idle and remain unopened as an investment for the future or we can take steps to have its great resources developed. Nature fenced it in with mountain ranges and gave it rough and stern climate. Government of the United States, as if it could add to the restrictions that nature placed upon it, has forbidden the American citizen to lay his hands upon the resources of Alaska.

We have all agreed that those resources can not be developed without transportation. How can that transportation be pro-Who will build railroads there? We can have railroads built there, as the State of Texas has had railroads built and as the United States has had railroads built in other days, by giving to those who build the railroads a great share of the land. But if you and I were to vote for any such measure as that, it would not meet with the approval of the American people and we would be retired from Congress.

Mr. Chairman, every railroad west of the Missouri River was paid for by the people of the United States by giving their land for the building of it, and yet they do not own any one of those railroads. Of two railroads in Texas, I am told, one was given 20 square miles of State land for every mile of rail-road built and the other 16 square miles of land for every mile of railroad constructed, and yet the people of Texas do not own those railroads. We have now determined that we are going to build one railroad in Alaska and own that railroad. [Applause.]

Alaska has, as I said, 590,000 square miles of land. It is in the same latitude as the Scandinavian Peninsula. Why, the capital of Norway is near 58° north latitude. Three of the great capitals of Europe are at or near 60° north latitude. In the Kingdom of Norway alone there are only 144,000 square miles, and 392,628 of the ablest and most thrifty people in this world make a living in that country. In Sweden there are but 177,875 square miles, and five and one-half million of industrious and intelligent people make their living there, although their land is far away from the influence of the Gulf Stream and has a climate like the interior of Alaska, and there is no coal in the Scandinavian Peninsula. We have with us in these United States some of those people and their descendants who are able and willing to develop the agricultural resources of Alaska and make their homes there.

But I must hurry along, because I wish to say a word about coal in Alaska. Is it strange that gentlemen of the Pocahontas coal region are the first and most strenuous in their protest against developing the coal fields of Alaska? Along that line I wish to read what a former Secretary of the Navy, Mr. Meyer, said in a hearing before the Senate which was held in February, two years ago, before this matter was agitated. Mr. Meyer stated that we are now taking to the Pacific coast for the use of the Navy 150,000 tons of coal annually from the Atlantic coast, which costs \$3 a ton in Norfolk, Va., and paying from \$5 to \$8 a ton to carry it around Cape Horn. He further stated that just as soon as the Panama Canal opens we shall have to take twice as much coal to the Pacific coast as we do now; and he further stated that if there should be a war and it were necessary for the fleet to operate in the Pacific Ocean 200,000 tons of coal a month would be necessary to be taken there.

But gentlemen say that the Navy Department has examined this Alaskan coal and that it is not of the quality required for steaming purposes. Why, Mr. Chairman, we fail to realize what an emergency war is. We fail to realize that war is an occasion when every advantage is grasped at once, when inferior coal will be used, if it is inferior, if we can not procure the superior. There are cases on record in the Navy Department where they actually used bacon for fuel on board our warships in the Civil War-anything to make a fire. Yet these gentlemen practically admit that we would be perfectly helpless with our 150,000 tons of coal and the necessity of bringing 200,000 tons a month more to the Pacific Ocean in case of war. We would be perfectly helpless in the face of the enemy, even if we utilized every ship that could move coal from the Atlantic seaboard to the Pacific Ocean, if we had to use none but the eastern coal. But let us read what the Secretary of the Navy said with reference to Alaskan coal.

Mr. SHERWOOD. Mr. Chairman, will the gentleman allow me to ask him a question?

The CHAIRMAN. Does the gentleman yield? Mr. TAGGART. Yes.

Mr. SHERWOOD. We will be perfectly helpless as against

Mr. TAGGART. Any power that would attack the United We could not operate our battleships; we could not haul coal enough to the Pacific.

Mr. SHERWOOD. What power did the gentleman mean? Mr. TAGGART. Any power that might attack us. I am not mentioning any particular power now.

Mr. SHERWOOD. How near are the Pacific powers to us? About 8,000 miles?

Mr. TAGGART. I will say to the distinguished gentleman from Ohio that I understand-

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. TAGGART. Mr. Chairman, I ask unanimous consent to continue for three minutes.

The CHAIRMAN. The gentleman from Kansas [Mr. Tag-GART] asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. TAGGART. Now I yield to the gentleman from Ohio. Mr. SHERWOOD. Does the gentleman refer to Japan?

Mr. TAGGART. I do not wish to make any reference now to any country, but we would be helpless against any power in the Pacific Ocean that might attack us, if we were limited to

eastern coal for any great length of time.

Mr. SHERWOOD. Where would they Where would they, on their part, get their coal?

Mr. TAGGART. They have it, and we are buying 80,000 tons of coal a year in Asia now to supply our ships in the Pacific, and leaving our coal fields in Alaska untouched. heims are getting out millions of dollars' worth of copper from

Alaska now, and some gentlemen here will vote in favor of letting the Guggenheims go ahead and stopping everybody else.

Mr. Chairman, I wish to read what the Secretary of the Navy said with respect to Alaskan coal. He said:

said with respect to Alaskan coal. He said:

We have tested the Pacific coal—all the coal we could get—and we could not find anything that was unsatisfactory to the Navy. We had samples of this Matanuska coal, as it is called, and, so far as we could see, it was absolutely satisfactory. I understand the Matanuska coal field lies north of Prince William Sound, and from 150 to 200 miles from Seward on Resurrection Bay. It is known to contain extensive bodies of coal of the same or slightly superior quality to that of the Bering River field.

There is at present a railroad extending from Seward toward Matanuska for about 70 miles, which railroad was abandoned for lack of funds as well for various other reasons. It is believed that the extension of this road to the Matanuska mines would make possible the bringing of this coal to tidewater on Resurrection Bay, which has a magnificent and extensive harbor landlocked and free from ice.

I took this matter up with Secretary Fisher, and urged upon him the advisability of having a certain area reserved for the use of the Navy. He was fully in sympathy with the proposition, and made the recommendation in his report to the President, which was forwarded to Congress. I also know that the coal is of that special kind of coal which equals in quality and is of the same character as the Pocahontas coal, and is acceptable to the Government for naval purposes.

It was the Secretary of the Navy who made this statement

It was the Secretary of the Navy who made this statement before the Naval Committee of the House. Yet we come now with one experiment and denounce the judgment of that Secretary of the Navy because they went up and got some coal out

of one mine and it did not give satisfactory results.

Mr. Chairman, any kind of statement may be made about the climate of Alaska and the statement can be true. The Territory is so vast and extends over so many degrees of latitude and is so affected by ocean currents and mountain ranges that it has every conceivable variety of climate. At the town of Fairbanks, near the parallel of 64°, an experiment station is conducted by the Department of Agriculture, and I will insert as a part of my remarks what is said in the report to the department for 1912, pages 50 and 51, about the grain crop, without mentioning the vegetables or the hay, which, of course, will grow where grain can be raised successfully:

Red Fife wheat seeded May 1 began heading July 3. It had sufficiently ripened to cut on September 10. It made a thick, even growth 4 feet tall and yielded about 55 bushels per acre.

Romanow wheat seeded May 1 began heading July 4. It ripened with Red Fife. The grain stood 4½ feet tall, very even and thick throughout the plat. This variety gave a yield of 60 bushels per acre. Wild Goose wheat seeded May 2 began heading July 4. It ripened a few days later than the above varieties, stood 5 feet tall, very even and thick throughout the plat, and indicated a yield equally as heavy as Romanow.

a few days later than the above varieties, stood 5 feet tall, very even and thick throughout the plat, and indicated a yield equally as heavy as Romanow.

The fall proved so cool and damp that these three varieties were cut and hung up in a shed to dry out and harden. The grain is well filled with plump kernels.

Sixty Day oats seeded May 2 began heading June 28. They made a thick, even growth about 3 feet tall, were ripe enough to cut August 10, and yielded about 85 bushels per acre.

Finnish oats seeded May 10 began heading July 4, and were ripe for cutting August 15. The crop was very heavy, standing 4 to 5½ feet tall. This variety yielded at the rate of about 90 bushels per acre.

Banner oats seeded May 2 began heading July 4, made a very thick growth 3½ feet tall, and were ready to cut August 15. This variety gave a yield of 100 bushels per acre.

Beardless barley (No. 19852) seeded May 3 began heading June 26. It made a heavy growth 4 feet tall, was ready to cut August 10, and when thrashed yielded 50 bushels to the acre.

Hull-less barley (No. 19851) seeded May 3 began heading June 25, made a thick, even growth 3½ feet tall, was ready to cut August 10, and yielded 42 bushels of 60 pounds each per acre.

The above grains were seeded with a No. 4 Planet Jr. drill on a south hillside which had been cropped to potatoes the two years previous. The tract is birne timberland cleared three years ago. No fertilizers were used on this tract, neither on the potatoes nor on the grain, but it probably represents the best soil and exposure.

Buckwheat seeded May 10 was injured by frost June 8. The first blossoms appeared July 5. It made a heavy growth 4½ to 5 feet tall. The weather was so cool and cloudy all fall that only about 25 per cent of the grains ripened. Some of this was stripped off by hand for seed, and the crop plowed under as a fertilizer. This was the heaviest growth of buckwheat the writer has ever seen, and other easterners who saw it were of the same opinion.

Fall rye and Kharkof winter wheat were se

The Trans-Siberian Railroad in Siberia follows a line ranging to 60° north latitude, and although the climate in the interior is perhaps colder than the climate of interior Alaska, agriculture flourishes along this railroad in Siberia, so much so that Siberian agricultural products are now found in all the great markets of the world. A study of the latitude and longitude of Alaska and its position with reference to other places is very astonishing. At latitude 60° north and 140° west, or near that point, are excellent harbors on the coast. At longitude 93° or 94° west and 60° north is approximately the location of Port Nelson, on Hudson Bay. Degrees of longitude at latitude 60° north are half the distance apart that they are at the Equator, so that it is less than 1,800 miles from the Pacific to

the Atlantic tidewater at that latitude. Port Nelson is exactly the same distance from Liverpool as New York is from Liver pool, and is nearer the Pacific Ocean than Kansas City. the course of time Alaskan railroads will connect with the tidewater of Hudson Bay. Alaska will then be only 10 days from London. It is actually nearer Europe than the center of the United States.

The Panama Canal will revolutionize transportation between the Pacific and the Atlantic coasts. The canal is less than 2,000 miles from New York; it is 3,277 miles from San Francisco and 5,079 miles from Sitka. Ships going around Cape Horn from New York to San Francisco travel nearly 13,000 miles. The same ships can now reach Alaska by traveling slightly more than half that distance. The freight rates from the Atlantic seaboard to Alaska will be much less than the present freight rates from the Atlantic coast to the interior of the United States.

Who will say that the Government of the United States should not take steps to develop a region that comprises more than oneseventh of its whole territory? It does not mean that we are committed to the policy of Government ownership of railroads any more than the construction of the Panama Canal means that we are committed to the policy of Government ownership of canals. Alaska is an exception. In its present status no person or corporation without enormous wealth could do anything toward developing its resources. The man of small means is absolutely prevented from making a success at any kind of enterprise in Alaska. He would have no means of transportation. Railroads have been built there, not for the profits that might be derived from carrying freight or passengers, but simply as a means of reaching the mineral wealth of the inte-rior. Then the people were prohibited from taking and developing mineral claims, and some of the railroads necessarily failed. Notwithstanding all this, Alaska has an output of the value of \$40,000,000 annually, nearly all from the coast, and has up to date produced more than \$500,000,000 in wealth. When means of transportation are provided for the use of the people, who can estimate what will then be the value of the output of Alaska? Will not the additional revenue derived from the income tax easily pay the interest on the bonds for \$35,000,000 that it is proposed to issue, and will not the sale of lands pay the principal? I believe that the development of Alaska by building these railroads will not ultimately cost the people of the United States a single dollar. If Alaska is allowed to remain in its present condition, it will never be of any value to anyone. belongs to the American people, and let us open it and help to

develop its resources for the benefit of the American people.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERGUSSON. Mr. Chairman, in the short time that is allotted to me I shall simply give some reasons why, from my

standpoint, it is my duty to vote for this bill.

I was trained in the school of the strictest construction of the power that governs; but I believe that we have reached an era in the development of our country, with its enormous population, with its great evolution of business and the methods of business, with its great combinations of capital and their lawless disposition if uncontrolled, where we must face this proposition: Are we, under the Constitution under which we have grown so great, able to meet the problems of the present day? This bill proposes a radical innovation; but we can not hesitate at change only because it is change. Evolution of business was and is inevitable; and if we can not adjust the methods of government to the changing conditions as they occur and still be loval to our system of government then our system of government is a failure. We are confronted with the proposition of a great, unexplored section of country; and this bill proposes the inaguration of a system of governmental control over the development of a country of enormous extent and of claimed natural resources of great value. As to the extent of the resources, that can only be shown by actual development. possible courses are open to us in handling the problems presented by Alaska :

Shall we leave Alaska locked up?

Shall we turn Alaska over to the Morgan-Guggenheim syndicate or some such vast combination of wealth, or shall wethe Government having withdrawn from private exploration practically the whole of that country—provide the means, under governmental auspices, for developing its resources and transporting them to market?

No one will advocate seriously that we shall leave Alaska untouched and absolutely closed to private enterprise. With 90,000,000 of people, with the vast industrial centers over-crowded, with the great tide of emigration westward still clamoring for homes and for opportunity, it is our duty to see to it that Alaska is opened up.

It is also certain that no one will advocate the turning over of Alaska to be exploited by great combinations of tyrannical, overpowering, and selfish combinations of wealth. The history of the operations of such in our own country for the last 40 years absolutely forbids any such course. Nor can we allow such combinations of wealth to own the means of transportation to and from that vast country. The evidence so far, as abundantly brought forth in this debate, of the operations of the Morgan-Guggenheim syndicate, and especially of the absolute, almost criminal outrages perpetrated upon the people of that country, shows what the future would hold in store for anything like private enterprise while the transportation system was privately controlled.

But some fear that to pass this bill is but the entering wedge to governmental ownership of all the railroads of the country. That does not follow by any means. What is proposed is partly from the necessity of the case, and it may be looked at as partly an experiment in Government ownership and operation of railroads; but under the most adverse circumstances the ownership and operation of a railroad in a remote country like that, remote from all other avenues of transportation, in a cold, hard climate, with a meager population, certainly is putting the proposition to a most severe test, and, moreover, it will be an experiment under conditions that do not at all exist in the rest of our great country. The building of this railroad is but the beginning of a general system of dealing with Alaska and its enormous resources. The great body of the coal is still in the ownership of the Government; the oil, most of the mineral lands, and, in fact, practically all of the peninsula is still owned by the Government and at present withdrawn from any private exploitation. The situation awaits this first step in the necessity to day of reclaiming Alaska for the uses of civilization. It will have to be followed, of course, by provisions—under some system of leasing, in all probability—providing and carefully guarding the equality of opportunity for every enterprising citizen who goes there to reap the full rewards of his time, money, and enterprise by insuring at the least possible cost consistent with good service uniform and equitable freight rates for what must go into the country from the outside as well as for the transportation of the products of the country from within to the markets of the world.

Is this bill forbidden by considerations of the Constitution and the limitation of government under it? We can not take that stand, no matter if Jefferson did say, "The country that is governed least is governed best." We can not say that our reverence for the Constitution forbids us to live in the present day of wonderful evolution of business and business methods. It is a species of disloyalty to the Constitution of our great country to say that under it we can not meet the present conditions resulting from the wonderful creation of wealth that has already taken place under it. There must be evolution in Government methods under our Constitution that will be equal Our forefathers to the business methods of modern times. themselves contemplated the perpetuity of their work by provid-ing a method of amending the Constitution so as to make it consistent with the individual freedom of initiative tended to be promoted by it, to govern whatever civilization might result under the free institution of a great people.

We are to-day legislating for practically 100,000,000 people, and I for one will not consent that we are in a strait-jacket unable under our free institutions to cope with any question that may arise to preserve the initiative, opportunity, and free dom in every citizen to pursue his life, preserve his liberty, and enjoy happiness as his own will indicates. We have the power under the Constitution to control these great combinations of wealth. We are encouraged by the success of our present Democratic administration so far. It is engaged, in advocating this bill, as well as in advocating the bills already passed and those contemplated for the immediate future, in demonstrating again to the world that this is a Government truly devoted to promoting the happiness of the great mass of common people and protecting them from the rapacity of others under this form of government, whether from the individual tyrant or from the corporate tyrant. For that purpose we Democrats have at the head a President who suggests Jefferson himself in his wonderful grasp of the fundamental principles of a free government, who suggests Old Hickory in his firmness and indomitable will, and who is a worthy successor of Lincoln in his broad humanity and sympathy with the individual, however humble. For these reasons I think it is the duty of this Democratic House to pass this bill.

[Mr. LINDBERGH addressed the committee. See Appendix.]

Mr. COX. Mr. Chairman, at first I was disposed to favor this proposition. Like many able and conscientious Members of the House, it looked to me as though this was the only remedy to solve the perplexing and vexatious problem in Alaska that has affected the Nation for the past eight years. I am not prepared to discuss this question now as I would like to be. I have listened attentively to all the debates, pro and con, on the proposition; have read all the hearings before the Committee on the Territories; and have arrived at the conclusion that I can not conscientiously support the measure, although I would appreciate it if I could bring my mind to the conclusion that it would be my duty to support it. In a sense, I regret that I am unable to meet the views of my great leaders who stand sponsor for the bill, but when questions of fundamental policy confront me. I must solve them by the best light that is given me to solve them.

My party platform has been injected into this debate, and the inference left that we were directed by it to support this measure, but I am unable to read it into the platform, because no such language can be found there. If it had been in the plat-form, I would have done one of two things—either informed my people who voted for me last fall in my district before they cast their ballots that I would not support the measure or I

would stand on the platform and support it.

To my mind the question involved here is fundamental, a step in the direction of driving at the very foundation of this Republic, as I view it. It involves the question of Government ownership of railroads. You can not twist and distort the English language to mean other than straight Government ownership of railroads in Alaska. Instance after instance has been cited in support of this bill that the Government in the past has in some way aided in building railroads. The report of the committee favoring this bill says we have given approximately 155,000,000 acres of land for the building of railroads in the West and Southwest. I am not here to criticize the able men in Congress who voted to give these empires of land to aid in the construction of railroads. No doubt they acted conscientiously and for what they thought to be for the very best interest of the country. That it is now universally condemned by all I think is conceded, yet the giving of land to aid in the construc-That it is now universally condemned by all I tion of railroads and the proposition for the Government to build, own, and operate them is quite a different proposition. While it is true that empires of real estate were given away to aid in the construction of railroads, yet no proposition was advanced at the time, much less enacted into law, giving to the Government the right to own, run, and operate the railroads after completion.

This bill, shortly to come before the House, not only proposes Government ownership of railroads, but gives to the President of the United States the power to operate it. The Philippine railroad has been cited as an illustration and as a reason why this bill should become a law, because our Government gave its moral support to the Philippine Legislature to issue \$30,-000,000 worth of bonds for the building of railroads in these The Panama Railway has been cited as another illustration why this bill should become a law. Three reasons assigned in support of the pending measure. Whether any one of these are sound in logic and in economics I will not stop to This measure is but another milestone in the direction of the ultimate ownership of railroads in this country. In my judgment, in less than 10 years Members serving in this House will be met with the argument that as the Government built the railroads in Alaska why not the Government own and operate the railroads in this country? He who stands for the proposition of the Government spending \$40,000,000 to-day to build not more than 1,000 miles of railroad in Alaska let him not stagger or pause when presented with the question of issuing from fifteen to twenty billion dollars' worth of bonds in order to buy, own, and operate the railroads of the Nation. Tremendous and mighty forces are at work in the country to-day, ever moving forward with cunning and ingenious argument toward favoring Government ownership of railroads. remains to be seen whether there will be enough conservatism left in America to meet the mad onrush of Government ownership of railroads. Believing that this is a step in the direction of ultimate ownership of railroads in this country, I refuse to commit myself to such a policy. [Applause.] I do it because I am unalterably opposed to it. Under no conditions whatever could I bring my mind to the point of supporting Government ownership of railroads in this Nation. Rather than do it I would gladly sacrifice my seat in this House and return to my constituency and to private life. It would fasten a debt upon us as long as our Nation endures. The time would never come when our offspring would be free of this mighty and gigantic debt, a debt on which tribute would be paid to the end of eternity by the toiling masses of the Nation.

The Senate bill carries \$40,000,000 for the building of rail-

roads in Alaska and proposes to issue bonds to this amount

bearing 3 per cent interest, thereby entailing an interest debt upon us of \$1,200,000 per year, and to this must be added the annual cost and upkeep of the road, which will amount to not less than 10 per cent per year of the original cost of construction, making a sum of \$4,000,000 for this purpose-a total of not less than \$5,200,000 annually as the interest charge upon the American people as a result of the building of these roads. I can not justify my conscience and my convictions upon the subject by voting a mortgage upon every infant born to-day as long as it lives, if that be "three score and ten," or, if "by reason of strength it reach four score," yet the child born to-day will not live long enough to see this debt of \$40,000,000 paid, and everyone knows that this is but the beginning—a mere speck-a drop in the bucket as it were; once the system of building railroads is started upon, the Lord only knows where

it will end. I refrain from prophecy.

The proof before the Territories Committee shows that to develop Alaska as it should be developed by the construction of railroads it will require the building of 10,000 miles of railroad, and the estimated cost of the construction of railroad in that country is not less than \$48,000 per mile, and if it be developed as the people of Alaska and Seattle desire it developed it will entail the expenditure of \$480,000,000 before at is finally completed. This stupendous sum is appalling and staggering to the human mind; is inconceivable by the mathematician much less to the layman who by the sweat of his brow must earn the money ultimately to pay this enormous bill. Ah, but we are told that Canada is building railroads. Suppose it is; is that a valid reason and justification for us to embark upon the same enterprise? Must we tax our people in order to keep abreast of what some other nation is doing? And the friends of the measure go further, and point to the fact that every Government in Europe owns its own railroads except England; using this as an argument and a justification for us to build, maintain, and operate railroads in Alaska. There is no comparison between the great Republic of the United States and every nation in Europe; those are monarchial governments, where the voice of the people is but lightly Leard in legislative bodies. Ours is a republican form of government, where the voice of the people is supposed to be supreme in legislative bodies.

Time and time again during my short career in Congress I have heard the argument used on this and on that proposition, "They are doing it this way in Europe; why not do it the same way in our country?" So far as I am concerned, I care not if every Government in the world owned and operated its own railroads; I am opposed to our Government owning and operating railroads in this country. I am opposed to it because it is contrary to our policies, our institutions, and our form of I am opposed to it because it is socialism of the rankest, wildest, maddest sort. I am opposed to it for economical reasons. I am opposed to it because when that time comes we will have the strongest centralized power upon the globe; all power reserved to the States under the Constitution will be brushed aside and set at naught. I agree that Alaska should be developed-that the door should be unlocked; and I agree further that the key with which to unlock it is railroads, but I can not agree that the people of this country should be bonded to the sum of \$40,000,000 for the purpose of buying the key to unlock the storehouses of Alaska. The thing to do is to pass some wise and same legislation and let private capital go in and develop it. You can build a railroad on every square mile in Alaska at the people's expense and if you do not have the commodities to ship over it it will never pay operating expenses, much less interest upon bonds and the cost and upkeep of the road.

With all due deference to the able gentleman who portrayed such beautiful and glowing pictures about Alaska being a great agricultural country, I can not believe it; I can not agree with him on this subject. God Alm!ghty in his inscrutable wisdom never intended Alaska to be a great agricultural country; for His own reasons He set the bounds of agriculture by proper latitudes, and man, with all his cunning, science, and genius, down to this day has never overcome it and I prophesy never will. That it could be made to grow a few of the hardy vege-tables I have no doubt; but how are you going to induce men and women to settle any country where the earth is frozen countiess thousands of feet deep and where the indisputable evidence shows it costs from \$125 to \$200 per acre to clear it, and then compelled to let it remain exposed to the sun two or three years before it will grow anything?

People seek homes for purposes of remuneration, for the pur-

pose of living upon them, for the purpose of raising families and educating them. With countless hundreds and millions of

go to that frozen country for the purpose of making their homes and settling it? History is against it. Judging the future by the past, for a thousand years to come it will not be an agricultural country. So the only thing left to ship over the roads when completed are minerals in Alaska. I concede these are abundant; probably nothing like it to-day in the bosom of the earth in the way of coal, copper, gold, and so forth; yet when you have taxed the people, imposed this tremendous burden upon them, and built your railroads you have still got to wrestle with the problem of opening up these mines. Will the pro-ponents of this bill advocate the Government going in and operating the coal, copper, and gold mines in Alaska? Surely not. So we will be confronted with the proposition of disposing of the lands containing these valuable ores; and after the roads are built we are no nearer a solution of the question than we are to-day. The wise, sane, and sensible thing to do is to pass a leasing law and lease out the mineral resources of that Territory. Let the private capital go in, lease, and work them. By this means the Government at all times would have its hands upon the resources and would prevent monopoly, combinations, and trusts, and in this way would hold down prices to the con-sumers of these commodities. The railroads built by private capital would be under the control of the Interstate Commerce Commission, which would have the same power to fix rates there as it has to fix the rates over railroads in continental United States.

In my judgment, the thing to do is for Congress to pass these leasing laws, let private capital go in and build the railroads, and then let them be amenable to the Interstate Commerce Commission the same as other railroads are in the United States.

Mr. Chairman, I may be wrong, I may not be following out the will and wishes of my people, may be doing my country an injustice and a wrong, but, viewing it as I do, I can not act otherwise than to oppose this measure. I think it is unwise, ill founded; a step in the wrong direction; another and powerful argument to be used in less than another decade, when we meet, as we will meet, the supreme question of Government ownership of railroads in this country; and viewing it as I do. I can not give it my support, and intend to vote against it. [Applause.

Mr. STEENERSON, Mr. Chairman, I am in favor of this bill, because I believe it is our duty to develop Alaska. [Applause.] I believe that in the end the happiness and the prosperity and the strength of the people of the United States and the Nation will be promoted by this Government enterprise. [Applause.]

The argument brought against this bill by nearly every speaker is based upon the assertion that this means that Government ownership of railroads throughout the United States would be socialistic and destructive to free institutions. That is at least the implication we can fairly draw from what has been said in opposition.

Now, in the first place, the answer to that is that the conditions in the case of Alaska are entirely different from conditions here; that unless Government enterprise takes hold of the matter then the great empire of Alaska will remain undeveloped for an indefinite time in the future and there will be no opportunity whatever for individual enterprise to exert itself there.

What was the purpose of this Government acquiring Alaska? What was the purpose of the Government acquiring any territory? Those who have argued that Alaska was a great coal bin, woodpile, gold or copper mine, and that it belonged to the people of the United States to enrich them are far afield from the true reason for developing Alaska. When the United States acquires dominion over any extensive tracts of territory, the duty devolves upon it not so much to exploit the natural resources for the benefit of the people of the States as to build there a civilization, to induce immigration and settlement of the people to that territory, in order that homes may spring up [applause] and that that territory may contribute to the general strength and happiness of the whole Union. Let us take this argument of Government ownership of railroads that is advanced here. What does it amount to? Has anybody yet proven that the ownership and operation of railroads by Government is in all cases wrong or a destruction of free institutions? I submit not. The gentleman who is at the head of the State Department to-day, some years ago after traveling in Europe and seeing State-operated railroads, made the remark that if Government regulation of railroads in the United States proved a failure, the only alternative was Government ownership and operation. Manifestly that is true.

I do not believe in Government ownership and operation of railronds, but that the Government should regulate them in order that they may serve all the people equitably, fairly, and acres of unoccupied land in this country, will they migrate and efficiently-if that can not be done, if it be impossible to do

that, if our regulation prove a failure, then I submit that we must adopt the other alternative. The suggestion that Government ownership and operation of railroads is more adapted to monarchical or autocratic governments rather than to governments based on the rule of the people is without real foundation. Australia, for instance, is ruled by the people just as much as we are, and they have Government-operated railroads, so that it is not correct to say that Government railroads are characteristic of monarchical or autocratic governments. The monarchical governments referred to by the last speaker in the last analysis will be found to be of the constitutional or limited variety, so that the voice of the people expressed at the ballot box to a very great extent rules. It is practically concoded everywhere to-day that the people ought to and do control; that democracy is everywhere triumphant in the greatest governments of the civilized world.

Mr. BRYAN. Mr. Chairman, if the gentleman will permit, the

Republic of Switzerland-

Mr. STEENERSON. Oh, I do not care anything about Switzerland. It is a little bit of a spot and is always brought up as an example, and there is no comparison between Switzerland and this country. [Laughter.] My position is that this is an exception to the general rule against government entering the field of private enterprise. Here the Government owns substantially all the land with all its natural resources. We are not willing to repeat the mistakes of the old land-grant policy, and unless we do, private enterprise will not build railroads there. In constructing and operating this railroad we are not pursuing a socialistic, but an individualistic tendency.

I favor this bill because by extending this enterprise into the

interior of this great domain we will make it possible for people there to build homes for themselves and to earn a living by

their own exertions.

It seems to me that during this debate and discussion the real reason for this measure has not been emphasized. On page 13 of the report I find one reference to that:

Unrestricted monopoly might develop immense values there for private interests, but the development to be fostered is such as would utilize these great values for the American people and furnish homes for the rearing of noble and hardy men and women.

That is the real reason for supporting this bill. The CHAIRMAN (Mr. DAVENPORT). The time of the gentleman from Minnesota has expired.

Mr. STEENERSON. Mr. Chairman, I thought I was entitled

to 15 minutes, and I think I have used only 5.

The CHAIRMAN. The only thing the present occupant of the chair knows is that the former occupant of the chair called his attention to the fact that at this time the time of the gentleman would expire.

Mr. STEENERSON. Mr. Chairman, I think I am entitled

to a little more time.

The CHAIRMAN. Is there objection to the gentleman from Minnesota having more time?

There was no objection.

Mr. STEENERSON. The question comes up in every de-bate, How far may the Government extend its sphere of activify or its functions without being charged with having a tendency toward socialism? As I have explained in this case, this proposed Government activity, instead of tending toward so-cialism, tends directly the other way. It is a strange thing, but it is true, that, although you may hear everywhere men advo-cating socialism and others advocating the let-alone policy, the theory of laissez faire, that we should be governed as little as possible, yet in all the tides of time, we have never yet had a

Government that followed in practice either doctrine.

To say that the Government might not interfere with the ownership and operations of railroads, where it was necessary, where not to do so would involve the destruction of individual rights and homes, I deem to be untenable. It is only analogous to the argument that you must not interfere with nature any-Does anyone contend that it is wrong to put an iron shoe upon the hoof of a horse? That is interfering with nature, and yet to do so enables the horse to travel faster and better. And if we can so interfere in the affairs of the people, by furnishing public utilities, if you please, that thereby it becomes possible for individuals to establish homes and flourish and maintain themselves as independent, free citizens of the community, then it is the duty and it is wise for the State to undertake that activity. There is no State, and there never was, built upon the theory that you could not interfere with the industries and activities of the people, nor has anyone ever been successful in establishing a society or a state upon the other theory, that there should be common property in all means of production, and that the Government should be the only employer and the payer of wages. We fear that. We rightly fear socialism. But why?

Not because we believe that the coming of the ideal State, pictured in the writings of the Socialists, would be undesirable. but it is impossible, and while pursuing this Utopian dream we would so overload and magnify the work of the Government that we now have as to destroy the independence and liberty of the individual citizens. The tendency to increase the functions of government is world-wide, and is not due to any conscious design or plan but to changes incident to the development of our industrial life. The world has grown smaller, and the people in it are gradually becoming more and more dependent upon each other for their very existence. Stop the exchange of commodities even for a brief moment and it would cause suffering and hardship unspeakable.

While these revolutionary changes have taken place in the economic and industrial field, civilized man has not improved very much, either socially or morally, and hence the necessity for greater and greater compulsion, which is government, to force him not to overreach, cheat, or injure his neighbor. This necessity explains the need for Government regulation of public utilities and interference with monopoly in trade and business. Where regulation fails there Government ownership has been resorted to. Monopoly in private hands, left unregulated, has proved intolerable, because human greed is too strong to be restrained either by the sense of justice or regard for others, and hence we say it must be regulated by the Government, and, failing that, Government or municipal trading is the last alternative. This course, however, can not in any true sense be said to be "socialistic," because the ultimate object aimed at is not socialism but individualism. If private monopoly were allowed unrestrained sway, the individual would to that extent be economically enslaved. Generally speaking, therefore, Government trading is entered upon and justified only where on account of the tendency toward monopoly private enterprise undertaking the work can not be successfully regulated in the interest of the individual. It may also be entered upon where private enterprise is inadequate like, for instance, the Panama Canal. The proposed Government railroad in Alaska can also be justified on similar grounds, and its construction by making accessible the vast treasures of soil, mine, and forest of that imperial domain will furnish opportunities for the individual home builder which would be denied him under development dominated by private monopoly.

The Socialist denounces competition and advocates monopoly, because it will, in his view, hasten the revolution that is to overturn capitalism and substitute therefor his ideal system. The social reformer encourages competition and the regulation and restraint of monopoly in the interest of the individual and his economic freedom and development under the existing order. He believes that civilization in the future, as in the past, will be a gradual progress to greater freedom and better things economically, socially, and morally. The extreme conservative who so fears Government expansion that he will not curb monopoly by strict regulation or, failing that, by Government ownership of a public utility is really aiding the revolutionist who seeks to overturn our social system and our form of government, for unrestrained monopoly in private hands will eventually become intolerable and result in revolution. While ordinarily, therefore, it is wise to confine the Government to its primary functions, it is not only permissible but obligatory to expand them whenever necessary to curb monopoly in order that the individual may have enlarged opportunity to become economically independent and the founder of a home, for, after all, the family is the unit upon which our whole political and social structure rests. Such expansion tends to progress and not to revolution and is the logical political development of the age in which we live. [Applause.]

Mr. LAFFERTY. Mr. Chairman, the largest question that

has arisen during the discussion of this very important bill is that of Government ownership and operation of railroads. There is no question but that this bill is going to pass the House of Representatives. [Applause.] There is no doubt but that it will pass by a large majority. I think there is no question but that it would pass by a larger majority except for this element of opposition that has arisen through the belief that the building of a Government railroad in Alaska might lead ultimately to Government ownership of railroads in the United

States.

Personally, I believe in the highest degree of personal liberty so long as the action of the individual is in consonance with justice and decency. I would gladly go out to-morrow and fight against the establishment of any monarchy where the American flag now floats. I do not believe that the people of the United States will ever consent to have any single foot of territory over which the Republic has once exercised its jurisdiction afterwards pass into the hands or under the control of a monarchy.

But I have no fear from the viewpoint of those who are opposed to this bill because it might lead to Government ownership. There is no question but that if this railroad to be constructed in Alaska proves to be a great success-and I have no doubt but that it will-if it establishes and demonstrates that freights and passengers can be carried cheaper by a Government railroad than they can be carried or are being carried by privately owned carriers, there will be a general demand for Government owned and operated railroads, and under those circumstances there ought to be such a demand.

There is no other great power in the world, as has been said, except the British Isles, but that owns and operates to-day a substantial part of its railroads. New Zealand, Australia, Germany, France, Belgium, Holland, Austria, Italy, Denmark, the great powers of Europe, and the colonies of Great Britain, are operating their own railroads, and at great benefit to those nations. We have the richest country in the world. We have the largest in point of population outside of China and India. We have the greatest natural opportunities, but we have as many poor people as any enlightened country in We have as many people under the Stars and the world. Stripes who have a hard time getting three meals a day as any country in the world that is civilized. We have one hundred and twenty billions of wealth, it is true, but 50 men through interlocking directorates, control 40 per cent, or nearly half of it. Two hundred thousand men own outright 70 per cent of the wealth of this Republic. I am in favor of the individual. I am a Republican and have been from the time I was born. My father and three of his brothers served in the Union Army. But I come down here to Washington and I vote with the Democrats or with the Progressives, or with the "what-nots," when-ever they propose a bill that I believe is right.

I believe that the building of this railroad in Alaska will be a great benefit to those people outside of this collateral

question. Many settlers have gone to that Territory.

The Executive of this Republic, backed up by a conservation sentiment, has withdrawn from entry the mineral lands of that great Territory, as large as one-fifth of the United States. is impossible, practically, for a citizen to acquire a homestead in Alaska, because it is necessary for him to prove, in order to get the title to a homestead, that the lands embraced in his claim are nonmineral, which has always been a provision of the homestead law; and, besides, he is harassed by the special agents who are sent to Alaska.

It is no wonder that only 126 citizens have perfected titles to

homesteads in Alaska under those conditions.

Now, a stranger dropping into this Chamber during certain stages of this discussion might have thought the sole issue involved in this bill was whether or not the coal in Alaska was fit for the Navy, and whether or not that fact alone would justify the building of this railroad by the United States. has enormous amounts of coal fit for all domestic uses, cooking and heating, there is no dispute. But the issue has been raised that it is not fit for the Navy; that it is not as efficient as Poca-hontas coal; that is, a ton of it, some say, will produce only 43 per cent as much heat as the Pocahontas coal, while others say it will produce 75 per cent as much heat.

Now, it does not matter, if you start a battleship across the Pacific Ocean, whether you have Alaska coal of the kind tested by the Navy or whether you have Pocahontas coal; that ship will go just as fast if you keep the furnace full of coal.

[Applause.]

The CHAIRMAN. The time of the gentleman from Oregon has expired. The gentleman from Colorado [Mr. Seldomridge]

is recognized.

Mr. SELDOMRIDGE. Mr. Chairman, the time allotted to me in the discussion of this important measure is entirely too short to permit of a comprehensive presentation of the subject in all of its various aspects.

I believe that this question should be considered entirely with reference to the future needs of the great Territory of Alaska, which embraces within its area a territory as large as onefifth of the United States, or about 590,000 square miles.

The report of the Director of the Census for 1910 makes the

following statement concerning the production of gold in the Territory of Alaska:

The total value of the products of all mining industries in Alaska in 1909 was \$16,933,427. Of this amount gold and silver mining contributed \$16,327,752, or 96.4 per cent. This product came principally from the placer gold mines, the gold produced at these mines having a value of \$12,762,032, which represented 55.5 per cent of all placer gold produced in the United States in 1909. The value of the gold and silver produced in deep mines was \$3,565,720. The industry next in importance was the production of copper, the total value of which was reported as \$464,225.

duction of the Territory has amounted to over \$429,000,000, divided as follows:

Minerals:	9107 B10 F00
Silver	\$195, 916, 520 1, 500, 441
Copper	8, 237, 594
Gypsum	547, 345
Marble	185, 443
Tin	88, 062
Coal	338, 189
Sea and fur products:	000, 100
Fur-seal skins	51, 835, 143
Aquatic furs, except seals	12, 496, 063
rurs of land animais	8, 350, 290
Walrus products	368, 053
Whalebone	1, 707, 410
Fishery products	147, 953, 977
Total	429, 523, 630

From an original investment of \$7,500,000 made by Secretary Seward in 1867, which has resulted in a return to the Nation since that date of over \$500,000,000, who is there to contend that the Nation should not enter into a more definite under-

taking to develop the hidden wealth of the country?

The product of the Alaskan fisheries is practically assured for generations to come with proper Government oversight and regulation. We may also secure a continuance of fur products both from land and aquatic animals if we have proper laws to prevent waste and depredation, but we can never secure development of the hidden mineral resources of the interior without furnishing our citizens with proper means of transportation necessary for such development.

It is a striking fact that the most productive gold-mining propositions are those in which there are large bodies of low-grade ore. The Treadwell mines are treating ore at a profit which does not run over \$2.50 per ton. We have made wonderful progress during the past 10 years in the discovery of treatment methods for low-grade ores, and there is abundant evidence that the interior of Alaska has an unlimited supply of ores of this character. Private capital can not and will not undertake any development of these mining areas under present condi-Transportation charges on mining machinery, together with the high cost of living made necessary by these prohibitive charges, does not justify the construction of expensive milling plants for the treatment of low-grade ores. These can only be successfully operated and constructed when the Government will take hold of the transportation problem and provide the means for putting machinery on the ground and giving the comforts and conveniences of civilization to those who will be willing to go to Alaska and become interested in her mineral development.

Each new strike during the last 16 years has made known large deposits of low-grade gravels that would not pay to work under the primitive and costly methods of the individual. In later years areas of sufficient extent have been obtained to warrant the installation of costly hydraulic and dredging machinery and the richer portions have been operated; but even with the most improved methods of handling there remain great areas that, owing to the excessive cost of labor and supplies, do not justify development. These areas of low-grade ground, which it will take years to work out, will have to await improved transportation facilities as the only means of reducing the prohibitive costs.

In the Shushana district the present quoted price of such commodities as beans, bacon, sugar, and so forth, is \$1 pound, the price of one sack of flour being \$50. Thus it has been during all of the stampedes, with costs greater or less, governed by the distance from rail or steamboat terminals. As soon as trails and roads are cut out and streams bridged these costs are reduced, but never have they reached the basis where it is possible to work the gravels of lower value, except in a few favored sections close to water transportation, where large hydraulic or dredging plants could be installed. The result has been the "creaming" of the richer deposits and leaving the others until the country is generally opened up and it will pay to build railroads.

The opponents of this measure lay great stress upon the fact that the income derived from the operation of a Governmentowned railroad will not justify the expenditures. I am perfectly willing to admit, Mr. Chairman, that this railroad is not to be built for the purpose of securing a profit to the Government from its direct operation, but I justify its construction on account of the fact that it will be a Government highway over which shall flow into Alaska the necessary tools and appliances to develop the interior and over which shall flow out reported as \$464,225.

By reference to Senate Document S82, of the wealth produced in Alaska from 1867 to 1911, we find that the total pro-

receipts or passengers hauled, but is to be estimated in the aggregate increase of the wealth produced from the Territory.

It seems strange that come of those who are opposing this measure on the ground that it is a Government project should fail to remember just what has been done by our Government in the development of the great West. In a letter addressed to the chairman of the Committee on Territories, under date of January 19 last, the Secretary of the Interior, Hon. Franklin K. Lane, has clearly stated the amount of land that this Government bestowed upon private railroad corporations in the form of railroad land grants. The Secretary writes:

of railroad land grants. The Secretary writes:

The records of the General Land Office show that land grants made by Congress in aid of private railway construction in this country averaged about 7,500 acres of land for each mile of railroad built. Railroad land grants made by Congress have aggregated 158,139,000 acres, or 247,093 square miles. These land grants equal in area a territory as large as the combined area of the New England States, New York, New Jersey, Pennsylvania, Maryland, Virginia, and West Virginia.

How much other public aid has been given to private railroad building in the form of land grants by States and subdivisions of States and principal on bond issues can not even be approximated with any degree of certainty.

Reliable authorities have stated that the actual cost of construction of the Union Pacific Railroad was approximately \$50,000,000. The cost to the railroad company of this construction was \$93,500,000, nearly \$43,000,000 being taken in profit by the contractors and the Credit Mobiller. Land grants to the Union Pacific alone were made to the extent of 11,309,844 acres in addition to the Government's guaranty of bond issues and interest. Previous to the settlement of the Government with the Pacific roads it was estimated by the inspecting engineer of the Union Pacific system could have been reproduced for \$37,280 a mile, whereas at the time the average per mile of subsidized mortgage debt and interest on the road to the credit of the Government was \$47,465 a mile.

Land Office records show that land grants by Congress in aid of the construction of private wagon roads were made at the rate of 1,500

a mile.

Land Office records show that land grants by Congress in aid of the construction of private wagon roads were made at the rate of 1,900 acres of land for each mile of road, while early canal building was aided by congressional land grants averaging 63,700 acres of land for each mile of canal.

But the United States is not alone in having deeded millions of acres of land in order to aid railroad construction. Canada has followed our example, and from the letter above referred to the Secretary makes mention of the following facts in connection with railroad construction in Canada:

From 1876 to 1912 there had been built in Canada something less than 10,000 miles of railway under private ownership. In Government aid these roads had received cash subsidies aggregating \$208,072,073 and land grants to the extent of 56,052,055 acres from the public domain

In other words, it has cost the Government in Canada \$20,000 in cash and 5,600 acres in land for every mile of road built under private ownership in that country. Some part of these cash subsidies are in the form of loans which the railroads are under agreement to repay.

The attention of the civilized world has been directed to the great work performed by the Russian Government in constructing the Siberian Railroad, a project of daring conception and enterprise. This railroad was built entirely by the Russian Government. It is 4,272 miles long. Its construction involved the cost of \$180,000,000, or at a rate of a little less than \$28,000 per mile. Not only did the Russian Government expend this vast sum in the construction of the railroad, but it expended an additional amount of over \$11,000,000 to encourage settlement of the country and to develop its trade. The Russian Government has constructed over 7,000 miles of railroad in Asia alone.

I have no fear whatever that the undertaking of Alaskan railroad construction by the Government will encourage the growth of socialism. Socialism is encouraged and developed more by the inactivity and helplessness of the Government to meet its responsibilities and correct public evils than it is by the operation of governmental functions. It is as clear as the noonday sun that private enterprise and private capital can not undertake this work and responsibility. There would be such a heavy tribute and charge made upon the population and production of Alaska as to greatly retard and prevent its development. Our knowledge of the wealth of Alaska, which is no longer founded upon conjecture, but has for its basis the returns of the past 25 years, calls upon us to undertake this work.

We have recently expended \$375,000,000 in a great enterprise of international worth. We have no facts before us to confirm the opinion that the Panama Canal will be self-supporting as far as the tolls received are concerned. We believe that we will receive adequate returns in the great impetus given to our commerce and manufactures and that we will bring our country into closer communication with the teeming multitudes of the Orient and the countries on the west coast of South America, with whom we expect to find a large and most profitable market for our manufactured goods.

I am but little concerned about the possibilities of agricultural development in that Territory, and I do not care very much about the immediate development of the coal areas and their productive capacity. But I do believe that the develop-ment of Alaska will result in a vast increase in the world's supply of precious minerals that will be brought out from the interior of that country.

In emphasizing as I do the possibility of great mineral development of Alaska, I am not unmindful of the fact that it will create a larger market for agricultural and manufactured products on the Pacific coast. A great population in Alaska engaged in mining operations will be obliged to secure its food supply in large measure from our Pacific coast territory. While there is some reason for the claims of those who favor the bill that there are agricultural possibilities in Alaska, yet I prefer to support the measure solely on the benefit to be derived from the mineral product rather than from agricultural development. I know from experience that an active and increasing mining population gives the farmer one of the best markets possible, and if it should happen that we are to make Alaska the great gold-producing territory of the world, there is no limit to the market which may be opened there for the products of the farm and factory that can be supplied by our western terri-

A study of the mineral production of Alaska reveals the fact that gold constitutes its chief element, and of the gold production the greatest percentage is that derived from placer mining. This placer mining has been largely developed along the water courses during the summer months when it is possible for mining of that character to be carried on. It inevitably follows where there is a great supply of placer gold that this gold must come from the fissure veins in the mountain regions; and for that reason I believe that the opening of the country to settlement, and the prospecting of the mining areas will be followed by a great increase in the production of gold.

The construction of a publicly owned railroad, making the conditions of life in the interior comfortable and less expensive, providing cheap transportation rates for the introduction of mining machinery, the cutting of timber for mining purposes, and all other supplies needed for deep mining, will contribute greatly to the interest and activity that will be aroused in this feature of mining.

Alaska must be developed through American enterprise and by American interests and through American industry. It offers no field of opportunity to those who live in warm climates, where living is achieved with little energy or effort. Those who have gone there under conditions which charm and fascinate us as we read the story of their hardship and endurance certainly deserve the gratitude and the appreciation of all American citizens

And so, Mr. Chairman, I believe that as an incident to the development of that great region the construction of this railroad is a necessity. I understand it will take only a comparatively short time after this railroad has been built into the interior, connecting the great watercourses of the Yukon and the other large rivers with the seacoast, before communication will be as easy with our cities on the Pacific coast as it is now between the Atlantic and Pacific coasts, and people will then be able to travel from San Francisco or Seattle into the interior of Alaska with the same degree of comfort, and possibly with the same amount of cost, as they now travel from one end of this country to the other. And as we cheapen living, and as we bring the conveniences of civilization into that region, shall inevitably increase the population there. [Applause.]

I look with great eagerness to the completion of this enterprise, believing that it will greatly hasten the settlement of Alaska; that it will develop a population who will be satisfied with the conditions under which they can live; that it will bring the comforts and the conveniences of our life here in the United States to all who are willing to go to Alaska and cast in their fortunes with the development of that country.

There is great wealth to be found by the strong and adven-There is every attraction to our enterprising American turous. youth to leave the comforts of life here and plunge into the life That which contributed most to the development of our western country in the early sixties was the belief that at the end of the journey there was gold for those who were willing to embark upon the road and face the dangers that confronted them. It was the thirst for gold in the late forties that took the hardy pioneers across the continent to California, and it was that thirst for gold that made them tread through the not morasses of the Isthmus in order to reach that region, and thus brought California to the attention of the world. In my own State of Colorado it was the discoveries of gold, in connection with the finding of the precious metal in streams adjacent to Denver and Pikes Peak, that brought the pioneers across the prairies and induced them to settle that region. And just as they found gold in the sands and in the banks of the streams, so they followed those watercourses into the mountains, and by

energy and perseverance brought to light the mines which have added so much to the growth and development of our country.

I assert and predict that we have not touched the hem of the garment of wealth that is in Alaska, but that we have simply extracted from the placer washings of the creeks and rivers what might be called the cream of the gold. I believe we shall only find the key to the great treasure house there when the prospectors have fought their way up the mountains and into the hills from which this placer gold has come; and in order that they may find this treasure and reveal it to the world. that they may find this treasure and reveal it to the world it is necessary that this Government shall stand behind them by contributing to their enterprise and affording to them the conveniences and tools with which to prosecute that development.

I believe that this great public work is justified and demanded. We are face to face with this condition, that unless we act in this way private capital will not undertake this work; that there can not be the investment of private capital without an adequate return for the money invested; and I therefore contend that this Government can well afford to put into this investment \$35,000,000 or \$50,000,000 without expecting any return of interest upon the capital invested, deriving, as it will, large and ample income from the development and growth of [Applause.] the country.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. SELDOMRIDGE. Mr. Chairman, I ask unanimous con-

sent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Colorado [Mr. SEL-DOMRIDGE] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The gentleman from Minnesota [Mr. An-The CHAIRMAN.

DERSON] is recognized.

Mr. ANDERSON. Mr. Chairman and gentlemen of the committee, I should not trespass upon the patience of the committee at this closing hour of this long debate were it not for the fact that since I have been a Member of the House and before I have had a peculiar and a very considerable interest in Alaska and its problems; were it not for the fact that I was perhaps the pioneer, at least one of the first, to propose the construction and operation of a railroad in Alaska by the Government as a means of at once developing and conserving the resources of that Territory.

This discussion has covered a very wide range. Some of it seems to me likely, if indeed it is not calculated, to detract from the fundamental issue involved in the proposition itself. are prone to consider the Government construction and operation of railroads in Alaska as an end in itself rather than as a means to an end. We did not purchase and operate the Panama Railroad because the Government desired to go into the railroad business. We did not establish on the Canal Zone a great mercantile enterprise, with more than a million dollars' worth of stock, doing an annual business of \$6,000,000, because the Government desired to go into the mercantile business. We did not establish there an ice-making plant, a laundry, a coffeeroasting plant, and beef-corning plant because the Government desired to enter into those enterprises. We concluded to operate the Panama Railroad because the operation of that railroad was a necessary incident to the construction of the Panama We entered upon those other mercantile enterprises because they were necessary to the convenience, the health, and the well-being of the employees of the canal. We are going to build this railroad in Alaska, not because the Government desires to go into the railroad business in Alaska, but because we desire to conserve and at the same time develop the resources of that Territory [applause], because we want to develop not alone its mines but its agriculture and its factories, and give to it a civilization that will be both symmetrical and self-sustain-We want to make it not only a good place in which to make money but a good place in which to live. In short, we wish to develop its resources for the benefit of all the people. What can be more appropriate than that the master facilities of development, without which development is impossible, shall be furnished and operated by that instrumentality which is designed to promote and foster the welfare of all the people, the United States Government,

We own Alaska, own it absolutely and without condition. We are free to do with Alaska what good business judgment dictates we ought to do. We need not shut our eyes to the human experience of the past hundred years in our own country. know, and it is a matter both of public record and of judicial determination, that in the train of private ownership of railroads in this country there came monopoly of our coal, our natural gas, our oil, and our timber. Certainly we are not foolish enough to believe that we can establish and carry out the same policy in Alaska that has brought upon us these evils in our own country

and escape them in Alaska. Why, only last week the Interstate Commerce Commission delivered an opinion in which it was stated that millions of dollars have been lost to the railroads, especially the industrial railroads of this country, in special services granted to industrial corporations without charge. Every railroad in Alaska to-day, with one possible exception, is an industrial railroad. We know that if private capital furnishes, develops, and operates these railroads, it will develop them and operate them with a view to private profit. Private capital is selfish. It looks to immediate returns, and immediate returns in Alaska mean the fastening upon the people of that Territory, at the time when they can least bear them, of a vast charge which will be projected into the future. There is no inherent right in private capital to make a profit out of the public utilities of a country. Public utilities, to be real, must be developed and operated with an eye single to the public welfare. moment that you begin the construction and operation of railroads in Alaska with a view to profit, just that moment the railroads of that country become, not the utilities of the public, but the instruments of profit of a few men.

Mr. WILLIS. Will the gentleman yield?

Mr. ANDERSON. I yield.

Mr. WILLIS. I know the gentleman has given a great deal of attention to this general subject, and I want to invite his attention to the provision of the bill which authorizes, empowers, and directs the President to lease the road after it is constructed, and authorizes him to operate it only on condition that he can not lease it. What is the opinion of the gentleman as to that leasing clause?

Mr. ANDERSON. Personally, I should be very much opposed to the leasing of this railroad, for it seems to me that to do so would deprive the Territory of the very thing which we intend to give it-a maximum of service at a minimum of charge.

In other words, we propose Government construction in order that we may have the advantage of the Government's credit and its low rate of interest. We expect that this vast credit and low rate of interest will be reflected in lower costs of operation; in brief, we hope to eliminate the element of private profit and private risk from the costs of both construction and operation. We can not do this and lease the railroad.

Again, underlying the purpose of public service in construction and operation of the road and the elimination of private profit and risk, is the desire to avoid the ills which have attended private construction and operation of railroads, both in this country and in Alaska-to prevent the monopoly of its natural resources.

The history of construction and operation of railroads, more especially of industrial railroads, shows that they have been an incident in the development of private industrial enterprises for profit. It shows-and this is a matter of judicial determination-that it has been practically impossible to prevent the industrial enterprise from obtaining from the railroad special privileges, advantages, and services, as well as arrangements of freight charges, which had the effect of giving the industry a monopoly and destroying independent competition. This is the inevitable result of private operation, especially in a new country. We can avoid it only by providing for the construction and operation of the railroad by the Government, because the Government is the only instrument with a real public-service motive and that has no private motive or interest of profit to serve. The whole proposition is concerned with the question of whether railroads are to be constructed for the public use and benefit or for private use and benefit. It is the same old proposition that no man can serve two masters. The railroads of Alaska must either serve the public welfare or private profit. They

can not both serve public welfare and private profit.

In this bill we are offered an opportunity for real constructive statesmanship. If we fail to take advantage of it we shall not only commit an error of judgment, but we shall be derelict in our duty to the public and to the people of Alaska; for in the last analysis the proposition resolves itself into the question whether railroads in Alaska are to exist for the industries and the people of Alaska or the industries and people of Alaska

are to be exploited for the benefit of the railroads

Mr. CRAMTON. Mr. Chairman, in my discussion of the bill now before the committee I shall not give much time to the question of the resources of Alaska. I am thoroughly satisfied that we have in that Territory a wonderful country, rich in minerals and fisheries, and capable of great development. The question of agricultural resources which has been so largely discussed does not seem to me of great importance, further than it may have a bearing on the general question of development. It is not necessary or desirable that we should build railroads in Alaska in order to develop its agricultural possibilities. the great project, however, of opening up that great region for the devolpment of its mineral and fishery resources, the possi-

bility of some agricultural development for the maintenance, or at least a partial maintenance, of its own population is of importance. Conflicting statements as to agricultural possibilities have been made in this debate. I have never visited Alaska, and I have no personal knowledge of the subject. I will, how-ever, present for the information of the committee testimony of one witness whom I know personally and whose testimony I know is reliable and disinterested. The following is from an address made several months ago in Lapeer, Mich., by Mrs. Lucy White Williams with reference to an extended trip through Alaska. Mrs. Williams, who is the treasurer of the National Federation of Women's Clubs, is an experienced traveler and a keen observer. In that address she said in part:

eler and a keen observer. In that address she said in part:

Agriculture in Alaska is in its infancy, but it is a healthy and promising infant. At the present day every part of Alaska which has emerged from the first state of ploneer life grows vegetables. Wherever gardens have been planted the yield has been abundant and the quality of the vegetables superior. To us it appeared only necessary to turn the soil in order to have seeds grow. Vegetation has an almost tropical rankness. We visited the Government experimental station at Sitka and found most of the fruits, vegetables, and flowers to be found on a similar farm in Michigan. Strawberries were really delicious and of immense size. Many of the flowers I am trying to cultivate in my garden are indigenous to Alaska. Some seasons the excessive cold rains and lack of sunshine prevent them from maturing. In the interior of Alaska the climatic conditions are different. Since 1902 the United States Government has had agricultural experiment stations in Alaska. They are all under the immediate supervision of Mr. Georgeson, who lives in Sitka, others have been established at Kodiak, Kenai, Copper Center, Rampart, and Fairbanks. The work in all of these stations is progressing satisfactorily. The interior is better adapted to agriculture than the coast line.

The bill before us is, in my judgment, the most important piece of legislation so far as its ultimate effect is concerned of any proposition that has come or will come before this session of Congress. I feel this because of the fact that it brings the attention of the country to a focus upon the immense railroad question-the question of what are we going to do with our railroads and what are our railroads going to do with us.

Our railroads are the great highways of commerce, the great arteries of trade. Their mileage to-day in the United States is quarter of a million miles. They influence every human activity; they connect the producer and the consumer. If they properly perform their functions, they make easy interchange of the labor of man, stimulating production, extending the market of the producer, lightening the burden of the consumer, and making possible for our humblest citizens a higher standard of living than was ever dreamed of by the ancients. Failing to perform properly their functions, they are a restraint upon commerce and industry and economic advancement. They are to civilization to-day what the watercourses and highways were to our forefathers. By reason of his appreciation of the importance of the control of the Mississippi River, Jefferson brought about the great Louisiana Purchase. To-day more than a score of great railroad bridges cross this river and more than 30,000 cars, carrying passengers and freight, go over these bridges daily, emphasizing constantly that new ways have succeeded the old and are serving fields that the old could not reach. The conditions covering the use and operation of such arteries of trade are of vital importance to our civilization.

This past century, which has been an age of railroad development, has recorded greater change and greater progress industrially and economically than has any thousand years of history before. Living in the midst of rapid change, we do not always grasp quickly enough the significance of developments of the

highest importance.

The century which gave to the world steam, electricity, and gasoline, the three great forces of industry, has likewise produced legions of machines driven by these new sources of power, and each producing for the use and support of mankind and creating commerce undreamed of in other days. The same dynamic trinity which has revolutionized manufacturing methods and substituted economic cooperation of labor for wasteful individualism of effort and made cheap necessities of the expensive luxuries of our grandfathers—has made possible transportation methods essential for the extension of the cooperative idea to a world-wide scope. While in other days of homespun and hand-made articles each village was a world unto itself, to-day each village has brought to its doors the products of labor the world over, and thereby enjoys a higher standard of living. These industrial changes have brought, likewise, a corresponding economic and social change. Economists of other days were forced to accept the monstrous Malthusian theory, declaring that population tends to increase more rapidly than does the means of support, and that hence poverty—nay, starva-tion—must always be with us. To-day we have no need to be-lieve such a slander upon a merciful God—no need to believe that this world must of necessity have always within it the horrors of miserable poverty.

To-day I believe, with Edison, that poverty is no longer necessary in the world. The great problem for humanity is to equalize the opportunities of life so far as possible and to permit even the humblest of the poor to share in its wonderful ad-

In this new industrial world farm and factory and fireside, producer and consumer, centers of industry and markets every where are bound together by great throbbing arteries of trade, and foremost among these is, as I have said, the railroads. If these roads are to be conducted as great toll roads levying heavy toll on the commerce as it passes over them from producer to consumer, holding the producer down to the lowest possible price for his products and holding the consumer up to the highest possible price for that which he would buy, this heavy toll through the doctrine of "what the traffic will bear," which was the guide of private rate making under private ownership and control, then these roads are not aids but rather hindrances and obstacles to progress and civilization.

We early appreciated the possibilities and advantages of their use but not so soon the possibilities of abuse. We showered railroad promoters with bonuses, land grants, exemptions, and privileges, all that they might develop our cities and our Nation. Not realizing the danger, we gave to private ownership a free rein, and nowhere was private initiative handicapped by "fanatical" legislation. Unrestrained private ownership failed miserably. The commerce that should have been served was preyed upon, and the growth of rebates and discriminations and the pillage of the public by unfair rates gave rise to the demand for public regulation of these public utilities. For a quarter of a century or more we have endeavored to regulate and as yet we have not accomplished any great results.

In Alaska we have a free hand, a clear start. And to-day the Alaska railroad bill focuses attention on the question, What

shall we do with our railroads? It is a problem that presses constantly more and more strongly for solution.

Note the wonderful increase of railroad traffic in 20 years from 1890 to 1910.

plant of the species of the second	1890	1910
Number passengers carried Number of passengers carried 1 mile Number of passengers carried 1 mile per mile of line. Tons carried. Tons carried 1 mile. Tons carried 1 mile per mile of line.	492, 430, 865 11, 847, 785, 617 75, 751 631, 740, 636 77, 207, 047, 298 493, 838	971, 683, 199 32, 338, 496, 329 138, 169 1, 849, 900, 101 255, 016, 910, 451 1, 071, 086

We have heard much in this debate about the sufficiency of public regulation of privately owned railroads. As yet such regulation is but an experiment, and a most uncertain one as to results at that. Hon. Charles A. Prouty, of the Interstate Commerce Commission, said at the annual meeting of the National Association of State Railway Commissioners in 1912:

The United States is trying out an experiment that has never yet been worked out successfully in any country of the world. It is trying to work out the problem of controlling railroads built and maintained by private capital but which are under regulations which are fixed and controlled by the public.

It has never been worked out to an end, but, in my judgment, it has been tried out sufficiently to give some substantial ground for doubt as to whether the problem can be worked out that

The great factors in the problem are rates and service.

As to rates, we have not as yet really begun to solve the problem. We have, through the Interstate Commerce Commission and our various State commissions, made war on discrimination between points or between individuals, and to a very limited extent as to discrimination between industries. We have, however, not as yet given a hearing to Mr. Ultimate Consumer. I have often heard shippers declare that they did not care how high the rates were so long as they were not personally discriminated against. So long as the rate does not exceed "what the traffic will bear" and is not discriminatory, shippers are satisfied and pass it along to Mr. Ultimate Consumer. He has not been a party to hearings before these commissions and he has not been considered, but before the question is finally solved he must be considered.

There is to-day a concerted movement among shippers and business interests of the country in behalf of the 5 per cent advance in their rates which is asked by 50 of the railroads. If this increase is granted the 5 per cent is not to be paid by these interests that are supporting the demands of the railroads, but will be paid by the consumer. It will be another 5 per cent added to the products of the farm and the factory to be paid by the laborer in the city, who already complains as to the high cost of living, and will be made the basis of further

demands for reduction of tariff duties.

Government regulation in this country has many obstacles to surmount, but two of them loom specially large just before us. First, the squeezing of the water out of the corporations controlling in order to fix a basis for rate calculation; and, second, a readjustment of rate-regulating authority as between State and Nation, in order that justice may not be lost in the twilight zone. Intrastate and interstate commerce are so inextricably related that they can not be logically and thoroughly rated separately. If the problem is ever to be worked out to a complete solution by rate-regulating commissions we must have a system of rate courts much like our Federal judicial system, in which the Interstate Commerce Commission would be the supreme court and the State commissions would be similar to the Federal district courts.

Railway authorities have insisted that the value of the railroad has nothing to do with the question of proper railroad rates. Mr. R. S. Lovett stated before the railroad securities commission:

No railroad company has ever undertaken to base rates on the value of its property and no railroad man has ever attempted to make rates according to the value of the railroad. * * * Rates must of necessity be the same on all competing railroads, and yet we know that the value of such railroads varies greatly.

Such, however, is not the theory of Government regulation. The United States Supreme Court has declared "the basis of calculation is the 'fair value of the property' used for the convenience of the public (Smyth v. Ames); or, as it was put in San Diego Land & Town Co. v. National City, 'What the company is entitled to demand in order that it may have just compensation is a fair return upon the reasonable value of the property at the time it is being used for the public.'

We are about to provide for a valuation of the railroad properties of the country by the Interstate Commerce Commission under the La Follette law. At this point I wish to call to your attention a signed statement by Senator LA FOLLETTE which appeared in La Follette's Weekly of January 31 with reference to the proposed regulation of the issue of railroad securities. This statement seems to me to be incontrovertible, and if our railroad problem is ever to be worked out successfully along lines of Government regulation these wise words of warning from Senator La Follette must be heeded. So far as the Senator's statement has reference to the railroad problem, it is as follows:

ment has reference to the railroad problem, it is as follows:

Not since he became President has Mr. Wilson recommended legislation so important and far-reaching as in his message of January 20.

Though expressed in general terms, the President forecasts the scope and purpose of the proposed measures. The message has been followed by a tentative introduction of four bills. There is to be a fifth, designed to confer upon the Interstate Commerce Commission authority to regulate the financial operations of the railroads.

Believing that the enactment of legislation to regulate the financial operations of interstate railroads would be a serious mistake, I set forth below some of my reasons for that belief. I do this in obedience to strong conviction and in the hope that the administration may yet be persuaded against pressing that recommendation.

President Wilson's recommendation for the control of the financial operations of interstate railroads by the Interstate Commerce Commission will be very popular, I have no doubt, at the outset. It is not unusual to find advocates for Government control of capitalization among those who have studied the railroad problem. Ten years ago I entertained a like view. I can therefore understand the President's attitude of mind and sincerity of purpose upon this subject. Further study and reflection have changed the views which I then entertained for reasons which I can but imperfectly set forth within the compass of a single editorial.

As one goes into the relations of the railroads to the public, he first sees the vice of overcapitalization as an excuse for excessive transportation charges. It is quite natural that he should first think of correcting the evil by limiting the capitalization to the actual value of the railroad property; but it is inevitable that he should ultimately realize that the true relation of the common carrier to the public, and the true principle upon which that relation should be controlled does not impose upon the Government the necessity to regulate the complex financial affairs of the great national railways. In short, all interests with which the public is in any way concerned can be fully protected by a simple and logical method—a method which protects the people nagainst obligations and responsibilities which they can not escape if their Government attempts to regulate the financial operations of the great interstate trailways.

What interests have the public in the control of the railroads?

As to interstate transportation, the people of this country are interested in (1) the character of the service rendered and (2) the price which they must pay for that service; they have no other or further Interest.

What obligations do these railroads owe to the public?

which they must pay for that service,
Interest.

What obligations do these railroads owe to the public?

Government charters the common carrier, clothes it with the sovercign power to take private property—even against the consent of the owner—for the carrier's use. The acceptance of this sovereign power operates to dedicate the property of the railroad to a public use, and imposes upon the carrier the obligation to so use its property as to furnish to the public adequate service, impartial service, and to render such adequate and impartial service at reasonable rates.

What duty does Government owe to the public regarding the common carrier?

arrier?

It has created the common carrier. It has invested it with power to take private property for a public use. From its nature, within a limited area along its course, the railroad is a natural monopoly. Possessed of this great power, the railroad might ignore its obligations and oppress the public. Government is therefore bound to see to it that the creature it has clothed with its sovereign power shall discharge its

public obligations. It therefore becomes the duty of Government to so control this carrier monopoly that the public shall be guaranteed adequate service, impartial service, reasonable rates. The interest of the public goes no further. The obligation of the Government goes no further.

To acquit itself of this obligation to the public, what is the Government required to do?

It must of necessity ascertain the fair value of the property which the common carrier uses for the public. It owes no duty to the public to undertake the regulation of the financial operations of the railroad. The Supreme Court has well said that—

"If a railroad corporation has bonded its property for an amount that exceeds its fair value, or if its capitalization is largely fictitious, it may not impose upon the public the burden of such increased rates as may be required for the purpose of realizing profits upon such excessive valuation or fictitious capitalization."

The fair valuation of the property is the true basis. The public need not concern itself with all the villatines of overcapitalization, which abound in the history of every railroad in the country.

To execute its public trust, the Government must, in addition to ascertaining the fair value of the property, know exactly the amount of money which the common carrier expends in maintaining the property used for the benefit of the public. It must also know exactly the cost or outlay of the common carrier in operating the railroad.

Having ascertained these three important essentials—the fair value of the property, the cost of operating the property—the Government is then prepared to enforce adequate services, impartial services, and reasonable rates. To this end it must make rates sufficiently high to pay the operating expenses, to meet the entire cost of maintenance, and enough in addition to insure an adequate return upon the fair value of the property of the common carrier.

It is charged with no duty to become legally or morally answerable.

an adequate return upon the fair value of the people of carrier.

It is charged with no duty to become legally or morally answerable for the financial juggling of the railway management. The rate which it fixes may indirectly operate to restrain overcapitalization; it may even tend to squeeze the water out of excessive stock and bond issues already set afloat; but neither the railroads nor the dealers in railway stocks and bonds have any cause for complaint. The railroads have no right to exact from the public rates high enough to pay interest and dividends upon stocks and bonds which exceed the fair value of the property.

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No warrant or excuse can be offered for the Government's assuming any responsibility regarding capitalization of common carriers for the protection of investors. The purchase by an individual of railroad stocks and bonds as a speculation or for investment is solely a matter of option with the purchaser. He buys in his own right and at his own risk. Upon principle, the Government owes no other or different obligation to the man who buys railroad stocks or bonds than to the man who buys Standard Oil or Tennessee Coal & Iron stocks and bonds, or to the man who purchases a horse, a house and lot, or a farm.

But should the Government assume the responsibility of controlling the issue of railroad stocks and bonds it will enter upon an undertaking fraught with grave dangers to the public, an undertaking certain to impose unnecessary and unjust burdens upon transportation.

Ten years ago every railroad in the United States would have taxed its resources to the last limit to resist conferring upon the Government power to superintend and regulate its financial operations. To-day they hail with satisfaction and delight the recommendation for such legislation. And it is to be noted that the organs of Wall Street and the stock exchanges especially commend the proposed regulation.

The reason is obvious. The railroads of the country carried their fictitious capitalization to a point where the public, within the last few years has grown suspicious of the soundness of these securities. Values rapidly declined. Various schemes were devised to boost the market. They failed. Then came the bold demand for some Government action that would rehabilitate these depreciated securities and stimulate the languishing business of the stock exchanges. To this end, Mr. Aldrich, five years ago, brought forward an ingenious plan t

road, to make the transportation charges high enough to "protect me securities which it has authorized railroad companies to place upon the market.

But more than this: When the Government, through its commission, has authorized a railroad to make an additional issue of bonds or stocks it will, in effect, have validated all the issue of stocks and bonds then outstanding.

If it were a proper function of government to "superintend and regulate" the issue of railroad securities in which private parties speculate or invest, it would be vital that the commission charged with this great responsibility should know the true value of the property of the railroad underlying such securities. But the Interstate Commerce Commission does not possess such information. It will be years before the commission will have completed its valuation of the railroad property of the country under the law recently enacted. When the commission has finished that great economic undertaking and submitted its tentative findings, its work will, under the law, have to be tested and tried out in the courts before it becomes even sufficiently stable to form a basis for fixing railroad rates and charges.

In the meantime, is the Interstate Commerce Commission to be called upon to guess at the value, and upon that "guess" to authorize the railroads to increase their capitalization?

The commission has been completely at the mercy of the railroads in every contest over rates where the companies have raised the question that the rate fixed by the commission would not permit the earning of a reasonable return upon its property.

And now it is proposed to require the commission to decide upon the facts presented to it that securities may be issued, upon which the railroads are "henceforth to be supplied with the money they need."

Referring to the fact that the railroads had control of all evidence regarding the value of their properties and that it was powerless to meet that evidence in any contest involving the value of railroad property, the Interst

responsibility of determining whether railways shall issue, it may be, hundreds of millions of stocks and bonds which will become a permanent burden upon transportation. Consider the lasting wrong which this may work upon the public. The railroads will always have the advantage. They are more familiar with the case as it is to be presented than the commission can hope to be. They have a powerful organization. They have an army of trained experts, engineers, statisticians, accountants, masters of railway finance, and special counsel.

statisticians, accountants, masters of railway finance, and special counsel.

If the railroads win wrongfully in a rate case, it is a hardship upon the public. But an erroneous decision fixing a rate too high may be corrected. The case may be reviewed. The excessive rate may be lowered in a subsequent proceeding. But a wrongful decision by the commission, allowing the railroad to issue millions upon millions of securities which are at once thrown upon the market, is an everlasting burden upon the public—an everlasting injury to the people.

Whoever buys railroad securities now buys at his own risk. Whoever buys securities upon the issue of which the Government has set the seal of its approval will, in good morals, hold that the Government must, under all circumstances, maintain railroad rates so high as not to impair the value of those securities.

The moment that investments are made in securities authorized by the Government, that moment property rights in those securities become fixed. The commission may find that it has been misled, that it has grossly blundered. But its mistake is irrevocable. It is not the simple question of having temporarily imposed a hardship upon a community. It is a case of having inflicted an irreparable injury upon an unoffending public.

ROBERT M. LA FOLLETTE.

ROBERT M. LA FOLLETTE

If we do not work out to a satisfactory solution this great problem along lines of Government regulation, the American people must either give up, declaring that they are powerless to protect their own welfare and secure their own advancement, or they will be obliged to turn to Government ownership with all of its responsibilities and its intricacies.

We know that this Nation of ours will never rest until they have solved this problem, and while we are still struggling to work it out along the lines of Government regulation I believe it is wise and prudent that we should study and experiment likewise along the line of Government ownership. Therefore I am heartily in accord with the proposition contained in this bill now before us, which permits us to begin at the beginning with

such an experiment.

In this discussion we have heard much from various gentlemen as to possibilities of failure for Government ownership. These gentlemen have pictured to us various instances of Government extravagance. I notice, however, that they have been equally silent as to the failures of private ownership and the wonderful success of Government effort in building the Panama Canal following scores of years of failure of private effort.

Private effort in the business world is not uniformly successful. More than 90 per cent of men engaged in business register a failure at some time in their careers. And nowhere in all the fields of enterprise does failure score more frequently than in that of transportation. Inefficiency, graft, scandal, and crimes of finance all are found on almost every page of the railroad history in this country. To-day the American people are staggering along under the whole load, lacking the service the country needs, and still asked to pay yet more for that which it has not had and does not get.

So active in our ears are the pleas of the financiers who would make possible payment of dividends upon watered stocks that we hear little of the other side of the story—of responsibilities not met, of the public interests smothered rather than served by

private initiative and individual genius.

If we but take thought, numerous and striking instances in confirmation of what I say must occur to us. The public prints are continually recording them. We all know of them in our

own personal observation and experience.

Representing a portion of the State of Michigan, I call to your attention such a case, and I would ask any of you cheerful economic doctors of the school of Government regulation to take a look at the patient and tell us in Michigan what sort of a prescription you have to offer that will hold out any hope of a

proper recovery.

The largest mileage operated by any one railroad system in the State of Michigan is that operated by the Pere Marquette Railroad system. Upon the proper operation and management of this line with 1,700 miles of road in my State are dependent in large degree the development and progress of a great portion of that State. It does a great intrastate and a great interstate business in the carrying of passengers and freight. It was for many years a profit-producing enterprise, and it played a large part in the development of the State in other days. In 1901 it owned 1,706 miles of track and its bonded debt was less than \$30,000,000. To-day it is in the hands of receivers; its bonded indebtedness has, with very little increase in mileage, grown from less than \$30,000,000 to nearly \$80,000,000. Its present management are unable to satisfy the demands of the public for service, the demands of the employees for wages, the demands of stockholders and bondholders for interest and file mands of stockholders and bondholders for interest and divi-

dends, and have been known to issue bonds in order to satisfy the demands of the State for taxes. With improved efficiency the rule of the day in all lines of business, with constantly increasing demands for transportation facilities everywhere, and with a constantly developing country tributary, this great railway system, under private ownership and Government regulation, presents a spectacle of failure which should give food for thought to any who think that solution of the problem by Government regulation is an easy matter. For a third of a century we have had our Interstate Commerce Commission, with constantly increasing powers. Since 1907 we have had our State railroad commission, with powers expressly granted to it to regulate rates and to require service. To-day, with the question of rates practically untouched, the question of service seems to be beyond the power of anyone to remedy.

The alleged service being given the public by the Pere Marquette Railroad Co. is a scandal and a disgrace to an age which prides itself upon its industrial efficiency. Large portions of my district are dependent upon this system for transportation facilities, whether it be of persons, mail, or freight. Just as one instance out of a multitude, let me quote the following from a protest filed with the Postmaster General November 16 last, by Dr. J. H. Burley, president of the village of Almont, Mich.:

Please give Almont, Mich., better mail facilities. Our freight service by the Pere Marquette Railroad is getting absolutely unreliable. Conditions of tracks so poor that wrecks occur almost weekly, delaying mail from 36 to 48 hours. Winter coming on, conditions will be worse. Have had only 7 mails in last 8 days. Three days no mail. Kindly give us service from Detroit, by way of Romeo, by Detroit United Railway and carrier from Romeo to Almont, 9 miles.

Permit me to state that the investigation of the Post Office Department sufficiently substantiated this complaint, so that the department acceded to the request and have made contracts to send mail into this railroad town for 9 miles over wagon roads.

The following are expressions from secretaries of boards of

trade with reference to this subject:

The freight and passenger service on the Pere Marquette Railroad is not all that could be desired. I believe the officials of the road will agree with us as to this. However, they are regularly meeting with us and cooperating, we honestly believe, for an improvement of the situation, as far as the means they have at their command will allow. It is certainly our impression from observation of the past year, as far as the personnel of the road is concerned, they are doing their very best to serve the public. The writer believes you are familiar, from your official experience, with the financial handleap the road is burdened with and probably have some well-defined ideas as to a remedy.

The passenger service is fairly good. The freight service is, however, about as poor as it could possibly be and maintain any semblance to an organized transportation unit. We have at this time a number of complaints before the Michigan railroad commission complaining of the absolutely rotten freight service rendered by the Pere Marquette under the present management. There is no question but what this service, or rather lack of it, is due to the failure of cooperation by the different departments and by the employees, who are underpaid and dissatisfied. I can cite you any number of specific instances where from 1 week to 10 days would be consumed in transit of L. C. L. shipments moving less than 100 miles. I believe that some of their heads of departments are making an honest effort to improve the service, but, through lack of cooperation, their efforts do not amount to much.

For several years past large sections of my district served by this road have found the freight service insufficient, resulting in great congestion of freight, delays in shipments, and loss to farmers and stock and produce buyers, who were unable to take advantage of the best markets. Within a few weeks this insufficient freight service has been cut in two in the Thumb district of Michigan, and where the rule was before a freight train each way every day, there is now but one every other day. The following is from the Huron County Tribune of January 30 last:

FREIGHT SERVICE IS INTOLERABLE, SAY SHIPPERS—BAD AXE DOES NOT GET THREE P. M. TRAINS A WEEK, AS PROMISED.

GET THREE P. M. TRAINS A WEEK, AS PROMISED.

The freight situation in Bad Axe has become intolerable, say many shippers and merchants. Last week a shipment of goods by the Clark & McCaren Wholesale Grocery Co. is reported as having taken from Monday till Friday to get to Elkton, 10 miles distant. Bad Axe was supposed to have an outgoing P. M. freight frain every other day, but is not getting even this triweekly service, poor as it would be. The fact is that the freights can not get here three times a week. Every station along the road, both on the Saginaw and Port Huron divisions, is so congested with freight and it takes so long to load, unload, and switch cars that neither can make its destination the same day it starts from either Saginaw or Port Huron. Frequently, it is said, the trains tie up overnight along the way on account of the 16-hour limit for the crews, and instead of the trains coming in one day and going out the next, it takes about two days to make the trip each way. This does not make much more than three round trips in two weeks.

Local railroad men are powerless to relieve the situation. They are obeying orders, and are not to blame.

Harbor Beach is said to be even worse off than Bad Axe, and according to reports a delegation of business men from that town to P. M. headquarters in Detroit received little encouragement and but scant courtesy.

Some local shippers have gone over the heads of the P. M. officials

Some local shippers have gone over the heads of the P. M. officials and taken up the matter of freight injustice with the commission at Lansing.

Here is another expression, from the Harbor Beach Times of

THESE ARE DAYS OF RETROGRESSION—PRESENT RAILWAY TRAIN SERVICE WOULD MAKE GOOD MATERIAL FOR JOKESMITHS—EVERY TRAIN IS ON THE SAME KIND OF SCHEDULE USED WHEN DAD WORE COPPER-TOED

Well, sir, there is nothing about our present misfit of a train service over the Port Hope & Palms division of the Pere Marquette Railway over which to "crow." When our citizens were informed, Monday morning of this week, that during the previous night the train-moving map on the best-paying 18 miles of trackage of the entire system of Michigan's big system, the Pere Marquette Railway, had been changed and the new conditions took us back to the days of years ago, when Harbor Beach had no factories and the system was a narrow-gauge affair, they were loud in comments; but right here is where we suggest that your foot be placed upon the soft pedal, so far as the subordinate officers are concerned, for in making this backward movement they simply are carrying into action orders received from the head office.

During the week our people have been treated to all kinds of "auld lang syne" stunts in the line of railroading, including a passenger train of coaches of 1862 vintage pulled by an engine running backwards and other numerous and freakish ideas; yet all is the result of a system that has been taken into Wall Street, robbed, and left by the wayside for dead, now in the care of nurses, trying to keep the poor thing supplied with activity sufficient to make it a matter of sympathy for the consideration of the State railway commission.

In the Detroit Tribune of January 31 appear charges framed

In the Detroit Tribune of January 31 appear charges framed by representatives of striking employees of the road to the effect that the roadbed and rolling stock of the road have fallen into such bad condition that lives and property are in constant jeopardy, that 75 engines on the said railroad were, between May and September last, condemned by Government inspectors as dangerous, and approximately 50 more have been withdrawn from service by Government inspectors because of their defective and unsafe condition. These parties further cite as an example of the demoralized and impoverished condition of the railroad the following telegram from J. W. Mulhern, superintendent of the Grand Rapids division, under date of June 25, 1913, to the engineer of No. 9:

This is authority for you to proceed on No. 9, engine 189, without a

And these parties further allege that said engine, with a passenger train, was thereupon run 550 miles without a whistle, contrary to the laws of the State.

Complaints are now pending before the Interstate Commerce Commission from Mr. Burr B. Lincoln, deputy dairy and food commissioner of the State of Michigan, and other parties alleging insufficient service, as to delays in transit in connection with shipments of live stock, and other demands for service. Occasionally through this course the individual case is cared for, but the thousands of instances occurring each day where injustice is done the public by the failure of this railway system to furnish the service to the public that it is entitled to do not reach the commission and are not adjusted, and if they did reach the commission the commission could not procure the relief to which

the complainants would be entitled.

It is not a matter of individual inefficiency. It is not a temporary situation which will work itself out. It is not a case of simple failure of a public agency to perform its duty. It is a serious and urgent situation, which exists by reason, not of willful failure, but of absolute inability of a public agency to perform its duty under the conditions with which unrestrained private ownership has surrounded it. The engineers and the brakemen and the conductors and the station agents and the section men and the men in the car shops and the train dispatchers, and even the division superintendents and the general superintendent and general manager and those officers of the public, the receivers, are not to blame for the present situation, wherein the State of Michigan, which has a right to expect service from the Pere Marquette Railroad Co., is, instead, being hampered and held down in its industrial development by the failure of that privately owned and publicly regulated public utility to give service. The Pere Marquette corporation is carrying water in its stock to the amount of many millions of dollars. Money that the public have paid to that corporation for service has been diverted to the pockets of speculators and gentlemen in high finance. June 30, 1913, this corporation had outstanding, according to its own report to the Interstate Commerce Commission, capital stock to the amount of \$28,415,200, and a funded debt amounting to \$75,750,720. This gives a total of \$107,250,720 on which this corporation seeks to pay interest or dividends. At the same time almost all of the property of this corporation is taxed in Michigan under a law which provides for its assessment at its cash value the same as any other property. A few hundred miles of the lines are outside of the State, and, of course, are not included in the valuation placed upon the Pere Marquette by the State board of assessors; but these do not amount to more than a few millions of dollars in value.

The State board of assessors have just determined the value of the property of this company in Michigan for 1913 at the

same figure as for the previous year, namely, \$25,600,000. The company will, no doubt, appear before that board, as they have done every year heretofore, and protest that their property is being assessed at more than it is worth, and then will go home and try to figure out some way of paying interest and dividend on an amount equal to three times or more its assessed valuation. It is to be noted that the State board of assessors in Michigan in making their assessment of railroads are not groping in the dark and making random guesses. In addition to other data before them, they have always before them that splendid piece of work, the appraisal of the railroad property in Michigan, which was secured by that pioneer progressive of progressives, Gov. Hazen S. Pingree. This appraisal was made under the direction of Prof. M. E. Cooley, an engineer of national reputation, and Prof. Henry C. Adams, later statistical cian of the Interstate Commerce Commission and now an advisor of the new Republic of China. In this appraisal the value of the Pere Marquette lines in Michigan in 1900 was placed at

These suggestions are sufficient to indicate that a situation exists in connection with the Pere Marquette system that presents a great problem for solution, and one that it is urgent for the welfare of my district and of my State, and of your Nation as well as mine, that it should be solved soon, not by any temporary restorative on the 5 per cent plan, but by a thorough cure. I shall at a later time present a resolution asking a thorough investigation of the Pere Marquette Railroad Co., its financial history, and its present physical condition, and the nature of the service it is rendering the public. I am making these observations here to-day as a reminder both of the fact that private ownership, self-regulated, has failed to keep its trust with the public, and that as yet Government regulation of privately-owned public utilities has not really begun to solve the problem. I have not made any reference to Government aid for the Pere Marquette, although that is a factor in the situation. We are now making our start in the development of Alaska, hoping to build up there a civilization worthy of our country. Before we have given large sections of new territory to private individuals to secure railroads for the development of such territory. I believe this is a most propitious time to experiment with a newer method of building our own railroads and securing our money back out of the lands and owning our own railroads to be forever operated along lines best suited to the welfare of Alaska. [Applause.]

Mr. REILLY of Wisconsin. Mr. Chairman, this bill provides for the construction by the United States Government of about 800 miles of railroad in Alaska, the road to be built between such points and over such routes as may be determined by the

President of the United States.

The purpose of this measure is to connect one or more of the open Pacific coast harbors on the southern coast of Alaska with the navigable waters in the interior of Alaska and with the coal and copper fields of Alaska, thereby aiding in the development of the agricultural, mineral, and other resources of that Territory.

Authority is given in the bill to borrow \$35,000,000 on United States bonds, said sum to be used in the construction of said

railroad.

This bill is based on the report of the Alaskan Railroad Commission, which was appointed about two years ago for the purpose of investigating the Alaskan situation, with the view of determining the best policy to be pursued by the National Government in the development of that country.

Alaska was purchased by the United States Government from Russia in 1867 for \$7,200,000. Alaska contains 590,000 square miles of territory, being about one-fifth the size of the United

States, and has a population of about 50,000 people.

Ninety-nine per cent of the Territory of Alaska is owned by the United States Government and the balance is largely owned by what is known as the Alaskan Syndicate, or the Morgan-Guggenheim interests.

Alaska has at the present time about 450 miles of railroad, the Alaskan Northern, the Copper River & Northwestern, the White Pass, and the Yukon being the principal lines.

According to all authorities Alaska is rich in natural resources, a veritable treasure house, so valuable that no man has assumed to be able to name the sum that would represent her total wealth.

It is claimed that Alaska has more gold than California and Colorado, more coal than West Virginia, Ohio and Pennsylvania, more copper than Michigan, Arizona and Montana, large deposits of iron ore, extensive forests, considerable quantities of the finest marble, and various other minerals in abundance.

From the standpoint of agriculture, strange as it may seem to those who have looked upon this country as a sea of icebergs, Alaska is of considerable importance, as she is located in a latitude similar to that of several countries of northern Europe, where in a territory smaller than that of Alaska 10,000,000 people are supported by the products of the soil.

Mr. Chairman, after reading the hearings of the two committees having this bill in charge, and after listening to the able and exhaustive debates on the floor of this House, it would appear that there is a general agreement on both sides as to certain vital points fundamental in the correct solution of the

problem before us.

There is little dispute as to the natural resources of Alaska. All agree that she is unquestionably rich in copper and coal; that she has valuable forests—in fact, that her natural wealth is so great that she practically stands alone as the one great storehouse of the world whose treasury door has yet to be It is conceded that if Alaska is to be developed, if unlocked. her great natural resources are to become available, railroads are necessary; that railroad construction in Alaska by private individuals ceased in 1906 when the Government withdrew from entry the public lands of Alaska; and that private enterprise will build no more railroads in Alaska under present conditions.

I agree with the gentleman from California [Mr. KENT], who has just addressed the House, that the problem here presented is a very simple one, being nothing more or less than a plain

business proposition.

Here is the situation: The people of the United States own 99 per cent of a Territory equal in size to 10 average States of this Republic, a Territory wonderfully rich in natural resources, for the development of which railroads are a necessity.

Shall the railroads be built by the people who own the Territory and its natural resources, or shall the people turn over to private individuals the resources of the Territory as a bonus

for the construction of the necessary railroads?

The advocates of this bill insist that as a plain business proposition the answer to this question must be that the people of the United States should construct the necessary railroads for the development of their own property, especially so when to act otherwise would mean that the property must remain undeveloped or else be surrendered to private individuals to be developed and exploited as they should determine.

While it has been the policy of our country in the past to give to private individuals bonuses in the form of land grants for the purpose of inducing them to engage in the construction of railroads in undeveloped countries, it is now generally agreed on all sides that the said policy resulted in a criminal waste of the people's property and in the building up of a far-reaching

and gigantic monopoly of our natural resources.

The United States Government owes a duty to Alaska and to her citizens to assist in the development of that country. All agree that the assistance most needed is a railroad. Now we, as Representatives of the people of these United States, should either provide for the development of Alaska by means of Government-owned railroads or else we should permit the Guggenheims, the Morgans and their allied interests to acquire the natural resources of that country-in fact, to become the owners of the country—in order that private enterprise will construct the railroads necessary for the development of the country.

I do not know what other Members of this House may do, but I do know that I will not vote to turn over to a few vast natural resources that belong to and should be preserved for the use

of all the people.

We have been told many times during the course of this debate by the opponents of the measure that Alaska has no use for railroads; that the railroads already constructed in that country are not paying and never will pay; and that the National Government will lose every dollar it will invest in

The opponents of this bill argue that the proper way to treat Alaska is to take the Government's hands off of her natural resources, lease or give them to private individuals, and then this bleak, cold, barren country will suddenly become able to support railroads which private individuals, after gobbling up all of her resources, will kindly construct.

It would seem that if private enterprise will find it profitable to build the necessary railroads for the development of Alaska, in case the resources of that country should be leased, given or sold to them, that the people of the United States, being the owner of said resources, can well afford to build the necessary railroads, with every probability of the venture being a financial success, especially so since the people, through the Government, can build the road for money that will cost but 3 per cent, I

while individuals will use money upon which from 7 to 10 per cent will be expected.

It has long been the policy of this country to aid in the development of new territory, by giving financial assistance to private individuals who are engaged in constructing what might

be called the pioneer railroad trunk lines necessary for the development of the country.

The United States Government has given more than 150,000,000 acres of public domain to private individuals for railroad construction in our western States. It is safe to state that more than \$1,000,000,000 have been donated by the National, city, county and State governments for the building of the great railroads extending from the Mississippi River to the Pacific Ocean.

I stated that this bill provided for the continuance of an old policy of our Government as regards railroad construction in new territory, with this marked difference, however, that in the past the Government of the United States and the people along the right of way, after furnishing the money for the construc-tion of railroads, kindly turned the roads, when built, over to private individuals, while under the terms of this bill, the Government having furnished the money for the construction of a railroad, will retain the ownership of the road for the benefit of all the people.

It is no disparagement of the resources of Alaska that it should be necessary for the National Government to build the railroads necessary for the development of that country. It is very doubtful if our western country, with its rolling plains, its fertile valleys, and great mineral resources, would even to this day have been developed to any great extent if the National Government, the different city, county, and State governments along the rights of way had not come forward and furnished the money needed for the construction of the necessary pioneer rail-

There appears to be a difference of opinion as to the agricultural possibilities of this Territory. The gentleman from Oklahoma [Mr. Ferris] in his speech against this bill was rather sarcastic in his references to Alaska as an agricultural country. I desire to compliment the gentleman from Oklahoma on his speech, because it was an able one, wherein every argument or possible argument against the bill was presented with much force and skill.

No matter what the opposition to this bill may say, the fact nevertheless remains that Alaska has agricultural possibilities, and while it is true that the country may never be an exporter of agricultural products, there can be no doubt at all, judging from the reports of the United States experimental stations located in that country, and from the agricultural possibilities of other countries similarly located geographically, that Alaska will be able to produce agricultural products sufficient to support a population of at least 10,000,000 people.

Mr. Chairman, in passing this bill we are not entering upon a new policy; neither are we committing ourselves to the policy of the ownership and operation of railroads of this country by the National Government. We are simply continuing an old policy of governmental assistance in the construction of rail-

roads for the purpose of developing a new country.

It is argued by the opponents of this measure that it will establish a precedent which will eventually lead to the Government ownership and operation of all the railroads of the United This argument has been the strong talking point of almost every speech made in opposition to the measure.

As a general proposition I am opposed to the Government ownership and operation of our railroads, and as I view the situation to-day I will continue to be opposed to the proposition until it is proven by a fair trial that Government supervision

and control of railways is a failure.

Is it possible that the gentlemen who oppose this bill, because, claim, its enactment into a law will be the first step toward the ownership by the Government of all the railroads of this country, are willing to sacrifice nature's richest storehouse of natural resources, now the property of all the people, by turning it over to private individuals as the price of railroad construction in Alaska, in order that some future advocate of Government ownership of railroads will not be able to point to the Alaskan Government-owned railroad as a reason for the Government ownership of all the railroads of this country?

The question of Government ownership of railroads is not before us at this time, and when that question does come squarely before Congress for solution, a Government owned and operated railroad in Alaska may or may not be a strong argument in favor of Government ownership of railroads of the

United States

I am going to support this measure, not because I believe in a Government-owned railroad, but because it appears that rail-

roads are necessary for the development of Alaska; that private capital will not build the railroads unless we pay the price demanded, a surrender to private enterprise of the natural resources of that country; and because only through the Government building this road will it be possible for the people to continue as owners of Alaska.

Alaska, through her representative [Mr. Wickersham], is here pleading for the passage of this bill. She is asking that this bill become a law, because the history of that country under the domination of the Guggenheim and Morgan syndicate is almost without a parallel in modern times. It is a history of strife, of lawlessness, of corruption, inspired by private greed, a greed that has paralyzed every effort of those who happened to be outside of the pale of the Alaskan syndicate, to develop the country, and Alaska is asking for a Government-owned railroad because she desires that her natural wealth be developed for the use of all the people of this country, and not for the benefit of the Alaskan syndicate.

The construction of an Alaskan railroad by the National Government will eventually be of great benefit to the people of the United States. Alaska even to-day, undeveloped, is of considerable commercial importance to this country. We had more trade with Alaska in 1913 than with China and many other countries, and there is every indication that with the proper railroad facilities our trade with that Territory will

become an important item.

We need the coal and copper of Alaska in our industrial development. Especially do we need the coal of Alaska for the use of our Navy and our growing eastern commerce. In case of an eastern war that would require the presence of our Navy in the Pacific Ocean, Government coal mines in Alaska would mean an annual saving of millions of dollars to the Government in the cost of fuel.

Practically all the natural resources of our country outside of Alaska are held in the iron grasp of monopoly. It will be for the benefit of the people to have under the control of the General Government the coal, copper, and other mineral resources of Alaska, to be used, if necessary, in combating and destroying the gigantic monopoly that now controls the coal, iron, copper, and other natural resources of the country.

Mr. Chairman, I am not going to allow myself to speculate upon the agricultural possibilities of Alaska or upon the probable value of her vast coal and copper deposits or upon the effect the passing of this bill will have upon the question of

Government ownership of railroads in this country.

Suffice for me is to know that Alaska is marvelously rich in natural resources, and that the only way by which those resources can be preserved for the use and benefit of all the people is for the Government to build a railroad as provided by the terms of this bill.

Mr. O'HAIR. Mr. Chairman and gentlemen, if I should vote the way I would like to on this matter, and should follow the feelings and dictates of my heart, I would vote for this bill. You can not read the history or talk with people who have come down from Alaska without feeling a great deal of admiration and sympathy for them. But I apprehend that it is not sympathy they want—it seems to be a railroad at the present time.

I have always observed that when a mining proposition, or an oil proposition, or any kind of industrial proposition is brought to you from a far-off land, a place that is inaccessible, where the prospective stockholders can not go to investigate, the greatest success in selling the stock is generally experienced. [Laughter.]

From all I can hear and from conversation with gentlemen, there are mighty few Members of this House who know any-

thing about Alaska first-hand.

Since this matter was called up I have been seeking out those who know something about it, or said they did, and reading a few books. Every man that I have seen and every book that I have read written by men who live in Alaska booms the country. Of course they do if they live in Alaska. If I lived in Alaska, I would tell all the good things about it and I would leave untold everything that would not get votes for this railroad.

I have made up my mind, gentlemen, that if Alaska is worth enough to deserve a railroad somebody will build it, and if Alaska is as worthless as the gentleman from Oklahoma says it is nobody ought to build it. It has been true of every country on the Western Hemisphere, at least, that no place that has been worth developing has failed up to this time to have a railroad built by private enterprise.

I hear a good deal of talk about the Panama Canal and of railroads to the far West. Now, those are entirely different propositions. This is a developing proposition. It is not a proposition to build a road from here to Alaska, where we are

going to begin to take out the gold, coal, oil, reindeer, and the polar bears. This is not a proposition to build a railroad over barren wastes, impassable swamps, or bleak mountain passes, but it is a proposition to build a railroad of 700 miles from somewhere on the coast to the interior of Alaska for the purpose of developing more than a half million square miles of land. That is the proposition pure and simple.

The Government dug the Panama Canal not for the purpose of developing swamps and tropical jungles on the Isthmus of Panama but for the purpose of enabling the commerce from everywhere to be transported through this barren waste to the

ports and markets of everywhere.

The proposition is world-wide and world developing. It was necessary for the Government to build the canal, because the project was so uncertain and stupendous that no private enterprise would ever be organized on a large enough scale to accom-

plish the undertaking.

The Government donated vast areas of land to private enterprises in order to induce them to construct overland routes across the great western deserts to the Pacific coast, and those transactions have been a subject of scandal for the past generation; but those enormous grants and gifts were not made for the purpose of developing any country, they were made for the purpose of constructing lines of communication across vast sweeps of worthless desert in order to reach a country which was worth developing. No one ever supposed that the Government was willing to contribute or did contribute to the construction of railroads for developing the far Western States—that was accomplished by private enterprise, for the simple reason that those States were worth developing. I have never known of a project for the development of any valuable natural resources that was not eagerly sought by investors.

Whenever the Government goes into the business of building railroads for the purpose of developing parts of our country it will inevitably be called upon to take over other enterprises, such as the mining of coal, the Government ownership of irrigation, the Government ownership of manufacturing enterprises, and then Government ownership will reach a condition of complete centralization. No other condition on the face of the earth can so effectually and completely break down individual liberty as a centralized Government, with all business matters under its ownership; and until I become convinced that the philosophy of the Socialist is correct I shall never cast a vote in favor of the Government going into any business of a com-mercial character or nature. It is repugnant to our form of government. The true function of constitutional government is to enact just laws and to fairly and impartially administer them. Let the citizens own and manage the wealth of the Nation and let a just and righteous Government, honestly administered, compel an honest accounting of that guardianship; in other words, the Government should never lose control over any commodities, products, or resources under its jurisdiction for the purpose of enforcing a square deal. It is only within the last few years that the people of this country have awakened to the fact that this Government can and must and will control the railroads, the telegraph, the telephone, the express

companies, the trusts, combines, and monopolies.

Alaska has to-day about 35,000 white people and 30,000 natives. It covers an area of about 590,000 square miles. There are about 20 sections of land in Alaska for each of the men, women, and children of the white race. In the last 10 years Alaska has produced about \$200,000,000 worth of gold and about \$200,000,000 worth of fish and seal furs. There are about 26,000 miles of seashore, including islands and inlets, and the navigable streams furnish about 3,000 more miles of water frontage in Alaska. Most of the land available for agricultural purposes is near the seashore and along the rivers. Lack of railroads can not be said to have retarded the growth of the population along the shores of the ocean and the rivers, and yet there is about 1 mile of frontage for every white person in Alaska along her navigable waters. You might build 10,000 miles of railroad in Alaska, but you would not improve the facilities provided by nature for transportation along her navigable front. The Government has done wrong, criminally wrong, in withdrawing the great coal fields and forests of Alaska from entry and virtually locking up the resources of that great rich country.

I do not believe the charge that this country is a barren waste. I do not believe the assertion that Alaska can not be made profitable as an agricultural country. The evidence is too convincing for me not to believe that this country, when proper laws are put into effect, will become a great mining country, with vast resources from its agricultural products, and capable of feeding millions of people. Under the conditions that exist to-day, if you were to string Alaska with lines of roads as thick

as they are in Illinois, you could not transport 1 pound of coal;

you could not get a stick off of the timber reservations.

The railroad is not needed to bring the fish and seal furs out of the country, because these products are already on the ocean front, and it surely would not appeal to the business sense of anybody to build a railroad at an expense of \$40,000,000 to haul the gold out of Alaska. If a railroad were built as is proposed by this bill, it would serve only about 10,000 to 15,000 people; so the proposition resolves itself into an investment of at least \$1,000 for each white person in the Alaskan Territory in order to build 700 miles of railroad; and those who say the country would settle up and a great many more people would go there by the building of this railroad have not a peg to stand on, when it is shown that those miles of ocean frontage and river bottom lands fronting on navigable streams are more accessible to-day and always have been than the interior would be with unlimited railroads. The most level and most fertile part of Alaska lies along its coast line and along its rivers, yet every white citizen living in Alaska could go fishing on a navigable shore and have no person to disturb his solitude within 1 mile of him, unless it were a native that he took along with him to cut bait. Now, there is something wrong with Alaska, and before I vote to spend \$40,000,000 of the people's money on a questionable venture I intend that the promoters of this scheme shall prove their case to the satisfaction of reasonable men. We have spent \$400,000,000 digging the Panama Canal, and I think the Panama Canal is all right, but I would rather have had \$400,000,000 spent on internal improvements for the benefit of the "folks at home." It is very high sounding to talk about digging canals and spending great quantities of money for the benefit of the world, but I think the time has come in this country when it is the duty of every man who has an official position to bend his energies to caring for the welfare of Americans first,

It is a good deal like a man who buys his wife a piano when she needs a cook stove. The piano is all right, but unless you can afford both the cook stove should be bought first. So the proposition to build an Alaskan railroad is all right if we had plenty of money to first improve our public highways, to enlarge and deepen our rivers, lakes, and harbors, to promote irrigation, and to establish Government hygienic conditions for

both man and beast.

I would rather know how to prevent hog cholera than to have a railroad stretched clear from the Pacific Ocean across Alaska to the North Pole, and yet we are having trouble in getting an appropriation of one-half million dollars to find out how to prevent and cure hog cholera. The loss to the farmers for each year from hog cholera is approximately \$100,000,000. Forty million dollars will build 8,000 miles of fine macadam highway in the United States. This highway, extending across the continent almost three times, would pass in front of the doors of from 20,000,000 to 30,000,000 people. Which would you rather have, the railroad in Alaska, so far away that no one of us and probably few of our children will ever see it or use it, or 8,000 miles of macadam highway at the very threshold of onethird of our people?

It is the same old proposition. Some of the Members of this House are like a great many people who hear a glittering tale for the first time. They are willing to spend their money like a lord on something that is shrouded in mystery, and especially are they willing to spend it when it is somebody else's money. I never voted to spend one cent of American money away from America. I do not think I ever have in private or public life voted against spending American money in developing and promoting internal resources and internal improvements. people who pay the bill are entitled to the benefit and not the world or somebody away off in an inaccessible territory

Alaska will never be developd by building a railroad; but if you will give Alaska a chance by repealing obnoxious, selfish, paternalistic, restrictive laws that now throttle and fetter her, there is no doubt in the world but that she will take care of herself, and the goddess of Alaskan prosperity and the spirit of Alaskan progress will unfurl their banners to the Arctic breezes and inscribe a declaration of commercial independence by the light of the Aurora Borealis.

Mr. WILLIS. Mr. Chairman, a week ago I spoke upon this bill at some length and do not therefore desire at this time to trespass at any great length upon the patience of the committee.

There seems to be general agreement that if there are sufficient resources in Alaska to support permanently a considerable population of home builders it is wise to open this great empire and develop those resources. The first step in the opening of any country to settlement and development is the establishment of adequate means of transportation; that is, by the construction of railroads.

It is evident that private capital will not be invested in railroad building in Alaska unless the owners of that capital are given such opportunities for profit and such control over the resources of that country as seriously to interfere with the rights of the present owners, the people of the United States.

Alaska must not be turned over to exploitation by private special interests. Therefore, if railroads are to be built and the rights of the people of the United States still preserved, those railroads must be constructed and operated by the Government; there is no other logical conclusion to these premises.

But whether the Government of the United States or any other entity should build railroads in Alaska depends upon the resources and possibilities for development of that country; if these resources and possibilities are shown to exist, the necessity for Government action in the construction of a railroad for the development of its own property and the benefit of the people of the United States is perfectly clear. The important question to be determined, therefore, is, What are the facts as to the resources and opportunities for development in Alaska?

Consequently I desire to submit some further observations, as the gentleman from Wyoming [Mr. Mondell] would say, upon the question of the resources of Alaska, and I therefore, because of lack of time, ask unanimous consent to extend my remarks in the RECORD upon that subject.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WILLIS. Mr. Chairman, under the leave just granted submit certain additional facts as to the resources of Alaska. As to the great value of the minerals, fisheries, and furs of this mighty Territory there can be no doubt.

On an investment of \$7,200,000 Alaska has given us in return since 1867 (and by far the greater portion since 1899, or only 14 years), as shown in the reports of the United States Geological Survey, Director of the Mint, and other official documents:

Gold	\$213, 018, 719
Silver	1, 824, 364 13, 377, 194
Copper	355, 489
Other minerals	993, 119
Fisheries and furs	240, 830, 168
	000 0E0

A faint idea of what Alaska may be expected to do when it shall have adequate means of transportation is given by the

following table:

Value of articles shipped to the United States in 18	
Fish: Salmon, canned	907, 242 589, 529 41, 662 283, 339 728, 554 129, 375 77, 159 90, 831 18, 012 1, 000, 261

Total Some doubt has been expressed during this debate as to the possibilities of stock raising in this far northwestern country. On this point the annual report of the Alaska agricultural ex-

40, 354, 178

periment station for 1910 says:

periment station for 1910 says:

Cattle, horses, hogs, sheep, and angora goats can be raised nearly or quite as well in Alaska as in other of the most northern countries. Theoretically the Galloway cattle are specially well adapted to this climate, but nearly all the well-known breeds have now been produced here: Herefords, Durhams, Ayrshires, Holsteins, and Jerseys grow as rapidly and mature as quickly as in other countries. What are not to be kept for milk are usually killed from October to December, after they are yearlings, so they are fed sliage or hay only one winter. They can then be made to dress from 500 to 600 pounds each. The heifers are nearly or quite full grown and giving milk frequently before they are actually 2 years old. All the pure breeds and those of mixed breeding apparently do as well in Alaska as elsewhere.

Comparatively few coits have yet been raised here, but enough to prove conclusively that they grow quickly, are perfectly healthy, very hardy, and make as large and as valuable horses as could have been produced from the same stock farther south. Horses can be raised much more cheaply than would be generally supposed. Pasturing is still so abundant it costs practically nothing, and food and shelter for coits and young horses are actually needed only a very small portion of the time, some winters scarcely at all. Horses have repeatedly wintered well with little or no care where no other domestic animal would have survived.

That the introduction of the reindeer into Alaska has wrought

That the introduction of the reindeer into Alaska has wrought wonders and that this branch of stock raising possesses im-mense possibilities is shown by the following from a recent report of Dr. Sheldon Jackson:

In Lapland (on an area of 14,000 square miles) there are about 400,000 head of reindeer, sustaining in comfort some 26,000 people. There is no reason why Arctic and sub-Arctic Alaska should not sustain a population of 100,000 people with 2,000,000 head of reindeer.

Lapland sends to market about 22,000 head of reindeer a year, the surplus of her herds, which, at an average weight per carcass, dressed, of about 150 pounds, is equal to 1,660 tons. As this is a surplus over and above the wants of the population, the value of this industry in the near future as a source of meat supply from lands otherwise comparatively valueless for other purposes becomes apparent. The present herds are nearly all located on the western coast from the Kuskokwim to Point Barrow, a distance of some 800 miles, but in the near future this industry will extend over the entire Alaska Peninsula and many northern localities not yet occupied. Those best acquainted with surrounding conditions estimate that Alaska has grazing grounds sufficient to support from 10,000,000 to 20,000,000 head of stock.

On this interesting subject the New York Independent of February 2, 1914, states that-

February 2, 1914, states that—

Fifty thousand thrifty reindeer are already grazing on Alaskan wilderness pastures as contentedly as if their ancestral home had been there. They are, however, the quite recent descendants of some 15 or 20 animals that were imported from Siberla about 20 years ago by way of experiment. It was a good day for the north when the fathers of the flock first landed. Never has any animal done more for man or more remarkably accomplished a country's material salvation.

The native peoples of the Alaskan coast country were in a bad way before their animal benefactors came to help them, and were eking out a very poor existence. There was nothing in the way of a permanent industry to keep them profitably busy, and the food supply was very often dangerously near the vanishing point. Dr. Sheldon Jackson, a missionary working among them, conceived the idea of importing from Siberia a few head of reindeer, which were giving the people of that country, under similar natural conditions, both work and food. Shortly afterwards the United States Government took up the experiment, and now all the reindeer herds in Alaska are under Government control. They are let out on favorable terms to the native herders, and already the profits have been 300 per cent on the original investment.

There is no fear of starvation in Alaska now, as once there was, for the reindeer gives an unfailing supply of meat and milk. Its skin makes a warm and serviceable clothing. And the responsibility of taking care of the herds has developed the natives from rather shiftless hunters and trappers into men of regular and thrifty habits.

Concerning the agricultural possibilities of this great peninsula.

Concerning the agricultural possibilities of this great peninsula, Mr. Seth Mann, from whose report the gentleman from Virginia [Mr. Saunders] very properly quoted, says:

[Mr. Saunders] very properly quoted, says:

The Government agricultural stations in various parts of Alaska have demonstrated many of the agricultural possibilities of the respective regions where they are located; and in the neighborhood of Fairbanks there are a number of commercial farms and gardens which are operated at a profit and which supply the needs of the city of Fairbanks and the neighborhood and also the demands of the steamer traffic. Excellent strawberries are grown, and vegetables are raised without difficulty. The growing of various grains is as yet largely in the experimental stage. But crops of wheat, oats, barley, and rye are matured on the Government farms.

The summer season is short for the maturing of wheat, but there is much less difficulty with the other grains mentioned. Some hay is cut by individual farmers. The interior of Alaska is more favorable for agricultural purposes than the regions along the coast since there is more sunshine in the interior and more cloudy and rainy days upon the coast. However, the city of Juneau is supplied with vegetables from local farms situated from 1 to 12 miles away from the town. It does not appear that Alaska will ever export the products of agriculture, but it seems fair to assume with the growth of population which will result from the building of railroads, roads, and trails and the development of the mineral resources of the Territory that larger areas of arable lands will be brought under cultivation, and that the needs of the people of Alaska will be supplied from its own fields.

Relative to fruit-growing the report of the Alaska agricultural experiment stations has this to say:

Fortunately for Alaska there are some fruits which do well here. The currant and gooseberry and the raspberry thrive and fruit as well as anywhere on earth. The currant and the gooseberry are both indigenous to Alaska. The red currant is found more or less abundantly in the mountain valleys throughout the Coast Range. It is particularly abundant in Kenai Peninsula, where the writer has seen large bushes loaded with fruit, which was much appreciated by the bears, as evidenced by their tracks and their voidings. A dwarf red raspberry grows abundantly in the interior valleys and on the lower slopes of the hills as far north as the Arctic Circle. The writer once was a member of a party of berry pickers less than a degree from the Arctic Circle, and the raspberry was the most abundant fruit. Alaska has other berries equally good. The blueberry of the interior is so abundant in places that the slopes look blue at a distance, and the native cranberry is also found in low, moss-grown thickets in the interior and in the swamps in the coast region.

Another recent report makes the following statement with reference to the growing of vegetables:

reference to the growing of vegetables;

It is possible to grow magnificent vegetables in all parts of Alaska, except on the tundras and mountains. To Alaskans they are no novelty, but to strangers unacquainted with the country they are a constant surprise. They include all the products of the Temperate Zone in America, and the bureau has in its exhibit potatoes, turnips, beets, rutabagas, sugar beets, carrots, parsnips, kohl-rabi, celery, rhubarb, radishes, onlous, cabbage, cucumbers peas and even tomatoes, and in one or two very favored spots even melons have ripened. The samples both for size and quality will compare with the markets of New York, although grown more than 1,500 miles north of that city. Every family can have its garden, which will not only furnish the necessities of life but will beautify the home with a wealth of flowers. These facts have become so well known that notice of them has practically disappeared from the reports of the agricultural stations, but as the potato is so important an item in the daily menu every effort is being put forth to secure those varieties best adapted to the climatic conditions of rainfall and sunshine.

If further evidence were necessary to prove the real agricultural value of this wonderland of wealth, the following from

the report of the Alaska Railroad Commission would seem to be conclusive:

conclusive:

* * * Of the agricultural importance of the Tanana Valley there can be no question. The district can not be expected to raise products which will be valuable for export, at least under conditions which can now be foreseen. It should, however, become in part self-supporting by raising a large amount of the food material now imported from outside. Though cattle raising has not been carried on to any extent, yet it is probable that this can be successfully done in competition with meat brought in from the States. The snowfall is, however, heavier than in the upper White River Valley, and some winter feeding would be necessary. Whatever experience may show in regard to raising cattle, there should be no question that a local dairy industry could be developed.

* It may be said that the Susitna, lower Tanana, and upper Kuskokwim Basins contain farming and grazing lands unrivaled in extent and fertility in Alaska, and which in time to come may furnish a food supply for export.

The data presented shows that the United States possesses in Alaska a frontier Territory of great size and of wonderful industrial possibilities. The commission believes that its climate is favorable to permanent settlement and to agriculture; that its mineral resources are vast and as yet but little exploited; that its population is sparse, but only by reason of its inadequate transportation facilities; and that its people are of the same type of hardy pioneers that have carried the United States frontier to its present limits.

Mr. DAVENPORT. Mr. Chairman, if no other gentleman desires to speak, I want to use but a moment and to ask, incidentally, permission to extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DAVENPORT. The reason I do that, Mr. Chairman, is because during the debate a number of gentlemen have seen fit to criticize in a way that I know they did not mean any harm by; but, at the same time, a greater portion of their argument is directed against the Guggenheims, and my congenial friend from Alaska [Mr. Wickersham] and I engaged in several colloquies during the delivery of his speech on that proposition.

Now, I know there is nobody in this House who is going to be offended in one way or another. If it had not been for the fact that Oklahoma exists and that my colleague [Mr. Ferris] and I are from Oklahoma, and that the Guggenheim firms exist, a great portion of this argument would never have been in this RECORD.

But what I am trying to say is—so that my genial friend will know—is that he did not think in 1908 that the Guggenheims were so bad, because he was willing to serve them in the capacity of their attorney. And I wanted to state that while Mr. Wickersham is here, because he has occupied prominent positions in Alaska, and after he had lived there he solicited employment from Mr. Birch for the allied interests.

Mr. WICKERSHAM. I deny that proposition.
Mr. DAVENPORT. All right. I will read the correspondence.
Mr. WICKERSHAM. Wait a moment. Your statement was that I "solicited employment."

Mr. DAVENPORT. He submitted a proposition as to what he would work for them for, and in the bottom of the letter he asked where Mr. Jarvis was. He sent his regards to Jarvis in the Birch letter, and when he decided to run for Congress he wired Jarvis that he desired to run for Congress, and asked where Birch was. I want to be fair. But in 1908 he did not think the Guggenheims were as bad as they are now.

Mr. WICKERSHAM. Have you the original papers? Mr. DAVENPORT. No. I have a letter from Birch saying that the copy is an exact copy of the letter.

Mr. WICKERSHAM. The gentleman from Oklahoma [Mr.

DAVENPORT] seems to be intimately associated with the Guggen-

heims just at this time in his correspondence.

Mr. DAVENPORT. I never saw any one of the Guggenheims but Senator Guggenheim, in the Sixtieth Congress, and I never saw Birch. But when the gentleman said what he did, immediately got busy and did write to Mr. Birch, at New York, and asked him if it was a fact, because a gentleman in this House, whose reputation is good, said it was a fact. And I present a copy of the letter, which I will read:

JAMES WICKERSHAM, ATTORNEY AT LAW, Fairbanks, Alaska, April 8, 1908.

STEPHEN BIRCH, Esq., Seattle, Wash.

Mr. WICKERSHAM. You ought to read the other letter. Mr. DAVENPORT. I will read Birch's letter in reply to

Mr. WICKERSHAM. Have you not the letter that was written to me first?

Mr. DAVENPORT. No, sir.

Mr. WICKERSHAM. Then you have not the correspondence? Mr. DAVENPORT. I have a copy of Mr. WICKERSHAM'S letter that he wrote, and knows that he wrote, and which he does not deny.

Mr. WICKERSHAM. You ought to make a complete state-

ment by reading both letters.

Mr. DAVENPORT. I will make a complete statement, and I do not wish to misrepresent the gentleman, either. I wanted the gentleman to be present, so that if it was not true he could deny it; for if the Guggenheim representatives were as bad as he had pictured them, I might think they put up a job on me. I wanted to know whether it was true or not. The letter says:

My Dear Mr. Birch: Your letter of March 17 has been received, and I hasten my answer that it may catch the last mail out over

I regret that I can not meet you in Seattle the latter part of this month, because one can make one's ideas plainer in couversation than by writing, but since the opening of the April term of courts prevents it, I shall briefly state the matter by letter.

I have entered upon the practice of law here, and represent some of the most important interests in the Territory, and the outlook for returns is satisfactory; still I long for the fleahpots of the "outside," and would accept an offer from your allied Alaska interests to act as their general counsel, but not in any subordinate capacity. I will accept a three years' contract at \$15,000 per annum with offices in Seattle and office force and maintenance. Upon that sort of arrangement I would devote my time exclusively to their interests and give them the best service possible. My opportunities here, however, are so good that I could not afford to give them up for less than a three years' contract with you. with you.
Please advise me by wire if anything is done in connection with this offer and it may be thus arranged.
Remember me kindly to Capt. Jarvis.
Very truly,

JAMES WICKERSHAM.

And then, on June 23, 1908, this message was sent by the gentleman from Alaska:

[Telegram.]

Signal Corps, United States Army, Fairbanks, Alaska, June 23, 1908.

Capt. D. H. Jarvis,
Northwestern Steamship Co., Scattle, Wash.:
I intend to run for Congress. Where is Birch?
JAMES WICKERSHAM,

Mr. WICKERSHAM. Now, what of it? Mr. DAVENPORT. I simply offer it to show that he did not think the Guggenheims were so bad in 1908. Mr. Wickersham had gone off the Federal bench January 2, 1908, and on April 8 this correspondence was going on. That is all I care to say.

The CHAIRMAN. The Delegate from Alaska [Mr. Wicker-

SHAM] is recognized.

Mr. WICKERSHAM. Now, Mr. Chairman, the letter which the gentleman has read is a correct copy of a letter that I wrote. I wrote it in answer to a letter which was written to me by Mr. Birch, and if Mr. Birch or the gentleman from Oklahoma [Mr. Davenport] had desired to be fair, either with me or with the House, they would have put both letters in the RECORD, because then it would have been easily discovered-

Mr. DAVENPORT. Mr. Chairman, I stated to the gentleman

that I did not have his letter.

Mr. WICKERSHAM. Certainly; the gentleman did not have it, or he would have put it in, I suppose. But if the gentleman had been as anxious to be as fair with me as with the Guggenheims he would have got the other letter.

Mr. DAVENPORT. Mr. Chairman, I was just as anxious as the gentleman. After I had made my speech the gentleman howled "Government or Guggenheim," and that is why I sought

the investigation.

Mr. WICKERSHAM. Yes; that is correct, and I howl again; and I say now that the demonstration that the gentleman has made here exhibits the power of the Guggenheims on this floor to do things which are wrong.

Mr. DAVENPORT. I have never seen the Guggenheims, and

the gentleman knows it.

Mr. WICKERSHAM. Oh, the gentleman has had a great

deal of correspondence with them lately.

Mr. DAVENPORT. No; I have not had any.

The CHAIRMAN. Does the gentleman yield to the gentleman from Oklahoma?

Mr. WICKERSHAM. Not at all. If that correspondence was properly published down in the gentleman's district, he

would have a lot of trouble about it.

Mr. DAVENPORT. I will say, Mr. Chairman, on this floor that I wrote this letter and got this reply. The gentleman's statement is unfounded. He can make any statement he wants to down there in my district and in Alaska in regard to me, and I can stand on my record at home and abroad just as well as he can.

Mr. WICKERSHAM. The gentleman has not read the letter

. that he has that he wrote to the Morgans.

Mr. DAVENPORT. The Morgan letter was published in the Senate, but that was not the Guggenheims'. Senator LIPPITT used the letter over there.

Mr. HOUSTON. Mr. Chairman, I move that the committee

do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HARRISON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 48) to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. J. M. C. SMITH, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Edmund Buck, H. R. 26854, Sixtysecond Congress, and James M. Fink, H. R. 24215, Sixty-second Congress, no adverse reports having been made thereon.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 10084. An act to authorize the changing of the names of

the steamships Buckman and Watson.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as fol-

To Mr. Bailey, for 10 days, on account of important business. To Mr. Sharp, indefinitely, on account of serious illness in his family.

To Mr. Foster, indefinitely, on account of service on the committee investigating the Colorado mining strike.

DEATH OF REPRESENTATIVE BREMNER, OF NEW JERSEY.

Mr. HAMILL. Mr. Speaker, I offer a privileged resolution. The SPEAKER. The gentleman from New Jersey [Mr. HAMILL] offers a privileged resolution which the Clerk will report.

The Clerk read as follows:

House resolution 400.

Resolved, That the House has heard with profound sorrow of the death of Hon. Robert Gunn Bremner, a Representative from the State of New Jersey.

Resolved, That a committee of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER, Is there observed no the pressent considers.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

The SPEAKER. The Chair appoints as the committee on the

part of the House the following gentlemen:
Mr. Hamill, Mr. Kinkead of New Jersey, Mr. Scully, Mr. TUTTLE, Mr. McCoy, Mr. Townsend, Mr. Hart, Mr. Baker, Mr. Walsh, Mr. Eagan, Mr. Johnson of Kentucky, Mr. George, Mr. ASHEBOOK, Mr. BROWNING, Mr. CARY, Mr. PROUTY, Mr. WALLIN, Mr. WINSLOW, Mr. KEISTER, Mr. BROUSSARD, and Mr. FESS.

ADJOURNMENT.

The SPEAKER. The Clerk will report the next resolution. The Clerk read as follows:

Resolved. That as a further mark of respect this House do now ad-

The SPEAKER. The question is on agreeing to the resolu-

The resolution was unanimously agreed to; accordingly (at 6 o'clock and 46 minutes p. m.) the House adjourned until tomorrow, Friday, February 6, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of Commerce, transmitting draft of a bill to include in the class of employees now entitled to the workmen's compensation act employees of the Coast and Geodetic Survey of the Department of Commerce (H. Doc. No. 708); to the Committee on Labor and ordered to be printed.

A letter from the Acting Secretary of the Treasury, submitting an increase of estimate of appropriation under the head of "Contingent expenses, Treasury Department: Miscellaneous items" (H. Doc. No. 709); to the Committee on Appropriations

and ordered to be printed.

3. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the brigantine Resolution in the case of Thomas H. Simes, administrator of the estate of Edward Catts, v. The United States, and in other cases (S. Doc. No. 396); to the Committee on Claims and ordered to be

4. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the brig Hiram, in the case of George F. Chace, administrator of Stephen Chace, v. The United States, and in other cases (S. Doc. No. 395); to the Committee on Claims and ordered to be printed.

5. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the brig Dove, in the case of Joseph Ogden, executor of Jane Ann Ferrers, v. The United States, and in other cases (S. Doc. No. 394); to the Committee

on Claims and ordered to be printed.

6. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the schooner Thomas, in the case of Joseph Ogden, executor of Jane Ann Ferrers, The United States, and in other cases (S. Doc. No. 393); to the Committee on Claims and ordered to be printed.

7. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the brig Mermaid, in the case of the President and the Directors of the Insurance Co. of North America v. The United States, and in other cases (S. Doc. No. 392); to the Committee on Claims and ordered to be

8. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the schooner Hunter, in the case of Harry R. Virgin, administrator of Rufus Horton, surviving partner of the firm of John & Rufus Horton, v. The United States, and in other cases (S. Doc. No. 397); to the Committee on Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (H. R. 6831) to quiet title to lot 5, section 33, township 14, range 18 east, Noxubee County, Miss., reported the same without amendment, accompanied by a report (No. 222), which said bill and report were referred to the Committee of the Whole House on the state of

Mr. STEVENS of Minnesota, from the Committee on Interand Foreign Commerce, to which was referred the bill (S. 1346) to authorize the Eastern Maine Railroad to construct, maintain, and operate a bridge without a draw across the Penobscot River between the cities of Bangor and Brewer, in the State of Maine, reported the same with amendment, accompanied by a report (No. 221), which said bill and report were referred

to the House Calendar.

Mr. LINTHICUM, from the Committee on Foreign Affairs, to which was referred the resolution (H. J. Res. 209) authorizing the President to extend invitations to foreign Governments to participate, through their accredited diplomatic agents to the United States, in the National Star-Spangled Banner Centennial Celebration, reported the same without amendment, accompanied by a report (No. 223), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows

A bill (H. R. 6114) granting a pension to J. F. Mercer; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 8584) granting a pension to Hattie Dannells; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 8465) granting a pension to Lydia W. Wolgamot; Committee on Pensions discharged, and referred to the

Committee on Invalid Pensions.

A bill (H. R. 11650) granting a pension to Christina Whitcome; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11410) granting an increase of pension to Peter Risban; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11999) granting a pension to Melissa A. Hawley; Committee on Pensions discharged, and referred to the

Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SMITH of Texas: A bill (H. R. 12996) to provide

for a public building at Ballinger, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12997) to provide for a public building at Pecos, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Kentucky (by request of the Commissioners of the District of Columbia): A bill (H. R. 12998) to provide for an investigation of the collection and disposal of city wastes in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

Also (by request of the Commissioners of the District of Columbia): A bill (H. R. 12999) to authorize the construction and operation of a municipal asphalt plant in the District of Columbia; to the Committee on the District of Columbia.

Also (by request of the Commissioners of the District of Columbia: A bill (H. R. 13000) to provide for the construction of a viaduct and bridge to carry Benning Road over the tracks of the Philadelphia, Baltimore & Washington Railroad Co., and of the Baltimore & Ohio Railroad Co.; to the Committee on the District of Columbia.

Also (by request of the Commissioners of the District of Columbia): A bill (H. R. 13001) to provide a park in the northeast section of the District of Columbia; to the Committee on

the District of Columbia.

By Mr. BALTZ: A bill (H. R. 13002) to prevent the transportation by interstate carriers of certain persons and articles for the alleged prevention of so-called labor troubles; to the Committee on Interstate and Foreign Commerce.

By Mr. BUCHANAN of Illinois: A bill (H. R. 13003) to provide for furnishing the pupils of the high schools of the District of Columbia with free textbooks; to the Committee on the

District of Columbia.

By Mr. BROWN of New York: A bill (H. R. 13004) for a survey of Hempstead Harbor, N. Y.; to the Committee on Rivers

By Mr. FLOOD of Virginia: A bill (H. R. 13005) to give effect to the provisions of a treaty between the United States and Great Britain concerning the fisheries in waters contiguous to the United States and the Dominion of Canada, signed at Washington on April 1, 1908, and ratified by the United States Senate April 13, 1908; to the Committee on Foreign Affairs.

By Mr. BROUSSARD: A bill (H. R. 13039) to amend the act

of August 30, 1890; to the Committee on Agriculture.

By Mr. ADAMSON: A bill (H. R. 13040) to regulate the importation of viruses, serums, toxins, and analogous products, to regulate interstate traffic in said articles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KEY of Ohio: Joint resolution (H. J. Res. 216) remitting taxes on Oldroyd collection of Lincoln relics; to the Com-

mittee on the District of Columbia.

By Mr. HARDY: Joint resolution (H. J. Res. 217) to convey the thanks of Congress to the captain of the American steamer Kroonland, of the Red Star Line, and through him to the officers and crew of said steamer, for the prompt and heroic service rendered by them in rescuing 89 lives from the burning steamer Volturno in the North Atlantic Ocean; to the Committee on the Merchant Marine and Fisheries.

By Mr. FINLEY: Memorial from the Legislature of South Carolina, favoring immediate action for repeal of the fifteenth amendment to the Constitution of the United States; to the

Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANTRILL: A bill (H. R. 12006) granting a pension

to John T. Holton; to the Committee on Pensions.

Also, a bill (H. R. 13007) granting an increase of pension to
Jerome Bonaparte Secrest; to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 13008) granting an increase of
pension to William Zegenfus; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 13009) granting an increase of pension to William H. Harper; to the Committee on Invalid

Also, a bill (H. R. 13010) granting a pension to Ernest

McFadden; to the Committee on Pensions.

By Mr. DALE: A bill (H. R. 13011) granting a pension to Ida Rauch; to the Committee on Pensions.

Also, a bill (H. R. 13012) granting an increase of pension to Michael Holland; to the Committee on Invalid Pensions.

By Mr. DIES: A bill (H. R. 13013) for the relief of the heirs

of Ann Frisby; to the Committee on War Claims,

Also, a bill (H. R. 13014) for the relief of the legal representatives of Rosanna Dischinger, deceased; to the Committee

By Mr. EDMONDS: A bill (H. R. 13015) to place the name of Alexander W. Selfridge upon the unlimited retired list of the Army; to the Committee on Military Affairs.

Also, a bill (H. R. 13016) to place the name of W. K. Heath upon the unlimited retired list of the Army; to the Committee on Military Affairs.

By Mr. FESS: A bill (H. R. 13017) granting a pension to

Carrie Trump; to the Committee on Pensions.

Also, a bill (H. R. 13018) granting an increase of pension to George A. Orebaugh; to the Committee on Invalid Pensions.

By Mr. HAMMOND: A bill (H. R. 13019) to give the Court of Claims jurisdiction in the matter of the petition of Charles J. Wright and others; to the Committee on Claims.

By Mr. HUGHES of West Virginia: A bill (H. R. 13020) granting an increase of pension to William H. Abbott; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 13021) granting an increase of pension to Henry C. Jennings; to the Committee on Invalid Pensions.

By Mr. LINDBERGH: A bill (H. R. 13022) granting an increase of pension to Webster Benner; to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma : A bill (H. R. 13023) granting an increase of pension to Elizabeth Irwin; to the Committee on

By Mr. PETERS of Massachusetts: A bill (H. R. 13024) for the relief of the Bates & Guild Co.; to the Committee on Claims.

By Mr. REILLY of Connecticut: A bill (H. R. 13025) granting an increase of pension to Catherine McEnerney; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 13026) granting an increase of pension to John McGuire; to the Committee on Invalid

By Mr. J. M. C. SMITH: A bill (H. R. 13027) granting a pension to Lyman Mosier; to the Committee on Invalid Pensions.

By Mr. SMITH of Minnesota: A bill (H. R. 13028) for the

relief of Joseph Cameron; to the Committee on Claims.

By Mr. STEPHENS of California: A bill (H. R. 13029) for the relief of John L. Maile; to the Committee on Military

By Mr. STEPHENS of Texas: A bill (H. R. 13030) granting an increase of pension to William F. Mosier; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 13031) granting a pension

to D. H. Darling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13032) granting a pension to William Defoe; to the Committee on Invalid Pensions.

By Mr. THACHER: A bill (H. R. 13033) granting a pension

to Peter Black; to the Committee on Pensions.

Also, a bill (H. R. 13034) granting a pension to Maurice Downey; to the Committee on Pensions,

Also, a bill (H. R. 13035) granting an increase of pension to Andrew J. Jenney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13036) granting a pension to Charles W. Smith; to the Committee on Invalid Pensions.

By Mr. TUTTLE: A bill (H. R. 13037) for the relief of G. D. Campbell & Co.; to the Committee on Claims.

Also, a bill (H. R. 13038) for the relief of the Campbell Lumber Co. (Ltd.); to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

Under clause 1 of Rule AAII, petitions and papers were law
on the Clerk's desk and referred as follows:
By the SPEAKER (by request): Petition of citizens of East
St. Louis, III., protesting against the "One hundred years of
peace celebration"; to the Committee on Foreign Affairs.
Also (by request), petition of a committee of Grand Lodge,
Order Sons of Italy, protesting against the passage of bills re-

stricting immigration; to the Committee on Immigration and Naturalization.

Also (by request), memorial of citizens of New York City, protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. ASHBROOK: Petition of A. E. Westbrook and 11 other citizens of Ashley, Ohio, favoring the passage of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

Also, petitions of Frank Knauber and 54 other citizens of Newark, Ohio, protesting against national prohibition; to the

Committee on the Judiciary.

By Mr. BRYAN: Memorial of the Associated Chambers of Commerce of the Pacific Coast, favoring an appropriation for Alaska's participation in the Panama Exposition; to the Committee on Appropriations.

Also, petition of John Louis Camp, No. 13, United Spanish War Veterans, relative to the rank and title of major general for Thomas McArthur Anderson; to the Committee on Military

Also, memorial of the Military Order of the Loyal Legion of the United States, Commandery of the State of Washington, favoring the passage of the Sherwood bill (H. R. 1946); to the Committee on Pensions.

By Mr. CALDER: Petition of Societa Cittadini Padulesi di Mutuv Soccorso, of Brooklyn, N. Y., protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. DALE: Memorial of the New York Wholesale Grocers' Association, relative to the right of the manufacturers to make the resale price on goods; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Switchmen's Union, of Buffalo, N. Y., favoring the passage of House bill 1873, the anti-injunction bill; to the Committee on the Judiciary.

Also, memorial of the National Association of Clothiers of

New York City, protesting against the passage of the Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, petitions of the Gorham Co. and Samstug & Hilder Bros., of New York City, favoring the passage of the Ransdell-Humphrey bill, for flood control; to the Committee on Rivers and Harbors

By Mr. DANFORTH: Petition of the Young People's Society of Christian Endeavor, of Alabama, N. Y., favoring legislation relative to United States attorneys in private practice of law; to the Committee on the Judiciary.

Also, petition of the Young People's Society of Christian Endeavor, of Alabama, N. Y., favoring legislation prohibiting interstate transmission of racing and betting odds and affecting the opium trade; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Young People's Society of Christian Endeavor of Alabama, N. Y., favoring legislation relative to Sunday rest in the District of Columbia and relative to prostitution in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of the Young People's Society of Christian Endeavor of Alabama, N. Y., favoring legislation preventing sale of liquors in Hawaii; to the Committee on Insular Affairs.

Also, petition of the Young People's Society of Christian Endeayor of Alabama, N. Y., protesting against Sunday work in post offices; to the Committee on the Post Office and Post Roads.

Also, petition of the Young People's Society of Christian En-

deavor of Alabama, N. Y., favoring legislation prohibiting the sale of intoxicating liquors in buildings used by the United States and favoring national prohibition; to the Committee on

By Mr. DYER: Petition of the National Association of Assistant Postmasters, relative to House bill 12473; to the Committee on the Post Office and Post Roads.

Also, petition of the National Association of Clothiers, against House bill 1873; to the Committee on the Judiciary.

Also, petition of the Switchmen's Union, favoring House bill 1873; to the Committee on the Judiciary.

By Mr. ESCH: Petition of the Switchmen's Union of Buffalo, Y., favoring the passage of the Bartlett-Bacon anti-injunction

bills; to the Committee on the Judiciary.
Also, petition of the National Association of Clothiers of New

York City, protesting against the passage of the Bartlett-Bacon anti-injunction bills; to the Committee on the Judiciary.

Also, resolution of the executive board of the Wisconsin State Union of the American Society of Equity, protesting against all bills which strive to define more clearly the Sherman Act; to the Committee on the Judiciary.

By Mr. FRANCIS: Petition of the business men of the sixteenth district of Ohio, favoring House bill 5308; to the Committee on Ways and Means.

By Mr. GRAHAM of Pennsylvania: Petitions of the Benefit Society Vorwarts and sundry citizens of Roscoe, Pa., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. HAMMOND: Petition of the Arbeiter Unterstuetzung Verein, of New Ulm, Minn., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Memorial of General Knox Branch of the American Continental League, of Providence, R. I., protesting against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs ; to the Committee on Foreign Affairs.

By Mr. KINKAID of Nebraska: Petition of sundry citizens of Cozad, Nebr., favoring the passage of the Lindquist pure fabric and leather bill; to the Committee on Interstate and

Foreign Commerce.

By Mr. LIEB: Memorial of the German Maennerchor of Evansville, Ind., protesting against national prohibition; to the

Committee on the Judiciary.

By Mr. LONERGAN: Petition of the Switchmen's Union of North America, of Buffalo, N. Y., favoring the passage of the Bartlett-Bacon anti-injunction bills; to the Committee on the Judiciary.

By Mr. J. I. NOLAN: Petitions of the San Francisco Typographical Union, No. 21, of San Francisco, Cal., and five other labor organizations in the city of San Francisco, in behalf of the passage of the seamen's bill (S. 136); to the Committee on the Merchant Marine and Fisheries.

By Mr. O'SHAUNESSY: Petitions of organizations of Providence, R. L., protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturaliza-

Also, petition of the General Knox Branch of the American Continental League, of Providence, R. I., protesting against the "One hundred years of prace celebration"; to the Committee on Foreign Affairs.

Also, petition of F. R. Reynolds, of Providence, R. I., favoring the passage of House bill 29, relative to eight hours a day for women in the District of Columbia; to the Committee on Labor.

By Mr. REILLY of Connecticut: Petition of Polish citizens of Wallingford, Conn., and Independent Musiker Association, of New Haven, Conn., against House bill 6060; to the Committee on Immigration and Naturalization.

By Mr. SCULLY: Petition of members of the German-American Alliance of Middlesex County, N. J., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the National Association of Assistant Postmasters, relative to the dismissal of assistant postmasters; to the Committee on the Post Office and Post Roads.

Also, petition of the National Association of Clothiers, of New York City, protesting against the passage of the Bartlett-Bacon anti-injunction bills; to the Committee on the Judiciary

Also, petitions of members of the German-American Alliance, and Adam Vogel and John Fee, jr., all of Middlesex County, N. J., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. J. M. C. SMITH: Petition of A. S. Williams Post, No. 40, of Charlotte, Mich., and Lewis Clark Post, No. 2757, of Olivet, Mich., protesting against any change in the American flag; to the Committee on the Judiciary.

Also, petition of the National Association of Clothiers, favor-

ing the passage of the pure fabric bill; to the Committee on

Interstate and Foreign Commerce.

Also, papers to accompany a bill (H. R. 7868) for the relief

of Rose G. Houchen; to the Committee on Invalid Pensions.

Also, memorial of the Retail Jewelers' Association of Irving, Mich., protesting against guaranty of gold-filled watchcases; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of California: Petition of citizens of Los Angeles, Cal., against House bill 9674; to the Committee on the District of Columbia.

Also, petition of the California State Federation of Labor, favoring Bryan-Poindexter bill; to the Committee on Ways and

Also, petition of citizens of California, against excluding the Menace from the mails; to the Committee on Rules.

Also, petition of Alaska Fishermen's Union; San Francisco Typographical Union, No. 21; and Elevator Constructors' Union. No. 18, favoring seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Associated Chambers of Commerce of the Pacific Coast, favoring an appropriation for participation by Alaska in the Panama-Pacific Exposition; to the Committee on Appropriations.

Also, petitions of citizens of Los Angeles, Cal., favoring House bill 5139; to the Committee on Reform in the Civil Service.

Also, petition of George H. Dunlap, of Los Angeles, Cal., against House bill 5139; to the Committee on Reform in the

Also, petition of the Polish Citizen's Club of Los Angeles, Cal., against House bill 6060; to the Committee on Immigration Naturalization.

Also, petition of the German-American Alliance, of San Diego, Cal., and Concordia Turnverein, of San Diego, Cal., against House joint resolution 168; to the Committee on the Judiciary.

By Mr. THACHER: Petition of John Russell, commodore Plymouth Yacht Club, of Plymouth, Mass., relative to deepening, etc., of the Government Basin near the wharves in Plymouth (Mass.) Harbor; to the Committee on Rivers and

Also, petition of the Boston Fish Bureau, protesting against the passage of the McKellar cold-storage bill; to the Committee on Interstate and Foreign Commerce.

By Mr. TRIBBLE: Petition of J. E. McGee and other citizens, protesting against oil mills operating cotton gins; to the Com-

mittee on the Judiciary.

By Mr. YOUNG of North Dakota: Petition of Mrs. Elizabeth Grass, of Fargo, N. Dak., favoring increase of pension for Army nurses of the Civil War; to the Committee on Invalid Pensions.

SENATE.

FRIDAY, February 6, 1914.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the

following prayer

Almighty God, breathe upon us the gentle and refining influence of Thy holy spirit. In the midst of all conflict of interest and clash of opinion may we be enabled to keep the unity of spirit in the bond of peace. Grant us that grace of heart and life upon which a true foundation of manhood may be builded. Give to us the spirit that creates and seals forever the blessed bonds of friendship. Give to us passionate, ardent patriotism, that our lives may be given, may be consumed, in the interest of the great commission that Thou hast committed to our hands. For Christ's sake. Amen.
The Journal of yesterday's proceedings was read and approved.

THE UNITED STATES STEEL CORPORATION.

The VICE PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission acknowledging the receipt of the resolution of the 2d instant, relative to an examination and inquiry for the purpose of ascertaining whether the United States Steel Corporation or any of its subsidiaries has been guilty of giving or receiving any unlawful rebates, offsets, or preferences, especially within the last six years, etc., and stating that the resolution will receive prompt attention, which was referred to the Committee on Interstate Commerce.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the joint resolution (S. J. Res. 107) relating to supervision of the Lincoln Memorial.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 832) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message further announced that the House had agreed

to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 833) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 834) granting pensions and increase of pensions to cer-tain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 9574. An act to authorize the Missouri, Kansas & Texas Railway Co. to construct a bridge across the Mississippi River near the city of Hannibal, in the State of Missouri; and

H. R. 10084. An act to authorize the changing of the names of the steamships Buckman and Watson.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented memorials of Francis Scott Key Branch, American Continental League, of Brooklyn, N. Y.; of Paul Revere Branch, American Continental League, of Leominster, Mass.; of George Washington Branch, American Continental League, of Passaic, N. J.; of General Montgomery Branch, American Continental League, of Brooklyn, N. Y.; and of Commodore Barry Branch, American Continental League, of Passaic, N. J., remonstrating against an appropriation being made for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which were referred to the Committee on Foreign Relations.

Mr. BURTON presented a memorial of Ohio Lodge, No. 269, Independent Order of B'rith Abraham, of Cleveland, Ohio, re-monstrating against the enactment of legislation providing an educational test for immigrants to this country, which was referred to the Committee on Immigration.

Mr. GALLINGER presented a petition of the United National Association of Post Office Clerks of Portsmouth, N. H., praying for an increase of the salaries of post-office clerks and carriers, which was referred to the Committee on Post Offices and Post

He also presented a petition of the National Association of Civil Service Employees of Portsmouth, N. H., praying that pensions be granted civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. NELSON presented a memorial of the congregation of the Kenneth Israel Synagogue of Minneapolis, Minn., remonstrating against the enactment of legislation to provide an educational test for immigrants to this country, which was referred to the Committee on Immigration.

He also presented a memorial of sundry citizens of Stewartville and Simpson, in the State of Minnesota, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. THOMPSON presented petitions of sundry citizens of the sixth congressional district of Kansas, praying for the enactment of legislation providing for Government loans on farm land, which were referred to the Committee on Banking and

He also presented petitions of the congregation of the First Presbyterian Church of Clay Center, of the Daughters of the King Class of the Methodist Episcopal Church of Hiawatha, and of Wesleyan Brotherhood Class of the Methodist Episcopal Church of Hiawatha, all in the State of Kansas, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, or importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. STEPHENSON presented resolutions adopted by the Wisconsin State Union, American Society of Equity, of Madison, Wis., remonstrating against the enactment of legislation to further define the Sherman antitrust law and making it applicable to farmers' and consumers' cooperative organizations, which were referred to the Committee on the Judiciary

He also presented resolutions adopted by the Commercial Club of Superior, Wis., favoring an appropriation for the improvement of the Duluth-Superior Harbor in that State, which were

referred to the Committee on Commerce.

He also presented resolutions adopted by the Milwaukee Association of Credit Men, of Wisconsin, favoring an appropriation for the control of floods of the country, which were referred to the Committee on Commerce.

He also presented a memorial of Aerie No. 137, Fraternal Order of Eagles, of Milwaukee, Wis., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, or importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. BRISTOW presented a memorial of sundry citizens of Coffey County, Kans., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a memorial of sundry citizens of Burlington, Kans., remonstrating against the enactment of legislation to prohibit the free use of the mails by the press of the country, which was referred to the Committee on Education and Labor.

Mr. ERADLEY presented a memorial of sundry citizens of Bowling Green, Ky., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. McLEAN presented a memorial of Wallingford Branch, American Continental League, of Wallingford, Conn., remon-

strating against an appropriation being made for the celebration of the so-called "One hundred years of peace among Englishspeaking peoples," which was referred to the Committee on Foreign Relations.

He also presented a memorial of the German-American Alliance of Hartford, Conn., remonstrating against the enactment of legislation providing an educational test for immigrants to this country, which was referred to the Committee on Immi-

Mr. LODGE presented memorials of sundry citizens of Wakefield, Chicopee, Northbridge, and Lowell, all in the State of Massachusetts, remonstrating against the enactment of legislation to provide an educational test for immigrants to this country, which was referred to the Committee on Immigration.

Mr. BRANDEGEE presented a memorial of Local Branch, American Continental League, of Wallingford, Conn., remonstrating against an appropriation being made for the celebra-tion of the so-called "One hundred years of peace among English-speaking peoples," which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. BRYAN. From the Committee on Appropriations I report back favorably, with amendments, the bill (H. R. 12235) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, and I submit a report (No. 230) thereon. I desire to give notice that on Monday next, after the routine morning business, I shall move to proceed to the consideration of the bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (S. 1032) to amend section 1342 and chapter 6, Title XIV, of the Revised Statutes of the United States, and for other purposes, reported it with amendments and submitted a report (No. 229) thereon.

STATUE OF JOHN GORRIE.

Mr. SMITH of Georgia, from the Committee on the Library, to which was referred House concurrent resolution No. 31, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That the State of Florida be, and is hereby, granted the privilege of placing in Statuary Hall of the Capitol the statue of John Gorrie, now deceased, who was a citizen of Florida, illustrious for distinguished civic services.

RAINY RIVER DAM.

Mr. NELSON. From the Committee on Commerce, I report back favorably without amendment the bill (S. 3546) to extend the time for constructing a dam by Rainy River Improvement Co. across the outlet on Namakan Lake at Kettle Falls, in St. Louis County, Minn., and I submit a report (No. 227) thereon. I ask unanimous consent for the present consideration of the bill. It is a short bill and is favorably recommended by the War Department.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It extends the time for commencing and completing the construction of the dam by Rainy River Improvement Co., a corporation organized under the laws of the State of Minnesota, its successors and assigns, authorized by the act of Congress approved February 24, 1911, to be built across the outlet of Lake Namakan at Kettle Falls, in St. Louis County, Minn., to one year and three years, respectively, from date of approval hereof:

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARKING OF GRAVES OF CONFEDERATE SOLDIERS AND SAILORS.

Mr. DU PONT. From the Committee on Military Affairs, I report back favorably without amendment the joint resolution (S. J. Res. 90) to continue in effect the provisions of the act of March 9, 1906 (Stat. L., vol. 34, p. 56), and I submit a report (No. 228) thereon. I ask for the present consideration of the joint resolution.

Let it be read first. Mr. SMOOT.

The VICE PRESIDENT. It will be read.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the act entitled "An act to provide for the appropriate marking of the graves of soldiers and sailors of the Confederate army and navy who died in northern prisons and were burled near the prisons where they died, and for other purposes," approved March 9, 1906, and continued in full force and effect for two years by joint resolution approved February 26, 1908, and for the additional period of one year by a joint resolution approved February 25, 1910, and for the further additional period of two years by a

joint resolution approved December 23, 1910, is continued in full force and effect for two years from this date; and the unexpended balance of the appropriation made by said act of March 9, 1906, is continued and made applicable for expenditure during the additional period of two years herein provided for: Provided, That hereafter the provisions of said act shall include and apply to the graves of Confederate soldiers and sailors lying in all national cemeteries and cemeteries at Federal military stations or localities throughout the country: Provided further, That the compensation of the commissioner shall be fixed by the Secretary of War.

Mr. SMOOT. I should like to ask the Senator from Delaware if he knows how much of the original appropriation has been expended?

Mr. DU PONT. I understand that it has all been used but \$50,000. That remains unexpended, and it is the object to reach that amount.

Mr. SMOOT. I have no objection to the passage of the joint resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read

the third time, and passed.

Mr. DU PONT. I also report back adversely from the Committee on Military Affairs the joint resolution (S. J. Res. 48) to continue in effect the provisions of the act of March 9, 1906 (Stat. L., vol. 34, p. 56), and I move that it be postponed indefinitely.

The motion was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:
A bill (S. 4380) for the relief of Frank E. Artaud; to the Committee on Military Affairs.

By Mr. NELSON:

A bill (8. 4381) for the incorporation and regulation of corporations engaged in interstate commerce; to the Committee on the Judiciary

By Mr. STEPHENSON:

A bill (S. 4382) for the erection of a public building at Waupun, Wis.; to the Committee on Public Buildings and Grounds.

A bill (S. 4383) granting an increase of pension to Edward Cannavan; to the Committee on Pensions.

By Mr. BURTON: A bill (S. 4384) granting an increase of pension to Henry Hahn; to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 4385) to correct the military record of Henry Woodard; to the Committee on Military Affairs.

A bill (S. 4386) granting an increase of pension to John W.

Shults (with accompanying papers); to the Committee on Pen-

A bill (S. 4387) to remove the charge of desertion against Hervey Griffin (with accompanying paper); to the Committee on Military Affairs.

By Mr. OLIVER:

A bill (S. 4388) authorizing the Secretary of War to donate to the Masonic homes property at Elizabethtown, Pa., four brass or bronze cannon or fieldpieces, with their carriages, and a suitable outfit of cannon balls; to the Committee on Military Affairs

A bill (S. 4389) granting a pension to F. Isabelle Lawrence; to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 4390) granting an increase of pension to Samuel Lee Davis; to the Committee on Pensions. By Mr. KERN:

bill (S. 4301) granting a pension to Amanda E. Kelley (with accompanying papers); to the Committee on Pensions. By Mr. McCUMBER:

A bill (S. 4392) granting an increase of pension to Calvin D. Holbrook; to the Committee on Pensions.

By Mr. SMITH of Arizona:

A bili (S. 4393) to amend an act entitled "An act providing for second homestead and desert-land entries," approved February 3, 1911; to the Committee on Public Lands.

By Mr. NEWLANDS:

A bill (S. 4394) for the extension of time under the reclamation act, and for other purposes; to the Committee on Irriga-tion and Reclamation of Arid Lands.

By Mr. RANSDELL: A bill (S. 4395) to regulate the importation of viruses, serums, toxins, and analogous products, to regulate interstate traffic in said articles, and for other purposes; to the Committee on Interstate Commerce.

By Mr. VARDAMAN: A bill (8. 4396) for the relief of heirs or estate of David Sexton, deceased (with accompanying paper); to the Committee on Claims.

swered to their names:

By Mr. POINDEXTER:
A bill (S. 4397) granting a pension to Annie E. Farrell; to the Committee on Pensions.

NEW YORK, NEW HAVEN & HARTFORD RAILROAD.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be stated. The SECRETARY. Senate resolution 260, by Mr. Norris, requesting the Interstate Commerce Commission to reopen its examination of the affairs of the New York, New Haven & Hartford Railroad Co.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll. The Secretary called the roll, and the following Senators an-

Ashurst Bradley Fletcher Gallinger Nelson Newlands Norris Overman Smoot Stephenson Sterling Sutherland Swanson Bradley Brady Brandegee Bristow Bryan Burleigh Gronna Hollis Johnson Jones Page Perkins Pomerene Saulsbury Shafroth Sheppard Shields Thompson Tillman Townsend Vardaman Walsh Jones
Kenyon
Kern
Lee, Md.
Lippitt
Lodge
McCumber
Martin, Va.
Martine, N. J.
Myers Burleigh Burton Chamberlain Chilton Clapp Cummins Dillingham du Pont Fall Weeks Works

Simmons Smith, Ariz. Smith, Ga. Smith, S. C. Mr. MYERS. I am authorized to announce that the junior Senator from Missouri [Mr. Reed] is necessarily absent on im-

portant business. I desire that this announcement shall stand

for the day. I am also authorized to announce that the senior Senator from Missouri [Mr. Stone] is necessarily detained from the Chamber by serious illness. This announcement may also stand for the day

Mr. KERN. I desire to state that my colleague [Mr. SHIVELY] is unavoidably absent from the Senate. I wish to have this an-

nouncement stand for the day.

Mr. SHAFROTH. I desire to announce the necessary absence of my colleague [Mr. Thomas], and to state that he is paired with the senior Senator from New York [Mr. Root].

Mr. THOMPSON. I desire to announce the necessary absence of the junior Senator from Arkansas [Mr. Robinson] on official business connected with the Senate.

Mr. SHEPPARD. I wish to announce the necessary absence

of my colleague [Mr. CULBERSON] and to say that he has a general pair with the Senator from Delaware [Mr. DU PONT]. This announcement may stand for the day.

Mr. CHAMBERLAIN. I desire to announce that my col-

league [Mr. LANE] is absent in attendance upon committee work of the Senate.

Mr. SMITH of Georgia. I wish to announce that the senior Senator from Georgia [Mr. Bacon] is still detained at home by

The VICE PRESIDENT. Fifty-seven Senators have an-

swered to the roll call. There is a quorum present.

Mr. NORRIS. Mr. President, I ask that the resolution be read. The VICE PRESIDENT. The Secretary will read the resolu-Intion.

The Secretary read the resolution (S. Res. 260) submitted by Mr. Norris on the 3d instant, as follows:

Mr. Norris on the 3d instant, as follows:

Resolved, That the Interstate Commerce Commission be requested to reopen its examination of the affairs of the New York, New Haven & Hartford Railroad Co. and to make a further investigation of the financial transactions of said company, with a view of ascertaining:

First, What became of the funds of said company wrongfully invested at fictitious values in the various enterprises and corporations mentioned in the opinion of the Interstate Commerce Commission, No. 2384, ease No. 4845, entitled "The New England investigation in the matter of rates, classifications, regulations, and practices of carriers," submitted May 20, 1913, and decided June 20, 1913.

Second. Whether the person or persons authorizing such investment of the funds of said company and the person or persons receiving the benefit thereof are liable to punishment under existing laws.

Third. Whether under existing law such funds so invested can be recovered on behalf of the stockholders of said company.

Fourth, What legislation, if any, is necessary to prevent the recurrence of similar transactions.

Mr. NORRIS. Mr. President, to begin with, I desire to modify

Mr. NORRIS. Mr. President, to begin with, I desire to modify the resolution on page 1, line 7, by striking out the word "wrong-fully," and in the same line, after the word "invested," by striking out the words "at fictitious values," so that that part of the resolution will read:

First. What became of the funds of said company invested in the various enterprises and corporations—

Mr. NEWLANDS. Mr. President, will the Senator from Nebraska permit me to make a statement regarding the resolution? Mr. NORRIS. There will certainly be no objection to the Senator making a statement, but I wish to make one myself, and then, I presume, the Senator will have ample opportunity to be heard.

Mr. GALLINGER. Does the Senator from Nebraska modify his resolution by simply striking out the words he has stated?

Mr. NORRIS. By striking out those words.
Mr. GALLINGER. I am very glad the Senator has done that. Mr. NORRIS. Mr. President, it will be observed that this resolution does not propose a new investigation, but that it asks the Interstate Commerce Commission to reopen an investigation which they once made of the affairs of the New Haven Railroad Co. The investigation was concluded and an opinion rendered, as stated in the resolution itself. It was begun on the 20th day of May, 1913, and decided by the commission on the 20th day

In my judgment the opinion rendered by the commission, through Mr. Commissioner Prouty, shows on its face that the investigation was not complete. It does not show what became of the funds that were invested in various enterprises and in various institutions and corporations in which this railroad company was interested.

Mr. GALLINGER. Mr. President-

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. NORRIS, I yield to the Senator. Mr. GALLINGER. Mr. President, I have been absent a few days and have not very closely followed the proceedings of the Senate. I will ask the Senator from Nebraska at this point, if the Senator pleases to answer, why this investigation was not pushed to a conclusion by the Interstate Commerce Com-

mission? Was it because of the lack of funds?

Mr. NORRIS. No; I am not fully advised as to that; but, in a general way, my idea is that one of the reasons was that some of the witnesses were not cross-examined because of the fear that there might thereby be immunity given to them. The investigation was not made upon any resolution similar to this, but was a general investigation of the New England railroad situation. On page 578 of the opinion rendered by Judge Prouty, in referring particularly to this company and its capitalization, he uses this language:

talization, he uses this language:

June 30, 1903, the total capitalization of the New Haven Co. was approximately \$93,000,000, of which \$79,000,000 was stock and \$14,-000,000 bonds. The mileage then operated was 2,040 miles. On June 30, 1912, the capitalization, excluding stock premiums, was \$417,000,000, an increase of \$324,000,000, while the operated mileage was 2,090 miles, an increase of 50 miles.

The bonds and notes of the New Haven Co. had been during this period ordinarily issued at not less than par. The stock was sold at considerably above par. About \$21,000,000 of the stock reported by the New Haven Co. as outstanding had been, in fact, issued to the New England Navigation Co., one of its subsidiary companies, by which it was held, so that this stock is still-virtually in the treasury of the parent company. Disregarding this stock, treating its notes and bonds as issued at par and including the premiums upon capital stock which has actually gone into the hands of the public, the New Haven received during the nine years under consideration from the issue of stock and securities about \$340,000,000.

While the New Haven operated 2,040 miles in 1903, it only owned of this operated mileage 438 miles. During the nine years this owned mileage was increased by about 800 miles, and the New Haven Co. expended approximately \$40,000,000 in acquiring this additional owned mileage. It expended during the nine years something over \$90,000,000 upon its railroad for betterments and equipment, making a total of \$136,000,000 devoted to its railroad property proper.

This would leave the sum of \$204,000,000, which in nine years had been expended in operations outside its railroad sphere. This fact of itself is a most significant one, which, standing alone, might well require explanation. Attention is here directed to some of the purposes for which and the manner in which this vast sum has been invested.

Mr. GALLINGER. Mr. President

Mr. NORRIS. I yield to the Senator.

Mr. GALLINGER. I desire to say-and I thank the Senator for the courtesy of permitting me to say it during his remarksthat I do not propose to antagonize this resolution, nor do I think the Senators from New England will antagonize it-that is my impression-but I am constrained to ask the Senator why it is that the Interstate Commerce Commission, with such great powers and with a free hand, as it seems to me, should halt an investigation it had been making, so that it becomes necessary for Congress to pass a resolution requesting it to continue that investigation? It seems to me anomalous, and I ask the Senator simply for information on this point. If that great commission has made an investigation that is incomplete and has halted it for any purpose, it occurs to me that it has ample power, ample funds, and ample assistance, clerical and otherwise, to take up the investigation and push it to a conclusion.

Mr. NORRIS. Mr. President, I have no doubt that the commission have sufficient power and sufficient authority, and I am not able, perhaps, to fully satisfy the Senator as to why they discontinued the investigation. I want to say that, after I com-menced to investigate the matter, I waited for what seemed to me to be quite a long while for some steps to be taken in the matter, until I became convinced, from reading this report and from subsequent charges that were made, to which I am going to refer, that it was a matter of national importance and one that ought to be given the fullest publicity before the American people. Whether that is sufficient reason, it is the main reason, I will say to the Senator, why I concluded to introduce this resolution and why I believe the matter ought to be investi-

I will show, I think, further on from this report that the opinion of Judge Prouty demonstrates on its face that the investigation was not complete. He starts out by considering a large number of financial transactions. I am only going to refer to one or two of them as a matter of illustration. He takes up the Rhode Island Co .- that is one of the subsidiary companies, one of the organizations in which a large amount of this money was invested—and discusses it at some length, giving some of the details of the transaction; but, unless it is desired, I do not care to go into the details, for the reason that I do not care to take up the time of the Senate in that respect. I want, however, to read the conclusion regarding this Rhode Island Co. which Judge Prouty reached, which is found on page 579 of this document:

Representatives of the New Haven Co. earnestly insisted that this company had not watered the stock of the Rhode Island Co.—

It was claimed on the one side that the stock of this company had been watered, and it was claimed on the part of the New Haven people that they had not watered it. Judge Prouty says further:

and this, strictly speaking, is true. The improvement company turned in the water and the New Haven Co. converted that water into wine. In whatever aspect the transaction is viewed the New Haven Co. gave \$13,500,000 for nothing.

The fictitious value that was put into the company was put in before the New Haven Co. bought it in this case. Then Judge Prouty discusses—and I am going to refer to that only briefly-the New York, Westchester & Boston Railway, which is one of the subsidiary companies in which a large amount of the stockholders' money was invested. Says Judge Prouty:

The New York, Westchester & Boston Railway is a four-track electric road extending from White Plains, N. Y., to a terminus at Harlem River, a distance of slightly over 20 miles. This road was built and owned by the New Haven.

Further on he says:

The books of the New Haven Co. afford but little information as to the actual process of construction. Between November 2, 1906, and May 1, 1907, that company deposited with J. P. Morgan & Co. \$11,000,000, which was turned over from time to time to the Milbrook Co.

The Milbrook Co., I might say in passing, was another corporation, with a capital stock of \$1,000. It is a remarkable fact, however, that they paid the attorneys who drew up the articles of incorporation—I have forgotten the exact amount, but a very large amount of money for drawing up the papers.

Mr. CUMMINS. Fifteen thousand dollars.
Mr. NORRIS. I am informed by the Senator from Iowa that the amount was \$15,000.

That company-

That is, the Milbrook Co .-

gave its notes to Morgan & Co. for the amounts received by it, and these notes were passed over to the New Haven Co. and were its vouchers for this money. It does not appear what the Milbrook Co. was, nor what its relation to the New Haven Co., nor its financial standing.

other sums were subsequently advanced by the New Haven Co. at various times and in various amounts. The Milbrook Co. figured largely in these transactions, and there was also a City & County Contract Co. The sum of \$275,000 was paid to Oakley Thorne and Marsden J. Perry to secure the release of some contract. There was a merger of the Port Chester Co. and the old New York, Westchester & Boston Co. Into a new New York, Westchester & Boston Co. Into a new New York, Westchester & Boston Co. Into a new New York, Westchester & Boston Co. This Inter company issued its 4½ per cent mortgage bonds, which were turned over to the New Haven Co. in the amount of \$18,000,000. Of these, \$17,200,000 were guaranteed by the New Haven Co. and sold to J. Pierpont Morgan & Co. for \$16,000,000, a discount of \$1,200,000, which the New Haven still carries as an asset upon its books.

After going into some more details, he concludes by saying:

After going into some more definis, he concludes by saying: Here, therefore, is an enterprise which has cost the New Haven Co. \$12,000,000 in excess of the value of its property upon its own showing. Again the question arises, What has become of this \$12,000,000? In case of the Rhode Island Co. it was possible to locate the corporation, if not the individual, which had ostensibly obtained the money, but in this case it is impossible, from anything upon the books of the New Haven Co., to do this, even approximately. So far as those records go, this money has vanished into thin air.

I might go on at a great length quoting to you from this opinion, bearing out the conclusion reached by Judge Prouty, and citing various other illustrations he has given of the financial operations of these people; but I do not believe, at this time, at least, I will go further into that matter.

Subsequently to that a great deal of publicity was given and some charges made publicly and given wide circulation in regard to some of the things that Judge Prouty says are unknown; for instance, the details of the Milbrook Co. The New York World, in its issue of February 1, made some startling charges, in direct language, as to what had become of this money. I am not going to read all of those charges, nor go fully into the details, but I wish to read a few of them.

Mr. KENYON. Mr. President, may I ask the Senator a

question?

Mr. NORRIS. I yield to the Senator from Iowa.
Mr. KENYON. I should like to inquire if these charges, made openly, as the Senator suggests, have been denied by officials of the railroad company?

Mr. NORRIS. I have never heard of their being denied. It was charged in that issue of the World as follows:

That the Milbrook Co.-

That is, this same company, with a capitalization of \$1,000incorporated under the laws of New York, with a capital of \$1,000 and debts apparently aggregating \$15,000,000 on the day of its charter, made an agreement with the firm of J. P. Morgan & Co. to borrow unlimited sums on demand notes authorized by the board of directors of the New York, New Haven & Hartford Railroad Co. to complete the New York, Westchester & Boston electric line.

That is the railroad referred to by Judge Prouty.

That the transactions between the Milbrook Co. and J. P. Morgan & Co. were concealed completely in "account No. 2," kept in the offices of J. P. Morgan & Co. and not in the books of the Milbrook Co.

Further on it is said:

That between October, 1906, and November, 1907, the firm of J. P. Morgan & Co. advanced to the Milbrook Co. on demand notes, at 5 per cent, \$11,155,000 of money belonging to the New York, New Haven & Hartford Railroad Co., for which J. P. Morgan & Co. acted as fiscal

agents.

That deposited with J. P. Morgan & Co., in September, 1907, as collateral to secure the loans, amounting then to about \$11,000,000, made on the demand notes, were securities with an actual value of only \$200,200, according to a certificate handed to the accountant of the Milbrook Co. by J. P. Morgan, jr.

That on the money loaned by J. P. Morgan & Co. to the Milbrook Co. J. P. Morgan & Co. collected 5 per cent interest, although the money had been deposited with them by the New York, New Haven & Hartford Railroad Co.

That Thorne and Perry—

The same firm mentioned by Judge Prouty-

The same firm mentioned by Judge Prouty—
as promoters, president, and treasurer of the Milbrook Co., had an agreement with J. P. Morgan & Co. giving them (Thorne and Perry) 7½ per cent of all of the New Haven money disbursed by them in promoting the affairs of the Milbrook Co., which controlled the New York, Westchester & Boston enterprise.

That this 7½ per cent was split between Thorne and Perry and W. H. Chesbrough, a dummy director of the Milbrook Co., Thorne and Perry taking 47½ per cent each and Chesbrough 5 per cent.

*

That J. P. Morgan & Co. would have apparently been compelled to assume the loss of the \$11,155,000 advanced to the Milbrook Co. on the Westchester deal if the New Haven, of which the late J. Pierpont Morgan was the dominant spirit, had not assumed it.

That the only way that the firm of J. P. Morgan & Co. could get back the \$11,155,000 which they had loaned on notes to the Milbrook Co. was by unloading that company on the New Haven.

That the Trust Co. of America, of which Thorne was president and Perry vice president, got \$50,000 for buying the stock of the New York Railroad & Development Co. and some of the Westchester enterprise and \$50,000 for acting as transfer agents of the New York, Westchester & Boston Railway Co.

The New York Railroad & Development Co. was another subsidiary corporation mixed up in the building of this road. There were also several other corporations.

There were also several other corporations.

That the banking and promoting firm of Dick & Robinson, syndicate managers for the Westchester enterprise, marketed its securities, which were of uncertain value, receiving from \$60 to \$100 a share and securing a commission of 2½ per cent in cash and \$1,500,000 in the stock of the Westchester Co.

That the promoters of the Westchester property bought and turned over to the Milbrook Co. bonds and stock which either had been sold at a nominal sum or given to politicians, promoters, and other persons who had apparently rendered no service nor paid anything for it.

That one C. H. Smith (identity obscure) got \$2,100,000, one-half of which was in cash and one-half in stock, for assigning a contract to the City & County Contract Co. to construct the Westchester enterprise, which he had made three days before with the New York, Westchester & Boston.

Boston
That James P. McDonald got \$375,000 for negotiating the same

That James F. accounts get \$150,000 for \$156,100 (face value) of contract.

That the Milbrook Co. paid \$940,000 for \$156,100 (face value) of stock of the New York & Port Chester Railway Co.

That the law firm of Stetson, Jennings & Russell (the Morgan firm) received \$15,000 for drawing the incorporation papers of the \$1,000 Milbrook Co.

That hundreds of thousands of dollars were paid to lawyers for services of uncertain worth.

That the Knickerbocker Trust Co. certified to the custody of 45,000 shares of stock, par value \$4,500,000, when in fact it only held 7,000 shares, the par value of which was but \$700,000.

That the firm of J. P. Morgan & Co., Messrs. Thorne & Perry, and the Knickerbocker Trust Co., in withholding the information from the authorized accountant of the Milbrook Co., tried to throw the responsibility for their evasion on Charles S. Mellen, then president of the New Haven, notwithstanding his protest against the acquisition of the Westchester project and the fact that he had voted against it.

That, including the \$11,155,000 loaned by J. P. Morgan & Co. to the Milbrook Co., the New York, New Haven & Hartford, up to June 30, 1910, had dumped in excess of \$21,020,074.74 of its stockholders' money into the Westchester enterprise.

That in the official validation report of the New Haven Railroad Co. the estimated actual value of the New Haven's actual investment in the Westchester enterprise, according to its own books, was figured at that time, June 30, 1910, at \$12,066,921.18.

That, according to these figures, the difference between the cash paid through all agencies by the New Haven and the real value of the property received by it in return at that time was \$8,953,172.50.

That of the \$18,000,000 of the Westchester's 4½ per cent mortgage bonds turned over to the New Haven, \$17,200,000 were guaranteed by that company and sold to J. P. Morgan & Co. for \$16,000,000—a discount of \$1,200,000, which the New Haven still carries as an asset on its books.

That is the same charge made by Judge Prouty in the opinion to which I have made reference.

Mr. BORAH. Mr. President-

The VICE PRESIDENT. Does the Senator from Nebraska ield to the Senator from Idaho?

Mr. NORRIS. I yield. Mr. BORAH. I observe that this resolution provides for "a further investigation of the financial transactions of said company, with a view of ascertaining," and so forth. As I understand, the Senator is now reading information which the Interstate Commerce Commission did not secure?

Mr. NORRIS. Some of this they did not secure. Mr. BORAH. Is the Senator informed as to why the Interstate Commerce Commission stopped its investigation at a certain point?

Mr. NORRIS. I went over that matter somewhat before the Senator came in. I am not fully informed; I do not claim to be able to tell why they did.

Mr. NEWLANDS. Mr. President, it is impossible to hear the debate.

Mr. NORRIS. In making a general investigation of the rail-road situation in New England, I had, I think before the Senator

came in, read from the opinion in the case—
Mr. BORAH. I heard the reading from the opinion; but it occurred to me that if half of what is reported there is true and for all I know, it may be all true—there are some 8 or 10 people at large who ought to be in the penitentiary.

Mr. NORRIS. Probably.

Mr. BORAH. And it occurred to me that perhaps the Interstate Commerce Commission stopped at a certain point for fear they might place these people in a position where they would be granted immunity.

Mr. NORRIS. I suggested that I thought that was one of the reasons, at the time they made their investigation, if they

did that.

Mr. BORAH. If this resolution should go through, and the Interstate Commerce Commission should proceed with the investigation, might not that very thing happen?

Mr. NORRIS. I do not think so, Mr. President.
Mr. BORAH. I ask the question simply for information.
Mr. NORRIS. Of course, circumstances might arise in the investigation where that might be true. Personally, I believe that a great many of these transactions, some of which I am going to refer to in just a moment, would be shown without giving immunity to anybody who was any distance up the ladder in the New Haven concern. Some of them-in fact, most of them, I think-would be shown by an examination of the books. In that event, if anybody were given immunity it probshould be the bookkeeper; and as far as I am concerned I should not have any objection to giving him immunity.

Mr. CUMMINS. Mr. President—
The VICE PRESIDENT. Does the Senator from Nebraska

yield to the Senator from Iowa?

Mr. NORRIS. I yield. Mr. CUMMINS. It is not unlikely that the commission went as far as it had authority to go under the law. The jurisdiction of the commission is measured by the law, and it may not have been able to reach circumstances that were simply evidence of a crime under a State law. I think, too, that a great deal of the testimony that was developed in that hearing is not included in the report.

Mr. NORRIS. I understand that is true, too. they have a great deal of this information in their possession now. I should not be surprised if that were true. If it is true, of course it could be reported without further investi-

Mr. CUMMINS. I myself do not believe the Interstate Commerce Commission has any authority to investigate the question whether the directors of the New Haven road defrauded the stockholders of that road unless the investigation is allied in some way with the ascertainment of what would be a proper rate for freight as a proper charge for passenger service. have been now for years fully acquainted, in a general way, with the enormity of the capitalization not only of this company but of a dozen or more in the United States, because I venture to say this wretched history finds a parallel in the capitalization of a dozen of the great railroads of the United States, and yet we have done nothing to make it a crime on the part of the railway managers of the country to do the very things that the Senator from Nebraska is now pointing out. declined from time to time to confer upon the Interstate Commerce Commission authority to supervise the capitalization of the common-carrier companies of this country.

Mr. NORRIS. Mr. President, one of the objects I wish to attain by this investigation is the enactment of whatever legislation may be necessary to make impossible in the future what it is practically admitted has happened in the New Haven case. believe, as the Senator has said, we ought to have legislated along this line in the past. If by giving publicity to these allegations, in case they should be demonstrated to be true, we can bring about proper legislation to protect the country from a repetition of these things in the future, we shall have accomplished, it seems to me, a great deal-much more than the punishment of guilty persons in one particular instance.

Mr. CUMMINS. We shall have accomplished everything if we can stir the people and Congress into action in that respect; but while possibly we have not all the information that exists, we have enough to excite the interest of the people, and it is information that ought to excite the action of Congress. So far as I am concerned, I would a great deal rather that we should busy ourselves trying to enact a proper law than wait upon the action of the Interstate Commerce Commission in any further investigation.

Mr. NORRIS. Mr. President, we shall not busy ourselves and get the right kind of legislation until the country fully auderstands the possibilities of wrongdoing under the laws as they exist now, if there are such possibilities; and that is one of the things I wish to determine.

Mr. LODGE. Mr. President—
. The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Massachusetts?

Mr. NORRIS. I yield. Mr. LODGE. I understood the Senator to say that a great deal of testimony has been taken by the Interstate Commerce Commission on these very points which has not been made public.

Mr. NORRIS. I have been told so.

Mr. LODGE. So have I. I understand that is the case. Does the Senator know why that was not printed with the rest?

Mr. NORRIS. I do not.

Mr. BORAH. Mr. President, it seems to me that there might be a very good reason why it had not been made public, and it seems to me there might be a very good reason why the Interstate Commerce Commission has not gone further. If there is a desire upon the part of the Department of Justice to punish those people who have been engaged in this transaction, there is good reason why they should stop where they have stopped.

I do not subscribe to the doctrine of forgiving all these trans A great many of them have undoubtedly occurred by reason of the ignorance of the law in a certain sense, not knowing just how far they could go and where they could stop; but such a transaction as this, if it be true, was a willful transac--a knowing transaction-a crime committed with malice aforethought, and there is no reason in the world why those men, if the facts be true, should not be punished; and I assume that the Department of Justice in its own proper time will undoubtedly proceed to punish them.

Mr. LODGE. If the Senator from Nebraska will allow me, I agree entirely with that view. The reason why I asked the question was to know whether it would not be wiser for us to be sure about this thing before we force the hand of the Interstate Commerce Commission and possibly the Department of We may by resolution, unless we know what they are doing, compel them to disclose their case, which they are intending to prosecute. I know nothing about it. I do not know that that is the reason.

Mr. NORRIS. Ordinarily I think it would be a fair propo-

that this road made an arrangement with the Department of Justice by which its slate was to be wiped clean, the past forgiven, with the promise that if they would sin no more they should be allowed to proceed.

I wish to say in this connection that as far as I know the present management of the road is perfectly honest, perfectly honorable, and perfectly competent. I would not throw a straw in the way of interfering with that road developing and reaching again the position in commerce that it had attained before it was robbed. But that does not, in my judgment, offer any reason whatever why we should not punish those who have committed wrongs in the past, and why we should not know all the facts in connection with the matter, so that we may have the benefit of those facts in passing the proper legislation to prevent

the recurrence of such things in the future.

Mr. LODGE. If the Senator will permit me, the present management of the road, I think, is just what the Senator has described. I do not mean by that to cast the slightest reflection upon the persons who have gone out, but certainly there is no man of higher character or more honest purpose, I believe, in the country than Mr. Elliott. Of course we do not want to throw any obstacle in the way of his trying to put the road in a proper condition. I am sure none of us desire that. But if these charges, which I do not attempt to prejudge, are true, they show that the stockholders of the company were robbed; if they are not true, their falsity should be demonstrated. That is the plain English of it.

Mr. NORRIS. I believe that is generally conceded.

Mr. LODGE. The only thing about the resolution which dif-ferentiates it from most resolutions is that it is an attempt at least to protect the rights of the stockholders. Usually all the suffering that has been brought has fallen upon innocent stockholders of the road. The suffering and injury done to hundreds of innocent people, people with very small means, in New England by the breakdown of the New York, New Haven & Hartford and the Boston & Maine have been very great. If these things can be proved and something be done, as the resolution suggests, to recover the money of those people taken in this way, it ought to be done. It seems to me that is the work, as the Senator from Idaho suggested, of the Department of Justice, and we ought to be very careful not to interfere with anything the Department of Justice is doing at this time.

Mr. NORRIS. I think, if we can rely any upon the undisputed reports that have been given in the public press, the Department of Justice is not attempting to do anything of that kind.

Mr. CUMMINS. Mr. President-

Mr. NORRIS. I will yield in just a moment. I want to reply a little further to what the Senator from Massachusetts said. As I stated awhile ago, and I want to repeat it, as far as my knowledge goes the present management of the New Haven road is above criticism, at least I know nothing against it. I am acquainted with Mr. Elliott. I have talked with him about this proposition. If I were going to make a criticism of the present management it would be this-and in substance I have said the same thing to him-while we ought not to do anything to discourage the present management from building up that road and putting it on its feet again, a road that at one time was as good as perhaps any road in the entire civilized world, yet it seems to me that that management, if it is subject to any criticism, it is that it ought to be willing to give its assistance to an investigation of what occurred in the past, in order that the 40,000 widows and orphans who hold stock in the company may be recompensed for the losses that they have sustained. It seems to me, as I told Mr. Elliott, that it would give to the present management the confidence of the entire country if they would say, Uncover this matter and let the truth be known."

The objection to it that has been urged to me here is that if we give publicity to these facts the road might be damaged and perhaps go in the hands of a receiver; that we will injure its present financial condition by giving publicity to the robberies that have occurred in the past. But to my mind that is not a good objection. It is as if a man should rob you while you are asleep and take three-fourths of your property, and with his ill-gotten gains still in his possession say to you, "Now, keep quiet; if you will keep quiet, I will not take the other fourth that I permitted you to keep; you had better keep still and hold what I have decided to let you keep and see if you can not build

up another fortune."

It strikes me there is another reason why this should be done, outside of the consideration of the interest of the stockholders. I am just as much interested in protecting them as any man can possibly be. Even though we would concede now that we will wipe the slate clean and say nothing of what has occurred in the past, because we believe now you have reorganized and sition to state that from the daily press we gather the idea | you are honest-if we should say that it would be an invita-

tion in the future for any man who was capable of practicing sharp financial transactions through dummy corporations, through dummy directors, to rob any other railroad in the same way, and then come here and say, "While we have robbed you, we are going to be good in the future, and if you will let us keep what we have stoler way can take what is left and transfer. keep what we have stolen you can take what is left and try to keep yourself out of the poorhouse."

Mr. BORAH. Mr. President— Mr. NORRIS. I yield to the Senator from Idaho.

Mr. BORAH. I want to say only a word further, that I may not be misunderstood by the Senator from Nebraska. The ultimate object the Senator desires to attain is one which I would cordially approve. The only desire I had in rising was to call his attention to what, it seems to me, might probably happen, unless the Senator is better informed, as he no doubt is, as to the program that is intended.

Mr. NORRIS. No; I am not informed.
Mr. BORAH. I notice the Attorney General stated in print, when the agreement with Mr. Elliott was made, that it did not include or cover any immunity for past offenses, criminal offenses, and so forth. That was printed in connection with the statement, and it followed the other statement in regard to it. Now, I can not conceive that the Attorney General would for a moment compromise those crimes.

Mr. NORRIS. I have not said he would. I am not making

Mr. BORAH. No; but he not only has said affirmatively he did not; but if he had not said that, it would be impeachable, in my judgment, to let such offenses go, if the information is in

his possession.

The only thing I desire to call the attention of the Senator to is that by publicity we may frustrate the plan of the Attorney General in punishing these parties. I am one of those who believe that if these things be true, five or six of those men behind the bars in stripes would have the most tremendous moral effect on this country of anything we can conceive of. I do not believe that any legislation which we could pass would be so effective in this country as for the Government to show that because a man stands in a place of power financially he stands in no different position before the courts and the criminal laws of this country.

The defect in the administration of the laws which are upon

the statute books arises not out of the fact that the laws are defective, but because we have not had the courage to enforce them. An enforcement of that kind, if it can be had or is to be had, while the other legislation should undoubtedly go on, will have a more tremendous effect on this country than any

legislation which we can enact.

Mr. CUMMINS. Mr. President—

Mr. NORRIS. I will yield to the Senator from Iowa in just a moment.

In response to what has been said by the Senator from Idaho [Mr. Borahl], I wish to say that I have no desire to give immunity to any man who has been guilty, if it be proven that he is guilty, of the charges that are alleged in this case. I do not believe that it is necessary in making this investigation to give immunity to anybody. But we do know that whenever these things occur the cry always goes up, "Do not investigate, for fear that you will give immunity." These things, as the Senator from Iowa [Mr. Cummins] said a while ago, have been done in a great many other cases. I do not remember about that, but it does not seem to me they were as flagrant as this is; and we have not found anybody behind the bars yet, immunity or no immunity.

It strikes me that an examination of the books, an examination of the clerks and the bookkeepers of this institution, will show what the facts are, and that will give sufficient information for a civil suit, for instance, to be brought by the present management of that road against the parties guilty of the robbery, if they are guilty, to recover for the benefit of those stockholders the money that has been unlawfully taken away from them. At the same time it would give us information upon which to legislate. It would give the Attorney General

information upon which to prosecute. I yield to the Senator from Iowa.

Mr. CUMMINS. The difficulty about the situation is, as I understand it, that there exists no Federal law which, being enforced, will put these gentlemen behind the bars of a jail or a penitentiary

Mr. NORRIS. If that be true, Mr. President, then the question of immunity is eliminated.

Mr. BORAH. I do not exactly agree with the Senator as to these acts not being punishable under Federal laws, but certainly if facts quoted from the World be true they are punishable under State laws.

Mr. CUMMINS. Undoubtedly, Mr. President; and the Attorney General of the United States could give to these men or any other men connected with the New York, New Haven & Hartford Railroad immunity as against prosecution under the laws of New York or Massachusetts or Connecticut or any other State in which the crimes may have been committed. The solution of the whole problem, as I look at it, is to pass a Federal law that will make it criminal to do the things which are stated in the report of Commissioner Prouty. We will not be able to make those things criminal until we assume jurisdiction of the capitalization of the interstate common carriers of the country.
Mr. McCUMBER. Mr. President-

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from North Dakota?

Mr. NORRIS. I yield; but I hope the Senator will not take

up too much time.

Mr. McCUMBER. With the Senator's permission, may I ask the Senator from Iowa a question? The Senator from Iowa is a member of the Committee on Interstate Commerce, and before that committee, for three or four years or longer, there have been bills providing for just exactly what the Senator speaks of, to bring all the great lines of railway doing interstate business under complete Government control by compelling them either to reincorporate or become licensed under the General Government, and providing specifically for preventive measures, so that it would be impossible the crimes that are charged here against this railway. Yet we the crimes that are charged here against this railway. Yet we the bills are not correct, possibly they need modification, or something of that kind; but I want to ask the Senator from Iowa why we get no action on them; why no report of any kind has been made upon any of those bills that are sought to bring these railways under the control of Congress?

Mr. CUMMINS. Mr. President—

Mr. NORRIS. I hope the Senator will not discuss the details of some proposed law on this resolution.

Mr. CUMMINS. The Senator from North Dakota inquired

of some member of the committee-

Mr. NORRIS. I do not want to yield for that purpose.
Mr. CUMMINS. The Senator from Nebraska will allow me
to say that when we had under consideration the amendment to the interstate-commerce law in 1910 there were some men on this side of the Chamber who tried very hard to incorporate in that amendment suitable provisions relating to this subject. I will not harrow up the feelings of any of the Members of the Senate who may still linger here who were here then, but the Senator from North Dakota will have no difficulty in refreshing his own recollection and assigning the responsibility of the failure to incorporate such provisions in our law upon the persons who ought to bear that responsibility. I say that I have been trying to do it ever since I came into the Senate.

Mr. NEWLANDS. Mr. President—
Mr. CUMMINS. I think that is the trouble with the Department of Justice. Although I have had no communication with that office at all, I fear that it has been unable to find in any law of the United States an instrument for the punishment of the wrongdoing that has been disclosed in the investigation carried on with regard to the New York, New Haven & Hartford Railroad.

The VICE PRESIDENT. Does the Senator from Nebraska

yield to the Senator from Nevada?

Mr. NORRIS. I prefer not to yield for that discussion. I ask other Senators not to inject it here. I do not care to discuss, on this resolution, the details of the law that we ought to pass. I prefer that the Senator will not interrupt me with a view of bringing on that discussion. He knows it would

mean endless delay.

Mr. President, only a word in reply to what the two Senators have said. Some of us in the House, where I was at the time the bill referred to was passed, tried to put into the law that kind of a provision. We failed; and if this resolution, through the discussion that it brings forth, will fail to do anything else except to bring about the enactment of that kind of a law, I believe I will have been amply repaid and justified for the introduction of the resolution.

Mr. President, when I was interrupted I was attempting to read an editorial from the New York World—a direct charge—one that Senators will observe is an actionable statement if it is not true, published in their editorial column. I will only read a part of the editorial:

Needless to say this money did not vanish "into thin air." It vanished into the coffers of J. P. Morgan & Co. It was taken out of the treasury of the New Haven by Mr. Morgan and his associates to recompense J. P. Morgan & Co. for loans they had made practically without security to a dummy corporation organized to conceal various

financial manipulations in connection with the construction of the Westchester road. Even the exposure of life insurance corruption revealed no more cold-blooded piece of Wall Street piracy than the transaction whose scaly history is printed elsewhere in to-day's issue of the World.

Mr. President, there is something else, in connection with some other investigations, that has a direct bearing on this matter, to which I desire to call the attention of the Senate. stand some investigation has been made in regard to these matters in Boston or elsewhere in Massachusetts by the proper officials there, and that it was there shown that one Henry D. Knowles, of Gloucester, a former representative, testified that he received from the railroad company—that is this railroad company-payment for interviews and for train service investigations while a member of the legislative committee in the summer of 1912 investigating transportation problems in the western part of the State.

Howard L. Ralph, a local manager for the American Press Association, said that articles on the New Haven road furnished by the railroad's publicity department were sent on stereotyped plates to 315 papers in New England by his company without expense to the papers. The railroad company paid the American Press Association a certain fixed rate per line for handling the matter.

It might be well, in that connection, to observe that there is a provision in the Post Office appropriation bill of August 24, 1912, which reads as follows:

That all editorial or other reading matter published in any such newspaper, magazine, or periodical for the publication of which money or other valuable consideration is paid, accepted, or promised shall be plainly marked "advertisement." Any editor or publisher printing editorial or other reading matter for which compensation is paid, accepted, or promised without so marking the same, shall upon conviction in any court having jurisdiction, be fined not less than \$50 nor more than \$500.

That is the United States statute. I have only read one illustration, but there are a great many others. In this investigation it developed, Mr. President, that there was a professor of law, I believe in Harvard University, who during these years, or at least during a part of them, was getting a salary from this company, I believe at the rate of \$10,000 a year, as a kind of advisory attorney. The public knew nothing about it. He delivered lectures; he carried on his work in the university, and I was told this morning by a Member of the House of Representatives that this university professor, before it was disclosed by the investigation that he was a salaried official of this road, had on three different occasions come to Washington, had gone to the office of a member of one of the leading standing committees of the House of Representatives, and that he had on those three different occasions labored with the Representative at length to convince him that there ought to be nothing done in regard to the New Haven Railroad transactions, and that he was so insistent in coming to that Representative's office about the matter that the Representative told him he could not spend any more time with him; that it was useless to try to persuade him to believe along the lines the professor was evidently trying to mark out. These things show what became of some of the funds of the New Haven road, and I have only given you few as illustrations.

Mr. President, I understand that this investigation in Massachusetts showed that there was one item carried on the books of this company known as "Other expenses." The public knew nothing about it, and an ordinary examination would not develop what "Other expenses" meant; but that investigation has shown that these "Other expenses" covered a multitude of transactions that were at least of such a nature that they required explanation. For instance, here are some of them under that head:

10 luncheons__ 10 luncheons__ 10 luncheons__

The price going up. That was after the passage of the tariff bill, I suppose. [Laughter.]

10 luncheons I suppose that was after the passage of the currency bill.

[Laughter.] 19 dinners
18 luncheons
Breakfasts
News stand

\$239. 30 110. 80 38. 95 1. 60 Mr. CUMMINS. Where were those meals eaten? I am curi-

Mr. NORRIS. I do not know; and if I did, I would not tell the Senators here, for fear there might be an exodus of Senators

injure anyone who is honest and who is trying to do what is right and what is lawful; but it does seem to me that the question relative to this railroad is one of national importance, dealing in subjects upon which we ought to legislate, and do legislate—a railroad whose stock a few years ago, I understand, sold above 250, and it is now down to less than 70 cents on the dollar. I have been told that 40,000 stockholders of this road are widows and estates belonging to orphans and fatherless children in New

Mr. LIPPITT. Is not the Senator from Nebraska a little in error about the number of the stockholders?

Mr. NORRIS. I may be, but I have so heard. Mr. LIPPITT. My recollection is—it is not important—that the number is 22,000.

Mr. NORRIS. Twenty-two thousand. It is only a question of degree, Mr. President; and they ought to be protected if we

This resolution has been criticized because I recite therein that one object to be attained is-

Whether the person or persons authorizing such investment of the funds of said company and the person or persons receiving the benefit thereof are liable to punishment under existing laws.

It is said that that is asking the Interstate Commerce Commission to advise us, and that that is not its proper function. I will admit that is not the proper function of the Interstate Commerce Commission, and if that were the construction, and the only construction that could be put upon it, I would admit that the resolution was erroneous and wrong in that respect; but my intention in drafting the resolution was to give the Inter-state Commerce Commission an idea of why the Senate wanted the investigation. If you employed some one to investigate a subject for you, and you would tell him in advance what you wanted to know, and especially if he were a lawyer, as are the members of the Interstate Commerce Commission, it would assist him a great deal in carrying out that investigation. I had no thought that the Interstate Commerce Commission was going to advise the Senate in direct terms as to whether these people were liable to punishment; but if they knew why we wanted the information, I thought it certainly would assist them in the character and the nature of the investigation which they would

The third clause of the resolution reads as follows:

Third. Whether under existing law such funds so invested can be recovered on behalf of the stockholders of said company.

That has been criticized for the same reason, that we ought not to ask the Interstate Commerce Commission to tell us that; but, if you will read the resolution, you will find that it does not ask the commission to tell us that, but it directs them to reopen this investigation, to go further into this matter with a view of ascertaining the facts. The reason this language was put into the resolution, or at least that was my idea, was to give the commission to understand that we wanted to know, if it were possible to ascertain, whether under existing law this money could be recovered, so that whoever would be entitled to get the benefit of the facts developed would be enabled to use

them in an action to recover.

Mr. NEWLANDS. Mr. President, when this resolution came up for consideration the other day I asked that it lie over until to-day, with a view to consulting the Interstate Commerce Committee of the Senate as to whether they desired to insist on a motion for the reference of the resolution to the committee. I consulted the committee this morning, and I find no disposition upon the part of the committee to urge a reference to it of this resolution, and therefore the matter comes up for consideration by the Senate.

I will further state that, immediately after this matter was brought to my attention, I addressed a telephonic communication to the chairman of the Interstate Commerce Commission, asking him to transmit to me any information in the possession of the commission that would enable the Senate to act intelligently upon the resolution, particularly with reference to the status of the investigation, and as to whether any further investigation would be desirable or practicable. I will ask the Secretary to read the communication which I have received from the chairman of the Interstate Commerce Commission.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

INTERSTATE COMMERCE COMMISSION, Washington, February 6, 1914.

for the purpose of getting some of those expensive meals; and we would not have a quorum left.

Mr. President, as I said a while ago, I have no disposition, I have no object, I have no desire to do anything here that will

My Dear Senato, Washington.

My Dear Senato, Washington.

My Dear Senato, Washington.

My Dear Senator Responsive to your suggestion in our phone conversation the other day, I took up with Mr. Prouty questions presented in Senate resolution No. 260 (introduced by Senator Norms).

I thought, as I presume you thought, that possibly, having personally had charge of our investigation of the New Haven affairs and having prepared the report of the commission, he would have a more intimate knowledge and fresher recollection as to the situation than I had.

I attach copy of my informal memorandum to Mr. Prouty and his memorandum to me in reply. The views expressed by Mr. Prouty are in accord with my understanding and recollection of the situation.

The time since you spoke to me about this has been so short and other matters have so imperatively pressed for attention that it has not been possible to get this in more formal shape for you and get it to you as requested to-day. I trust, therefore, that any appearance of informality will be excused.

Yours, truly,

E. E. Clark, Chairman.

E. E. CLARK, Chairman.

[Memorandum of Mr. Prouty.]

FEBRUARY 5, 1914.

I attach copy of Senate resolution 260, proposing that the commission be instructed to reopen the examination of the affairs of the New Haven road.

-. Chairman.

[Memorandum to the chairman.]

FEBRUARY 5.

Replying to your memorandum of February 5, in reference to Norrisresolution, the investigation of the commission covered only the period
during which Mr. Mellen had been president of the company—that is,
approximately 10 years—but I am very sure that there is nothing in
the New Haven management before that time which would justify an
examination.

Our accountants brought away a great mass of figures, which were
not incorporated into our report nor even alluded to. My impression
is that we have everything in our files which a further examination
could disclose. It would be possible to make up from these figures
a detailed statement showing the persons to whom this money has
been paid, but that, in my opinion, would have but little interest for
the public and be of no profit.

In our investigation we traced these transactions as far as could
be done from an examination of the books of the New Haven Co. In
all cases we ran up against some corporation which was not subject to
the jurisdiction of the commission and at whose books we had no authorly to look. No attempt was made to examine the books of these
various construction companies, etc., for the reason that this was not
germane to the investigation under way. It is possible that something further might be done in this direction, although I somewhat
doubt the authority of the commission to reach these companies.

The same remark applies to paragraphs 2 and 3 of the resolution,
These are both matters without the jurisdiction of the commission.

On the whole, I do not believe anything would be accomplished by a
further investigation on our part. The Senate itself, with its greater
authority in these respects, could undoubtedly accomplish much more
than the commission.

Very truly, yours,

(Inclosure.)

Mr. KENYON. Mr. President-

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Iowa?

Mr. KENYON. I do not ask the Senator to yield; I was

trying to get the floor in my own right.

Mr. NEWLANDS. Mr. President, the question before the Senate is, first, as to whether, in view of the letter of the chairman of the Interstate Commerce Commission and the memorandum of Mr. Prouty, it desires further investigation by that commission; and, second, whether it wishes the legal advice of that commission as to whether the persons authorizing these investments are liable to criminal prosecution; and, third, the legal opinion of the commission as to whether the funds so invested can be recovered for the benefit of the stockholders.

It is perfectly clear that any investigation of the subject matter covered by this resolution would come within the jurisdiction of the Interstate Commerce Commission so far as it relates to the rates charged by this corporation. Under the law the Interstate Commerce Commission exercises the function of fixing rates, and in fixing those rates it must have regard to the valuation of the roads, their capitalization, and other factors declared in the decision of the Supreme Court.

Capitalization, therefore, becomes an essential factor in rate regulation. Excessive or fraudulent capitalization would, of course, receive the proper consideration of the commission in regulating rates.

The fourth provision also comes within the jurisdiction of the Interstate Commerce Commission, for it asks the recommendation of the commission regarding legislation that will prevent

similar transactions in the future. One of the most important functions of the Interstate Commerce Commission under the law creating it is to make recommendations to Congress; and it may be said with accuracy and truth that almost all the legislation in the way of reform that has been passed amendatory of the interstate-commerce act has been passed pursuant to the persistent recommendation of that commission, which has had and now has the entire confidence of the country.

So far as the legal opinion of the Interstate Commerce Commission is concerned regarding criminal prosecutions and the possibility of recovering these funds for the benefit of the stockholders, it is very evident that that inquiry should be made of the Attorney General rather than of the Interstate Commerce

Commission.

So far as the Interstate Commerce Commission is concerned, we have the statement that it does not think any further investigation by it will be fruitful of results. The Senate, therefore, is called upon to act upon the question whether it will insist upon further investigation by the Interstate Commerce Commission, when we know that the Interstate Commerce Commission is already very heavily loaded. We know that it is burdened with work. We know that it has already made an investigation. We know that that investigation has been a very full and complete one, as full and complete as it ought to be made, according to the judgment of the commission; and the question now is whether we shall further press this matter upon the commission itself.

There is another question, also, with reference to the Attorney

General's office.

Mr. SIMMONS. Mr. President—
The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from North Carolina?

Mr. NEWLANDS. I do.

Mr. SIMMONS. For information, I desire to ask the chairman of the Committee on Interstate Commerce a question in connection with the very point he is now making. It is a question which has been in my mind since the discussion of this amendment began.

I understand that the Interstate Commerce Commission is a body created by law; that its powers are prescribed and defined in the act or acts of its creation; and that it has no powers outside of those conferred upon it by the Congress of the United States. That is a correct statement, is it not?

Mr. NEWLANDS. I think it is. Mr. SIMMONS. I understand the Senator to say that the second proposition here, requesting the commission to inquire and ascertain "whether the person or persons authorizing such investment of the funds of said company and the person or persons receiving the benefit thereof are liable to punishment under existing laws," is not a matter coming within the power conferred by law upon the Interstate Commerce Commission. I understand him also to say that the inquiry proposed in the third subsection, to wit, "whether under existing law such funds so invested can be recovered on behalf of the stockholders of said company," is a matter not within the power of the commission under existing law. Do I correctly understand the Senator with reference to those two propositions?

Mr. NEWLANDS. I think that statement is correct. Interstate Commerce Commission has full powers of investigation with reference to rates and with reference to any violations of the interstate-commerce act. I do not recall-perhaps the Senator from Nebraska may recall—that the interstate-commerce act contains any provision regarding the misappropriation or malinvestment of funds. It has provisions relating to rebates, preferences, and things of that kind; and, of course, it would be the duty of the Interstate Commerce Commission to inquire into any offense against the law in that particular and to turn over the facts to the Attorney General's office with a view to prosecution if the facts justified a prosecution. I will state, further, that I think the same thing is true as to the recovery of funds by a railroad company on behalf of its stock-holders. I know of no provision in the interstate-commerce act regarding that. My view is that if there is any national law at all upon the subject of the misappropriation or mallnyestment of funds, the matter would go to the Attorney General's office for investigation.

Mr. NORRIS. Mr. President, will the Senator yield to me? Mr. NEWLANDS. Certainly. Mr. NORRIS. I should like to say to the Senator from Nevada, and particularly to the Senator from North Carolina, who propounded the query, that I do not claim that the Inter-state Commerce Commission have the power that he seems to think I thought they had by what I have said in the second and third provisions of the resolution. As I said while I was occupying the floor, the idea of putting that in was simply to let the Interstate Commerce Commission know why the Senate wanted the information. I am not anticipating that if, when they investigated it, they came to a conclusion one way or the other as to those two propositions, they would have in answer to the resolution to tell the Senate what their conclusion was. It is simply giving them our idea as to why we want the infor-

mation, so as to guide them in making the investigation.

Mr. SIMMONS. Mr. President, as I read the resolution, it requires the Interstate Commerce Commission to make the investigation with a view to ascertaining four different things; and the matters to which I have called the attention of the

Senator from Nevada are two of the four things.

As I understand, the Interstate Commerce Commission is a body of limited powers. It can exercise no jurisdiction and no functions that are not conferred upon it by the law of the land. If the Interstate Commerce Commission is making an investigation for the purpose of enabling it to carry out any of the powers and duties and functions conferred upon it by law, it has authority of law to make that investigation, authority to send for persons and papers, and authority to spend the money of the United States for the purpose of making that investigation.

The question I wish to propound to the Senator from Nevada is this: If we authorize the Interstate Commerce Commission to make an investigation which it has no authority under the law to make, and stop right there, has the commission any power or right or authority to spend the money of the people of the United States in making that extrajudicial investigation, and has it the power to send for persons and papers and to ad-If we are going to confer upon the commission minister oaths? new power to make an investigation by virtue of a joint resoluthat is a different thing. If we are going to do that, we will have to do it in such a way that the authority becomes the law of the land, and is passed by both Houses of Congress and is signed by the President. If we shall undertake to do it, and confer upon the commission the right or impose upon them the duty of making an investigation without authority of law, then, unless at the same time, in some way or other, we give them the money to make the investigation and confer upon them the power to summon witnesses and examine them under oath, they will not have that power.

I ask the Senator if that is not a correct statement of the law, and if, under that statement of the law, it will not be impossible for the Interstate Commerce Commission to exercsie all the powers that are attempted to be conferred upon them under this resolution? As I understand, this is a resolution of the Senate. It is not a joint resolution, which would require the concurrence of the House and the signature of the President, The question I have in my mind is whether, by a resolution of the Senate, we can confer upon the Interstate Commerce Commission the right to make an investigation which the law does not empower them to make, and whether, if we attempt to do that, they would have the power to spend the money of the people and to perform the other functions that are absolutely necessary in order to conduct these judicial investigations, to wit, summoning witnesses and administering oaths?

Mr. NEWLANDS. Replying to the Senator from North Carolina, I have to say that I have no doubt at all that the Interstate Commerce Commission can assume jurisdiction of the first and fourth clauses of this resolution, the first making an inquiry as to investment at fictitious values, which involves the question of capitalization-a subject that can be justly considered in the regulation of rates-and the fourth what legislation, if any, is necessary to prevent the recurrence of similar transactions. I have no doubt that the commission has jurisdiction over that subject, because it has the power of recom-

mendation to Congress.

As to the intermediate sections, however, the second and third, which call for the opinion of the commission as to whether the person or persons authorizing these investments are liable to punishment under existing laws, and as to whether such funds can be recovered on behalf of the stockholders of the company, I submit that the matter belongs to the jurisdiction of the Attorney General's office, and that the query should be addressed to that office. Such a query would probably involve no expenditure by the Interstate Commerce Commission, for it simply asks for their legal opinion upon facts which they have ascertained in the course of their investigation, which investigation is entirely legal, as it relates entirely to fictitious investments and to excessive capitalization.

So, if the resolution is passed, it seems to me the first and the last clauses ought to be referred to the Interstate Commerce Commission, and the second and the third to the Attorney Gen-

eral's office.

Mr. President, the Senator has urged that this investigation should be pressed immediately, although both the Interstate Commerce Commission and the Attorney General's office are now crowded with work with reference to this and accompanying questions. I do not care to emphasize opposition upon that ground, but I wish to present the considerations so that the Senate may have them before it.

We know that the Interstate Commerce Commission is already engaged in a very important inquiry with reference to rate increases. In that inquiry, undoubtedly, the overcapitali-zation of the New York, New Haven & Hartford Railroad is a legitimate subject for investigation; but whether we should insist upon further investigation and report, when the commission has already declared in the communication of Mr. Prouty that, in its judgment, no good can be accomplished, is a question

that demands deliberation and consideration.

I understand, of course, the importance of pressing the criminal prosecution of the men who have been guilty of these malinvestments, assuming that they are fully established, but whether or not that is a matter of the first importance in the public interest remains to be considered. The Attorney General's office is now engaged in consultation with Mr. Howard Elliott, the new president of the New York, New Haven & Hartford Railroad, with reference to bringing that corporation into harmony with the Sherman Act. That involves not only very serious questions of law, which must be very engrossing, but also very serious questions of finance; and the public itself is immensely interested in the financial reorganization of this road in harmony with the law, so that it can establish the credit necessary for it to carry out its rehabilitation.

In the judgment of many the present financial condition of this road is largely responsible for the numerous accidents upon it involving destruction of life and property. The whole transportation system of New England depends upon the proper reorganization and the proper running of this great system. It seems to me it might well be left to the discretion of the Attorney General-an official in whom we all have confidencedetermine whether he shall rush to the front first the practical question, in the interest of the public, of the immediate reorganization and rehabilitation of this road, or whether he shall be diverted from that needed work into a criminal prosecution.

Of course, if there is danger of the statute of limitations intervening, I can understand that it will be absolutely essential to press these prosecutions immediately. On that subject I am

not informed.

Mr. KENYON. Mr. President-

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Iowa?

Mr. NEWLANDS. Certainly.

Mr. KENYON. The Senator has suggested the statute of limitations. That has been running through my mind. I understand that the occurrences to which the Senator from Nebraska has referred took place in 1907 or 1908. Has the Senator from Nevada given any attention to the question whether the statute of limitations has run or whether this is in the nature of a continuing crime?

Mr. NEWLANDS. No; I have given no consideration to it, and I am not informed in regard to it. As I understand, there are no national laws upon the subject, so that the prosecution would have to be pushed under State laws, and that would be

no part of the duty of the Attorney General.

Mr. KENYON. The Sherman antitrust law might possibly reach the officers

Mr. NEWLANDS. The Sherman antitrust law might reach them; but so far as the matter of excessive capitalization is concerned. I imagine that if that is an offense at all under existing

law it is an offense under State law.

Mr. NORRIS. That being true, there would not be any danger of any immunity from an investigation under this resolu-

tion?

Mr. NEWLANDS. No; there would be none whatever.

Now, Mr. President—
The VICE PRESIDENT. The morning hour having expired, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

Mr. NEWLANDS. Mr. President, so far as I am concerned, think that this resolution ought to be divided into two parts, referring the first and fourth division to the Interstate merce Commission and the second and third to the Attorney

General. But the fact remains that there is no national law under which overcapitalization can be punished. We have been trying to pass such a law for many years. The matter came up in 1910 under legislation proposed in Mr. Taft's administration. The clause provided for the control by the National Government of stock and bond issues.

Mr. LODGE. Mr. President, I rise to a point of order. The PRESIDING OFFICER (Mr. HUGHES in the chair). The Senator will state it.

Mr. LODGE. Has the unfinished business been laid before the Senate?

The PRESIDING OFFICER. The unfinished business has been laid before the Senate.

Mr. LODGE. I understand that the Senator from Nevada is

discussing the resolution of inquiry.

Mr. NEWLANDS. I will state that the Senator from Georgia [Mr. SMITH] told me that he would have no objection to my

concluding my remarks.

Mr. LODGE. If the resolution has gone over-

Mr. SMITH of Georgia. The resolution has gone over. Mr. LODGE. That is all right. It is not going to be acted upon to-day. I understand that the resolution went over without prejudice. Is not that the understanding of the Senator from Nevada?

Mr. NEWLANDS. Yes.

Mr. LODGE. I am told at the desk that it has been sent to the calendar. Some of us want to dispose of the resolution.

Mr. NORRIS. I ask unanimous consent that the resolution may go over without prejudice, without going to the calendar.
Mr. LODGE. Certainly; that was the understanding.
The PRESIDING OFFICER. The Senator from Nebraska

asks manimous consent that the resolution may go over without prejudice. Is there objection? The Chair hears none.

Mr. NEWLANDS. I understand from the Senator from Georgia that he is desirous of proceeding with the unfinished business, and I will defer further remarks until to-morrow.

COOPERATIVE AGRICULTURAL EXTENSION WORK.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7951) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

Mr. WORKS. Mr. President, some days ago I submitted some remarks upon the pending bill. I am not going to consume the further time of the Senate. I took the position at that time that this appropriation, if made, would not benefit the farmer to anything like the extent that is claimed for it, and that practically to a great extent it would be simply a waste of the public money.

What the farmer needs, in my judgment, is not teaching that will enable him to grow larger crops, but the ability to dispose of the crops he raises. Bearing upon that question I submit an article that is from Up-to-Date Farming, a journal published in Indianapolis, and I ask that it may be read by the Secretary.

The PRESIDING OFFICER. Without objection, the Secre-

tary will read as requested.

The Secretary read as follows:

[From Up-to-Date Farming, Indianapolis, Feb. 1, 1914.] REAL CONDITIONS AND ACTUAL NEEDS—THE FACTS HAVE BEEN FORCED TO THE TOP.

What we are going to print below is nothing new to readers of Up-to-Date Farming. For many years we have told the public that increased production, however desirable, is no remedy for the "high cost of living"; nor does the prosperity of the farmers or of the country depend upon that. Our argument was that the farmers already produced a surplus, and the greater the surplus the less it was worth to those whose labor produced it, and that it added nothing to the supply for those who needed it. This argument seemed so different from what the world had previously understood that it was ignored in official life, and the schools and the press continued to teach and urge greater production as the one thing for the farmers to learn and to do. Former Secretary Wilson's figures, in spite of the hands through which they passed, showed different, but the idea was so startling and so apparently absurd that the facts were ignored, and agricultural "extension" trains gave forth their supposedly awakening sounds throughout the country, and scheme after scheme, backed by millions of money, was inaugurated to induce heavier yields.

No remedy came. The farmers worked, crops grew, surpluses were marketed, and valuable products went to waste or were destroyed. Over the wasting piles of what the farmers could not sell they had to accept meager prices for what was taken, and the consumers were compelled to pay exorbitant prices for what they used. We kept up our light. The people read and wondered and by and by believed. But not so the press and the schools; and not so the politicians who were seeking place and power. They feared the ruling forces, and dared not condemn what seemed to be popular in high places nor to admit facts that powerful influences did not desire should be made known.

But ours is a Government of the people, and truths that affect all can not always be hidden. If persistently, faithfully, and honestly brought out, they will be seen. The light will shine in spite of the clouds that may for a time roll between us

made their way to Washington. As a vindication, we are glad to quote from Secretary Houston. Our readers must realize that it is very similar to quoting editorials that appeared in this paper years ago, and that makes us all the more ready to quote them now. In his recent report Secretary Houston said:

"However desirable increased production on farms may appear to be from the consumer's standpoint, it does not follow that such increased production would result in any increase in the cash income per farm or per capita of farm population, or that prices paid by consumers would be any lower.

"Had the total production in 1913 equaled or exceeded the 1912 production, it seems probable that the cash income per farm would not have been greater and might have been less than in 1912, but it is extremely doubtful whether the cost to the consumer would have been any less, because retail prices are promptly raised on a prospect of underproduction, but are very slow to decline if there is overproduction.

"The long line of distributors and middlemen between the farmer and the consumer are in a position to take advantage of the market and to a certain extent control the market in both directions, because they are better organized to keep informed of crop and market conditions and to act promptly than either farmers or consumers, who are not organized and as individuals are helpless.

"The high prices paid by consumers, ranging from 5 to nearly 50 per cent in some cases more than the farmer receives, indicate that there is plenty of room for lowering the cost of farm products to consumers and at the same time largely increasing the cash income per farm without increasing farm production.

"This condition is undoubtedly a marketing problem which will have to be solved by better organization of farmers and improved methods of marketing.

"When, as the result of such organization and improved methods, the price of farm products can be maintained at a higher level without increasing the cost to consumers, farmers will be justif

middlemen."

Farmers, will you believe it now? Will you heed what Secretary Houston, at the head of the farm department of the Government, says? "This condition is undoubtedly a marketing problem which will have to be solved by better organization of farmers and improved methods of marketing."

Lawmakers, will you heed the warning? Whom serve ye, the managers of the market, the speculators in farm products, because of the power they are supposed to have at the polls, or the people who really cast the ballots?

Mr. GRONNA. Mr. President, I am very glad to know that the Senator from California [Mr. Works] has presented this matter to the Senate for the information not only of the Senate, but for the information of the people of this great country. It practically coincides with what I have formerly said on this floor-that the success of the farmer depends not only upon the amount that he produces, but it depends upon his income; it depends upon whether he receives such a price for his product as to make the industry of farming a profitable one.

There is no other business that I know of, nor is there any other industry in which people are engaged, where those who are engaged in the industry must depend upon other people's judgment as charity, if I might say so, to place upon those products a certain price. The farmer has nothing to say about fixing the price of his product. The price is always fixed by men who are not engaged in the industry, but who are engaged in handling the product after it leaves the farm.

Overproduction in grain, in cattle, in cotton, or in any product produced on the farm means a lower price of that product. I do not mean by that that we should discourage the farmer from taking an active interest in scientific agriculture and in being able to produce more bushels to a given area, but, as I have so often said on this floor and elsewhere, until we make it possible for the farmer to get a price for his product that will give him at least a small profit we are not going to make farming a success and we are not going to get people to go back to the farm.

When the representatives of railroads of this country come before Congress or before the Interstate Commerce Commission making complaint that they are not making a profit in their industry, out of a sense of justice we increase their rates. When the manufacturer engaged in the industry of manufacturing shows that his business is unprofitable he is generally protected or he is given the opportunity of making a profit on the goods he manufactures. It is not so with the farmer. The farmer has to take the price that is placed upon his product by some one engaged in handling his products after they leave the farm.

Mr. President, I believe that if we could expend the same amount of money to teach the farmer how to market his crops.

to make it possible for the farmers to combine and to dispose of their products at a lower cost for transportation and marketing, it would be more beneficial to the American farmer than the

For years and years the American farmer has produced more grain than the American trade could take care of. It is seldom that he has produced less than the amount required for our country. The American farmer has for the last 50 years, I believe, produced a surplus in his own country and has exported products amounting to millions, yes, hundreds of millions of dollars, giving a balance of trade in favor of the United States.

I do not think that it is the fault of the American farmer that the balance of trade has at times been against us. I believe that they have seen the advantage and taken advantage of new methods of scientific farming. They have not neglected their industry. While I find no fault with the idea of the Federal Government appropriating money for the agricultural colleges of the various States in the interest of this work, it can not be said that this is a new idea or a new theory or that it is unknown to the American farmer, because it is not.

I sympathize with the people who are living in States where conditions are such that a certain class need more instruction in farming, and I have no objection to making appropriations that will benefit those sections. But after all, Mr. President, this bill makes appropriations which will amount to millions of dollars, and which will be expended by certain men not engaged in the industry of farming but by certain men not engaged in the industry of farming but by certain educators who are to teach the practical farmer how to farm. I shall be surprised if much of this vast amount of money is not only wasted but deliberately used for political purposes. I know something about what is going on in my own State. I could refer back to what has happened within the last two weeks and them that the melowest of the Companyon. show that men who are in the employment of the Government are participating in conventions and nominating candidates for

Mr. President, the American farmers are not as foolish as some people believe them to be. While they are slow to make complaint, I want to remind Senators that when they have fully made up their minds and satisfied themselves that legislation is being enacted not for the purpose of helping the farmer but for the purpose of making it appear that it is beneficial to him, no legislation of that sort is going to be welcomed.

Mr. President, I believe in making appropriations by the Federal Government and by the States for the purpose of disseminating knowledge among all classes of people, among farmers as well as manufacturers.

I wish to say that the editorial just read at the desk bears out the statement that I made. It is an editorial written by a man who I believe has the interest of the farmer at heart. He quotes in that editorial a statement made by our great Secretary of Agriculture. I agree with Mr. Houston in the statement he makes, that while we are anxious to increase production we should be just as anxious to see that when the farmer makes his crop it is made at as little cost as it is possible for it to be made; that through transportation and the system of marketing it is made possible for him to get at least

what his products cost him to produce.

This can not be done and will not be done by any provisions contained in the pending bill. The Senator from Georgia [Mr. SMITH], for whom I have not only personally a great deal of respect but admiration for his splendid ability and for the great work he has done in the interest of the farmer, presented to this body a bill which, in my judgment, would be far more beneficial to the farmer than this bill can possibly be.

Mr. SMITH of Georgia. Will the Senator allow me to inter-

rupt him just a moment?

Mr. GRONNA. Certainly.

Mr. SMITH of Georgia. The Department of Agriculture is now engaged in developing the division of markets, which the Senator from North Dakota and I supported on the floor of the Senate and which originated here. The colleges of agriculture are studying market problems now right behind the Department of Agriculture. It is my earnest belief that the men from the colleges in this extension work will cooperate with the farmers and do for them as much service in the line of utilizing the suggestions that come from the Department of Agriculture and the information gathered about marketing their crops as with reference to increasing them. regarded that as one of the most important services that these

men would perform.

Mr. GRONNA. Mr. President, I am very glad to have that assurance from my friend, the Senator from Georgia, but it is of those who constitute the body which develops the cononly a week or 10 days ago since a certain convention was held crete force; in other words, in the association of government,

out in the northwestern country, where members of a certain chamber of commerce were the dominant factors in shaping resolutions, and the president of an agricultural college was the chairman. That convention was known as the Tristate Grain Convention, consisting of membership from three States, and I say men representing the International Harvester Works and men representing great railroads were the leading spirits dominating that convention, and the farmers were very They were not heard to the extent, if they were heard at all at these meetings, as were men representing these great gigantic trusts.

I hope, Mr. President, that the provisions of this bill will be carried out in the spirit in which they are intended, for the diffusion of knowledge, for disseminating knowledge among farmers, teaching them how to more economically and abundantly grow crops. I have no doubt-in fact, I know-that the Senator from Georgia [Mr. SMITH], as well as other Senators, believes that this legislation is in the interest of the farmer. hope it is; I hope it will be beneficial to the farmer, because if there is any industry in the country that needs support it is the industry of farming. It is perfectly evident, from the very fact that strong, virile men, young boys who have grown up on the farm, are loath to remain on the farm and that they go to The very reason for that, in my opinion, is that farming is not a profitable industry; but when you make that industry more profitable, when you can show to the farmer that he can get a bigger income, that he can get more pay for his products, no matter where the farm is located, whether in North or in the South, in the East or in the West, there will be no difficulty in keeping men on the farm.

The farmer, not only accepts the price placed upon his products by other people, but his industry is such that his paper is undesirable. He pays a higher rate of interest than any other class of men engaged in any other industry. When men in other business secure capital at the rate of from 31 to 41 per cent, the farmer pays the maximum, no matter what the prevailing rate of interest may be. He pays a higher price for his labor than any other men engaged in any other industry. He works longer hours. He, with himself and family, puts in more hours of hard labor than anyone engaged in any other industry and at a lower wage per day, as has been so well shown by my colleague [Mr. McCumber].

But, it is said, we are going to take care of the farmer now and furnish him cheaper capital. Mr. President, no doubt such bills introduced in the Senate and in the other House have been introduced with good intentions. It is perhaps believed by those who are sponsors for those bills that they will possibly furnish the farmer with money at a lower rate, but I have looked those bills over carefully, and my mind is entirely too obtuse to see where the farmer is going to get his capital.

If you are going to benefit the farmer with cheaper money, why do you not pass some law authorizing the President of the United States to issue long-time bonds at a low rate of interest to be loaned on farms? It is possible for the Government of the United States to loan its credit to the farmers of this country as well as it does to the bankers of the country. There is a possibility of the farmer getting cheaper money, providing we are willing to say that Government bonds shall be sold for the sole purpose of loaning the money to the farmer on long time and at a rate of interest slightly in advance of the rate paid by the Government.

Suppose the Government should issue a billion dollars' worth of bonds at the rate of 3 per cent, to be loaned to the farmers at the rate of 4 per cent. In 47 years the farmer would pay not only the interest, but he would wipe out the entire debt. I want to suggest that plan to the majority party.

We all want the farmer to produce as much to a given area as possible, but we need not think that the farmer is going to continue to pile up a surplus of products and sell them at a loss from year to year. Unless the farmer can get a profit on his products, unless he can be given a market where he can dispose of his products at a price that is profitable, the people of this country are not going to flock back to the farm.

Mr. President, I have said more than I intended to say. simply rose to say that I agree with all that is said in the article presented by the Senator from California [Mr. Works], and I agree with every word which the Secretary of Agriculture, Mr. Houston, has said in his report on this phase of the industry

of agriculture, Mr. CLAPP. Mr. President, I think we all recognize that there is a force born of the union of purpose and activity far in excess of what the aggregate of the individual force would moral and material benefit may properly be considered as one of the objects sought in the association. That being true, it, no doubt, is within the fair purview of the purpose of free government that the force thus developed may be used along certain lines to develop certain conditions; but it is a line of policy that is always fraught with a great deal of danger, because the moment the government is invoked either in affirmative legislation, in negative legislation, or in direct appropriation of funds, there is a danger that the particular class in whose interest such government force is invoked may press the vantage ground which they have, by reason of political superiority, in the policies of the government.

Every suggestion for the employment of government as an

adjunct to the material development of a people should be considered with the most careful reference to the question of how broad the benefit sought to be attained is extended, because, of course, we all recognize that, in the complex condition of our civilization, no class of our people can be benefited without reflecting that benefit more or less upon all others, and no class can be injured by governmental policies without visiting that injury more or less upon all other classes. Taking that broad view, however, and exercising the utmost care, there is still always the danger that the force of government thus invoked

may be unjustly and unfairly applied.

Agriculture stands out peculiar in its appeal to governmental aid in this respect. First, we are all theoretically interested in extending to the broadest possible scope the productiveness of our soil. Whether the consumer gets his share of the increased benefits of that production and whether the producer gets his share are incidental questions which, of course, must be dealt with by themselves, but theoretically our entire people are interested in developing the agricultural resources of our country. It has even a broader appeal than that, because of all the forces that face our civilization as a menace there is none to-day that stands out at such an acute angle as the tendency of our people to crowd into the cities.

The great city is the place where vice feeds upon itself, like a great festering sore thriving upon its own rottenness. The best interests of our Republic demand the widest possible extension of our population outside of the cities. So that, without reference to its direct benefit to the farmer, any legislative policy which will tend to check the tendency of our people to herd in the cities and which will tend to keep upon the farm those who are there and encourage others to go upon the farm has the widest possible foundation for its justification.

Under this view of this question, while I think there are some provisions in this bill which I wish were not here, while I feel, perhaps, that some of this money will be wasted, still, for one, I think I can find a justification for the appropriation here con-

templated.

But, Mr. President, there is one phase of this matter which has come out prominently in the discussion of the last day or two. It seems that when this bill was first drawn it provided:

That in any State in which two or more such colleges-

Being the colleges referred to in the bill-

have been or hereafter may be established the appropriations hereinafter made to such State shall be administered by such college or colleges as the legislature of such State may approve, upon a plan to be submitted to the Secretary of the Interior.

The latter part of the provision I am quoting from memory, but I think I am within the facts in saying that the bill as first prepared referred the matter at least to the consideration of the

Secretary of the Interior.

That same provision has been in former laws, and the distinguished Senator from Washington [Mr. Jones] yesterday said that in those laws where that provision is found there had been at least some approximation to a fair division of the appropriations between the white and colored races in the States to which that provision had reference, while in those laws where no such provision was contained the money had gone practically entirely to the white race. I can not bring myself to justify the elimination from this bill of the provision upon that subject found in the laws referred to by the Senator from Washington.

Mr. President, it is not my purpose this afternoon to discuss at any length the racial question. The Senator from Georgia [Mr. SMITH] has very frankly admitted that under the provisions of this bill as those provisions now stand the appropriation will be administered entirely through the white college in his State.

Mr. President, the Senator from Mississippi [Mr. VARDAMAN] stated yesterday what, of course, every student of divine law and human experience knows, that the South suffered far more from the curse of slavery than the enslaved race itself suffered. That has always been the law; it has always been the experience. oppressed suffer less than the oppressor; the one upon whom a

wrong is visited, in the last analysis, suffers less than the one who visits the wrong upon him. Whatever source we may ascribe to that law, whatever the condition under which that law is invoked, human experience confirms the existence of such

Mr. VARDAMAN. Mr. President—
The PRESIDING OFFICER (Mr. Walsh in the chair). Does the Senator from Minnesota yield to the Senator from Mississippi?

Mr. CLAPP. With pleasure.

Mr. VARDAMAN. Mr. President, I hope the Senator in the discussion of this question will not lose sight of the fact that slavery was not originally a southern institution as distinguished from other parts of the Republic. The South was no more responsible for it than was the North. As a matter of fact, the slave trade had its headquarters in the little State of Rhode Island, and there was never a dime's worth of stock owned in a slave ship by a southern man. While the system worked wrong, though not in the sense in which the Senator has expressed himself, the South was in no way more responsible for it than were the people of the North. The slave was brought here and sold to the southern man by the northern man, and the northern man made money. The southern man bought the slave, raised cotton with the negro, and made money. So far as the moral responsibility is concerned, one section is just as much responsible for it as the other; but great pecuniary loss fell upon the South when the North liberated the slaves.

Mr. CLAPP. It was not the pecuniary loss I was about to discuss. I am fearful that the Senator from Mississippi is perhaps a little oversensitive as to what I was saying. I regret his interruption, because I had no intention of making any comparison of responsibility. It is true that in the North men were engaged in bringing the slaves to America, and it is equally true, no doubt, that it was the climatic conditions in the North which reconciled the North earlier to the extinction of slavery than in the slave States. I believe in being perfectly frank and fair, and I had intended no distinction that would have reflected any moral obloquy upon the South.

Mr. VARDAMAN. I did not take it in that way. I simply

wanted to keep the record straight; that was all.

Mr. CLAPP. Very well. It lessens nothing the force of what I was saying, that the oppressor pays the penalty, for the North, in a large measure, shared in the consequences of slavery and the slave trade; but climatic conditions rendered it perhaps more natural that the system should linger and flourish in the South.

Mr. President, the penalty that the South paid was not alone in blood and in treasure, but the South paid the same penalty that is ever visited upon the oppressor, in the lessened strength, activity, and force of the oppressor, due to the fact that he is not obliged to put forth that effort which he would put forth if he did not depend upon the activities of those who were oppressed and who served him. I believe to-day that the South

is suffering from that condition and that cause.

At the close of the great strife, which, in my humble judgment, would never have been witnessed had it not been for slavery, the colored people were found in a peculiar condition. I have no doubt, Mr. President, that in many of the families of the South there was an absolute affection on the part of the master for the slave and an affection on the part of the slave for the master. The best testimony of that is that, so far as my reading goes, during the four years of that struggle, while the slave was probably ever ready to shield and shelter those whom he thought were bringing freedom to him, he seldom-in all my reading I have never yet found an instance-where he betrayed the helplessness of those who had been intrusted to him while his master went forth to the field of battle. That must stand as a monument to the affection which existed between master and slave. This race, numbering then some four millions, were and slave. This race, numbering their some four minions, were found in a practically destitute condition. Under the law they could have no property; they could not enforce any property rights. It is true that many masters gave to their slaves some sort of title to property, very much, I assume, as a farmer may give to his son or his daughter, some particular piece of property upon his farm; but, above and beyond all, was the law which prevented, as I understand and recall it now, as to every State—there may have been exceptions—the right of recovery of property by the slave.

It is no doubt true that in many families, and on the part

especially of many Christian mistresses, an effort was made to give some degree of education to some of the slaves; but the fact remains that there were laws against the education of the black man, and that in the main he was without education. their progress since then the Senator from Washington [Mr.

Jones] has already spoken.

There is some force in the position taken by the Senators from those States that, having this problem on their hands, having to deal with this situation, they are better qualified to judge what should be done than those who are not so situated; but, Mr. President, here comes in another great natural law: The master, the oppressor, the superior one has ever arrogated to himself the authority to say what was better for the one who was oppressed, the one who was enslaved, or the one who was dominated by the superior. Had it been left to the say-so of the power which governed, the power which enslaved, and the power which dominated, there would never have been any human progress. The king never has gone down from his throne to take the subject by the hand and place him upon a plane of equality with himself. No feudal baron ever rode forth from his castle giving his keys to the toilers in the valley; but the toilers in the valley, your ancestors and mine, by war and the spirit of free institutions, climbed the hillside and tore down the feudal wall. . So, no matter how generous, how fair the spirit of the master may be in what he seeks to do, history confirms me in the proposition that we would have had no progress in this world if we had left it to the volition of him, who on the throne, at the head of the army, master, or otherwise superior, to say in what manner and when progress should be accorded to those beneath, below, and in subjection. So while it is true that we do not live in the environment of Georgia, we are all capable of measuring, analyzing, and fathoming those human purposes and human forces which ever operate in human activities.

It is said by the Senator from Georgia that it is to the interest of the southern farmer to develop the agricultural efficiency of his tenants. Undoubtedly that is true; but, Mr. President, the southern negro is a citizen of the United States. We in Minnesota are interested in the final solution of the negro question in Georgia. The people of Iowa are interested in the final solution of the negro problem in Louisiana. This entire country is interested in the solution of that problem, because if it can not be pencefully and fairly solved, then in some form-heaven, in its infinite wisdom, only knows how-this entire country must again pay the penalty, because we can not expect to escape

it if a wrong is committed.

The man from the North understands human nature, and the negro of the South is a human being. While he may have peculiar propensities, while he may have peculiar mental conditions born of his environment, there is an underlying law of human nature that pervades the purpose and spirit of the negro in the South as absolutely and certainly as that which pervades the negro of the North, and it is this: You have got to hold out to a man some hope, some prospect; there has got to be some inspiration given him to look forward to the time when he will not be a pupil, when he will develop into a spirit of independence. The mere financial interest of the Georgia farmer in the development of the efficiency of his tenant farmer along the lines suggested in this bill will not develop that in-dependence of spirit, that hope of some day standing upon his own footing, which is essential to the final development of the negro and the solution of the negro problem, because in that respect the negro problem is simply a human problem, and the laws of human nature apply to human nature wherever you find it.

Now, why strike out the provision in the former law? To strike out the provision contained in the former bill is to say to every colored man, North and South, "You are being discriminated against in this law. You are made the basis of the appropriation itself; you are counted when it comes to taking the dollars from the Treasury of the Federal Government, but you are to be ignored, even through representation, to say nothing of the detail of representation, when it comes to the division

of that appropriation." When we consider that we are invading the somewhat dangerous domain of taking money from the taxpayers of the country and devoting it to one specific purpose along the line of the development and benefit of one particular class it seems to me that as little as we can do in fairness and justice is to insist that somewhere in this scheme of distribution there shall be at least some sort of an appeal to the Federal Government that is bestowing, not its own benefaction, but as trustee for all the people, a benefaction derived from all and distributing it to a few.

For that reason I, for one, am in favor of the amendment proposed by the Senator from Washington. It does not take this money away from these people. If, as the Senator from Geor-gia yesterday so frankly stated, it appears that it would be a waste of this fund to put it in this college or that, it seems to me it is going a long way, a bow drawn at a long venture, to suggest that a Cabinet officer would thus insist upon the distribu-

tion of this fund. All we ask is, in addition to the legislature of the State, which, of course, primarily is in the midst of this environment and primarily considers the environment, that before the action of the legislature becomes final, subject as that legislature may be to local conditions in the State affecting the purpose and the judgment of the legislature, it shall be submitted to a Cabinet officer of this Government.

I, for one, believe it is a dangerous program to enter upon to make appropriations to the States and not somewhere in the appropriation reserve that final authority on the part of the Government, vested in some officer and resting in that officer, to be exercised if in the distribution of the fund by the legisla-

ture it is manifest that injustice is being done.

I can not see how those who have so long contended against this policy should now be in favor of it. All we ask, as I said before—and I shall not longer trespass upon the time of the Senate—is that this bill shall simply provide that the matter shall be submitted to a cabinet officer of the Federal Government. Since it is a Federal appropriation, I think we should retain and reserve that much of final authority and power over the appropriation, if by any possibility there is danger of its being misapplied and misappropriated.

Mr. SMITH of Georgia. Mr. President, before formally presenting a proposed unanimous-consent agreement, I wish to inquire whether any one present is opposed to it, because if so it will be useless to call a quorum and put the balance of the Sen-

ators on notice.

The proposed agreement is as follows:

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It is agreed by unanimous consent that not later than 4 o'clock on February 6 the Senate will proceed to the consideration of House bill 7051, and during that calendar day vote upon any amendment that may be pending, any amendments that may be offered, and upon the bill through the regular parliamentary stages to its final disposition; and that after 4 o'clock on February 6 no Senator shall speak more than once nor longer than 10 minutes upon the bill, nor more than once nor longer than 10 minutes upon any amendment.

Mr. GALLINGER. Do I understand the Senator to ask that

vote shall be taken to-day?

Mr. SMITH of Georgia. That we shall commence voting at 4 o'clock, but leaving all amendments to the bill and the bill itself subject to 10 minutes' debate from that time on.

Mr. GALLINGER. I think I never have known a unanimousconsent agreement to be asked on an important measure where it was provided that the vote should be taken on the day the request was made. I hope the Senator will put that off a little longer than to-day.

Mr. SMITH of Georgia. Then I shall not press the pro-

posed agreement at this time.

Mr. GALLINGER. I should not object to it if the time fixed were to-morrow.

Mr. SMITH of Georgia. I have offered it several times before, and I will wait a little longer. I was rather under the impression that no other Senator desired to speak at length upon the bill; but I shall not offer the proposed agreement now. Mr. GALLINGER. It is possible that the Senator will get a

vote on his bill to-day.

I wish to make a few observations on the measure, but, as

is my custom, I shall not speak at great length.

It has not been my privilege, because of enforced absence from the city, to hear the debate on this important measure. I favor the principle of the bill and have intended to vote for it, as I probably shall in whatever shape it may assume. have hurriedly, at my desk, sketched the speech of the junior Senator from Georgia [Mr. SMITH], made on the bill yesterday. The Senator was, as he always is, frank and unequivocal in the arguments he offered and in the conclusions he reached. I would gladly agree with the Senator from Georgia if I could so far as the distribution of this fund is concerned in a certain portion of the country, but I have not been able to bring myself to that view.

The Senator from Georgia states that there are more colored men in the State of Georgia than in any other State of the American Union, and he puts the number at 1,170,000. According to the census of 1910 the population of the State of Georgia was 2,609,121. So there are 1,170,000 colored men in the State and 1,439,121 whites, or, in other words, there are only between two and three hundred thousand more whites than colored, the

colored population being 45 per cent of the whole.

It seems to me the fact that there are almost as may colored people in Georgia as there are whites is a controlling reason why we should in every possible way do what we can to elevate those people and make good citizens of them. If the colored men in Georgia are educated, especially along the lines of industrial education and of agriculture, which the Senator has so ably advocated heretofore, the State of Georgia will be the stronger and the richer and the more powerful because of that

I do not know whether I shall speak from the book or not when I call attention to the claims that are made as to the progress of the negro in the South since the days of his emancipation. It may be that the claims that have been made in certain quarters are exaggerated, and that he has not made the advance that has been suggested by certain people who have written on the subject; but the claims have not been disputed, and I am fully persuaded, from what little knowledge I personally possess, that the advance of the negro in the South has been much more rapid than the advance of the white serfs of Russia, and that he deserves a great deal of credit for what he has accomplished under the most adverse conditions. Without at all raising the race question, because I have no disposition at all to do that, I feel that as a representative of one of the States of the Union it is my duty to do everything I can, by voice and by vote, to help along the progress of those people to a higher and a better civilization than they have yet at-

I had not the privilege of hearing the speech of the Senator from Washington [Mr. Jones] who has introduced the amendment which I favor; and it is barely possible that in what I shall introduce into the Record I may be traversing ground covered by the Senator. His speech has not yet been put into print, and hence I have not had an opportunity of examining it.

I have here a communication from the National Association for the Advancement of Colored People, with headquarters in New York. They publish a newspaper called "The Crisis." Connected with that institution I find the names of some very worthy men and women. The national president is Moorfield Storey, of Boston, a man with whom I do not agree on some matters, but a very distinguished citizen of the State of Massachusetts, who stands for a great deal that is good in our national life. At the head of the board of directors stands Miss Jane Addams, of Chicago, a woman who has done so much for the civic betterment of the whites of this country, and who apparently is doing what she can for the civic betterment of the colored people of the country.

This communication, which came to me, and which I presume has come to other Senators. I think ought to go in the RECORD.

It is dated January 28, 1913. They say:

The Smith-Lever bill, now pending in the Senate, will provide appropriations for agricultural extension work to be carried on by the colleges receiving benefits under the acts of 1862 and 1890 in cooperation with the Department of Agriculture.

In each of the Southern States but one there are two such colleges—one for white and one for colored students.

I confess that was a surprise to me when I read it—that the colored people have established in each of the Southern States but one a college for the study of agriculture. It is a splendid record, of which they may well be proud. They continue:

The bill provides that in such cases the appropriations "shall be administered by such college or colleges as the legislature of such State may direct." This provision would authorize the State legislatures to give the administration of the whole fund to the white colleges.

As I understand, the Senator from Georgia frankly stated in his speech that that would be the policy of the Southern States.

Mr. SMITH of Georgia. Certainly in my State; I think it would be the only intelligent thing to do.

Mr. GALLINGER. That is the way I read it in the Senator's

If the bill should be enacted with this clause the colleges for colored students would have the administration of none of the funds, and the colored farmers would receive little if any of the benefits. This statement is not conjecture. It is proved by facts.

Under the act of 1862, which did not safeguard their interests, the colored colleges received \$291,285, or 8½ per cent of the total of \$3,408,893. Under the act of 1890, which did safeguard their interests, they received, of the income in 1912, \$240,478,57, or 28 per cent of the total of \$850,000.

The act of March 2, 1887 (34 Stat. L., 431), appropriating money for agricultural experiment stations provided that the appropriations "shall be equally divided between such colleges unless the legislature of such State or Territory shall otherwise direct." As a result of this provision almost nothing from the appropriations went to the colored colleges.

provision almost nothing from the appropriations.

The Jones amendment to the Smith-Lever bill safeguards the interests of the colleges for colored students by substituting for the clause which authorizes the State legislatures to name the colleges which are to administer the funds, a clause modeled on that in the act of 1890. If this amendment is adopted a fair and equitable division will be provided for between the white and colored colleges to be agreed upon between the State legislatures and the Secretary of the Interior.

We earnestly urge you to vote for this amendment, which asks for nothing but bare justice for the colored farmer.

Very truly, yours,

NATIONAL ASSOCIATION FOR THE

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE.

Mr. President, as I said a moment ago-and I am speaking entirely without preparation—I will put into the Record some statements as to the advance of the colored people of the South in their material development, which I assume is true.

however that may be, I think it is universally conceded by those who have studied the question, both North and South, that all things considered, that people freed half a century ago have made wonderful progress in the acquisition of property and in

I have in my hand an article which, if I remember correctly, I clipped from the Congregationalist, a religious paper of one of the leading denominations in the city of Boston. The statements contained in that article are so illuminating and so impressive regarding the people who are to be discriminated against if this bill passes in its present form that I feel I shall be pardoned for reading it to the Senate. It was published not long ago, perhaps a month ago or thereabouts. It is headed, "The changed attitude toward the negro," and is as follows:

The romantic period of the negro's emancipation is over. There was a time when we listened in the North with a throb of heart to the songs of freedom hoped for or attained. The call of the unfinished work spoke to us and we could sing—

of freedom noped for or attained. The call of the unfinished work spoke to us and we could sing—

"The good time coming is almost here; It's been long, long, long on the way."

Uncle Tom was a vivid reality to many an imagination, and we felt keen satisfaction in the thought that the slave was to be proclaimed a brother.

That romantic chapter in the history of the negro race in America is long ago closed and can not be reopened. Many of its fruits in philanthropy and legislation have dropped abortive from the bough. We have tried the experiment of giving the ballot for the negro's self-protection, and all over the South it has been filched away from him. We have educated his sons and daughters, and they are now denied any share in the common life. The trades and occupations more and more are closed against him We complain that the strangers who have passed through our entrance gates are clannish and live apart. But we compel these children of our own soil to live apart in servile or in clannish isolation. The last places that were his in public office are being taken away from him or with deliberate intention of contempt certain places in the lower ranks are left to him alone.

There is no glamor now about the cause of the negro in America. The southern white man stops in his motor car before the Shaw monument in Boston in polite and dumb astonishment. The average man is frankly bored by all discussion of the rights and wrongs of the colored man.

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The southern white man stops in his motor car before the snaw monument in Boston in polite and dumb astonishment. The average man is frankly bored by all discussion of the rights and wrongs of the colored man.

What remains for the Christian in America in regard to these men and women whom God made with a dark skin and were brought to dwell almong us? There are 10,000,000 of them, all theoretical citizens of the United States. Can we afford to be merely bored in thinking of their needs and cares? Two opportunity of aid.

If the romantic age of negro emancipation had gone by and left the negro as he was, there would some excuse for the southern white man's kindly contempt and for the northern white man's bored indifference. But a race that has developed its own strong and cultivated leaders, that has risen from slavery and in a single generation educated more than 60 out of every 100 of its people, old and young, a race that from poverty and dependence has accumulated \$700,000,000 worth of property and tills 20,000,000 acres of freehold farms, is a strong race and will yet assert itself powerfully in our national life.

If it does not grow out of the soil of Christian brotherhood, our duty of recognition should grow out of mere admiration for great achievement under conditions harder than we have ever known. Grudging acknowledgment here is an arraignment of our powers of admiration for great and difficult work well done and lofty aims accomplished.

The duty of aid remains. Shall not we brothers of the ministering Christ rather call it a privilege? Help has been given; help must still be given to secure and to advance this hope of the negro-American. If he is to live in a class apart, we must see to it that he has the higher culture as well as the practical opportunity to make that class worthy of our own high ideals.

The relapse of the American negro into barbarism would in a hundred ways be a calamity to our national life. Money and thought are well expended here. And by our capacity for going on in this work

I wish also to read another clipping that I made a little while ago from some publication, and which is very brief. When I speak of the amount of property that these people have accumulated and the ratio of illiteracy in their ranks, I speak, as I suggested a moment ago, without personal knowledge, but I have reason to believe the statements are accurate. The clipping is as follows:

A race that owns property valued at \$700,000,000, including 20,000,000 acres of land, and has only 30 per cent of illiterates in a single generation after slavery can not be called decadent. This is the reply of the National Negro Business League to the critics of the negro in America. It calls attention to the fact that this amount exceeds the whole value of the possessions of the white pensants of Russia, The direction in which the faces of these Americans are set is indicated by the reelection by the league of Booker Washington as president for the fourteenth consecutive year.

Mr. President, I am not going to discuss the fifteenth amendment to the Constitution of the United States. If I did, possibly it would excite a feeling of more or less rancor on both sides of the Chamber. The fact is that the negroes were given the right of suffrage. They are not granted that right to-day. I believe the future will take care of that question in some way, and I trust the proper way, but it has no place in this discussion, and I do not propose to discuss it.

I do, however, in all sincerity and earnestness, with simply a feeling of what I conceive to be common justice to the colored

people of the country, who are almost in a majority in Georgia, and who are in a majority in the State of South Carolina, numbering ten or more millions of men and women in the country, appeal in their behalf to the Senate of the United States to do them the justice of permitting their agricultural colleges to have a fair share of the money that we are to vote from the Federal Treasury. I know that my State desires that. I believe the Northern States generally would desire it if it were submitted to their people for discussion and decision.

In earnestly expressing this view and indulging this hope, I trust the representatives from the Southern States, looking, as I doubt not they do, to the betterment of the condition of these people, so numerous and so worthy in many ways, will agree that the amendment submitted by the Senator from Washington shall become a part of the law. I shall not detain the Senate longer, but shall await with a great deal of interest the vote on this amendment, which doubtless soon will be taken and

which I devoutly trust may be agreed to.

Mr. VARDAMAN. Mr. President, it was not my purpose to have anything further to say upon this bill. Although I am very much interested in its passage, I had determined to leave its pilotage over the turbulent waters of its further voyage to the wise head and skillful hand of the able and patriotic junior Senator from Georgia. But certain things have been said and objections urged which make it necessary for me to bring to bear whatever influence my limited capacity may carry to prevent the distortion of its terms and possibly defeating the consummation of its splendid purposes. If enacted into law as the bill came from the House, I think it would be a great benefit not only to the farmer, the tiller of the soil, but to all of the American people, because we understand that the farm and its products, the country home and its pure-lived inmates, uncontaminated by-

The social wants that sin against the strength of youth And the social lies that warp us from the living truth—

are the enduring substrata upon which all industrial prosper ity rests. Not only is it true that the farmer's toil produces the real wealth of the country, but it is also true that the farmer, as distinguished from other classes, furnishes to-day the larger per cent of the patriotic, incorruptible voters of this Republic. To me one of the most discouraging facts revealed by the last census was the fact that 51 per cent of the population of America lived in the cities and towns. You have but to turn to the pages that record the story of the past to find the evil omen involved in this statistical fact, and the reason of my solicitude for our national future. Man is but the creature of heredity and environment. Human nature is the same in all ages of the world. The same aspirations, hopes, fears, hates, and loves actuate and control men to-day that controlled them 2,500 years ago. The only light we have to guide us in the darkness of the future is the light which shines out from the experiences of the past. The Roman Republic, to a certain extent our great prototype, was strong, clean, virtuous, and true as long as she was governed by the free cultivators of the soil, all of whom, let me impress upon Senators, were Caucasian; but when the rich dwellers in the city became the owners of the land and the old agricultural population was reduced to industrial vassalage, free institutions died and Rome became a despotism under the name of republic. It is the rarest thing in the world that you ever hear of dishonesty in rural politics. Not only is the man who lives in the country honest and patriotic, but it is also a pregnant fact, Mr. President, that from the farm every year go into the cities the virile population which keeps the patriotic spirit alive there.

As a matter of fact, but for the army of red-blooded, healthy-As a matter of ract, but for the army of retributed, hearing-bodied recruits that continue to go from the country to the citles and towns, signs of decay in the urban population would soon manifest themselves. The country is the breeding place of the patriot. He is the product of fresh air and free sunshine the child of the home where virtue abounds, where reverence for God is taught at the family altar, and love of country and duty to the flag are exemplified in the lives of the patriotic father and consecrated mother whose excellency is characterized by "doing the noble things that others pray." It is rare, indeed, that you find the golden-hearted patriot in the gilded palace. He seldom comes from the insanitary section of the "soulless city"-from the congested tenement house. He can not grow in a social atmosphere where character is often below par and reputation at a premium, where "poverty is a disgrace and failure brings despair" and the blurred genuine is of less value in the social countinghouse than a polished counterfeit. The men and women who are to direct the destinies of this Republic, lead it along the paths of peace, direct its commercial and industrial affairs, carry it on to higher, nobler, and greater achievements—in a word, fulfill the hopes and realize the dream

of the great men and women who gave it being-will spring from the loins of the men who now live beneath the shadow of the cloud-piercing mountains, whose toil stirs the fragrant soil of the fertile plains, whose happy homes dot the banks of the rushing rivers upon whose bosom floats the commerce of a Nation, or the earnest husbandman who labors on the land down by the "gray waste of ocean," where from early morn to dewy eve "he listens to the multitudinous laughter of the sea "the man who lives close to nature and nature's God-

Who sees God's love in the fragrant rose, His strength in each rolling sphere; Who feels His touch as the zephyr blows, And knows that His mercy for all like a river flows, And his soul has ceased to fear.

To that class of people we are to look, Mr. President, for the perpetuity of our Government, for the preservation in their pristine vigor of American institutions. Now, the purpose of this bill is to help the tillers of the land to discover the hidden treasures of the soil, to devise methods of cultivation which will lessen the burden of farm life by shortening the hours of drudgery, and render more productive the land. Its splendid purpose is to improve the man, enlarge his mental horizon, and give intelligent direction to his efforts. The effect also will be to add comforts to the country home, lighten the burdens of woman, afford greater opportunities to the boys and girls upon whose shoulders soon must fall the responsibilities of home and the burdens of government. I can not see how any Senator on this floor can find an objection to the bill. No argument has yet been made against it. A few statements have been made, but no argument has been advanced against the merit of this measure. Unfortunately its passage through the Senate has been delayed by injecting a question which were better left out. But I do not hesitate to say, Mr. President, that the question thus injected into this discussion, though irrelevant, is of the most vital importance to the South and fraught with greater menace to the Nation than every other social and economic question combined which now confronts the civilization of the century. A distinguished Senator in this Chamber on yesterday referred to it as a "southern problem." He is in part only, correct in his statement. The problem is in the South in its most acute and aggravated form. But it is a national problem-as national in all of its elements as ever emanated from the pregnant womb of time. In it is involved the vital issue of the purify and integrity of Anglo-Saxon blood-the "continuous germ plasma" of the Caucasian race. A proper solution of this great problem is the first and paramount question before the American people. It is susceptible of settlement by the Nation only, and not by any subdivision of the Nation. The whole Nation is responsible for the problem, and the whole Nation must solve The question which we shall consider now, Mr. President, is what is best for both races in the distribution of and the disbursement of the fund proposed to be appropriated by this bill. I was very much impressed by the sublime philosophy proclaimed by my friend the Senator from Minnesota [Mr. CLAPP]. It is a tribute to his good heart but has little relevancy to the question at issue. My friend is always interesting; he is always honest, and the affluence of his eloquence is always charming to me.

But he convinces me, Mr. President, that he knows very little about the history of the negro race. His philosophy, if applied to the Caucasian, is absolutely correct. But the negro and the white man are not the same. The difference is antipodal. A study of the biological phase of the problem—"the ontogeny and phylogeny"—of it will make that fact clear—if indeed there could be any doubt about it. No man has spoken more wisely and clearly upon this subject than Abraham Lincoln, for whose genius the Senator from Minnesota has great respect, as we all have. Mr. Lincoln's friendship and devotion to the negro's interest can not be questioned. I call the Senator's attention to the wise words of this wondrous man. In a memorable speech, delivered at Charleston, Ill., in 1858, Mr. Lincoln

I am not nor ever have been in favor of bringing about in any way social and political equality of the white and black races—that I am not nor ever have been in favor of making voters or jurors of negroes nor of qualifying them to hold office nor to intermarry with white people; and I will say in addition to this that there is a physical difference between the white and black races which I believe will forever forbid the two races living together on terms of social and political equality. And inasmuch as they can not so live, while they do remain together there must be the position of superior and inferior, and I, as much as any other man, am in favor of having the superior position assigned to the white race.

Could the question be more strongly presented or more cogent

truths embraced in so short a space?

Now, I am going to make a statement which I challenge any Senator upon this floor to successfully contradict. The negro as a race, in all the ages of the world, has never shown sustained power of self-development. He is not endowed with the creative faculty. "God planted the Egyptian and the negro side by side in the fabled Valley of the Nile with equal opportunities. The earth was new; all things lay before all men; no man could borrow from his neighbor, because his neighbor had naught to lend; no man could learn from his neighbor, because his neighbor had naught to teach. Here was the virgin earth, fresh and moist from the hand of the Creator; there was the mysterious sea, and far away in the shining spaces of the night lay the uncounted stars with their lessons spread. All of these were to be conquered. The door of hope stood broadly open and no color line was drawn."

But the door of hope might have remained closed so far as the progress the negro was to make for himself was concerned. He has never created for himself any civilization. He has never risen above the government of a club. He has never written a language. His achievements in architecture are limited to the thatched-roofed hut or a hole in the ground. No monuments have been builded by him to body forth and perpetuate in the

memory posterity the virtues of his ancestors.

For countiess ages he has looked upon the rolling sea and never dreamed of a sail. In truth, he has never progressed, save and except when under the influence and absolute control of a superior race. His opportunities have been great. The negro helped to build the temples of Rameses, he polished the columns of Karnak, he toiled at the hundred-gated Thebes, he was touched by the tides of civilization that swept across the Eastern Hemisphere in the forenoon of the ages, and yet it made no more impression upon him as a race than a drop of water on the oily back of a duck. He is living in Africa to-day, in the land where he sprang, indigenous, in substantially the same condition, occupying the same rude hut, governed by the same club, worshiping the same fetish that he did when the Pharoahs ruled in Egypt. He has never had any civilization except that which has been inculcated by a superior race. And it is a lamentable fact that his civilization lasts only so long as he is in the hands of the white man who inculcates it. When left to himself he has universally gone back to the barbarism of the jungle.

Let us consider his condition in Haiti. If you are not familiar with the history of Haiti, I beg you to inform yourselves. You will find in it a pregnant lesson which I commend to your consideration. It will throw a flood of light upon our own American problem. The negro acquired control of this island more than a hundred years ago. Thomas Jefferson said:

This will test the negro's capacity for self-government.

With his usual prescience and foresight, Jefferson predicted failure. But he said:

Let him try it. We will help him.

Haiti was at that time the gem of the Antilles. The most magnificent cane fields, coffee plantations, and fruit groves graced the landscape of that delightful little island. Now shift the scene. Look at Halti to-day, after 100 years of negro rule. After 100 years of assistance by the white man—assistance with money, with example, precept, and all of those superior virtues which characterized the civilization of the white race. What do we find there to-day? Sir Spencer St. John, who represented the English Government at Port au Prince for 20 years, wrote a book entitled "Haiti, or Black Republic." When this English officer first visited Haiti he looked with compassion upon the black man. He thought he had been denied an equal chance in the race of life. He thought he had been the victim of slavery—that the elements of manhood had been stifled by such oppression as some of the distinguished Senators on this floor in this debate have called attention to as having been practiced in the Southern States of America. Yes; he thought "the negro was a sunburned Yankee, who had not been given a square deal."

Sir Spencer St. John remained as the representative of his Government at the court of this black Republic for 20 years. He made a close study of the question. He informed himself as to the racial peculiarities of the negro, and his testimony to the world is that the negro is incapable of self-government. He is incapable of sustaining a civilization all his own. Further than the sustaining a civilization all his own.

ther, he says:

After an experience of 100 years Haiti has proven a failure. There is no semblance of civil government there, except in the seaports, which are dominated by whites and mulattoes.

And he tells us further the disgusting story of the worship of the voodoo and cannibalism, which he says is as common as their sexual crimes in the Southern States of this Republic. Why, Mr. President, the United States Government is in San Domingo to-day as the guardian of that people, having sent agents there to administer their public affairs. Now, I know the negro has made a certain order of progress in the South. He has acquired property. He is acquiring book learning. I am

advised that there is a decrease of illiteracy of something like 12 per cent in every decade. There is no doubt about that. But I am going to make a statement which, I dare say, will astonish some of the gentlemen who have shown such honest and sincere interest in the negro's advancement. While he has progressed mentally, he has deteriorated morally and physically. It is a lamentable fact that as a race the negro in America is more criminal to-day than he was in 1861. And certain diseases which were unknown among them before the war are decimating their ranks, filling the hospitals with incurables and the asylums with lunatics. I predict that these diseases will cause a marked falling off in the birth rate in the next decade.

And that is true of the negro in the North, probably more so than it is of the negro in the South. Nobody will deny that, that is, no one will deny it who has any reliable information on the subject. The white people or Pennsylvania to the negro. There he has been given every opportunity that to the negro. There he has been given every opportunity that advancement, and yet, I am advised, that while he is only 24 per cent of the total population of the State of "Brotherly Love," the negro race furnished 17 per cent of the male criminals and 30 per cent of the female criminals. In the city of Washington, a perfect haven for him, where special distinction has been shown him because of his "race, color, or previous condition of servitude," here in this city, where he has been treated as a hothouse plant, where he has enjoyed all the advantages of social, official, industrial, and political equality, we find him, after 40 years of freedom, while only 28 per cent of the total population, his race furnishes 68 per cent of the grist for the criminal courts to grind. It is not uncommon here, at the seat of government, where all of these special favors have been accorded the negro—I repeat, it is not uncommon—to find the pages of the morning papers blurred with the account of assaults perpetrated by negroes on white women on the main thoroughfares of the city.

Now, Mr. President and Senators, I do not want to do anything that will arrest the negro's progress. I would not raise my hand against his material advancement. I believe that I am his real friend. I know him; I understand him in all the relations of life. I have lived with him from my infancy. I was nursed by an old black mammy, the recollection of whose tender ministrations to me are among the sweetest assets of my life. A dear old negro woman nursed every one of our babies. A most faithful, trustworthy, devoted servant and friend was this good old woman. I never permit an opportunity to pass to pay the tribute of my love and respect for her memory. As governor of my State I am sure that I exerted myself as much to protect the negro in the enjoyment of his life, his liberty, the pursuit of happiness, and the products of his own toll as any executive in America has ever done. He does not vote much in Mississippi, but I really think that he votes more than he ought to vote, if he votes at all. I do not think it was ever intended by the Creator that the two races should live together upon equal terms-enjoy equal political and social advantages. One or the other must rule. The people of the South tried to share with the negro in the government of the country after the war, but the negro declined to share with the white man. Black heels rested cruelly upon white necks for many years after the close of the war. The white man endured the negro's misrule, his insolence, impudence, and infamy. He suffered his criminal incapacity to govern until the public domain had been well-nigh squandered and the public treasury looted. saw the civilization reared by the genius of our fathers, glorifled and cemented by their sacred blood, vanishing from the earth, and by means, I will not say in this presence, fair, but by means sufficient, we invoked the law of self-preservation; we arose in the might of an outraged race and as the Savior scourged the money changers from the temple, so the southern white man drove from power the scalawag, the carpetbagger, and the incompetent negro. I shall wait for another occasion to enlarge upon this phase of the race problem. Mr. President, I was interested when my good friend, the learned and eloquent Senator from Illinois [Mr. Sherman] on yesterday asked the question of the Senator from Virginia [Mr. Martin], "How many negroes vote in Virginia?" I do not know how many negroes vote in Virginia, but I want to say to the Senator from Illinois that it would be a godsend to every Commonwealth in this Republic if there were no negro votes cast anywhere.

If in the providence of God the negro may make progress sufficient to justify the American people in giving him the franchise, that time has not yet arrived. I believe the Republican Party is getting about as tired of the negro in politics, and I believe the members of that party in this Chamber. If they were candid, would admit that they are about as tired of dealing with him in politics as the Democrats are. I was very much

gratified to notice at one of the recent councils of the leaders of the Republican Party that you are trying to devise ways and means by which you may get rid of the pernicious vote of the southern negro in your national conventions. You ought to do it. It is not creditable to any party to pay the price you have to pay for it. O Mr. President, the time has come when we should discuss this question as patriots rather than as partisans. The passions and prejudices generated by the unfortunate conflict of three score years ago have no place in the heart-they should not be permitted to becloud the intellect or distort the judgment of the men who are writing laws to govern this new Republic to-day.

New conditions teach new duties,
Time makes ancient good uncouth;
They must upward, still, and onward
Who would be abreast of truth.
Lo, before us gleam the camp fires;
We ourselves must pligrims be;
Launch our Mayflower and steer boldly
Through the desperate winter sea,
Nor attempt the future's portals
With the past's blood-rusted key.

God Almighty never intended that the negro should share with the white man in the government of this country; and you can not improve upon the plans of God Almighty or defeat His purposes, either, by legislative enactments. Do not forget that. It matters not what I may say or others may think; it matters not what constitutions may contain or statutes provide, wherever the negro is in sufficient numbers to imperil the white man's civiliaction or question the white man's supremacy the white man is going to find some way around the difficulty. And that is just as true in the North as it is in the South. You need not deceive yourselves about that. The feeling against the negro in Illinois when he gets in the white man's way is quite as strong, more bitter, less regardful of the negro's feelings and conditions than it is in Mississippi. And that is true of every other Northern State. I have been all over the States of Illinois, Ohio, Iowa, Indiana, some of the Western States, and New England States. I know the temper of the white people on this question. I had the pleasure of speaking in the city of Springfield soon after they had had a lynching fest. A negro was thought to have committed an unmentionable crime. The mob got after him. sheriff and his friend carried the negro away in his friend's They returned, and the mob found the negro had cape. To wreak their vengeance upon those who made his escape. undertook to uphold the law they proceeded to destroy the automobile, and they demolished the restaurant belonging to the man who had carried the negro away. A thing of that kind could hardly happen in the South.

The difference between the southern man's conduct in a matter of this character and that of the people of Illinois is this: The southern mob sometimes gets the gullty man and hangs him. In the North, if the mob finds itself unable to punish the beast who committed the outrage, they proceed to destroy property and kill everything of a dark color. Mr. President, I am not the negro's enemy. I know what is best for him. I think I can measure his productive capacity. I know the influences that move him. I am familiar with the currents of passion which sweep through his savage blood. I understand his hates, his jealousies, and his attachments. In a word, I think I know him as he really is. And knowing him, I believe I know what is best for him. You can not measure the negro by the standard you would measure accurately the white man. He is different you would measure accurately the white man. He is different from the white man physically, morally, and mentally. The pure-blooded negro is without gratitude. He does not harbor revenge. He is not immoral—he is unmoral. I have never known one who ever felt the guilt of sin, the goading of an outraged conscience, or the binding force of a moral obligation. The pure-blooded negro reaches mental maturity soon after he passes the period of puberty. The cranial sutures become ossified by the time he reaches 20 years of age, and it is not uncommon to find one who reads fluority at 15 years of age not to mon to find one who reads fluently at 15 years of age not to know a letter in the book at the age of 25 or 30. It was this physical difference which Mr. Lincoln had in mind when he said: There is a physical difference and an impassable gulf between the two

Lombroso, the great Italian scientist, used this language: Just at that moment when the Caucasian intellect is spreading its wings for a more daring flight the negro closes up and comes back.

No, Mr. President, the laws suited for the white race are not adaptable for the government of the negro. "The heir of all the ages in the foremost files of time" can not progress if re-"The heir of all strained by statutes intended for the government of the most backward and inferior of all the races of men. Nor can you by law lift the negro and hold him to the high standard which you demand that the white man live upon. As the Senator from Georgia [Mr. SMITH] said on yesterday, if the amendment

offered by the Senator from Washington be adopted, we of the South shall be compelled to vote against the bill; not in a spirit of enmity, not in a spasm of hate, but because we know what the results will be. There will not be a Southern State that will share in the proposed benefactions of the measure. Mr. President, that Senators on the other side may get some accurate idea of the negro's industrial capacity, I want to read from a well-tempered, thoughtfully considered article written by Mr. Alfred H. Stone, a planter in the Delta of the Mississippi. He gives his experience with the negro in the management of his Delta plantation. This experiment was fairly and honestly made. I know Mr. Stone. He is not only a man capable of understanding and developing all the possible truths involved in this experiment, but he is an honest, just, sincere man, who, I am told, always gives his negro laborers the benefit of the doubt. This will be interesting to Senators who, as I said a moment ago, look upon the negro as a "sunburned Yankee who has not been given a square deal in the race of life":

am told, always gives his negro Inborers the benefit of the doubt. This will be interesting to Senators who, as I said a moment ago, look upon the negro as a "sunburned Yankee who has not been given a square deal in the race of life":

The principal statistical features of the experiment during the five-ment may be thus summarized. We brought and its practical shandon-close of the season of 1898, 30 new families, and began the first year, 1899, with a total of 58. On 1,064 acres of cotton land we made but 450 bales of 500 pounds average, a family average of 7,9 bales. The cotton and seed, brought \$21,063,88, or a family average of \$37.501. Of the families on the place, 26, or 44,8 per cent, left at the end of the year. We moved in 27 families, and with the 50 which the addition gales as elivated, 1038 acres of cotton in 1000. The crop was \$17 cotton and seed, brought \$47,541.66. This was an average cash product value of \$805,79 per family. The number of families who left the place at the close of the year was 13, or 22 per cent of the total. We shad this year in cotton 1,348 acres, and raised 1,470 bale = 208, to the family. At an average price of 7.90 cents for the cotton this crop. including seed, realized \$60,742.04, being \$905.77 per family. We lost 16 families this year, 26,2 per cent of the whole force, and moved in 24 1,131 bales of cotton on 1,341 acres. Seed and cotton brought \$1,4503.26, the average price of the latter being \$0.80 cents per pound. The average product of cotton was 16.4 bales per family, the average value of cotton and seed \$191,20. At the end of the year we lost 17 year. This gave us 75 squads for 1003. We cultivated 1,302 acres of cotton and raised 741 bales—9.8 to the family. This brought 11.77 cents per pound, the cotton and seed sciling for \$50,527.73 or an average round of cotton and seed sciling for \$50,527.73 or an average product of cotton and seed sciling for \$50,527.73 or an average product of cotton and seed sciling for \$50,527.73 or an average product of cotton and seed sc

obstacle is placed in the way of a tenant's acquiring implements and stock, but also that we no longer sell him these things on long time, nor do we otherwise personally encourage their purchase. We simply endeavor to fill the place of each departing renter with a share hand and try to confine such renting as we are compelled to do to such as come to us with stock of their own. In short, we are no longer engaged in the altruistic enterprise of converting sliftless and empty-handed negroes into desirable and well-equipped tenants for the temporary benefit of other planters.

From 1899 to 1903, leaving out of consideration the 30 new families brought in at the beginning of the former year, we moved in 124 families. In the same period we lost 103. Of the 79 families on the place in 1904, but 8 were with us in 1899. Of the 103 who have left, some with little, some with much, not one has become an owner of land. Most have simply continued as tenants elsewhere. Many have lost what they carried away and have become share hands on other plantations. Some have dropped into the ranks of day laborers. A few have drifted into towns. Let me illustrate one of these removals. In December, 1900, we moved in a crew of seven people. They all represented themselves as working hands, though one of the men was over 65, with a wife past 60. Their entire outfit consisted of a horse, worth at a liberal valuation \$50, and \$58 worth of miscellaneous and indescribable household effects. In December, 1903, while riding over the place one day, my attention was arrested by a procession slowly approaching me. It consisted partly of two wagons, one buggy, two mules, one horse, three cows, two calves, and five dogs, the property of this same crew of seven. In addition they had with them outside wagons enough to assist them in hauling away 285 bushels of corn, \$190 worth of household effects (including a sewing machine for each woman and a gun for each man), and a half dozen crates of hogs and several of poultry. During the three years they had

Mr. President, I have read at length for the purpose of showing the gentlemen who manifest such profound concern for the material advancement of the negro, and I want to say-

Mr. SMITH of Michigan. Mr. President—
Mr. VARDAMAN. I will yield to the Senator in a moment.
I want to say that this is not an exception. The people whom this author has described are not exceptions to the rule; they are the rule, and as they manage their private affairs, so would they us: the public funds, so will they at all times perform official functions. Shiftless, unsteady, improvident, nomadic, utterly unreliable, as incapable of consecutive thought, pertinacity of purpose, calm, conservative, sequential action as a consecutive that the night of vagrant star that floats upon the deep bosom of the night-if left to them to carry out the provisions of this bill, it would be

a great disappointment even to you gentlemen who insist upon it.

Mr. SMITH of Michigan. Mr. President, I did not understand
the Senator from Mississippi. Did the Stone quotation, which
the Senator has just made, refer to the colored tenant farmer

in Mississippi?

Mr. VARDAMAN. Yes, sir.

Now, to contrast so that Senators may understand the difference between the white man and the negro as a laborer, I want to call their attention to some experiments that were made in that same county with Italians, who did not know when the crop was planted the difference between a cotton stalk and a cocklebur. They were brought over there and put to work on a dead level with the negro, and here are some of the results of their labor. I quote from the same author, Mr. Stone:

labor. I quote from the same author, Mr. Stone:

I shall consider only the cash commodities of cotton and seed, and shall reduce the figures to annual averages.

This gives us the following results: Average number of squads, Italians 52, negroes 167; average number of working hands, Italians 269, negroes 433; average number of acres per working hand, Italians 62, negroes 5.1; average pounds of lint per hand, Italians 2,584, negroes 1,174; average pounds of lint per hand, Italians 403, negroes 233; average cash product per hand (cotton and seed), Italians \$277.36, negroes \$128.47; average cash product value per acre, Italians \$44.77, negroes \$26.36. Thus the Italian is seen to have produced more lint per hand by 1,410 pounds, or 120.1 per cent, and to have exceeded the negro's yield per acre by 170 pounds, or 72.9 per cent. The difference in money value in favor of the Italian was \$148.89 per hand, or 115.8 per cent, and \$18.41 per acre, or 69.8 per cent.

I have simply called attention to this Mr. President in order.

I have simply called attention to this, Mr. President, in order that Senators may understand that there is a difference in races deeper than color or external appearance, and you can not change that difference, or by any kind of legislation impart to the negro superior qualities which God Almighty did not give him in the beginning. As I said a moment ago, there has been much talk indulged in about "his oppression." The negro started life with equal opportunity with the Caucasian. Neither had anything to borrow from or to lend to the other. The white man evolved the civilization that glorifies the beginning of the man evolved the civilization that glorines the beginning of the twentieth century. "It was the wings of his own spirit that bore him aloft"—the qualities within rather than the influences from without enabled the white man to attain the superb eminence which he now enjoys. The negro remained stationary. If you would have the negro progress, if you would promote

his material interests by legislation, I submit to you that the best way to do it is to bring about cordial cooperation, invoke the assistance of the white man. You can not do it in any other way. It is true in the North, it is true in the South, it is true in the East, it is true in the West.

Mr. CLAPP. Will the Senator pardon an interruption?

Mr. VARDAMAN. Yes, sir; with pleasure.

Mr. CLAPP. I think we have drifted far amain in this discussion and that much of it is not relevant; but the Senate is anxious to get through with the bill, and much that the Senator from Mississippi has said I shall not reply to to-day. occasion, however, seems to require that I shall do so later. There are several deductions which the Senator has drawn which I shall discuss, and I would not want my silence to-day to be taken as an acquiescence in the deductions which the Senator has made.

Mr. VARDAMAN. I did not flatter myself by thinking that my friend the Senator from Minnesota would agree with me now, but I do indulge the hope that time, as it courses onward, may unroll to his mind the essential truth which may lead him out of the wilderness and that he will come to see this question

in its naked enormity.

Mr. CLAPP. What I was going to suggest to the Senator was that he does not seem to take into account in this discussion the difference between the African negro and that large body of people in this country, many of whom have even more Anglo-Saxon blood in them than they have of African blood, and yet are classed in this general and somewhat indifferent manner as negroes.

Mr. VARDAMAN. I would suggest to the Senator that in his State, I think, 50 per cent of the negro population have, probably, more white blood in them than they have negro blood. In the Northeastern States—in Massachusetts, for instance there are about 36 or 38 per cent of the negroes who are mulattoes or a little bit more white; in Mississippi only about 11 per cent of the negro population have any white blood in them at all; and in Georgia and South Carolina, I think, it is about 9 per cent; but I want to say to the Senator that the same racial characteristics control both classes. There is very little The mulatto usually inherits the vices of both the mother and father. He has the characteristics of the hybrid and the debased nature of the mongrel. Of course, there are exceptions-freaks of the race-some remarkable men have been the products of hybridization, but they are very few in number, and count for but little in making up the general average of the race.

Mr. CLAPP. That may be true in the South, but, rejoining to the Senator as the Senator has so often to us, I claim a more intimate knowledge of the situation in my State than the Senator from Mississippi can have of the situation there; and the situation which he depicts as to his State does not apply to the colored people of my State.

Mr. VARDAMAN. As a matter of fact, if the Senator will

pardon me-

Mr. CLAPP. I ask the Senator's pardon for interrupting him. Mr. VARDAMAN. I do not at all object to being interrupted by the Senator from Minnesota. He is always courteous and agreeable. But I want to say to the Senator that the negroes in his State, as a race, have increased in crime, and the percentage of crime among them as a race in his State to-day is greater than it was 20 years ago.

Mr. CLAPP. Well, Mr. President, I would very seriously

question that statement.

Mr. VARDAMAN. I can only speak in the language of the statisticians, and men who live north of Mason and Dixon's line are the men who gathered the statistics; and I am sure they did

not doctor the figures to the detriment of the negro.

Mr. CLAPP. Yes; that is the trouble with an argument that drifts from the issue. I do not want to take the time now to discuss the value of statistics. You could prove by statistics that foreigners commit the crime in this country, when those of us who have been prosecuting officers know from our experience that they do not. The man lacking in familiarity with our laws and our customs and not having our ability to employ counsel is arrested for something, railroaded through court, and then he figures in statistics as a criminal, while the shrewd Yankee, familiar with the law, having political influence, and possessed of means, gets off; and then, lo and behold! statistics show one thing, while facts show another.

Mr. VARDAMAN. If the Senator from Minnesota will take the trouble to send to the Congressional Library and get the works of Mr. William F. Willicox, a member of the faculty of Cornell or Columbia University, on the Criminality of the Negro, he will find that my statement is correct.

Mr. CLAPP. As I said, I want to leave the last word with the Senator from Mississippi. I simply want to say that I am not at this time disposed, and I do not think I ought, to take the time to follow the discussion, but I do not want my silence to be taken as acquiescence in the deductions made by the

Mr. VARDAMAN. I do not think that anybody would think that; I am very sorry that there is not some foundation for such a suspicion; but I want to say, Mr. President, I agree with the Senator that the negro has progressed mentally. He is, as I said a moment ago, reducing the percentage of illiteracy between 10 and 12 per cent every decade. A larger majority of the young negroes in Mississippi can read. We are furnishing them schools which run from four to nine months in the year, and the white man pays the bill. As I said here on the floor yesterday, the negro has had opportunity that was never before afforded to an inferior race at somebody else's expense; he is acquiring property. But this progress is not making a better citizen of him. You can not understand it, but I tell you in all solemn candor he is a thousand times more criminal to-day as a race than he was in 1861.

There never was a more faithful, trustworthy protector of the southern white woman, or white womanhood anywhere, than was the old slave during the war and immediately following; and it is a startling fact that I am going to announce at this moment that every white woman in the black belt of the South to-day is living in a state of siege. The sons of those faithful, well-behaved servants—or slaves, if you prefer—with all of their superior schoolbook learning and improved opportunites, have become the rapist and the rabber. The care, the protection become the rapist and the robber. The care, the protection, the safeguards that are thrown around the white women are a thousand times more rigid-greater vigilance is kept than were thrown around our mothers 100 years ago on the frontiers, where the wild man and the wild beasts roamed at will. These are facts, and you can not deny them. The Senator from Minnesota can not understand that; but if he should live in the black belt of the South for a little while—if his wife and daughters could live there, they would soon feel the dampening effect of that black cloud of peril which hovers over the devoted head of every white girl and woman in the South to-day.

No; I am not an enemy to the negro; I want to educate -or rather train him-along proper lines; I want to train him in a way that we may improve his hand and educate his heart; I want to build, if possible, a moral substratum upon which to rear this mental superstructure; but if that is not done, with his ideas of morality, or as Froude, the historian, would put it, his ideas of "unmorality"—when you enhance his mentality without building this moral substratum, upon which it is to rest, you simply increase his capacity for harm. Your education will only serve to make a less desirable citizen.

I want, first, to build the foundation. The white man and the negro of the South are not enemies. They may be made so if you continue to insist on trying to bring them into abnormal relationship. The relations that existed between them before and immediately succeeding the war was akin to that of father and son. My recollections of the black folk on the farm during my boyhood are among the pleasant memories of my life. The negroes in Mississippi know that I am not their enemy. I would not permit them to vote, but I would protect them in the enjoyment of their life, liberty, and the pursuit of happiness and the product of their toil. And if the white people of the South are permitted to proceed along proper rational lines, knowing and recognizing the negro's inferiority, desiring, however, his betterment; if they are permitted to work out, although handicapped, as they are, with laws which were conceived in hatred and brought forth in a spasm of venom and revenge—if they are permitted to do it, Mr. President, in their own proper way, very much more progress will be made for the negro's uplifting, for the negro's improvement than will be made if it shall be directed by men who do not know any more about it personally

than I do about the political economy of the planet Mars.

Mr. SHERMAN. Mr. President, to recur to the subject matter before the Senate, I venture to say that the amendment offered by the Senator from Washington [Mr. Jones], as I understand, would accomplish the purposes sincerely desired by the Senator from Mississippi [Mr. Vardaman]. It is not un-usual for men who agree as to the ends to be attained to differ from each other as to the means of accomplishing those ends.

We find ourselves in that condition to-day.

I would not add to the difficulties of those who are carrying the burden alluded to by the Senator from Mississippi. had any prejudices, I would lay aside every one of them in order to help. I believe, without any regard to the mere geographical residence of any Member of this body, that we ought earnestly to join with our friends who have a very large percentage of negro population to produce the best possible results in bringing about their advancement and in making them fit to carry the burdens incident to American civilization.

I know that the emancipator is quoted as to almost everything nowadays. Lincoln has been quoted as authority almost as often to support many economic fallacies as he has in the matter of the liberation of the slaves, and men have indulged in surmise as to what he would do if he were present on earth He said at Charleston, Ill., substantially what the Senator from Mississippi quoted, but he said more. He said:

Because I do not want the black woman for my wife, it does not necessarily follow that I therefore want her for my slave.

Speaking in 1858, he said:

I do not believe in admitting the negro to the rights of citizenship so that he may serve on juries, that he may hold public office, and that he may engage in such governmental action as his white master.

In the same year, in the same course of debates, he said that he was not endeavoring to interfere with slavery in the locality where it then existed. He wished to confine it to the territory where it was found, where wise limitation had left it, where the fathers intended, because of its being a local institution, that it should remain. He protested against its spread, against various acts of legislation that came from the Congress of the United States, against various decisions of courts, local and otherwise, against various efforts made to make free soil in the West and the Northwest additional territory in which this local institution should be allowed not only to be planted but to spread, making the Kansas and Nebraska territory the vantage point from which future efforts should be made to carry it still farther forward to the Pacific coast.

He believed in confining the institution at that time, in 1858, where it then was; he believed at that time what the Senator from Mississippi has quoted from his Charleston (Ill.) speech. In less, though, than five years from that time he wrote a proclamation that literally destroyed the local institution wherever it existed. If he changed his opinion on one

Mr. VARDAMAN. Will the Senator yield for a question?
Mr. SHERMAN. With the greatest pleasure.
Mr. VARDAMAN. The Senator does not seriously announce that Abraham Lincoln ever favored social and political equality between the negro and the white race, does he?

Mr. SHERMAN. Not social equality; no, sir; he did not. Mr. VARDAMAN. I beg the Senator's pardon; but up to the very time of Mr. Lincoln's death he told the negroes who came to him here in Washington, "You will not be permitted to share in the government of this country, and I am not prepared to say that you ought to be, if I had the power to give you that right."

He said further: "The shackles of slavery will be stricken from your arms. You, the educated and more fortunate members of your race, take the others and go to some country"—his idea was the same that Jefferson's was—"and there work out your own salvation." I do not pretend to quote Mr. Lincoln The great desire of his patriotic heart was that the literally. friction might be avoided by deportation.

Mr. SHERMAN. Mr. President, there is no controversy between the Senator and myself on this phase of the racial question. I do not think at any time any declarations were made which can be authenticated by documentary evidence, historic or otherwise, in which Lincoln contended that there ought to

be social equality of the two races living side by side.

Mr. VARDAMAN. Mr. President, I beg the Senator's pardon, but Lincoln always used the words "social and political equality." I have made a very careful study of Mr. Lincoln's I have made a very careful study of Mr. Lincoln's ideas on this question, and I have said often, and I repeat here, that my views and his on the race question are substantially identical. He had a vision; he saw the end; and, next to Thomas Jefferson, I think Abraham Lincoln understood the race question better than any man in his day living north of Mason and Dixon's line.

Mr. SHERMAN. I do not wish, Mr. President, to go into this at length, but I restate, in order that we may understand each other, that there is no controversy as to Lincoln's views on the social equality of the two races. There is a controversy as to the other matter. I do not agree at all that in latter days Lincoln disclaimed political equality. I think, on the contrary, evidence is accessible to show that he believed in latter days that some degree of political equality was inevitable. Whether he believed in the full extension of that equality in accordance with the fifteenth amendment as it was adopted is open to ques-

As has been said by a Senator on the floor-I think it was the Senator from New Hampshire [Mr. Gallinger], but possibly it was some other Senator—it might be questionable whether the fifteenth amendment, coming at the time it did and putting

political rights in the hands of a great number of persons of no experience and education, might not have been too great an advance at that time; that some degree of preparation could well, from a governmental point of view, have been had prior to the vesting of this right. The thirteenth amendment was adopted in 1865; the fourteenth amendment was adopted on July 21, 1868, and the fifteenth amendment in 1869. Of course the authority alluded to passed away in April, 1865, so that it was not given to him to give expression to his views at that

What I want to do, if such a hope may be properly indulged in by me, is to be of some service in helping do some good, at least, in this matter. It is a vexed one. Political equality is something that I am not wishing to discuss at this time; I shall not go into it, and I hope it will never be necessary to go into it at all in this Chamber. We have radically different views on that question. They may arise from our environment; they may arise from our different methods of thought or from the different views we take of the governmental possibilities of two diverse races living in constant contact with each other, especially where the relation of master and servant once existed and had been rudely and suddenly severed by the result of the Civil War.

These are matters which I believe men of my generation rather than to take them up in a spirit of prejudice should take them up as dispassionately as possible, so that all the area which at one time suffered a very great readjustment of values consequent upon the immense loss of property might be in some degree improved, if possible, by legislation wherever it can be

I never go over any of the 11 States that unfortunately undertook to set up a separate government without a feeling of sadness. Every battle field, every old chimney standing, every ruined or abandoned plantation, and every statistic of life and property lost is only a further evidence of the immense wave that the American race had to encounter before it settled, as far as legislation and war can settle, these controversies. This problem is something that the men of our generation have inherited from our predecessors, and I think if anything can be done in a spirit of dispassionate discussion toward its settlement it ought to be done. I believe all-at least nearly all of us, and I hope all of us-feel that way about it.

It is true when that question is raised between the two races living side by side the same results usually follow. I have never been one of the men living in a Northern State who has pointed with indignation to the men of my own blood who by violent means have meted out such rude justice on the spot as they thought commensurate with the offenses which they took it for granted had been committed. I think if the two races living side by side in equal numbers in any part of the country had presented to them the same question the same inevitable result would follow when lawless instincts are aroused. At no time have I ever indulged in criticism of one section more than another because of the numerous cases of lynching that have occurred in various parts of the Union. All are reprehensible in the highest degree.

There are about 120,000 negroes living in my State, and approximately 40,000 of them are voters. The larger part of them are found in the cities and are classified under the head of "urban population" in the census reports. Many of them are from Alabama and Mississippi, coming. by way of St. Louis, up the Mississippi Valley on the railroads, which make our portion of the country easily accessible to them. In a smaller way, but not in a detailed way, I am sure, we have to a certain degree some of the same questions to which the Senator from Mississippi alludes. When he states the immense burden that the white man is carrying in Mississippi and elsewhere where the circumstances are similar I can not fail to have with him a certain sympathy, not perhaps in the extreme degree to which he manifests it in stating his argument here, but in some degree, at least, I feel his difficulty and the difficulty of others situated in like manner and in similar surroundings in trying to solve some of these questions in justice to all.

In my home city, it is true, as the Senator from Mississippi has said, a riot occurred, and for two whole days and nights the authorities were helpless. The same question arose that often arises where there is a numerous negro population in the Southern States. It was suspected that an outrage had been committed. It was afterwards ascertained that this was wholly erroneous and that there was no outrage then committed in the city of Springfield, although it was thought at the time that there had been. Conclusive evidence was produced by medical

authority that it could not have occurred and did not occur.

Mr. VARDAMAN. But the fact that the mob acted as it did only goes to show how easily race prejudice is inflamed and to

what extreme white men will go in such cases, regardless of the geography of their residence. It is the race instinct which has been in all the ages of the world so potential in preserving the purity of the Anglo-Saxon.

Mr. SHERMAN. I do not think there is any difference in locality. They are all alike. I have not any doubt about it. I know they are just the same in my part of the country as they are in other places across the Ohio River. It took 4,000 troops, that cordoned and guarded the city of Springfield for a week, to reduce society to its normal state, but it was done. Several men were killed, and several men went to the hospital; but order was restored, and it was found when men recovered their senses that no outrage had been committed by anybody, as suspected at first.

I am only stating this by way of explanation, and not at all as a matter of pride. Nobody regrets the occurrence more than myself. It happened in my home town, where it was given very wide publicity throughout the United States, and very unpleasant notoriety at that; but it occurred. It occurred at Charleston, Ill., and the same thing has occurred in various Northern States. The Senator from Mississippi and I can have no controversy on the result when the same lawless causes present themselves in any part of the United States. It is possible that it might be more restrained by the authorities in some places than in others. That depends entirely upon the strength of the local government.

Mr. VARDAMAN. Mr. President, I desire to assure the Senator that my reference to the occurrence in Springfield was

not made in any censorious or unfriendly spirit whatever.

Mr. SHERMAN. I understand that.

Mr. VARDAMAN. I had the misfortune to have several similar occurrences of that kind in my State when I was gov-

In the city of Jackson, the capital of the State, where an outrage was perpetrated and the community, of course, was very much incensed, I was fortunate in being able to control the mob. We made a very careful search of the city that night for the perpetrator of the crime. A great many arrests were made. The homes of a great many negroes were visited, and the suspects were put in fail. In the morning, when I returned to the executive mansion after having been in my returned to the executive mansion after having been in my saddle all night, a messenger came to announce that a mob had assembled at the jail and that they were battering down the door. I made my way there, and when I reached the jail they had broken the lock on the door and gotten the man out. They had a rope, and they were yelling, "Crucify him! Hang him!" I dismounted from my horse, took the man away from the man and put him back in jail. I succeeded in dispersing the mob, and put him back in jail. I succeeded in dispersing the mob without calling even a policeman to my assistance. I had the negro tried. He was tried by a court and a jury of 12 white men in the following summer, and he was acquitted. He happened not to be guilty.

I mention this merely to show you that the spirit of hostility to the negro in the South is not so intense and so bitter as certain gentlemen would have you believe; that really there is a kindly feeling. Sometimes they catch the man who commits an outrage and they hang him; but they do not molest any other members of the race, nor do they interfere with their usual vocations nor destroy their property. That only goes to show, and it was my only purpose in referring to the incident, that where you had to call out 4,000 State troops to quell the riot, I alone, the governor of the State, went there and took the man from the mob and put him back into jail and protected him until I found out that he was not guilty, and then he

was acquitted and went his way.

Mr. SMITH of Michigan. Mr. President, will the Senator from Illinois permit me to ask the Senator from Mississippi a

Mr. SHERMAN. Certainly.
Mr. SMITH of Michigan. I listened very attentively to the remarks of the Senator from Mississippi, but I must confess I was somewhat shocked by the statement he made that the laws that were conceived in prejudice, and I think he said—
Mr. VARDAMAN. I beg the Senator's pardon; I did not
say that.

Mr. SMITH of Michigan. Perhaps I did not catch the Sena-

tor's language. I want to be correct about it.

Mr. VARDAMAN. No; the Senator did not catch it. I said
we were trying to work out the negro's salvation; we were trying to improve his condition; we were trying to solve this question as best we could, handicapped by a law—and I referred to the fifteenth amendment—which I said was conceived in a spirit of hate, generated by the conflict between the sections, and brought forth in a spasm of venom and revenge, not to

benefit the negro, as you know, but to punish the southern white man for the rebellion. I did not refer to laws made here.

Mr. SMITH of Michigan. Of course the Senator from Missis-

Mr. SMITH of Michigan. Of course the Senator from Mississippi understands that I would not put him in a wrong light. I thought I understood the Senator correctly. His statement was not specific, but I anticipated he was aiming at the fifteenth amendment to the Constitution.

Mr. SHERMAN. Where these outrages occur, the larger the city the greater the difficulty of quelling the resulting disturbance that always occurs. A large part of it, when it is started, comes from the lawless element that gathers as a fringe on every mob. The members of that element have no purpose whatever to serve except to promote disorder, to destroy life, to burn the town, to ruin property as much as possible. There is a spirit of loot that is released whenever an occasion of this kind offers itself. The bonds of civilized society seem to be temporarily dissolved, and then nothing but martial law restores a condition of order.

In three cases of which I have known and which I have lived through that has been done locally. Order has been restored by calling out the National Guard where violence has occurred, and very often it has been done by the use of loaded guns. In the case of the Springfield mob it took loaded guns to disperse some 1,800 men, as nearly as we could count them, who were very resolute in their lawlessness; but it was done. This, however, did not immediately grow out of the controversy that came from the supposed outrage. It came from the lawless element that is incident to a city of any size after it passes a population of twenty-five or thirty thousand.

To resume the discussion of the main question, I want to be just as brief as I can. I am quite certain we all realize the difficulties. Possibly I and others who live in my latitude do not realize them so acutely as do the gentlemen from the different States farther south. What provoked my interest in this matter yesterday was the fact that certain Senators seemed to say that because they were constantly surrounded by these questions they were better adapted to settle them, and in one or two cases it seemed to me it was rather suggested that because of their superior means of knowledge their opinions should not be criticized. It was not put in words in just that way, but I gained that impression from the general air of the statement, Perhaps I was not entirely justified. That, however, is what led me to intervene as I did and as I shall now.

I will concede a great deal to those who are facing this problem. We have some of it in the territory where negroes are domiciled in my own part of the country. We have in my home town about 6,000 negroes. They are largely quartered in one place, as is often the case not only in Northern but in Southern States. The political question, however, has nothing to do with the economic question, and I do not wish to discuss it any more than is really necessary to repel any suggestions that have been made. I do not care for the political end of it.

Mr. SIMMONS. Mr. President—

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from North Carolina?

Mr. SHERMAN. Yes.

Mr. SIMMONS. I am very glad to hear the Senator make that statement. I have been listening to this discussion for some time, and it has seemed to me that we have covered a very wide field in the discussion. It certainly is not a question of social equality. It certainly is not a question of political equality. It is a question of economic equality that I think is of the most interest here, and that is what I understand the Senator now to say.

If the Senator will pardon me for just a moment, I suppose hardly any of us here entertain the idea of social equality. We differ somewhat about the question of political equality—that is, the South has one view of the capacity of the colored man to participate in government except as he may educate himself and make himself capable, and the North has a different view of that question. That, however, is not what we are discussing here to-day. The question before us, as I understand, is whether the particular bill now pending before the Senate will, in its practical workings, do an injustice to the colored man and be a discrimination against him in his economic relation to the balance of the populaton of the country.

Briefly, I do not think there is much difference between any of us about that question. I think both the people of the South and the people of the North feel that in the matter of working out his destiny here the colored man ought to have an opportunity, like any other man, to better his condition in life. I am certain that is the feeling in the South. Whatever may be the feeling in the South about social equality or political equality, I am certain there is but one sentiment there on the economic question, and that sentiment is that in the race of life

the colored man is entitled to an equal opportunity with the white man, and that his rights ought not to be abridged or denied him wherever the question is that of making a living for himself and his family.

himself and his family.

In the matter of education, in my State, and, I think, in most of the Southern States, we try to be just to the colored man. It is true that as a matter of fact we do not give him per capita the same amount for the education of his children that we give per capita for the education of the white children; but I think if the Senator will investigate the matter he will find that in nearly all of the Southern States we have practically the same school term for the colored children as for the white children. There is not a single school district in my State that has not both a colored school and a white school, and I think I am safe in saying that there is not a single school district in my State where the school term of the colored children is not just the same as the school term of the white children. That is, we give them the same number of days in their schools that we give the white children, and we divide the fund upon that basis. That is the equitable basis, because it does cost a little bit more to educate the white child than it does to educate the black child.

The same rule is carried out, I think, with reference to our State institutions. We have our colored normal school and we have our white normal school. We have our colored agricultural and mechanical school and we have our white agricultural and mechanical school. We divide our school fund upon that basis, and I think the proportion of colored children in my State who are enrolled in the schools to-day is equal to that of the white children who are enrolled in the schools to-day. The only difference between our treatment of the colored children and the white children in reference to schools and that of the State of the Senator from Illinois—because I have talked with him about the subject to-day—is that in Illinois there are no separate schools for the colored children. They all go to the same schools.

If the fund we are talking about were to go to the agricultural and mechanical colleges there would be some foundation for the claim that there ought to be a division of it so that the colored agricultural and mechanical college would get its reasonable proportion of it and the white agricultural and mechanical college would get its proportional part of it. That, however, is not the purpose of the bill. There is not a dollar appropriated in the bill that is to be expended in the education of the colored students in the colored agricultural and mechanical college or the white students in the white agricultural and mechanical college. You can not, therefore, segregate it in that way. This fund is for the sole and exclusive purpose of carrying farm-demonstration work to the farmers in the different sections of the country. Of course in that statement I am leaving out the provision of the bill with reference to the distribution of literature. I am speaking about the part of the fund which is to be devoted to demonstration work. Practically all of it, I think all except 5 per cent, is to be devoted to demonstration work.

The question is, How is the fund to be devoted to demonstration work to be controlled? Is it to be controlled so as to establish two systems of demonstration in the State—one under the control of the colored college for the colored farmer, and one under the control of the white college for the white farmer? I think if Senators will look at the matter in that light—and that is the practical way to look at it—they will see that it would not be practical, it would not be good economy, it would not be a wise method of distributing this fund and dividing this work to establish two systems of demonstration in the several States. If that is not apparent upon the most casual consideration, an analysis of the actual farm situation in the sections of the country where the two races are found together, as they are in the South, will show that that would be an impracticable, unwise, and uneconomic method of distributing and managing this fund.

Take the ordinary farm in the South. As I stated here the other day, we have not yet gotten away from the big plantations in the South. Before the war we had these big slave plantations in the sections of the country where the negroes mostly now reside. They have not been broken up. They have not been subdivided into small farms. That is a great misfortune. It has been a great handicap to the South. The sooner they are divided the better it will be for us—the better for the white man and the better for the colored man.

man and the better for the colored man.

As long as they are kept together as they are now and rented out as they are now you will find on every big farm in the South probably an equal number of white tenants and of colored tenants. Sometimes, and in many sections of the State, the colored tenants will predominate, but you can find a number of white tenants upon every one of those large farms,

Would any practical man seeking to carry information to the small tenant farmers upon a big farm, we will say, of 5,000 acres, one-half colored men and one-half white men, employ two demonstrators, one a white demonstrator and one a black demonstrator, and have the white demonstrator go there and demonstrate to the colored tenants, and have the colored demonstrator go there and demonstrate to the white tenants?

Leaving out the segregation of farms and bringing the farms of a community or of a township together, you may have 15 or 20 of these large farms in one township. One demonstrator can do the entire work for that township. One demonstrator now is doing the entire work in the largest counties in my State. If you segregate this work and give one-half of it to the colored college and one-half of it to the white college or divide it according to colored and white population, each employing a demonstrator of its own race, in the particular township or community where you have a dozen farms divided up between white tenants and black tenants you have one demonstrator going there one day to demonstrate to the colored man and another demonstrator going there the next day to demonstrate to the white man. Is it not very much better to put this fund under the control of the colleges and let them select the demonstrators?

The Senator has said that in his State there are 120,000 col-

ored voters.

Mr. SHERMAN. No; that is the colored population. Mr. SIMMONS. I thought the Senator said "voters." Mr. SHERMAN. No. We have approximately 120,000 col-

ored population.

Mr. SIMMONS. I thought 120,000 was a very large number of voters. Does the Senator believe it would be wise in his State to appoint colored demonstrators on account of the fact that he has this colored population there? Does the Senator really believe the colored man has advanced to such a stage of knowledge with reference to agriculture that it would be wise to appoint a colored demonstrator in a county in his State for the white man and for the black man, both together? Does he not think it would be better in his State to appoint white demonstrators?

I ask the Senator that question in all candor and frankness. I have no prejudice about it. I do not want this great bill, which I believe is of immense importance to the farmers of this country, handicapped by an unwise and an uneconomic provision, a provision that would result in a division of this fund that in my judgment would make it ineffective. I do not want

to see that done.

I do not think this race argument is necessary. I think we have strayed far afield in injecting it into this question. I do not think in my State it would be wise to appoint a colored demonstrator in one county, because he would necessarily come into contact with the white farmer, and I do not think the white farmer would think himself benefited by such information as he could get from the colored demonstrator.

Mr. VARDAMAN. Mr. President-

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Mississippi?

Mr. SHERMAN. I do. Mr. VARDAMAN. I simply wish to beg the pardon of the Senator from North Carolina for not getting instructions as to

the course I should have pursued in my remarks.

Mr. SIMMONS. Why, Mr. President, I am not in any way reflecting upon the course the Senator from Mississippi has pursued in the argument. I am trying to present this matter in the way it occurs to me. I think the practical question we are dealing with, and the only question we are dealing with, is whether, a community about equally divided between white farmers and colored farmers, we ought to divide this fund and appoint one colored demonstrator and one white demonstrator. is what it seems to me it would lead to if we are to divide the fund between the two colleges of a State where there is a white agricultural and mechanical college and a colored agricultural and mechanical college.

That is the only idea I wished to inject into the speech of the Senator: and I wanted to ask him whether or not he thought

that would be a wise thing to do.

Mr. SHERMAN, Mr. President, I quite agree with the Senator from North Carolina as to the irrelevancy of much that has come in; but the responsibility is about equally divided between the two sides of the Chamber. It is almost impossible sometimes to discuss anything that raises the question even incidentally, without traversing much of this territory. not know that it is time lost, because there is about so much of it that has to come out anyhow, and the sooner it comes out the better.

The real question here on this amendment is whether, when we make the appropriation, we ought not to give directions to

the hand that holds the purse. That is a wise precaution that it is sought to place in the bill by the amendment offered by the Senator from Washington [Mr. Jones]. After it has once passed beyond the stage of a bill and is a statute, and the appropriation has become available, it will be too late. So, incidentally, it is of some importance here; and I can understand readily how the discussion drifted into the phase of whether the different State authorities, legislative or otherwise, can be trusted to take this money coming from Federal sources and apply it wisely and justly in all of the States of the Union, unless there is some sort of protection such as is contained in this amendment.

The question is asked here whether two demonstrators in agricultural extension work could go out into the field and give the necessary instruction without a waste of money; whether it is not a waste of money to double the force, and thereby impliedly double the expense.

I would rather waste money than do an injustice, even though it be public money. I would rather waste some dollars for some years than fail to do all that can be done for an element of our population that needs this assistance much more than the white man needs it. Here we are self-helping. The white man takes care of himself.

Mr. SIMMONS. Mr. President, does not the Senator think that if the demonstrator were a white man he would be as much interested in instructing the colored tenants as to the best methods of farming as he would in instructing the white tenants? The Senator from Georgia made it very clear yesterday, in his very forceful argument, that the returns to the landowner, where the tenant system prevailed, depended absolutely upon what the tenant was able to dig out of the land, whether he was a white tenant or a black tenant. The landowners in the South are just as much interested in the black tenant cultivating his land so as to get the best results out of it as in the white tenant cultivating his land so as to get the best results out of it, because the rent of the landowner depends upon the yield of the crop, whether that crop is cultivated by a black man or a white man. So the white people, who own the bulk of the land, are just as much interested in having the colored farmer properly instructed in the rudiments and in the science of agriculture as they are in having the white man who tills the soil instructed in the same way. That being so, if the white man controls this fund, will he not have the same interest to instruct the colored farmer that he will have to instruct the white farmer? Where is the foundation of the Senator's fear that the colored farmer will not be given an equal opportunity for instruction under a white demonstrator that would be given him under a colored demonstrator?

Mr. SHERMAN. That, of course, led to the original introduc-

tion of the irrelevant matter.

Mr. SMITH of Michigan. Will the Senator from Illinois yield to me for a moment?

Mr. SHERMAN. Certainly. Mr. SMITH of Michigan. The Senator from North Carolina has spoken of the colored land tenant.

Mr. SIMMONS. Yes; we have more of those than we have of negroes who own land, but we have a good many who own

Mr. SMITH of Michigan. There are a great many?

Mr. SIMMONS. Yes.

Mr. SMITH of Michigan. For instance, during the last census period the negroes of the South increased less than 10 per cent in population, but they increased 17 per cent in the ownership of farms against a 12 per cent increase of white farm owners. In North Carolina the farms cultivated by white owners in-creased only 9 per cent, but the farms cultivated by negro owners increased 22 per cent. That is the increase in the Senator's own State.

Mr. SIMMONS. I am very glad to see that the colored folks in my State have made such a fine record.

Mr. SMITH of Michigan. Does the Senator dispute it? Mr. SIMMONS. No; I do not dispute it. I take pride in the fact that they are doing so well in my State. But I do not see that that militates against the argument I am making. was addressing myself to the white tenant and the colored tenant. We have white men who own small farms and we have colored people who own small farms. The white people of my State are just as much interested in the colored man who owns a farm succeeding in making money as they are in the white man succeeding. He buys from the merchants; he makes mortgages; he is a member of the community. They are just as much interested in the colored man cultivating his small farm successfully as they are in the white small landowner cultivating his farm successfully.

Mr. SMITH of Michigan. But the progress the negro has made and is now making is a very remarkable tribute to his constancy

Mr. SIMMONS. I think it is. Mr. SMITH of Michigan. Prof. Branson, of Georgia, whom the Senator from Georgia personally knows, says:

Nearly one-fourth of all the negro farmers in the South own the farms they cultivate.

Mr. SIMMONS. I do not dispute the statistics. wherever they can do so they are buying land. I think it is a very good sign. I am glad whenever I hear that one of them has accumulated enough to buy a farm and become an independent farmer; and I am very glad when I hear of a white tenant who has accumulated enough money to buy a small farm, because I think the hope of the South is in dividing up our large land holdings into small properties.

Mr. SMITH of Michigan. The negroes are making marvel-

ous progress in that direction.

Mr. SIMMONS. The Senator says the colored man has bought a larger per cent of farms than the white man. I expect that is probably true, because the colored man in my State is more distinctively an agriculturist than the white man. Since we began, as the Senator knows, the marvelous development of our factories in North Carolina, extending practically over the whole State, the white people have gone more into manufacturing. They have gone more to the towns and engaged in commerce and in the industries that center around the villages and towns than have the colored people. I think in recent years a larger per cent of colored people have remained in agriculture than white people, and that, I take it, would account for the fact that a larger per cent of them have bought farms and become landowners than white men.

Mr. SMITH of Michigan. The same relative increase in land ownership by the negroes extends through nearly all the Southern States. For instance, in Florida they own nearly onehalf of the farms they cultivate; in Kentucky and Oklahoma, more than one-half of the farms they cultivate; in Maryland and Virginia, more than three-fifths of them; and in West

Virginia, nearly four-fifths of them.

In less than 50 years the negro has acquired possession of 20,000,000 acres of farm land. Altogether his farm properties are valued at nearly \$500,000,000. Negro land holdings in the aggregate make an area a little larger than the State of South

That is marvelous progress from slavery and serfdom.

Mr. SIMMONS. That is a very gratifying statement. Mr. SMITH of Michigan. It seems to me that in making appropriations for the encouragement of agriculture you ought not to overlook the tremendous strides that the colored man has made in the South in land ownership, and Senators ought not to withhold from him the scientific information that you give to others.

Mr. SIMMONS. That is the very point I am making. it not proposed to withhold from him any information that we give to the white man. Let me say to the Senator there is this fact about the colored man, and it is very gratifying: He is very anxious to acquire the independent ownership of land. He is very anxious to acquire a home. He is very anxious to acquire

Mr. SMITH of Michigan. It is the only chance he has to

better his condition.

Mr. SIMMONS. It is a very good sign, and I am very glad that is true. As soon as the colored man is able to buy a piece of land and can find a piece of land of a size that he is able to buy, he invests his money in it, and if he has not the

money and can get credit he will buy it on credit.

The colored people of the South are, as the Senator says, becoming independent landowners at a very gratifying pace. They are becoming educated, as the Senator from Washington [Mr. Jones] demonstrated by his figures here the other day. They are taking great interest in education, and the rate of illiteracy among the colored people in the South has decreased very rapidly in recent years, and it is going to continue to decrease.

Now, let me ask the Senator from Michigan if the white people of North Carolina, Georgia, Alabama, Mississippi, and Florida, the States that he read about a little while ago, were not kindly disposed toward the colored people, if they were disposed to oppress them, if they were disposed to withhold from them their just rights, if they were not trying to help them to become good and useful citizens, does he believe that the colored people would have ever acquired these large holdings of land, and does he believe that in those years they would have reduced their rate of illiteracy to the extent that has been demonstrated

here they have done? From the fact that they have become to such an extent within the few years they have been out of slavery landowners in the South, and have within those few years so far removed themselves from the state of dense ignorance in which they were at the time of their freedom, does not the Senator think that is evidence that the southern people have been fair and just toward them; that they have lent them a helping hand and taken great interest in matters that affect their intellectual and their moral and their material welfare?

Mr. SMITH of Michigan. I would be lacking in candor if I did not admit that the progress which I have cited has occurred in the South among your people, and I would not say that you

have oppressed them.

Mr. SIMMONS. Would you not say we have helped them? Mr. SMITH of Michigan. I think you have compressed them. Mr. SIMMONS. I do not know what the Senator means by

Mr. SMITH of Michigan. I think you have limited their opportunities for growth and restricted their field of development. That is what I mean. I do not say you have oppressed them, but you have limited their opportunities, and, notwithstanding the unfavorable conditions which surround their race, they have gone to their task with stout hearts and the firm purpose to accomplish something for themselves, and they have done it, to their everlasting credit; they now own \$500,000,000 worth of farm property, a tribute to their enterprise and their courage and dauntlessness,

I do not and I would not cast any reflection upon the State of North Carolina or any other Southern State. I know that you are confronted with a serious problem; but if these colored people, so recently out of bondage, have been able to gather together in 50 years \$500,000,000 worth of farm property more land than constitutes the entire State of South Carolina-I think that is rather a high tribute to the latent characteristics of their race. I have no hesitation whatever in saying it.

Neither is that the only field in which they have excelled. The Senator from North Carolina knows that every profession honored by colored men-teachers, lawyers, merchants, doctors, bankers-every line of employment and profession shares its complement of successful negroes. If they have been able to accomplish this under the limited opportunities which have been theirs, I say it is vastly to their credit; and I do not understand why the Senator does not rejoice with me in their achievements. It is greatly to their credit, but it is not to our credit if we fail to recognize it.

Mr. SIMMONS. Does the Senator happen to have before him the statistics that show to what extent the colored people in Illinois have advanced in acquiring the ownership of land?

Mr. SMITH of Michigan. No; I have not any statistics on

Mr. SIMMONS. Has the Senator anything to show that they have made greater progress in agriculture, in the acquisition of homes, in education in the Northern States where they are found now-in many of them in large numbers-than they have made in the South?

Mr. SMITH of Michigan. I can not speak for the State of Illinois. That State is very ably represented here, and the Senator from Illinois, by whose courtesy I am speaking, can answer for himself; but I can speak for my own State. It is with pride I say that in one of the counties of my State there is a township where there is not a foot of land owned by other than colored farmers. In the township of Calvin, in the county of Cass, in the State of Michigan, every farm is owned by a colored man and every officer of that township is a colored man. They have their stores and their trading posts, and they are a prosperous and happy people.

Mr. SIMMONS. What the Senator has said is very inter-

esting. Mr. SMITH of Michigan. I was tempted to do it be-

Mr. SIMMONS. I just wanted——
Mr. SMITH of Michigan. Twelve little pickaninnies from the South, caught up by a beloved woman whom I knew well and transplanted from unfavorable conditions in the South to our varying climate, have grown and prospered until that dozen pickaninnies left for their children, and they will leave for their children's children, the land of an entire township in the State which I have the honor to represent.

Mr. SIMMONS. I merely wish to find out from the Senator why this segregation. We do not have that condition down in my country. I do not understand why in his State the colored people are segregated to themselves and no white people live The two races live in juxtaposition in my among them. country.

Mr. SMITH of Michigan. They were not segregated by law. Mr. SIMMONS. Will the Senator explain why that is the

Is there any need for it?

Mr. SMITH of Michigan. The Senator knows that there are sections in the Senator's own State which colored men seem to prefer to other sections.

Mr. SIMMONS. The section in which they were residing at

the close of the war

Mr. SMITH of Michigan. Exactly.

Mr. SIMMONS. In the eastern part of the State; but they are very largely scattered all over the State.

Mr. SMITH of Michigan. Why were they residing there? Mr. SIMMONS. They are not there segregated. Will Will the Senator state why they are segregated in his State from the whites?

Mr. SMITH of Michigan. They have segregated themselves. Mr. SIMMONS. Why have they segregated themselves?

Mr. SMITH of Michigan. Because there was opportunity for their betterment; they have their schools and their churches and their own societies. The same situation exists in North Carolina.

Mr. SIMMONS. Not to any considerable extent.
Mr. SMITH of Michigan. I did not rise for the purpose of getting into any controversy with the Senator from North Carolina, because I know this is a very difficult and vexation. problem, but I do not see how you can in frankness and in justice ask us to differentiate between people who are to be the beneficiaries of our law. Why not apply these experimental tests and training so that all will get the benefit of it? The Senator says that the white agent would not perhaps enjoy instructing the colored farmer, if I caught his words correctly.

Mr. SIMMONS. No; the Senator is entirely mistaken. Mr. SMITH of Michigan. I thought I caught his words cor-

rectly.

Mr. SIMMONS. I said that the white demonstrator would have just as much interest in instructing the colored farmer as he would in instructing the white farmer, because I said that the landowners and the community are just as much interested in the colored man making a good yield from his crop as they are in the white man making a good yield. Therefore the white demonstrator would have the same interest to help the colored man to better methods of farming that he would have to help the white man. The Senator misunderstood me.

Mr. SMITH of Michigan. Does the Senator from North Carolina believe that the colored farmer in the South will get his

full benefit from this appropriation?

Mr. SIMMONS. I have not the slightest doubt, Mr. President, that if this bill passes the colored farmers of North Carolina and of the South, whether they are tenant farmers or owners of their own little farms, will get identically the same benefit from the instructions that will be given by the department, State and National, in farm demonstration work that the white people will get. There will not be the slightest difference in the world.

Mr. SMITH of Michigan. There are two and one-third millions of colored people now engaged in agriculture. They ought to have some consideration. I hope they will get it, and, as far

as my vote goes, I will see that they do.

Mr. SMITH of Georgia. Mr. President, I should like to submit to the Senate, if the Senator from Illinois will allow me—

Mr. SHERMAN. Certainly.

Mr. SHERMAN. Certainly.

Mr. SMITH of Georgia. A proposed unanimous-consent agreement to vote to-morrow; but I do not want to formally submit it until I ascertain whether or not Senators present object to it, because it is useless to have a roll call and bring all Senators here if anyone present objects. What I propose is this:

It is agreed by unanimous consent that not later than 4 o'clock on February 7 the Senate will proceed to the consideration of House bill 7951, and during that calendar day vote upon any amendment that may be pending or any amendments that may be offered and upon the bill through the regular parliamentary stages to its final disposition; and that after 4 o'clock on February 7 no Senator shall speak more than once or longer than 10 minutes on the bill, nor more than once or longer than 10 minutes upon any amendment.

Mr. President, before I ask for consent to the agreement I

Mr. President, before I ask for consent to the agreement I wish to say that I expect to call the bill up at 2 o'clock promptly Mr. GALLINGER. Does the Senator from Georgia, in his

proposed unanimous-consent agreement, specify the calendar day?

Mr. SMITH of Georgia. I specify the calendar day. Mr. GALLINGER. I think it ought to be the calendar day.

Mr. SMITH of Georgia. I have so framed the request. I know the Senator from South Dakota [Mr. STERLING] wishes to take longer than 10 minutes, so I was going to suggest that

we will have 2 hours with unlimited debate, and perhaps the Senator can present his argument during that time.

Mr. STERLING. I expected to say what I have to say in offering my substitute for the pending bill, but that would depend upon when the amendments should be disposed of. the amendments shall be disposed of before 4 o'clock, so that I can previous to that time offer my substitute, I suppose I shall have time enough to speak upon it; but I should like a little longer than 10 minutes for that purpose. I think perhaps 20 minutes would be as much time as I would wish in which to present the substitute and to speak with reference to it. think, Mr. President, that I am willing to take the chances in

regard to the matter.

Mr. ROOT. Mr. President, may I make a suggestion to the Senator from Georgia?

Mr. SMITH of Georgia. I should like to have the Senator do so.

Mr. ROOT. Would it not be wise to call this bill up immediately after the reading of the Journal to-morrow, fix a time for voting on the pending amendment offered by the Senator from Washington [Mr. Jones], and then let the remainder of the unanimous-consent agreement stand?

Mr. SMITH of Georgia. I am willing to make any satisfactory arrangement so that I can dispose of the bill to-morrow.

Mr. ROOT. That would obviate the difficulty of the Senator from South Dakota [Mr. STERLING], who does not want to offer his substitute and to speak upon it until he knows what is done with the amendments to the bill.

Mr. SMITH of Georgia. When I suggested this morning a unanimous-consent agreement, Senators declared that the suggestion to have a unanimous-consent agreement to vote during the same day that the suggestion was made was unheard of, and I am just a little afraid that, if I wait until to-morrow, the same view might be again taken.

Mr. ROOT. Suppose the Senator makes it that the bill be called up to-morrow immediately after the reading of the Journal; that a vote be taken upon the pending amendment at 2 o'clock; and then let the vote be taken upon the other amend-

ments under the 10-minute rule, beginning at 4 o'clock?

Mr. SMITH of Georgia. I am afraid I would find objection from the Senators who are interested in the resolution which has gone over until to-morrow. The Senator from Nebraska [Mr. Noeris] is in charge of the resolution which we had under discussion to-day, and which went over without prejudice until to-morrow. I will say to the Senator from New York that his suggestion would be perfectly agreeable to me if I should not run against an objection from a different source.

Mr. BRANDEGEE. May I ask that the proposed unanimous-consent agreement be restated to the Senate?

Mr. SMITH of Georgia. I will restate it, so that the Senator will catch it at once. It is that at 4 o'clock to-morrow we proceed to vote upon the bill and the amendments through the parliamentary stages; that after 4 o'clock no speeches upon the bill or upon any amendment shall be longer than 10 minutes; and that we shall dispose of the bill during the calendar day of to-morrow.

Mr. JONES. Mr. President, I wish to make a suggestion to the Senator from Georgia. Why not make it 3 o'clock, and then give 15 minutes debate on amendments? That would probably meet the situation with reference to the Senator from South Dakota [Mr. STERLING].

Mr. SMITH of Georgia. If that meets the approval of Senators present, I will change the request for a unanimous-consent agreement to 3 o'clock and allow 15 minutes debate on amend-

Mr. BRANDEGEE. Of course that means that we might have to sit here until 12 o'clock to-morrow night?

Mr. SMITH of Georgia. Yes; but I hope not. Mr. BRANDEGEE. I hope not, too.

Mr. SMITH of Georgia. I promise not to take a great deal of the time myself.

Mr. SMOOT. Do I understand that the Senator's proposition

refers to the legislative day or the calendar day of to-morrow?

Mr. SMITH of Georgia. It refers to the calendar day. Mr.

President, I first ask that any Senators who have any suggestions to make upon the matter may do so. I am willing to accept the suggestion, beginning at 3 o'clock, to limit speeches to 15 minutes. If there is no objection on the part of any Senator present to that suggestion, I will put it in that formal shape and send it to the Secretary's desk.

The VICE PRESIDENT. Under the rule, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst Brady Brandegee Bristow Gronna Hitchcock Hollis Hughes Nelson Newlands Oliver Overman Simmons Smith, Ariz. Smith, Ga. Smith, Mich. Smoot Stephenson Sterling Swanson Thompson Vardaman Bryan Chamberlain James Johnson Jones Kenyon Owen Page Poindexter Ransdell Chilton Clapp Colt Kernon Kern Lee, Md. Lodge Martin, Va. Martine, N. J. Myers Root Cummins Dillingham Fall Saulsbury Shafroth Sheppard Sherman Walsh Weeks Fletcher Gallinger Shields

Mr. CHAMBERLAIN. I desire to state that my colleague [Mr. Lane] is detained from the Senate on business of the Senate.

Mr. KERN. I desire to announce that my colleague [Mr. SHIVELY] is unavoidably absent.

Mr. GALLINGER. I desire to state that the junior Senator from Maine [Mr. BURLEIGH] is unavoidably absent.

Mr. CHILTON. I desire to announce that the Senator from Alabama [Mr. BANKHEAD] is unavoidably absent from the

The VICE PRESIDENT. Fifty-four Senators have answered to their names. There is a quorum present. The Secretary will state the proposed unanimous-consent agreement.

The Secretary read as follows:

It is agreed by unanimous consent that on Saturday. February 7, 1914, immediately upon the conclusion of the reading of the Journal, the Senate will proceed to the consideration of the bill H. R. 7951, to provide for cooperative agricultural extension work, and that at not later than 3 o'clock p. m. on that calendar day the Senate will proceed under the 15-minute rule, that will permit no Senator to speak more than once or for a longer period than 15 minutes upon any amendment that may be pending, any amendment that may be offered, and upon the bill through the regular parliamentary stages to its final disposition.

Mr. SMITH of Georgia. Mr. President, that is not the request for unanimous consent which I submitted. My writing may be a little difficult to read. This is the proposed unani-mous-consent agreement which I read to the Senate:

It is agreed by unanimous consent that not later than 3 o'clock on February 7 the Senate will proceed to the consideration of House bill 7951, and during that calendar day vote upon any amendment that may be pending, any amendment that may be offered, and upon the bill through the regular parliamentary stages to its final disposition, and that after 3 o'clock on February 7 no Senator shall speak more than once or longer than 15 minutes upon the bill, or more than once or longer than 15 minutes upon any amendment.

The VICE PRESIDENT. Is there objection?
Mr. BRANDEGEE. Mr. President—
Mr. SHERMAN. I wish to inquire if that applies to the time in this legislative day, or does it begin to-morrow?

Mr. LODGE. To-morrow.
Mr. SMITH of Georgia. Only after 3 o'clock to-morrow.
Mr. BRANDEGEE. Who has the floor, Mr. President?
The VICE PRESIDENT. The Senator from Connecticut has

the floor.

Mr. BRANDEGEE. If I have the floor, Mr. President, I

should like the privilege of saying a few words.

If I caught the language of the agreement as proposed by the Senator from Georgia, it provides that not later than 3 o'clock to-morrow we will proceed with the consideration of this bill. That fixes no definite time for beginning the consideration of it.

Mr. SMITH of Georgia. It is already the unfinished business, and can be taken up at 2 o'clock; but if the Senate were willing we might take it up earlier than 2 o'clock.

Mr. BRANDEGEE. That would require another unanimous

consent.

Mr. SMITH of Georgia. No.
Mr. BRANDEGEE. Why not?
Mr. SMITH of Georgia. We can take it up earlier than 3 o'clock. The agreement provides not later than 3 o'clock. The object of the proposed unanimous-consent agreement is to provide that after 3 o'clock debate on the bill and amendments shall be limited to 15 minutes, that not more than one speech shall be made by any Senator on the bill or any amendment, and that the bill be disposed of during the calendar day.

Mr. BRANDEGEE. I do not object to that part of it.

Mr. SKANDEGEE. I do not object to that part of it.

Mr. SMITH of Georgia. The bill is already the unfinished
business and can be taken up at 2 o'clock, or we can take it up
even earlier during the day. The proposed agreement says
"not later than 3 o'clock."

Mr. BRANDEGEE. I ask the Secretary to read the first
part of the proposed agreement again. I understand the last

The Secretary read as follows:

It is agreed by unanimous consent that not later than 3 o'clock on bruary 7 the Senate will proceed to the consideration of House February bill 7951-

Mr. ROOT. Mr. President, would not that displace this bill as the unfinished business?

Mr. SMITH of Georgia. Not at all. The VICE PRESIDENT. The Chair would be compelled to

rule that it would, in the opinion of the Chair.

Mr. SMITH of Georgia. That would be unfortunate for the bill. I suppose that I should yield, then, to the opinion of the

Chair without regard to my own continuing opinion.

Mr. CUMMINS. Mr. President, let me suggest to the Senator from Georgia that he say "not later than 2 o'clock" as the time to take up the bill, and that after 3 o'clock the conditions which he has provided shall prevail.

Mr. SMITH of Georgia. I am willing to do that,
Mr. GALLINGER. That is very much better. The Senator
could move to take it up at 1 o'clock under the rule, so that not
later than 2 o'clock would be entirely proper.
Mr. SMITH of Georgia. Then I will change the request for
unanimous consent so as to read "not later than 2 o'clock."
The VICE PRESIDENT. Is those edication?

The VICE PRESIDENT. Is there objection?

Mr. BRANDEGEE. Mr. President, unanimous consent has already been given that the resolution offered by the Senator from Nebraska [Mr. Norris] should go over until to-morrow without prejudice.

Mr. SMITH of Georgia. Yes.

Mr. BRANDEGEE. Suppose that resolution is under consideration at 2 o'clock?

Mr. GALLINGER. It would fall.

Mr. SMITH of Georgia. It would then be displaced.
The VICE PRESIDENT. The Chair can answer that question. The resolution of the Senator from Nebraska should have gone to the calendar, but, by unanimous consent, it was permitted to lie on the table as a resolution coming over from the preceding day

Mr. BRANDEGEE. And that would be superseded by the proposed unanimous-consent agreement of the Senator from

Georgia if it were entered into?

The VICE PRESIDENT. Or by the unfinished business.
Mr. BRANDEGEE. The Chair ruled, I understood, that the

proposed agreement, if entered into, would supersede the unfinished business?

The VICE PRESIDENT. Yes; because it was put off until 3 o'clock

Mr. BRISTOW. Mr. President, I will ask the Senator from Georgia if he will not make it the legislative day——
Mr. GALLINGER and others. Oh, no.

Mr. BRISTOW. So that we will not have to stay here until late at night. There is no occasion for night sessions thus early in the session.

Mr. SMITH of Georgia. There are Senators here who have to be away on Monday. The Senator from Iowa [Mr. Cum-MINS] has to be away on Monday, and a number of Senators have asked me to make it the calendar day. I do think we

ought to finish the bill by 6 o'clock to-morrow.

The VICE PRESIDENT. Is there objection to the request of the Senator from Georgia? The Chair hears none, and the

agreement is entered into.

The unanimous-consent agreement as finally entered into is as follows:

It is agreed by unanimous consent that at not later than 2 o'clock on February 7 the Senate will proceed to the consideration of House bill 7951, and during that calendar day vote upon any amendment that may be pending, any amendment that may be offered, and upon the bill through the regular parliamentary stages to its final disposition, and that after 2 o'clock on February 7 no Senator shall speak more than once or longer than 15 minutes upon the bill, or more than once or longer than 15 minutes upon any amendment.

EXECUTIVE SESSION.

Mr. KERN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

DEATH OF REPRESENTATIVE BREMNER, OF NEW JERSEY.

A message from the House of Representatives, by J. C. South, its Chief Clerk, communicated to the Senate the intelligence of the death of Hon. ROBERT GUNN BREMNER, late a Representative from the State of New Jersey, and transmitted resolutions of the House thereon.

The VICE PRESIDENT. The Chair lays before the Senate resolutions of the House of Representatives, which will be read. The Secretary read the resolutions (H. Res. 400), as follows: IN THE HOUSE OF REPRESENTATIVES, February 5, 1914.

Resolved, That the House has heard with profound sorrow of the death of Hon, Robert Gunn Bremner, a Representative from the State of New Jersey.

Resolved, That a committee of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. HUGHES. I offer the resolutions which I send to the desk, and ask unanimous consent for their present consideration.

The resolutions (S. Res. 265) were read, considered by unani-

The resolutions (S. Res. 265) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. Robert Gunn Bremner, late a Representative from the State of New Jersey.

Resolved, That a committee of six Senators be appointed by the Vice President, to Join a committee appointed by the House of Representatives, to take order for the superintending of the funeral of Mr. Bremner at Passaic, N. J.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

The VICE PRESIDENT appointed under the second resolution as the committee on the part of the Senate Mr. Martine of New Jersey, Mr. Hughes, Mr. Vardaman, Mr. Hollis, Mr. Clapp, and Mr. STERLING.

Mr. HUGHES. Mr. President, I desire to give notice that at a future day I shall ask the Senate to set aside a time in which to consider resolutions on the life and public services of Representative Bremner. As a further mark of respect to the memory of the deceased, I move that the Senate adjourn.

The motion was unanimously agreed to, and (at 5 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Satur-

day, February 7, 1914, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate February 6, 1914.

JUDGE OF THE UNITED STATES COURT FOR CHINA.

Charles Sumner Lobingier, of Omaha, Nebr., to be judge of the United States Court for China, vice Rufus H. Thayer, resigned.

REGISTER OF THE LAND OFFICE.

J. L. Calvert, of Guthrie, Okla., to be register of the land office at Guthrie, Okla., vice Lawrence N. Houston, resigned.

RECEIVER OF PUBLIC MONEYS.

Alexander X. Campbell, of Grandfield, Okla., to be receiver of public moneys at Guthrie, Okla., vice Hugh Scott, resigned.

APPOINTMENT IN THE ARMY.

Rev. Ignatius Fealy, of the District of Columbia, to be chaplain with the rank of first lieutenant from February 3, 1914, vice Chaplain John A. Ferry, Coast Artillery Corps, resigned October 9, 1913.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Capt. Charles J. Symmonds, Twelfth Cavalry, to be major from February 4, 1914, vice Maj. John P. Ryan, Sixth Cavalry, retired from active service February 3, 1914.

First Lieut. Jens E. Stedje, Fourth Cavalry, to be captain from February 4, 1914, vice Capt. Charles J. Symmonds, Twelfth Cavalry, promoted.

PROMOTION IN THE NAVY.

Col. George Barnett to be Major General Commandant of the Marine Corps for a period of four years from the 25th day of February, 1914.

POSTMASTERS.

ALABAMA.

Charles E. Hoskin to be postmaster at Montevallo, Ala., in place of Frank F. Crowe, resigned.

David A. Hughes to be postmaster at Attalla, Ala., in place of John J. Stephens, resigned.

ALASKA.

John F. Henson to be postmaster at Douglas, Alaska, in place of Richard McCormick, resigned.

ARKANSAS.

Robert H. Smiley to be postmaster at Hot Springs, Ark., in place of Fred E. Johnson. Incumbent's commission expired January 26, 1914.

ARIZONA

L. R. Bailey to be postmaster at Bisbee, Ariz., in place of Michael E. Cassidy. Incumbent's commission expired January 24, 1914.

FLORIDA.

Willie C. Caldwell to be postmaster at Jasper, Fla., in place of George W. Duncan, removed.

GEORGIA.

Julia Fleming to be postmaster at Sparta, Ga., in place of Julia Fleming. Incumbent's commission expires February 21,

ILLINOIS.

Marion C. Cook to be postmaster at Duquoin, Ill., in place of

Harry B. Ward, resigned.

William H. Evans to be postmaster at O'Fallon, Ill., in place of William A. Koenigstein. Incumbent's commission expired February 4, 1914.

John Jakle to be postmaster at Cissna Park, Ill., in place of

Henry B. Harvey, resigned.

Joseph O. Smith to be postmaster at Manteno, Ill., in place of James W. Breen. Incumbent's commission expires February 18, 1914.

INDIANA.

William H. Bennett to be postmaster at Monon, Ind., in place of Stanley S. Tull, removed.

Frederick A. Emerson to be postmaster at Angola, Ind., in place of R. E. Willis. Incumbent's commission expires February 22, 1914.

Leonard L. Graves to be postmaster at Thorntown, Ind., in place of Lewis Miller. Incumbent's commission expires Febru-

ary 15, 1914.

Charles H. Havens to be postmaster at Kokomo, Ind., in place of William H. Arnett. Incumbent's commission expires Febru-

ary 22, 1914.

L. B. Humphries to be postmaster at Rockville, Ind., in place of John H. Spencer. Incumbent's commission expires Febru-

ary 15, 1914.

Francis A. McMullen to be postmaster at Elnora, Ind., in place of Jonas E. Pershing. Incumbent's commission expires

February 9, 1914.

Frank W. Macoughtry to be postmaster at Attica, Ind., in place of Harry C. Martin. Incumbent's commission expires

February 22, 1914.

Albert S. Mingle to be postmaster at Pendleton, Ind., in place of R. L. Ross. Incumbent's commission expires February 22, 1914.

Arthur C. Ronk to be postmaster at Ladoga, Ind., in place of John W. Lough. Incumbent's commission expires February 15, 1914.

Clarence P. Wolfe to be postmaster at New Harmony, Ind., in place of Morris B. Pote. Incumbent's commission expires February 15, 1914.

IOWA.

N. C. Butler to be postmaster at West Branch, Iowa, in place

of C. H. Wickersham, removed. W. H. Robb to be postmaster at Creston, Iowa, in place of Scott Skinner. Incumbent's commission expired February 4, 1914.

KANSAS.

Joseph J. Landes to be postmaster at Kirwin, Kans., in place of Alexander Barron. Incumbent's commission expires Febauary 28, 1914.

T. J. Martin to be postmaster at Wetmore, Kans., in place of De Forest. Incumbent's commission expired Feb-

ruary 2, 1914. C. W. Spencer to be postmaster at Sedan, Kans., in place of Daniel Stough. Incumbent's commission expires February 18, 1914.

Owen C. Wasson to be postmaster at Peru, Kans. Office became presidential January 1, 1914.

Richard P. Harriman to be postmaster at Bucksport, Me., in place of Edward L. Beazley, resigned.

MASSACHUSETTS.

Hiram A. Cowell to be postmaster at Wrentham, Mass., in place of Harrison V. Hall. Incumbent's commission expired December 14, 1912.

Daniel J. Dempsey to be postmaster at Millbury, Mass., in place of Nathan H. Sears. Incumbent's commission expires February 21, 1914.

Sydney Harrocks to be postmaster at Westminister, Mass. Office became presidential October 1, 1913.

Edward J. Hayden to be postmaster at Athol, Mass., in place

of Festus G. Amsden, resigned.

Eugene D. Marchesseault to be postmaster at Spencer, Mass. in place of Harry S. Tripp. Incumbent's commission expired February 4, 1914.

MICHIGAN.

William G. Mehrens to be postmaster at Kearsarge, Mich., in place of Fernando D. Petermann. Incumbent's commission expired January 25, 1914.

Ira G. Metcalf to be postmaster at Morenci, Mich., in place of Charles M. Butler. Incumbent's commission expired December

14, 1912.

MINNESOTA.

George G. Alianson to be postmaster at Wheaton, Minn., in place of Edward F. Joubert. Incumbent's commission expires February 11, 1914.

William L. Poseley to be postmaster at Renville, Minn., in place of Ferdinand H. Berning. Incumbent's commission ex-

pired January 11, 1914.

O. W. Ramsdell to be postmaster at Akely, Minn., in place of Charles Scheers. Incumbent's commission expired February 4, 1914.

Will J. Sarff to be postmaster at Eagle Bend, Minn., in place of Edward V. Moore. Incumbent's commission expires February 21, 1914.

MISSISSIPPI.

Walter L. Collins to be postmaster at Union, Miss. Office be-

came presidential January 1, 1914.

H. Sharp to be postmaster at Columbus, Miss., in place of John T. Wood. Incumbent's commission expires February 15, 1914.

MISSOURI.

Frank Freytag to be postmaster at St. Joseph, Mo., in place of Laurence O. Weakley. Incumbent's commission expires Feb-

Charles C. Hamilton to be postmaster at Marshfield, Mo., in place of Henry Gilbert. Incumbent's commission expired Feb-

ruary 1, 1914.

Henry Macom to be postmaster at Poplar Bluff, Mo., in place of Warren S. Randall. Incumbent's commission expired February 4, 1914.

MONTANA.

P. M. McLean to be postmaster at Ekalaka, Mont., in place of Jay E. Wilson, resigned.

NEBRASKA.

J. I. Corley to be postmaster at Weeping Water, Nebr., in place of George H. Olive. Incumbent's commission expires Feb-

G. R. Eno to be postmaster at Collegeview, Nebr., in place of Charles H. Hodges. Incumbent's commission expired January 31, 1914.

NEW HAMPSHIRE.

Arthur J. Holden to be postmaster at Keene, N. H., in place of Ben O. Aldrich. Incumbent's commission expires February 16, 1914.

NEW JERSEY.

James A. Cleary to be postmaster at Lambertville, N. J., in place of James D. Mackay. Incumbent's commission expires March 8, 1914.

Thomas J. Foley to be postmaster at Gloucester City, N. J., in place of David M. Anderson. Incumbent's commission ex-

pired January 24, 1914.

William E. Maxwell to be postmaster at Somerville, N. J., in

Incomplete the process of the process o place of John G. Gaston. Incumbent's commission expires March 8, 1914.

R. J. Quince to be postmaster at Sussex, N. J., in place of Amasa W. Bedell. Incumbent's commission expires February

William Slattery to be postmaster at Raritan, N. J., in place of George W. Hope. Incumbent's commission expired January 28, 1914.

Andrew F. Stout to be postmaster at Lawrenceville, N. J., in place of Nathaniel H. Furman. Incumbent's commission expires February 11, 1914.

Howard J. Tombleson to be postmaster at Williamstown, N. J., in place of Eli R. Marsh. Incumbent's commission expires February 11, 1914.

NEW YORK.

William A. Buckley to be postmaster at Rochester, N. Y., in place of Joseph A. Crane, removed.

Charles L. Doolittle to be postmaster at Montour Falls, N. Y., in place of Fred J. Dunham, removed.

Francis J. Mulgannon to be postmaster at Hempstead, N. Y.,

in place of DeWitt C. Titus, removed.

Albert C. Salisbury to be postmaster at Waterville, N. Y., in place of F. H. Coggeshall, deceased.

George Thomas to be postmaster at Pittsford, N. Y., in place of Adam N. Finucan. Incumbent's commission expired December 20, 1913.

NORTH CAROLINA.

Luther E. Huggins to be postmaster at Marshville, N. C. Office became presidential January 1, 1914.

NORTH DAKOTA.

Grace E. Dumont to be postmaster at Antler, N. Dak. Office became presidential October 1, 1913.

Martin O. Hagenson to be postmaster at Scranton, N. Dak.

Office became presidential January 1, 1914. Henry E. Stoskoff to be postmaster at Wildrose, N. Dak. Office became presidential January 1, 1914.

W. H. Chilcote to be postmaster at Edgerton, Ohio, in place of E. D. Killinger. Incumbent's commission expired January 24, 1914.

John N. Petersen to be postmaster at Delta, Ohio, in place of Chester R. P. Waltz. Incumbent's commission expires February 24, 1914.

O. E. Butler to be postmaster at Grove, Okla., in place of William J. Forbes. Incumbent's commission expired December

Mark J. Courtney to be postmaster at Copan, Okla. Office be-

came presidential January 1, 1914.

A. L. Davenport to be postmaster at Holdenville, Okla., in place of Edmond Arnold. Incumbent's commission expired February 1, 1914.

PENNSYLVANIA.

Joseph S. Cole to be postmaster at Millville, Pa., in place of Joseph C. Eves. Incumbent's commission expired December 16, 1913.

Thomas O. Humphrey to be postmaster at Sharon Hill, Pa., in place of David Dalton. Incumbent's commission expired December 20, 1913.

Harrison J. Kromer to be postmaster at Merion Station, Pa., in place of Harrison J. Kromer. Incumbent's commission expired January 24, 1914.

James R. Mowry to be postmaster at Derry, Pa., in place of Johnson D. Neely. Incumbent's commission expired January 17, 1914.

John S. Roberts to be postmaster at Linwood Station, Pa. Office became presidential October 1, 1913.

Rhamanthus M. Stocker to be postmaster at Honesdale, Pa. in place of Martin B. Allen. Incumbent's commission expired April 19, 1913.

RHODE ISLAND.

Honoré Archambault to be postmaster at Arctic, R. I., in place of Moise Meunier. Incumbent's commission expired January 31, 1914.

Charles Quinn to be postmaster at Phenix, R. I., in place of Walter A. Hill. Incumbent's commission expired February 1, 1914.

SOUTH CAROLINA.

J. Elizabeth Meehan to be postmaster at Chesterfield, S. C. Office became presidential January 1, 1914.

SOUTH DAKOTA.

Lloyd L. Truesdell to be postmaster at Burke, S. Dak., in place of A. M. Church. Incumbent's commission expired January 10,

TENNESSEE.

W. A. Ghormley to be postmaster at Madisonville, Tenn., in place of William R. Sloan. Incumbent's commission expires February 21, 1914.

A. R. Hammer to be postmaster at McMinnville, Tenn., in place of Asa H. Faulkner, removed.

R. C. Crane to be postmaster at Sweet Water, Tex., in place of M. B. Howard. Incumbent's commission expires February 8, 1914.

Elmer T. Gilbert to be postmaster at Carbon, Tex. Office

became presidential January 1, 1914.

J. W. Hoff to be postmaster at Yorktown, Tex., in place of William J. Stark. Incumbent's commission expires February S, 1914.

L. A. Meiners to be postmaster at Moulton, Tex., in place of Wenzel K. Richter. Incumbent's commission expires February 8, 1914.

W. H. Mercer to be postmaster at Mineral Wells, Tex., in place of Joel D. Cranford. Incumbent's commission expires February 18, 1914.

Edna Overshiner to be postmaster at Valley View, Tex. Office

became presidential January 1, 1914.

B. F. Shepherd to be postmaster at Memphis, Tex., in place of Effie L. Houghton. Incumbent's commission expires February

18, 1914. W. E. Thompson to be postmaster at Celeste, Tex., in place of S. T. Blackwell, resigned.

UTAH.

William W. LeCheminant to be postmaster at Garfield, Utah, in place of Robert B. Quay, removed.

J. L. Bland to be postmaster at Westpoint, Va., in place of John S. De Farges. Incumbent's commission expires February 21, 1914.

WASHINGTON.

L. A. Dale to be postmaster at Brewster, Wash. Office be-

came presidential January 1, 1914.

Lutetia M. Fields to be postmaster at Woodland, Wash., in place of Isaac Fields. Incumbent's commission expired January 24, 1914.

WISCONSIN.

John D. Laughlin to be postmaster at Marion, Wis., in place

of Stephen L. Perry, deceased.

A. D. McDonald to be postmaster at Ashland, Wis., in place of Samuel S. Fifield. Incumbent's commission expired January 24, 1914.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 6, 1914.

CONSULS.

George A. Bucklin, jr., to be consul at Bordeaux, France. James Oliver Laing to be consul at Karachi, India. George N. Ifft to be consul at St. Gall, Switzerland.

RECEIVERS OF PUBLIC MONEYS.

Juan N. Vigil to be receiver of public moneys at Santa Fe,

G. T. Stahl to be receiver of public moneys at Buffalo, Wyo.

PROMOTIONS AND APPOINTMENT IN THE NAVY.

Lieut. Commander Robert W. McNeely to be a commander.

Lieut. Burrell C. Allen to be a lieutenant commander. Lieut. (Junior Grade) Willis W. Bradley, jr., to be a lieu-

Ensign James L. Oswald to be a lieutenant (junior grade). Ensign Norman R. Van der Veer to be a lieutenant (junior grade)

John B. Walker, a citizen of New York, to be an assistant surgeon.

POSTMASTERS.

FLORIDA.

O. K. Paxton, jr., White Springs.

ILLINOIS.

Thomas J. Ronin, Sycamore.

MICHIGAN.

Martin Croker, Mount Ciemens.

VIRGINIA.

William E. Ramsey, Gretna.

HOUSE OF REPRESENTATIVES.

FRIDAY, February 6, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the fol-

lowing prayer:

O Thou who hast ever been our refuge and our strength, a very present help in trouble, our hearts turn instinctively to Thee in this time of sorrow. The silver cord has been loosed, the golden bowl broken, the soul of another Member of this House has crossed the great divide.

None knew him but to love him; None named him but to praise,

His sunny smile and cheery words from a warm, sympathetic heart will be missed by us and by a host of friends in all the walks and conditions of life. Strong, brave, noble, generous, Thou hast called him to the realm from whence no traveler returns. But blessed be Thy holy name for that profound faith and eternal hope which fills our breast. He may not return to us, but we shall go to him, to be greeted once more by the warm clasp of his hand, the bright smile, and cheery voice. Be this our comfort and solace to those who are bound to him by the ties of kinship.

To live in the hearts we leave behind is not to die.

The faith, the hope, the love born of Heaven will live on forever. Thus may we cherish his memory. Thus may we press forward with brave and manly hearts, trusting in the undying love of a heavenly Father who doeth all things well. In the name of Him who taught us that life is stronger than death.

The Journal of the proceedings of yesterday was read and approved.

LINCOLN MEMORIAL.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate joint resolution 107 and pass the same

The SPEAKER. The gentleman from Kentucky asks unanimous consent to take from the Speaker's table Senate joint resolution 107, relating to supervision of the Lincoln Memorial, which the Clerk will report.

The Clerk read as follows:

Resolved, etc., That in the exercise of its control and direction for the construction of the Lincoln Memorial, authorized by act of Congress approved February 9, 1911, the commission created by said act shall designate to perform the duty of special resident commissioner to represent the commission in the oversight of the work, the Hon. Joseph C. S. Blackburn, recently appointed a member of the Lincoln Memorial Commission, as the successor to the Hon. Shelby M. Cullom, deceased; and for the special service of the member so designated he shall be entitled to receive compensation at the rate of \$5,000 per annum out of the appropriation for the construction of such memorial.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to take this joint resolution from the Speaker's table. Is there objection?

There was no objection.

The joint resolution was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. Sherley, a motion to reconsider the last

vote was laid on the table.

CHARLES L. THORNTON-LEAVE TO WITHDRAW PAPERS.

Mr. Underwood, by unanimous consent, obtained leave to withdraw from the files of the House without leaving copies the papers relating to H. R. 20061, for the benefit of Charles L. Thornton, no adverse report having been made thereon.

ARMY AND NAVY MEDAL OF HONOR ROLL.

By unanimous consent, at the request of Mr. Sherwood, the Committee on Pensions was discharged from further consideration of the bill (H. R. 12179) to establish in the War Department and in the Navy Department, respectively, a roll designated as the Army and Navy medal of honor honor roll, and for other purposes, and the same was referred to the Committee on Invalid Pensions.

BRITISH MUNICIPAL TRADING UNDERTAKINGS (H. DOC. NO. 710).

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent that there be printed as a House document the report of Albert Hal-stead, consul of the United States at Birmingham, England, on the result of British municipal trading undertakings, which contains valuable statistical tables that seem to be of unusual importance.

I have conferred with the chairman of the Committee on Printing and submitted the document to him and also to the representative of the Government Printing Office. I find that 8,000 copies can be printed for \$200 and 24,000 for \$300. As the article is sought by the Department of Commerce for distribution, It occurs to me that we had better print 24,000 copies.

Mr. BARNHART. Reserving the right to object, I should like to ask the gentleman from Georgia if he has conferred with the Department of Commerce as to the number of copies they think they will need?

Mr. ADAMSON. They were very modest. I did ask them that question, and, without going into the details of the computation, they said they would be satisfied with 10,000 copies. Eight thousand copies can be printed for \$200 and each additional thousand copies for \$6.15.

Mr. BARNHART. My recollection is that in a conversation by telephone yesterday they told me they thought 5,000 copies would be ample; and I think therefore, Mr. Speaker, with the consent of the gentleman from Georgia-

Mr. MANN. Reserving the right to object, do I understand that the request is to print this document for the use of the

Department of Commerce?

Mr. ADAMSON. No, sir. They want 5,000 copies, I think, but the rest of us would like to have a few.

Mr. MANN. If they want 5,000 copies, why do they not

print them?

Mr. ADAMSON. They say they have not sufficient funds. I have a letter from the Secretary of Commerce—
Mr. MANN. If the gentleman will permit; we pass appropriation bills fixing the amount of the appropriation for printing in each of the departments. They always say they have not enough. Thereupon very frequently somebody comes to the House and proposes that the printing shall be done out of the appropriation for printing for Congress. That is in order to let the department use its appropriation without paying for the printing that it wants done and the printing is charged to Congress. Then, after awhile the department refers to the enormous bills for printing for Congress, and points out how scant the appropriations are for printing for the departments.

Mr. ADAMSON. Mr. Speaker, I am perfectly willing to print them and take all of them ourselves and let the department look out for itself; but I should like to answer all inquiries by having read the letter from the Secretary of Com-

The SPEAKER. If there be no objection, the Clerk will read the letter.

Mr. ADAMSON. It is short. The Clerk read as follows:

DEPARTMENT OF COMMERCE, OFFICE OF THE SECRETARY, Washington, February 3, 1914.

Hon. W. C. Adamson, House of Representatives, Washington, D. C.

House of Representatives, Washington, D. C.

My Dear Judge Adamson: May I invite your thought for a moment to the inclosed letter to me from the chief of the Bureau of Foreign and Domestic Commerce and to the papers that he sends with it? These papers are, in brief, the report of Albert Halstead, consul of the United States, at Birmingham, England, on the results of British municipal trading undertakings, and they contain statistical tables that seem of unusual importance and such as would be of general public interest and usefulness. They should be made public through some governmental agency, but our department has not means at present for doing this. It has occurred to me that, as chairman of your important committee, this is a matter that you could ask to have printed as a public document. I shall be very glad if you can do so, and would suggest that if practicable it be so done.

Yours, very truly,

William C. Redfield.

WILLIAM C. REDFIELD, Secretary.

Mr. RUSSELL. Mr. Speaker, reserving the right to object, pertinent to this question of printing I want to ask the chairman of the Committee on Printing a question about the rules relating to the printing of speeches. I have found that it costs more money to get 2,000 copies of a speech printed than it does to get 5,000 copies of the same speech printed. On two occasions I have ordered 2,000 copies of a speech printed, and was informed that I could get them for less money if I would get 5,000 copies

Mr. ADAMSON. Less per thousand copies?
Mr. RUSSELL. No; less for the whole number, they told me.
The SPEAKER. The Chairman of the Committee on Printing is interrogated.

Mr. BARNHART. Mr. Speaker, in reply to that—
Mr. RUSSELL. You will find that they charge more if you order 2,000 copies than they will if you order 5,000 copies.

Mr. HAMILTON of Michigan. At that rate, it would appear that if the gentleman would order enough copies printed, they would not cost him anything.

Mr. GARNER. Mr. Speaker, let us have one man talking at a time. When two or three gentlemen talk at once it is impos-

sible to understand what they say.

Mr. ADAMSON. I yield to the gentleman from Indiana [Mr. BARNHART] to answer the question of the gentleman from Missouri.

Mr. BARNHART. Mr. Speaker, I can not answer that question. What the gentleman states is news to me. I can not understand why the Government should charge more for printing 2,000 copies of a speech than it would charge to print 5,000 copies of the same speech. If it is doing so, it is certainly perpetrating a wrong, and there is no business theory of which I have ever heard that would justify any such method as that. My impression is that the gentleman from Missouri has misunderstood the matter, and that the rate per thousand is less when 5,000 copies are ordered than the rate per thousand when

2,000 copies are ordered.

The SPEAKER. This has nothing to do with the request of the gentleman from Georgia, anyway.

Mr. ADAMSON. It does not apply to my proposition. After the first 2,000 are printed we can get other copies printed at the rate of \$6.15 a thousand. I shall be satisfied with 8,000 copies. The SPEAKER. Is there objection to the request of the gen-

tleman from Georgia?

There was no objection.

CONTESTED-ELECTION CASE-CARNEY AGAINST SMITH.

Mr. POST. Mr. Speaker, I desire to present a privileged resolution.

The SPEAKER. The gentleman from Ohio sends to the desk a privileged report, which will be read by the Clerk.

The Clerk read as follows:

House resolution 396.

Resolved, That Claude S. Carney was not elected as a Representative to the Sixty-third Congress from the third congressional district of Michigan; and Resolved, That John M. C. Smith was duly elected as a Representative from the third congressional district of Michigan to the Sixty-third Congress and is entitled to retain the seat which he now occupies in this House.

The SPEAKER. Is this a unanimous report?
Mr. POST. It is, Mr. Speaker, a unanimous report.
The SPEAKER. The question is on agreeing to the resolu-

The resolution was considered and agreed to. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 1899. An act to establish a fish-cultural station in the State

of Florida.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3439. An act appropriating funds for the purpose of the investigation, treatment, and eradication of hog cholera; to the

Committee on Agriculture.

S. 1899. An act to establish a fish-cultural station in the State of Florida; to the Committee on the Merchant Marine and Fisheries.

S. 1983. An act to amend section 3618 of the Revised Statutes of the United States, relating to the sale of public property; to the Committee on Naval Affairs.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 9574. An act to authorize the Missouri, Kansas & Texas Railway Co. to construct a bridge across the Mississippi River near the city of Hannibal, in the State of Missouri.

PENSION BILLS.

Mr. ADAIR. Mr. Speaker, I desire to call up the conference report on Senate bill 832, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and

The Clerk read the conference report, as follows:

CONFERENCE REPORT (NO. 225).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 832) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1 and 2, and agree to the same.

J. A. M. ADAIR, JOE J. RUSSELL, J. N. LANGHAM, Managers on the part of the House. BENJ. F. SHIVELY, N. P. BRYAN, P. J. McCumber, Managers on the part of the Senate.

The SPEAKER. The question is on agreeing to the report. The conference report was agreed to.

Mr. ADAIR. Mr. Speaker, I now call up the conference report on Senate bill 833, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and to certain widows and dependent relatives of such soldiers and sailors. The conference report was read, as follows:

CONFERENCE REPORT (NO. 226).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 833) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows

That the Senate recede from its disagreement to the amendments of the House numbered 2, 4, 6, 16, 18, 20, and 25.

That the House recede from its amendments numbered 1, 3, 5, 7, 8, 9, 11, 12, 13, 14, 15, 17, 19, 21, 22, and 23, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows:

"The name of John D. Kirkpatrick, late of Company D, Fiftysecond Regiment, and Company C, Sixty-ninth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

And the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows:

"The name of Jacob H. Gabbard, late of Company A, Fortyseventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now

And the Senate agree to the same.

J. A. M. ADAIR, JOE J. RUSSELL, J. N. LANGHAM, Managers on the part of the House. BENJ. F. SHIVELY, N. P. BEYAN, P. J. McCumber, Managers on the part of the Senate.

The conference report was agreed to.

Mr. ADAIR. Mr. Speaker, I call up the conference report on Senate bill 834, granting pensions and increase of pensions to certain soldlers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors. The Clerk read the conference report, as follows:

CONFERENCE REPORT (NO. 227).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 834) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amend-

ments of the House numbered 1, 2, 3, and 10.

That the House recede from its amendments numbered 4, 5, 6, 7, 8, and 9, and agree to the same.

J. A. M. ADAIR, JOE J. RUSSELL, J. N. LANGHAM, Managers on the part of the House. BENJ. F. SHIVELY, N. P. BRYAN, P. J. McCumber, Managers on the part of the Senate.

The conference report was agreed to.

PRIVATE CALENDAR.

Mr. POU. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of bills on the Private Calendar.

The motion was agreed to; accordingly the House resolved itself into Committee of the Whole House on the state of the

Union, with Mr. ADAIR in the chair.

Mr. POU. Mr. Chairman, this is the first day that there has been any opportunity for the consideration of bills from the Committee on Claims. I therefore move that the committee proceed first to the consideration of those bills reported by the Committee on Claims.

Mr. MANN. It is also the first opportunity that other bills

have had.

Mr. POU.

Mr. POU. But this is claims day, under the rule. Mr. GARRETT of Tennessee. Mr. Chairman, I think the language of the rule provides that claims shall have preference

on this day.

Mr. MANN. If the gentleman will permit, the ruling has been that bills reported from other committees than War Claims on this day can come up in the regular order, the same as claims day. That was an arbitrary ruling in the last Congress, arbitrary because otherwise these bills would never be reached at all.

Mr. GARRETT of Tennessee. The gentleman says, it was

made in the last Congress?

Mr. MANN. Yes. The old rule before the last Congress gave preference to the Committee on Claims over war claims on a certain Friday, and war claims over claims on a certain Friday, without reference to bills reported from other committees. When you revised the rules you put in a provision that bills from the Committee on Claims and the Committee on War Claims should have the preference, which gave no opportunity for the consideration of bills reported from another committee unless there was no bill from the Claims or War Claims Committee. The Chair ruled that it was not the intention to change the prior ruling; that the only preference of the claims bills was over war-claims bills, and the only preference over war-claims bills was the claims bills.

Mr. POU. Now, Mr. Chairman, I maintain that under clause 6, Rule XXIV of the rules of the House, bills reported by the Collimittee on Claims have the preference to-day, no matter what may have been the ruling of any former occupant of the

chair in the Committee of the Whole.

On every Friday except the second and fourth Fridays the House shall give preference to the consideration of bills reported from the Committee on Claims and the Committee on War Claims, alternating between the two committees.

If the English language means anything, it means that on to-day, which is not the second Friday, which is not the fourth Friday, preference shall be given first to what? To bills reported by two committees. What two committees? The Committee on Claims and the Committee on War Claims. It seems to me that it would be impossible for the English language to make anything plainer than this, that on to-day the committee shall give preference to the consideration of bills from these two committees. Now, there is a further qualification to it that on a certain Friday preference shall be given to the Committee on Claims over the Committee on War Claims, and that on a certain Friday preference shall be given to the Committee on Claims over the Committee on Claims. But there is no qualification to the rule that on this day preference shall be given to bills reported by the two committees named.

Mr. MANN. What the gentleman from North Carolina says

about the reading of the rule I think is correct. I think no one who reads the rule, without regard to the history of the rule, would say that the gentleman's contention was not correct. Under the old rule, prior to the last Congress, the preference that was given under the rule was simply a preference to the Committee on Claims over War Claims, and on War Claims over Claims on war-claims day. I called the attention of the House in the last Congress to the fact that under the rule as proposed then there would be no opportunity for the consideration of reports from another committee than claims and war claims if

the rule was strictly construed.

Mr. HARDWICK. Will the gentleman yield?

Mr. MANN. Certainly.
Mr. HARDWICK. I happened to draft this rule, and as the rule reads and as it ought to be construed, undoubtedly on the first and third Fridays, while the Claims Committee comes first. the other committees would have a chance.

Mr. MANN. No. Mr. HARDWICK. On the first and third Fridays these two committees have the right of way. The rule so states in the

plainest and most unmistakable language. There can be no excuse for any contention that there is anything muddy about it or anything that is not clear or fair. On the first and third Fridays the Committee on Claims and the Committee on War Claims alternate and have preference over other committees reporting private bills. But on the second and fourth Fridays that is not true.

Mr. MANN. Well, Mr. Chairman, that is an incorrect statement of fact, because on the first and third Fridays bills from the Committee on Pensions and Invalid Pensions have the prefer-

Unless these committees run out of bills there is no chance for any other committee to have a bill reported on a Friday. That matter was ruled upon.

Mr. HARDWICK. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Of course that meant they would have Mr. HARDWICK. their chance only after these committees got through.

Mr. MANN. Certainly.

Mr. HARDWICK. The rule meant that, and we knew that

when we drew that in that way.

Mr. MANN. Then, the gentleman ought to have advised the Chairman of the Committee of the Whole of that in the last Congress

Mr. HARDWICK. It does not make any difference if there has been a mistake about it in the ruling of some Chairman of the Committee of the Whole in the past.

Mr. MANN. This matter came up several times in the last

Congress, and every Chairman who occupied the chair ruled-Mr. HARDWICK. Can the gentleman cite the rulings?

Mr. MANN. I can not cite them at this moment.

Mr. HARDWICK. Does the gentleman remember there was more than one?

Mr. MANN. I do remember it came up more than once.

Mr. HARDWICK. We might as well settle it now again, because if it was ever settled that way, it was settled wrong,

Mr. Chairman, with the permission of the gentle-Mr. POU. man from Illinois [Mr. MANN], having in mind the statement of the gentleman from Georgia [Mr. HARDWICK] as to the meaning of this rule, I am going to ask the Chairman to rule on this question again. I do not care what the ruling has been heretofore, as I said a while ago. If anything on earth can be made plain, it is that these two committees under the rule have preference on certain days. I beg the attention of the Chair for just one moment. It is not true that if the Chair rules that way it means there will be no opportunity for consideration of other bills on the Private Calendar. The Committee on Claims has only half a dozen bills on the calendar to-day. I do not believe it will take over an hour to dispose of them; it certainly ought not to. Then the other bills on the calendar can be considered. I do not challenge the statement of the gentleman from Illinois, but I do not remember the ruling to which he

Mr. MANN. Mr. Chairman, will the gentleman yield? Mr. POU. If there was such a ruling, it was in the teeth of

the language of this rule. Mr. MANN. Mr. Chairman, will the gentleman yield? Mr. POU. Yes.

Mr. MANN. The gentleman will remember this, I think: That in calling the calendar in the last Congress on privateclaims day, bills from other committees were considered in regu-

Mr. POU. I do remember that bills were considered. My recollection of what occurred is this: That the point was made of which the gentleman speaks, and in order to cut the knot—the Chair did not rule upon it—I made a motion that we take up bills from the Committee on Claims, and the motion prevailed.

Mr. MANN. I do not say the gentleman may not have done that, though I think he asked unanimous consent to do that.

Mr. POU. No: I remember distinctly that I moved on at least one day, and I think on two, to take up the bills from the Committee on Claims.

Mr. MANN. By unanimous consent, but the Chair ruled on

the proposition.

Mr. POU. I will be through in just one minute. I think this matter ought to be settled now. The Committee on Claims and the Committee on War Claims have a great deal of work. The Members of the House are interested in these bills. We have been doing our best to put them on the calendar, and it is in the interest of the early consideration of bills in which you are interested that the rule should be followed. It means the setting aside of two days, and that on those days preference should be given to claims in which you are interested and which

the Committee on War Claims reports. We ought not to have to fight for a chance to consider bills from the Committee on Claims on days clearly set apart to that committee. I say no other construction can be put upon that rule than that on to-day the Committee on Claims and the Committee on War Claims shall have preference.

Mr. GARRETT of Tennessee. Mr. Chairman, I do not remember the ruling that has been referred to by the gentleman from Illinois [Mr. Mann]. I have a distinct recollection that such a ruling was made, but I do not remember now what Chairman

made that ruling.

Mr. MANN. I do not remember who was in the chair, but

I will say to the gentleman. The it was made several times, I will say to the gentleman. question was raised by gentlemen on the Committee on Claims on several occasions.

Mr. GARRETT of Tennessee. This is the first time my attention has been directed specifically to the matter.

Mr. POU. I do not find any reference to it in the digest. Mr. GARRETT of Tennessee. That is since the rules were revised, at the beginning of the Sixty-second Congress.

Mr. MANN. The Digest of Rules is not up to-day. Mr. GARRETT of Tennessee. I know that is true. Chairman, I want to submit this observation to the Chair. I do remember very distinctly since this discussion has come up a discussion that was had in the Committee on Rules, and a discussion that was had on the floor of the House when the rules were brought in at the beginning of the Sixty-second Congress. I remember very distinctly that the geutleman from Illinois [Mr. Mann] and the gentleman from Penusylvania [Mr. Dalzell] at that time, during the course of some remarks I myself was making on the rules, called attention to the fact that this would give precedence to claims and war claims over those bills coming from other committees. It was the purpose of the Committee on Rules to do that, and it was stated, Mr. Chairman, in the debate at that time that it was the purpose to do that—to put claims and war claims on precisely the same plane that pensions are on now and have been on for years. I apprehend that if upon a pension day some gentleman should undertake to call up a bill from some other committee than the Committees on Pensions or Invalid Pensions, as the case might be, the point of order would be promptly made and would be sustained. The language was so changed in making this rule as to, in express terms, put claims and war claims upon exactly the same plane as Pension Committee business. That was the very purpose of it, and I think the Chair would be not only justified but vindicated-

Mr. GARNER. Compelled.

Mr. GARRETT of Tennessee. Compelled, yes, to so hold. Mr. MANN. Mr. Chairman, I remember the discussion, although I do not remember interrupting the gentleman from Tennessee [Mr. GARRETT] or his statement. In the discussion about the rules at the beginning of the Sixty-second Congress I charged that that would be the result of this rule. I remember it was very vigorously denied on the other side of the House.

Mr. HARDWICK. By whom?

Mr. MANN. I do not recall now. I was endeavoring to make a point against the rules. Now, it is immaterial to me whether these bills have an opportunity to be heard or not. I never had any of them myself. But what will be the result?

Mr. POU. You have one now.

Mr. MANN. I have no bill reported from the Committee on Claims, and have not had for years. I might want to have, but I have not had one yet.

Mr. POU. I think the gentleman is mistaken. I think the Committee on Claims has a bill to which the gentleman's

name is attached as having introduced it.

Mr. MANN. I have no doubt I have introduced many of them, but they have not received favorable consideration. Now, I am not complaining about that. What will be the result if the Chair rules that bills from other committees can not be taken up until all the bills reported from the Committee on Claims are disposed of? Every old Member of this House knows that after a few weeks the calendar is filled with reports of the Committee on Claims, and usually from the Committee on War Claims. If you say that a bill from any other committee can not be taken up on any day until the claims bills have all been disposed of on claims day, or the war claims bills all disposed of on war-claims day, or the pension bills all disposed of on pension day, why, you leave these bills

in the air and might just as well never report them.

Mr. HARDWICK. Why can not the question of consideration be raised on the Claims Committee and on the War Claims

Committee, and why can you not stop it in the House?

Mr. MANN. You can not raise the question of consideration on these bills?

Mr. HARDWICK. Why not?

Mr. MANN. The motion is to go into the Committee of the Whole.

Mr. HARDWICK. You can defeat that, can you not?

Mr. MANN. That would not help you. The motion is to go into the Committee of the Whole for consideration of private bills under the rules. If defeated, you will not get to the other bills all day. You can not make a motion to go into the Committee of the Whole on private-claims day for the consideration of a particular bill. There is no way of getting to it if there is anything ahead of them on the calendar.

Now, that matter was presented in the last Congress, and I made the same argument then that I am making now, simply for the purpose of having the matter decided. The Chair then ruled that it was not intended by the rules to change the prior ruling on the subject. Now, if the gentlemen do not desire to have the same ruling in this Congress that was made in the last Congress, the rule being the same, it is a matter of imma-teriality to me. I have no interest in these bills as reported from other committees. In fact, in the main I am opposed to these personal bills reported from the Committee on Military Affairs, from the Committee on Naval Affairs, and from other committees, to give some special preference to some officer or ex-officer of the Army or the Navy over what other officers receive. It might just as well never be reported as to say they never can

Mr. HARDWICK. If the Chair is prepared to rule, I do not want to take any time, but there are certain observations which I would like to make.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HARDWICK. I will make my statement very brief. This rule is as plain as the English language can make it, and if any chairman of the Committee of the Whole in the past has made any mistake or given any improper ruling on it, the time to correct it is now. The rule provides:

On every Friday except the second and fourth Fridays the House shall give preference to the consideration of bills reported from the Committee on Claims and the Committee on War Claims, alternating between the two committees.

Mr. CAMPBELL. On what page is that?
Mr. HARDWICK. I am reading from clause 6, Rule XXIV.
Now, the intention of the Committee on Rules when they drew this rule was to do just what the rule says, namely, on the second and fourth Fridays of each month to give to the Committee on Pensions and the Committee on Invalid Pensions the preference over all other committees reporting bills on the Private Calendar and on the first and third Fridays to the Committees on Claims and War Claims. We put them on exactly the same basis. Their claims of preference and priority rest on exactly the same language, and no Chairman of the Committee of the Whole can rule that war claims and claims do not have preference over all other private business on the first and third Fridays without necessarily ruling that pensions and invalid pensions lose their preference on the second and fourth Fridays of each month. The preference in each case rests on the same language. It is plain and unmistakable. There is no room for controversy about it. The gentleman from Illinois [Mr. Mann] suggests it will give these bills preference. That was the very reason the rule was written that way. The gentleman from Illinois [Mr. Mann] may not prefer the rule to be written that way, but that we did not take him into consultation with reference to that, and we wrote it just as we meant it, and the House adopted it just as we meant it. And unless the Committee on War Claims and the Committee on Claims have this preference on the first and third Fridays of each month, then the Committee on Pensions and the Committee on Invalid Pensions have not the preference on the other two Fridays, because the right rests on the same language in each instance, and it is as plain as language can be. We changed the old language of this rule for that very purpose. We said it was fair to treat these committees exactly alike, and let the preference in each case rest on the same identical language, and there can be no doubt about it. I care not what some unnamed gentleman who may have presided over the Committee of the Whole in the past has ruled, when this matter was not argued out and when the point was not fairly and fully considered. It is the duty of the present occupant of the chair to follow the rule just as it was written.

Mr. POU. Just one word, if you please. The gentleman from Georgia [Mr. Hardwick], I think, has made it very plain that unless the Chair construes this rule to mean that the bills from the Committee on Claims are entitled under the rule to consideration to-day, then the Committee on Claims has no

preference at all over anybody or anything. It would likewise be true that the Committee on Pensions will have no preference over any other bill from any other committee.

The CHAIRMAN. It would have a preference over the Committee on War Claims, would it not?

Mr. POU. Does the Chairman mean the Committee on War Claims to-day?

The CHAIRMAN. Yes.

Mr. POU. That would be true; but I contend that as a practical result it would mean that in the face of that ruling to-day, on the point of order being made, the Chairman of the Committee of the Whole would be compelled to direct that the calendar be called from the beginning.

Now, the Committee on Claims has nearly a thousand bills pending before it. We have seven subcommittees at work all the time. The Members of this House are entitled to have their bills considered, and I appeal to the present occupant of the chair to construe this rule in accordance with its clear intention, as stated by members of the Committee on Rules.

What occupant of the chair has ruled to the contrary? unnamed occupant, on some forgotten day, may have made such a ruling, but it is not recorded anywhere, so far as it has been stated in this House. I have no recollection of any such ruling, though I will not say such a ruling was not made. The gentleman from Illinois [Mr. Mann] is always accurate, and I would not challenge his statement; but if that statement is correct, then the time has come to change the ruling here and

I have not seen a Member of this House who does not agree that a proper construction of this rule would require that bills from the Committee on Claims shall have consideration to-day. Almost every hour of the day the Committee on Claims is being Almost every hour of the day the Committee on Claims is being called up by Members wanting to know whether we are going to call up their bills on the following Friday. What answer can be given them, with nearly a thousand bills pending in that committee? Mr. Chairman, this rule should be considered in accordance with the clear and palpable intent of the men who drew it—that these private claims should be considered. ered first, and that then we should take up other bills on the Private Calendar.

Mr. CAMPBELL. Mr. Chairman, I recall that a number of years ago an attempt was made, while the Committee on Claims was considering bills, to call up a bill that had been reported by the Committee on War Claims. That precipitated a parliamentary discussion that consumed two or three hours in the day as to whether or not the bill reported from the Committee on War Claims was in order on that day.

Mr. MANN. If the gentleman will permit me, that was prior

to the Sixty-second Congress?

Mr. CAMPBELL. Yes; that was prior to the Sixty-second Congress.

Mr. GARRETT of Tennessee. Having that fact in mind at the time we revised the rules at the beginning of the Sixtysecond Congress, we put that language in, removing it from the realm of doubt.

Mr. CAMPBELL. It happened that I was in the chair at the time, and I had to hold that, as the rules then existed, a report from the Committee on War Claims was not in order at that time. Whether the rule as now revised accomplishes the purpose or not, I am very sure that it was the intention of those who drafted the rule to give an equality of opportunity for consideration to the bills reported from both of these committees.

Mr. GARRETT of Tennessee. If the gentleman will permit again, I think unquestionably it does not, because the committee in revising the rule had in mind the ruling which had been made upon pension language, and it used the same language with regard to claims and war claims that had been ruled

upon in regard to pensions.

Mr. CAMPBELL. I am very sure that the intention was to give these bills similar status on claims day, and I think that a consistent ruling and a proper construction would give that rul-

ing to this rule as it now reads.

The CHAIRMAN. The present occupant of the chair did not know he was going to be called upon to preside, and did not know that this question would be raised. Clause 6 of Rule XXIV provides that-

On Friday of each week, after the disposal of such business on the Speaker's table as requires reference only, it shall be in order to entertain a motion for the House to resolve itself into Committee of the Whole House to consider business on the Private Calendar in the following order: On the second and fourth Fridays of each month preference shall be given to the consideration of private pension claims and bills removing political disabilities and bills removing the charge of desertion. On every Friday except the second and fourth Fridays the House shall give preference to the consideration of bills reported from the Committee on Claims and the Committee on War Claims, alternating between the two committees.

The present occupant of the chair does not pretend to be a parliamentarian, but as he understands the rule, and from the information he has upon the subject, he is inclined to believe that this clause means exactly what it says, and in view of that

fact the Chair overrules the point of order.

Mr. MANN. Mr. Chairman, may I be permitted to express the hope that the parliamentarian will make a note of the rule, so that we may at least hereafter have a consistent ruling, even

though we change parliamentarians?

Mr. HARDWICK. If you go wrong once, you had better get

right, no matter who is the parliamentarian.

Mr. MANN. The gentleman from Georgia at some future time might argue on the other side. [Laughter.]
Mr. HARDWICK. Oh, no. The gentleman from Georgia will

not do that

Mr. MANN. He was doing it two years ago.

NEW ENGLAND STEAMSHIP CO.

Mr. Chairman, I call up the bill H. R. 9848. The CHAIRMAN. The Clerk will report it. The Clerk read as follows:

A bill (H. R. 9848) for the relief of the New England Steamship Co. Be it enacted, etc., That the claim of the New England Steamship Co., owner of the American steamer Commonwealth, injured in collision with the U. S. battleship New Hampshire, on or about July 7, 1912, in or near Newport Harbor, for and on account of the damage to said steamer Commonwealth by reason of said collision, may be submitted to and libel against the United States filed in the United States district court in the district in which suit has been or shall be commenced by the United States to recover for the damage to the said battleship New Hampshire resulting from said collision, under and in compliance with the rules of said court sitting as a court of admiralty; and the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States, upon the same principles and measure of liability, with costs, as in like cases in admiralty between private parties and with the same rights of appeal.

SEC. 2. That should damages be found to be due the said New England Steamship Co. as owner of said steamer Commonwealth, the amount of the final judgment or decree therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: Provided, That said suit shall be brought and commenced not later than four months after the date of the passage of this act. A bill (H. R. 9848) for the relief of the New England Steamship Co.

Mr. Chairman, I think there ought to be an explanation or statement given regarding the bill. I notice there

is no report at all from any department on the bill.

Mr. STEPHENS of Mississippi. Mr. Chairman, it is very true that there is no report from any department, but it appeared to the committee that there was a collision between a vessel owned by the New England Steamship Co. and a Government vessel. The Government has filed a suit in one of the courts of New York, I believe, against this steamship company for damages. The purpose of this bill is simply to allow the steamship company to file a cross action in the suit that is now pending in order that the whole question as to liability for the accident may be determined and stated in the one suit.

It will be noted that there are several amendments. there was nothing in writing from the department, these amendments were adopted at the suggestion of the department. The amendments are in regard to alleging that certain injuries occurred and certain damages were done. The bill as originally drafted stated that the vessel had been injured and certain damages had been suffered. These amendments were offered because of suggestions that came from the department. understand it, there is no objection whatever to the bill on the part of any Government official.

Mr. MANN. Mr. Chairman, will the gentleman yield for a

question?

The CHAIRMAN (Mr. Russell). Does the gentleman yield?
Mr. STEPHENS of Mississippi. Certainly.
Mr. MANN. If this bill should pass and become a law, and the steamship should file its cross libel and obtain a judgment. on that, would it not be just like an ordinary judgment against the United States?

Mr. STEPHENS of Mississippi. It was not the intention of the committee that that should be the case.

Mr. MANN. What was the intention of the committee?

Mr. STEPHENS of Mississippi. The purpose was to do as has been done in several instances by this House, simply to allow the evidence to be heard and the matter adjusted in that particular.

Mr. MANN. It is to permit a judgment to be taken against the United States, is it not, if the facts warrant it? Mr. STEPHENS of Mississippi. I think that would be the effect of it, according to the way the bill reads.

Mr. MANN. The payment of ordinary judgments against the

United States is provided for in the general deficiency appropriation bill. Why should you provide in this bill that this

judgment should be paid without taking the ordinary course of a judgment against the United States?

Mr. STEPHENS of Mississippi. As I have stated, it was not the purpose of the committee that we should depart from the ordinary procedure in that respect.

Mr. MANN. Then section 2 of the bill ought to be stricken out, except the proviso, which might be attached to section 1.

Mr. STEPHENS of Mississippi. Section 2 is stricken out.

Mr. MANN. I beg the gentleman's pardon. Mr. STEPHENS of Mississippi. There is a committee amend-

ment striking out section 2.

Mr. MANN. I do not know how many prints of the bill there are. The copy of the bill which I have, as reported from the Committee on Claims, strikes out of section 2 a part of the

language in line 16 and puts other language in place of it.

Mr. STEPHENS of Mississippi. The Clerk informs me that there were two prints of the bill. The later print strikes out

section 2.

Mr. POU. Here it is, stricken out.

Mr. MANN. How is it possible for the committee to report a bill with an amendment to a section and have the bill so printed, and then report another print of the bill with different provisions in it? It seems to me that when we get the print of a bill reported, especially where it has amendments printed in it, we ought to know that we can rely upon that, and not have the committee then file some other bill as their report.

Mr. STEPHENS of Mississippi. The first print was an error on the part of somebody at the Printing Office.

Mr. MANN. Oh, I daresay that the Printing Office does not take the liberty of striking out the language in section 2—

Suit shall be brought and commenced-

And inserting in lieu thereof the words-

Cross libel shall be filed-

Without warrant for it. It would be a serious reflection upon the present administration of the Printing Office to say that they undertake to amend bills of the House when reported. When we get these copies of bills, I think we have a right to know whether they are correct or not. I obtained a copy of the bill and of the report, and it did not show that it was proposed to strike out section 2. I took the print of the bill which came in the ordinary course. I do not know how many prints there may have been since.

Mr. STEPHENS of Mississippi. I think this is the last

Mr. MANN. The gentleman thinks so, but, then, we have no guaranty of that.

Mr. STEPHENS of Mississippi. It is the one that is before

the House now that we are called upon to act upon.

Mr. MANN. When a bill is reported, I do not know by what authority the clerks at the desk substitute another bill. I do not know where the clerks get authority, when a bill is reported to the desk, to substitute some other bill that somebody may bring to them.

Mr. HOWARD. May I ask the gentleman a question?
Mr. STEPHENS of Mississippi, Yes.

Mr. HOWARD. Was there not some finding of a maritime board on this case?

Mr. STEPHENS of Mississippi. I think not. Mr. HOWARD. Was there no investigation made by any of the maritime authorities?

Mr. STEPHENS of Mississippi. As far as I am informed, there was not. However, a suit has been instituted by the Government against this private company, and they simply ask the right to file a cross libel so that the whole matter may be determined in that one action.

The CHAIRMAN. The Clerk will report the committee

amendments.

The Clerk read as follows:

Page 1, line 4, after the word "Commonwealth," insert the words "alleged to have been."

The amendment was agreed to.

Also the following committee amendment:

Page 1, line 8, after the word "the," insert the word "alleged."

The amendment was agreed to.

Also the following committee amendment:

Page 1, line 10, after the word "and," insert the word "cross."

The amendment was agreed to.

Also the following committee amendment:
Page 2, line 10, after the word "appeal," insert the words "Provided,
That said cross libel shall be filed not later than four months after the
passage of this act."

The amendment was agreed to.

Also the following committee amendment:

Page 2, lines 13 to 19, inclusive, strike out all of section 2.

The amendment was agreed to.

Mr. STEPHENS of Mississippi. I move that the bill as amended be laid aside to be reported to the House with a favorable recommendation.

The motion was agreed to.

ORDER OF BUSINESS.

Mr. POU. Mr. Chairman, I presume that the Clerk will call up these bills reported by the Committee on Claims, in accordance with the ruling, and I call up House bill 3468. That is the

Mr. MANN. No; that is not the next bill.

The CHAIRMAN. Under the ruling which has been made, the Chair thinks the committees would have the right to alternate

Mr. POU. I beg the pardon of the Chair. The ruling of the previous occupant of the chair [Mr. ADAIR] was that on to-day bills from the Committee on Claims should be considered.

Mr. MANN. Number 19 on the Private Calendar is next.
Mr. POU. With the permission of the gentleman, I will explain that the previous occupant of the chair ruled that on next Friday the Committee on War Claims should have preference, but that on to-day bills reported by the Committee on Claims shall have preference. I made a mistake in the number of the next bill. I should have called up H. R. 7633.

The CHAIRMAN. The Chair now understands that the gentleman's statement is correct. The Clerk will report the

next bill on the calendar reported from the Committee on Claims.

CHARLES W. HAMMOND, DECEASED.

The Clerk read the bill (H. R. 7633) for the relief of the personal representative of Charles W. Hammond, deceased, as

Be it enacted, etc., That the Secretary of the Treasury of the United States is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the personal representative of Charles W. Hammond, deceased, the sum of \$68 for services in carrying the mail between Macon and Albany, Ga., in 1860 and 1861.

Mr. SCOTT. Mr. Chairman, I desire to say with reference to this bill that while I was present at the meeting of the committee, I was called away just before the adjournment of the committee and before this matter was taken up. At the fol-lowing meeting of the committee another bill of like character was brought to the attention of the committee and a question arose as to what the precedents had been, and that led to some arose as to what the precedents had been, and that led to some investigation relative to the class of claims represented by this bill. This bill on its face represents a claim of the personal representatives of Charles W. Hammond for \$68, but I find that it is but one of a very large class of claims and that there were some other bills of the same class, I do not know how many, pending. In the Claims Committee there is a list of these claims aggregating between \$200,000 and \$300,000. They grow out of the circumstances occurring shortly after the beginning of the late Civil War, when the postal service was abandoned in the South. As a result there are a great many hundreds, possibly thousands, of claims throughout the South of this character, all of which are apparently for small amounts, but which in the aggregate amount to between \$200,000 and \$300,000. These claims have been before Congress at different times during the last half century, and for some reason have not been acknowledged. Before the bill is passed I believe that the matter is of sufficient moment for the present Congress to hear and consider the reasons which controlled previous Congresses on this class of bills.

Mr. POU. Mr. Chairman, with the consent of my colleagues on the committee, I will ask that the bill be passed over for the present.

Mr. DENT. Does the gentleman mean until the next call?
Mr. POU. Yes; until the next claims day.
The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that this bill be passed over, without prejudice, until the next claims day. Is there objection?

There was no objection.

HEIRS OF SAMUEL H. DONALDSON.

The next business on the Private Calendar was the bill (H. R. 3468) for the relief of the heirs of the late Samuel H. Don-

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and be hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of the late Samuel H. Donaldson, who died from injuries received in the performance of his duties under the appraiser of merchandise at the port of New York, the sum of \$5,000.

With the following committee amendment:

In line 8, strike out the figures "5,000" and insert the figures "1,500."

Mr. MANN. Mr. Chairman, I think that perhaps the policy of the committee and Congress ought to be established, in a way, with reference to this class of claims. This is a personal-injury claim on account of the death of an employee of the Government. The bill provided for \$5,000, but the committee reports an amendment making it \$1,500. May I ask my distinguished friend from North Carolina whether \$1,500 is intended, in a way.

at least, as a year's salary?

Mr. POU. It is not.

Mr. MANN. Upon what theory does the committee fix the amount?

Mr. POU. On the theory, Mr. Chairman, that the committee heard the evidence and thought that \$1,500 was a very moderate amount to pay the heirs or the personal representatives of this man, on account of death without any fault on his part.

I will say to the gentleman that the Committee on Claims has had up the same question which was discussed here during the We have decided that whatever may be the last Congress. opinion of individual gentlemen, so far as we are concerned we propose in the absence of a general law, to hear these cases, and wherever it appears that under similar circumstances a public service corporation would have been liable in damages, we propose to hold the Government liable. In other words, we have determined, and I think I can speak for the entire committee, both Republicans and Democrats, because I am glad to say there never has been any politics in any way in the committee since I have been chairman-we have decided that it is not fair or just for the Government to hide behind its sovereignty when a public-service corporation would have been liable under a given statement of facts.

Now, we have gone further than that, and I think we ought to be sustained by the House; we have said that wherever it appears that an employee of the Government loses his life or is injured without any negligence whatever on his part, the Government should allow reasonable compensation, and if the policy of this country has not reached the point of making public-service corporations liable in such cases, I believe the

day is near at hand when it will.

Here is a typical case. Here is a laborer who was getting perhaps \$3 a day—for the moment I do not recollect how much—who, without any fault on his part, in the discharge of his duties lost his life. He had several little children dependent upon him. He had a wife at the time who has since died, largely, it was believed, on account of the shock that was inflicted upon her by reason of his sudden death. Here is a man who loses his all without any fault on his part. It would not be right to appraise the amount that the Government would

pay him in accordance with the daily wages he was receiving.

The Committee on Claims said it believed the House would sustain us in this position. We think there ought to be a general law, but, in the absence of a general law, so long as we are forced to consider these cases we propose to do what is just and right. Here is a man, without any fault on his part, loses his life, and we say \$1,500 is not only not too much but it is, perhaps, not as great an amount as the family ought to have under the circumstances.

Mr. COX. Will the gentleman yield?
Mr. POU. Certainly.
Mr. COX. Did not the House pass a bill in the last Congress giving a lady \$8,000 who got injured down here in the Census Office?

Mr. POU. The House did. The House passed a bill giving a woman \$8,000 because, without any fault on her part, she had the scalp torn from her head; and I will say to my friend that this country is waking up upon this subject, and ought to wake up; and the Committee on Claims can do no better service, in my humble judgment, than to report these bills and thereby emphasize the necessity for a general law.

Mr. KELLY of Pennsylvania. How does the Committee on Claims make the basis for paying these claims?

Mr. POU. There is no basis, except to give what we think a jury would probably assess in the same circumstances.

Mr. KELLY of Pennsylvania. There is no particular.

Mr. KELLY of Pennsylvania. There is no particular standard?

Mr. POU. No. I can not explain the basis upon which the committee acts in any better way than to repeat, we are trying to do what we believe to be fair and right. I will say just one thing more and then sit down, with the gentleman's permission. Mr. MANN. I have no objection to the gentleman from

North Carolina proceeding in my time.

Mr. POU. I want to say to the gentleman from Illinois [Mr. Mann] that we may as well have an understanding about this matter here and now, and I am sorry there is not a larger attendance of the House present. We have a number of these bills. There are others coming in, and I make the prediction-I have no authority to speak for the entire committee that in every instance where it appears that a laborer, an employee, a servant of the Government, was injured or lost his life without any fault on his own part we shall put the bill on the calendar with a favorable report. Whether you gentlemen will sustain us we do not know, but we are going to put that proposition up to you in the hope that in the course of time a general law may be passed to cover all of these cases and relieve the Committee on Claims from the necessity of their consideration.

Mr. LANGLEY. Mr. Chairman, will the gentleman yield?

Mr. POU. Yes.

Mr. LANGLEY. I did not hear the first part of the gentleman's statement, but to guide me in preparing for the considera-tion of the committee certain cases I have in mind I will ask the gentleman if the committee has fixed a rate of compensation in such cases?

Mr. POU. No; we have not. We have no rule to go by except this: We hear the evidence, constitute ourselves in the nature of a jury, and recommend to the House that it pay a

fair and just amount.

Mr. LANGLEY. The annual compensation an employee might have been receiving will not control the committee then?

Mr. POU. Of course, that enters as an element into our consideration, but I will say to the gentleman that there are cases in which the family of a man who receives \$2 a day or \$3 a day and who loses his life ought to get more than the family of a man who was worth a large amount of money.

Mr. LANGLEY. I thoroughly agree with the gentleman in

Mr. POU. We do not propose to be governed by the compensation of the laborer or employee, because, take, for instance, the case of a man who is worth \$100,000 who loses his life. In that case his family would receive probably 5 per cent on the amount of money he was worth, or an income of, say, \$5,000. Then take the case of another man who gets three or four dol-He loses his life and his family may be deprived.

lars a day. He loses his life and his family may be deprived.

Mr. LANGLEY. I have a case in mind where a deputy marshal was killed in my district-killed in the line of duty, without fault on his part. He leaves a widow and several small children, and they are practically destitute; and, if I can, I want to get at the idea of the committee as to the compensation in such a case, where the family is left in that condition. Also, what is the rule where such a deputy is permanently in-jured, in the same circumstances? I have a case of that kind

Mr. POU. I can only state to the gentleman that I have answered before that the committee has no hard and fast rule, and I do not think it will adopt any. We merely bring in reports which we think as nearly respond to the principles of equity and right in a given statement of facts as possible.

Mr. COX. And let each case stand or fall upon its own

Mr. POU. Yes.

Mr. TALCOTT of New York. Mr. Chairman, does the gentle-man think that a general law would be desirable, at least on the general principles of a workingmen's compensation law?

Mr. POU. I do not believe that a general law can be worked out in equity that is dependent upon the wages a man receives. That is the point I am protesting against, because there are cases where a man gets nothing at all, where his family ought to get more than the family of a man of means. But I am saying that the Committee on Claims has a tremendous task. We shrink from it when we see the number of bills, but we propose to do the best we can until Congress in its wisdom sees fit to appoint some agency which will determine these matters in controversy or provide some general compensation act applying to employees of the Government.

Mr. HOWARD. Mr. Chairman, will the gentleman yield? Mr. POU. The gentleman from Illinois [Mr. Mann] has the

Mr. HOWARD. Oh, I beg the gentleman's pardon.

Mr. MANN. Mr. Chairman, up to within a few years ago it had not been the policy of the Government of the United States, or in most instances, at least, the policy of the various States, to pay compensation for personal injuries in any case. Of course, occasionally there was a variation from that policy, as in the case of the United States in the Ford Theater disaster of some years ago. Congress in that case did make provision for the payment of compensation on account of death and in-jury there. It never had been the policy of the Committee on Claims prior, I believe, to the Sixty-first Congress, or possibly the Sixtieth Congress, to report any bills making any compensation for the personal injury of Government employees or of other persons who were injured through the negligence of Gov-

ernment employees or officials. In the Sixtieth or the Sixtyfirst Congress, or possibly earlier, we passed a bill making compensation in certain hazardous employments of the Government, fixing the limit of one year's pay for persons who were injured in the service where the injury lasted during the course of a year, and making compensation for an amount of pay due to a person where the injury lasted over 15 days. That was a distinct departure from the hitherto policy of the Government, along the more modern ideas of humane treatment.

I take it that the reason the Government in the first instance did not undertake to make itself liable for personal injuries was because in trying a case before a jury or a court, or, I might add, before this distinguished body of Representatives, the Government as a rule does not have much chance against the sympathy plea of somebody who has been injured or of survivors of somebody who has been killed in the Government

service.

Mr. POU. Mr. Chairman, will the gentleman permit me to ask him a question?

Mr. MANN. Certainly.

Mr. FOU. Take this case, for instance-

Mr. MANN. I shall discuss this case later.
Mr. POU. I was merely wanting to ask the gentleman if he thinks we made an error in giving this man \$1,500?

Mr. MANN. I will say to the gentleman I do not. I am not complaining about the action of the committee in this case at all.

Then, after we had passed this general law, which applied only to certain hazardous occupations, we extended the general law to several additional hazardous occupations, always confining the total amount, or the upset amount, to one year's salary. I do not say that that is a just method for arriving at compensation. It was a method, and indicated the desire of the Government to do something along those lines. Following that, the Committee on Claims in the next Congress, I think, succeeding the passage of this general law, reported in bills for employees engaged in the same hazardous occupations who had been injured before the law was passed, because the law applied only to those who were injured thereafter, but in each case confining their report to what would have been allowed under the general law if the person had been injured after the passage of the general law, the upset amount being one year's salary. In a very short time the Committee on Claims, moved by sympathetic and humane motives, concluded that one year's salary for some of these people was not enough, and so they reported more than one year's salary. Then the Committee on Claims was enabled to distinguish, where a man had actually Then the Committee on been killed, between a hazardous occupation and one which was not hazardous, because they took the theory that if the man was killed, in his case, at least, the occupation was hazardous. And they went outside of the classes provided under the general law and commenced to appropriate the same amount that would have been given to the person if the person had been injured in a hazardous occupation. Then they soon increased the amount.

I am not complaining, gentlemen, understand. we had a commission appointed in reference to compensation of employees of the interstate transportation interests. They made a report recommending the passage of the bill, which, as I understand now, is probably as near defunct as perhaps legislation can get. Following that, the Committee on the Judiciary had some one of their members prepare a bill, which I think was first introduced by my colleague from Illinois [Mr. Sterling], then a Member of the House, which made compensation along the same lines for Government employees that had been recommended by the commission for employees of the railroad.

I noticed the other day with pleasure that the distinguished gentleman from Alabama [Mr. CLAYTON], the chairman of the Committee on the Judiciary-unless I am mistaken-reintroduced that bill, or at least introduced a bill, for the purpose of making compensation to Government employees generally. I quite agree with the proposition that we have reached that stage where, whether it is desirable to stop it or not, you can not stop it. From my own standpoint I do not think it is desirable.

The other day we incorporated into the Post Office appropriation bill, with some parliamentary skill, a proposition, which remained in, to pay postal employees up to the limit of \$2.000 for death or a year and a half salary for injury, if the injury lasted that long.

Mr. BARTLETT. May I interrupt the gentleman a moment?

Mr. MANN. Certainly. Mr. BARTLETT. We had prior to that time a law which paid the railway postal clerks \$2,000.

Mr. MANN. We had prior to that time a law which paid the

postal clerks \$2,000. It was made \$2,000 on my motion. It was

\$1.000, and one day in the House I made a motion to amend by making it \$2,000, and nobody voted against it, I believe. It might properly be made more.

Now, I do not know how the Committee on Claims reached the amount it recommends, except as stated by the gentleman from North Carolina [Mr. Pou]. The amount in this case is not exorbitant, being \$1,500, but it is quite evident that the procedure indicated by my friend from North Carolina [Mr. Pou] was hardly followed in this case. What did they have before them? A few statements from people who were not Government officials. The Government side of the case was not heard at all. There was no presentation by anybody in behalf of the Government against the allowance of the claim or as to the amount that should be allowed, and this distinguished committee only followed the report that had been made by a prior distinguished Committee on Claims.

Mr. POU. I will say to the gentleman that in every instance the Committee on Claims inquires of the department whether it has any facts, and if the department can give us any informa-

tion we act upon that information.

Mr. MANN. I will say to my distinguished friend from North Carolina of course I do not know what information the committee had. All I can judge from is the information the committee reports to the House. In this case the committee reports to the House that it recommends the passage of the bill and adopts a report made in the last Congress. And all the information-and they point to a number of statements-all the information in the report which was made in the last Congress is from parties interested, or from a police official, or something of that sort, in New York City, with no statement at all on behalf of anybody representing the Government, and no report called for from the Treasury Department as to the facts alleged by the claimant in this case.

Mr. BARTLETT. May I interrupt the gentleman?

Mr. MANN. Certainly.

Mr. BARTLETT. The gentleman knows that in England they have a compensation act covering all Government employees and all employees in the various corporations?

Mr. MANN. I am not familiar with it, but if the gentleman

makes that statement about it I will accept it.

Mr. BARTLETT. There was such an act passed by the English Parliament, which provides for payment of employees who are injured, both in the Government service and in various

corporations outside of the Government.

I want to call attention to that for the purpose of saying that that act fixes the compensation to injured employees, or employees who are killed, along the line that has heretofore been suggested by the gentleman from Illinois, fixing the risk to those engaged in hazardous employment. It seems that the act that did not pass the House last Congress, known as the workmen's compensation act, relating to employment on railroads, fixed it along the line of what the man was receiving, both as to compensation for his injuries and compensation to his family if he was killed, or to those dependent upon him.

Mr. MANN. As I recall the workmen's compensation act, it does not base the amount so much on what he is receiving as

on what the injuries were that he received.

Mr. BARTLETT. In case of death the compensation was fixed at one-half of what he was receiving, which was paid for That is true.

Mr. MANN. I thought in case of death a certain amount was provided to be paid to those dependent on the deceased for a

series of years.

Mr. BARTLETT. Yes. One-half of what the deceased had been receiving was to be paid to his dependents for a term of four years. The maximum was \$100 a month, I believe, and the minimum \$50.

Mr. TALCOTT of New York. And it was provided that the money should not be paid to the families of the deceased unless they were dependent and the children were under 16 years

Mr. BARTLETT. Yes.

Mr. DIES. They also have an old-age pension system in England, have they not?

Mr. BARTLETT. Yes; and a service pension also. Mr. MANN. Mr. Chairman, I do not want to detain the committee, but I want to call attention to another proposition in reference to this subject. I recently introduced a bill to provide for payment of some amount to a letter carrier who was injured in the Postal Service. I do not know whether he should receive anything or not. I asked the distinguished chairman of the committee to refer that bill to the Post Office Department for information, which he most courteously did. The Post Office Department reported no information at all on the bill and made no investigation of the facts alleged in the bill or in reference to the injury which was alleged to have occurred, but reported that they did not believe the bill ought to pass, because they were opposed to these personal bills and thought

that there should be general legislation.

Well, I agree with the Post Office Department in that respect—that it is more desirable to have general legislation than to have personal legislation, although I fail to distinguish between this case or other cases where there is personal legislation and the bill which I introduced, so far as personal legislation is concerned, because I apprehend that Congress will not pass a law allowing compensation for injuries which have already occurred.

I would like to ask my dir inguished friend, the chairman of this committee [Mr. Pou], without endeavoring to commit him in any way whatever, whether he thinks that a postal employee who may be injured in the service or who may be injured in the service before a law passes giving compensation generally is to be barred because the Post Office Department thinks there ought to be general legislation instead of personal legislation, while the employees of the Treasury Department are to be paid compensation in case of personal injury by personal bills?

Mr. POU. Mr. Chairman, I do not hesitate at all to answer the gentleman. The committee does not act upon the recommendation of the department at all. The recommendation of the department is merely advisory, and I can see no reason for any distinction or discrimination. I will say to the gentleman that I have no doubt that the bill which he has introduced will have fair consideration-

Mr. MANN. I know that-

Mr. POU. And if the facts justify there will be an early and

favorable report.

Mr. MANN. Mr. Chairman, personally I believe that the liability act that we have is not a fair one. It was, it is true, a step of progress when enacted. But I do not think a year's pay, especially for a laboring man who is killed in the Government service through no negligence of his, who leaves perhaps a widow and small children, is a sufficient compensation if we are to make any compensation at all. [Applause.]

I am glad to know that in this bill it is not provided that this

man's children shall be paid so much as "compensation" death. I remember seeing bills discussed here where the bills provided that some widows or children should be paid \$300 " for compensation" for the death of their husbands and fathers.

Well, that was a form, but it was a bad form.

Mr. BARTLETT. It happened to be a legal form. That is what the law calls it in a suit between an employee and an employer.

Mr. MANN. I understand; and I believe we should pay more, and I believe we ought to pass something in the nature of the

Clayton bill.

Mr. BARTLETT. This is true, that all amounts not paid as compensation must be paid out as gratuities by a generous Government.

Mr. MANN. Yes. This is a generous gratuity.
Mr. BARTLETT. That is it.
Mr. HOWARD. Mr. Chairman, in this connection I desire to make just a few observations, based upon my experience since I

have been a Member of this House.

I never was more thoroughly convinced in my life than I am at this stage of my experience in this House that there ought to be some general legislation to relieve Congress from the consideration of bills of this class. In the first place, it takes up a very great amount of the time of Congress to pass them, and in the second place there is not one person out of one hundred, usually, who is injured who knows the course of procedure he should take to get compensation for any injury that he may incur while in the employ of the Government without any fault

Further than that, I have another objection to legislation of this sort, and it is the manner of arriving at the amount of compensation to be paid. As has been suggested by the gentleman from Illinois [Mr. MANN], the Government's side, as a rule, is not heard, and probably those who furnish the evidence upon which the Committee on Claims acts have furnished biased evidence; that is, they have sympathy with the wife or children of the deceased employee of the Government. These statements are not made under oath. They are not verified in any way, except that the chairman of the committee very properly refers a particular claim, when some Member introduces it, to the department, and that department in turn reports to the committee its approval or disapproval of the claim.

Mr. DIES. Mr. Chairman, will the gentleman yield for just a question?

The CHAIRMAN. Will the gentleman yield?

Mr. HOWARD. Certainly.

Mr. DIES. Do I understand the gentleman's position to be that he would subscribe to a general law embracing all the employees of the Government and providing compensation to all injured employees of the Government, or their beneficiaries in case of death, or that he objects to a particular class of claims? Would he exclude a portion of the Government employees or would be embrace them all in a general law?

Mr. HOWARD. My idea is that all injured employees of the Government ought to be put upon the same basis with the employees of any private corporation in this respect, that if the injured employee did not contribute to the accident by his own negligence, he ought to have a court that he can go into, whether he is working for the Government or not; he ought to have a court to which he can go, where he can establish his claim in a regular way by the submission of the sworn testimony of himself and his witnesses, and where the Government itself can go with like evidence and be heard.

Mr. DIES. Would my colleague have that court given jurisdiction to decree final judgment against the Government in the case he mentions?

Mr. HOWARD. I should not see any objection to it. If we can not get a court of that character, that would mete out equal and exact justice, then our whole judicial system is wrong, because thousands of the claims of the people are being passed on daily by the courts that have competent jurisdiction.

Mr. DIES. Considering the slight sympathy we find here on the part of this body for the Treasury of the United States, what sized verdicts do you think would be rendered down in Georgia against the Government of the United States in favor of men who were injured?

Mr. HOWARD. I will say that I have seen just as outrageous verdicts rendered against certain public utility corporations in my experience as a lawyer, as I could ever hope to see rendered against the Government of the United States.

Now, the question of determining the value of a man's life is arrived at in a certain way by the courts of this country. They take the age at which he was injured and his earning capacity, and from those they compute what his life would be worth and reduce it to a cash basis, and they predicate the judgment, after the rendition of the verdict of the jury, upon evidence of a competent character to show the value of that man's life. Now, this committee in this particular case have rendered a decision in which they say that the children of the deceased are entitled to recover \$1,500. In glancing at the facts in this case I notice that this man was 34 years old. earning as much as \$2 a day the payment of \$1,500 to these little orphan children, one 4 years old, one 7, one 9, and the other one 12, is not adequate compensation for the loss of the life of their father, which occurred without any fault of his.

The Government of the United States should not be niggardly with its employees when they are killed in the discharge of their duty, and it ought not to be niggardly, but it ought to treat them just as the courts of the country would treat them if they were working for private corporations.

Mr. Chairman, I will give the chairman of the committee the benefit of a case within my own knowledge. There is a gentleman working in the Atlanta post office, a splendid man, who has spent 20 years in the service of the Government. He got into an elevator in the post-office building. That elevator was being run by a negro who was addicted to the use of cocaine. He was very much under the influence of that drug, but this old man did not know there was anything the matter with him. He got in the elevator, and the negro started it before he could get in, and as a result he was caught and had his hip crushed, his leg broken, and without any fault on the part of that old man he suffered this injury and the loss of his salary for nearly 18 months.

Mr. DIES. What does the gentleman from Georgia think would have been a suitable verdict in that case?

Mr. HOWARD. He was about 56 years old when he was hurt, and I will say to the gentleman that if he should come in contact with a railroad engine in my State at a public crossing and should be similarly injured, I should consider myself licked in the trial of that case if I did not get him at least \$6,000 or \$7,000 verdict. Yet the Government of the United States not only refused to pay that faithful old employee his salary, which amounted to less than \$100 a month, during the 18 months that he was lying upon a bed of pain and suffering, but to this good hour he has not recovered a cent from the Government. could he recover? He could not recover unless he had some Member of Congress close enough to him to take an interest in him, to introduce a bill for him and work for it before the Committee on Claims and present his case,

Mr. YOUNG of North Dakota. Is it not a fact that most of these parties who bring claims against the Government bring them through attorneys, and that the attorneys receive a portion of the amount that is voted by Congress?

Mr. HOWARD. I do not know about that.

Mr. YOUNG of North Dakota. In a case like this, if the amount recommended for this man Denaldson, \$1,500, is agreed to, is it not fair to assume that a certain portion of it is going to the attorneys, and that his family will not receive all of that amount, and is not that one reason why this amount of \$1,500 is not excessive?

Mr. HOWARD. I do not consider the amount excessive. In fact, I am talking about the proposition that it is not enough, if he is entitled to anything. I do not know about the practice lawyers representing claims before the Committee on

Mr. POU. I will say to my friend from Georgia that there are very few of these personal injury cases in which there is any lawyer involved. We usually work up these matters ourselves, and I may say that I do not believe any lawyer appears before us or has anything to do with these claims in 15 per cent of the cases.

Mr. LANGLEY. It is not necessary that they should appear, is it?

Mr. POU. Of course, we do not need the help of lawyers. Mr. HOWARD. Oh, lawyers need no defense with me. Mr. POU.

believe that the lawyers do more good in this world than any other class of men on earth, except the preacher. [Applause and laughter.] Some folks who are not lawyers might not believe that; but, as a matter of fact, I doubt very seriously whether there is a lawyer upon this floor who would in the least doubt that statement.

Mr. LANGLEY. We admit it. Mr. ESCH. They admit it.

Mr. LOBECK. They must hang together, or they might hang

separately. [Laughter.]
Mr. HOWARD. I do not know about hanging together, but sometimes we fail to hang some fellow that ought to be hanged. The gentleman asked me whether the lawyers might not get in, if we established a court of some sort for the consideration of these claims. There ought to be some sort of a court that would be open to claimants of this character, so that it would be advertised to the world that if you are injured in the service of the Government in the discharge of your duties you can go to some tribunal and get justice. And it ought not to be dependent upon your personal acquaintance or your influence with your Congressman or your Senator. Now, there is this old man that I spoke of a moment ago-

Mr. DIES. I want to know if my friend from Georgia would include the employees of the Army and Navy, soldiers in the line

and sailors in the Navy?

Mr. HOWARD. Why, my good friend, they have already been embraced. If you look at this pension bill that is com-

Mr. DIES. I am talking about those who are serving in the Army and Navy at the present time. Would you embrace those

also as Government employees?

Mr. HOWARD. Why, Mr. Chairman, they are all taken care of. There is no man in the service of this Government in the Army or the Navy who, if he were killed to-day in the line of duty, somebody would not get paid for his life more than these poor children of this man Donaldson are getting from this bill.

Will the gentleman yield? Mr. DIES.

Mr. HOWARD. Yes.

Mr. DIES. I am afraid my friend does not comprehend my question. He would have this court established to have the cases tried before a jury where the accident occurred, rendering the verdicts against the Government on behalf of the employee. Would he have that embrace the soldiers of the Army and the sailors of the Navy?

Mr. HOWARD. No; I would not have it embrace the military or naval forces at all. It ought not to do it.

Mr. SISSON. Why not?

Mr. HOWARD. Because the disability of a soldier or a sailor and all such claims ought to be passed on by the War and Navy Departments, because they would be in a better position to know the record of that particular soldier or sailor than anybody else.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. HOWARD. Certainly.

Mr. GREEN of Iowa. I suppose the gentleman is aware that there are now pending one or more bills before the House for a general compensation act for Government employees, and on the scale of a similar compensation act that was introduced for the benefit of the railway employees.

Mr. HOWARD. I am glad to know that there is to be some sort of compensation law for this class of Government employees. But in the last Congress, with 30 minutes' debate, with not more than 10 Members of this great body ever reading one line of the bill, an employees' compensation act was rammed one line of the bill, an employees' compensation act was raimled through this House that took the right of trial by jury from 3,000,000 American citizens, without an elective clause in it where they could have determined their cases by trial by jury.

Mr. DIES. Will the gentleman yield once more?

Mr. HOWARD. Yes.

Mr. DIES. Along with this compensation proposition for injury to Government employees is another proposition to pension all the aged employees of the Government, those who are no longer strong enough to render the service for which they are employed. Is my friend prepared to subscribe to pensions for decrepit Government servants?

Mr. HOWARD. Not as long as I retain my present weak entality. I will never vote for that kind of a law.

Mr. DIES. Does the gentleman think as a matter of gratuity and sympathy the Government should pay the employees injured in its service? If he does, why would he not be willing to pay the faithful employee, who has grown old in the service and can no longer serve the Government, something to retire

upon in his old age?

Mr. HOWARD. The two propositions are different. In one you teach the Government employee who goes into the service or you say to him, "Have all the pleasure you can while in the service, you are young and active, spend all your money and throw it away, do not practice frugality and when you get old, although we have given you a good salary all your life because you have worked for the Government we will put you in a different position than any other people who pay taxes. We will give you enough to live on in your old age."

I think it would be the worst example that could be set on the face of the earth to let these civil-service employees of the Government understand that when they are decrepit and too old to follow work for the Government that they should re-

ceive a pension for the balance of their days.

But, I am in favor of this and I would vote for it to-day if I had the opportunity, and I would go back to my people with absolute certainty that they would approve it. I would, so far as I could, equalize the salaries of the Government employees and give them a salary that they could live on. I would not predicate their promotion in these departments upon the influence of some United States Senator or some Congressman to have him promoted over some man who had a better record because the other fellow did not have any influence. That is being done every day and Members know it.

But that is beside the question. The question I rose to address myself to the House upon was the method of procedure in the collection of damages against the Government of the United States for personal injuries where the employee is involved. I concur with the gentleman from Iowa [Mr. Green] and the gentleman from Illinois [Mr. Mann] that there ought to be some legislation of some sort where these injured employees can go and adjust their claims against the Government, just as they could if they were injured by a private corporation.

Mr. SISSON. Mr. Chairman, I do not know where the legislation along this line is going to end. But I draw a line of distinction between the citizen working for a private corpora-tion and one working for the Government. I do not believe it should permit the Federal Government to select out a class that happens to be fortunate enough to get their names on the pay roll and when they are injured pension them or their family, or when they die in the service or grow old in the service that they are to receive from the balance of the people of the Nation a part of what they, the taxpayers, earn. For this reason, if these men in this class are entitled to this favor at the hands of the Government, performing some service directly for the Government and paid for directly out of the Treasury, they are performing no more necessary, useful, or essential function for the existence of the Government than is the man working in private life, working on the farm or in the factory or in the mine. There is no reason why you should make officeholders a favored class and should pay them when unfortunate and not pay the man on the farm or in the factory or in the mine and all the civil pursuits of life.

Will the gentleman yield?

Mr. SISSON. Certainly.

Mr. POU. That is the very reason why it is contended by the committee that these claims ought to be paid. A man working in the mine or in the factory who is hurt has a right of action against the mine or factory owner, whereas the Gov-ernment hides itself behind its sovereignty and says because it can not be sued, no matter how the man was injured, he shall

not have anything. That is the thing which the Committee on

Claims says is not right.

Mr. SISSON. There is a distinction between a man working for a corporation or for an individual and for a man working for the Government, for this reason: The Government must exist and exist only through its agents, who only assume duties devolving upon them by law. The officeholder is not a master of those under him and the doctrine of master and servant can not apply. The officeholder, from President down to the lowest official, is nothing more or less than an employee of the Government of the United States, an employee of the masses of the people, doing only those things required of him by law to do. He can not direct his course; he can not direct his conduct; he can not be in any way responsible for the methods that the officeholder may pursue. But in civil life the laborer does the work imposed upon him by order of his employer who is solely responsible for these orders and the condition of the tools, appliances, and machinery used by the laborer. In the Government certain duties set out in the statute are performed with the full knowledge of what those duties are, and the employee of the Government assumes all the risks of that employment.

The doctrine of negligence can not be imputed and never has been imputed to the whole people, because the whole people may not respond in damages; but a man who controls his own private business, who has the direction of it and the employment of men under it, has the opportunity to provide safe machinery and safe places for his men to work. That involves a different proposition from all of the people of the United States, who can not and ought not to be put in a position where they themselves will respond to the negligence of the officeholder over whom they themselves can have no control and direction.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. HOWARD. What is the Government of the United States, if it is not a gigantic corporation, with a hundred million stockholders?

Mr. SISSON. There is a great deal of difference between a corporation which is, in a sense, the agent of the people in a governmental capacity and a corporation organized by virtue of the law of the sovereign for the purpose of transacting business in a certain way and for the purpose of profit. The Government can impose conditions on the corporation, can impose conditions on men engaged in business, and can require that in doing this line of business for profit you must assume certain obligations. If the Government officials should provide an unsafe building or an unsafe elevator, and a latent defect was unknown to the employee, there might be some equity in the unknown to the employee, there might be some equity in the Government responding in damages if the employee was injured without negligence on his own part. But the great trouble is that the responsibility of the official is such that you can not punish him, because he loses no money by his own carelessness; it simply comes out of the people. When a man owns lessness; it simply comes out of the people. When a man owns stock in a corporation he himself is punished, because he suffers financial loss, and it is in the nature of a punishment administered to him in order that he shall properly conduct his business. But here in this case the official of the Government has no responsibility of that kind attaching to him. He suffers no financial loss, and there is no inducement to him to be as careful as he would be in the case of a man owning stock in a corporation and electing officials to make money.

Mr. HOWARD. Will the gentleman yield?

Mr. SISSON. I yield.

Mr. HOWARD. Does the gentleman contend that a corporation is not liable in damages because of the negligence of an

Mr. SISSON. Absolutely, because the corporation also has to do business; but the stockholder himself must be responsible for his agents, and then the stockholder himself loses money by it; but a Government official himself does not lose anything by carelessness; it comes out of the taxpayer. The official is not interested in the corporation in a financial way.

Mr. HOWARD. Does the gentleman contend that if your agent—and he is the agent of the gentleman, and he is my agent, and the agent of every citizen of this country-is negligent, so negligent that he causes the death or the injury of an employee—does the gentleman contend that then the Govern-ment of the United States ought not to pay to the employee an adequate compensation for an injury caused by the negligence of the agent of the Government?

Mr. SISSON. But the gentleman has two propositions entirely mixed. The gentleman has me, a person, mixed with the Government.

Mr. HOWARD. But the gentleman is a stockholder in the Government.

Mr. SISSON, Oh, I am no stockholder in the Government in any sense of the word.

Mr. HOWARD. But the gentleman is obliged to be a stockholder.

Mr. SISSON. There is no such thing as stock in a Government. That is the great trouble about the whole proposition. Men get confused with such comparison, for government is not established for profit, but for the good of the people.

Mr. HOWARD. The capital stock of this Government is the

amount of taxes levied on the people. That is the capital stock, and the gentleman contributes toward that, and that makes him a stockholder

Mr. SISSON. The gentleman is mistaken. As a matter of fact, there is no such thing as stock in a government. This tax is a contribution or burden imposed upon a citizen and never pays a dividend, but takes from the citizen a part of what he earns to support the Government. There is no such thing as a man having property value in a government. The Government itself does not own a cent or a penny of property, except what it takes from the people. The only thing that the Government owns is what it takes away from the people. Even the public land belongs to all of the people. The Government is made up of servants who perform certain duties imposed upon them by law. You have an agent in the White House and agents in this House and agents over there at the other end of the Capitol and agents on the Supreme Court bench. Those three different branches constitute the Government of the

Mr. HOWARD. The distinguished citizen in the White House is the President of the corporation, and we are the board of directors. There is no trouble about that. It is a completely organized corporation.

Mr. DIES. But the gentleman is bound to admit that it is

not a corporation for profit.

Mr. HOWARD. Not at all. It is a corporation usually for loss, but your profit and my profit in this great governmental corporation is the protection afforded me by it as a citizen and the blessings I enjoy by virtue of that citizenship.

Mr. SISSON. Mr. Chairman, I must decline to yield further.

Mr. HOWARD. But the gentleman has an hour. Mr. SISSON. But I do not want to consume the hour. The gentleman from Georgia [Mr. Howard] is entirely wrong in assuming that the Federal Government and the people in their sovereign capacity ever can occupy the same relation to its employees that a corporation does to its employees, because the officials of the Government are not in the nature of a board of directors. They are servants performing duties imposed by law. They are the people who are controlling the Government and administering the laws of the Government.

The employee himself, to a certain extent, is just as much an agent of the Government, having certain duties develving on him, as is the President of the United States. You may as well say that the President of the United States, if he is injured in the line of duty, shall be paid because of the fact that he occupies a position as an official, and yet the man who directs a corporation, the man who controls the institution for a private corporation, he himself directing the movement, is not guilty and can not be guilty of such acts as would cause the corporation to be liable to him, because he assumes the responsibility of management and control, and on the doctrine of liability the man who controls another man, who directs another man, who himself controls the movements of another, and the place where he shall work—because of the fact that he is permitted to have this right—we say you ought to be responsible in damages if you are negligent and cause an injury. This hurts him, and it makes him more careful. It makes him provide good, safe places for the men to work. But with the Federal Government you have an entirely different proposition, because the Federal Government can act only through its agents. It acts only through those men who are elected to office, and then the Government itself ought not to be in a position where it shall be controlled under exactly the same conditions as a business institution is. The old adage that "the King can do no wrong" finds lodgment in this principle. In America the whole people can do no wrong. You can not impute negligence to it. You may impute negligence to the officials as persons. You may sue them, but you can not impute their negligence to all the people.

I do not want to put the Government in the same class with business institutions, and let the taxpayers of this country be submitted to judgments of all kind and character that may be obtained. But if you do; if you shall ever hold that a man doing service for the Government shall have the right to go into a court and recover from the balance of the taxpayers who are not so fortunate as to be connected with the pay roll, then

you must do as they have done in England and other free countries, go a step further and include every man performing his duty in private life, because he is just as much a part of the Government and as essential to the existence of the Government as the man who holds a seat in Congress. If you admit that the Government should respond in damages to its employees, then it must follow, as the night the day, that the Government must assume a further duty of taking care of the old and infirm. And it is an unfair proposition to say to all the people of America who are not connected with the pay roll of the Federal Government that if a man should be aged while he is holding an office, they shall be further taxed for the purpose of paying him when he gets old, paying him when he is injured, when he himself is perhaps absolutely the cause of his injury. man is fortunate to be able to hold office so long. He ought to save his salary and prepare for a rainy day. You are not to save his salary and prepare for a rainy day. You are not going to be able to get through this House a bill that will say that a Government employee must be negligent before he can recover. You try it. You will find these Members of Congress who favor this pension system and the payment as a lump sum to the employees, when they find they are going to be able to control the legislation, will never pass a bill that will put the Government on the same basis as a private corporation. You are not going to be able to get it through, because they will abolish the negligence feature entirely and pay the employee whether negligent or not.

Mr. DIES. Does not my friend from Mississippi [Mr. Sisson] think it will be about as fair, in fact fairer, to take up a collection by taxation among the officeholders to give a sum of money to a farmer or laborer who is hurt trying to pay the taxes, as it would be to take up a general collection among the

taxpayers to pay an officeholder who is hurt?

Mr. SISSON. I think the illustration used by the gentleman from Texas [Mr. Dies] is very apt, and I am willing to adopt it in all its breadth and thickness.

Mr. MANN. Will the gentleman yield? Mr. SISSON. I will. Mr. MANN. My distinguished friend from Texas [Mr. Dies injects a very pertinent observation. He is apparently against the bill, but I believe he is a member of the committee that reported it.

Mr. DIES. I will say to my friend from Illinois that I am only discussing the general principle of compensation for employees and compensation for job holders.

Mr. MANN. Trying to get away from the abstract to the concrete, I would like to hear my distinguished friend from Texas [Mr. Dies], who is opposed to pensioning or paying compensation in any case, give the reason why he is in favor of giving it in this case?

Mr. SISSON. I now yield to the gentleman from Georgia

[Mr. Howard].

Mr. HOWARD. I was following with a great deal of in-Mr. HOWARD. I was following with a great deal of interest your statement of what you think about paying the claims against the Government. Now, the great body at the other end of this Capitol just passed a bill providing that the Government shall go into the railroad business by constructing railroads throughout Alaska. By another bill they are going to buy the telegraph and telephone lines. I am not saying whether they ought to do so or not, but do you think if a man should be driving some reindeer up in Alaska, and without being given any warning an Alaskan government railroad engine should hit his sleigh and kill him and injure his reindeer and empty out his coal-

Mr. SISSON. Empty out his ice. [Laughter.]
Mr. HOWARD. Or his ice; that the Government ought not
to pay for that negligence of the engineer on that Government

Mr. SISSON. Now, when the Government of the United States goes into business, when it assumes the function of managing private business, and assumes to do the things that private corporations do, then it will follow, of course, as the night the day, that they will have to assume the burdens which the corporations assume. But that is an entirely different proposition.

Now, you take, for example, the construction of the Panama anal. Down there, for certain amounts, the officials and officers of the Panama Canal were authorized to settle claims where employees were injured, and frequently the settlement was made without going into the question of negligence of the employee. If it is a great amount, if it involves the death of the party, they generally go into an examination of the negligence, of his past, and what he was doing at the time of the accident. Up to a certain amount they have settled those claims, and Col. Goethals relieved Congress and the courts of all that burden. Now, the Government did that because when

it goes into business, when it goes to take up the railroad and telegraph lines, and all this dangerous business, then it must assume the burdens that private business bears. ernment now, having its officials performing nothing but the official duties devolving upon them, is in an entirely different class from those employed to manage a railway.

Mr. HOWARD. Sappose we take a man who is killed by a parcel-post package falling on him and fracturing his skull. The express companies and these other corporations are in the same business. Do you maintain that if they could recover from an express company the value of his life they ought not to recover the value of his life from the Government?

Mr. SISSON. I will say, no; if the man himself was managing the parcel-post package which fell on his head, they ought not to pay a cent. But I stated a moment ago that when the Government is going into all lines of business, as it looks like it will do, then it becomes a business institution, and it may not be far distant when they will be manufacturing all the wool, and all the iron and steel, and doing everything that the citizen is now doing; and when it does, and enjoys all the profits of that business, they provide for all the people, and the Government of the United States should respond in damages because it is in business for the profit of the people.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. Right in that connection will the gentleman yield?

Mr. MADDEN. Mr. Chairman, will the gentleman yield to me for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. SISSON. I will yield to the gentleman from Illinois

[Mr. MADDEN]

Mr. MADDEN. I suppose the gentleman from Mississippi recalls the fact that only a week or two ago the House passed the Post Office appropriation bill, in which was included a proviso for the payment of \$2,000 if any person employed in the Postal Service should be unfortunate enough to lose his life while serving in the line of duty, and providing for the payment of his salary at full rate for one year and at half rate for the second year to any employee of the Post Office Department who was unfortunate enough to be injured so as to prevent him from being able to continue to do his duty. Does the gentleman remember that?

Mr. SISSON. Yes; I remember that; but because that happens to be an item in one of the bills passed by the House it does not necessarily follow that I agree to it. It does not follow that I agree with everything that passes this House. I would hate to assume responsibility for everything that goes through both Houses of Congress during a session. [Laughter.]

Mr. MADDEN. But the gentleman voted for that bill, did he not?

he not?

Mr. SISSON. Yes; I voted for the entire bill. I do not know whether there was a roll call on it or not.

Mr. BRYAN. There was a roll call on the bill. Mr. SISSON. Yes.

Mr. HOWARD. Now, speaking with reference to claims, the gentleman and I have many constituents interested in southern war claims, for cotton destroyed and taken, and so forth. Now, what in the world is the necessity for this Congress to be burdened with passing a bill to refer such claims to the Court of Claims when, after the Court of Claims has adjudicated it and has reported it to Congress, Congress refuses to put it into an appropriation bill or refuses to pass the bill when it has been put in?

What has that to do with this proposition? Mr. HOWARD. I am asking you what is your opinion. Mr. SISSON. Will the gentleman ask the question?

Mr. HOWARD. I am asking you now whether you do not think it a foolish procedure to attempt to collect a claim against

this Government in that way?

Mr. SISSON. Now, in answer to the question of the gentleman from Georgia [Mr. Howard] as to cotton claims and anything else by virtue of which any people furnish anything to the Government, that is a different proposition from the proposition of pensioning old age and giving pensions or gratuities to those people who incur damages.

Mr. HOWARD. The gentleman will excuse me. I do not think he understands the purport of my question. I asked if he did not think it was a foolish procedure that all of this red tape had to be gone through with before one of his constituents or my constituents could get justice at the hands of Congressin the first place referring a bill to the Court of Claims and

Mr. SISSON. I do not think it is foolish, because I do not wish to pass judgment upon Members of Congress in the Senate and in the House, past and present, and say that they are fool- | the work. How would you handle those old men?

That would be equivalent to saying that the majority of the Members of the Senate and the majority of the Members of the House are fools, and I do not think that that is so at all. I do not think it is foolish in any sense of the word. I only say that Congress in its wisdom saw fit to take up each of these items one at a time.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. SISSON. I will yield to the gentleman from Missouri. Mr. DYER. I understand the gentleman is opposed to this

Mr. SISSON. I am opposed to the principle involved in this bill. I want to be frank with the gentleman and with the House. As long as we are paying claims of this class to other people, as long as others are being paid, I am not singling out this particular claim or opposing it. I am not opposing that. I am simply opposed to the general proposition to which this legislation is gradually leading, and it will certainly follow that when you pension all of these people—and I use the word "pour the proposition of the second transfer of "pension" to cover the gratuities that you pay—when you pass a general law it will follow that the taxpayers, who are paying the salaries of the Members of Congress and the employees of the Government are going to demand that they be treated like all other citizens are treated. They are not going to permit you to select out the office-holding class—Government officials, civilservice employees-and pension them when they are injured in the performance of their duty, while at the same time the private citizen is not pensioned when he is injured. That is what I am afraid of with respect to this legislation.

Mr. DYER. Does the gentleman hold that an employee who is injured in the Government service through the negligence of another person should not in any case receive compensation for

his injury?

Mr. SISSON. As a general proposition, yes. There may be exceptional cases. That is the reason why I assume that Congress has not been foolish in the past. That is the reason why I assume that the Republican majorities have not been foolish in the past. That is the reason why I assume that the Democratic majorities have not been foolish in the past. because there may be certain isolated cases where the employees of the Government are so much under the direction of their superior officer, dealing with some dangerous appliances or dealing with some machine that is dangerous in such a way that the employees have no right to control it, and by virtue of the carelessness of their superior officer are injured, the Government ought to pay the damages. But it ought to be an exceptional case and not the general rule.

Mr. DYER. Mr. Chairman, will the gentleman allow me to put a specific case to him?

Mr. SISSON. Yes.

Mr. DYER. A case where an employee of the post office, in passing through a train shed, gets a sack of mail thrown on him through the carelessness of another employee who throwing a sack from the car to the track, and it falls on him, and he suffers injuries to the extent that he is absolutely, for a number of years, totally incapacitated and paralyzed. not that be a case where Congress would be justified in authorizing the payment of damages for the injuries received?

Mr. SISSON. If I were on the committee, that would depend entirely upon the conduct and the care exercised by the man injured. If he were injured without any negligence on his

Mr. DYER. Absolutely— Mr. SISSON. If he were injured without any negligence on his part, I would be in favor of making that an exceptional case. Mr. DYER. There is a case just like that pending in the Committee on Claims.

Mr. SISSON. It is such cases as that which Congress in its wisdom has seen fit in the past to make payment for. I presume that claims have been paid that ought not to be paid, but the gentleman knows that many cases in court are lost that ought to be gained and that many cases are gained that ought to be lost.

Mr. LOBECK. Mr. Chairman, will the gentleman yield right

The CHAIRMAN. Does the gentleman yield? Mr. SISSON. Yes; I yield to the gentleman. Mr. LOBECK. The gentleman from Mississippi has made a

study of the civil service. I wish to state a case on which I would like to get the gentleman's opinion. I went up to one of the departments, because my attention was called to an old man, and I found out from the chief that out of 223 employees, 72 men were over 72 years of age. They cost the Government from \$85,000 to \$90,000 a year in salaries, when 30 or 35 young men or women who would cost from \$30,000 to \$35,000 could do

Mr. SISSON. That is one of the evils of the civil service. That is one of the things that comes with the civil-service system; and if there is not some change, if there is not some law passed which will gradually eliminate those who reach certain ages, so that they may know the time is coming when their connection with the Government is going to cease, so that they may begin to do like people do in private life, begin to economize and save something for old age, and observe the old Bible admonition and go to the ant for wisdom, then you must of necessity do something with the old employees in the civil service or else the Government service is going to suffer. I shall not call the name of the department, but-

Mr. LOBECK. The Government is going to suffer. Mr. SISSON. The Government is going to suf The Government is going to suffer by the inefficiency of the service. The head of one of the departments called my attention to the fact that there were numbers of people in his department who could not get up to their offices if it were not for the elevators, and after they get there they are totally incapacitated for doing anything. Yet on account of their age, on account of their length of service, they are drawing high salaries from the Government. Now, the civil service has been in operation just about long enough for the number of employees that live beyond the average length of life to be perhaps almost at the maximum. I do not know whether the number has reached that point or not, but it will be reached, and the time will come, which can be determined from the mortuary statistics, when the maximum number of old people will be in the service. Those who are too old to render any service are the ones who are an overhead charge, and it is perhaps more expensive to keep them there than it would be to retire them in some way. But I, as a citizen of this Republic, am unwilling to say to the man who has lived under the roof of a Government building, who has without any thought on his part except the performance of routine duties which the graduate of an ordinary high school could perform—I am unwilling to say to him, "You may live as you please, you may squander your means, and when you get old I will take care of you, but the man living on the farm, the man working in the factory, the man working for wages everywhere else, the man who has to manage his own affairs must carve out his own small destiny in his own small way," as the majority of the people do. I am unwilling that those men should be taxed to pay the expenses of an old-age civil-service pension; and the old men and women in private life must either become a charge upon the Government in some poorhouse or some asylum or some one must care for him, or he must exercise economy and business judgment and save something to live on in a rainy day. I am unwilling to have that stamp of royalty placed upon a man who happens to hold a place in the civil service, and to say that the balance of the people of the United States owe him a livelihood for all time to come. [Applause.]

I am unwilling to admit that the holding of a Government position gives him the right, after serving a certain number of years, to call upon the taxpayers to contribute to him for the balance of his days to take care of him, when the man in private life must so manage his own affairs that he can take care of himself in old age. Therefore, if you shall ever have a civil-service pension list, the voters and taxpayers of the country will never permit you to single out this class and give them the royal privilege of riding upon the backs of labor, not only while they are rendering Government service, but after they have ceased to render service to continue to remain upon the backs of the toilers of America. When you pension the civil-service employee, you must in justice pension the man who pays the taxes when he becomes unfortunate.

Mr. LOBECK. The gentleman waxes very eloquent, but we have a condition confronting us.

Mr. SISSON. The only question is whether it is true or false. Have I reached a true or false conclusion? Will the gentleman from Nebraska say here on this floor that he wants to single out and put in an excepted class the favored few who hold office, or that he wants to put them in a position where they can live all of their days as they please, and the people of his district be called upon—the old, the helpless, and the blind, in private life—to continue to contribute out of their earnings to take care of some employee of the Government who was not able to save or would not save a part of his salary?

Mr. DYER. How does the gentleman— Mr. SISSON. One moment. I will ask the gentleman from Nebraska if he is willing to do that?

Mr. LOBECK. I am interested in good service.

Mr. SISSON. I ask you a direct question. You say I grew eloquent. Now, I deny the mild impeachment, unless eloquence is the truth. If the gentleman means by eloquence that I have and you will pardon the personal allusion. When I was a young

told the truth about it, then there is no difference between him and me on the subject.

Mr. LOBECK. The gentleman is always eloquent.

Mr. SISSON. Then I am always truthful.

Mr. LOBECK. Well, I believe so; but we have a condition that exists, and there ought to be a remedy provided for it. You have invited these men to take a civil-service examination and enter the service under certain conditions of employment.

Mr. SISSON. I never extended any invitation.
Mr. LOBECK. The Government did.
Mr. SISSON. The invitations have always come to me. will tell you what I can do. I can go back to my district, and I could go back to my State, and, I believe, I could fill every office in the Federal Government, and I would never have to extend an invitation.

Mr. LOBECK. There are Democrats in my district who are complaining to-day about the civil service, which was insti-

tuted by a Democratic administration-

Mr. SISSON. They are complaining about it, and I believe they have a right to complain. There was a proposition which was contained in a nonpartisan bill supported on both sides of this Chamber, which I believe was reported upon the legislative bill, or one of the appropriation bills here, which made provision that after a civil-service employee had served for five years then he should be required to make a certain degree, and then, after serving five years more, he should be required to make another degree, of proficiency before he could be reported for the next higher service. In that way you would weed out the inefficient. This bill should have become the law. In that way you would retain in the Government service those men who are capable of earning their salaries, and then you would have constantly before the Government employee the idea that he might have to go back into private life.

Take the young man in college, when he gets back into private life he becomes economical. Do you want to take away all the lessons taught by the ancient philosophers to their and to the children in medieval times-say to the children in modern times that we renounce these truths and the lessons of economy taught in the sacred writ; we have done away with the philosophy of the great philosophers of the past, who have taught the doctrine of frugality so as to live within your means

and be able to pay your debts and support your family?

The great trouble in America to-day is that we are living vastly beyond our means. We have arrived at the most expensive age in the history of the world. We who are not able to live luxuriously are desirous of imitating others who live luxuriously. The Government employees are buying automobiles and pledging their salary in order to have the privilege of joy riding. The Government employees live like all other peoplebeyond their means. There is but one way by which you can exist in this cruel world. When God made the world, as He did, He made mouths that grow hungry, backs that grow cold, and He laid upon every man the injunction that by the sweat of his face shall he earn his daily bread. You here want to reverse that injunction and say to the Government employee, 'If you go on the pay roll, we are not going to require the burdens of you that are required of citizenship; we are going to relieve you from being frugal; we are going to put you in a favored class, where the cold of winters will not freeze you, where leaky roofs will not cause you sleepless nights, where penury and want will never stare you in the face as long as the Treasury of the United States can wring from the people who pay the taxes enough to pay you a pension; we are going to provide for you the life of the butterfly that floats around during the summer when he ought to be laying something up, sipping flowers that grow in the gardens and fields of the world. and when he gets old and winter comes we are going to say you can keep on your good way; we will bring to you the flowers. You can have your life of luxury, because you are in the favored class, holding office under the Federal Government." I am not willing to reverse all the philosophy of the past. If any man has studied the history of philosophy, you will find that has been true. Are you going now to say that you are going to reverse all this?

Gentlemen, you may take your course, but I am going to take the advice of Holy Writ and ask Government employees to follow the example of the ant and lay by something in the summer so that when the winter comes they may have something to care mr. LOBECK. Will the gentleman yield?
Mr. LOBECK. Will the gentleman yield?
Mr. SISSON. Yes.
Mr. LOBECK. The gentleman will lead the procession, will for them.

he not?

Mr. SISSON. I will. I have endeavored in my way to do that,

man, 18 years of age, I had been taught in an old-school Presbyterian family to imitate the ants. From the time I was 18 years old not one dollar was contributed to my support to this good hour, because the Civil War came on and what we had was destroyed. My father served four years in the Confederate Army. He never during his entire existence made any complaint to his boys about the Federal Government or about the [Applause.] On the other hand, losing all that he had, he devoted four years of his life to what he in his heart knew to be right, and went back as a young man and a year or two after the war married my mother, and they together established a little home. I was born 21 miles from a railroad, in I was taught that lesson by father. That was the lesson I

I was taught that lesson by father. learned then, and by virtue of a kind Providence I have been able, by what little success I have had, to put myself in a reasonable condition and where I hope my family will never suffer

from want. [Applause.]

I do not know what would have happened if I had been born in luxury, and so I say to every boy in America that you are blessed and not cursed when you are born in poverty. The most fortunate boy, if he has honest parents, is the boy born in poverty, because he has every incentive to energy and enterprise, and the great industries of this country—the mines, the railroads, and the factories—are all calling for men. There is not a good man whose services are valuable that is out of a job

to-day. [Applause.]
You find men doing mere manual labor that are out of a Job, but the man who is capable of managing affairs in this country can always find a glorious opportunity. The boy that deserves more credit for success than any other is the boy born in luxury, with a silver spoon in his mouth, who has no oppor-tunity to learn the lessons of economy and industry, who, despite all that, succeeds. He must have a great deal of initiative in him in order that he may succeed. But the boy born in poverty, having had to work for his success, is made strong by the exercise of his individuality; and that is what has made the Americans the strong people of the world, because they came into the forests and built the homes and the United States. It made us strong. In order that you may have strong employees in the Government service you must keep that lesson before them, Let them understand that the rules that apply to men in private life will be applied to them, and when you do have a merit system irrespective of party connections and let them understand that the man that can do the most work and do it the best is the man that is going to be promoted and get the best salary, then you have a good system.

The best civil-service pension bill that can be passed is to have the civil-service law administered on the merit system and not on account of politics. That is what will make the Government employees understand, as men in private life do, that they are going to be rewarded for services rendered. That is what we need. There is too much sickly sentimentality about these Government jobs. They talk about it as if a man was making a sacrifice when he accepts a Government job. these people in the galleries; ask the people who are writing you letters whether they are undesirable places. they all want them? They are glad to get into the Government service. I have now more applications than I could possibly fill, even if you were to throw down the civil-service doors. Men like these jobs that pay a hundred or a hundred and fifty or two hundred dollars a month. Yet you find men on this floor who, because some civil-service employee may write back to the district, are willing to exempt them from all the in-clemencies of the weather of life and put them in a hothouse,

to be cared for for all time to come.

Gentlemen, I have talked three or four times as long as I had intended to, but gentlemen having asked questions brought this matter up, and I have trespassed longer than I intended.

Mr. STAFFORD. Mr. Chairman, the principle involved in this bill is one that should receive the attention of every mem-

ber of this committee. The only objection that can be raised to it is that it represents a practice of singling out certain claims and submitting them to the House for consideration and not according this as a right to the general public when simi-I was quite interested in the position taken by the gentleman from Texas [Mr. Dies], who stated he favored this bill but was opposed to the general principle. I believe it should be the policy of the House to try to enact legislation covering all these different classes of cases and save the respective committees the burden of passing upon their respective merits. Because I believe that should be the practice I offered in the Post Office Committee and on the floor of the House when the Post Office appropriation bill was under consideration a measure that extended relief to all of the postal employees of the State of Michigan, and in the State of New York, and other

the country. The intention was to bring in the laborers, to bring in the menial employees who were not provided for in the amendment that was adopted by the House. I was quite surprised that gentlemen on the other side of the aisle did not accept my amendment. If they had, they would have been re-

lieved of considering this kind of legislation.

This bill provides for an appropriation of \$1,500 to be paid to the family of a menial employee of the Government. The provision that was adopted in the Post Office supply bill singled out those employees that had powerful organizations back of them, leaving out of consideration entirely the poor postal employees, the laborers and mechanics, who are not organized, who have no representatives in the corridors looking after their interests to see that they would not be overlooked. mittee in its judgment saw fit to only single out railway mail-clerks and letter carriers and rural letter carriers and one or two other grades of the Postal Service, and left out of consideration the laborers who are obliged to do the heavy work, the carrying of weighty mail sacks, men who are engaged in a hazardous employment, and also the mechanics who are overseeing machinery that might subject them to injury. These were all left out.

But there were other objections I then raised to the consideration of that bill at that time, because we were seeking to pay \$2,000 not to dependent relatives, but \$2,000 to sons and daughters of full age, who would probably not be dependent, and not, in my opinion, entitled to the gratuity of the Government. In this particular instance we provide for an appropriation of \$1,500 to the heirs of this deceased laborer. From the report it shows that the heirs are minor children, the oldest being at

present 16 years of age.

The committee has departed from a policy that has been pursued for years and years in voting one year's salary, and has voted here a lump-sum appropriation of \$1,500. That brings up the large subject as to what should be the duty of the Government toward injured employees. I can not subscribe to the principles enunciated by the gentleman from Mississippi [Mr. Sisson] in saying that Government employees are not entitled to the same consideration for compensation in case of injury as are those engaged in private employment. I think that when a Government employee is engaged in any line of work he should receive the same consideration as though he was employed in private employment. The gentleman from Mississippi says that they are the agents of the Government. Following out his argument to a logical extreme, you would have these agents of the Government working for nothing, working purely for the honor and glory, as some of the agents of the Government in this Chamber may do. But when you come to the question of workmen's compensation the principle that is being so generally extended in all the States to all the employees in private employment should be extended to Government employees. State acts do not distinguish in case of death as to the character of the employment, but provide payment to the surviving dependent relatives-always dependent relatives-an amount generally based upon the salary which the deceased employee was receiving at the time of his death.

Mr. FOWLER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wisconsin yield

to the gentleman from Illinois?

Mr. STAFFORD. In just a moment. Generally it is a greater amount than \$1,500. I know of no instance where so low an amount is paid to dependent immediate relatives as \$1,500. Generally the minimum is \$2,000, and sometimes \$3,000 and more. I now yield to the gentleman.

Mr. FOWLER. The gentleman from Wisconsin indicates that

he would place the Government employee on the same plane with the man employed in private business. Does he favor a

general law to that effect?

Mr. STAFFORD. I most certainly favor a general law giving to every Government employee who is injured through accidental injury and not through any fault of his own—

Mr. BARTLETT. While engaged in the service?

Mr. STAFFORD. While engaged in the service-a claim, along the lines recommended in the Post Office appropriation bill, to compensation for salary for a year at full pay, and during the second year, if he is still injured, at half pay; and if, perchance, during that time, or even at the time of his injury, he loses his life, to reward his dependent relatives-his immediate dependent relatives-by a stated amount along the lines of these workmen's compensation acts.

Mr. FOWLER. Then you do not favor it as a lump sum, but

progressive States—I do not know whether the progressive State of Illinois has adopted a workmen's compensation act or not-

Mr. FOWLER. It has.

Mr. STAFFORD. Then the gentleman knows the amount paid as a gratuity or as an insurance to the deceased's dependent relatives is a fixed amount. So in my State \$2,000, \$3,000, and in some instances as high as \$4,000

Mr. FOWLER. I understood the gentleman that he favored paying a salary for one year for the injury and half salary

for the next year?

Mr. STAFFORD. To the injured employee if he is disabled from employment for that time.

Mr. FOWLER. Why not pay the employee the full amount of

his injury?

Mr. STAFFORD. Do you mean to give him the right to go

into a court of law?

Mr. FOWLER. I am not saying that exactly. I am not fixing the way to get it. If you are going to recompense the injured employee, why not give him full compensation for the injury which he has sustained?

Mr. STAFFORD. I think we are not very far apart. believe very strongly that the National Government should be responsible for the same risks of employment as that of a private concern, and that there should be some board created that would determine what the value of that injury would be. Take it in the case of a postal employee, for example; if he should be so injured that he would be deprived of earning a livelihood the rest of his days, he should be compensated for the injury along the lines of these private workmen's compensation acts. think the principle involved in those acts is a humanitarian one. It follows the modern idea that the employment should bear the risk of the burdens of all accidental injuries and should be charged with the liability resulting from that employ-

Mr. FOWLER. One question further now. The gentleman is a lawyer of considerable experience, I understand. He is in favor of extending to the public employee the advantages of recovery for an injury, and I would like to ask him if he would extend also the rules of assumed risk and the rules of injury by a fellow servant?

Mr. STAFFORD. In reply to my friend from Illinois, I wish to say to him that the modern principle expressed in workmen's compensation acts disposes of those two principles of assumed risk or of risk arising from the fellow-servant doctrine. The modern idea, which I had just stated before the last question was propounded, is that the employment takes the burden and all the attendant liabilities of that employment, and it should be charged with it. Just because the Government undertakes some private work, or even if it does not engage in a private line of work, if the employee while engaged in his calling in his special line of duty is injured the Government should be responsible; and because of the fact that the old viewpoint was that the Government could not be sued, it was never intended that the Government should escape the full responsibility that the obligation of employment naturally assumed. So I should wipe away, as all these workmen-compensation acts wipe away, the doctrine of assumed liability and the fellow-servant doctrine.

Mr. FOWLER. Now, then, would you apply the rule of con-

tributory negligence?

Mr. STAFFORD. Of course that brings up a wide subject, and I do not care about going into it at this time. It is a question as to whether a person who is directly responsible for his own injury should be compensated either when employed in private employment or by the Government. Of course no State compensation act, so far as I am aware, recognizes any liability on the part of the employer for an injury that is wholly the result of the person's own willful negligence. Now, many of the compensation acts do recognize the doctrine of partial contributory negligence, and it is referred to the compensation boards to determine what is the contributing cause and to what extent was the employee's negligence responsible for the injury.

Mr. TALCOTT of New York. I think in some of the more recent laws there is a provision that it shall not be effective

when it is intentional or due to intoxication.

Mr. STAFFORD. And that brings up the subject of direct negligence.

Mr. BARTLETT. I understand that the theory is carried in the different compensation acts as to the proportion of the

Mr. STAFFORD. It shall not be a bar to recovery unless the injury is due to his own deliberate act.

Mr. BARTLETT. It directs what the damages shall be, but not the right to recover.

Mr. TALCOTT of New York. In these compensation laws

the amount is fixed in the law.

Mr. STAFFORD. Take Wisconsin, which has the most advanced law on the statute books. During the last session of the legislature it was amended so as to include cases of con-tributory negligence. The amount to be paid is determinate, but no person receives any compensation where the accident or the injury is the direct and exclusive result of his own negligence and where he is entirely at fault.

Mr. FOWLER. Have you a provision in the Wisconsin law

Mr. STAFFORD. Yes; we have, as I recall it.

FOWLER. If a general law should be passed, a compensation act for Federal employees, would the gentleman favor

such a provision in that law?

Mr. STAFFORD. I think no mistake would be made by the National Government if we were to follow the Wisconsin compensation law and adopt it and extend it to all Government employees. I think that law is one that has been very well considered by students of this question and has been successful, so far as it has been put into operation.

Mr. FOWLER. Did the gentleman from Wisconsin help to

thrash out that law?

Mr. STAFFORD. I have never served in the Wisconsin Legislature, but I have given considerable attention to this question, and when I was out of Congress during the last term I not only studied that law, but I also studied the laws of other States on the subject; and when I was engaged in framing the bill that I have offered in the committee and to the House I followed somewhat the lines of that law. Of course I knew that if I should submit as an amendment to the Post Office appropriation bill a general law involving all grades of employment it would probably not be accepted.

Mr. DONOVAN. Mr. Chairman, will the gentleman allow

me an interruption there?

Mr. STAFFORD. In just a moment. Then I shall be glad to yield to the gentleman. I knew that a provision extending the application of the law to every character of service would not be considered on the appropriation bill. Now I will yield

to the gentleman.
Mr. DONOVAN. Does the gentleman think he is doing his duty under his oath by delaying an appropriation that has already been delayed nearly three years—an appropriation in the interest of poor children without a father and mother, whose father died with the lockjaw and the mother fell in the street? Is that statesmanship, sir, that you shall thus talk against time? If you had found a human being lying injured on the street, would you wait to discuss the question before you went for a doctor?

Mr. STAFFORD. Mr. Chairman, I decline to yield further. The CHAIRMAN. The gentleman declines to yield. Mr. DONOVAN. I do not think that is humane, but the gen-

tleman must talk.

Mr. STAFFORD. Mr. Chairman, we are all accustomed to the eccentric conduct of the gentleman from Connecticut. He assumes the rôle of public censor, and of course he is qualified to assume that rôle. I rose here to discuss the bill, and I do not need any suggestions from so short-serving a Member as the gentleman.

This bill represents a policy which I think should be restricted. am entirely within my rights when I state my opinion. Mr. TALCOTT of New York. That is right.

Mr. STAFFORD. We should pass some general law, so that every employee would be entitled to this compensation without taking up the time of Congress with special bills, and I think I am doing a worthy service, notwithstanding the captious remarks of the ubiquitous gentleman from Connecticut. I contend that we would do much better if we were to pass some general law, so that all persons would have the right to come into a private court, and not to compel minor children to go to Representatives in Congress and ask that they intercede, ask that they take up the time of the committee, to take up the time of the House, and take up the time of another body in passing upon their claims. It should be a right extended to all and known to all. I think the Committee on Claims could not have their time better employed than by bringing in a general bill that would extend compensation to all these cases. I recognize that it is beyond the jurisdiction of the Committee on Claims

Mr. POU. Mr. Chairman, I wanted to say that to the gentle-

man.

Mr. STAFFORD. Yet we should have something done that would take away these private cases from the attention of Con-If these minor children are entitled to compensation, then all the minor children of persons similarly situated who have given up their lives should be compensated.

Mr. POU. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?
Mr. STAFFORD. I shall be glad to yield to my friend from North Carolina.

Mr. POU. Mr. Chairman, I will say to my friend that nobody realizes more forcibly than do the members of the Committee on Claims the truth of all that the gentleman has said. But to quote some language used by a distinguished Chief of this Nation some years ago, "It is a condition that confronts" the Committee on Claims and "not a theory."

Committee on Claims and "not a theory.

Mr. GARDNER rose.

Mr. McCOY. Mr. Chairman, will the gentleman yield to me?

Mr. STAFFORD. Now, Mr. Chairman, I yield to my friend
from New Jersey [Mr. McCoy].

Mr. McCOY. Mr. Chairman, I want to say that there are
now in the hands of the Judiciary Committee six bills, I think,
having for their purpose the granting of compensation to all
injured employees of the Government. They are referred to a subcommittee, and I hope shortly the subcommittee will report them to the full committee, and I hope shortly that the com-mittee will report them to the House favorably.

Mr. STAFFORD. Do they cover all Government employees or only certain branches of the service?

Mr. McCOY. They are general bills, covering all the civil employees of the Government.

Mr. STAFFORD. Is this legislation along the line of State compensation acts? Will the gentleman inform us?

Mr. McCOY. I will say that in certain respects it is, and in certain respects it is not. One bill is drawn on the basis of the so-called Brantley bill, referring to employees on interstate railroads. Another bill was drawn by the Commission for Industrial Legislation. The Bureau of Labor Statistics in the Department of Labor has prepared a bill somewhat similar to the one I last mentioned, but differing in some respects; but they are both very comprehensive bills.

Mr. DONOVAN. Mr. Chairman, I rise to a point of order. The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. The matter that is being debated here does not seem to affect or be concerned with the question whether this appropriation should be \$1,500 or less. The gentleman is giving a history of legislation on certain matters pending before a certain committee. It has nothing at all to do with the appropriation proposed here, whether it should be a certain amount or not.

The CHAIRMAN. The Chair thinks the point of order is well taken.

Mr. STAFFORD. Mr. Chairman, the question is what the policy of Congress should be, whether we should pay a certain amount, whether it should be \$5,000 or \$1,500. The gentleman from New Jersey [Mr. McCov] was just enlightening the committee as to the policy of bills of a general character, soon to be considered. I think we all ought to be thankful to the gentleman from New Jersey for his statement that the Committee on the Judiciary is preparing legislation that will avoid taking the time of Congress in considering these private bills. I am in favor of general legislation and not special legislation. I rose to point out that the time of Congress should not be taken up in the con-sideration and passage of these private bills, but that it should be saved that trouble by having some general law passed.

I yield to the gentleman from Massachusetts [Mr. Garb-

NEEL.

Mr. GARDNER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD in reference to certain details of the immigration bill.

The CHAIRMAN. The gentleman from Massachusetts [Mr. GARDNER] asks unanimous consent to extend his remarks in the RECORD in reference to the immigration bill. Is there objec-

There was no objection.

Mr. POU. Mr. Chairman, I should like very much to get a

Mr. GREEN of Iowa. I should like not to exceed five minutes, and possibly not more than three.

Mr. POU. I ask unanimous consent that at the close of the remarks of the gentleman from Iowa all debate on this bill be considered closed.

The CHAIRMAN. The chairman of the Committee on Claims asks unanimous consent that all debate on this bill be closed at the end of five minutes, that time to be occupied by the gentleman from Iowa [Mr. Green]. Is there objection?

Mr. MANN. I object. Mr. DONOVAN. Mr. Chairman, I make the point of no quorum present. This is a ridiculous way of doing business.

Mr. MANN. This part of it right now is the most ridiculous

Mr. DONOVAN. Mr. Chairman, I withdraw the point of no quorum.

Mr. GREEN of Iowa. Mr. Chairman, I regret that the distinguished gentleman from Mississippi [Mr. Sisson] is not present at this time. I listened with great pleasure and interest to his eloquent remarks, but it seemed to me they had little application to the bill which is under consideration.

To my mind it is a most monstrous doctrine that the Government of the United States should not be responsible for wrongs done by its agents in the course of their employment. The gentleman from Mississippi [Mr. Sisson] said he was opposed to this bill because the Government simply acted through agents, for whom the people were not responsible. On the contrary, the people are, or ought to be, responsible for the acts of their agents. The heads of departments ought to be responsible for the acts of their underemployees. The people ought to be responsible for the acts of those at the head of the Government, who are conducting its affairs, and they ought to respond in the who are conducting its affairs, and they ought to respond in the same manner as a private institution should. In fact, I would go further than simply to make the Government responsible where its employees are injured. I would go as far as the most humanitarian in this humanitarian age. The modern doctrine is not so cruel and so harsh as it was in the times when it was thought necessary to protect the employer from damages claimed by his employees by doctrines of assumed risk and contributory negligence. . I would make the Government responsible in the same manner as the private individual. Bills have been introduced, and I hope they will shortly come before this House for consideration, taking up this most important subject. There is, as I think, a crying need that we should adopt some sort of uniform legislation in relation to these matters. The Committee on Claims is not so organized that it can properly consider these matters. I served upon that committee for some time, and I know the difficulties under which it labors. It brings in here bills which are often subjected to criticism. Sometimes the criticism may be well directed, and yet the committee has done the best it could with the feeble means that are given to it for consideration of the matters before it. The results are not always equal, not always fair, and sometimes possibly not just, because they do not give to the aggrieved person the amount he ought to receive. This shows most emphatically that we need and ought to take up a bill for the compensation of all Government employees who are injured. And I would go even further than that. I believe that if the Government in the course of its operations causes injury and damage to any person, that person ought to have the right to establish his claim against the Government for the injury. If the Government causes injury or damage to some one who is not in its employment, that person ought to have some different means of obtaining redress than the means which are now afforded. These bills which are now before the House only provide for relief to Government em-ployees. I expect to go further and to introduce a bill which will give relief to others who are injured by the Government. [Applause.]

Mr. POU. Mr. Chairman, I ask for a vote on the bill.

The CHAIRMAN. The Clerk will report the committee amendment.

Mr. MANN. Mr. Chairman, I suggest that the bill be read for amendment under the five-minute rule. That is the ordinary procedure when general debate is finished—to read the bill for amendment.

Mr. POU. I ask that the Clerk read the bill, as suggested by the gentleman from Illinois.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of the late Samuel H. Donaldson, who died from injuries received in the performance of his duties under the appraiser of merchandise at the port of New York, the sum of \$5,000.

With the following committee amendment:

Line 8, strike out "\$5,000" and insert in lieu thereof "\$1,500."

The amendment was agreed to.

Mr. POU. Mr. Chairman, I move that the bill be laid aside to be reported to the House with a favorable recommendation. The motion was agreed to.

C. M. HAMMOND.

The Clerk read the title of the bill (H. R. 10345) for the

relief of C. M. Hammond.

ject.

Mr. Chairman, I make the point of no this is a ridiculous way of doing business.

In the control of the point of the purpose of this bill, so that the committee may understand it. I apprehend that there can be no opposition to the bill. This

man, C. M. Hammond, sent \$150 worth of internal-revenue stamps through the mail-

Mr. MANN. Mr. Chairman, a parliamentary inquiry. Is general debate now in order? Has the bill been reported?

The CHAIRMAN. The bill has not been reported.

Mr. McCOY. Mr. Chairman, a parliamentary inquiry. Do I understand that general debate is in order in this kind of a proceeding? proceeding?

The CHAIRMAN. Certainly it is in order, after the bill has

been reported.

Mr. McCOY. Then, I should like to go on record as having been in order when I was talking about the compensation bill. Mr. McCOY. When I was engaged in a colloquy with the gentleman from Wisconsin [Mr. Staffond] about the bill pending in the Judiciary Committee on the matter of compensation, the Chair ruled that we were both out of order because we were not talking to the particular bill which was being considered. may want to talk on compensation.

Mr. BARTLETT. I beg to call the attention of the Chair and of the gentleman from New Jersey to the fact that we are not in Committee of the Whole House on the state of the Union, but we are in Committee of the Whole House for the consideration of private bills, and it is only on public bills, when the House is in Committee of the Whole House on the state of the Union, that general debate on any subject is in order, as I

understand it. So the Chair was absolutely right.

Mr. McCOY. That is the point I want to have cleared up.

The CHAIRMAN. The understanding of the Chair is that we are in Committee of the Whole House on the Private Calendar, and that when a Member is recognized he is entitled to an hour, but he must discuss the question before the House; and if the point of order is raised that he is not discussing the bill before the House, the Chair must hold that he is out of order.

Mr. STAFFORD. The point is that if a Member is discussing the general subject of the bill he is in order.

Mr. MANN. Certainly he is in order.
Mr. BARTLETT. I did not make that point.
Mr. STAFFORD. We were discussing the general subject then under consideration before the committee.

The CHAIRMAN. The Clerk will report the bill. The Clerk read as follows:

Be it enacted, etc., That the sum of \$150 be, and the same hereby is, appropriated, out of any money in the United States Treasury not otherwise appropriated, and the Secretary of the Treasury is hereby directed to pay to C. M. Hammond, of New York City, N. Y., a deputy collector of internal revenue, in compensation for money paid by him into the Treasury of the United States for cigar stamps supposed to have been lost in the United States mails, but thereafter found and delivered to the collector of internal revenue at Albany, N. Y.

Mr. POU. Mr. Chairman, there ought not to be any controversy, it seems to me, over this bill. The stamps appear to have been temporarily lost in the mail, but were afterwards found at a hotel. The Government has got the stamps back and this gentleman is charged with the value thereof, \$150.

Mr. MANN. Mr. Chairman I certainly have no disposition to make any criticism of the Committee on Claims or its reports, because I know the arduous work that that committee performs. May I ask the gentleman whether this bill was referred to the Treasury Department for any opinion in reference to it, and if so why the opinion was not put in the report?

Mr. POU. The letter of the Treasury Department came in on the date of February 2, after the report was printed. I have the letter in my hand and will show it to the gentleman, if he

wishes.

Mr. MANN. Is it the policy of the Committee on Claims when they refer a bill to the Treasury Department for report to report the bill before they get the information?

Mr. POU. That is not the policy of the committee; it hap-

pened in this one case.

Mr. BARTON. May I ask the gentleman a question?

Mr. POU. Certainly.

Mr. BARTON. Does the letter confirm the statement set out here in the report?

Mr. POU. Absolutely. I will read it to the gentleman, if he wishes.

Mr. BARTON. No; I only wanted the gentleman's state-

The Clerk read the bill for amendment. Mr. POU. Mr. Chairman, I move that the bill be laid aside,

to be reported to the House with a favorable recommendation. The motion was agreed to.

DR. L. W. CULBREATH.

The next business on the Private Calendar was the bill (H. R. 10763) for the relief of Dr. L. W. Culbreath.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Dr. L. W. Culbreath, out of

any money in the Treasury not otherwise appropriated, the sum of \$1,000, as reward for his services in capturing one Frank Hart, alias W. B. Conrad, who robbed a mail car on train No. 104, Illinois Central Railroad, at Memphis, Tenn., June 21, 1911.

Mr. POU. Mr. Chairman, just a word of explanation about this bill. This man Hart was an old offender. Gentlemen who have taken the pains to read the report, I think, will find the facts sufficiently stated. The United States attorney drew a bill or indictment that contained four counts. Two were drawn under section 193 of the Criminal Code of the United States, and the third and fourth counts were under section 197. Now, this man was allowed by the United States attorney to plead guilty to the first two counts in the indictment, and counts 3 and 4 were nol-prossed. Dr. Culbreath, who captured this old offender, would have received a reward without any action on the part of the Congress if Hart had been convicted under counts 3 and 4. It appears beyond all doubt-and the Post Office Department so states in a letter—that this offender was guilty under the counts under which Culbreath would have received the reward. It is said that this man was an old offender, and it was suggested that because Dr. Culbreath happened to catch him burglarizing a store it was perhaps his desire to cut Dr. Culbreath out of the reward. We believe, from every standpoint, that Dr. Culbreath should have \$1,000.

Mr. MANN. Mr. Chairman, as far as I can ascertain from the report, the claimant in this case was not seeking the criminal for any offense that had been committed against the Government. The man was captured by a posse while burglarizing a store. The doctor was not hunting this men for any crime that he had committed against the United States, as far as the report shows. Having captured the man who was burglarizing the store, in order to protect the local citizens, it is discovered that the person captured has committed an offense against the United States laws. I do not see where the claimant has any equitable claim against the Government. He might have had the legal claim against the Government, but it turns out that he has no legal claim because of a technicality. I will ask the gentleman from Tennessee, who introduced the bill, where a man makes a claim against the Government that is a technical claim, why the Government should not avail itself of a technical defense?

Mr. GARRETT of Tennessee. Mr. Chairman, the fact about it is this: After Hart had been taken by this posse the Federal authorities recognized him as an old offender and sought to obtain his person by arrangement with the State authorities. Of course, the act that he was committing at Stanton was an offense against the State law, but the Federal authorities made an arrangement with the State authorities that the Federal Government should take charge of him instead of leaving him in the State courts to be tried.

Mr. MANN. I understand, but the doctor would not have received the \$1,000 if the State had prosecuted the man. he had been making a search for this offender, if he had been making efforts to capture him, then when he was captured and the Government did not prosecute on some count which would give the allowance, I think he would have a strong equitable claim. But it was a mere incident, so far as this claimant was concerned, that this offender happened to be an offender against the United States Government, because all the doctor was seeking to do was to protect the local authorities and the local citizens. He was not hunting this man because he had committed an offense.

Mr. GARRETT of Tennessee. It is true, Dr. Culbreath is not engaged as a detective. He is a physician.

Mr. MANN. I am not speaking of detectives particularly. Mr. GARRETT of Tennessee. It is true, perhaps, he was not out at that time hunting for this man. His profession is that of a physician.

Mr. MANN. It is not likely that he knew who the man was. Mr. GARRETT of Tennessee. I think he knew of the robbery of the mail car, because that had excited a good deal of atten-

Mr. MANN. Very likely.

Mr. GARRETT of Tennessee. I do not know that he thought of this man at the time as being the man who committed the mail robbery. I have no information on that subject, but I do not think, if the gentleman from Illinois will permit me, that under this reward provision of the law it was the inten-tion that a man in order to obtain the reward should be engaged in the business of running down the criminal.

Mr. MANN. Not at all, but the intention was when the Gov-

ernment offered the reward that the man who should obtain the reward would give to the Government in some way some valuable information. This man gave no information; he found a man burglarizing the store and seized him for that offense.

The Government authorities, learning the name of the man, identified him as a criminal under the Government statutes and asked for his possession. Now, the doctor did not aid in any way toward that.

Mr. GARRETT of Tennessee. The gentleman means in giving

information as to the character of the man?

Mr. MANN. Yes.

Mr. GARRETT of Tennessee. No; so far as the report is concerned, he did not. Still I think, if the gentleman is urging

that as an objection, he is rather technical about it.

Mr. MANN. I say that if a man under the law is technically entitled to a reward, he is entitled to it, but he is not technically entitled to it under the law. I do not see where he has any equitable claim for it. If he had rendered any service to the Government, the Government would pay him, but he has rendered no service to the Government.

Mr. GARRETT of Tennessee. Oh, he caught the criminal. Mr. MANN. But he did not render any service to the Government. He seized a man whom he found burglarizing a store, and the Government comes in and claims the man.

Mr. KIRKPATRICK. Mr. Chairman, will the gentleman

yield?

Mr. MANN.

Certainly.

ATRICK. Had there been any reward offered at the man? Mr. KIRKPATRICK. any time by any authorities for the apprehension of this man? Mr. GARRETT of Tennessee. The statute itself provides a standing reward, as I understand it.

Mr. KIRKPATRICK. But there had been no special offer? Mr. GARRETT of Tennessee. Oh, I suppose there was an lvertisement under the general law. They are often issued,

advertisement under the general law. They are often issued, and I suppose they were in this case. The general law provides for the reward.

Mr. STAFFORD. Not the law, but the general order of the department.

Mr. KIRKPATRICK. That is the point,

Mr. GARRETT of Tennessee. Perhaps that is more accurate. Mr. STAFFORD. The order of the department is to pay \$1,000 for the arrest and conviction of any person charged with robbing the United States mail. It is merely an order on the part of the department.

Mr. POU. It is to encourage the apprehension of men who violate the law. Dr. Culbreath captured the man and the man was guilty. The department says he was. I differ with the gentleman from Illinois [Mr. Mann]. I do not see any reason why the Government should take advantage of a technicality and refuse to pay

Mr. MANN. The only reason is that the claimant himself is taking advantage of a technicality to ask the money.

Mr. POU. Oh, I beg the gentleman's pardon. Dr. Culbreath saw a light in a store. If it had been some other man he might have gone by and not risked his life, but Dr. Culbreath went in there at the risk of his life, or at the risk of injury to limb or body. He captured this man and run him in, and it turned out that the man was an old offender that the United States Government was looking for.

Mr. MANN. But he did not do that because of the reward

offered or because he knew any reward was offered. He did not know that, and he did not know that the man had anything to do with the offense for which he was finally prosecuted by

the Government.

Mr. POU. Mr. Chairman, I respectfully submit to my distinguished friend that that position ought not to be considered. The question is whether or not when he saw a man violating the law he went and caught him, and whether or not this is the man the Government was hunting for; and if we do not pay this reward there will be no incentive for other men to go out and take their lives in their hands to capture offenders.

Mr. MANN. I take it that is the position of the Committee on Claims. I would like to know why the Government of the United States should pay a reward of \$1,000 because some citizen sees a light in a store and goes in and seizes a man burglarizing a store, a crime with which we have nothing to do; but that is the argument of the gentleman from North Carolina.

Mr. POU. Oh, I beg the gentleman's pardon, but that is not

my argument.

I will not undertake to say what the gentle-Mr. MANN. man's argument is, but that is the way I take it.

Mr. POU. Perhaps I may be so very obtuse that I do not make myself plain.

Mr. MANN. Oh, I never knew the gentleman to be guilty of that.

Mr. POU. But it does seem to me that this is the situation: Here is a reward offered for the capture of a certain man who is guilty of a certain offense. That reward does not apply to officers alone; it applies to anybody and everybody. A man is

found robbing a store. Dr. Culbreath nabs him, and when he gets him in the United States court it is found that he is an old offender, and probably because the man was angered with Dr. Culbreath he said: "I will not submit to the offense which will entitle Dr. Culbreath to this reward, but I will submit to another offense and deprive him of the reward."

Mr. MANN. I think part of the gentleman's remarks are entirely gratuitous, when he says that the district attorney did wrong on a certain portion of the indictment, because, perhaps,

he did not like Dr. Culbreath.

Mr. POU. Oh, I beg the gentleman's pardon. say that about the district attorney. I said that this old offender probably said that, or had it in mind. The Post Office Department says that he is an old offender, and that they have been hunting him for a long time, and that he was probably guilty of other offenses. I was referring to Hart. nothing about the district attorney.

Mr. MANN. I do not see how the offender could determine what counts in the indictment he would be sentenced for.

Mr. POU. I think the gentleman, with his large practice in the courts, can very easily understand the position of a district attorney, with hundreds of cases pressing him. man says he is willing to submit, and the district attorney knows he can inflict adequate punishment upon him if he does submit to a particular count, the district attorney is justified in adopting that course.

Mr. MANN. I think it is rather far-fetched to say that the offender determines on what count he will be prosecuted and would plead guilty to certain counts in order to keep Dr. Culbreath from getting a reward, which probably he did not know

anything about.

Mr. POU. The offender always selects the counts on which

he offers to plead guilty.

Mr. MANN. Yes; but he does not determine whether he will be prosecuted on the other counts.

Mr. POU. Of course that is true.

Mr. GARRETT of Tennessee. Strange as it may seem, I really think there is some truth in the suggestion that this man did plead guilty on these counts, and that there was an agreement that that would be accepted, this man agreeing to plead guilty in order to prevent Dr. Culbreath from getting this reward. But the district attorney was not a party to that purpose, of course.

I know the district attorney well, and have known him ever

since I knew anybody.

Mr. MANN. The district attorney was a party to what took

Mr. GARRETT of Tennessee. I do not think the district attorney thought about the reward at that time. The fact is there are letters from the district attorney in the department, and I have been over those papers. This man could have been easily convicted under these other counts, but for some reason and I do not know just why-he was permitted to plead guilty upon these two counts, and his plea of guilty was accepted, and it disposed of the case. He got, I think, the same sentence that he would have received if he had pleaded guilty to or been convicted under the other counts. I do not think there was any difference in the amount of the time of his sentence. one of those long indictments, with four counts, and they disposed of the case. The proof was there, the evidence was all in, and they simply disposed of the case in that sort of a way. The fact is, here was a good citizen who exercised the authority that a good citizen ought to exercise, and captured this man. Under the law, if the robber had been convicted upon certain counts, Dr. Culbreath would have been entitled to receive this reward as a matter of right. The robber could have been, by the admission of everybody, convicted on those counts. He was not, but he pleaded guilty upon other counts. The plea of guilty was accepted, and he was given the sentence. I do not see why Dr. Culbreath is not entitled to this.

Mr. MANN. Well, I am not going to discuss the matter and detain the committee, but the fact is that Dr. Culbreath did not do anything which equitably entitled him to the reward.

Mr. GARRETT of Tennessee. I will say this to the gentle-

man, it is possibly due to my oversight that I did not inquire of Dr. Culbreath, although I have talked over this matter with him, as to whether he knew, at the time that this reward was outstanding, or whether he had any suspicions when he saw the light in that little store at Stanton, that this was the man who committed the mail-car robbery or not. I have not asked him about it.

Mr. MANN. Hence I am right in assuming that Dr. Culbreath did not.

Mr. GARRETT of Tennessee. The report does not show anything of that sort.

Mr. McKELLAR. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. McKELLAR. Suppose he had no knowledge of it, that it was purely an accident, and he had gone in and captured him just as the facts show he was captured, and he had been convicted on the third and fourth counts; that would clearly under the law entitle him to the reward?

Mr. MANN. Technically he would have received the money

and technically he would have earned it.

Mr. McKELLAR. Is not this reward due to him?

Mr. MANN. The question is, although he is not technically entitled to it, you propose to remove the technicality and give it to him. He might have earned it technically, without any equities on his part at all. He might have earned it legally, but here is a case where he has not earned it legally, so far as I

can see, and has no equity to it.

Mr. McKELLAR. Does not the gentleman think a man who is passing a store that is being robbed, and goes in and captures the robber, is equitably entitled to the reward that is offered by the Government for that robber? It seems to me he is.

A man who passes a store where somebody is MANN. committing a breach of peace or violating the law and endeavors to stop it, having no reference whatever to the reward or the crime for which the reward is offered, is not legally entitled to the reward, and he has no equity.

Mr. POU. Nothing except to take the chance of getting killed. Mr. MANN. That had nothing to do with this case. It has

not the slightest thing to do with it.

Mr. GARRETT of Tennessee. Does the gentleman think in order to be equitably entitled to it he should have been out hunting for the robber?

Mr. MANN. I think in order to be equitably entitled to it he must have done something for the purpose of getting hold of this man and getting information by which it could be secured.

Mr. GARRETT of Tennessee. But he got hold of the man.

Mr. MANN. But for another purpose entirely.
Mr. GARRETT of Tennessee. Mr. Chairman, I ask unanimous consent that the report of the committee may be inserted in the RECORD.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the report of the committee on this case may be inserted in the RECORD. Is there objection?

Mr. MANN. May we not have it read? *
Mr. GARRETT of Tennessee. Do you object to its being in-

serted without being read?

Mr. MANN. I will object unless it is read. I think it ought

to be read for information.

Mr. Chairman, then I ask Mr. GARRETT of Tennessee. unanimous consent that the report be read.

The CHAIRMAN. The gentleman from Tennessee [Mr. Gar-RETT] asks unanimous consent that the report of the committee be read. Is there objection?

There was no objection. The Clerk read as follows:

There was no objection.
The Clerk read as follows:

The Clerk read as follows:

The Clerk read as follows:

The Committee on Claims, to whom was referred the bill (H. R. 10763) for the relief of Dr. L. W. Culbreath, having considered the same, report thereon with a recommendation that it do pass.

The facts in this case are as follows: Order No. 3171 of the Post Office Department, under date of June 2, 1910, provides that—

"On and after July 1, 1910, unless otherwise ordered, the Post Office Department will pay the following rewards, provided Congress shall make the necessary appropriation or authorize the payment of such rewards:

"First. One thousand dollars for the arrest and conviction of any person in the United States court on the charge of robbing the malis while being conveyed in any mail car attached to a railway train, and in violation of the provisions set forth in section 197, Penal Code, act of March 4, 1909, which reads as follows:

""Whoever shall assault any person having lawful charge, control, or custody of any mail matter, with intent to rob, steal, or purloin such mail matter or any part thereof, shall, for a first offense, be imprisoned not more than 10 years; and if in effecting or attempting to effect such robbery he shall wound the person having custody of the mail, or put his life in jeopardy by the use of a dangerous weapon, or for a subsequent offense, shall be imprisoned 25 years."

On June 21, 1911, a mail car on train No. 104, Illinois Central Railroad, was robbed at Memphis, Tenn., by one Frank Hart, alias W. B. Conrad, and an unidentified accomplice. Registered mail valued at \$217 was taken, and the postal clerks in charge of said car were assaulted with dangerous weapons.

On July 5, 1911, Frank Hart was captured by a posse, in charge of Dr. L. W. Culbreath, while burglarizing a store at Stanton, Tenn. Thereafter Hart was indicted under a bill drawn under section 193, Criminal Code of the United States, charging Hart with entering a mail car by violence, and with the willful an

Government offers a reward of \$1,000 for the arrest and conviction of a person charged with a certain offense. Dr. L. W. Culbreath arrests such a person and turns him over to the United States authorities. The person is guilty of the offense charged; he could have been convicted; and it seems to the committee that morally the Government ought to pay this reward.

Letter from the Postmaster General, as appended hereto, is made a part of this report:

POST OFFICE DEPARTMENT, OFFICE OF THE POSTMASTER GENERAL, Washington, D. C., December 23, 1913.

Hon. EDWD. W. Pou, House of Representatives.

Hon. Edwd. W. Pou.

House of Representatives.

Sir: I beg to acknowledge receipt of your communication dated December 17, 1913, transmitting a copy of a bill for the relief of Dr. L. W. Culbreath (H. R. 10763), directing the payment of \$1,000 "as reward for his services in capturing one Frank Hart, alias W. B. Conrad, who robbed a mail car on train No. 104, Illinois Central Railroad, at Memphis, Tenn., June 21, 1911," and requesting an expression of opinion relative to the merits of the claim.

The records of this department show that the above-mentioned mail car was robbed on June 21, 1911, at Memphis, Tenn., by Frank Hart, alias W. B. Conrad, and an unidentified accomplice, and that registered mail valued at \$217 was obtained through this depredation after the postal clerks were assaulted and their lives placed in jeopardy by the use of dangerous weapons. The offenders escaped, and Frank Hart was snosequently apprehended by a posse, of which Dr. Culbreath was in charge, while burglarizing a store at Stanton, Tenn., July 5, 1911. The posse in question were returning after a search for another criminal, when their attention was attracted by a flash of light in the building in which Hart was then operating.

The connection of Hart with the robbery of the mail car was later established by post-office inspectors, and he was indicted for the offense on four counts, the first two of which were drawn under section 193 of the Criminal Code of the United States, charging Hart with entering a mail car by violence and the willful and malicious assault upon and interference with postal clerks in the discharge of their duties therein; and counts 3 and 4 of which, drawn under section 197 of the code, charged an assault with the intent to rob the postal clerks and with the robbing of them.

At the trial, by agreement with the United States attorney in charge of the prosecution, Hart was allowed to plead guilty to the first two counts of the indictment, while counts 3 and 4 were nol-prossed.

All the papers were referred to t

the code. Respectfully,

A. S. BURLESON, Postmaster General.

The CHAIRMAN. The Clerk will read the bill for amend-

The bill was read in full.

Mr. POU. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

The CHAIRMAN. The gentleman from North Carolina moves that the bill be laid aside with a favorable recommendation.

The motion was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. Ansberry having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 31. Resolved by the House of Representatives (the Senate concurring), That the State of Florida be, and is hereby, granted the privilege of placing in Statuary Hall of the Capitol the statue of John Gorrie, now deceased, who was a citizen of Florida, illustrious for distinguished

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to bills of the following titles:

S. 832. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;
S. 833. An act granting pensions and increase of pensions to

certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 834. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

T. S. WILLIAMS,

The committee resumed its session.

The next business on the Private Calendar was the bill (H. R. 1055) for the relief of T. S. Williams.

The bill was read, as follows:

Be it enacted, etc., That \$1,000, or so much thereof as may be found due the claimant, be, and the same is hereby, authorized to be appropriated, out of any money in the Treasury of the United States not

otherwise appropriated, for the relief of T. S. Williams on account of services rendered as mail carrier to Williamsburg, Idaho, from January 1, 1901, to June 30, 1902, and the Secretary of the Treasury is hereby authorized and directed to pay over whatever amount that may be due T. S. Williams as stated by the Postmaster General.

Also the following committee amendment was read:

Strike out all of said bill after the enacting clause and substitute in lieu thereof the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to T. S. Williams the sum of \$315.55, in full compensation for payments made by the said T. S. Williams to secure the service of a mail carrier from August 6, 1900, to June 30, 1902, at Williamsburg, Idaho."

Mr. YOUNG of North Dakota. Mr. Chairman, this is a very The facts are set forth in the committee report and show that the claimant is justly entitled to the amount recom-I move that the committee amendment be agreed to.

Mr. MANN. Mr. Chairman, it looks to me as though it was a very plain case, although I do not look at it from the same standpoint as does my distinguished friend from North Dakota.

As he has not explained the bill, it may be proper to tell the House what it is. The Government authorized the establishment of a post office at Williamsburg, Idaho, off the railroad. Under the law the Post Office Department, before a star route was established, authorized the postmaster at Williamsburg to employ a carrier to carry the mail between the railroad and Williamsburg at a rate of pay not to exceed, I think, threequarters of the postmaster's salary. Is that correct?

Mr. FRENCH. Two-thirds.

Mr. MANN. Two-thirds of the postmaster's salary. authority was given to the postmaster by the Post Office Department. The bill as introduced provided for the payment of \$1,000. During the time for which the claim was brought the postmaster received a total salary of \$70.75. There was a little less than two years' time, and under the law the Post Office Department had authorized the postmaster to employ a carrier at a rate of pay not to exceed two-thirds of this \$70.75. That was the law. The postmaster was informed of the law. post office, I presume, had been established for the local convenience of the postmaster. He had been placed in charge. There was no mail there to speak of. The total salary of the postmaster for a year and 10 months or so was \$70.75. That was 60 per cent of the receipts of the office, I take it. In was 60 per cent of the receipts of that to the carrier. He employed a carrier, and at one time the carrier made a claim to the Post Office Department. The Post Office Department was prepared to pay the claim on the basis of two-thirds of this salary, \$70.75, or such portion of it as was cov-ered by the time involved in the claim. The Post Office De-partment did not pay the carrier, because it did not know where to find him.

Now the postmaster comes in and says that he paid \$600 during the period of time, which is stated to be 1 year, 9 months, and 24 days, for a carrier, although the law did not authorize him to, and although the Post Office Department did not authorize him to, and although he had been specifically told that he could employ a carrier on the basis of two-thirds of his own salary.

I presume that the claimant, Mr. Williams, is now an old gentleman. I do not know, but I assume that he is well along in years, because his memory is evidently very inaccurate. He says in various places that he paid \$600 a year to this carrier, and he says in various other places that he paid the carrier at the rate of \$25 a month. Certainly any man who is not well along in years can tell that \$25 a month would not amount to \$600 in short of two years, and there is no pretense that the service performed covered more than a year and 10 months, or thereabouts. The recollection of a man whose memory is so inac-curate as to mistake \$300 for \$600 would not, to my mind, be a sufficient basis for action here.

Why should we go now and pay this claim that has never been earned? The carrier himself was entitled to receive, and is entitled to receive, two-thirds of \$70.75 if he can be found. Or if the postmaster paid that sum, I am quite willing to subrogate him into the rank of the carrier. But when a man employed by the Government is distinctly told, under orders by the department, that he can incur a liability only to a certain extent, and then for his own convenience and for his own benefit he increases that liability in the neighborhood of ten times that, and waits for years to present his claim to the Government, I can see no reason why the Government should pay the money.

Mr. Chairman, I reserve the balance of my time.

Mr. FRENCH. Mr. Chairman, the bill as introduced provides not that Mr. Williams shall be compensated in the amount of \$1,000, as has been suggested, but in the amount of "a thousand dollars or so much thereof as may be found due the claimant."

I introduced the bill before I was aware of the exact amount of his claim. The facts of the case are—
Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.
Mr. MANN. Is the gentleman willing to leave the bill as it stands without the amendment, and say it shall be "\$ so much thereof as may be found due to the claimant"?

Mr. FRENCH. I think on the basis of what the Committee on Claims has determined is due, or upon what any jury that would consider the facts in the case might determine was due, I would be very willing to leave the language in the law as it was in my original draft of the bill.

Mr. MANN. Is the gentleman willing to leave in the original provision, which authorizes the payment of what may be found due the claimant, instead of a provision directing the Secretary

of the Treasury to pay a fixed amount?

Mr. FRENCH. I will reach that point in a few minutes and

explain the difficulties that surround this case.

Mr. Chairman, the post office at Williamsburg, Idaho, was established, as has been stated, off the railroad. There was a small community there, with just one store. Mr. Williams, having the most available and convenient place for the post office, was appointed postmaster. He was authorized by the department to employ a carrier for the period that has been mentioned by the gentleman who has just spoken-nearly two years. There is a conflict between the statements of the department and of Mr. Williams upon the authorization that was given to Williams. The department insists that it authorized Mr. Williams to employ a carrier at not to exceed two-thirds of the salary of the postmaster. Mr. Williams insists that he was authorized to employ a carrier without any limitation.

Mr. MILLER Mr. Chairman, will the gentleman yield?

Mr. MILLER. Mr. Chairman, will the gentleman yield?
The CHAIRMAN. Does the gentleman yield?
Mr. FRENCH. Certainly.
Mr. MILLER. I think that is very essential in this case.
Is there any letter addressed to Mr. Williams or anything of that kind in the record?

Mr. FRENCH. No; there is no letter of that kind.

Mr. MANN. There are three letters there, but none on that

Mr. FRENCH. Yes; they are not on that point. Mr. Williams sets forth that he was authorized to employ the carrier. I think probably that Mr. Williams was mistaken, but he was acting upon what he believed was the authority conferred upon him by the department. He employed a man by the name of Lee Carter to carry the mail, at \$25 a month, for nearly two years. The department called for bids on the route more than once, and the bids that came in were in the amount of \$450 and \$400 for carrying the mails three times a week. In other words, to the man who was willing to carry the mail 18 miles from Wayan to Williamsburg, counting the distance there and back, there would be paid less than \$2 per trip. I submit that the bid was a very reasonable bid. The department rejected the bids over and over, and finally, whether the carrier who submitted the final bid of \$174 a year was assisted by the community or whether he was able to carry freight and express and passengers and in that way make up the loss that he would sustain by taking the contract at \$174 per year, which is a little over a dollar per trip, the department awarded the contract for \$174 per year for carrying the mails.

Mr. Williams, acting upon what he supposed was good authority, paid out \$25 a month for the period of nearly two years, or nearly \$600—probably \$550. I think that probably that very amount could very well be paid to him under all the facts as set forth; but the committee took a different view. The committee said that the department awarded the contract for carrying the mail upon the basis of \$174 a year. The committee said, "We can not see that we ought to go beyond that. We will go that far, however, and figure the amount due Mr. Williams upon the basis of the amount that was recited in the first contract for the carrying of the mail, which was \$174 per annum, and, in other words, pay Mr. Williams \$315.55."

I submit, gentlemen, that that is a debt that we ought to pay Mr. Williams, and that amount is little more than half of that which Mr. Williams himself was required to pay for the

handling of the service of this post office.

Mr. SHERWOOD. Has Mr. Williams already paid that?

Mr. FRENCH. Mr. Williams has paid it. It has been suggested that the department was ready to pay Lee Carter, the carrier, two-thirds of the salary of the postmaster. ment never did pay Lee Carter. After the time within which he should have been paid had lapsed, the department was authorized by an act of Congress to pay him, but it has never been able to locate Lee Carter. He was compensated by Mr. Williams, and therefore has no claim against the Post Office Depart-

ment or the Government. Mr. Williams, acting upon the authority that he thought he had, incurred this responsibility. We are now merely proposing to pay him a little more than half what he paid out, and that upon the basis of the very first contract that was let for the carrying of the mail to the Williamsburg post office. I think upon that statement of facts the House ought to pass this bill.

Mr. SISSON. When was this service rendered? Mr. FRENCH. From August 6, 1900, to June 30, 1902. I

Mr. FRENCH. From August of the Congresses—
Mr. SISSON. That was 11 years ago.
Mr. FRENCH. Yes. I presented a bill on that subject to the Congress before, but this is the first time it has been reported from the committee.

Mr. SISSON. How many times has it been before a com-

mittee of this House?

Mr. FRENCH. I do not know. I probably should have presented it in every Congress since it was called to my attention. Mr. Williams tried to recover from the department. good deal of correspondence between him and the department. Finally he became convinced that he could not recover even the amount that was due Lee Carter. The department advised me that without any authority of Congress they were willing to pay the amount that was due Lee Carter if he could be found, but we could not locate him, and after spending a good deal of time in trying to locate him, and Mr. Williams not being able to do so, it finally seemed advisable to ask Congress to compensate Mr. Williams in this way.

Mr. SISSON. Can the gentleman tell how many people got

mail at this post office?

Mr. FRENCH. I do not know. The receipts of the office

have already been stated.

Mr. SISSON. They would indicate that the office was established for the convenience of Mr. Williams, the merchant there, rather than for the convenience of others.

Mr. FRENCH. Not at all. Mr. SISSON. Why should Williams have paid out of his own

pocket \$25 a month to the carrier?

Mr. FRENCH. Because he had no doubt that the Government would compensate him and supposed he was authorized to employ the carrier, and that he was employing him at a very reasonable compensation, less than \$2 per trip, and he expected the contract to be awarded at any time. The very fact that the Government did receive bids of between \$400 and \$450 a year for the carrying of the mail, but rejected them, suggests that Mr. Williams was well within prudence in paying \$300 a year, if it had not been for the policy of the department to pay no more than two-thirds of the compensation of the postmaster.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield? Mr. FRENCH. I shall be glad to yield.

Mr. STAFFORD. As I understood your reply to the gentleman from Mississippi [Mr. Sisson], you stated that the department was willing to pay Mr. Carter, the mail messenger, if he could have been found?

Mr. FRENCH. Yes. Mr. STAFFORD. What did Mr. Carter have coming to him from the Government if Mr. Williams had already paid him

the \$25 a month?

He had absolutely nothing, because Mr. Mr. FRENCH. Williams had paid him not only the amount that the Government was willing to pay, upon the basis of two-thirds of the salary of the postmaster, but had paid him several times that amount; or, in other words, upon the basis of \$25 a month.

Mr. STAFFORD. If Mr. Carter had been paid as an employee of the postmaster, what claim had Mr. Carter against

the National Government?

Mr. FRENCH. Only that he was the one to whom the Gov-

ernment could technically pay the money.

Mr. STAFFORD. Pay how much?

Mr. FRENCH. The amount of two-thirds of the postmaster's salary.

Mr. STAFFORD. He had already received it from the postmaster, and much more. So, how did Mr. Carter have a claim against the Post Office Department?

Mr. FRENCH. It had not cost the Government anything. The Government had not paid two-thirds of the salary of the postmaster, either to Carter or to Williams, for this service.

Mr. STAFFORD. But I understand that if Mr. Carter could be found now, he could put in a claim for two-thirds of the

postmaster's salary.

Mr. FRENCH. He could put in a claim, but, of course, the money appropriated for that purpose has lapsed, and it would require an act of Congress to authorize the department to pay even that amount to Carter.

Mr. STAFFORD. That is all Mr. Carter would have a claim against the Government for, merely two-thirds of the salary of the postmaster?

Mr. FRENCH. His legal claim would be represented by two-

thirds of the salary of the postmaster.

Mr. MONDELL. Does the gentleman know how much twothirds of the salary of the postmaster at that time would be?

Mr. FRENCH. Approximately.

Mr. MANN. The salary of the postmaster was \$70.75. Mr. STAFFORD. It was \$64.04 for the period for which he was carrying the mail.

Mr. FRENCH. The compensation of the postmaster was

\$64.04.

Mr. STAFFORD. Upon that basis the amount that would be due to Mr. Carter would be two-thirds of that. Mr. FRENCH. Yes.

Mr. MANN. The compensation of the postmaster was \$70.75. The gentleman is reading from the wrong place.

Mr. FRENCH. Yes; that is right, \$70.75.
Mr. STAFFORD. I will direct the gentleman's attention to the fact that the report of Dr. C. P. Granfield, Acting Postmaster General, shows that for the period during which service was performed by Lee Carter, from January 1, 1901, to June 30, 1902, the salary of the postmaster was \$64.04. That is stated

on page 2 of the report.

Mr. MANN. The gentleman skips a line in reading.

Mr. STAFFORD. I read the other line. I did not skip anything.

Mr. MANN. The compensation of the postmaster for the entire period from August 6, 1900, to June 30, 1902, was \$70.75, and for the period during which service was performed by Lee Carter, from January 1, 1900, to June 30, 1902, was \$60.04, but the postmaster performed service for the entire period.

Mr. STAFFORD. Lee Carter performed service for a part of

the time.

Mr. MANN. The postmaster performed service for the entire

Mr. FRENCH. Yes.
Mr. SISSON. Will the gentleman yield?
Mr. FRENCH. With pleasure.
Mr. SISSON. Why did not the carrier collect whatever was due him from the Government?

Mr. FRENCH. He supposed his dealings were with the postmaster and he was fully satisfied; he was fully compensated. Mr. SISSON. Why did not the postmaster, every quarter, put in his claim for whatever amount he had paid to Carter?

Mr. FRENCH. If he had done that, he would have discovered the mistake he was laboring under, but he was expecting that the contract would be awarded at any time and the settlement would be made by the Government with him.

Mr. SISSON. It seems to me that if a person wants to establish a mail route and the Government declined to take the star route or the rural carrier, if the merchant continues to pay the salary to the carrier and then the Government pays him, that would be a bad precedent.

Mr. FRENCH. Oh, no; under the statement the gentleman

makes it ought to be done at the merchant's risk.

Mr. SISSON. Is it not true that he wanted it for his own benefit, and that he should assume all the risk?

Mr. FRENCH. No; he was laboring under what he thought

he had authority to do, in doing what he did.

Mr. SISSON. If that was true, why did not he collect what was coming from the Government each quarter?

Mr. FRENCH. He ought to have done so. Mr. SISSON. It seems he had judgment enough to attend to the post office. He evidently knew the postmaster's duties and what it would necessitate to keep the accounts of the amount of postage which he canceled, and so forth. Knowing that, and the fact that he was paying \$25 a month out of his own pocket, he ought not to have continued all that time without an investigation.

Mr. FRENCH. I think he ought to have made an investigation; but the very fact that he did not, but continued to pay the carrier, shows conclusively that he did not know the facts and was laboring under an erroneous notion.

Mr. SISSON. Does it not show that he had to have the service in the business, and he continued and took the chance of

paying the carrier himself? Is not that the conclusion?

Mr. FRENCH. Not at all. The fact is the department ought to have awarded the contract a year or a year and a half before it did. If it had awarded the contract on the basis of a reasonable wage to be paid to the carrier, this would not have been necessary. Williams was not expecting that this matter would necessary. run month after month for nearly two years, but that the con-

tract would be awarded after the first bids had gone in, and then after the second bids had gone in; and the fact that the bids went in on the basis of \$400 or \$450 a year shows that the postmaster was paying a reasonable compensation.
Mr. LAFFERTY. Will the gentleman yield?
Mr. FRENCH. Yes.

Mr. LAFFERTY. Has the post office there been abandoned since Carter quit carrying the mail?

Mr. FRENCH. I suppose it is there now. I have had no

occasion to inquire into it.

Mr. LAFFERTY. The contract was afterwards let for the carrying of the mail?

Mr. FRENCH. Yes; on the basis of \$174 per annum.

Mr. LAFFERTY. How long did that continue, if you know? Mr. FRENCH. Their contracts are usually awarded for a period of four years, and I assume that that was the case here. The committee cut down the bill and said, "We will not compensate Mr. Williams for all he has paid out, but we are willing to compensate him for the amount for which the contract was awarded."

Mr. LAFFERTY. The gentleman has no knowledge that it has discontinued the Williams post office?

Mr. FRENCH. No; and if it was, that would not modify the facts in this case. The services were performed and paid for at the time.

Mr. LAFFERTY. Is it not true that the department never establishes a post office for the convenience of a merchant, but that it is confined to patrons and their convenience throughout the route?

Mr. FRENCH. Oh, I do not assume that anyone took seriously the remark that it was for the accommodation of Mr. Williams for a minute.

Mr. COX. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. COX. I think I read the gentleman's bill and the report of the committee on it. If I remember correctly, the Assistant Postmaster General, Dr. Grandfield, said that the amount which could be allowed under conditions such as this claimant is seeking to recover for now would be a sum equal to two-thirds of

Mr. COX. How would that compare with the amount that is allowed in this bill? Mr. FRENCH. Oh, that would only be two-thirds of \$70.75, or something like \$47.

Mr. COX. If I understood the gentleman's case when I read the bill and report, under the law, as it existed at that time and as it exists to-day, the only amount which the postmaster would have been justified in paying the carrier would have been two-thirds of the postmaster's salary.

Mr. FRENCH. That is all he was authorized under the law

and the department to pay. The postmaster evidently misun-derstood the authorization, because the department insists that the authorization was the usual one and is the authorization given to other postmasters.

Mr. COX. That was the law at that time?

Mr. FRENCH. Yes.

Mr. COX. And is the law to-day.
Mr. FRENCH. Yes.
Mr. MILLER. Will the gentleman yield?
Mr. FRENCH. Certainly.
Mr. MILLER. Does the gentleman think a party could have been secured to carry that mail for two-thirds of the postmaster's salary?

Mr. FRENCH. Not at all, as I have repeatedly stated; as

the bids went in they were \$400 or \$450.

Mr. MILLER. Where a postmaster is authorized to contract for carrying the mail, was there any possible way by which he could know what his annual salary would be?

Mr. FRENCH. None at all. He would have to figure on the

small basis of a few days' service.

Mr. MANN. He knew how many letters he wrote in his busi-

ness, if he knew anything.

Mr. STAFFORD. Mr. Chairman, can the gentleman inform the committee when bids for the star-route service were first advertised for?

Mr. FRENCH. I believe the department does not indicate the date. There is no stated time of the department when the

route was advertised or the bids called for.

Mr. STAFFORD. The gentleman has stated several times that the department made several efforts to have this contract awarded to some carrier, but because of the price they refused. I am curious to ascertain how many and how frequently after the establishment of the office such efforts were made. I think there were two.

Mr. STAFFORD. Because the carrier employed by the postmaster was engaged in this service nearly two years.

Mr. FRENCH. Yes.

Mr. STAFFORD. There seems to have been laches somewhere in not awarding this contract before the date it was

awarded to a regular carrier.

Mr. FRENCH. Mr. Williams in his affidavit says that during that period there were two bids proposed. At one time he states that the lowest bid was in the amount of \$400 and the The bids that were offered were in the amounts of \$400 and \$450, and I submit that that amount is reasonable compensation for making a trip three days a week a distance of

Mr. STAFFORD. Mr. Chairman, can the gentleman inform the committee whether after the department received those bids there was any consideration given by the department to the abolishment of this small office that only brought in a return sufficient to pay the postmaster his meager salary, for the salary of \$70 during this period would be taken entirely by the postmaster, and nothing would remain for the Government for its part of the service?

Mr. FRENCH. Mr. Chairman, I would not suppose the Government would think of discontinuing the office. The fact of the business is there are thousands and thousands of offices scattered throughout the country that do not pay as much compensation to the postmasters as has been suggested was paid to

the postmaster in that office.

Mr. STAFFORD. I would not want to take the gentleman's statement that there were thousands and thousands of post offices that pay less than \$70 for a two-year period. I think there are rare cases, but not thousands and thousands.

Mr. FRENCH. It may not be that there are as many as I think, but I think the gentleman will find that in all the western country the history of the small post office and the history of the development of that country is that post offices are maintained as means of building up the country, of drawing people to those settlements, and that it is necessary in innumerable instances, and I think thousands and thousands-unless the gentleman pin it down to this particular moment-of fourthclass post offices have been conducted for as long a period of time as I suggest here without any greater compensation than was paid to the postmaster at Williamsburg.

Mr. STAFFORD. That was the condition, I may say to the gentleman, prior to the establishment of the rural-carrier service, but upon the establishment of the rural-carrier service, up to date, some thirty or forty thousand fourth-class post offices have been discontinued. I recognize that in the western country, where rural-carrier service is not feasible and where the people must be served by the star-route service, the star-route carriers perform a service similar to the rural carrier, and these post offices are matters of convenience and necessity, and to that country the remarks of the gentleman are pertinent.

Mr. FRENCH. And the people there are very glad to abandon the smaller post offices for the rural routes, and are praying for the time when they may have the whole western country connected up by rural routes the same as in the more thickly

populated counties of probably the gentleman's State.

Mr. STAFFORD. The gentleman brings up a live subject, and I do not wish to go at length into that phase of it; but I would like to have the gentleman's opinion why, though the star-route service is of the same character as the rural-route service, the people in the western country favor the rural service over the star route?

Mr. FRENCH. Just a word on that point, although it is not pertinent to this bill. The star-route carrier usually follows the same route in returning that he takes in going from the office. A rural-route carrier has his route laid out with respect to settlement. The star-route carrier has his route laid out with respect to the contract price or the nearest distance between offices to be served, and upon that basis he serves not the greatest number but those merely along the road.

I reserve the balance of my time.

Mr. MANN. Mr. Chairman, just a word more. I stated a while ago that the postmaster in these fourth-class post offices gets 60 per cent of the receipts of his office, but my recollection now is that he gets the entire amount up to \$50 a year, so that here we are presented with a proposition where a man wants a post office mainly for his own convenience, where he gets all of the money that is received, is authorized to pay two-thirds more in order to have the mail brought to his office, where before he had to go after it himself, and then, in addition, wants the Government to pay him a considerable sum over what is authorized by law. I am not entirely unfamiliar with claims in

reference to matters somewhat similar to this. If this bill only were to be passed and there were no other claims like it, I would not waste the time of the House to call attention to it, but there are thousands of claims now or would be thousands of claims of similar cases where post offices have been established in a new neighborhood for the convenience of the people there, including the man who kept the store and who is made the postmaster, where they have been told the terms upon which the office could be established, so that they have known that they would have to pay for the bringing of the mail to and from the railroad, in the main, out of their own pocket. That seems like a very unfair thing on the part of the Government on the one side. I presented in the House the other day a proposition to permit a slight increase in accordance with promises which have been made by the Post Office Department to clerks in charge of substations in cities, which the House very generously voted down through the assistance of gentlemen coming from districts where they have fourth-class post offices, and we were told in the House why these substations are established, that they bring business to the drug stores where they have the sub-I have known cases where a man received \$50 a year from the Government to maintain a substation, and where he paid out more than \$500 a year for extra clerk hire in order to do the business of the Government. Undoubtedly if it had not brought him business, he would not do that. I do not think it is just, but it is certainly more just to increase that man's salary where the department has promised to increase it when his business increased than it is to pay a claim like this where the office was established, notwithstanding the facetious view of that matter by my distinguished friend from Idaho [Mr. FRENCH], for the convenience and profit of the storekeeper who took the office.

A man who establishes a post office at his store brings the people from the surrounding country to his store, where before they drove a little farther to a store at the railroad. He has the office there, it is true, for their convenience; also for his convenience and for his profit. When the Government pays him what it has agreed to pay it treats him far better than the clerk in charge of a substation in the city, because in no case in recent years has the Government paid the clerk what it has agreed to pay as the business increased.

I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL

[Mr. MONDELL addressed the committee. See Appendix.]

Mr. FRENCH. Mr. Chairman, just another word. I realize the force of the parallel case that the gentleman from Wyoming has drawn—the case of the widow who paid the carrier for this service. On the other hand, the other illustration that the gentleman used, where a sum of money aggregating some \$1,400 was raised by the community, has no significance in connection with this case, but is parallel with very many cases throughout the West.

In my State post offices are established, and before the department will recognize as reasonable a bid that may be offered, possibly many months pass by and numerous bids are called for. I myself have been one of the patrons of a small country post office to take my turn in carrying the mail from the nearest post office supplying this branch office.

Mr. MONDELL. Mr. Chairman, will the gentleman yield? Mr. FRENCH. Certainly.

What real difference is there between con-Mr. MONDELL. cributions by all of the patrons of an office toward carrying the mail and a contribution made by the postmaster himself, who may be a very considerable beneficiary in the establishment and maintenance of the office if he be a storekeeper?

Mr. FRENCH. I would think that the difference would be ery plain. All the members of this community, for instance, in which I lived, although exceedingly anxious to receive regular carrier service and to have the bids awarded at the earliest possible time, were quite willing to donate their time and their horses and bear the expenses necessary in the carrying of the mail. But, on the other hand, there is a great deal of difference between the service that was performed by the members of that community, who were patrons of the office and were con-tributing to the fund that went to a definite carrier, as is sometimes done, and the contributing of that much money by one man to secure his time and horses and to defray the expense of carrying the mail to the post office. In the other instance the entire expense has fallen upon the shoulders of one man, who, under misapprehension of what the law was, employed a carrier at far less than the amount that the two bids indicated was a reasonable amount that should have been paid to the car-

Mr. MONDELL. Will the gentleman yield for one other question?

Mr. FRENCH. Yes. Mr. MONDELL. If this bill passes, does it or does it not afford an excuse for every postmaster at an office hereafter to be established for saying that he or she did not understand these instructions, did not understand what they meant, and then proceeding to hire a carrier and then coming here with a claim?

Mr. FRENCH. Not at all.
Mr. MONDELL. Why not?
Mr. FRENCH. On the contrary, it ought to make it plain to the department that it should furnish very specific instructions to the postmaster. You can not get a copy of the order or the authorization that was made to this postmaster. They can not prove that they did not give him the authorization that he claims. They say merely they assume that they did not. He says they did. They deny it.

Mr. MONDELL. I am in sympathy with the gentleman's claim, but I think we ought to understand what this is. It is not an isolated case. There are many other cases like it. There is a blank that the department sends out with that joker on it about "two-thirds of the salary of the postmaster." postmasters pay no attention to it, because it is so insignificant that it is not worth paying attention to, and they make such provision as they can. There is a printed circular sent out, and I have half a dozen of these cases where I have asked the postmaster to furnish me with the instructions received, and wherever I have been able to get them at all they have proven to be that same printed circular.

Mr. FRENCH. Very likely so; and, as I said a while ago, I assumed that it was this printed circular that was sent to this

Mr. MONDELL. And that printed circular authorizes the postmaster to pay two-thirds of his salary, and no more.

Mr. LA FOLLETTE. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Certainly. Mr. LA FOLLETTE. I simply wanted to ask by what computation a postmaster could arrive at any basis for making an

offer to the carrier under those circumstances?

Mr. MONDELL. All that he can say is, "I am canceling about a dozen, or 2 dozen, or 3 dozen, or half a dozen letters a day now, and I expect to cancel more or less hereafter." He can not say absolutely. Of course that is impossible.

Mr. LA FOLLETTE. The Government puts out a statement,

then, that is absolutely impossible to carry out on the face of it,

because there is no salary fixed.

Mr. MONDELL. The gentleman will understand this, that no one has fought more earnestly for a good rural service than I have since I have been here, and no one has said more than I have against what I consider to be the parsimonious action of the department in these cases. But this fact must not be lost sight of: The Government is not getting anything out of this service. The postmaster gets all that there is in it, so far as the mail that originates at the office is concerned; and then the postmaster pays two-thirds of the salary to the carrier, and as soon as you can show any considerable amount of business in the office they establish one of these rural lines, once a week, twice a week, or three times a week, or daily, increasing as the business

If there is any fault in this matter, the fault is ours. It is in the law. It is not a regulation of the department. It is a law, and the Post Office Department simply issues a circular stating the law and informing the postmaster that that is what he has authority to do. Sometimes the postmasters misunderstand it; at least they say they do, and I think that in some cases they do. But if we pay one case of this kind we ought to pay them all, in my opinion. So far as I am concerned, I shall be de-lighted to have some cases paid that I know of that are very meritorious. Possibly we should change the law.

Mr. FRENCH. Of course, the gentleman is aware, however,

of the fact that the very maintenance of such communities as have such small offices as do not pay even the running expenses of the office—the very maintenance of such offices as that is what enables the business in the larger cities along postal lines to be such that the revenues there can largely exceed even the cost of maintaining the offices, such as those in New York

and Chicago and Philadelphia.

Mr. MONDELL. I think I have stated words to that effect on this floor more frequently perhaps than any man except the gentleman from Idaho, because I have reiterated that a great But I do not want to say anything against the many times. gentleman's bill as a specific proposition.

Mr. FRENCH. I appreciate the gentleman's support. I appreciate that. [Laughter.]
Mr. MANN. Does the gentleman from Idaho want more sup-

port like that? [Laughter.]

Mr. MONDELL. I want to make this suggestion-and the gentleman forces me to it-that it seems extraordinary that a man who has sagacity enough to run a country grocery store could not learn within two years that he was doing something that the law did not authorize him to do. It is extraordinary to me that at some time within these two years he did not appeal somewhere to learn where he was going to get hi.. money back.

Mr. FRENCH. He believed in the Government.
Mr. MONDELL. He had a vast amount of confidence—rather

more confidence than judgment, I should say.

Mr. FRENCH. Then, gentlemen, I shall be glad to have the support of those who favor the bill for the reasons for which I favor it and the support of those who favor it for the reasons advanced by the gentleman from Wyoming.

Mr. MANN. Let the bill be read for amendment.

The Clerk read as follows:

Be it enacted, etc., That \$1,000, or so much thereof as may be found due the claimant, be, and the same is hereby, authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for the relief of T. S. Williams on account of services rendered as mail carrier to Williamsburg, Idaho, from January 1, 1901, to June 30, 1902, and the Secretary of the Treasury is hereby authorized and directed to pay over whatever amount that may be due T. S. Williams as stated by the Postmaster General.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to T. S. Williams the sum of \$315.55, in full compensation for payments made by the said T. S. Williams to secure the service of a mail carrier from August 6, 1900, to June 30, 1902, at Williamsburg, Idaho."

Mr. MANN. Mr. Chairman, as far as I am concerned, I am quite willing to vote for the original bill introduced by the gentleman from Idaho, which proposes to pay this man the amount found due him by the Postmaster General. Just why the com-mittee puts in an amendment directing that he shall be paid a specific amount I do not know, and I shall ask for a division on the amendment, hoping that it may be defeated and the original bill passed.

The CHAIRMAN. The question is on the committee amendment.

The question being taken, on a division (demanded by Mr. MANN) there were—ayes 25, noes 6.

Accordingly the amendment was agreed to.

Mr. YOUNG of North Dakota. Mr. Chairman, I move that the bill be laid aside to be reported to the House with a favorable recommendation.

The motion was agreed to.

COL. ALFRED C. SHARPE.

Mr. POU. Mr. Chairman, I call up next No. 30 on the Private Calendar, the bill (H. R. 10232) for the relief of Col. Alfred C.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Col. Alfred C. Sharpe, United States Army, the sum of \$44, the same being for horse hired by him for use while on duty with the Organized Militia of Ohio.

Mr. POU. Mr. Chairman, this bill is more for the purpose of clearing this Army officer's record than for the payment of this money. The gentleman from New York [Mr. Morr] has charge of the bill, but in his absence I will make a brief explanation in lieu of the one which he was expected to make.

I have been informed that Col. Sharpe has an unblemished record. As the matter now stands, this one unadjusted account stands against that record. He was directed to hire a horse, and he did hire a horse and paid \$44 out of his own pocket. After being directed by his superior officer to do this, the department refused to allow his account for the \$44, and the matter stands in that way.

Mr. WILLIS. Mr. Chairman, I ask to insert in the RECORD a

letter from the Assistant Secretary of War to the gentleman from New York [Mr. Morr] on this subject.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to insert in the RECORD the letter to which he refers. Is there objection?

There was no objection. The letter is as follows:

WAR DEPARTMENT, Washington, January 3, 1914.

Hon. LUTHER W. MOTT, House of Representatives. Siz: I have the honor to acknowledge receipt of your letter of the 19th instant inclosing copy of H. R. 10232, providing for the payment

of \$44 to Col. Alfred C. Sharpe, United States Army, to cover the hire of horse used by that officer while on duty as inspector-instructor with the Organized Militia of Ohio.

It appears from the records of the War Department that, in compliance with Col. Sharpe's request, the \$44 involved was paid by the Quartermaster's Department for the hire of a horse for two months at the rate of \$22 per month.

On April 10 the request of Col. Sharpe for an extension of two months to the privilege of hiring a horse, effective about April 15, was approved; but on April 26, 1912, this authority was canceled by telegraph, due to the fact that, in the meantime, the quartermaster's first monthly account for \$22 had been suspended by the Auditor for the War Department as not a proper charge against the United States, that official holding that Col. Sharpe's duty was not such as to require him to be mounted, and even had this been the case, he should have provided his own mount.

On June 11, 1912, Col. Sharpe, who had refunded to the quartermaster at Columbus Barracks, Ohio, \$44, pending final advices from The Adjutant General's Office, requested information as to whether this expense should be borne by him or by the Government. In reply he was informed that, in view of the suspension by the Auditor for the War Department, no action could be taken to authorize the hire of the horse which had been used by him as indicated above.

As it appears from the preceding that the department erred in the first instance when it approved Col. Sharpe's original request for the hire of a horse at the rate of \$22 per month, and that this officer, acting under such approval, actually expended the amount involved in connection with the performance of a duty assigned him by the department, favorable consideration of H. R. 10232 is recommended.

Very respectfully,

HENRY BRECKINRIDGE, Assistant Secretary of War.

The CHAIRMAN. The Clerk will report the bill for amend-

The Clerk read the bill.

Mr. POU. Mr. Chairman, I move that the bill be laid aside, to be reported to the House with a favorable recommendation. The motion was agreed to.

ORDER OF BUSINESS.

Mr. POU. Mr. Chairman, I move that the committee do now rise, and report to the House bills from the Private Calendar Nos. 13, 19, 20, 21, 22, 23, and 30, with the recommendation that they do pass.

Mr. MILLER. Mr. Chairman, may I not in all earnestness suggest to the gentleman from North Carolina that he withhold that motion for a few moments? I know the gentleman does not intend that all of to-day, which has been set apart for the consideration of private bills, be occupied exclusively by his committee

Mr. POU. I am perfectly willing to withhold the motion.
Mr. SLAYDEN. Mr. Chairman, I believe the regular order under the rule will be now to call the Private Calendar on other claim bills, from the War Claims Committee, for example.

Mr. MANN. Oh, no. War claims bills are not in order to-day at all.

Mr. SLAYDEN. Mr. Chairman, I was under the impression that this day was given up to the consideration of bills of this nature from the two Claims Committees.

Mr. MANN. On the next day when claims are considered at all, war-claim bills will have the preference; so the gentleman's bill, being at the top of the list, will be considered.

Mr. SLAYDEN. 't is such a meritorious bill that I expect

even my distinguished friend from Illinois will speak in favor of it.

Mr. MANN. I should not be surprised. I might take an hour on it.

Mr. POU. Mr. Chairman, at the request of the gentleman from Minnesota [Mr. MILLER] I withhold my motion.

Mr. MANN. No. 9 on the Private Calendar is the next bill.

EDWARD B. KELLEY.

The Clerk read the bill (H. R. 6939) to reimburse Edward B. Kelley for moneys expended while superintendent of the Rose-bud Indian Agency in South Dakota, as follows:

bud Indian Agency in South Dakota, as follows:

Be it enacted, etc., That there is hereby appropriated, out of ray moneys in the Treasury not otherwise appropriated, the sum of \$1,281,20 to reimburse Edward B. Kelley, formerly superintendent of the Rossoud Indian Agency in South Dakota, for moneys expended for costs and expenses in a suit brought against him by one H. A. Bloom, involving the property of an Indian, a member of the Pine Ridge Sloux Tribe, and for the payment of a judgment entered against him in said suit: Provided, That before any part of the amount herein appropriated is paid to the said Elward B. Kelley there shall be filed a duly attested certificate of the clerk of the court in which the judgment was entered showing that said judgment has been fully paid and satisfied: And provided further, That the said Edward B. Kelley shall file a receipt in full of all claims or demands against the United States or any Indian by reason of the moneys expended in connection with the suit herein referred to.

With the fallowing committee amendment:

With the following committee amendment:

In line 4, page 1, strike out "\$1,281.20" and insert in lieu thereof

Mr. MILLER. Mr. Chairman, I move the adoption of the committee amendment.

Mr. COX. Mr. Chairman, I want some explanation of this bill.

Mr. MILLER. I shall be very pleased to make an explana-tion. It seems that on the Rosebud Indian Reservation in South Dakota a pair of horses belonging to an Indian woman were The Indian agent who had charge of the reservation occupied by the tribe of which this woman was a member was very active in the performance of his duty to regain possession of the horses and prosecute the thieves. He was successful in both respects. Two men were apprehended-a man named DeMarsche and a man named Monteau. Both were prosecuted in the Federal court. One was acquitted and the other found guilty and sentenced to the State penitentiary, where he now is. The horses were recovered and given into the possession of the Indian woman. Thereafter, to the surprise of nearly everyone, a man named Bloom, who resided in that part of the State, appeared and claimed that the horses did not belong to the Indian woman, but belonged to him. He brought suit against the Indian agent and against the Indian woman as defendants, and, as an instance of the remarkable uncertainty of jury trials, he actually recovered a verdict in that particular county. The committee will understand that the suit was tried in one of the circuit courts of the State of South Dakota.

When this man Bloom first began the suit a report was made by the Indian agent to the Indian Office. Authority was given by the Indian Office to the district attorney for the Federal Government in the State of South Dakota to defend the action, which he did. Receiving ample authority from the Attorney General, he conducted the defense of the case and subpænaed witnesses. Many of them had to be experts, because the question of the particular brand on the horses was involved. While a man is serving time now for stealing the horses from the Indian woman to whom they undoubtedly belonged, yet unfortunately, as a matter of fact, this man Bloom did recover a judgment, and the amount mentioned in this bill is the amount of the judgment against the Indian agent and the amount of the expenses which the United States district attorney incurred in defending the suit.

Mr. COX. Do I understand the gentleman to say that this man was actually directed by the Indian Department here to go in and defend the suit?

Mr. MILLER. He was; and, although he did so strictly in the performance of a public duty, he has not been reimbursed. Mr. COX. Why has he not been reimbursed by the Commissioner of Indian Affairs here in Washington?

Mr. MILLER. The report throws some light on that, or, if it does not, the letter of the Commissioner of Indian Affairs at that time does. It appears that after they had gone into this the Commissioner of Indian Affairs found that he had no funds out of which to pay these expenses. The first letter, dated 1910, says, at the close, that when the funds are available appropriation will be made to pay the sum; but they have no funds.

The bill was read for amendment.

The Clerk read the following amendment:

Line 4, strike out the figures "\$1,281.20" and insert the figures

The amendment was agreed to.
Mr. MILLER. Mr. Chairman, I move that the bill as amended be laid aside, to be reported to the House with a favorable recommendation.

The motion was agreed to.

J. A. MATHENY.

The next business on the Private Calendar was the bill (H. R. 2733) authorizing J. A. Matheny, of Colony, Wyo., to make homestead entry.

The Clerk read the bill, as follows:

Whereas J. A. Matheny, of Colony, Wyo., did in March, 1911, purchase from one Ralph Miller for a valuable consideration the lands hereinafter described; and Whereas the said J. A. Matheny has made the said tract his home and placed valuable improvements thereon; and Whereas the said J. A. Matheny is likely to lose the said tract including the money he paid therefor and the improvements made thereon by reason of the cancellation of the entry of Floyd Compton, from whom the said Ralph Miller purchased the tract: Therefore

Be it enacted, etc., That J. A. Matheny, of Colony, Wyo., be, and he is hereby, authorized to make homestead entry embracing the south half of the southwest quarter, the northeast quarter of the southwest quarter, and the southeast quarter of the northwest quarter of section 20, township 56 north, range 61 west of the sixth principal meridian in Wyoming, and to secure title to the same upon satisfactory proof of compliance with the provisions of the homestead laws.

Mr. POU. Mr. Chairman, there is no general debate, and I ask that the amendments be now put.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

In line 4, page 2, after the word "Wyoming," insert the words "after Floyd Compton's entry therefor shall have been canceled." Strike out the preamble.

The amendments were agreed to.

Mr. MONDELL. Mr. Chairman, I move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

Mr. GARRETT of Tennessee. Mr. Chairman, I wish to ask a parliamentary question. The next bill on the calendar is the bill which the gentleman from Texas [Mr. SLAYDEN] desired to call up a few moments ago.

Mr. MANN. That is not in order to-day.

Mr. GARRETT of Tennessee. That is a question I wanted It does not have preference, but whether or not under the rule it would come up is a question. I am inclined to think it would. It would not have any preference over other claims, but in its regular order on the calendar I think it would come up.

Mr. MANN. I have no objection to a ruling of that sort. I am willing that these bills should be absolutely squelched. You may get two or three up to-day, but you will not get any more up this session. Certainly not, if you get a ruling that such bills are in order to-day.

Mr. GARRETT of Tennessee. Mr. Chairman, I will not ask for a ruling, as the gentleman from Texas has left the Hall, evidently satisfied with the matter as it is.

HUGH P. STRONG.

The next business on the Private Calendar was the bill (H. R. 1262) for the relief of Hugh P. Strong.

The Clerk read the bill, as follows:

The Clerk read the bill, as follows:

Be it enacted, etc., That Hugh P. Strong, of Superior, Wis., be, and he hereby is, given the right within two years after the passage of this act to select, make entry, and file upon any 160 acres of Government land, subject to homestead entry; that upon proof of said Hugh P. Strong having established his residence upon said new entry, patent for the same shall be issued to him in accordance with the general homestead laws, but without the necessity of maintaining residence and cultivation on the same for five years, or filing proof of the same as required by the said laws, for the reason that said Hugh P. Strong duly made homestead entry No. 2096, upon which patent was issued by the United States Government to said Hugh P. Strong on January 19, 1898, but which patent was canceled by the Supreme Court of the State of Minnesota on December 11, 1903, and later by the Supreme Court of the United States on October 29, 1906.

With the following amendment recommended by the com-

With the following amendment recommended by the committee: Strike out all after the enacting clause and insert:

mittee: Strike out all after the enacting clause and insert:

That Hugh P. Strong, of Superior, Wis., be, and he hereby is, given the right, within two years after the passage of this act, to select, make entry, and file upon any 160 acres of public land subject to home-stead entry; and upon payment of any fees, commissions, or purchase money due in connection therewith, and after publication and posting of notice of his said selection or entry for 30 days, under direction of the register of the land district wherein the lands are situated, and in the absence of valid protest or objection, shall be entitled to receive a patent therefor under the general homestead laws without the necessity of establishing, maintaining, or proving residence and cultivation upon the same, for the reason that said Hugh P. Strong duly made homestead entry No. 2096, upon which patent was issued by the United States to said Hugh P. Strong on January 19, 1898, but which patent was canceled by virtue of the decision of the Supreme Court of the United States October 29, 1906.

Mr. LENROOT. Mr. Chairman, I would be glad to explain

Mr. LENROOT. Mr. Chairman, I would be glad to explain the bill, although the facts are sufficiently plain in the report. ask unanimous consent to dispense with the second reading of the bill and that the amendment be considered.

The CHAIRMAN. The gentleman asks unanimous consent to dispense with the second reading of the bill and consider the

amendment. Is there objection? There was no objection.

The committee amendment was considered and agreed to. Mr. LENROOT. Mr. Chairman, I move that the bill be laid aside to be reported to the House with a favorable recommenda-

The motion was agreed to.

tion.

Mr. POU. Mr. Chairman, I move that the committee do now rise and report the respective bills that have been under consideration to the House, with the recommendation that the amendments be agreed to and that the bills do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Adais, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration sundry bills on the Private Calendar, and had directed him to report the same back, some with amendment and some without amendment, with the recommendation that the amendments be agreed to and that the bills

BILLS PASSED.

The following bills on the Private Calendar, reported from the Committee of the Whole House with amendment, were sev-

erally considered, the amendments agreed to, the bills as amended ordered to be engrossed and read a third time, were read the third time, and passed.

H. R. 9848. A bill for the relief of the New England Steam-

ship Co.

H. R. 3468. A bill for the relief of the heirs of the late Samuel H. Donaldson.

H. R. 1055. A bill for the relief of T. S. Williams.

H. R. 6939. A bill to reimburse Edward B. Kelley for moneys expended while superintendent of the Rosebud Indian Agency,

H. R. 2733. A bill authorizing J. A. Matheny, of Colony, Wyo.,

to make homestead entry. H. R. 1262. A bill for the relief of Hugh P. Strong.

The following bills on the Private Calendar, reported from the Committee of the Whole House without amendment, were severally considered, ordered to be engrossed and read a third time, were read the third time, and passed.

H. R. 10345. A bill for the relief of C. M. Hammond. H. R. 10763. A bill for the relief of Dr. L. W. Culbreath. H. R. 10232. A bill for the relief of Col. Alfred C. Sharpe.

DISTRICT OF COLUMBIA DAY.

Mr. JOHNSON of Kentucky. Mr. Speaker, the late Representative Bremner who died yesterday, and who is to be buried on Monday next, was a member of the Committee on the District of Columbia. Under the rules of the House, Monday next, February 9, 1914, is District day. As many members of the committee desire to attend his funeral I ask unanimous consent that the business in order on Monday next be transferred from Monday until Thursday, February 12, 1914.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, of course no one will object to that request, but may I get from the gentlemen on that side what is likely to be done in the House to-morrow and on Monday. When we passed the rule providing for the debate on the good roads bill, the expectation was that the Indian appropriation bill, which is on the calendar, would be called up after we got through with claims to-day. I understand that proposition is off. I do not know whether they are ready to go ahead on

Mr. UNDERWOOD. I think they will be. I regret we will not be able to take up the Indian appropriation bill to-morrow, but I think there is some business on the Speaker's table that will take an hour or two, which we may be able to dispose of by unanimous consent.

Mr. MANN. Then why not to-night agree that after the business on the Speaker's table is disposed of to-morrow we shall proceed with general debate on the good roads bill, instead of

having a session for general debate to-morrow night?

Mr. SHACKLEFORD. There is no objection to that on my

That would be agreeable to me. part.

Mr. UNDERWOOD. Mr. Speaker, I would much prefer to push an appropriation bill at this time.

Yes; if one were ready we all would.

Mr. UNDERWOOD. As we have not one in hand, then I will submit a unanimous request to that effect.

The SPEAKER. The Chair will first put the request of the gentleman from Kentucky, that the business in order Monday next be transferred to Thursday next. Is there objection?

There was no objection, and it was so ordered.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that after the disposition of business on the Speaker's table to-morrow, the order making the good-roads bill in order for to-night and to-morrow, may continue during the day.

The SPEAKER. The gentleman from Alabama asks unanimous consent that after the business on the Speaker's table is disposed of to-morrow, the general debate on the good-roads bill shall be then in order. Is there objection?

There was no objection.

SPEAKER PRO TEMPORE FOR EVENING SESSION.

The Chair appointed Mr. RAINEY to preside as Speaker pro tempore at the evening session.

RECESS.

Mr. UNDERWOOD. Mr. Speaker, under the order heretofore made, I ask unanimous consent that the House now stand in recess until 8 o'clock p. m.

The SPEAKER. Is there objection? There was no objection; accordingly (at 5 o'clock and 26 minutes p. m.) the House stood in recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock p. m.) was called to order by the Speaker pro tempore [Mr. RAINEY].

RURAL POST ROADS.

Mr. SHACKLEFORD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11686) to provide that the United States shall, in certain cases, aid the States and the civil subdivisions thereof in the construction and maintenance of rural post roads.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11686, with Mr. Rubey in the chair.

Mr. SHACKLEFORD. Mr. Chairman, in as much as I wish to make a request as to controlling debate, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore having resumed the chair, Mr. Rubey, Chairman of the Committee of the Whole House on the state of the Union, reported that the House had had under consideration the bill H. R. 11686, and had come to no resolution thereon.

Mr. SHACKLEFORD. Mr. Speaker, I want to ask unanimous consent that general debate upon this subject be controlled half on this side by myself and half on the other side by the

gentleman from Iowa [Mr. Prouty].

The SPEAKER pro tempore. The gentleman from Missouri [Mr. Shackleford] asks unanimous consent that the time allotted for debate on this bill under the rule shall be controlled half by the gentleman from Missouri [Mr. Shackleford] and half by the gentleman from Iowa [Mr. Prouty]. Is there objection?

There was no objection.

Mr. SHACKLEFORD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11686, the rural post roads bill, with

Mr. Rubey in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read the title, as follows:

A bill (H. R. 11686) to provide that the United States shall, in certain cases, aid the States and the civil subdivisions thereof in the construction and maintenance of rural post roads.

Mr. SHACKLEFORD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Missouri [Mr. Shack-LEFORD] asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

[Mr. SHACKLEFORD addressed the committee. See Appendix.]

Mr. SHACKLEFORD. I will yield 10 minutes to the gentleman from Michigan [Mr. WOODRUFF].

Mr. WOODRUFF. Mr. Chairman, during the past 20 years the subject of transportation has become almost paramount to all others in the minds of the real students of economics of the Nation and the world. Indeed, this subject has been one that has commanded the attention of the best minds of all ages.

Even our barbarian forefathers recognized the importance of easy routes of transportation and travel. This is evidenced by the fact that to-day can be seen in many of our early settled States trails used centuries ago by the various Indian tribes of the country. These trails can readily be followed for miles through valleys and over mountains. In the softer ground they have been worn down until they resemble narrow ditches, while in many places, on solid rock, the countless thousands of moc-casined feet that passed over them in centuries gone by have worn a trail that time will never efface.

The Indian had his regular routes of travel just as surely as do the people of to-day. If he wished to go to the hunting grounds to provide food for the tribe or the family, if he wished to visit some friendly neighboring tribe, or if he wished to engage in war with some other nation 100 or 1,000 miles away, there was his intelligently selected, well-beaten path or road over which he could travel with little inconvenience to himself or his party.

This was not only true of the North American Indian, but true of all other uncivilized tribes as well. With the dawn of civilization and improvement in the methods of transportation, it became apparent that for easier communication, socially and commercially, something more was necessary than a mere path through the wilderness. And this marked the beginning of the actual building of roads.

History tells us that the Romans were the first to really appreciate the importance of building good roads. They were the first to enter largely upon this work. As fast as cities or nations were conquered roads were laid out and built to connect the same with Rome and with each other, until when she was at the height of her power every city in the Empire was connected by a great network of permanent stone roads. They began building roads on a large scale 400 years before Christ, and for 600 years were known as a nation of superb road builders. Their greatest road, the Appian Way, 100 Italian miles long, was begun in the year 312 B. C., and was for 800 years in perfect condition. Portions of it remain and are easily traced to this day.

The first process in the forming of these roads was to lay out the course they were to take, which was invariably carried in as straight a line as the nature of the country would permit. The soil was then excavated to procure a solid foundation, and when the nature of the earth was such as to preclude this the conditions were remedied by the driving of piles. The sides of the roadway were then flanked by two strong walls, which served as a support to the road. The excavated space was filled up with various layers of stone cemented together. On top of this a layer of cement was placed, and in this soft substance large flat stones closely united were laid. When the cement had hardened they had a road which, for all purposes, was as good as one carved out of solid rock.

Upon conquering England they found it impracticable in many instances to construct roads of stone and used the next best available material, which proved to be gravel. Instead of placing a bed of this material 8 or 12 inches thick upon their roadway, as is done to-day, they built it to a height of 3 feet o more, and even now, after more than 15 centuries, these

roads can be easily traced throughout all England.

"Necessity is the mother of invention," and the thing that prompted the Romans to build these great permanent highways throughout all their domain was military necessity. They found it necessary to move their armies readily and rapidly, and in order to accomplish this with expedition, and to meet their needs in the centuries to come, they built not a temporary roadway, but one that would last for ages. It had not entered their minds that there would ever be any other method of transportation than that then in use, and consequently they builded in such a way as would give them easy means of transporting their armies, munitions of war, and provisions as rapidly as could be done with the means at hand.

This was the necessity that first prompted Napoleon to enter into the building of the great system of highways that France has to-day. It was as necessary for him to move his armies quickly as it was for the Romans, and he early recognized this necessity and established everywhere throughout the French

Empire a like network of permanent roads.

Since the year 1900 the people of the entire United States have entered into a movement for the establishment throughout the country of good roads. Since this date the more wealthy States of the Union have made great strides in the improvement of their rural highways. The movement in the poor and more sparsely settled communities has not up to this time gained any material headway. The farmers until recently have been more or less satisfied to continue year after year, in good weather and bad, the transportation of their produce over roads that were sometimes good, often indifferent, and usually bad. But of late, as a result of the study of conditions in other more fortunate localities, through the interchange of ideas at the grange meetings, and so forth, the farmer has come to realize that when he is compelled to draw a ton or a half ton of produce to the market at a load where he might as well draw two or three tons, he is thereby increasing his cost of production to the amount it costs him to make these extra trips to market and thereby lessening his power to compete with his more fortunate brethren.

The question of transportation has been an important one since the dawn of civilization, and the evolution in the method and means of transportation has been wonderful, indeed. Until the end of time, in all probability, there will be but three means of transportation, namely, railroads, waterways, and roadways. These methods are dependent one upon the other. The railroad can not live without the road vehicle and the great ships that

traverse the seas and waterways could not continue to exist profitably without railroads and road vehicles. Neither one of the three could perform its full function in the development of our Nation if it were not for each of the others. Each has an important and independent work to perform in intrastate, inter-state, and foreign commerce. Two of the great systems of transportation—the railroads and water-craft lines—have been developed by private capital and are operated for private gain. The third—transportation by road vehicle over public high-ways—is in the hands of the people, and the common use is ac-corded to all free of charge. Those of us who have failed to give the question of transportation and its consequential tax upon the people some degree of thought do not or can not realize how great the burden is that is now carried by the people from this source. The amount of money it costs to transport the necessaries of life and the other articles of commerce over the public roads, the railroads, and over the waterways is a direct tax upon the producing and the consuming public.

We complain of the ever-increasing expenditure of the public funds, realizing that every dollar so expended is a direct tax upon the consuming public. These are expenditures that are

tangible-that can be seen.

The principal sources from which the Government derives its funds are the tariff and the internal revenue. The tariff tax for the past year under the Payne-Aldrich tariff bill was \$3.65 per capita, and the internal-revenue tax was \$3.72 per capita, making a total of \$7.37 per capita. The transportation tax of the railroads for the past year has been \$33.24 per capita, the water-transportation tax has been \$5 per capita, and the wagontransportation tax for the past year has been \$17.39 per capita. making a total transportation tax per capita of \$55.63. It is estimated by the Bureau of Roads of the Department of Agriculture that the cost per ton-mile for hauling produce to market is at the present time 23 cents. It is estimated that under present conditions it costs the farmers of this country \$1,600,000,000 per annum to haul their produce to market. In countries blessed with a system of improved highways the cost of transportation per ton-mile over the wagon roads is from 9 to 12 cents. When the rural roads of this country shall have been improved to as great an extent as have those in France, for instance, the cost of wagon transportation in this country will have been reduced approximately 50 per cent from what it is to-day. The producing and consuming public will be relieved of this great burden to the extent of approximately \$8.50 per capita per annum, a direct saving to the farmers and consumers of the Nation of \$800,000,000 per year.

On December 12, 1913, I introduced a bill in this House for the establishment of a bureau of postal highways and the extension of Federal aid in the construction and maintenance of good roads in the several States and Territories and the civil subdivisions thereof. I had given the subject of Federal aid much study and thought and incorporated my ideas in this bill. I believed and I believe now that the Bureau of Roads in the Department of Agriculture should be transferred bodily to the Post Office Department. It seems to me and it seemed to other members of the committee that should the Post Office Department be given control of this particular department of the Government the work of the department itself could be rendered

much more efficient and economical.

I provided that a director of the bureau of postal highways should be appointed by the President, by and with the advice and consent of the Senate; that he should receive a salary of \$7,500 per annum; and that he should be a practical engineer of road construction. I provided also that the director of the bureau of postal highways could appoint assistants in the various States and Territories not to exceed 50 in number; that the assistants should be appointed only after competitive examination; and that said inspectors should be removed only for cause. My idea was to take this department of the Government out of the great political spoils system that has made a mockery of our public departments. I believe that when intelligent men have shown their ability in competitive examinations, and when they have put in years at a given work, they must of necessity become much more efficient at that particular line of work than men could possibly be if newly appointed by every incoming administration. I placed the salary these men should receive at \$150 per month, having in mind that at certain times of the year the work of inspection, which work was theirs, would be year materially lessened, enabling the director of the bureau to discontinue their services temporarily, and thus effect a saying in the maintenance of the department.

I do not believe it is good policy to turn the Federal moneys over to the several States or civil subdivisions for any purpose whatever unless the Government retains to itself the power to see and to know that this money is being expended as it directs. The duties of the inspectors or assistants to the director were to consist of the inspection of roads after they had been completed, and I believe that had my bill become a law in its entirety, 50 men would have been competent to have handled this work with reasonable expedition.

I have always believed that any local community knows the needs of that particular community better by far than could any State official or any Federal official. I believe that the people themselves in any community should be allowed to say which roads shall be improved and how such roads shall be improved. I have made it possible in my bill for any community anywhere in the several States to so improve their roads as to meet the necessities of that particular community, and I have provided that the people living in a township in any county of any State could improve the roads of that particular township with the materials they have at hand and receive the Federal reward without waiting for the say so of any particular county official or State official. I have investi-gated and attempted to learn the manner of construction and the materials used in the several States throughout this Nation, and in drafting my bill I have separated the different kinds of roads into individual classifications. I attempted to specify how these roads should be built, taking advantage of the ex-periments carried on throughout the country, with a view of making each particular kind of road as good as could reasonably be expected with the materials used. I provided a certain definite reward for each mile of road so constructed, running from \$200 per mile for a properly built sand-clay road to \$400 per mile for a properly constructed gravel road, \$600 per mile for a combination of crushed stone and blast-furnace slag or gravel, and \$800 per mile for macadam or other material of equal durability. This was for a 9-foot roadway or track. For each additional foot of width up to and including 16 feet, I had provided for an additional reward of 10 per cent of the original reward. These rewards, however, paid only when the road was completed and built according to specifications. In addition to the reward for construction, I had provided the same rewards for maintenance that the committee bill now before this House provides.

It seems to be that if the Government is going to extend aid to the several States in the building and maintenance of roads, it should extend that aid equally. It should decide upon an equitable and definite amount that should be extended for aid in the construction of certain kinds of roads, and extend to the people in every community this definite sum. For instance, if \$25,000,000 is appropriated this year and it is found that this sum is only sufficient to provide for maintenance, and \$40,000,000 or \$50,000,000 be appropriated next year and the additional \$15,000,000 or \$25,000,000 be extended as aid in the construction of roads, it seems to me as though an injustice were being worked upon the communities which build their roads the com-

You will readily see that under the provisions of my bill any community would know, before beginning the construction of a mile of road, just the amount it would receive from the Government toward the construction of the same, and this reward would be equal in amount to that extended for a like type of road in every other community, regardless of the year in which it was built.

In initiating legislation along this or other lines, it seems to me, Mr. Chairman, that we should make our start in a way that would insure equal treatment to all, but under the provisions of the bill now before the House equal treatment will depend absolutely upon the amount appropriated by Congress in the years to come. Should the appropriation exceed the \$25,000,000 carried in this bill, the communities building roads next year or the years following will receive a larger reward than those building this year. Should the appropriations be less, then the communities building this year will receive more benefit than those which build in the future. I would like to see a system inaugurated by this Government that when worked out to its completion will have paid toward the construction of roads in Bay, Iosco, Crawford, or Ogemaw Counties the same amount per mile for like construction as will have been received by Midland, Mecosta, Isabella, or Clare.

by Midland, Mecosta, Isabella, or Clare.

It is fair also, and it should have been provided in this bill, as it was in mine, that any community which had been progressive enough in the past to build sand, clay, gravel, or macadam roads and properly maintain them should receive the same reward per mile from the Government as those that are to be built in the future. If it is fair to extend aid to a township or a county for roads to be built in the years to come, it is fair also to extend aid in a like amount to those that have constructed and maintained them in the past. It has not been the thought of the committee that the improvement of the rural roads would benefit the farmer alone, but that these benefits

would extend to every class of our people indiscriminately, resulting in a very material reduction in the transportation tax that every individual must pay in one way or another. Now, if this is so, and I think every man within the hearing of my voice will agree that it is, will not the roads that have been built prior to this time enter as largely pro rata in the solving of this great economic problem as those that are to be built in the future? If my deductions are right, is it not fair, Mr. Chairman, not only to the communities that have already built their roads, but to every other as well, that rewards should be extended to all alike, regardless as to the particular time the roads are constructed?

Under the provisions of my bill it would have been possible, at an expense to the Government of \$1,000,000,000, to improve every road in this country. This seems like a large sum to be expended in any one way, but when we stop to realize that the railroads in the past have received land grants from the Government exceeding in value this immense sum, and that the appropriations for rivers and harbors, including the Panama Canal, already exceeds this sum by more than \$100,000,000; that the railroads are being operated as private institutions for private gain, and that while the improvement of rivers and harbors is without question of some general benefit to the people at large, yet the greatest benefit derived therefrom is to the great transportation corporations of the country and the world, and that if \$1,000,000,000 is expended in the improvement of the roads of this country it is of direct benefit to all the people, you will readily appreciate how reasonable it was to ask that this sum be expended in the way I have outlined.

I do not believe that this Government should enter into the work of constructing roads. I believe that should be left to the States and the civil subdivisions. I do not believe it is necessary or the proper thing to construct transcontinental boulevards.

For months past an organization known as the National Highways Association has been at great expense to circularize Congress almost weekly with their propaganda for the building of these great national highways. They include beautifully colored maps, with the roadways laid out touching no more than 15 per cent of the counties in each State. They estimate that more than \$25,000,000,000 will be spent in the next 25 years on the more than 2,000,000 miles of highways in this country. Their purpose, apparently, is to see to it that any moneys expended for this purpose shall be expended mainly in the interests of the leisure, pleasure-seeking class of the Nation. They argue that the roads should be built partly at the expense of the Government, and that they should take the form of great concrete or macadam boulevards extending across States and across the continent in every direction.

It occurs to me that their interest is mainly in roads that will

It occurs to me that their interest is mainly in roads that will enable automobile owners to drive from State to State rather than in the roads that will enable the farmer to market his produce at a saving to himself and to the consumer. They have circulated pamphlets in which are shown maps of Michigan and Massachusetts. The former bears the title, "Roads beginning nowhere, ending nowhere"; the latter, "Roads beginning somewhere, ending somewhere." They have evidently gotten possession of a map issued at some time in the past by the State highway department of Michigan, showing thereon the roads that had at that time received the State reward. In no instance do I find on this map where the roads constructed under the State reward system have been extended from the county seat to the county lines, with the exception of one road in Wayne County.

I would like to call the attention of the gentlemen responsible for the circulation of this map to the fact that in my county, the county of Bay, there are at this time five distinct macadam roads leading from Bay City, the county seat, straight through to the county lines. I would call attention to the fact that Saginaw County, on the south, has connected up its macadam roads with both the Bay County macadam roads extending to that county, making thereby two macadam connecting links between the county seats of the two counties. Wayne County, in addition to the one road extending to the county lines, as shown upon the map circulated by this organization, has eight lines of road extending to their county lines connecting up with every county touching Wayne County. This condition holds good in many of the counties throughout the State.

The map the National Highways Association has sent broadcast throughout the land shows only such roads in Michigan as have received the State reward. It is a fact, I believe, that at this time in Michigan there are several times as many miles of macadam and gravel roads actually constructed as have received this reward, inasmuch as the appropriations in the State have not been sufficient in the past to reward all these different communities as fast as the roads were built. And, too, many of the roads were constructed prior to the time the reward was given, and have not been able to qualify for this reward, as the roads were not constructed according to the specifications which have since been furnished by the State department of highways. These roads are rapidly being brought up to the required standard, and as fast as the appropriations will allow the reward is being extended.

It is the intention of the State highway department of Michigan to encourage the building of roads in the several counties so as to connect up the improved roads in the manner described

between Bay and Saginaw Counties.

When the roads system of Michigan, as now proposed by the highway department of the State, shall have been completed, we will have a perfect network of good roads extending into every part of every county in the State, enabling the farmers in one county to market their crops as readily and economically as those in any other.

There has been much talk of insidious lobbying at the National Capitol in the past year, and certainly with justification. But I believe the form of literature sent out by the National Highways Association should be condemned as the worst form of lobbying. For instance, in a circular received recently, they

We want market roads. We want roads from farm to railroad. How are we to get them. We all wanted branch railroads first. Did we get them? No; we got the trunk lines first, and rightly. It will be the same with roads. If the farmer waits for the reversal of this law, he will "die in the mud." * * * They are now laboring under that infernally confusing, false, and misleading epithet, "Federal aid." Responsible for delay in congressional action. Responsible for the continuation of the activities of those more interested in their individual advancement than in the attainment of good roads. Responsible for the differences of opinion on the part of the body politic as to the wise plan to advocate. It sounds well. It can be made to mean anything which suits the selfish desires of the user. Indefinite, alluring, uncertain, vicious; it does not spell good roads. If the people of the United States have saddled upon them "Federal aid."—whatever it is made to mean—they will later awaken to the fatal error and their ignorance 'n permitting such extravagance, incompetence, and graft as the result thereof. And "by the eternal" we will provide so-called statesmen responsible therefor "with a long and much-needed vacation."

This is the type of argument this organization has sent to

This is the type of argument this organization has sent to every Member of this House. Believing, evidently, that their arguments for a system of national automobile boulevards not being sufficiently compelling, and that this House would have sufficient intelligence to undertake to provide roads that will really enable the farmer and every farmer to market his crops at a reasonable cost, they have resorted to the use of threats. They say, "We want market roads," "We want roads from farm to railroad" and in the same breath ask that this Government enter jointly into the expenditure of \$25,000,000,000 for the purpose of building great concrete highways that will enable less than 1 per cent of the farmers of this country to utilize

the same.

The system that I stand for is one which will enable every farmer in this country to share alike in whatever benefit is to

be extended by this Government.

I extend a most cordial invitation to this organization to come into my district and state their case to my constituents. If they can convince the farmers in Arenac County that a concrete road running through Mecosta County is going to enable them to market their crops more readily or more economically, they will do something I believe can not be done. I would ask these gentlemen how the improvement of a road in Arenac County will enable the farmers of Osceola County to more readily send their children to school or to church or to allow the farmer of Osceola County to drive to town with his produce during the times when the roads are wet? Under the present condition of our roads it is practically impossible for a farmer to market his crops at such times, and any person will realize, if he will stop to think, that this is the time of all times when a farmer should be enabled to do this, inasmuch as the condition of the ground is such that he is not able to get into his fields to do the work that he can do at a time when the roads are good.

There were many conflicting opinions in the committee as to just what form the committee bill should take. Knowing that if any legislation whatever was to be enacted along these lines at this session of Congress it was necessary to come before this House with a solid front, the committee has attempted, in a spirit of compromise, to draw a bill that has, in a small measure at least, pleased all the members thereof. Under the committee bill as reported to the House it is possible for the States to receive aid in two different ways. The governor of each State will decide for the State under which section—3 or 4—it shall

receive aid.

Section 3 provides that the Government and the State shall jointly enter into the construction of roads, and that these roads shall be maintained at the expense of the Federal Government and the State, which means that trunk lines will be built through

the more populous sections of the State, and the more sparsely settled communities will be left to construct their roads entirely at their own expense.

Section 4 incorporates the fundamentals of my bill. It specifies that aid in maintenance and construction shall be extended generally to all the roads throughout the State. Each mile of ordinary dirt road properly graded, crowned, and drained will receive under this bill the sum of \$15 annually for maintenance; each mile of gravel road properly graded, crowned, and drained will receive each year \$30 for maintenance; each mile of macadam or other material of like cost will receive \$60 per year for maintenance, provided the appropriation is great enough to enable the State to distribute this money in these amounts. If there is not enough money granted each State to extend the reward for maintenance in the amounts I have specified, it shall be divided pro rata, and there will be no aid extended in the construction of roads in that State. At the last meeting of the committee I submitted a resolution increasing the appropriation from \$25,000,000 to \$40,000,000, believing that we should start with at least this amount. My resolution was overwhelmingly voted down.

To my mind, section 3 of the bill submitted by the committee can not but work to the advantage of some communities at the disadvantage of many others, and I look to see all the States, with possibly a few exceptions, accept Federal aid under the provisions of section 4. I shall support the committee bill, Mr. Chairman, inasmuch as if this is not done by the member-ship of this House no legislation upon this subject will be

passed at this time.

I do not anticipate that \$25,000,000 will be the extent of the appropriation in the years to come. I look to see this increased from year to year, as the people and the Members of Congress are brought to a realization of the immense economic advantages to be derived from the improvement of our rural highways. And that within the next 20 or 30 years our roads will be brought to a state of perfection that will enable the farmers to market their crops at a saving to themselves and the consuming public of more than \$500,000,000 annually. [Applause.]

I will append herewith the following table:

Maximum amount of Federal aid to each State under provisions of H. R. 11686.

		A SECTION AND ADDRESS OF THE PARTY OF THE PA			
State.	Per cent . of total popula- tion.	Amount.	Per cent of total star and rural routes.	Amount.	Total.
Alabama Arizona Arizona Arkansas California Colorado Connecticut Delaware Florida Georgia Idaho Illinois Indiana Iowa Kansas Kentucky Louisiana Maryland Massachusetis Michigan Minnesota Mississippi Missouri Montana Nebraska New Hampshire Now Jersey New Mexico New York North Carolina North Dakota Ohio Oklahoma Oregon Pennsyivania Rhode Island South Carolina South Dakota Tennessee Texas Utah Vermont Virginia Wastington West Virginia Wisconstin West Virginia Wisconstin West Virginia Wisconstin	1.72 2.60 87 1.22 2.83 2.85 2.36 6.17 2.95 2.43 1.85 1.81 1.42 3.68 3.08 2.27 1.97 3.60 41 1.30 47 2.77 2.77 2.77 2.77 2.77 2.77 2.77 2	\$292, 500 27, 500 215, 000 352, 000 108, 750 152, 500 102, 500 102, 500 356, 250 356, 250 363, 750 363, 750 363, 750 363, 750 363, 750 363, 750 364, 250 450, 000 283, 760 385, 000 1, 246, 250 450, 000 283, 760 3846, 250 450, 000 1, 246, 250 11, 2	2, 29 1, 39 1, 43 1, 43 1, 53 3, 54 5, 54 5, 58 5, 58 5, 58 5, 58 6, 61 1, 10 1, 63 4, 31 2, 16 2, 16 2, 17 3, 18 2, 16 3, 19 4, 19 1, 10 3, 18 2, 16 3, 10	\$286, 250 27, 500 178, 750 92, 500 66, 250 81, 250 81, 250 66, 250 730, 000 647, 500 631, 250 770, 000 137, 500 137, 500 137, 500 270, 250 137, 500 270, 250 137, 500 270, 250 137, 500 277, 500 277, 500 277, 500 277, 500 343, 750 538, 750 77, 500 568, 750 77, 500 346, 250 120, 250 1	\$578, 750 55, 000 388, 750 201, 250 218, 750 201, 250 218, 750 583, 750 112, 500 1, 501, 250 110, 250 335, 000 773, 750 583, 750 228, 750 238, 750 242, 500 1, 265, 600 2712, 500 1, 295, 600 2712, 500 1, 295, 600 2712, 500 1, 295, 600 2712, 500 1, 295, 600 2712, 500 1, 295, 600 2712, 500 1, 295, 600 2712, 500 1, 295, 600 2712, 500 1, 295, 600 2712, 500
Total	100. 24	12,530,000	99.49	12, 436, 250	24, 967, 500

Mr. Speaker, in connection with my speech on H. R. 11686 I wish to extend my remarks by inserting a copy of my bill, which is as follows:

A bill (H. R. 10404) for the establishment of a bureau of postal high-ways and the extension of Federal aid in the construction and main-tenance of good roads in the several States and Territories and the civil subdivisions thereof.

tenance of good roads in the several States and Territories and the civil subdivisions thereof.

Be it enacted, etc., That there shall be established in the Post Office Department a bureau to be known as the bureau of postal highways.

Sec. 2. That it shall be the object and purpose of said bureau to coperate with the various States and Territories of the United States and the civil subdivisions thereof in the construction, improvement, and maintenance of permanent public roads now being utilized, or which may in the future be utilized, by the United States Government as rural mail or post roads.

Sec. 3. That said bureau shall be under the direction of a director of the bureau of postal highways, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive a salary of \$7.500 per annum: Provided, however, That said director shall be a practical engineer of road construction.

Sec. 4. That said director of the bureau of postal highways is hereby empowered to appoint assistants in the various States and Terrtories, who shall be known as inspectors of postal highways: Provided, however, That there shall not be appointed more than 50 said inspectors of postal highways: Provided further, That said inspectors of postal highways: Provided further, That said inspectors of postal highways shall have passed with higher percentages than other competing applicants, and said inspectors of postal highways shall have passed with higher percentages than other competing applicants, and said inspectors of postal highways shall be to inspect the roads which may be constructed under the provisions of this act; that the said inspectors of postal highways shall be to inspect the roads which may be constructed under the provisions of this act; that the said inspectors of postal highways shall peopt to the said director of the bureau of postal highways their findings in each mile of road so inspected and their recommendation as to the class to which the said mile of road may properly

which the said mile of road may properly belong, as specified hereinafter in this act.

Sec. 6. That the said inspectors of postal highways shall inspect under the direction of the director of the bureau of postal highways such roads as shall have been completed prior to the date that this act shall have become a law, and report his findings on each mile of road so inspected and his recommendation as to the class to which the said mile of road may properly belong as specified hereinafter in this act.

SEC. 7. That the Office of Public Roads of the Department of Agriculture is hereby transferred to the Bureau of Postal Roads of the Post Office Department, together with all records and files, machinery, property, and equipment now used in connection with said Office of Public Roads.

SEC. 8. (a) That the term "civil subdivision" as used in this act, is

erty, and equipment now used in connection with said Office of Public Roads.

SEC. 8. (a) That the term "civil subdivision" as used in this act, is defined to be any territorial division of a State vested with corporate or quasi-corporate powers and possessed of some powers of local self-government.

(b) That the term 'road district," as used in this act, is defined to be any civil subdivision of any State or of any part of any such civil subdivision, or any two or more contiguous civil subdivisions or contiguous parts thereof, wherein a fund is provided either by taxation, the issuance of bonds, by popular subscription, or otherwise, to be used exclusively for the building and improving of the public highways thereof and in which proper officials shall have been duly selected to receive and expend such fund, and who shall be responsible to the public by the giving of bond, or otherwise, for the proper expenditure of such fund and of any reward payable to said district under the provisions of this act.

(c) That the term "rural post road" as used in this act is defined to be any public highway outside of all incorporated cities and villages over which the United States regularly transports rural mall, whether by rural free delivery or star route: Provided, however, That such terms shall in no instance be construed to include any private or toll road.

Sec. 9. That the public roads of the several States and Territories

by rural free delivery or star route: Provided, however, That such terms shall in no instance be construed to include any private or tell road.

SEC. 9. That the public roads of the several States and Territories and the civil subdivisions thereof are, for the purposes of this act, divided into the following classes:

Class A. Every mile of rural post road outside of incorporated cities and villages, upon which no incline is steeper than is reasonably necessary, with ample side ditches, and which is kept well crowned, graded, and compacted by dragging, or other adequate means, so that it shall have a smooth surface and be passable for vehicles at all times.

Class B. Every mile of well-graded road, outside of incorporated cities and villages, upon which no incline is steeper than is reasonably necessary, the width of which shall not be less than 20 feet between and exclusive of side ditches, and which shall be properly drained and have a wagon way or travel track properly crowned not less than 9 feet wide and made of a mixture of sand and clay 8 inches deep, the consistency of which shall be specified by the director of the bureau of postal highways.

Class C. Every mile of well-graded road, outside of incorporated cities and villages, upon which no incline is steeper than is reasonably necessary, the width of which shall not be less than 20 feet between and exclusive of side ditches, and which shall be properly drained and have a wagon way or travel track properly crowned not less than 9 feet wide, and which shall consist of not less than 8 inches of compacted burnt shale, which must be applied in not less than two layers, each layer to be rolled separately.

Class D. Every mile of well-graded road, outside of incorporated cities and villages, on which no incline is steeper than is reasonably necessary, the width of which shall not be less than 20 feet between and exclusive of side ditches, and which shall be properly drained and have a wagon way or travel track, properly crowned, not less than 9 feet wide, ma

bureau of postal highways, and he not less than 4 inches thick after throrough rolling, and as top course, consisting of a layer of crushed the course of the course of the course of crushed the course of the course of the course of crushed the course of the course of

officers in each such road district at the end of each fiscal year the sums hereinafter set forth: For every mile of rural post road that clearly comes under the provisions of class A, the sum of \$15; for every mile of rural post road that clearly comes under the provisions of class B, the sum of \$20; for every mile of rural post road that clearly comes under the provisions of class B, the sum of \$25; for every mile of rural post road that clearly comes under the provisions of class E, the sum of \$40; for every mile of rural post road that clearly comes under the provisions of class E, the sum of \$40; for every mile of rural post road that clearly comes under the provisions of class E, the sum of \$40; for every mile of rural post road that clearly comes under the provisions of class F, the sum of \$50; for every mile of rural post road that clearly comes under the provisions of class E, the sum of \$50; for every mile of rural post road that clearly comes under the provisions of class F, the sum of \$50; for every mile of rural post road that clearly comes under the provisions of class F, the sum of \$50; for every mile of rural post road that clearly comes under the provisions of class E, the sum of \$50; for every mile of rural post road that clearly comes under the provisions of class E, the sum of \$50; for every mile of rural post road class E, the sum of \$50; for every mile of rural post road class F, the sum of \$50; for every mile of rural post road class F, the sum of \$50; for every mile of rural post road for said fiscal year.

SEC. 18. That all rural-mail and star-route carriers are hereby required to inspect all rural post roads. That they shall, at least once a month on blanks furnished by the Post Office Department, report as to the conditions of the rural post road in the road, or any condition existing which tends to make the said road impassable or difficult to travel, and which may be remedied by the said authorities. That if within 30 days from the time said rural-mail carrier shall report same to t

Mr. SHACKLEFORD. I yield eight minutes to my col-

league from Missouri [Mr. Russell]. [Applause.]
Mr. RUSSELL. Mr. Chairman, this bill proposes to authorize the expenditure by the Government of \$25,000,000 to aid in improving the post roads of the country. If it becomes a law, \$1,018,750 will go to the State that I have the honor, in part,

I can not now discuss at length the merits of this important bill, nor is it necessary for me to do so. The opinion of the House is already formed, and the Representatives here, I believe, are ready to express by their votes their approval of its provisions.

It is no longer seriously contended that the Government has not the power to aid in establishing or maintaining post roads, as provided and as contemplated by the Constitution. It is now, as I understand and believe, simply a question of right, necessity, and expediency.

The annual appropriations of Congress for years have been

more than \$1,000,000,000, and will probably be no less in this session. Of these appropriations, millions of dollars are expended in the Diplomatic and Consular Service beyond the seas; \$14,000,000 are expended in maintaining and beautifying this Capital City, with its beautiful parks and splendid roads that are enjoyed by a comparatively few of the American people: \$40,000,000 are expended in improving our rivers and harbors to promote the commerce of the country, which I have no doubt is wise; over \$400,000,000 are expended to sustain the military arm of the Government, to pay the expenses of wars that have been, and to prepare for possible future wars that we hope and believe will never come.

It is not my purpose to-day to criticize any of these liberal expenditures; they, or the most of them, are probably reasonable and necessary in this advanced age, with the increasing necessities incident to our modern civilization and the great growth and progress of our country. But I do desire to say, and to emphasize the statement with all the earnestness I feel, that there is no appropriation that will be made by this Congress, there is none that can be made, that will be a direct benefit to so many people as the expenditure provided for in this bill. [Applause.]

A few of the daring may glide through the hazy heights above in flying machines, some of the wealthy tourists may cross the mighty deep in the great ocean-going vessels, and part of the people may traverse our continent in the modern trains on our steam railways; but all the people of this Republic—nearly every man, woman, and child—travel almost daily upon the public roads. They are traveled by millions of children of both rich and poor on their way to the country schools; they are traveled by the youth of our land on trips of recreation and pleasure; they are traveled by the Christian families of rural homes in going to and from church on the Sabbath day. They are the highways upon which the foodstuffs produced on the farms that feed the Nation must be transported to the markets.

Our city friends say that this is only a benefit to the rural communities and of no value to the inhabitants of the great I dislike to think that there is a single Representative upon this floor so forgetful of his duty to the whole people or who is so blinded by his environments that he can not look beyoud the corporate limits of the city he represents and see the necessities of the farmers of the country, or who is not interested enough in the success of agriculture to favor the facilities that will promote that most important industry.

In conclusion permit me to say that good roads puts the producer nearer to the market and nearer to the consumer. will make cheaper to him the products of the farm without lessening the price to the farmer, and hence is a benefit to both.

No bill more important to more people can come before this House, and none should receive a more hearty support than this bill for Government aid in the construction and improving of public roads. [Applause.]

Mr. SHACKLEFORD. Mr. Chairman, I yield to the gentle-

man from Georgia [Mr. LEE].

Mr. LEE of Georgia. Mr. Chairman, the good-roads bill under discussion at this time bears the earmarks in many respects of a bill I introduced in Congress nearly nine years ago. do not claim any great originality in the substance of that bill, but I do congratulate both branches of Congress in the important step we are about to take, for I believe this is one of the most important questions before the American people.

The greatest problem we have to solve is to bring the producer and consumer into the cheapest, the easiest, and quickest communication with each other. To this end billions of dollars have been expended on railroads and steamships; to this end the National Government has been liberal in its expenditures in deepening the channels of our rivers; to this end Congress did not hesitate to spend \$400,000,000 in digging the Panama Canal. I voted for this expenditure, for I realized its importance to the American shipper. I am proud to have been a Representative from the State of Georgia voting to expend this vast sum for the construction of the canal. Yet onehalf of this sum expended on our country roads would have brought more comfort, happiness, and prosperity to the American people. We appropriated last year more than a billion dol-lars for the support of the various branches of the Government. This year the appropriations will likely exceed the billion-dollar mark. The Army will get one hundred millions, the Navy will get one hundred and forty millions, the Post Office Department gets three hundred and five millions, the agricultural bill will carry less than twenty-six millions, and we are asking for only twenty-five millions for good roads in the entire United States. This is the one item in which the farmer is directly benefited.

The total farm products of the year 1913 amounted to \$9,751,119,000. The farmers added more to the aggregate wealth of the country than all other sources combined. It may be of interest to note the value of the principal farm products for the

year 1913:

Miscellaneous animal products Buckwheat Hops Flaxseed Rice Rye Wool Sugar beets, sugar cane, sorghum, maple, etc Barley Tobacco Sweet and Irish potatoes Oats Poultry and eggs Wheat Hay Dairy products Miscellaneous crops Cotton Corn Animals sold and slaughtered	439, 596, 000 578, 488, 000 610, 123, 000 797, 077, 000 814, 202, 000 956, 177, 000 944, 675, 000 1, 692, 092, 000
Total	9, 751, 119, 000

To illustrate the enormous relative value of one of these crops, let us take cotton. For the year 1913 the value of cotton lint was \$797,841,000; cotton seed, \$146,834,000; total value of cotton crop, \$944,675,000.

I find on investigation that the cotton crop for the past 10 years was worth \$7,539,000,000. The total value of all the gold and silver mined in the world from 1904 to 1913 amounts to \$5,433,465,492. That is, the cotton crop was worth \$2,105,534,508 more than all the gold and silver mined in the world for a period embracing the past 10 years.

I call your attention to these facts to show the importance of but one crop grown on our farms. Every pound of this enormous tonnage must find a market over country roads which are during the rainy months almost impassable.

Those who have given the question of good roads the closest study say that the cost of getting production from the farm to the nearest railroad station is greater than the sum the railroads charge for hauling them to the places where they are consumed. I do not see how it is possible to arrive at a definite conclusion as to this, but a pretty close estimate can be made. It depends on the nature of the roads. Some are level and some hilly, some hard and others soft and miry, and the size of a load that can be hauled over a road is regulated by the worst part of it. The farmer hauling a load to market or to his home from town can haul only as much as his team can pull over the worst part of the road.

Roughly speaking, there are over a quarter of a million miles of railroads in the United States, equal in length to 42 lines, each 3,000 miles long, from the Atlantic to the Pacific, and 125 lines, 1,000 miles long each, from the Gulf or the Mexican border to the Lakes or Canadian border. If the railroad systems were run in parallel lines north and south and east and west, they would divide the country into blocks 24 miles square. Eight miles we may assume as the nearest distance the average

farmer would have to haul his crop.

In going to and from the nearest railroad station the average farmer would drive 16 miles. A good two-horse team could pull three bales of cotton over the average country roads. The use of the team and driver would be worth \$3 per day, and at that rate it would cost \$1 per bale to take the crop to the nearest station, which is fully as much as it would cost to haul it from that station to New York, or more than it would cost to haul it from the nearest seaport to Liverpool. Of course, the farmer might occasionally take a return load from town, thus leaving his crop to bear a less cost for the trip. Even then the cost of getting to the nearest station would almost equal the charge for carrying his crop from one side of the ocean to the other. If the roads were good he could haul twice as much. If this country were covered with good roads it would save to the farmer or the consumer a sum nearly if not quite equal to the freight earnings of all the railroads in the United States.

I mention this not for the information of Members of this House, for others are as familiar with it as I am. I take it for granted that every Member of this House is as strongly impressed with the benefit of good roads as I am. I give this as an estimate of the sum that goes out of the pockets of Americans—a complete waste under present conditions, that would remain in their pockets if this country were covered with a network of good roads. The importance of good roads will

be universally conceded.

The next question is, Who will build them? I concede that 50 per cent of the burden of the work should be borne by the States or the communities that would be benefited by it.

I think the Federal Government should lend its encouragement and its aid to this work under regulations that would give to each State its definite share after it had complied with conditions insuring Federal aid. The work will be more scientifically, more economically, more effectively done under a system in which the Federal Government will participate than when it is done by the State, or possibly by the counties, and then we need not try to blink out the fact that the people in some communities feel, and often with good reason, that purely local work generally means unpreparedness, while work in which the Federal Government participates is usually well done.

In urging Federal participation in road building I am not proposing that the Government assume any new powers or duties. Before my father was born the Government was building roads. In the earlier days of the Republic road building was as unquestionably regarded a power and a duty of the Federal Government as river and harbor improvements are now. I think our best lawyers of to-day will admit that the early patriots of our country were right in the interpretation of their duties. The records of the earlier Congresses are full of road bills. In fact, my recollection is that through the administrations of Washington, Adams, Jefferson, Madison, Monroe, and John Quincy Adams, and into the administration of Andrew Jackson—good old Democratic days—the Government did more road building than any other work under the "general-welfare" clause of the Constitution.

While the Federal Government has assumed other powers that were not at first supposed to belong to it, this power or duty fell into disuse, and perhaps properly so under conditions then existing. The Government did not encourage the building of roads or assist in their building. It built them and there was no regulation governing the apportionment of its work. It built roads, each by special act of Congress and wherever Congress voted to build them. The result was the appearance of the pork barrel. Members would no doubt swap influence, and roads were built

wherever there was a combination strong enough to secure them.

The circumstances to-day are different. The bill which we offer would leave no room for a scramble. It would apportion Government aid in a fixed manner with fixed conditions precedent to securing it.

I think the building of railroads had something to do with the withdrawal of the Government from road building. The railroads became the military and the post roads. But since the Government has undertaken the rural delivery of mails, it is necessary for some one to build good roads to facilitate their delivery. Rural-delivery routes are being gradually extended, and it is not an idle dream to say that the time will come when the postman will go to every man's door. The parcel post, another great factor in our development, also tends to the interchange of commodities between country and city, and as its use becomes more prevalent it will be more and more necessary to have roads over which loads can be handled economically.

So good roads through the States are needed for the Government's business, and it follows from this that the Federal Government should lend its encouragement to the work of building them. The Post Office Department undertakes to serve all the people. Where railroads extend they carry the mails, but the rural carriers go where there are no railroads. If a community away from the railroads needs a post office, one is established. The Federal Government does not tell the people of such community to build a railroad or do without mail facilities, and it should not tell a section that needs rural-delivery route with access to the parcel post that goes with it to build a hard road or do without the conveniences of rural delivery.

The people of the rural districts have exceptional claims on the Government. I do not base this statement on the fact that they feed the population and lay the foundation of the prosperity of the cities, but I base it on the idea that through many decades of legislation the Government has discriminated against the farmer. It has arranged for others to reap where he has sown. To the extent that it has sought to build up prosperity of a class, it has done so at the farmers' expense. the effort has been made to swell the profits of capital invested in manufacturing, and the advocates of protection have professed a purpose of holding up the wages of labor engaged in manufacturing. But to raise this fund to enrich this class the farmer has been taxed. He has borne his share of the burdens without a share of the profits. Gentlemen on the other side of this Chamber have voted duties on agricultural products, but in few instances has it been possible for such duties to benefit the agricultural classes who produce a surplus for export and, not being combined to fix prices, they have had to sell the bulk of their products at home at a price below that which was paid for hir surplus abroad.

The latest Republican President, and I believe the last, admitted that the tariff on agricultural products was a sham. He favored its repeal, and in doing so said it conferred no benefits on agricultural classes. Our banking laws have also discriminated against the farmer. The Government, which has neglected them, I may say oppressed them, so long is under obligation to assist in securing their welfare and happiness the stronger because of its long discrimination against them.

Nature works slowly, but it works to rectify wrongs, and the time has arrived when, out of this long oppression, has come a compensation. Life was made so hard and unremunerative on the farm that the young men as they grew up turned toward the city where work secured them something more than mere existence. For 30 years, while the cities have grown rapidly, the country has remained almost at a standstill, and it has come to pass that the farms of the land are scarcely able to feed the millions of city population. The value of the farm products has risen vastly more, and we hear all over the land complaints of the high cost of living. The whole country is suffering from high prices for food products, and there is but one remedyproduce more food; to do this, more producers of needed. Back to the farm is now the cry from the cities that heretofore have been drawing from the farm the most energetic young men. Back to the farm! The welfare of the whole country demands it.

The farm conditions n.ust be made as agreeable as possible, and the first requirement is good roads. The increase in rural population is a national need, and the Nation should help to bring it about. The uplifters have been studying conditions of rural life, with a view to their betterment. The Government has a commission at work along this line. Nothing will so much improve conditions on the farm as a provision that will draw the people together socially. Road building tends to remove

the oppressive solitude that has so long operated to depopulate the country and to substitute for it a large measure of the pleasures of city life. We have a quarter of a million miles of railroad track, which, I said, if run in parallel lines from north to south and from east to west, would block off the country into squares 24 miles each way, and I estimated that the average farmer was 8 miles from a railroad station. But we have about 30,000 miles of inland navigable waters which we are beginning to realize can be made much more useful to us than an equal extent of railroads. These, if run in parallel lines from north to south and from east to west, would block off the country anto squares 200 miles each way, and the average farmer would live 70 miles from them. To the territory they can serve these streams would furnish transportation for our products at onethird the cost of transporting them by rail. The producer and consumer would share the savings effected by this economy. Good roads would double the zone of country in reach of waterways, and in the interest of people in country and city I think that road development should be considered supplementary to waterway improvement.

The bill under discussion provides for the appropriation of \$25,000,000 for the current year for cooperative work between the Federal Government and the States for the construction of roads. Under this bill there could be no scramble for appropriations, for the bill apportions the fund between the States by inflexible rules—one-half in proportion to the mileage of rural delivery and one-half in proportion to population. Each State to avail itself of its share must raise a like sum for the work; and in case a State finally fails to qualify for Federal aid, its share will be converted back into the Treasury.

The apportionment in proportion to rural delivery is an apportionment in proportion to need both of State and Federal Government for the area involved. The apportionment in proportion to population corresponds closely with what the State contributes to the support of the Federal Government. The Federal Government gets little of its revenues from tax on wealth. Certainly very little until the passage of the incometax law. It derives a large part from a tax on consumption, and so the contribution approximates much more closely to a per capita than to a wealth basis.

I have discussed the question mainly from a standpoint of the farmer—a class fed on protestation of love while being taxed to supply substantial benefits to others. But it is not the farmer alone who would be benefited. If the farmer can get his crop to market at less cost than he now pays, the city man will be able to buy them for less than he now gives for them. What is proposed in this bill will bring greater prosperity to the farm and will reduce the high cost of living in the city. If the superior comforts and pleasures of rural life attract more men to the farm, production will increase and prices will decline and the city man's dollar will buy more than it buys now.

I have a confident faith that this Congress will pass this measure, of such great importance to the welfare of the Nation and to the happiness of its rural population. I am proud that I have been one of the pioneers in urging this legislation. And when the day comes that this bill, or one similar to it, is written upon our statute books I believe that the Nation will then enter upon a good-roads era which can be clearly distinguished by the future historian, and for the countless benefits that will flow from this great work the 100,000,000 people whom we represent will commend us for having served them so truly and so well.

Our country is endowed with every element of true greatness. I do not refer to the overwhelming power that can crush an enemy; we have demonstrated this on many battlefields. It has that, but there is something better. I refer to the fertile fields, so ready to yield the abundant harvest; to the mountain and hill, treasure vaults of coal, iron, silver, and gold; to the streams that, rushing downward to the plains, invite man to come and harness them to do his work, and then, in their more placid stretches, offer to bear for him, at lowest cost, commodities from the producer to the consumer. Providence gives nothing in finished shape. It only cooperates with man in doing his work. The Federal Government, work-ing for the general welfare, is helping the people of all sections to derive the greatest degree of benefit from the natural advantages that surround them. The work broadens with the years, the work of removing obstacles to success. And I look forward to the coming of the day, whether I live to see it or not, when all parts of this country and all classes of this land will enjoy the conveniences that are now largely confined to the great centers of population, and life will offer its pleasures to all who live beneath the shelter of our national flag. [Applause.]

Mr. SHACKLEFORD. Will the gentleman from Iowa [Mr. PROUTY] consume some of his time?

Mr. PROUTY. I yield 15 minutes to the gentleman from Wisconsin [Mr. Browne].

Mr. BROWNE of Wisconsin. Mr. Chairman, one of the most important and pressing economic and social questions before the people to-day is that of improving the Nation's highways. Every morning an army of 43,000 rural letter carriers start on their journeys, and when they return at nightfall they have traversed over 1,000,000 miles of wagon roads. Over these roads the whole food supply of the Nation is hauled annually in wagons, and in addition the vast tonnage of foodstuffs that we export to foreign countries. Over these roads men, women, and children are obliged to travel in all kinds of weather, on foot, in wagons, and on horseback, 365 days in the year.

Every man's house faces on a road that connects with every other road and leads to every other man's house and to every market place throughout the land.

The capital to-day invested in agriculture, including the personal property, amounts to the stupendous sum of \$40,000,000,000. About 50,000,000 of our 92,000,000 people reside in the country; that is, outside of cities of 2,500 inhabitants or over. Yet, out of the annual appropriations made by this Government, less than 10 per cent of the money goes to the country in any way, and practically 90 per cent of it goes to the cities.

GOOD ROADS WOULD CHEAPEN TRANSPORTATION.

Now, we claim, Mr. Chairman, that good roads will lessen the cost of transportation. It costs more to haul a ton of freight or a ton of produce by wagon in the United States than in any other country in the world. It has been conservatively estimated that one-third of the cost of every product is the cost of transporting that product from where it is produced to where it is consumed. If there is a great needless loss in the cost of The worktransportation, every consumer shares in that loss. ingman at his breakfast table in the city who may be the ulti-mate consumer stands his share of it. The highest tax the people are paying to-day is the mud and bad road tax. plause.] Anything we can do to cheapen transportation is a benefit to everybody. Congress annually appropriates large sums of money to facilitate and cheapen transportation. The river and harbor appropriation, the Panama Canal, the land grants to railroads have all been justified because they have tended to cheapen transportation. We have cheapened transportation so much that to-day on the Great Lakes, the great waterways of the country, we can carry a ton of freight from 1,500 to 2,000 miles for \$1.25. The leading railroad systems can carry freight 150 to 200 miles for \$1.25, while over the wagon roads we can carry a ton of freight less than 5 miles for \$1.25.

In fact, it costs more on an average to haul a bushel of potatoes from the farm where they are produced to the nearest market place than it does to haul them from Dublin, Ireland, to New York City. If by good roads we can lessen the cost of transportation by wagon 50 or 75 per cent, it is going to reduce the cost of production and ultimately reduce the high cost of living.

It has been said by a Secretary of Agriculture that it costs the farmers every year to move the great crops they raise something like \$1,600,000,000, and that from four to five hundred million dollars of this amount could be saved by good roads. Heretofore we have looked upon the wagon roads as something that concerns simply the farmer, the man who lives upon the road, and we have not considered that it was the problem of anybody else. We have shouldered the responsibility of building and keeping in repair 2,000,000 miles of road upon the farmer alone, and then we criticize him for not making better roads and keeping them in better repair.

GOOD ROADS WOULD BENEFIT EVERYBODY.

The question of good roads is a problem that concerns everybody. At one end of every road is the farmer with his crops for sale, aggregating last year nearly \$10,000,000,000.

At the other end of the road is the city with its people waiting to be fed, with its merchants waiting for trade, and with the railroads waiting for goods to transport. To whose advantage is it to have a road for the farmer to come to town? It is clearly to the advantage of the merchant and the city and the railroad more than it is for the farmer. The farms and the farmer are the great and abiding support of the city.

OUR ROAD SYSTEM ANTIQUATED.

We in America inherited our system of roads from England, a system England abandoned centuries ago. Macaulay in his history of England, in speaking about the road system of England before Government aid, writes:

The highways appear to have been far worse than might have been expected from the degree of wealth and civilization which the nation had even then attained. Every parish was bound to repair the highway which passed through it. That a route connecting two great towns

which have a large and thriving trade should be maintained at the cost of the rural population scattered between them is obviously unjust. The injustice attracted the attention of Parliament, and the act, the first of many turnpike acts, was passed. This innovation, however, excited many murmurs; a change was at length effected, but not without much difficulty, for injustice and absurd taxation to which me are accustomed is often borne more willingly than the more reasonable impost which is new.

At that time in the seventeenth century England changed her system and the Government took a hand in road building, and the magnificent system of roads in England show the wisdom of her course. It will not be contended, Mr. Chairman, but that the roads of this country are wholly inadequate. The question is how to build and maintain these roads so as to meet the demands and requirements of the twentieth century civilization, and whether the farmer alone shall pay for the cost of the road to town or whether he shall be aided by the city, State, and

GOVERNMENT EARLY ESTABLISHED PRECEDENT FOR FEDERAL AID.

The Government at an early day embarked in road building. Way back in 1806, under Thomas Jefferson-in fact, before that time George Washington in one of his messages to Congress advocated and recommended national roads. But in 1806 Thomas Jefferson advocated national aid for roads. Afterwards, through the efforts of Henry Clay, the great Cumberland road was started, and between six and seven million dollars were appropriated by the Government for this road. Then began a great era of railroad building and land grants to railroads were made and the railroads were given millions of acres of land—as much public land, in fact, as is contained in several of our largest States of the Union-to aid in railroad construction. The matter of road building was practically forgotten until the present time. The only national roads the Government has built since that time have been in the Philippines, Porto Rico, and the national parks.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. BROWNE of Wisconsin. I will.

Mr. GARRETT of Tennessee. The gentleman does not mean to say that the Government has built roads in the Philippine

Mr. BROWNE of Wisconsin. I understand Congress appropriated within a session or two something like \$6,000,000 for roads in the Philippine Islands.

Mr. GARRETT of Tennessee. Congress authorized the Philippine Government to appropriate out of the Philippine revenue money for roads.

Mr. SAUNDERS. We have built in Panama the same sort of

Mr. BROWNE of Wisconsin. I supposed that it was the Government that built them in the Philippines, but we have built them in Panama and in the national parks.

Mr. LOBECK. Will the gentleman yield?

Mr. BROWNE of Wisconsin. Yes.
Mr. LOBECK. We have built roads to the forts in the West,
and the Government had to build them as military roads.

Mr. BROWNE of Wisconsin. Yes; we have built some military roads.

Mr. LOBECK.

Mr. LOBECK. A good many of them. Mr. BROWNE of Wisconsin. Yes; and I think those are all precedents for the Federal Government to build roads, and the character of the few roads built by the Government demonstrates that the Government builds good roads when it under-takes it. The question of Federal aid for roads was debated in the early days of the Republic, and the question of the constitutionality was debated, and it was settled then and there that it was not only constitutional for the Government to build national roads but that it was a very wise and proper policy to

I believe at the present time we are prepared to start in and help build the road to town. One thing that has probably attracted the attention of the Government to the necessity of aiding in the building of these roads has been the establishment of the rural free delivery and the parcels post.

RURAL DELIVERY AND PARCELS POST GREAT BENEFIT TO FARMER,

In the establishment of rural free delivery and parcels post this Government, in my judgment, conferred the greatest benefit it ever conferred on its rural population. The parcel post has been administered so successfully during its first trial year that the size of the articles carried has increased from 12 to 50 pounds, and will undoubtedly within the next few years be again increased to meet the demands of a rural population of 50,000,000 people, and freight will eventually be carried by the Government. To do this it is going to require better roads, a better system of road building, and governmental aid.

I believe also in the extension of our rural routes so that in the end every man, no matter where his farm is located, if it is

located on a road, can have his mail, and that now includes packages of 50 pounds, delivered at his front gate.

The road sentiment has grown wonderfully in the last 10 The National Grange, the Society of Equity, and various other large agricultural societies who speak with authority for the farming population are calling loudly for State and National

Forty States, most of them in the last 10 years, have established highway departments, and many of these are aiding in

road building.

The farmer argues that if the Government is spending hundreds of millions of dollars on its rivers and harbors to facilitate transportation, why should it not expend a few millions of dollars annually on its wagon roads, over which a hundred times as much traffic passes? I know rivers in my own State, where hundreds of thousands of dollars have been spent by the Government, over which there is not as much traffic passes in a year as over some of the country roads in my State in a week.

DIFFICULTIES IN DRAFTING A NATIONAL-AID LAW.

To draft a law which will be workable in 48 States under conditions entirely different, a law that States whose constitutions do not permit of State aid for road building can receive aid, is not an easy task.

The Road Committee has been aided by the work of the Special Committee on Roads of both Houses appointed in the last Congress. It has had before it at least 20 different road bills, it has listened to the discussion of men, many of them experts and all road enthusiasts, from all parts of the country, and in presenting this bill it believes it has presented a bill that will be workable in all the States.

IMPORTANT FEATURES OF THE PROPOSED LAW.

One of the important considerations in a road bill is the distribution of money. This bill proposes to apportion the \$25,000,000 as follows: One-half on the basis of population in the proportion which the total population of the State bears to the total population of the United States; one-half on the basis the number of miles of rural post roads in use in such State bears to the total miles of rural post roads in use in all the

This apportionment is fair both to the large State with a small population and the small State with a large population.

The United States shall pay not to exceed one-half of the cost of the construction and maintenance of any road, and the State, or subdivision thereof, shall provide one-half of the cost.

OPTION OF STATES UNDER PROPOSED LAW.

The State has the option of expending the money received from the National Government on a system of roads as provided in section 3 of the bill, or section 4, or partly under both.

If it accepts the option given it under section 3 of the bill, the State through proper authority will cooperate with the Secretary of Agriculture in determining the roads to be improved and the manner of constructing and improving them, and the State shall afford such inspection and maintenance as the Secretary of Agriculture shall require.

The second option is a reward plan and provides for the

classification of roads A, B, and C.

resources.

Class A is a macadam road, or its equivalent, properly constructed, graded, and so forth. As aid for this kind of a road the Government will contribute out of the State's apportionment \$60 per mile.

Class B is a gravel, shell, or combination of sand and clay road, or its equivalent, properly graded and constructed, toward which the Government will contribute out of the State's apportionment \$30 per mile.

Class C is a graded road, well drained, constructed so as to shed water, and kept crowned and compacted by dragging, toward which the Government will contribute \$15 per mile.

The State or civil subdivision thereof shall expend in the construction, maintenance, or extension of any such roads an amount equal to the amount paid by the United States.

I will submit at the close of my remarks two tables showing the number of miles of rural and star routes of each State, and also the amount each State is entitled to under this apportionment in this bill and on the basis of a \$25,000,000 appropriation. WHAT WISCONSIN WILL RECEIVE.

The State of Wisconsin under the appropriation will receive

\$752,500 annually for roads. Wisconsin last year produced \$80,000,000 worth of dairy products, and thus passed the great State of New York in the value of its dairy products, leading all the States in the Union. have hundreds of thousands of acres of cut-over lands in Wisconsin, an even rainfall and a heavy soil makes these lands the best lands for dairying and stock raising in the world. All we need is good roads to unlock the door to our great ratural GOVERNMENT AID WILL STIMULATE ROAD BUILDING.

If Congress passes this bill, it is going to stimulate road building throughout the United States.

GOOD ROADS WILL MAKE RURAL LIFE MORE ATTRACTIVE.

It will check the drift of population from the farms to the cities. In the last 10 years, from 1900 to 1910, the urban population increased 50 per cent, while the rural population increased only 11.2 per cent, and in some of the great agricultural States the rural population decreased. This is a situation and tendency which is viewed by many with alarm, and the National Government and many States are in various ways trying to turn back the tide toward the cities with the movement "back to the farm."

Good roads will tend to help the movement more than anything this Government can do.

Many of the good-road enthusiasts have urged the Roads Committee to report a bill appropriating a large sum of money to build a great transcontinental, ocean-to-ocean highway. Such a road would undoubtedly be eujoyed by the tourists and travelers and be of some practical benefit to those living on or tributary to it, but it would not serve 95 per cent of our population.

tary to it, but it would not serve 95 per cent of our population.

The committee has endeavored to frame a law which will help the farmer in moving his crops to market, and which will eventually make a system of roads connecting all parts of our

I believe that a system of roads such as Government aid will insure will improve the condition of rural life and make it more attractive, and have a direct bearing upon the social, intellectual, and economic welfare of the whole people; that it will be followed by a greater activity and cooperation on the part of the rural population of this country that will mean an era of the greatest prosperity this country has ever known.

of the greatest prosperity this country has ever known.

Charles Sumner, more than 50 years ago, truly said that "the two greatest forces for the advancement of civilization are the schoolmaster and good roads."

List, by States, showing the number and aggregate length of rural and star routes in operation Dec. 1, 1913.

	Rural	service.	Star service.	
States.	Number of routes.	Aggregate length.	Number of routes.	Aggregat length.
		Miles.	1230	Miles.
Alabama	1,040	24, 688	282	2,850.8
Arizona	14	332	84	2,344.2
Arkansas	460	10,608	598	6,684.9 7,999.6
California	408	9,462	421	7,999.6
Colorado	175	4,572	262	4,687.5
Connecticut	281 107	6, 174	50 14	263. 2
DelawareDistrict of Columbia	8	2,531 170	14	69.4
Florida.	236	5,588	192	1,992.4
Georgia.	1,677	39,896	150	1, 461. 8
Hawaii		30,500	25	469.2
daho	134	3,342	164	3, 193, 2
Ulineis	2,856	69,054 51,352	90	785. 6
ndiana	2,123	51, 352	99	774.4
lowa	2, 424	60,032	51	369.7
Kansas	1,031	49,927 17,843	133	2, 136. (
Kentucky	767	17,843	867	8,360.9
ouisiana	200	4,684	337	3,043.1
Maine	472 436	10,797	290	2,555.1
Maryland		9,790 6,781	161 140	1,218.1
Massachusetts	2,049	£0, 183	167	859.2 1,721.2
Minnesota		43,063	201	2,694.4
Mississippi	809	19,271	281	2,924.5
Missouri	2.091	49, 478	482	5, 565.
Montana	58	1,489	241	6, 536. 2
Nebraska	1,068	28, 562	232	4, 758. 6
New Hampshire	4	85	84	2,931.9
New Hampshire	239	5, 401	125	960.4
New Jersey	306	6,893	113	552.6
New Mexico	18	498	224	4,761.1
New York	1,917 1,316	44, 129 30, 216	510 435	3,746.7
North Carolina	570	16,571	197	4,427.9 3,691.0
Ohio		60, 406	171	1, 155. 3
Oklahoma	1,099	29,615	321	4,482 0
Oregon	238	29,615 5,807	258	4,482.9 5,970.9
Pannssivania	2,213	50,971	600	4, 202, 5
Porto Rico. Rhode Island.			29	517.2
Rhode Island	45	988	18	88.5
South Carolina	809	19,071	126	1,332.2
South Dakota	590	17, 273	209	4,221.1
Cennessee	1,600	37,457 47,737	228 669	2,474.8 10,466.5
Fexas	1,992	1,115	124	2 709 0
Vermont	342	7,545	137	2,708.0 1,143.3
Zirainia.		23, 183	663	6,572,2
Vashington Vest Virginia	325	23, 183 7, 855	192	6, 572, 2 2, 609, 9
West Virginia	382	8,526	487	5,074.1
Wisconsin	1,660	40,897	162	1,706.0
Wyoming	13	369	163	4, 239. 4
the second of	42,961	1,042,477	12 257	156, 457, 1
Total	42,951	1,042,477	12, 257	100, 457.

Maximum amount of Federal aid to each State under provisions of H. R. 11686.

State.	Per cent of total popula- tion.	Amount.	Per cent of total star and rural routes.	Amount.	Total.
Alabama. Arizona Arizona Arkansas California Colorado Connecticut Delaware Florida. Georgia Idaho Illinois Indiana Iowa Kansas. Kentucky Louistana Maine. Maryland Massachusetts Michigan Minnesota. Missasippi Missouri Montana Nevada New Hampshire New Jersey New Mexico New York North Carolina North Dakota Ohio Ohio Ohio Ohio Ohio Ohio Ohio Ohio	. 222 1.72 2.60 .87 1.22 .82 .82 .83 6.17 2.95 2.43 1.85 2.51 .81 .81 1.42 3.68 3.08 3.08 3.08 3.09 .41 1.30 .99 .47 2.77 .36 3.52 2.18 1.74 8.39 4.26 .40 4.23 4.26 1.25 1.25 1.25 1.35	\$292,500 27,500 215,000 108,750 108,750 108,750 102,500 108,750 256,250 45,000 27,750 331,750 231,250 331,750 231,250 101,250	2. 29 1. 39 1. 43 1. 74 1. 63 3. 32 1. 63 5. 18	\$286, 250 27, 500 173, 750 178, 750 178, 750 92, 506 66, 250 81, 250 66, 250 647, 500 647, 500 647, 500 647, 500 647, 500 647, 500 647, 500 647, 500 647, 500 647, 500 647, 500 648, 750 649, 500 640, 500 640, 500 640, 500 640, 500 640, 500 640, 50	\$578, 750 \$55,000 \$88, 750 201, 259 201, 259 218, 750 183, 750 112, 550 1, 501, 253 1, 016, 250 935,000 1, 501, 253 291, 253 292, 750 292, 750 293, 750 294, 250 123, 750 294, 250 123, 750 103, 750 103, 750 103, 750 103, 750 104, 750 105, 250 112, 500 1126, 000 1, 746, 250 11, 285, 000 572, 500 212, 500 11, 285, 000 572, 500 212, 500 11, 285, 000 572, 500 212, 500 11, 285, 000 572, 500 212, 500 11, 285, 000 572, 500 212, 500 212, 500 212, 500 212, 500 212, 500 212, 500 212, 500 212, 500 212, 500 213, 500 214, 500 252, 500 215, 500 252, 500 262, 500 2752, 500 265, 600 2752, 500 2752, 500 2752, 500 2752, 500 2752, 500 2752, 500 2752, 500 2752, 500 2752, 500 2752, 500
Total	100. 24	12,530,000	99.49	12, 436, 250	24, 967, 500

Mr. SHACKLEFORD. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. DAVENPORT].

[Mr. DAVENPORT addressed the committee. See Appendix.]

Mr. SHACKLEFORD. Mr. Chairman, I yield now to the gentleman from Missouri [Mr. Hamlin].

Mr. HAMLIN. Mr. Chairman, I am in favor of good-roads legislation at this session of Congress, and I am therefore glad that the Rules Committee have made it possible for this bill to be taken up in the House this early in the session. So anxious am I to get this bill through, so it can go early over to the Senate, that I would not take any time to discuss the bill here were it not for the fact that I am a member of the committee which has been designated by the House to go to Michigan to investigate the great copper strike now on in that State, and it may be necessary for me to leave for that place before this bill is finished and voted upon, and I am therefore anxious to record myself now in favor of Government aid of some kind in the building of good roads.

This is not a perfect bill. I do not believe that one can be drawn until we have tried out the experiment; but I believe that it is the best bill available and is undoubtedly a step in the right direction. If this bill becomes a law, then after it is in operation its defects and shortcomings, if any, will be detected by actual experience, and it will then be an easy matter to amend and in that way finally work out a practically perfect measure.

This bill contains two propositions. Section 3 provides for the Government aiding the different States or subdivisions thereof in the construction and maintenance of good roads, the Federal Government to pay one-half of the cost, which money is to be available as soon as the other half is raised by the States or local communities, in such manner as that State or local community may determine. And this money is to be expended under the supervision of the State authorities and the Secretary of Agriculture. It appears to me that this is a very liberal proposition on the part of the Federal Government. If these roads are to be built by Government aid, it must be on the

theory that they are post roads. I mean by that, roads over which the Government is engaged in carrying the mails. This is required so as to conform to the Constitution of the United States. Congress has no authority to appropriate money for the building of roads except these roads are to be used as post roads, military roads, or, perhaps, for the transportation of interstate traffic.

Section 4 provides for the payment of rentals by the Federal Government on roads already built by the States or some subdivision thereof, or for roads hereafter to be built wholly at the expense of the State or subdivision thereof; and for the purpose of fixing the amount to be paid by the Federal Government on any particular road the bill divides the different kinds of roads into three classes, known as class A, class B, and class C. A is to be a macadam road, and class B to be a well-built road with a road track composed of shells, gravel, or a proper combination of sand and clay, or other material of equal utility but less expensive than macadam, constructed in such manner that it shall have a smooth, firm surface." Class C embraces roads built out of dirt or such material as is in the roadway, built in such way as to adequately drain, with ample side ditches to shed the water, and to keep the crown compact by dragging or other adequate means, so that it can be reasonably passable for wheeled vehicles.

For class A the Government agrees to pay an annual rental of \$60 per mile; for class B, \$30 per mile; and class C, \$15 per mile. I am inclined to think that these amounts are perhaps not equitably rated. While I recognize that the Government ought to pay more rental on high-class reads-if for no other reason than to encourage the building of better roadsam inclined to think that the difference specified in the bill is a little too great. But I understand that these rates have been fixed by the committee, like nearly every other proposition must be done in legislation, largely as a compromise between conflicting views.

It may be well to state here in further explanation of the bill, as I understand it, that \$25,000,000 is authorized to be appropriated to carry out the provisions of this bill during the next fiscal year and this money is to be prorated to the different States upon the following basis. No State will receive less than \$65,000. Then one-half of the amount will be based on the basis that the total population of a particular State bears to the total population of all the States. The other half of the allotment will be based upon the basis which the total mileage of rural routes in any particular State bears to the total mileage of the rural routes in all the States of the Union. This I regard as a splendid provision in this bill, for it prevents some of the larger States from getting all of this money. In other words, it treats all of the States fairly.

This seems quite a large appropriation for the first year and some of the opponents to this bill argue that it will not be long, if this scheme is carried out, until we will be appropriating a hundred million dollars a year for good roads. It appears to me that a sufficient answer to that criticism is that not one cent of this money can be spent unless we have good roads to spend it on, and if the time should come when we shall be expending a hundred million dollars a year on good roads it is a cinch we will have the good roads. And if we have good roads it will increase the value of the farms and town property, to say nothing of the other benefits to all the people, not only a hundred million dollars but billions of dollars.

We have been spending millions of dollars each year to build great engines of warfare with which to destroy our fellow men. I would rather-infinitely rather-put the money in building good roads in our country, thereby conserving the lives and happiness of our boys and girls and making rural life more comfortable and pleasant.

There is another proposition advocated by some. That is to have the Government build or aid in building what my friend Judge Shackleford designates as peacock boulevards across the country from ocean to ocean. Now, I have no objection to these cross-country roads, and I would be glad if we had any number of them, not only one east and west but one north and south, if we can also have these post roads. But I confess that these boulevards would be of but little value to the millions of farmers throughout the length and breath of this country, who would have to bear largely the expense of these boulevards and suffer most from the lack of good roads. I prefer, therefore, to support a proposition that tends to build good roads, not boulevards, throughout the country, so that the farmers can haul their produce to town, send their children to school, and take their families to church on Sunday in some degree of comfort. Adopt the rural free-delivery routes, as this bill does, and you can secure a network of good roads throughout every section of the country, provided the purpose of from the farms to the large cities. The temptations which sur-

this bill is fully carried out. There is scarcely a town of any size in the whole country from which there does not radiate from 4 to 10 rural routes, running out like spokes of a wheel. These carriers go out on one road on an average of about 10

miles and come back on another.

Take a town with four routes running out. That means that they use about eight different roads out from this town an average of 10 miles. Suppose these roads were built up to even class C, and a blind man can see at a glance the great benefit it would be to all the farmers living around that town, as well as the benefit to the merchants and other people living in the And then, again, the routes out of one town practically, and frequently do, meet the routes out of another town, and if we could get all of these roads improved we would have a complete network of good roads throughout the entire traveled section of our country; and I can conceive of nothing that would be of as much material benefit to all the people.

It has been urged by some that the people of the large cities will have to pay a large per cent of this cost. That is true, but they will undoubtedly get a large per cent of the benefits. This system benefits the whole country and makes it prosperous, and therefore benefits the large cities and makes them prosperous. The large cities do not make the country, but the country does make the large cities. The farmers produce the stuff which feeds the world, and we are confronted to-day by a loud, persistent, and, I think, a just cry, coming up from the consumer in the cities against the high cost of living

This road scheme about which I have been talking will, I believe, if carried out, go a long way toward solving this prob-The farmers have prospered for the last several years and will, I believe, continue to prosper; but I want to make this statement—while it may seem somewhat startling, nevertheless it is true—the farmers do not get for their products over 50 per cent of what their products cost the consumer. Naturally you ask, Who gets the other 50 per cent? I answer, it is eaten up on express charges and commission to the middlemen.

Mr. Chairman, let me give you a concrete illustration: The gentleman from Maryland [Mr. Læwis], who has given this transportation question more study than any other man in this House, informed me that he took the trouble to trace \$5 worth of produce, such as butter, chickens, eggs, and so forth, from a farmer out 25 miles from this city into Washington and into the homes of the people who consumed the same. This particular shipment for which the farmer received \$5 cost the people who consumed it here in Washington \$11.20, or more than double what the farmer got for it; and what is true in this particular case is true all over the country. The farmers are therefore unjustly blamed for the high cost of living.

There was great opposition to the passage of the parcel-post I think already that it has been proven, even in the short time it has been in operation, to be a splendid law. I thought so at the time, and was heartily in favor of its enactment. Now, with parcel post operating over good roads, such as this bill provides, forming a network throughout the country so that the rural carriers can transport large packages, much of the things the farmer raises can go by parcel post direct to the consumers in the cities, saving the heavy express charges and cutting out the commission of the middlemen, and thereby lowering the high cost of living and at the same time enabling the farmer to get as good or a better price for his produce than he does now. So from almost any standpoint it seems to me that this bill is

a most excellent step in the right direction.

I referred a few moments ago to the building of battleships. It may not be uninteresting to know that last year the total net appropriations for all purposes of the Federal Government was \$788,864,598.73, and of this fabulous sum \$335,440,612.85 went to the Army and Navy. Practically one-half of this appropria-tion last year went to support the military arm of this Government, and yet we boast that we are at peace with the whole world and that we are the leading Christian Nation of the earth. If the present program is carried out, it will be even worse this year, for it is now proposed to build two battleships instead of one, and we have reached a point where we can not build battle-ships for less than \$17,000,000 each.

When I first came to Congress a few years ago, we thought it was terrible to build a battleship at a cost of \$5,000,000, but now we do not think of building one which costs less than \$17,000,000. And, to my mind, this program is out of harmony with the fundamental ideas of our people. Let us cut out these battleships and use this money in helping to improve our country, and

consequently the conditions of our people.

Those of us who contemplate seriously the great moral as well as economic problems which are confronting us, realize the

round them in the cities are innumerable. We must realize that the real safety of our Government depends upon the moral standing of our people. No place has yet been found so good as the rural districts in which to develop not only the muscle but the brain and moral characters of the boys and girls. have never ceased to be thankful that it was my good fortune to be born and reared on the farm. So, of course, any proposition intended to improve and make comfortable and attractive farm life receives my most hearty support. I hope that this bill will pass and let us try it out, and then if defects and imperfections are found in this measure we can in the future

I feel that there can not be too much praise given to Judge SHACKLEFORD for his extraordinary industry and courage in standing by the people who live in the rural districts, and as chairman of the great Committee on Good Roads in the House he has worked out a plan which we believe is in the interest of

all the people.

He has not brought in a bill, as some would have him do, to commit this Government to the proposition of ignoring the country roads and simply build across the country boulevards in order that the idle rich may joy ride in automobiles from ocean

Let us build the country roads first and then there will be

time enough to joy ride.

Mr. SHACKLEFORD. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. Ferris].

[Mr. FERRIS addressed the committee. See Appendix.]

Mr. BARKLEY. Mr. Chairman, I rise for the purpose of supporting the bill now under consideration. I support it because, first, I believe in the principle of Federal aid in the construction and maintenance of good roads throughout the country, and, second, because I pledged myself to this legislation when I was a candidate to represent the people of my district in

this Congress

One of the objections which has been raised to this bill is that it is not constitutional. That is usually the excuse offered by those who are not in sympathy with legislation for the benefit of the whole people. Unconstitutional! The Constitution of the United States was established for the benefit of the people and not to hinder them. In the preamble of that instrument the purposes for which it is ordained and established are set forth, and one of those purposes is "to promote the general welfare." I would ask those who oppose this bill what aid could the Federal Government give in the way of an appropriation that would go further in "promoting the general welfare" than this appropriation to cooperate with the States and local communities in building and keeping up good roads? By what other method can the people be made to feel their connection with and interest in this great Government of ours more fully than by aiding them in the building of the roads which lie in front of their doors? I know of nothing that this Government can engage in that will bring greater benefits to all the people or more truly "promote the general welfare" than the work in which we are now engaged.

But, Mr. Chairman, to those who claim that such an appropriation is in violation of the Constitution, I would direct their minds to the provisions of the Constitution itself. Section 8 of Article I provides, among other things, that Congress shall have power "to establish post offices and post roads." A post road is any road over which the mail of the United States is carried or delivered, which includes every rural free delivery route and every star route in the United States. That is all this bill proposes to do. It proposes to aid the States and local communities in building and maintaining post roads. In my own opinion Congress has the power to go even further than that and assist in the construction and maintenance of roads under the commerce clause of the Constitution, giving Congress power to regulate commerce among the States and with foreign nations. And in a bill which I have introduced for the purpose of aiding the good-roads movement I do not limit the appropriation to post roads, but make it apply to other roads as well, where they are used in transporting farm products from the farm to the market. But it is not necessary to discuss that phase of the question, as the bill which has been reported from the Committee on Roads and is now under consideration is limited to post roads.

This question, Mr. Chairman, of Federal aid in the internal improvement of our country is not a new question. Many decades ago men on the floor of this House and in the Senate who have long since gone to their reward advocated internal improvements by the Federal Government, So earnestly and so eloquently did Henry Clay, of Kentucky, plead for Government aid in the internal improvement of this Nation more than 60

years ago that he became known as the "father of internal improvements." It has long been the settled policy of this Government to appropriate money for and to actually conduct improvements on all our navigable streams and in the harbors of the country for the purpose of aiding navigation, and thus aiding commerce "among the several States and with foreign nations." It has also been the settled policy of this Nation for many years to appropriate money out of the Public Treasury for the purpose of reclaiming the arid lands of the West by irrigation and other methods, so that American homes might be found there for American men and women. In fact, the Federal Government has for many years been gradually increasing and extending its assistance to the people in all kinds of enterprises for their betterment and for making this Nation more happy and more prosperous. Our activities along these lines have included such subjects as health, agriculture, science, navigation, aviation, irrigation, transportation, conservation, and other kindred subjects which bear upon the constructive development of our country. Realizing that there is no more serious agricultural or economic question now confronting the American people, Congress and the Democratic Party now propose to recognize the relationship between the farmer and commerce, between the good road and the problem of transportation everywhere, and to assist in this most worthy enterprise. And in this connection it may in the beginning be wise to limit our cooperation to those roads which are used by the United States in carrying the mails; and as rural routes are gradually increased, as we hope they will be, and the experiment proves valuable, we may branch out further in the direction of other constitutional aids to the people in helping to solve their great problems.

While we in the United States have many things of which to

boast, and of which we do boast, we must admit that in the construction and maintenance of our public roads we are far behind many of the other nations of the world. This may in part be explained by reason of the fact that they are so old and we are so new, and by the fact that we have been somewhat dazzled by our own unlimited possibilities, in the way of accumulating wealth, developing rapidly the natural resources of the country, and many other economic factors which I do not desire to discuss at this time. But it is a notorious fact that in many portions of the United States the roads are about the most unpromising feature of the country. This comes about in some measure by reason of local conditions and the laws governing the different States. In some of the States aid is given direct by State taxation from the State treasury, the State bearing half the expense and the local community bearing the other half. But in many of the States the burden of road building and road improvement is borne wholly by the local community. By reason of the limitations placed on the amount of taxes that may be raised by any county or other subdivision of the State, it is a financial impossibility to secure enough money by taxation to build a system of permanent roads. It is about all the average county can do to raise enough money to keep its roads and bridges in reasonable repair, with little left for building perma-nent roads. So that, if the people who have heretofore borne the full burden of these taxes and these expenses are to be rewarded with a system of highways which will be permanent and adequate, it is plain to me that some aid must come from the outside. Where else can or ought we to go except to the Government of the United States, which is the Government of all the people, big and little, high and low, rich and poor, farmer, merchant, lawyer, laboring man, and all other vocations which might be enumerated?

It is stated by those who have made a study of the question, and I have no doubt of its truthfulness, that in England, France, and Germany, where the roads are perhaps more universally improved than anywhere else, the average cost of transporting farm products from the farm to the market is from 9 to 12 cents per ton per mile, and in the United States, where our roads are not improved to any great extent, it costs about 28 cents per ton per mile to haul the farmer's products from his farm to the market. In other words, in France, England, or Germany, where their roads are practically all improved it Germany, where their roads are practically all improved, it costs a farmer about 90 cents to haul a ton of farm products a distance of 9 miles, but in the United States it costs him about \$2.50 to haul the same amount of produce the same distance. This is accounted for in the length of time lost, wear and tear upon the teams, wagons, and other implements, and other elements that must be accounted in estimating the value of a man's time and the depreciation in his property.

We have heard much complaint in recent years on account of the high cost of living. It might be well for our economists to account for this difference in the cost of transportation in the United States in estimating and arriving at the reason for the high cost of living. Though this, of course, is only an element of that cost, among many others, it is of sufficient importance to arouse our attention and call for our best efforts in solving

Mr. LEWIS of Maryland. Has the gentleman from Kentucky any information as to the average haul in those countries compared with the average haul here?

Mr. BARKLEY. My information is that in the old countries the average haul is about 9½ miles.

Mr. LEWIS of Maryland. What is it here?

Mr. BARKLEY. It is the same. The cost per ton-mile is predicated upon the same mileage in this country as compared with the other countries. This difference in the United States by reason of the loss of time, wear and tear upon farm machinery and implements and teams, and depreciation, and other items which must be taken into account, amounts to a loss to the American farmers of anywhere from \$250,000,000 to \$500,-000,000 every year, by reason of the unimproved condition of our roads.

So, Mr. Chairman, as an economic proposition, appealing to Congress from its economic and commercial standpoint alone, it is in the interest of lowering the cost of living, of promoting more efficiency and better conditions of agriculture throughout the country for the United States Government to appropriate the money provided in this bill, which is a mere pittance com-

pared with the total of its other expenditures

Mr. Chairman, there are three things which, in my opinion, add to and promote very materially the civilization and improvement of our rural population. One is the country church, to which the man in the country takes his family to worship the God of his fathers according to the dictates of his conscience. Another is the country schoolhouse, to which the man in the country sends his children to obtain that knowledge which will enable them in future years to attain success in life. The other is the country road, over which the people must travel, not only to church and to school, but to the market with their products, and in that social and neighborly communication which adds so much to the attractiveness and purity of country life. And I might add, as a fourth element, the free rural mail delivery, which brings the daily paper, the magazine, and other sources of communication and education to the door of the farmer every morning. There can be no denial of the true importance of these institutions—the church, the school, the road, and the free delivery of mail—in bringing about higher standards of mor-ality, higher standards of education, and better standards of living throughout the expanse of this great land. And anything that Congress may do that will aid the farmer and his boy and girl in elevating morality, education, and civilization is a worthy and economical work and one in which we may be proud to engage. [Applause.]

Mr. MURRAY of Oklahoma. Will the gentleman yield there for a question?

Mr. BARKLEY. I will, if I have the time.

Mr. MURRAY of Oklahoma. I wanted to ask the gentleman if he believed in the system of roads provided for in this bill that would lead from the country to the town market, or did he believe in another system that has been proposed of crosscountry roads?

Mr. BARKLEY. Mr. Chairman, I know what is in the There are two schools of advocates of gentleman's mind. Government aid for roads in this country. One school believes that the Government ought to appropriate large sums of money for the purpose of building great national highways, or a few of them, from one ocean to the other, or from one great city to the other, not because such roads would aid in solving the problem of transportation for the average farmer, but because such a road upon which the Government had expended a large sum would then afford a boulevard for the enjoyment of those who were seeking pleasure. The other school believes that if the Government goes down into the people's Treasury and appropriates money for roads, that money ought to be spent where the people, the common people, if you please, who bear the burdens of the Government in time of peace and win its battles in time of war, may receive some benefit from the expenditure of their money. I belong to the latter school. I believe that when the Government spends its money in enterprises of this kind it ought to be spent where it will benefit all the people as nearly as possible and not for the benefit of a few. upon a public road as a public necessity and not an avenue of pleasure or luxury merely. If all our roads were improved, the man who wants to use them for pleasure can do so as well as the man who wants to haul his corn or his wheat or his tobacco to the market. But if we spend all our money on one great highway from ocean to ocean, while it would be valuable to those who happened to live upon it, it would afford no benefit to

the great masses of our people who need good roads and need them now. [Applause.]

If that answers the gentleman's question, I hope he will stand with me on that question. The money appropriated for a public road is appropriated because of the necessity of traveling over it, to enable the farmer to transport more easily and more swiftly and more cheaply his products from farm to market. If somebody who has the time to enjoy them finds pleasure in traveling over them for the sake of pleasure, all well and good. Let him enjoy them. But let us provide for the necessities of life before we try to capture the luxuries. The improvement of our country roads will benefit not only the farmer but the man in the city by lessening the cost of transportation and the cost of living and add to the convenience and happiness of every citizen. [Applause.]

We have heard much, Mr. Chairman, of late years concerning the tendency of the people, and especially of the young men of the country, to leave the country and go to the city. We have seen conventions of bankers, of lawmakers, of social economists, and eminent men in all walks of life trying to find the reason for this migration from country and to find some remedy for it. In my opinion one of the reasons why so many young men prefer to leave the country and go to the city has been on account of the hardships that in many sections of the country have heretofore existed in farm life; the inconveniences and the disadvantages and other elements entering into the causes of discontent which have led many a young man away from the farm. Many of your bright, stalwart, vigorous, and honest young men upon the farm have been lured to the city by reason of what seemed to be a brighter prospect, greater opportunity, offered in the city. Some have been lured by the love of comfort and their unwillingness to undergo the hardships which they thought existed on the farm, forgetting that their fathers and grandfathers had undergone hardships and privations and sacrifices never dreamed of in our generation. may be the cause, I believe it to be our duty here to aid and encourage better conditions of farm life, more scientific methods of agriculture, and thus aid the farmer in solving the great problem of feeding and clothing the world. There is no greater calling than that of tilling the soil.

The man who keeps close to nature and listens to her voice in the morning as the sun comes up and hears the drowsy tinkling of the cowbell in the evening ought to be a happy man. The boy who is raised out in the country, with the fresh air. the sunshine, and the pure ideals that are cherished in a Christian home where the love of God and home and country fills the human heart, ought to be a happy boy. The girl who tosses her golden locks among the apple blossoms as she climbs the apple tree and sings the sweet melodies she has heard her mother sing ought to be a happy girl. And any legislation which we may enact here that may by its results encourage these boys and these girls to remain in the country and bring about conditions where farm life will be comfortable, attractive, and profitable to them even more than it is to-day will be beneficial to the country at large and add to the sum total of our

greatness. [Applause.]

We can not, Mr. Chairman, overlook our duty in this Congress to the farmer. As I suggested awhile ago, the farmer feeds and clothes the world; and as the years go by and population increases each acre of land must feed and clothe more people than it did the year before. It is beginning to be necessary to reclaim and rejuvenate the old worn-out land that our grandfathers cleared up, wore out, and then abandoned, in order that it may be utilized in this great problem of agriculture. The Government is aiding in this somewhat, but it has only been of recent years that the Government has enlarged its efforts to aid the farmer. It first established the Department of Agriculture, which has grown and will continue to grow and become the most important branch of the Federal Government. A department of agriculture is usually more beneficial and more in keeping with the principles of our Government than a department of war, though that department, too, is sometimes necessary. More recently the farmer has been given the free delivery of his mails, which has been a great boon to him in every way. Later the parcel post has been provided for him, which enables him to utilize the United States mail in transporting that which he has to the city and that which he wants from the city. We are now seeking to provide for him a better road over which that mail will travel and over which he may travel himself in his daily communications with the world. Let us hope also that before this Congress shall have adjourned we may provide for him a law that will make it easier for him to secure that credit which he may need to finance his farm and build his home at rates of interest that will be at once fair and reasonable.

If we shall be able at this session of Congress to enact, in addition to what we are now trying to do, a really constructive and adequate rural credits bill, which will afford facilities for borrowing money on terms at least equal to that of others in this and other countries, we will have performed a duty the result of which can not be measured in a year or a generation. I am confident that under the wise leadership of our great Democratic President, Woodrow Wilson, we shall be able to accomplish this task, as we have accomplished others since the 4th of last March. [Applause on the Democratic side.]

In conclusion, Mr. Chairman, let me say that I hope this bill will pass this House almost with a unanimous voice. I believe that it will receive more votes in its favor in proportion to the membership than any bill of similar importance during this session. When that is accomplished, we will have gone far in convincing the people of our country that we are honestly seeking to enlarge their opportunities, to enhance their welfare, and cause them to feel a close personal interest in the conduct of their Government. Under the provisions of this bill each State will receive that portion of the fund to which its population and rural post-road mileage will entitle it. For instance, Kentucky will receive about \$583,000 each year, which will in turn go to each of the counties in such proportion as may be provided by law, thus supplementing the amount that can be raised by local taxation for the purpose of improving roads. Who is able to predict what a revolution in the building and improvement of our roads 10 years will bring, by reason of this encouragement from the National Government? Let us hope that the people of all the States will gladly take advantage of this cooperation and reap its benefits a hundredfold in all that goes to make life happier, communication easier, and the people more contented in the enjoyment of a genuine and permanent prosperity. [Applause.]
Mr. SHACKLEFORD. Mr. Chairman, I yield five minutes

to the gentleman from Indiana [Mr. ADAIR].

[Mr. ADAIR addressed the committee. See Appendix.]

Mr. SHACKLEFORD. I yield five minutes to my colleague from Missouri [Mr. Rucker]. [Applause.]

[Mr. RUCKER addressed the committee. See Appendix.]

Mr. SHACKLEFORD. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. Fields].

Mr. FIELDS. Mr. Chairman, I am in hearty accord with the bill now under consideration, known as the good roads bill, and shall give it my earnest support. I do not support this bill because I believe it is absolutely correct in every detail, but because the principle upon which it rests is both sound and correct, and because in doing so I exercise the dictates of my own judgment and reflect the sentiment of the constituency which I represent.

The bill is not all that I would have it be. If left to me to frame, coming from that class of districts that have been so long neglected by the Federal Government, namely, an agricultural district, I would make the general appropriation larger and increase the sum per mile to be expended in the improvement of both dirt and macadamized roads. In fact, the greatest objection to the bill is that it does not appropriate as much money as it should; but it is a step in the right direction, which will ultimately lead to more extensive improvements in our public highways, and by so doing will carry the support of the Government to every section of the country, which will benefit the farmer, because it will lighten his burdens of getting his products to market. It will benefit the city dweller who consumes those products, because it will lessen the cost of transportation, which he must ultimately pay.

This bill, Mr. Chairman, if it becomes a law-and I have no doubt that it will-will mark the beginning of a new epoch in the legislative history of our country. It will of itself be evidence that the National Congress has at last turned its attention to the rural sections and the farmers, upon whom the Nation as a whole must depend for its food, its wealth, and its prosperity for the future. The cause of Federal aid for public highways has been advocated in this body and on this floor for many years by a few who came from the farm and were in touch with the rural life; but their contentions have repeatedly been met with the theory that legislation of this character was unconstitutional and that it would conflict with State rights, and the further arguments that such expenditures of the public funds were unwarranted from an economic standpoint, all of which contributed to the defeat of the legislation. But those objec-tions have been repudiated by public sentiment, and the pro-ponents of these measures have pressed forward and battled onward and have been encouraged by the people back home with the blessed assurance that their course and their efforts

had been approved. Other sections of the country likewise encouraged them by electing to Congress men fresh from the farm and men thoroughly in touch and in full sympathy with the farmers' needs, until to-day the farmer and producer, who constitute the bulwark of the Nation, hold the balance of power in this body.

Only a few years ago, Mr. Chairman, the farmer knocked in vain for admittance to this Chamber. That he is here now, and in control of his rights, is evidenced by this and other legislation passed by this Congress. He asserted his rights in the writing of the tariff law by eliminating from it that feature of taxation which had lain so heavily upon him through tariff-protected fence wire, farming implements, harness, and lumber, the prime necessities in fencing and tilling his soil and building his home. In writing the currency bill into law we opened a new avenue of credit to the farmer by permitting the national banks to make five-year loans on farm lands, a privilege hitherto denied him five-year loans on farm lands, a privilege hitherto denied him. and to-day, Mr. Chairman, we are opening a new avenue of commerce to him through the rural sections by appropriating money with which to improve the roads over which he must haul his products, and I trust that it may not be long until Federal aid will be extended to our institutions of learning until there will be an industrial, vocational, and agricultural school within reach of every community. When we shall have accomplished these reforms we can then realize in its fullness the beauty and truthfulness of the doctrine that the soil is the greatest asset, and the sons and daughters the greatest heritage of the race.

I referred a while ago to the objections to this legislation on the grounds that the principles embodied in it were in conflict with State rights, and the same objection is urged by those opposed to Federal aid for education. In answer to these objections I want to say that I stand as ready and as willing to defend my State against Federal invasion of her sovereign rights as does any man in this body. But I am unwilling to agree that Federal legislation which will improve local conditions in any State and bring prosperity and happiness to its people is an invasion of its sovereign rights. I was taught in my school days that in the science of government for every right there was a corresponding duty. And that principle applies with reference to the attitude of the Federal Government toward the States. The Federal Government in admitting the States to statehood reserved to itself the right to construct military roads, post roads, and routes of interstate commerce; and it is its duty to maintain these highways in such a way as will render them suitable and adequate for the purpose for which they were intended. And, on the other hand, it is the duty of each State to contribute its just proportion to the life and maintenance of the Federal Government, and with that duty there is the corresponding right of each State to demand of the Federal Government its just proportion of public improvements constructed by the Government. Has this been done in the past? I answer "No." Those who believe that this Government is composed only of

cities, seacoasts, and navigable streams, as was evidenced here in the passage of the last public-buildings bill, would differ with me on this question; and I shall digress for a moment to refer to what occurred then. When the public-buildings bill was under discussion some of the gentlemen from the large cities, with their magnificent Federal buildings that had cost millions of dollars from the public funds, threw up their hands in holy horror when it was proposed to construct post-office buildings in several of the small cities of the country; and others from the coast and navigable rivers, where almost countless millions of the Federal Treasury have been spent for the construction and maintenance of ports and harbors and the canalization of streams, contended most vociferously that it was a waste of public funds. But notwithstanding their protest the bill was passed, which was evidence that the spirit that had so long diverted the attention of Congress from the smaller cities, the villages, and rural sections was no longer in control. Chairman, I trust that I may not be misunderstood in my reference to the Federal improvements in the great cities, on the coasts, and in the navigable streams. The public business in the cities necessitated the construction of public buildings. coastwise trade with foreign nations and national safety against foreign invasion necessitated the construction of ports of entry and harbors of defense. Our interstate traffic necessitated the improvement of our navigable streams. And just as these interests demand Federal aid, so do our interstate relations between man and man, between city and country, between societies of the different sections, demand it, alike in proportion to their contributions to the Federal Government. Why, Mr. Chairman, one who was not familiar with country life would almost be convinced by some of the gentlemen from the cities that the rural sections do not constitute a part of the Federal Government and are not entitled to recognition by or aid from the Government. But let me remind them that the farmer in the field, the woodman in the forest, the teamster and rural carrier on the road, the merchant at the cross-roads store, and the village dweller pay their taxes and contribute to the revenues of the Federal Government the same as the man in the city, on the coast, or the navigable stream, and has the same rights as a citizen and is entitled to the same recognition by the Govern-

Mr. Chairman, there is another phase of the subject which I wish to discuss briefly, and that is the benefits to be derived through this legislation aside from the money that it appropriates, which is the knowledge of road building that it diffuse among the people of the country. This will result in a revival of their interest in public roads; it will lead to a better knowledge of how and of what material to construct roads; it will bring them in sympathy with the good-roads movement; it will give the people of every section an opportunity to ascertain the difference between good and bad roads, which will ultimately result in the improvement of all the roads. In speaking of the difference between good and bad roads I do not speak from hearsay or draw on my imagination. I speak from actual knowledge, acquired from the district which I represent, which is composed of 19 counties, 8 of which are blue-grass counties with macadamized roads. The others are mountain counties, 1 of which has turnpikes and the other 10 have dirt roads. I have traveled every section of that district and most of it time and time again by every character or kind of conveyance in use there, which has made me thoroughly familiar with the hardships and disadvantages attendant to bad roads and the advantages to be derived from good roads, and, being a farmer myself, I naturally paid particular attention to the work being carried on by the farmers, the prices of land, and the cost of transportation of farm products. I find that the land lying near the pikes in the blue-grass regions selis for from 25 to 50 per cent more than land of similar surface and equal fertility which lies inconvenient or inaccessible to the turnpikes, and in one mountain county that has pikes the land sells for twice and often three times as much as land of similar surface and equal fertility in other counties where the roads are dirt roads and in bad repair. I have seen the farmers haul their products to market on both the pikes and dirt roads. On the average pike one team will haul from 11 to 2 tons of tobacco and make an average trip of 20 miles and return in one day. On the dirt roads one team will haul on an average road from one-half to three-fourths of a ton of tobacco and make an average trip of 10 miles and return in one day. Therefore on this calculation, which is a fair one, it costs the man on the dirt road four times what it costs the man on the pike to market his products, which is conclusive proof that the mud tax is the greatest, most excessive, and most burdensome tax that the farmer pays. So, in view of the fact that the life of the Nation is dependent upon the success of the farm, can any man in reason contend that it is not economical and that it is not profitable for the Government to expend money in the construc-tion and maintenance of roads into and through the farming sections? The man who would make such contention is ignorant of the interest that even the city has, or should have, in the success of the farm.

Mr. Chairman, there is another phase of the subject upon

which I will touch if time will permit me, and that is the educational advantages derived through good roads. In one of the counties of my district where they have macadamized roads leading to every adjoining county they have organized their several public schools into groups and merged each group into a central school. The children are conveyed to and from school in elegantly equipped wagons built for that purpose. These wagons are covered, which gives protection to the little ones from the scorching heat of the summer sun and the chilling blast of the winter's storm. This system insures the regular attendance of the children and their continuous interest in the school; and I am advised by the superintendent of public schools of that county that the system has proven a marvelous success from the standpoint of both interest in the schools and economy in the school funds. I attended an educational association in that county not long since, and the success of the system was evidenced by the presence of 3,000 bright school children of the county and a most magnificent display of live stock, agricultural products, fancy needlework, and artistic paintings and drawings, all of which was produced by the boys and girls of the school; a display of which any county or State fair might well be proud. And, Mr. Chairman, the basic principle upon which and through which this marvelous success was attained was good roads. That county has splendid roads, which enables the people to consolidate their schools and bring their children together in school capacity and educational conventions—an advantage that the good people of several of the counties of my district and my State do not enjoy, for the reason that their roads are rugged and their streams are unbridged. But while my heart goes out to the hundreds, yea, the thousands, of bright boys and girls of my district and State who are so handicapped in attending school, especially through the winter season, because of the inadequate roads and unbridged streams over which many of them must travel, I am still optimistic on the subject. In the language of the immortal Adams, "Through the gloom of the present I see the brightness of the future." I hear in the not far distant future the voice of the Federal Government speaking, as it were, in tones of thunder, that these disadvantages, these barriers, shall be removed; that every section of this Union of States shall share equally with every other section at the hands of the Government; that the farmer who feeds the Nation shall share the blessings to which he is justly entitled; and that his posterity shall have every advantage necessary to prepare them for their future responsibilities. And when this shall come even those who oppose this bill will sing anew the glory of our Nation and the honor of its flag. [Applause.] Mr. SHACKLEFORD. Mr. Chairman, I yield five minutes to

the gentleman from Oklahoma [Mr. MURRAY]. Mr. MURRAY of Oklahoma. Mr. Chairman, in the discussion of this bill, known as the bill for Federal aid for roads, by Mr. Shackleford of Missouri, I might be pardoned in referring

to my discussion of this question on the stump in my State in 1910, and which I repeat here. I then said:

"Good roads and bridges and facilities for travel; the transportation of vehicles, farm products, and passengers are more important to an advancing civilization than any other element of progress-laws in aid of the same are those in which every citizen in the State is interested and directly benefited. roads increase the motor power of the farmer's team, shorten his distance to market, increase the freight facilities, make possible rural free delivery and the parcel post, aid in education, and make easy the building of rural high schools; they build towns, cities, and marts of trade, increase the sales of the mer-chant, improve the condition of society, make more attractive the home, and exhilarate the march of civilization and human progress."

I have always declared that too much money could not be spent for public roads and for schools if honestly managed and spent for public rolds and for schools it holestly managed and economically applied, but it is unnecessary here to discuss the necessity for good roads. The question is, first, should the Federal Government enter upon this policy; and if so, what should that policy be? To these two questions I shall briefly address myself. To the first I answer that the demand is so tremendous for Federal aid that it is useless to resist this demand longer. It partakes of the nature of the contest prior to the Civil War over the policy of "internal improvements," which finally came, as appropriations for road legislation must inevitably follow. As to the constitutionality of such legislation, there can be no doubt under the Constitution of the United States of the power of the Federal Government to make roads for the following purposes:

First. Military roads for the transportation of troops and military supplies.

Second. In aid of interstate commerce.

Third. To facilitate the transportation of the mails.

Since we have built up throughout the country a very elaborate system of railways and waterways, there is no need of interstate roads-roads that run across one State into another State or crossing boundary lines of different States—unless it should be the policy of the Government to construct roads either in competition with the railroads or to facilitate automobile travel; and, in my opinion, it should attempt neither, and I would oppose any legislation or appropriation for either of these purposes. And since the Government has the right to use the railroads for the transportation of troops and military supplies, there is no need of entering upon road building for mili-

purposes.

This leaves only one other constitutional power, and that is to construct post roads; and since post roads, for the large part, and especially rural free delivery routes, run from the town to the farm and from the farm back to town or the market, it would appear that it would be wholesome to exercise this constitutional power; and hence it answers the question as to the policy that should be pursued, and brings us directly to the issue of whether the House bill by Representative Shackle-FORD, of Missouri, or Senate bill 3545, introduced by Senator Gore, of Oklahoma, should be the policy. Or, to place the question in other language, whether Federal aid should be given to the State as an aid and encouragement, the funds given to be under the control of the State authorities, subject only to the

conditions of the law as provided in the Shackleford bill, or whether the Federal Government itself should enter into the policy of road building, having a great department of roads in Washington and the construction maintained under the control of the Federal Government through the Department of Agriculture, as provided by the Senate bill. To this provision of the Senate bill I am opposed, whether the appropriation be small or large, because I am opposed to the policy or the attempt of the Federal Government to do anything which the States can do for themselves, because Federal building of roads would ultimately mean interstate "cross-the-country" roads, or "peacock boulevards," which would be used for the most part for automobile tourists. I am not particularly opposed to automobiles but while in that connection I am of the cripton that mobiles, but while in that connection I am of the opinion that there should be provided regular automobile roads just wide enough for an automobile, and take them off of the public highway, so that they would not interfere with travel by horses and would not at the same time so quickly wear out the roads. It is demonstrated not only in the various States of the East but through the Department of Agriculture of the Federal Government that an automobile will tear up a macadamized road or a cement road and that no stone or other material is hard enough to prevent rapid deterioration under a heavy automobile traffic; that about the only road, according to a bulletin of the Department of Agriculture, that will stand the traffic is a road made wholly of oil, when the oil is forced into sand roads sufficient to make a compact. flexible surface, otherwise it will wear into ruts and blow away with the winds.

Let us analyze the difference between the Senate bill and the House bill. Under the Senate bill there is \$1,000,000 appropriated, with a strong discretionary power as to the use of the money in the hands of the Secretary of Agriculture, and because of the smallness of the amount it would be scarcely sufficient to build one road across a State, leaving the other portions of the State to wait, in some instances, 50 years before they would get this Federal aid. I say this would follow by reason of the very smallness of the appropriation, and that the advocates of this policy, who defeated the Shackleford bill after it passed the House in the last Congress, the author of the Senate bill I am now referring to voting against it; and we further know that the automobile companies who make and place upon the market automobiles boast that they defeated this bill in the Senate. It seems that while the Members of Congress understand the contest and the issues growing out of the defeat of that bill in the last Congress that the country does not realize the issue. To make a more concrete illustration of these two bills permit me to apply these two bills as they would affect my State—Oklahoma. Under the Shackleford bill Oklahoma would receive one half of the total appropriation proportioned to the population that Oklahoma bears to the other States, and the other half apportioned to the mail routes, which has been figured by the experts of the department to amount to \$572,500 for Oklahoma. This sum thus appropriated to Oklahoma to be divided among all the counties in the State in like proportion, under the bill, conditioned upon the State, county, or road district putting up an equal amount, which would mean the expenditure in the whole State year after year of \$1,145,000, one half of which is paid by the people of Oklahoma, the other half by the Federal Government. This money could be used on a given post road to fill up the bog holes or tear down the hills and lessen the grade, and then the following year a like sum would be used to continue to improve the same roads, so that each and every year every county in the State, as would every county in every other State, would receive its pro rata share, and by a continuation of the policy for a period of 10 or 15 years all the roads would, by degrees, without bonds, for future generations and scarcely without being felt, become improved to a tolerable condition. Whereas, under the Senate bill before referred to, introduced by the Senator from Oklahoma, Oklahoma would get \$105,000, about, which would be so infinitesimally small, even with an equal amount by the State, that in the very nature of the practical use it could not serve any beneficial purpose by prorating it among all the counties, and in fact no provision is made therefor, and hence it would have to be applied on some cross-the-State highways. Great project, indeed, but of little benefit to the people. It would be in the end nothing more than an automobile route.

The real limitations of the Gore bill are contained in the first section by this provision:

Highway work may be inaugurated in each State through the cooperation of the United States Department of Agriculture and the highway department of the several States. Such cooperation shall embrace practical demonstration in road construction and maintenance upon highways to be selected by the Secretary of Agriculture and the State highway department, and all such work shall be carried on in such

manner as may be agreed upon by the Secretary of Agriculture and the representative of the several State highway departments.

It is easily foretold in my State what will become of this money. It would be first used to construct a roadway across the State of Oklahoma from Kansas to Denison, Tex. It is true this road would run through my county, but what would become of the counties east and west of it? No appropriation will be just that does not take care of every county in the State.

Hence I plant my position upon the policy that the Govern-

Hence I plant my position upon the policy that the Government of the United States ought not to enter into road building, but that an appropriation should be prorated among the States and should be used solely upon the post roads so as to create roads from the farm to the market and from the market to the farm. My conviction of a wise governmental policy is that this will aid the merchant, the market or marts of trade, and will aid the farmer, and that it links together both the interest of the city and the country, so that neither need feel that he is unnecessarily burdened or taxed either by the State or the Federal Government for improvements that he does not receive.

The amount of this appropriation seems large, it is true, but we appropriated last year for the Navy Department \$105,-274,948.53, and to build battleships \$35,525,695—this does not include the War Department—and are now called upon to build a railroad in Alaska that will amount to \$40,000,000. This appropriation of \$25,000,000 for the whole United States under the Shackleford bill, that will be appropriated to all the States and to all the countles of the States, is insignificant when compared with this for-war appropriation.

To recapitulate: First, I am opposed to the Government's attempt to build "cross-the-country peacock boulevards," which can only be used for automobile traffic, until we have good roads in every county throughout the United States, which will take many, many years to accomplish.

Second, I am opposed to exercising the constitutional power for building roads for military purposes except within and around the military posts.

Third, I am opposed to the Government itself entering upon the policy of road building, but I am in favor of an appropriation to the States in aid of road building, but to be controlled by the States, the States to determine what material to use in each section within the State, and that such appropriation in aid of roads by the Federal Government shall be used exclusively under the one constitutional power to facilitate the carrying of mails, because the mails in every State are carried along the same roads that the farmer travels to go to the market. Of all of the three constitutional powers, this is the only one that ought to be used in this policy. Therefore I am in favor of the House bill by Shackleford, which passed the House two years ago but was defeated in the Senate, and I am opposed to the Senate bill before referred to.

Mr. SHACKLEFORD. Mr. Chairman, I yield to the gentleman from Missouri [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, some of the speakers apparently do not take this bill seriously. At the same time, I think they regard the proposition pending before the committee as one of the most important presented to Congress for consideration in many years. This bill provides that the United States shall in certain cases aid the States and certain subdivisions thereof in the care and maintenance of rural post roads, and is justified under section 8, Article I, of the Constitution, which provides that "Congress shall have power to establish post offices and post roads." I have always entertained the opinion that the primary duty rested with the States and the civil subdivisions thereof to provide the funds with which to construct and maintain public roads. Many of the States in the Union have, at large expense and the imposition of local taxation, provided splendid systems of highways. In the State of Missouri much has been done along this line in years past. With the establishment of rural free delivery greater interest is taken than ever before in good roads.

The automobile is coming into general use, and the demand is becoming more insistent every day for good roads. I represent one of the best agricultural districts in the United States. I have an intelligent and progressive constituency. They appreciate the need for better roads and are making great efforts to secure same. I have not a town or city in my district of more than 5,000 inhabitants. The population for the most part is a rural population, and the provisions of this bill will appeal to them strongly. One of the southernmost counties of my district—Clay lies just across the river from Kansas City, one of the best markets in the West for the products of the farms of my district. St. Joseph, Mo., also is in easy reach from all parts of the district. Then, lines of railroad traverse the district, having terminals in these thriving cities; hence the farmers of my district are deeply interested in the maintenance of

good roads from the farms to the towns in the district and to the shipping points on these railroads, that they may have ready access to the markets. During the decade from 1900 to 1910 my district lost 25,000 in population. Many reasons have been assigned for this loss of population. I attribute it in part to what has been regarded by the rural population as the unattractiveness of farm life. The tendency has been for young men and young women to leave the farm and go to the cities. One of the principal factors, however, contributing to this result has been the very great increase in farm values and the disposition on the part of farmers having small tracts of land to take advantage of the high price and dispose of their land and go farther West, in the hope that they might secure more and cheaper land for themselves and their families; but in many instances, as I have stated, it was on account of what was regarded as the unattractiveness of farm life. The fact that better school privileges might be enjoyed and better opportunities for self-culture has induced many ambitious young men and women to leave the farm; but with the coming of the telephone and the rural carrier service and the parcel post and the many conveniences that our farmers now enjoy and with which they are surrounding themselves in the home, I have every reason to believe this condition will not continue, and I am quite sure that nothing will contribute more to the attractiveness and charm of farm life than good roads and better schools. In my State at the session of the legislature in 1913 an act was passed providing that rural schools may be grouped, that we may have central high schools in the different townships instead of a great number of rural schools, as in the past. Provision may be made for the transportation of pupils to and from school, the expense of these schools to be maintained in part by the State and in part by local taxation.

As I have stated, the fact that the country schools have not been up to the stal dard of the town and city schools was one reason why the youth were leaving the farm. It is the wish of the farmer to give his children the best educational advantages, so they may have an equal chance in the race of life. steps taken in Missouri to reorganize and consolidate school districts for the purpose of maintaining elementary schools and high schools are wise, and should have the hearty support of the farmers. If we could only have roads, specifications for which are set out in classes A, B, and C of this bill, it will increase farm values. It will be of distinct value to the farms lying more remote from the town, because they will be brought nearer the market. Much time will be saved to the farmer and much expense. The time when it may not be seasonable to work on the farm can be utilized in hauling the products of the farm to the market. There are months in the year now, particularly the months of March and April, when the roads in some localities are impassable. At the same time little can be done on the farm and much time is lost to the farmer. If we can have good roads for the year round, then the farmer can utilize the roads at his convenience and at such times as his labor can not be used profitably on the farm. Good roads will bring him not only nearer to the schools but nearer to the country church, as well as to the town. It will save much in the way of wear and tear on his equipment, and one team can render the service now required of two during many months of the year when the roads are bad. My hope is that with better rural schools and better roads added to our Rural Delivery Service and the parcel post and the many comforts and conveniences in the home with which our farmers are now surrounding themselves, this exodus from the farm will cease, and that at the end of the next decade the census will show a healthy increase in our rural population. The demand for farm products is becoming greater every year. Consumption has overtaken production, and already much of our food supply is being drawn from foreign markets. I have taken deep interest in scientific agriculture. I have spared no pains to bring to the farmers in my district the latest and best information in the way of farmers' bulletins, yearbooks, horse and cattle books issued by the Agriculture Department.

So far as the provisions of this bill are concerned I am inclined to agree with my colleague from Missouri, Judge Rucker, that the provision made in the bill for roads in class C is too small. The bill provides that roads of class C shall embrace roads upon which no incline is steeper than is reasonably necessary in view of the natural topography of the locality, with adequate drainage and ample side ditches, with a roadway constructed so as to quickly shed water into the side ditches and kept crowned and compacted by dragging or other adequate means, so that it shall be reasonably passable for wheeled vehicles. In other words, roads of class C are what we call dirt roads, while roads of class A are to be composed of macadam or other material of equal utility and cost, constructed and maintained in such manner that it shall have a smooth, firm surface, and

roads of class B shall embrace roads composed of shells, gravel, or a proper combination of sand and clay or other material of equal utility but less expensive than macadam constructed and maintained in such manner that it shall have a smooth, firm surface. I will be glad before this debate closes if some member of the committee will explain why it is that \$60 per mile may be expended on roads of class A and \$30 per mile on roads of class B and only \$15 per mile on roads of class C, or the dirt roads. There are portions of my district where rock is abundant and we may have macadam roads at a reasonable cost, but there are other portions of my district where the lands are rich and attractive and the rock for road construction is not available, and by reason of the depth of soil these roads are very bad in certain seasons of the year and will require a large expenditure of money to properly construct and maintain them.

Mr. SHACKLEFORD. Is not that an answer as to why we should pay more for the macadam road than for the dirt road to encourage the people to build the more expensive and useful road in those sections where you are annoyed by the mud. While a dirt road must answer in many places, in the richest land the gentleman speaks of the people have wealth and disposition enough to step from the dirt road to the higher class

of road.

Mr. ALEXANDER. It is no lack of interest on the part of the farmer that he will not have the best class of road. They want the best kind of road, and they would undoubtedly prefer the macadam road, but in many sections the rock is not avail-

able, unless hauled great distances and at great cost.

Mr. Chairman, it is not my purpose to speak at length with reference to the provisions of this bill. The bill has my hearty approval. While the aggregate sum, \$25,000,000, is large, yet when it is distributed to the several States the amount that may be used per mile in the construction and maintenance of roads is very inconsiderable. The duty will still rest with the States and the subdivisions of the States to provide by far the greater part of the funds with which to construct public roads. I believe the passage of this bill will stimulate greater interest in good roads and that for every dollar appropriated by this bill to be expended for good roads many dollars will be raised by taxation and by voluntary contributions in the different States for good-road purposes. The farmers are not the only ones to be benefited by the improvement of our rural post roads. The people in our cities and towns and villages will share equally with them in benefits that may accrue from good roads. I am a firm believer in good roads. Years ago, as a member of the General Assembly of Missouri, I gave a large part of my time to public-highway legislation. I wish to congratulate my colleague from Missouri, Judge Shackleford, upon his indefatigable labor in promoting this legislation. I shall heartily support the bill.

Mr. PROUTY. Mr. Chairman, I yield to the gentleman from

Mr. PROUTE. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. Shreve].

Mr. Shreve. Mr. Chairman, I desire to give my unqualified indorsement to the bill now pending before the House. It has already received practically the unanimous approval of the Committee on Roads, of which I have the honor to be a

The entire country is deeply interested in this legislation. This bill not only provides for the construction and maintenance of macadam, concrete, and brick roads, but also includes the dirt road, the road after all that is most used. Under this bill it will be possible for the National Government to aid in the construction and maintenance of the dirt road which enables the farmer to deliver his products to the railway station or market town-roads that lead everywhere, over which are transported the products of the Nation.

Mr. GARRETT of Tennessee. Would it be agreeable to the gentleman to yield there?
Mr. SHREVE, Yes.

Mr. GARRETT of Tennessee. How does this bill provide for aid in construction or maintenance of any of those roads? It provides it shall be paid after the roads have been constructed. Mr. SHREVE. Section 3 covers it.

I firmly believe that Government assistance, as far as practicable, should be extended to the many rather than the few; by that I mean that assistance should be rendered to the interior and remote parts of the country where the travel is suffi-Such a system of assistance once established, cient to warrant. soon the roads that are more extensively traveled will naturally receive assistance according to their needs and requirements.

As the dirt roads are improved each year and the communities through which they pass are developed the main thorough-fares will be converted into macadam or other form of roads under the bill designated as class A roads. There will be a rapid transition from one class to another.

If we properly connect the farm with the town, the town with the city, we will add materially to the successful progress of our people, bringing denied privileges to the many tollers and tillers of the soil. We can thus elevate the noble calling of agriculture by attracting many city dwellers back to the soil, and by placing the producer in close relation to the consumer we will materially reduce the high cost of living.

Under this bill the National Government and various States will be able to work out a general coordinate system of highways extending through the length and breadth of our land.

The Secretary of Agriculture, on behalf of the United States, may aid the States and the subdivisions thereof in the construction and maintenance of rural roads in an amount not exceeding \$25,000,000 in any fiscal year; and the portion thereof which may be expended in any State in any fiscal year being determined upon the basis of one-half in the proportion which the total population of such State bears to the total population of all of the States, as shown by the next preceding Federal census; and one-half in the proportion which the total number of miles of rural post reads in use in such State bears to the total number of miles of rural post roads in use in all of the States is fair and reasonable.

The bill provides ample elasticity to meet the wants of any State, whether in construction of macadam or other high-grade road or the ordinary dirt road provided for in Class B of section 4 of the bill. It also safeguards the Federal funds, and under section 3 requires that-

under section 3 requires that—

The Secretary of Agriculture and the officer or officers of each State having lawful power to act for the State and jointly consider and determine the roads in such State which, under the provisions of this section, may be constructed and maintained during the next fiscal year, and the material, character, and manner of such construction and maintenance; that such construction and maintenance shall be conducted under such supervision as shall have been previously agreed upon by the Secretary of Agriculture and said officer or officers of said State; that in no case shall the United States bear more than one-half of the cost of the construction of any road under the provisions of this section; that the Secretary of Agriculture shall not commence such joint construction of any road in any State until the portion of the cost thereof which is to be provided otherwise than by the United States has been made available.

Mr. MOORE Will my colleague yield?

Mr. MOORE. Will my colleague yield? Mr. SHREVE. Certainly. Mr. MOORE. Does the gentleman think these sums of \$60, \$30, and \$15 per mile, respectively, will be of material benefit in the construction of these roads?

Mr. SHREVE. It will be a material benefit in the main-tenance of the roads and will tend to encourage the building of a better class of roads.

Under this bill three different classes of highways are recognized which will cover the requirements of every community. Under its operation it will be possible to open the great highways of commerce so they will reach out to the farm. Never before has the demand for farm labor been so great and the requirements of farmers so pronounced as now. Let us begin to increase our supply of wealth at its source. Good roads will equalize the disproportion that now exists between the producer and the consumer. Increasing the city population on the one hand and decreasing farm population on the other has brought about a condition which demands our consideration.

The establishment of parcel post has created a new condition of affairs. The rural mail carrier now has to provide himself with a different equipment for handling the mail, the capital invested in horses, wagons, harness, and so forth, and the expenses of the upkeep are considerable. The Government is asking greater efficiency and more strenuous effort without material advance in pay. It therefore seems opportune that the Government about the contract of the contr ment should inaugurate a great and just policy of Federal aid in the construction and maintenance of post roads. The farmer and rural mail carrier are not the only persons interested in good roads. It is a problem that is demanding the attention of all our people. The producer, the consumer are alike interested. It is not a political proposition, but appeals to all who desire to see all sections of our great country develop. It is a great problem and should be solved in the interest of the whole people.

Good roads from every railroad town to every country home will soon solve the problem of the high cost of living and permit many city toilers to enjoy the fresh air and sunshine which the great Creator of the Universe intended we should all share.

They will improve the social and economic welfare of our people and mark an epoch in our educational and intellectual ad-

The guidepost pointing to the land of greatest opportunity will be turned toward the centers of rural life.

Farm values will be increased and the cost of transporta-tion reduced. The business man in the city can enjoy the beauties of the country and the farmer come in closer touch with the every-day activities of life.

The State which I have the honor in part to represent has established a highway department and under the estimates included in the report on the bill will receive over \$1,600,000. I sincerely hope the bill will become a law. [Applause.]

Mr. PROUTY. Mr. Chairman, I yield to the gentleman from Ohio [Mr. FESS]. [Applause.]
Mr. FESS. Mr. Chairman, I am in favor of Federal road building, and I can state briefly why I take this position. First, I believe it is a proper function of the Federal Government to better the road conditions of the country, or at least to assist in bettering them. In the second place, I believe that the initiation of this sort of a proposition will stimulate better road building on the part of the State. Over in my State, Ohio, we have been trying to work out a system of road building, and I am sure that what the Federal Government is about to do will be a great stimulus to our State to go on and further its plans. In the third place, I believe that when we stimulate road building on the part of the Federal Government, associated with the same kind of work on the part of the State govern-ment, we will also stimulate private efforts that will build great highways ultimately, such as are being proposed in some sections of the country now.

In the fourth place, I think our greatest problem just now is to find a better material out of which to build roads. Really, I think it is the most serious problem we have; and, when we start the Government to doing this, there is not a doubt but it will find better material out of which to build the roads and ultimately we will have a better system by far than we would have if our Government did not stimulate an interest in it.

And, fifth, as the gentleman from Missouri [Mr. ALEXANDER] said, I think that the great movement of the country to-day is the centralization of schools—not to build the centralized school in the little village, but to build it outside of the village—in the country—and establish what in many States we are establishing, the township high school, which is one of the

great movements of the country. [Applause.]

Therefore I am strongly in favor of Federal aid in the building of roads, because it will stimulate State enterprise and, at the same time, it will stimulate individual enterprise and, at the same time, discover the better material out of which to build roads and to insure a great deal better condition for our rural communities in every way. And for that reason I believe it a legitimate function of our Government, as our past history shows it to be. [Applause.]

Mr. Chairman, better methods of transportation, whether by water, rail, or pike, have always appealed to our country as a

rational function of government.

From the very beginning routes of trade were interesting pics with our makers of history. Canal building was one of topics with our makers of history. Canal building was one of the chief concerns of Gen. Washington, whose writings are filled with allusions to inspection trips looking to canal building to unite the East with what was then the unknown West.

Perhaps the most significant recommendation upon the subject was made by Gen. Washington at the meeting at Alexandria looking to the building of a canal from the headwaters of the Potomac to the headwaters of the Monongahela. It was this suggestion that led to the famous Annapolis meeting in 1786, the precursor of the more famous Federal convention of 1787

This idea of internal improvements took such deep hold upon the early leaders that it almost became a campaign slogan in some cases. Jefferson, a stickler for strict construction when out of office, became the first builder of the famous Cumber-land Road when he came into office. The work was furthered by another strict constructionist-Monroe.

At this time, under Monroe, the proposal to build the Erie Canal—nicknamed "Clinton's Big Ditch," because of the interest of the governor of the Empire State—became an acute issue. Here the matter of "internal improvements" on a national issue became prominent. The strict construction statesmen succeeded in defeating the proposal to the Government by the New York commissioners to undertake the building of the canal. The old issue between local and Federal construction was bitterly fought out. The same contention is frequently made in river and harbor improvements. In most of these contentions the issue resulted in the triumph of national improvements.

So it will be with this movement for better roads. In none of these previous enterprises were the country folk to be so much benefited as is proposed in this bill. Great highways, by water or rail or national road, are beneficial in a large sense; but a system of good roads that looks to the modernizing of the country sections, so much in need of better thoroughfares, will redound to the welfare of the producer in the rural communities, a people too apt to be overlooked by the legislator.

This bill, although not ideal, attempts to reconcile any possible conflict between Nation and State by making road building mutually beneficial by requiring cooperation between Na-

tional and State aid.

It is also written with a view of not only giving to each desired authority, but it respects the probable character of the road determined upon by the material for road building in the locality of the construction by providing for three classes of roads and the ratio of aid by Federal authority to each class. I am in favor of Federal aid to road building because it is a function of the Government to assist the rural sections of the country, where without such assistance improvements would be lacking—to the perpetual hurt of the communities in interest as well as to the Nation at large. In our country to improve a part will benefit the whole.

I am in favor of this proposed aid because it is in keeping with our national policy throughout the past. Most certainly a believer in Hamiltonian policies would favor it, and it is a source of comfort to see how this Democratic House, followers of Jefferson, can so easily adopt the political theory of Mr. Hamilton, which is done not only here, but in the case of railroad building in Alaska, as well as in the currency legislation of

the special session.

I am in favor of this proposed legislation because it goes upon the basis that our country rests upon the principle that each must be for all and all for each. To improve a part of the country benefits the whole country, and should appeal to the old as well as the new State, the rich as well as the poor State, the well-improved as well as unimproved, the States with good roads as well as those with bad roads. In this, as in all life, the strong must help the weak, the rich must be willing to help the poor, however this bill attempt an equitable benefit based upon population and road mileage of postal roads.

I am for this bill because Federal initiative in this matter

will prove a wonderful stimulus to all the State, both those in the vanguard of road improvement, as well as those laggard on the subject. In Ohio road building has become a slogan before our people. We are on the way to have in the near future one of the best systems of roads in all the States. This Federal movement will give my own State a million and a quarter of dollars annually to complete our system. Who can estimate the results

of such stimulus upon the State?

This dual stimulus of Nation and State will have a cumulative effect upon individual and organized effort for great highways. It is certainly true that we may look to the time when our country will be as prominent in road building for all the country as

was the famous Roman period of highway building.

I am in favor of this beginning as proposed in this bill because of the general effect it will have upon our people as a whole. It will make farm life much more desirable. It will tend to keep upon the farm those who would prefer the farm to the city if an easy way of reaching the city were possible. It makes possible the success of the rural mail with less efforts to the Government and greater convenience to the farmer. It renders the farm the choice place of residence, because it gives him the advantage of access to the town without suffering the disadvantage of residence in the town.

It makes possible the success of the modern movement of cenralizing our country schools by enabling a township to erect at a convenient point a modern high school, where all the advantages of a modern city school can be had with none of the distracting elements so deleterious to habits of study such as are

inevitable in all the towns.

From the standpoints of social and economical as well as homely virtues this is a movement in the right direction. I am in favor of the bill for another very important reason, and I wish we might be able to take steps at once to make sure of this result. This bill, or any Federal movement to construct good roads, will stimulate our experts in the science of material to discover the proper material for road building that will not so easily wear out. On the other hand, it will tend to more effectively execute the regulations against the abuse of the roads when once built. In the matter of material it is notorious that we have not yet found what is necessary to insure a good road after it is built. In my own district we have strips of road which were built as types of good roads. One stretch of 12 miles, from Xenia to Jamestown—the latter place is the The files, from Xenia to Jamestown—the latter place is the residence of Hon. Jesse Taylor, the editor of Better Roads and an expert on the subject—was built as a model road. I append a portion of an editorial taken from the Xenia Gazette, a statement that can be applied to almost any road, even though it was built as a model piece of road construction.

In one of the very best agricultural and stock-raising counties in the glorious State of Ohio, where a large amount of money is spent annually for road making and for road improvement, in the county where lives one of the foremost advocates for good roads, who is

the editor of the Better Roads Magazine, there is evidently something the matter with our system of road construction or with the enforcement of the laws to protect the roads after we have made them.

You remember that two or three years ago we had constructed one of the finest pieces of macadam road in the State of Ohlo between Xenia and Jamestown, and yet within a single year much of it was allowed to be cut up by unlawfully heavy hauling, so that right away extensive repairs had to be made.

As to the matter of road construction, we noticed that our Goes correspondent a few days since made a just criticism of a matter that has long been a grievous blunder in this respect. He alluded to the loose manner allowed in cases where persons are permitted to work out their road tax under township supervision. He says that so-called gravel is put upon the roads which is often one-half or three-fourths sand, which has no resisting or wearing quality; that such material is only a nuisance in either very dry or real wet weather, when dust or mud is the result—the dust for those who have to follow the automobiles in summer, the mud for all who have to travel in wet weather.

We suppose it is the duty of the road supervisors to see that good material only is used, but we all know that this duty is not always well performed, and that teamsters working out road tax are allowed sometimes to put in the time in a way that is of little or no advantage to the road. This shows that there is a screw loose somewhere in our road-making system.

We presume that, in a general way, it is the duty of the county commissioners to have an oversight of the roads, but their manifold duties are such that they can not possibly see that every road supervisor in every district in the county does his duty. Perhaps we may impose this, with his ten thousand other duties, on our new county agricultural superintendent.

When the National Government sets out upon a campaign of better road building, which is evident will continue for some years, new interest will set the expert to work in his laboratory for the discovery of a material that will be proof against the ravages of the automobile. There is no doubt that such a material will be found and at such price as to be usable.

It will also stimulate authorities to regulate the use of the

roads, not only the speed of the motorist but also the weight of the traffic man. Mr. Chairman, for these and other reasons I

shall vote for this bill.

Mr. SHACKLEFORD. Mr. Chairman, I yield to the gentleman from California [Mr. Church]. [Applause.]

[Mr. CHURCH addressed the committee. See Appendix.]

Mr. PROUTY. Mr. Chairman, I yield to my colleague [Mr. SCOTT].

The CHAIRMAN. The gentleman from Iowa [Mr. Scott] is recognized.

Mr. SCOTT. Mr. Chairman, I feel that all the people of this country ought to be greatly felicitated upon the fact that their Representatives are gathered here engaged in framing a measure

so greatly calculated to further their welfare.

I believe that all the people of this country would be impressed with a deep feeling of gratitude if they knew their Representatives were here, staying until nearly midnight, to promote this great measure. And, if I mistake not, before the year upon which we have just entered draws to a close a great many of the constituents of the gentlemen who are here tenight will hear of it, and, of course, I hope they will. [Applause.

This is an important measure, in my opinion, not merely be-cause it is calculated to benefit the farmer, but because it is calculated to benefit the country as a whole. In one respect in particular it is calculated to benefit the farmer, because it is calculated to equip the farms of this country. There was in particular it is calculated to benefit the farmer, because it is calculated to equip the farms of this country. There was a time that we used to think that it took only 160 acres to make a good farm; but we have come to the conclusion that it takes a good deal more than that, Mr. Chairman. It takes not only 160 acres, well equipped and well improved, to make a good farm, but it takes good roads; good roads to the local station; good railroads and good railroad facilities to the greater markets; good facilities to carry the products of the farm to the ultimate consumer.

greater markets; good facilities to carry the products of the farm to the ultimate consumer.

Not only do these things help the farmers and those who reside in rural communities, but they give stability to the whole country. We live in a country where the stability of the farming community, the stability of the great rural sections of the country, is the foundation of the whole fabric. Whenever those who live in the agricultural sections are unprosperous the whole country is unprosperous. Whenever they meet adversity that adversity is deflected not only to their local towns. versity, that adversity is deflected not only to their local towns but to every city of the land. It should be one of the first considerations of the Congress of the United States to legislate not only upon this but upon every great question and policy in such a way as to foster, conserve, and build up the agricultural sections of the country. We should not overlook the fact that when we build and conserve and protect those interests we are conserving and protecting the interests of every citizen within the length and breadth of the land. No man or woman can be prosperous in this country when the farmers and those intimately connected with the products of the farm are not prosperous. [Applause.]

Mr. PROUTY. Mr. Chairman, I yield to the gentleman from Nebraska [Mr. Lobeck].

The CHAIRMAN. The gentleman from Nebraska [Mr. Lo-

BECK] is recognized.

Mr. LOBECK. Mr. Chairman, I wish to thank the gentleman from Iowa [Mr. Prouty] for giving me the opportunity to make a few remarks on the good-roads bill now before the

I did not intend to speak on this subject this evening, but with the great interest I have in good roads I therefore feel constrained to do so, and I am pleased to see that the Members present are interested in having good roads constructed throughout the land. I shall favor the bill because it is a step in the right direction. [Applause.] I have had personal experience with the roads in the States of Iowa and Nebraska.

I formerly lived in the district which the gentleman from Iowa [Mr. Prouty] so ably represents. My first experience was along the Government military roads on both sides of the Des Moines River. These were the only roads we had that were good in the early days. Later, when the country was surveyed, settlers fenced their lands and the section lines were followed. It seemed that we struck every mudhole and every slough in that district. Therefore improvements on the roads were neces-

The early settlers did as well as could be expected in the pioneer days of improving the roads, and they have been constantly improving the roads since in Iowa and Nebraska, and at the present time the roadways compare favorably with any of the middle Western States.

But we are in better shape to improve the roads than we have been heretofore in the country's history. We have now improved road machinery, graders, crushers, mixers, rollers—for great improvements have been made in road-building machinery in the last 10 or 20 years. Quite different from our fore-fathers, who only had the pick and shovel and a strong back to do the arduous work of road building in their time.

We are also living in a "cement age," which has helped so

materially to make good roads, for cement culverts and bridges are taking the place of wood culverts and bridges which rapidly wear and wash out. We know more in this twentieth century about road construction, and understand the value of proper

drainage. In our State of Nebraska we have an inheritance tax that is applied for the benefit of good roads, and the sums so derived are used for the construction and building of country roads.

Mr. MURRAY of Oklahoma. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Nebraska yield?

Mr. LOBECK. Yes; with pleasure. Mr. MURRAY of Oklahoma. I heard the gentleman say something about mudholes. I want to ask him if those mud-holes came by reason of irrigation in Nebraska. [Laughter.] Mr. LOBECK. I will tell the gentleman what is his trouble.

The gentleman has probably only lived in one State; therefore his question is pardonable. I am cosmopolitan and have lived in three States and have had experience with mud roads.

Mr. MURRAY of Oklahoma. I know there are some places in Oklahoma and in Kansas, together with Texas and Nebraska, where they would give a great deal for a mudhole. [Laughter.]
Mr. LOBECK. Well, I understand the gentleman represents
that kind of a district. [Renewed laughter.]

Before the gentleman from Oklahoma [Mr. MURRAY] interrupted me, I was speaking of what we have in our own State.

We have an inheritance tax that goes to the benefit of public roads in the country districts. In my district we have as good roads to-day as there are in any district anywhere, and it is very profitable in that it helps the farmer and gardeners

in bringing their produce to market.

We have constructed macadam roads and brick roads, and we find that a brick road is much more durable, and my opinion is that a brick-paved roadway is cheaper in the end than macadam and needs very little repair. We have some brick-paved roads that have been used for over 20 years and the repair cost is nominal, but the macadam constantly needs repairing.

Mr. COX. How much do your macadam roads cost you per

Mr. LOBECK. I do not know exactly, but will endeavor to get the figures for the RECORD.

Mr. COX. What do the brick roads cost?

Mr. LOBECK. The first cost is considerably more than macadam, [Laughter.]
Mr. COX. I was asking the gentleman for information.

Mr. LOBECK. I will be glad to put the figures in the RECORD. But a good brick road will stand heavy travel with very little wear for a lifetime.

The total number of miles of paved roads in Douglas County,

Nebr., is 44.06, subdivided as follows:

TEATTON AND THE OWNER.	Length.	Width.	· Cost.
Macadam	Miles, 36, 92 2, 61 2, 36 2, 17	Feet. 16 16 16 16	\$10,000 to \$12,000 per mile. \$2.30 per square yard. Not available. \$12,000 per mile.
Total	44.06		

The total amount of inheritance taxes collected since the enactment of the law amounts to \$411,404.82, and expended on country roads in my county.

We hear much talk about the good roads in foreign countries. For the length of time this country has been developing the people of the United States have done very well, and our people should not be criticized. We have been busy developing

the resources of a new country, and good roads will follow.

The Europeans built great military roads and had to have them to move their armies, and they have been centuries in

building them.

We have a new country freighted with possibilities beyond our comprehension. In the older settlements and States there are better roads than in the new West, but the Western States are coming rapidly to the front in good-road construction, and this appropriation will be helpful.

The people of to-day have a better knowledge of the construction of roads, culverts, and bridges, knowledge of soils, drain-

age, and paving.

There is a universal demand by the people for better roads, so that the products of agriculture can be brought to the consumer rapidly and at less cost to the producer. And there is no more opportune time for Congress to assist by appropriation of funds in good substantial road building than at this moment. I favor the bill and shall vote for it. [Applause.]

Mr. PROUTY. Mr. Chairman, I yield to the gentleman from

Oregon [Mr. LAFFERTY]

Mr. LAFFERTY. Mr. Chairman, it would be very difficult to enumerate all the benefits of good roads. They are so manifold and so well known that it is only necessary to call attention to the fact that good roads are one of the greatest advantages to any nation, and then I can pass on to other subjects relating to the bill.

This question of appropriating \$25,000,000 a year out of the Federal Treasury for the uplift of rural communities is merely a matter that reduces itself down to the question whether it is good or bad business judgment. This is not taking money from any foreign people and giving it to another people. It is simply spending the money of all our people for the benefit of all of our people-that is, if we spend it wisely.

I happen to represent at this time a city district, the city of Portland, having 260,000 population. When I cast my vote upon this bill I believe I shall cast it in accordance with the wishes of nine-tenths of the voters of my district, and I shall cast my vote in favor of this appropriation. [Applause.]

The people of the United States contribute this money that we are going to spend. The farmers contribute their share when they buy sugar, when they buy tobacco, when they buy any article that pays either an internal-revenue tax or an external customs duty. Those who pay income taxes will help to contribute to the Federal Treasury. Some of those live in the country and some in the cities. But the building of good contribute to the Federal Treasury. Some of those live in the country and some in the cities. But the building of good roads is of such benefit to the Nation as a whole, both to the producer and the consumer, that it would be difficult to tell whether it would be the producer or the consumer, the farmer or the city dweller, who will get the greater benefit out of the passage of this measure. The high cost of living will undoubtedly be reduced by the building of good roads, by the encouragement of men and women to remain in the rural districts, to remain on the farms, by reducing the cost of transporting farm products to the city home, by extending our parcel post, by extending rural free delivery.

No doubt it seems strange to many of us here to-night that

No doubt it seems strange to many of us here to-night that this question has been delayed so long. I wish especially to congratulate the gentleman from Missouri [Mr. Shackleford] for his untiring efforts in bringing this bill before the American House of Representatives. [Applause.] It has been difficult to bring it to final determination and a final vote, because of its novelty. The American people, who come from English, Scotch, German, and other European stock, are naturally conservative. For that reason they have been slow to start in this great work,

but now the time is coming. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHACKLEFORD. I yield to the gentleman from Missis-

sippi [Mr. Harrison].

Mr. Harrison. Mr. Chairman, I am in hearty sympathy with the provisions of this bill,

I know of no appropriation that we can make that will bring greater benefit to all the people of this country than this approprintion for good roads.

The degree of development of every country has depended on

the progress of transportation facilities.

It would be highly foolish for any person to produce or manufacture a surplus of anything if he were cut off from a means of conveying his products to the market. And just as convenient and perfect as are his means of transporting his products to the market will his profits depend.

Good roads to the farmer who must carry the products of his labor to the railroad station will mean a saving to him in many ways. He can convey heavier loads at less expense; the lack of strain on the part of his stock will insure them a longer life, the vehicles less wear; and the time for making the trip materially decreased.

In other words, Mr. Chairman, every element that enters into good roads reflects itself in an increased profit and benefit to the

farmer

If it helps the farmer, then certainly it will help the merchant and consumer in the city, because it will not only enable him to get his products more quickly from the farm, but he will be permitted to share in the reduced expense of transportation.

The progress of a section depends on the prosperity of the farmer, and the roads of any community are the best index to

the character of its people.

There is a wrong impression, in my opinion, among some of the Members here that the people in the cities are not favorable to this legislation, and that it is solely in the interest of the country folks. Do not be deceived. The people in the towns and cities are in sympathy with the good-roads movement and believe in good roads as much as the people in the country. I know in the towns of my district there is a wonderful sentiment for good roads. I receive from their commercial bodies many requests for data, and they are constantly requesting experts to be sent there to construct experimental good roads in order to stimulate sentiment and educate the people in this movement.

Mr. FERRIS. Will the gentleman yield for a question?

Mr. HARRISON. Yes.

Mr. FERRIS. I want to inquire of the gentleman what he thinks about the desirability of a road bill along the lines of the bill before us or one of these schemes of an international highway clear across the country?

Mr. HARRISON. I am not in favor of an international

highway across the country. [Applause.]

Mr. FERRIS. I am glad to hear the gentleman say that, because that is an automobile game and this is the people's

Mr. HARRISON. I believe that the best way to encourage the people of each locality to have good roads is by aiding them, even with as small amount as this bill carries, for it is in that way we will have good roads in the various communities of this country.

Mr. RUCKER. Will the gentleman yield?

Mr. HARRISON. I yield.
Mr. RUCKER. In the line of the argument the gentleman has just made, he speaks of the sentiment in the towns in his district in behalf of good roads. I suggest to the gentleman that I believe it is almost universally true nowadays, in the smaller towns particularly, that the commercial bodies tax themselves by voluntary contributions to go out and improve their roads, all around the inland towns. I say that as a suggestion in support of the gentleman's argument.

Mr. HARRISON. I think that is true, and they are doing

a wonderful service for the people.

Mr. Chairman, I can not understand why the Federal Government should not appropriate money to be expended in maintaining the postal roads in this country. The Government uses them; have the constitutional authority for it; and it certainly brings a great benefit to a large number of people.

Mr. MOORE. Will the gentleman yield?

Mr. HARRISON. I will.

Mr. MOORE. Considering the large amounts of money appropriated in large cities for the improvements of highways and

the gentleman think that \$60 and \$30 and \$15 will be of any

great benefit to the rural community

Mr. HARRISON. I think it will be of some benefit, and it certainly will be an incentive and an encouragement to the people to do more in the future than they have in the past. do not know that it has ever come to me so forcibly-the desirability of having good roads—as it did six weeks ago, when the President of the United States spent his vacation at Pass Christian. We thought that along the coast of Mississippi for twenty-odd miles we had the best shell road in the country. I so painted it to the President. But when we drove over it the first day after he arrived there it seemed to me that every slight depression in it was a gully and every pool of water was a lake, and for the first time it dawned upon the people of that locality that it was not a really good road. The President's visit aroused the people and started a movement for better roads, and now all the towns on the Mississippi coast are cooperating together. Only the other day I received a letter from them to have the Public Roads Department send them certain data on the subject and putting in a requisition for experts to be sent there. That was the sentiment created by that one incident in my district, and I believe it is strong all over the State of Mississippi.

I stated in the beginning that the progress of any locality, section, or country depends on transportation facilities, whether

it be water, railway, or road transportation.

Believing, therefore, in cheap water transportation and in good-road building, I am always glad to use my every effort in assisting in passing such legislation. I want to say, Mr. Chairman, in this connection, that there is one other transportation facility that has been the forerunner of development in every

age-railroads. It is on that theory-because I have not had and shall not have an opportunity of expressing myself in the discussion in that I desire to say that I expect to vote for the Alaskan railroad bill. [Applause.] I have listened attentively to the very elaborate discussion on that subject, and at first I was inclined to oppose its passage, but the arguments in favor of it and the reasons assigned in its behalf have been so convincing that I am now most heartily in favor of its passage. Alaska belongs to the United States. We are in duty bound either to lease the natural resources there or develop them. It is not denied that the undeveloped resources of Alaska are most wonderful. You have decided on holding them, then why not develop them? The Government needs the rich deposits of minerals there, especially the coal. The development of the West, the growing importance of the nations on the other side of the globe, makes it necessary that this Government shall maintain

a large fleet in the Pacific waters. If this be true, it will be necessary to use unlimited tons of coal for fuel purposes. The only other section to get coal from will be that section around West Virginia and Pennsylvania. The cost of this coal there is high, and the transportation expense in getting it from the Atlantic seaboards to the Pacific waters will be great. The saving in the coal resources of Alaska alone will within a few years pay for the cost of the railroad. I need not mention the other developments that will follow its construction. Whenever and wherever a railroad has touched an undeveloped country its lands have increased in value, cities

have sprung up, and resources have become developed.

I am not one of those who believe that the principle of Government ownership of railroads is interwoven in this question. The Government for over half a century donated large tracts of Government lands for railroad construction. My State followed that principle for many years, not because it believed in Government ownership of railroads as a policy but because it believed in the development of the country and knew that the best way to develop it was through the building of railroads and

highways.

In the fifties, when the Illinois Central Railroad was planned to traverse my State, the legislature of it instructed its Sena-tors, one of whom was Jefferson Davis, to vote for a grant of thousands of acres of her richest and best lands to this railroad to aid it in its construction, and he carried out their instruc-

Now, as a business Government, acting within constitutional limits, here is the question: Alaska is the property of this Government, unlike a State. It has such resources as the Government needs. They are now worthless, but through an ex-penditure of some money those needed resources, especially coal, which the Government now pays high prices for, can be developed and large sums of money can be saved to the Government. I ask you is it best, therefore, for the Government to lease these resources to private capitalists, to be exploited such sums as are appropriated in the small communities, does and large profits made by them, or for the Government to do it and conserve its resources, develop a wonderful country, and in time save money for its taxpayers?

For my part I expect to vote for the bill and assist in unlocking the richest storehouse of the Nation. [Applause.]

Mr. HOWARD. Mr. Chairman and gentlemen of the House, for over 20 years—in fact, before I became of age—I have been a strong advocate in my home State for the improvement of our highways. I expect that I was one of the few men in this House to incorporate in my platform when I ran for Congress the advocacy of Federal aid for public highways. In conformity with my preelection pledges to my constituents the first act of mine as a Member of the Sixty-second Congress was to introduce a bill almost identical with the bill now under consideration, which expresses the views of the most able gentlemen who

constitute the Committee on Roads.

The gentleman from Missouri [Mr. Shackleford] and one or two others and myself constituted the "advance guard" for this legislation. No man on this floor will rejoice more than I will when the roll is called and the vote cast passing this bill through this Democratic House, for the reason, Mr. Chairman, no one bill will ever pass this House again committing this Government to a policy that will have a more wholesome effect

upon the prosperity of this Nation.
Since the year 1900 the people of the entire United States have entered into a movement for the establishment throughout the country of good roads. Since this date the wealthy States of the Union have made great strides toward the improvement of their public highways.

The question of transportation has been paramount to all other questions since the dawn of civilization, and the evolution in the method and modes of transportation has been most

wonderful.

Until the end of time there will be three methods of transportation, namely, railroads, water, and wagon. These methods are absolutely dependent upon one another. The railroad can not live without the wagon, and neither the railroad nor the wagon would perform its full function in the development of our Nation if it were not for the great trans-Atlantic steamships entering and leaving our ports. Each has a very important and independent function to perform in intrastate, interstate, and foreign commerce.

Two of our great systems of transportation, namely, railroads and steamship lines, have been taken over by private corporations and are operated for pecuniary gain; the third, transportation by wagon over public highways, has been taken over by the several States of the Union, and their common use is ac-

corded to all of the people free of charge.

Those of us who have failed to give the question of transportation and its consequential tax upon the people some degree of study do not realize how great the burden carried by the people from this source is. For the convenience of this discussion we will call it a transportation tax, and we will divide the methods of transporting our commerce into three subdivisions, namely, rail, water, and wagon; and by comparison we will see whether or not the question of transportation is of more vital interest to the American people than all other questions, including the tariff and other burdens carried by direct taxation in the several States. For an understanding of the discussion of this subject we should first look into the different systems by which the people are called upon to pay tribute by way of direct and indirect taxation for the maintenance of the General Government, Federal, State, county, and municipal.

The Federal Government imposes an import, internal-revenue,

and corporation tax, which in all instances is added necessarily to the cost of the imported article and the article upon which the internal revenue is imposed, and in fixed charges for the

operation of the corporation paying the tax.

The State, the county, and the municipal governments levy an ad valorem tax upon the citizen according to what he pos-

Any certain and fixed charge against the people from which they can not escape, and which is necessarily essential to their livelihood and existence, may be justly termed a tax. It will be seen further on in this discussion that the import, internalrevenue, State, county, and municipal taxes sink into utter insignificance when compared with the per capita tax imposed by railroad, water, and wagon transportation. Transportation lays its heavy hand upon all we eat, upon all we wear, upon the fuel we burn, upon the oil in the poor man's lamp, upon the lumber in our humble homes, upon the implements of the farms, upon all that is animate and inanimate moving from one place to another

The railroads in our country have grown in magnitude and efficiency until we have perfected in America the greatest railroad system upon the habitable globe. Our navigable streams

and Great Lakes are teeming with vessels, great and small, engaged in interstate traffic. Rivers and harbors are being generously dealt with by our Government in lavish appropria-

tions for their development.

We now come to a question with which this Government has miserly dealt, practically closing its purse strings to this great need of the Nation. There is no country in the world having as many miles of public highways as the United States; there is no country upon the habitable globe making any pretense at civilization, having any roads at all, which has not more improved roads than the United States. The great retarding influence in the healthy growth of our country is the great army of unemployed in the large cities and the movement from the rural districts to the cities, which is perfectly natural as a consequence of the prevailing conditions in the country districts of our Nation. I firmly believe that the time is upon us, if this Nation expects to retain the balance of trade in its favor with the other nations of the world, that she must lend her powerful aid in the construction of good roads throughout the land.

The gentleman from Missouri [Mr. Borland] seems to think

that we who represent southern constituencies would fear this bill as an invasion of State rights. As far as the invasion of State rights is concerned, I hope that none of my colleagues will be unduly alarmed about the provisions of this measure. So far as I am informed, in the past the Southern States especially have been strict in their views upon the question of State rights, but I do not think that when the Government seeks to lend its beneficent aid for the upbuilding of the States they need have any fear that the States of the Union will interpose an objection to the Government appropriating money for the construction and maintenance of public highways. It is only when the Government seeks to take something away from, instead of donate something to, that the States interpose their objection to an

invasion of State rights.

It will be stated that it will bankrupt the Nation to lend its aid in the construction of highways, but before this attack shall be made upon the measure let me call the attention of my colleagues to the fact that one of the most beneficent branches of our departmental service, namely, the Rural Delivery Service, is to-day traversing 42,000 different highways of the Nation and coming in daily contact with 20,000,000 of our people living in the rural districts of our country. Let me further admonish those who may have in mind an attack upon this measure on the ground that it is paternal legislation that this Government has been placed upon record completely when in the early struggles of our railroads it donated to their aid in the construction of these great arteries of transportation millions of acres of our public lands, valued at over \$1,000,000,000; that we have appropriated for rivers and harbors since 1875, \$592,305,000; we have appropriated for building levees upon the Mississippi River, to June 30, 1902, \$16,582,000; we have appropriated for public buildings, to June 30, 1911, \$213,376,000; estimated appropriations for the Panama Canal, \$400,000,000; appropriations for road building in Porto Rico, the Philippines, the Canal Zone, and Alaska, \$8,300,000—for public highways during the period of the making of these appropriations in the United States not the making of these appropriations in the United States not one dollar.

We have in the United States 2,199,645 miles of public highways, of which only 190,679 miles, or 8.66 per cent of the total, are improved. When this statement is made as to the number of miles of public highways, Congress immediately associates with the statement the bankruptcy of the Nation if it undertakes to lend its aid to their improvement. It is estimated by the Office of Public Roads that 90 per cent of the travel over our public highways is confined to 30 per cent of our roads, and that the improvement of 440,000 miles of public roads would practically meet the present demands throughout the country. So, after all, it is nothing like as gigantic a proposition to construct good roads as Federal pensions, the maintenance of the Army and Navy, nor would the annual appropriation ever reach a sum as large as was added to the Federal pension roll a few days ago by this House without a tremor in the voice of a man who advocated it or who voted for it.

Mr. Chairman, to prove the absolute inability of the poorer and sparsely settled States of the Union to cope with the question of road improvement, the States of Indiana, Ohio, New York, Wisconsin, Kentucky, Illinois, California, and Massachusetts, out of a total of 190,679 miles of improved roads, have within their confines 108,093 miles of this total. Therefore, I mention these facts for the purpose of giving courage to this House that they may give this measure the consideration which it justly deserves at the hands of the representatives of the American people.

Mr. Chairman, the sooner we, as Members of Congress, realize the fact that the money in the Treasury Building at the other end of the Avenue does not belong to us to dish out to the favored departments of this Government as we see the political exigencies demand, but that we are here only holding the commission of our people as their agents, to distribute their money for the maintenance and upbuilding of this Nation as they think best and wisest, the sooner we will conform to the true measure placed upon us by the people when they elected us and sent us here as their direct agents.

There is hardly a day passing over the head of a single Member of this House that we could not urge, and rightfully so, constitutional objections to appropriations that are made because it is expedient to the welfare of the Government that they be made. Now, Mr. Chairman, just because the farming element of the Nation does not happen to live upon a navigable stream, or does not happen to have a fort on their plantations, or happen to have a harbor in front of their homes, or a military post in their back yards is no reason why they should not have money appropriated which redounds to the benefit of every man, woman, and child living in the interior portions of our great country.

The report of the Secretary of the Treasury for 1910 shows that the tariff revenues aggregated \$333,683,445. There are 18,400,000 families in the United States, according to the last census, and the tariff tax apportioned among these families would amount to \$18.13 per family.

The Interstate Commerce Commission reports that the gross earnings of the railroads from transportation alone for the same period aggregated \$2,787,266,136. If this amount is divided by the number of families in the United States it will be found that the transportation tax from the railroads amounted to \$151.48 per family, and further pursuing the problem, if this amount is divided by the number of inhabitants in the United States, it will be found that this tax equals \$30 per capita per annum, or \$2.50 per month upon every man, woman, and child. In addition to the railroad transportation tax, it is estimated that water transportation for the fiscal year 1906-7 amounted to \$550,000,000, or \$5.98 per capita. For the same period it is estimated that wagon transportation taxed the people of the United States \$1,600,000,000, or \$17.39 per capita.

In all probability the question will be asked how the cost of wagon transportation can be estimated with any degree of ac-To be perfectly frank with you, it can not be estimated with mathematical certainty as to the annual cost, but it is estimated by the Office of Public Roads that the average distance to market in the United States is 9.4 miles, and that the average cost for wagon transportation in this country is 25 cents per ton per mile. The total amount of freight handled by rail and water for the fiscal year 1906-7 was, in round

numbers, 1,100,000,000 tons.

It is estimated that more than half of this tonnage was hauled to and from the railway and waterway by wagon; and it would be fair to estimate that as much as one-third more was finally hauled to the consumer by wagon on what we may term a second handling, making a total of 800,000,000 tons hauled by wagon. In addition to this, a large bulk of the cotton crop, which amounts approximately to 3,000,000 tons annually, is hauled from the farm to the gin, thence back to the farm, and finally to the railroad or wharf. The cost of this extra haul is not included in the above estimate. It should also be stated that large quantities of agricultural, forest, and miscellaneous products are first hauled in their crude state over the common roads before they reach the railroads and waterways, thus necessitating a rehauling of these products. So it is perfectly fair to estimate that the per capita transportation tax on the people of this country amounts to \$53.37 as against a tariff tax of \$18.13.

It is estimated by the Director of the Office of Public Roads, Mr. Logan Waller Page, who, in my opinion, is the greatest expert on road building and wagon transportation in the world to-day, that after a very careful study of this question by him he has discovered that the cost of transportation over the magnificent roads of England, Germany, and France by wagon is only 10 cents per ton per mile. But, eliminating any doubt as to the cost in these countries of transporting a ton a mile by wagon, we will say that it amounts to 121 cents per ton per mile. If by the construction of good roads in the United States we can reduce the cost of wagon transportation from 25 cents per ton per mile to 121 cents per ton per mile, we will save the people of this country, on this item alone, at the very least calculation, \$500,000,000 per annum.

In 1817 the wagoners using the old Cumberland Road only charged 18 cents per ton per mile for hauling upon this highway, and it is said that this allowed a profit to the wagoner. the average cost of wagon transportation per ton per mile is hand, in 1837 the railroads charged 71 cents per ton per mile, and to-day the cost of hauling by rail is about three-fourths of a cent per ton per mile, or about one-tenth of the original rate. Previous to 1825, when the Erie Canal was completed the cost of transporting a ton of merchandise between Buffalo and New York was \$100. The rate of transportation over the Erie Canal at its opening ranged from \$6 to \$15 per ton, but about 25 years later the average rate was \$3 to \$7 per ton. The average cost of transportation on the Great Lakes and inland waterways is estimated at from one-third to one-fourth of a cent per ton per mile. In other words, it is found that for \$1 it is possible to haul I ton 4 miles on the average country road, about 10 miles on a good highway, 140 miles by rail, 350 to 400 miles by lakes or inland waterways, and about 1,300 miles on the open sea: In short, before the farmer can avail himself of these cheaper means of transportation he must overcome the great barrier between his field and the nearest railroad station or

At the present time it costs the average American farmer about 1.6 per cent more to haul a bushel of wheat a distance of 9.4 miles from his farm to the neighboring railroad station than it does to ship it from New York to Liverpool, a distance of 3 100 miles:

If we had a system of good roads throughout the country, the farmers would save in the cost of wagon transportation of the cotton crop annually \$5,076,183; of the wheat crop, \$10,256,058; of the corn crop, \$12,709,278; whereas it now costs for wagon transportation to get these three great crops to market twice this sum

THE EFFECTS OF GOOD ROADS UPON FARM VALUES.

It is estimated that good roads would add from \$2 to \$10 per acre to land values. The total area of farm lands in the United States in 1900 was 850,000,000 acres. It is estimated an increase of \$5 per acre, by the construction of good roads, would

add to our taxable values \$4,250,000,000 per annum.

One of the greatest drawbacks to the farmer is the fact that under the present condition of the roads throughout the country he is practically isolated from market during the winter months. This is especially true in the South, where we do not have the continuous hard freezes incident to the climate of the States ferther north. No matter what prices cotton, corn, wheat, or other farm products are quoted at on a given day, if the roads are impassable the farmer is helpless to take advantage of the high prices; then when the roads are in passable condition and the great bulk of the staple crops is still in the hands of the farmer a general movement to market necessarily follows and depresses prices, and the farmer is the loser thereby.

Another great item of cost and loss to the country is in the

fact that the very time the farmer should be doing his hauling is when the ground is too wet and the weather too bad to till the soil and work his crops, but at that time the roads are also impassable; therefore he will necessarily be compelled to take good weather to market his crops and do his hauling, when he

could be devoting his time to his pursuits at home.

Mr. Chairman, for the last few years we have been continually hearing the cry from every source of "Back to the farm. The brainy boys and girls of our rural districts are continually seeking to escape the social conditions prevalent in the country during the long, dreary, winter months of the year, attributable almost entirely to bad roads. The drift of our population from the rural districts to the cities is really becoming alarming. Much of the social isolation has been ameliorated by the extension of telephone lines in the country and rural free delivery, but these great conveniences do not yet satisfy those who live upon the farm. Instead of the winter months in the rural districts being the most pleasant and profitable of the year, they mean absolute social isolation. Bad roads prevent attendance at school and church; they make literary societies, social gatherings, club and lodge meetings practically impossible during

the bad weather of the winter.

Mr. Chairman, I believe that I know the people who live upon the farms of this country as well as anyone. They are the most sociable people on the face of the earth. They love to go to church; they are ambitious to send their children to school. They love to visit one another and exchange ideas; they love to visit the sick; and when the week end comes they want to go to the nearest village store. The Representatives in this House who live in the large cities, either in an apartment house or in a private dwelling, can not appreciate these people. If a newcomer moves into the community, all the neighbors go and visit him and welcome him in their midst; but we can live in the large cities in an apartment house or next door to a family for 10 years and never know their names. So the cry of back more than it was 90 years ago on this road, while, on the other I to the farm will not be met, in my opinion, until something is

done to make country life more attractive and the development of the farm more rapid.

In 1850, 12.5 per cent of the population of the United States were living in cities of 2,500 or over; in 1890, 35 per cent; in

1900, 40 per cent; in 1910, 46 per cent.

Mr. Chairman, the United States is the only powerful nation on earth that does not lend its aid in the construction of highways, and to-day, by the failure of this Government to do its part in the upbuilding of the Nation, it is suffering, from a commercial standpoint, the loss of millions upon millions of dollars. Just to think, the exports and imports of Germany, Belgium, and Holland, three little countries of Europe no larger than our own State of Texas, were three times as much as the exports and imports of the United States in the year 1910, and in these countries you find as fine systems of public highways as there are in the world, penetrating every section of the country, placing the farmer and producer in easy access of the market by quick and cheap transportation.

It is to be hoped that this Democratic administration will deal more liberally with the farmer than he has been dealt with in the past. It is to be hoped that this great Government will lend its ear to the demands of that class of our people who produced upon the farms in the year 1910, \$8,926,000,000 worth of farm products. We can not be too liberal in dealing with our farmers and rural population. We must extend the work of agricultural education. We must encourage the building up of our farms. We must not be unmindful of the fact that the farmer has always been found ready to do his part in the maintenance of this Government. In times of peace he has aided in our com-mercial strength more than any other citizen; in times of war he has willingly laid down his hoe to shoulder his musket in defense of his country. It is stated as a historical fact that at the Battle of Gettysburg the First Minnesota Regiment went into that battle and in 35 minutes lost 83 per cent of its men in killed and wounded; the Twenty-sixth North Carolina at the same time went in with 77 strong and at the end of three days' fighting only one man out of that company was left. Mr. Chairman, these two regiments were composed entirely of farmers, and the bravery displayed by these farmer soldiers in this great, decisive, and bloody battle of the Civil War has never been excelled by any soldiers in the history of the world.

These facts are only mentioned to call the attention of this House to the fact that the farming element of this country are not mendicants and beggars. They do not make unreasonable demands upon their country. They do not complain and grumble when they do not get everything they want; but they are making a demand of their Representatives for relief from a condition in this country which amounts to a national shame. They do not ask it solely as a contribution; they see the great economic importance of direct and immediate legislation upon this subject.

The constitutional objections that were interposed in the early history of our country by President Monroe and other strict adherents to constitutional technicalities have all been overridden and cast to the four winds of the earth by subsequent acts of Congress. It is my humble opinion that in this modern day and time no Member would seriously argue that it was unconstitutional, under Article I, section 8, of the Constitution, that Congress shall have the power to "establish post offices and post roads"; that this Congress could not appropriate money for the improvement and maintenance of roads over which this Government daily carries its mail. If the word "establish" means simply, as has been argued by great constitutional lawyers in the early history of this country, to "point out," then the Constitution, if that be the true meaning of this section, has been violated hundreds of times by the building of post offices. Surely it will not be argued that to establish post offices means to erect buildings and to establish post roads means only to point them out.

In conclusion, Mr. Chairman, it may be proper to say that at this moment 95 per cent of the people of this country will applaud every single Member of this House who casts his vote in favor of the improvement of our national highways, and that for one time you will not be met by your constituents with the frown with which you are usually greeted after a general appropriation bill has been passed, appropriating millions of dollars for purposes in which the farmer can see no benefit. Let a Democratic House pass this bill for the appropriation of money by the Federal Government for the construction of good roads and it will receive the plaudits of that great class of our citizens who reside in the rural districts of this great country, "Well done, good and faithful servants."

By unanimous consent leave was granted to Mr. Lobeck and to Mr. Browne of Wisconsin to revise and extend their remarks in the RECORD.

Mr. SHACKLEFORD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. RAINEY having resumed the chair as Speaker pro tempore, Mr. Rubey, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11686, the good-roads bill, and had come to no conclusion thereon.

ADJOURNMENT.

Then (at 10 o'clock and 34 minutes p. m.), on motion of Mr. SHACKLEFORD, the House adjourned until to-morrow, Saturday, February 7, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, a letter from the chairman of the Public Utilities Commission of the District of Columbia, transmitting a report of an examination of the accounts, books, and records of the Washington Railway & Electric Co., was taken from the Speaker's table and referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. O'LEARY, from the Committee on the District of Columbia, to which was referred the bill (S. 1294) to regulate the hours of employment and safeguard the health of females employed in the District of Columbia, reported the same without amendment, accompanied by a report (No. 224), which said bill and report were referred to the House Calendar.

Mr. O'HAIR, from the Committee on Military Affairs, to which was referred the bill (H. R. 6750) granting to the city of New Orleans right of way for a street across the Jackson Barracks Military Reservation, in the parish of Orleans, State of Louisiana, reported the same with amendment, accompanied by a report (No. 228), which said bill and report were referred to the Committee of the Whole House on the State of the Union.

He also, from the same committee, to which was referred the bill (H. R. 12806) authorizing the Secretary of War to grant the use of the Fort McHenry Military Reservation, in the State of Maryland, to the mayor and city council of Baltimore, making certain provisions in connection therewith, providing access to and from the site of the new immigration station heretofore set aside, and appropriating certain money, reported the same with amendment, accompanied by a report (No. 229), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MOON, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 12928) to amend the postal and civil-service laws, and for other purposes, reported the same with amendment, accompanied by a report (No. 231), which said bill and report were referred to the Committee

of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII.

Mr. GOEKE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 3192) waiving the age limit for appointment as cadet engineer in the Revenue-Cutter Service of the United States in the case of John S. Mc-Kinney, reported the same without amendment, accompanied by a report (No. 230); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 6359) granting a pension to Catherine E. Mc-Donald; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 12912) granting a pension to Edson P. Howes; Committee on Invalid Pensions discharged, and referred to the

Committee on Pensions.

A bill (H. R. 7559) granting an increase of pension to Gustav Shultz; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 10819) granting an increase of pension to Theodore Walker; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 10159) granting a pension to Mary A. Elderkin; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11466) granting a pension to Charles C. Abernathy; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12819) granting a pension to Mary T. Houston; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions,

A bill (H. R. 436) granting a pension to James F. Pryor; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2023) for the relief of Joseph A. Stevenson; Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KITCHIN: A bill (H. R. 13041) providing for the establishment of a term of the District Court for the Eastern District of North Carolina at Wilson, N. C.; to the Committee on the Judiciary

By Mr. WILSON of Florida: A bill (H. R. 13042) releasing claim of the United States to lot No. 306 in the old city of Pensacola, Fla.; to the Committee on the Public Lands.

By Mr. SHREVE: A bill (H. R. 13043) providing for the appointment of a board for the purpose of selecting a suitable site for a naval-armor plant on the Great Lakes, at the harbor of Erie, and to submit a report on the cost and availability of said plant; to the Committee on Naval Affairs.

By Mr. KEY of Ohio: A bill (H. R. 13044) to pension widow and minor children of any officer or enlisted man who served in the War with Spain or Philippine insurrection; to the Committee on Pensions.

By Mr. BUCHANAN of Texas: A bill (H. R. 13045) to provide for more equitable and effective means of distribution of topographic and hydrographic surveys and other work of the United States Geological Survey among the several States, and to make such work more effective and serviceable to the several States in the work of improvement and development; to the Committee on Mines and Mining.

By Mr. GUERNSEY: A bill (H. R. 13046) authorizing the

Secretary of War to deliver to Old Glory Camp, No. 16, of Houlton, Me., one condemned cannon; to the Committee on Military Affairs.

By Mr. ANSBERRY: A bill (H. R. 13047) providing for the erection of a public building at Wauseon, in the State of Ohio; to the Committee on Public Buildings and Grounds.

By Mr. GARNER: A bill (H. R. 13048) to reimburse the State of Texas for defense of the frontier against Mexican

marauders and Indian depredations; to the Committee on Appropriations.

By Mr. DALE: Resolution (H. Res. 401) for the establishment of a bureau of information in the main corridor of the

House wing of the Capitol; to the Committee on Accounts, By Mr. ALEXANDER: Resolution (H. Res. 402) authorizing the Committee on the Merchant Marine and Fisheries to have printed 4,540 copies of volume 4 of the Proceedings of the Committee on the Merchant Marine and Fisheries under House resolution 587 of the Sixty-second Congress, second session; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 13049) granting an increase of

pension to Edwin S. Palmer; to the Committee on Invalid Pen-

By Mr. CAMPBELL: A bill (H. R. 13050) for the relief of

William T. Grady; to the Committee on Military Affairs,
By Mr. DIFENDERFER: A bill (H. R. 13051) for the relief
of Franklin W. Hilt, alias Franklin T. Righter; to the Committee on Military Affairs.

By Mr. FRENCH: A bill (H. R. 13052) granting a pension to Richard King; to the Committee on Invalid Pensions.

By Mr. GARDNER: A bill (H. R. 13053) granting a pension to Annette B. Wonson; to the Committee on Invalid Pensions. By Mr. HENSLEY: A bill (H. R. 13054) granting an increase of pension to William G. Reppy; to the Committee on Invalid

Pensions.

By Mr. HOWARD: A bill (H. R. 13055) granting a pension to Thomas J. Roberts; to the Committee on Pensions.

Also, a bill (H. R. 13056) for the relief of the heirs of William

H. Harvill, deceased; to the Committee on War Claims. By Mr. KIESS of Pennsylvania: A bill (H. R. 13057) grant-

ing an increase of pension to George Vandergrift; to the Committee on Invalid Pensions.

By Mr. KIRKPATRICK: A bill (H. R. 13058) granting a pension to Helen V. Döring; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 13059) granting a pension to Callaway Williams; to the Committee on Pensions.

Also, a bill (H. R. 13060) granting an increase of pension to David F. Leach; to the Committee on Pensions.

Also, a bill (H. R. 13061) granting an increase of pension to Jackson Stansbury; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13062) granting an increase of pension to John O. White; to the Committee on Invalid Pensions.

By Mr. SHREVE; A bill (H. R. 13063) granting an increase of pension to Horace Greeley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13064) granting an increase of pension to

Martha Gage; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13065) to correct the military record of James Tweed; to the Committee on Military Affairs

By Mr. SMALL: A bill (H. R. 13066) for the relief of Mary Bailey Pratt; to the Committee on Claims.

By Mr. SMITH of Minnesota: A bill (H. R. 13067) to authorize the appointment of L. A. Grant, late a brigadier and brevet

major general of Volunteers, to be a brigadier general in the Army on the retired list; to the Committee on Military Affairs. By Mr. SAMUEL W. SMITH: A bill (H. R. 13068) granting an increase of pension to Absalom O. Halliwill; to the Commit-

tee on Invalid Pensions.

Also, a bill (H. R. 13069) to correct the military record of C. P. Miller, alias Perry; to the Committee on Military Affairs. By Mr. TAGGART: A bill (H. R. 13070) granting a pension to Albert D. Lewis; to the Committee on Pensions.
Also, a bill (H. R. 13071) granting an increase of pension to

Adam C. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13072) to place the name of Lieut. William Henry Myers on the retired list of the Regular Army; to the Committee on Military Affairs.

By Mr. TAVENNER: A bill (H. R. 13073) granting an increase of pension to Henry Tomer; to the Committee on Invalid

Pensions.

By Mr. THACHER: A bill (H. R. 13074) granting an increase of pension to William Johnson; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 13075) granting a pension to Edward B. Hughes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13076) granting an increase of pension to Watson Goodrich; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 13077) for the relief of the legal representatives of Thomas H. Rogers, deceased; to the Committee on Claims.

Also, a bill (H. R. 13078) for the relief of Benjamin F. Reams;

Also, a bill (H. R. 13078) for the relief of Benjamin F. Reams; to the Committee on Military Affairs.

By Mr. FESS: A bill (H. R. 13079) to correct the military record of William P. Dodd for the relief of Nancy Dodd; to the Committee on Military Affairs.

Also, a bill (H. R. 13080) to correct the military record of Robert Wise; to the Committee on Military Affairs.

By Mr. POWERS: A bill (H. R. 13081) for the relief of Thomas J. Smith; to the Committee on War Claims.

Also, a bill (H. R. 13082) for the relief of Henry Frederick.

Also, a bill (H. R. 13082) for the relief of Henry Frederick; to the Committee on War Claims.

Also, a bill (H. R. 13083) granting a pension to William Pace: to the Committee on Pensions.

Also, a bill (H. R. 13084) granting a pension to William G. Pennington; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Francis Scott
Key Branch American Continental League, of Brooklyn, N. Y.,
protesting against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

Also (by request): petition of Achilla Starage of New York

Also (by request), petition of Achille Starace, of New York City, N. Y., favoring the "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

By Mr. ASHBROOK: Petitions of C. N. Vogelnulde and 70 others, of Newark, Ohio, protesting against Federal prohibition; to the Committee on the Judiciary.

Also, petition of Stitzel & Ullman and 11 other merchants of Loudonville, Ohio, favoring the passage of House bill 5308, relative to mail-order houses; to the Committee on Ways and

Means.

By Mr. BATES: Petition of residents of Ashley, Ill., favoring House bill 5308; to the Committee on Ways and Means.

By Mr. BRYAN: Petition of the George Washington Branch, American Continental League, of Leahy, Wash., against celebration of "One hundred years of peace among English-speaking peoples"; to the Committee on Foreign Affairs.

Also, petition of residents of Hillyard, Wash., against Sabbath observance bill: to the Committee on the District of Columbia.

observance bill; to the Committee on the District of Columbia.

Also, petition of the Seattle Chamber of Commerce, favoring

use by Marconi Wireless Telegraph Co. of necessary stations on property now included in public reservations; to the Committee on the Territories.

Mr. BURKE of Wisconsin: Petition of citizens of Herman, Dodge County, Wis., protesting against the passage of national prohibition bills; to the Committee on the Judiciary.

Also, petition of the Wisconsin State Union, American Society of Equity, protesting against including cooperative organizations of farmers and consumers in the antitrust bills; to the Committee on the Judiciary.

By Mr. CARY: Memorial of the executive board of the Wisconsin State Union of the American Society of Equity, protesting against all bills which strive to define more clearly the Sherman Act; to the Committee on the Judiciary.

Also, petition of the German-American Alliance, of Eau Claire County, Wis., representing 106 American citizens, protesting against House joint resolution 168 and Senate joint resolutions 88 and 50, or any other similar prohibition measures; to the Committee on the Judiciary.

Also, petition of the German-American Alliance, of Spencer, Wis., representing 30 American citizens, protesting against the passage of House joint resolution 168 and Senate joint resolutions 88 and 50, or any other prohibition measures; to the Com-

mittee on the Judiciary.

Also, petition of the German-American Alliance, representing 50 American citizens, protesting against House joint resolution 168 and Senate joint resolutions 88 and 50 or any other prohibition measures; to the Committee on the Judiciary.

By Mr. DALE: Petition of the Order of Railroad Telegraphors of Brockley, N. V. favoring the passers of Brother.

phers, of Brooklyn, N. Y., favoring the passage of Bartlett-Bacon anti-injunction bills; to the Committee on the Judiciary.

Also, petition of the Francis Scott Key Branch of the American Continental League, of Brooklyn, N. Y., protesting against the "One hundred years of peace celebration"; to the Committee on Foreign Affairs tee on Foreign Affairs.

By Mr. GARNER: Petitions of cattle raisers and citizens of San Angelo, Tex., protesting against the repeal of the quarantine law relative to the shipment of cattle from the South; to the Committee on Interstate and Foreign Commerce.

Also, petitions of business men of the State of Texas, favoring the passage of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

By Mr. GOLDFOGLE: Petitions of the N. L. Carpenter Co.,

of New York City; Jacob G. Bernheimer, of New York City; and Dunston Lithograph Co., of Dunkirk, N. Y., favoring the passage of the Ransdell-Humphrey bills relative to flood control; to the Committee on Rivers and Harbors.

Also, petition of the Woman's Republican Club of New York City, favoring the passage of bills restricting immigration; to

the Committee on Immigration and Naturalization.

Also, petition of J. W. Doolittle, of New York City, protesting against the passage of the seamen's bill in its present form; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the International Seamen's Union of America, favoring the passage of the seamen's bill (S. 136); to the Committee on the Merchant Marine and Fisheries

Also, petitions of Independent Order B'rith Abraham Societies, of New York City, protesting against the passage of hills re-stricting immigration; to the Committee on Immigration and

Naturalization.

By Mr. GRAHAM of Pennsylvania: Petition of the National Association of Clothiers of New York City, protesting against the passage of the Bartlett-Bacon anti-injunction bills; to the Com-

mittee on the Judiciary.

By Mr. HAYES: Memorial of the Associated Chambers of Commerce of the Pacific Coast, of San Francisco, Cal., favoring appropriation for Alaskan exhibit at Panama-Pacific Exposition;

to the Committee on Appropriations.

Also, memorial of the American Federation of Labor, of San Francisco, Cal., favoring the passage of the seamen's bill (S. 136); to the Committee on the Merchant Marine and Fish-

By Mr. HENSLEY: Petition of sundry citizens of Washington County, Mo., protesting against the passage of House joint resolution 168, relative to Federal prohibition; to the Committee on the Judiciary.

Also, petition of the Bay View (Federated) Club, favoring the passage of amendment relative to national prohibition; to the

Committee on the Judiciary.

By Mr. LONERGAN: Petition of the National Association of Clothiers, of New York City, protesting against the passage of the Bartlett-Bacon anti-injunction bills; to the Committee on the Judiciary.

By Mr. MOORE: Memorial of Joseph Christ, Leonard King, Christian Pfister, and others, and the German-American Republican Club, of Philadelphia, Pa., protesting against national

publican Cub, of Philadelphia, Pa., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. PAYNE: Petitions of citizens of the counties of Cayuga, Wayne, and Ontario, State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. REILLY of Connecticut: Petitions of Umberto 2d Society, of New Haven, Conn., protesting against the passage of bills restricting immigration: to the Committee on Immigration. of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Wallingford Branch of the American Continental League, of Wallingford, Conn., protesting against the "One hundred years of peace celebration"; to the Com-

mittee on Foreign Affairs.

By Mr. SCULLY: Memorial of the Hebrew Progressive Association and Congregation Shaarey Tphillo, both of Perth Amboy, N. J., protesting against the passage of bills restricting immigration; to the Committee on Immigration and Naturaliza-

By Mr. J. M. C. SMITH: Petition of James B. Brainerd Post, No. 111, Grand Army of the Republic, against changes in flag; to the Committee on the Judiciary

Also, petition of citizens of Michigan against Sunday observance law; to the Committee on the District of Columbia.

By Mr. SUTHERLAND: Papers to accompany House bill 9107; to the Committee on Pensions.

By Mr. WINGO: Petition of citizens of Barling, Sebastian

County, Ark., protesting against the passage of the Sabbath observance bill (H. R. 9674); to the Committee on the District of

By Mr. YOUNG of North Dakota: Petition of Michael Stern and 44 others, of Sykeston, N. Dak., protesting against the passage of the Sabbath observance day (H. R. 9674); to the Committee on the District of Columbia.